

**CITY OF BLOOMINGTON  
COUNCIL MEETING AGENDA  
109 E. OLIVE  
MONDAY, SEPTEMBER 10, 2012, 7:00 P.M.**

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call of Attendance**
- 5. Public Comment**
- 6. Recognition/Appointments**
  - A. Oath of Office for Firefighters Joshua Plese, Eric Hall, and Dylan Ferguson**
  - B. Appointments of David Stanczak to the Planning Commission and Sherry Graehling to the Historic Preservation Commission**
- 7. “Consent Agenda”**
  - A. Council Proceedings of August 27, 2012. (Recommend that the reading of the minutes of the previous Council Meeting of August 27, 2012 be dispensed with and the minutes approved as printed.)**
  - B. Bills and Payroll. (Recommend that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.)**
  - C. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington’s Davis Lodge on September 28, 2012. (Recommend that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington Davis Lodge on September 28, 2012 be passed.)**

- D. Suspension of Chapter 6 Section 26(d) to Allow Possession of Open Alcohol on Public Property for the Bloomington-Normal Sunrise Rotary Club – Brats and Bags, a fundraising event to benefit the Midwest Food Bank, located on Jefferson Street between Main and Center and Main Street between Jefferson and Washington on October 5, 2012. (Recommend that the Ordinance be passed.)**
- E. Application of GS Partners, Inc., d/b/a Ride the Nine/Shooters Lounge located at 503 N. Prospect Rd., Suite 300 for a TAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week. (Recommend that a TAS liquor license for GS Partners, Inc., d/b/a Ride the Nine/Shooters Lounge, located at 503 N. Prospect Rd., Suite 300, be created, contingent upon compliance with all applicable health and safety codes.) (*a change of ownership*)**
- F. Application of Bloomington Lodge #281, Benevolent and Protective Order of Elks of the USA Inc., d/b/a Bloomington Elks Lodge #281, located at 608 Seminary Ave., for a CA liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week. (Recommend that a CA liquor license for Bloomington Lodge #281, Benevolent and Protective Order of Elks of the USA Inc., d/b/a Bloomington Elks Lodge #281, located at 608 Seminary Ave., be created, contingent upon compliance with all applicable health and safety codes.) (*a change of ownership*)**
- G. Application of Smashtwo, LLC, d/b/a Smashburger, located at 1401 N. Veterans Pkwy., for an RBS liquor license, which will allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week be approved. (Recommend that an RBS liquor license for Smashtwo, LLC, d/b/a Smashburger, located at 1401 N. Veterans Pkwy., be created, contingent upon compliance with all applicable health and safety codes.) (*a new license*)**
- H. Professional Services Contract for the Bloomington Center for Performing Arts. (Recommend that the contract in the amount of \$27,500 be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- I. Review on the petition submitted by City of Bloomington, requesting the amendment of Chapter 44 (Zoning), Section 44.4-2 by adding a provision for parkland dedication for residential development in nonresidential zoning districts. (Recommend that the Text Amendment to Chapter 44, Zoning, Section 44.4-2, be approved and the Ordinance passed.)**

- J. Petition from Wingover East, LLC Requesting Approval of a Water Easement Dedication, located west of Ekstam Drive, north of Gerig Drive, and south of Cornelius Drive. (Recommend that the Petition be approved and the Ordinance passed.)**
- K. Proposed Change Order #1 for 2012 Street and Alley Repair Contract (Citywide). (Recommend that the Amendment to the contract with Rowe Construction Company for the 2012 Street and Alley Repairs in the amount of \$175,000 be approved.)**
- L. Analysis of Bids and Approval of the FY 2013 Traffic Signal Maintenance Contract (City Wide). (Recommend that the prices be accepted from Laesch Electric and a contract be executed in the amount up to \$100,000.00 and a budget amendment be incorporated into the FY budget.)**

## **8. “Regular Agenda”**

- A. Application of Setinthebar, d/b/a Gat’s Jazz Cafe, located at 424 N. Main St., for a TAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week. (Recommend That a TAS liquor license for Setinthebar, Inc., d/b/a Gat’s Jazz Cafe, located at 424 N. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) the establishment will be run as a Jazz Cafe; not a traditional tavern - the Commission reserves the right to modify this condition to insure compliance; 2.) the business will be committed to the promotion of live jazz music and commits to stay with the jazz music theme, as opposed to other forms of music; 3.) the hours of operation of the business will be Sunday through Thursday from 11:00 a.m. until 10:00 p.m. and Friday and Saturday from 11:00 a.m. until 12:00 a.m.; 4.) the tables and chairs will not be removed from the premise so as to maintain a close, intimate Jazz Cafe atmosphere at all times; 5.) food, as shown on the sample menu or substantially similar and comprehensive menu will be served up until one hour prior to closing with continued work towards establishing a full kitchen with a vaster meal type menu; 6.) marketing house events which for a set price, reserves a table for entertainment viewing and provides certain food and drink for one price; and 7.) with all of these conditions, there was confidence that a successful Jazz Cafe will be established at 424 N. Main St. which will add to the Downtown’s quality of life and the area as a whole without adding to the issues cited by the Downtown Entertainment Task Force (DETF).) *(a new license) (30 minutes)***
- B. Review of a petition submitted by Lue A. Walters, requesting a special use approval for an additional dwelling unit for the property located at 811 W. Washington Street. (Recommend that the Council deny the Special Use Permit.) *(20 minutes)***

- C. **Downtown Bloomington Enterprise Zone.** (Recommend approval of an ordinance amending “An Ordinance Describing and Designating an Area Location Partially within the City of Bloomington, the Town of Normal, and Unincorporated McLean County as an Enterprise Zone.”) *(15 minutes)*
- D. **Purchase of one E-ONE HP75 Rear Mount Aerial Truck.** (Recommend that the purchase of one E-ONE HP75 rear mount Aerial Truck from Banner Fire Equipment Inc. in the amount of \$675,955 be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.) *(10 minutes)*

- 9. **City Manager’s Discussion**
- 10. **Mayor’s Discussion**
- 11. **City Aldermen’s Discussion**
- 12. **Executive Session - cite section**
- 13. **Adjournment**
- 14. **Notes**