

CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA
MONDAY, JANUARY 24, 2005, 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:**
 - A. Opening of One Bid for SCADA Software for the Lake Bloomington Water Treatment Plant. (Recommend that the Bid be opened at the City Council meeting, referred to staff for analysis and reported back to Council prior to the end of the meeting.)**
 - B. Proclamation - Declaring February 4, 2005 as “Go Red for Women Day”**
 - C. Presentation of Plaque to Russel Francois for his years of leadership on the Historic Preservation Commission.**
- 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.)

 - A. Council Proceedings of May 24, 2004. (Recommend that the reading of the minutes of the previous Council Meeting of May 24, 2004 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. Audit of the Accounts for the Township Supervisor for the month of December, 2004. (Recommend that the audit of the bills and payroll be made a matter of record.)**
- E. Reports. (Recommend that the reports be placed on file and made a matter of record.)**
- F. Appointment(s) and Reappointment(s) to Various Boards and Commissions. (Recommend that the appointment be approved.)**
- G. Request to pay Stark Excavating, Inc. for Repair of Two Pipe Culverts at Lake Bloomington. (Recommend that the payment be approved.)**
- H. Request to pay Tom Laskowski Plumbing, Inc., for Replacement of Four Water Services at Milton Court. (Recommend that the payment be approved.)**
- I. Permission to Seek Bids for Tank Removal at 110 E. Mulberry St. (Recommend the staff be authorized to seek Bids for Tank Removal at 110 E. Mulberry St.)**
- J. Bid Analysis for Purchase of Two Ambulances. (Recommend that the bid be awarded to Wheeled Coach Industries in the amount of \$175,641, and the Purchasing Agent be authorized to issue a purchase order for same.)**
- K. Bid Analysis for Purchase of Differential Pressure Transmitters. (Recommend that the bid be awarded to Endress + Hauser, Inc. in the amount of \$13,942, and the Purchasing Agent be authorized to issue a purchase order for same.)**
- L. Bid Analysis for Purchase of Filter Flow Meters. (Recommended that the bid be awarded to Endress + Hauser, Inc., in the amount of \$19,736.80, and the Purchasing Agent be authorized to issue a purchase order for same.)**
- M. Waive the Formal Bidding Process and Purchase Aquatic Management Agreement for Golden Eagle Detention Basins. (Recommended that the formal bidding process be waived, the Aquatic Management Agreement with Marine Biochemists be approved at an annual cost of \$7,205, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.)**

- N. Waive the Formal Bidding Process and Purchase the Repair of 1991 Pierce Telesquirt. (Recommend that the formal bidding process be waived, the repair of the 1991 Pierce Telesquirt by Global Emergency Products at a cost of \$9,650.84 be approved, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.)**
- O. Waive the Formal Bidding Process and Purchase Office Furniture for Vice Office. (Recommend that the formal bidding process be waived, the furniture be purchased from Widmer Interiors, in the amount of \$19,559.51, the Purchasing Agent be authorized to issue a purchase order for same and the Resolution adopted.)**
- P. Bid Analysis for Replacement of Scooters for Parking System. (Recommend that the bid be awarded to Roanoke Motors for Two Right Hand Drive 2005 Jeep Wranglers in the amount of \$36,810, and the Purchasing Agent be authorized to issue a purchase order for same.)**
- Q. Waive the Formal Bidding Process and Authorize Repair to Public Service Street Sweeper. (Recommend that the formal bidding process be waived, the repair of the 1997 Elgin Pelican by Key Equipment at a cost of \$24,529.25 be approved, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.)**
- R. Waive the Formal Bidding Process and Authorize the Purchase of Replacement Crime Scene Vehicle Using State of Illinois Joint Purchasing Contract. (Recommend that the formal bidding process be waived, the SUV be purchased from Miles Chevrolet, Decatur, IL in the amount of \$24,460, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.)**
- S. Waive the Formal Bidding Process and Authorize the Purchase of Four Wheel Drive Pickup Using State of Illinois Joint Purchasing Contract. (Recommend that the formal bidding process be waived, the truck be purchased from Dennison Corporation in the amount of \$28,465.35, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.)**
- T. Waive the Formal Bidding Process and Authorize the Purchase of Nine Mid Size Pickup Trucks Using State of Illinois Joint Purchasing Contract. (Recommend that the formal bidding process be waived, the trucks be purchased from Bob Ridings, Inc., Taylorville, IL in the amount of \$147,366, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.)**

- U. Waive the Formal Bidding Process and Authorize the Purchase of Two Pickup Trucks Using State of Illinois Joint Purchasing Contract. (Recommend that the formal bidding process be waived, the trucks be purchased from Green Chevrolet, Peoria, IL in the amount of \$38,507.06, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.)**
- V. Change Order for Office Furniture in the Engineering Department. (Recommend that the Change Order in the amount of \$636.14 to Henrickson Company be approved.)**
- W. Change Order for Hershey Road Phase III (College Ave. to Kara Crossing). (Recommend that the Change Order in the amount of \$11,956.42 to Rowe Construction Company be approved, and the Resolution adopted.)**
- X. Proposed Change Order to CB & I Constructors, Inc. for Additional Work Completed on the Pipeline Road Water Transmission Main Division A, Elevated Water Storage Tank. (Recommend that the Change Order in the amount of \$24,500 to CB & I Constructors, Inc. be approved, and the Resolution adopted.)**
- Y. Redevelopment Agreement with Pinnacle Door Company. (Recommended that the agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- Z. Disposition of 913 N. Roosevelt Street. (Recommend that the contract purchase with Tory Ragsdale be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- AA. Correction to December 13, 2004 Memorandum Concerning the Purchase of Fifteen Motorola Portable Radios. (Recommend that the Council reaffirm its action on this item with the corrected line items and amounts.)**
- AB. Acquisition of Vacant Lot Located at Lumber and W. Grove Street. (Recommended that the purchase of the Vacant Lot be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- AC. Lease of Marginal Land at Lake Bloomington to John N. and Lori A. Bagozy Adjacent to Lake Bloomington Estates Subdivision. (Recommend that the lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- AD. Easement from Benjamin Tamooraizy and Ramica Benyamin. (Recommend that the agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**

- AE. Temporary Working Easement from James and Martha Bommarito. (Recommend that the \$6,800 payment for Temporary Working Easement be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- AF. Highway Permit Application from the Illinois Department of Transportation (IDOT) for Work in US Route 51 Right-of-way at the Intersection of Madison and Front Streets. (Recommend that the application be approved and the Resolution adopted.)**
- AG. Petition from Wittenberg II, LLC for Approval of an Easement Vacation Plat for Wittenberg Woods at Prairie Vista. (Recommend that the Vacation be approved and the Ordinance passed.)**
- AH. Petition from Tiehack Development Corporation for Approval of a Final Plat for the Villas at Spring Ridge - Tenth Addition. (Recommend that the Final Plat be approved and the Ordinance passed.)**
- AI. Petition filed by Trust No. 21-54720, Chicago Title Land Trust Co., as trustee, Thomas Mayes and Marilyn Hicks, agents requesting approval of an expedited Final Plat for Mayes Subdivision, which is commonly located south of West Washington Street, west of I-55/74 overpass, and consisting of approximately 11.05 acres. (Recommend that the Final Plat be approved as conditioned and revised, and the Ordinance passed.)**

7. “Regular Agenda ”

- A. Petition Filed by Interchange City West LLC, requesting the rezoning of a 37.33 acre tract commonly located south of IL Route 9, north of Constitution Trail and along Interstate Drive from B-1 Business District to M-1 Restricted Manufacturing District, and M-2 General Manufacturing District. (Recommend that the Rezoning to M-1 be approved, provided that there is an acceptable commitment for construction of the detention basin, and the Ordinance passed.)**
- B. Public Hearing on the Petition filed by McLean County Land Trust Ives Acorn Family Partnership, Timothy O. Ives, Trustee, requesting approval of the Pre-Annexation Agreement for property located at the northwest quadrant of the intersection of Ireland Grove Road and Towanda-Barnes Road. (Recommend that the revised Pre-Annexation Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**

- C. Waive the Formal Bidding Process and Enter Into an Agreement with Motorola Inc. to Provide Engineering Services for Emergency Radio Communications. (Recommend that the formal bidding process be waived, the Agreement be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)**

- 8. Mayor's Discussion**
- 9. City Manager's Discussion**
- 10. City Aldermen's Discussion**
- 11. News Media Questions and/or comments**
- 12. Executive Session - cite section**
- 13. Adjournment**
- 14. Notes**



ADDENDUM

BLOOMINGTON CITY COUNCIL AGENDA

JANUARY 24, 2005

Removal from “Consent”.

- 6Z.** Disposition of 913 N. Roosevelt Street. (Recommend that the contract purchase with Tory Ragsdale be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)

Addition to “Consent

- 6AJ.** Application of Col-Jake, Inc., d/b/a Creole Cafe & Bar, located at 525 N. Center St., 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 be created, contingent upon compliance with all applicable health and safety codes with the following condition 1.) that the establishment would operate as a tavern after 10:00 p.m. and no one under the age of twenty-one (21) would be allowed on the premise.)

FOR COUNCIL: January 24, 2005

To: Members of the City Council

From: Liquor Commission

Subject: Application of Col-Jake, Inc., d/b/a Creole Cafe & Bar, located at 525 N. Center St., 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

The Bloomington Liquor Commissioner Judy Markowitz called the Liquor Hearing to consider the application of Col-Jake, Inc., d/b/a Creole Cafe & Bar located at 525 N. Center 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. Present at the hearing were Liquor Commissioners Judy Markowitz, Rich Buchanan, Steve Stockton, Marabeth Clapp and Steve Petersen and Mark Gibson; Hannah Eisner, Deputy Corporation Counsel, Lt. Tim Stanesa, Police Dept., and Tracey Covert, City Clerk; and Glen Bush, owner and Applicant representative.

Commissioner Markowitz began by informing the Commission that DooMi, d/b/a EPIC had withdrawn their application. Hannah Eisner, Deputy Corporation Counsel, addressed the Commission. This application is for an "R" restaurant license. The current license holder also holds an "R" license without conditions. Commissioner Markowitz requested that the Applicant explain the business plan. Glenn Bush, owner and Applicant representative, addressed the Commission. He was employed as a full time professor at Heartland Community College. He had fifteen (15) years of experience in the restaurant business in various cities. There was an opportunity to open a restaurant in the Downtown. Creole Cafe & Bar would offer Creole and Cajun cooking. The menu would offer catfish, shrimp, and jambalaya. There would also be live entertainment. He planned to concentrate on blues, jazz and classic rock. Mr. Bush expressed his opinion that there would be nothing similar to it in Central Illinois.

The Creole Cafe & Bar would offer poetry and jazz on Sunday. Blues would be scheduled for Wednesday through Saturday. Entertainment would be available from 9:00 or 10:00 p.m. until closing time. He had begun the process of assembling a house band which would play on Monday nights. The Creole Cafe would be the City's house of blues. He acknowledged that late in the evening the restaurant would resemble a tavern.

The Creole Cafe & Bar would be open for lunch and dinner. Lunch service would begin at 11:00 a.m. He planned to offer boxed lunches for delivery within the Downtown. He also planned to offer a New Orleans style champagne brunch. A bar atmosphere would be more prevalent after 9:00 p.m. Food service will be available until midnight. A limited menu of sandwiches and appetizers would be offered. Eventually, he hoped to expand into the catering business.

Mr. Bush described the decor as homey. A New Orleans decorator had been hired. The building would be remodeled during February 2005. The restaurant would have more dry storage, a larger kitchen, and a smaller stage.

Commissioner Markowitz questioned if a chef had been hired. Mr. Bush had retained two (2) cooks. One (1) individual was from Louisiana. The other person is local and was formerly with Rosie's. Mr. Bush described himself as a restaurant person who knows how to cook. He cited from his personal experience. He had managed restaurant kitchens before.

Commissioners Stockton and Buchanan arrived at 4:10 p.m.

Commissioner Petersen questioned Mr. Bush's liquor experience. Mr. Bush restated that he had fifteen (15) years of experience in the restaurant/bar business. The Creole Cafe needed to be diverse. It would offer a restaurant with a bar and live music. Hopefully by offering a different dinner menu, the patrons would stay for the music.

Commissioner Petersen questioned if Mr. Bush had any concerns. Mr. Bush responded affirmatively. However, his concerns were practical. The revenue must be sufficient to cover expenses. The late night clientele which he described as college students. Security was a major issue. He had already contacted the City and State police offices. He had inquired about any policies which effect hiring police personnel for security work.

Mr. Bush informed the Council that he would be on site seven (7) days a week. The Creole Cafe would operate within the City Code. Employees will be trained to handle a variety of situations.

Commissioner Markowitz questioned if Mr. Bush had contacted the McLean County Health Department. Mr. Bush informed the Commission that the final plan was not complete. There are current violations and Steve Giardina, current license holder, must bring the facility into compliance with the code. The McLean County Health Department had performed a walk through. The financing for this project was complete, (Small Business Administration loan).

Commissioner Stockton stated that this application was different from DooMi. Mr. Bush restated his intention to be open from 11:00 a.m. until 1:00 or 2:00 a.m. Commissioner Markowitz stated that these hours would be the same as the existing license. Commissioner Stockton restated that there would be food service after 10:00 p.m. Mr. Bush responded affirmatively. He added that the menu would be limited. Commissioner Stockton expressed his opinion that the Creole Cafe & Bar would operate as a bar with food after 10:00 p.m. He expressed his concerns regarding the presence of minors and recommended a standard provision. He also questioned crowd control at closing.

Mr. Bush informed the Commission that he had reviewed the City's liquor code. There would be trained personnel. An individual must present a valid state driver's license or state identification card. No one under twenty-one (21) years of age would be allowed on the premise after 9:00 p.m. He added that this action was a common practice in St. Louis. The key was to hire the proper personnel.

Ms. Eisner restated that the Application was for an "R" license. Fifty-one percent (51%) of the Creole Cafe's revenue must come from sources other than alcohol. Mr. Bush acknowledge that the late night environment would be different. Commissioner Stockton recommended that the time limit for underage persons be 10:00 p.m. or one (1) hour after the kitchen closed. Mr. Bush questioned this verbage.

He questioned its interpretation if the kitchen was opened until midnight. Commissioner Buchanan recommended 10:00 p.m. for enforcement purposes. A set time would be easier to enforce.

Commissioner Buchanan questioned if there were any legal concerns. The proposed restaurant would be come a tavern after a certain hour. Ms. Eisner informed the Council that if the nature of an establishment changed, the City had the right to impose conditions. Lt. Tim Stanesa, Police Department, addressed the Commission. The 10:00 p.m. deadline was enforceable. However, any condition placed upon a liquor license was dependent upon the license holder. Commissioner Buchanan questioned if Mr. Bush understood the jeopardy of allowing underage persons into the Creole Cafe & Bar after 10:00 p.m. Ms. Eisner reminded the Commission that such language would have to be added as a condition on the license.

Commissioner Clapp informed Mr. Bush that as the license holder he could establish house rules to protect the business/liquor license. Commissioner Buchanan restated the impression that the Creole Cafe & Bar would become a tavern after 10:00 p.m.

Commissioner Petersen questioned outdoor noise. Mr. Bush responded that he did not have an answer but knew that it must be addressed. Commissioner Markowitz cautioned the Applicant that the City had received neighborhood complaints. Ms. Eisner encourage Mr. Bush to contact Tom Hamilton, City Manager, and Doug Grovesteen, Director of Engineering. Mr. Bush informed the Council that he had spoken with Mr. Hamilton regarding the facade grant program. Ms. Eisner added that the City Code does not allow open alcohol on City property. Mr. Bush must determine the property lines.

Commissioner Buchanan questioned outdoor dining. Mr. Bush informed the Commission that the upper level deck would be retained. Commissioner Buchanan questioned amplified sound. Mr. Bush responded negatively.

Commissioner Stockton thanked Mr. Bush for volunteering his willingness to restrict persons under twenty-one (21) years of age after a certain hour. He advised Mr. Bush that the Commission might revise the kitchen's closing time to an earlier hour. He expressed his opinion that it might be wise to stagger closing times in the future due to the proximity of licensed establishments.

Based on the above, the Liquor Commission recommends to the City Council that an RAS liquor license for Col-Jake Inc., d/b/a Creole Cafe & Bar, located at 525 N. Center St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) that the establishment would operate as a tavern after 10:00 p.m. and no one under the age of twenty-one (21) would be allowed on the premise.

Respectfully,

Judy Markowitz
Chairman of Liquor Commission

Motion: _____

That an RAS liquor license for Col-Jake Inc., d/b/a Creole Cafe & Bar located at 525 N. Center St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) that the establishment would operate as a tavern after 10:00 p.m. and no one under the age of twenty-one (21) would be allowed on the premise.

Motion: _____ Seconded by: _____

| | Aye | Nay | Other | | Aye | Nay | Other |
|-------------------|-----|-----|-------|-----------------------|-----|-----|-------|
| Alderman Crawford | | | | Alderman Finnegan | | | |
| Alderman Huette | | | | Alderman Veitengruber | | | |
| Alderman Sprague | | | | Alderman Schmidt | | | |
| Alderman Matejka | | | | | | | |
| Alderman Whalen | | | | Mayor Markowitz | | | |

