

**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 7:03 p.m., Tuesday, May 28, 2013.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of 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, Mboka Mwilambwe, Kevin Lower, David Sage, Jennifer McDade, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.**

**Alderman absent: Robert Fazzini**

**City Manager David Hales, City Clerk Tracey Covert, and Asst. Corporate Counsel George Boyle were also present.**

**Staff absent: Todd Greenburg, Corporation Counsel.**

**The following was presented:**

**Item 5A. Japanese Sister City Foreign Exchange Students to Thank the Council by Masaki Okada (BHS) and Sayuki Oka (NCHS).**

**The following was presented:**

**Item 5B. Annual Donation by Miller Park Zoological Society to the City.**

**Motion by Alderman Schmidt, seconded by Alderman McDade to express appreciation to the Miller Park Zoological Society.**

**Motion carried, (viva voce).**

**The following was presented:**

**Item 5C. Proclamations**

**Motion by Alderman Black, seconded by Alderman McDade 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, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 5D. Introduction of Appointments/Reappointments to Boards, Commissions and Committees: Beautification, Airport Authority, Convention & Visitors Bureau, Human Relations and Japanese Sister City.**

**The following was presented:**

**Item 6A. Bills and Payroll.**

**Motion by Alderman Black, seconded by Alderman McDade that the Bills and Payroll be allowed and the 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, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6B. Appointments and Reappointments to various Boards, Commissions, Committees.**

**Motion by Alderman Black, seconded by Alderman McDade that the appointments and reappointments be approved.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6D. Payment for participation in McLean County's Information Technologies for EJustice Support and Oracle Support.**

**Motion by Alderman Black, seconded by Alderman McDade that the payment to McLean County's Information Technologies, in the amount of \$29,564.03 for EJustice support and \$8,498.41 for Oracle support for EJustice, for a total of \$38,062.44, be approved.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6E. Analysis of Bids for Sixty Four (64) New Golf Carts at The Den at Fox Creek.**

**Motion by Alderman Black, seconded by Alderman McDade that the bid for golf carts at The Den at Fox Creek be awarded to EZ-GO, Bloomington, IL, in the amount of \$224,704, 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, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6F. Brush Disposal Agreement between the City and T Kirk Brush, Inc.**

**Motion by Alderman Black, seconded by Alderman McDade that the Brush Disposal Agreement with T Kirk Brush, Inc. 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, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6G. Retention of the law firm of Hinshaw & Culbertson, LLP, to represent the City before the Illinois Commerce Commission with respect to existing and proposed grade crossings of the Norfolk Southern Railroad in and near Bloomington.**

**Motion by Alderman Black, seconded by Alderman McDade that the retention of the law firm of Hinshaw & Culbertson, LLP be approved pursuant to the terms of the retention letter dated March 18, 2013 and Corporation Counsel be authorized to sign such letter on the City's behalf.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6H. Professional Services Contracts for the Bloomington Center for Performing Arts.**

**Motion by Alderman Black, seconded by Alderman McDade that the contracts with Jazz at Lincoln Center, Inc. in the amount of \$52,500 and Opus 3 Artists, LLC in the amount of \$35,000, for a total amount of \$87,500, 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, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6J. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on June 11, 2013.**

**Motion by Alderman Black, seconded by Alderman McDade 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's Davis Lodge on June 11, 2013 be passed.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6K. Lake Bloomington Lease Transfer Petition for Lot 2, Block 0 of Camp Peoria Pointe from Francis R. Donovan (deceased) to Gregory, Michael and Roger Donovan.**

**Motion by Alderman Black, seconded by Alderman McDade 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, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6L. Petition from Eastlake, LLC, requesting Approval of Final Plats for the Grove on Kickapoo Creek Subdivision, Fourth Addition and Grove Park Subdivision commonly located north of Ireland Grove Rd. and west of Township Rd. 2100 East.**

**Motion by Alderman Black, seconded by Alderman McDade that the Final Plats be approved and Ordinances be passed.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6N. Petition submitted by Interchange City West, LLC, requesting approval of a Reinstatement of a Preliminary Plan for the West Gate Plaza Subdivision.**

**Motion by Alderman Black, seconded by Alderman McDade that the Preliminary Plan be reinstated and the Ordinance passed.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6M. Petition submitted by Interchange City West, LLC, requesting approval of an Amended Preliminary Plan for the West Gate Plaza Subdivision.**

**Motion by Alderman Black, seconded by Alderman McDade that the Amended Preliminary Plan be approved and the Ordinance passed subject to the six (6) conditions identified by the Engineering Memorandum dated April 25, 2013.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6O. Petition from Interchange City West, LLC Requesting Approval of a Final Plat for West Gate Plaza, 2nd Addition, located north of Market St./Rt. 9 and east of Interstate Dr.**

**Motion by Alderman Black, seconded by Alderman McDade the Final Plat be approved and the Ordinance passed.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following presented:**

**Item 6I. Suspension of Chapter 6 Section 26(d) to Allow Possession of Open Alcohol on Public Property for the WGLT Event June 8, 2013.**

**Motion by Alderman Schmidt, seconded by Alderman Sage that the Ordinance be passed.**

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

**Ayes: Aldermen Stearns, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7A. Agreement with Westside Churches for Youth Programming.**

**Motion by Alderman Schmidt, seconded by Alderman Black 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 Mwilambwe, Schmidt, McDade, Sage, Fruin and Black.**

**Nays: Aldermen Lower and Stearns.**

**Motion carried.**

**Motion by Alderman McDade, seconded by Alderman Schmidt to delegate the authority to David Hales, City Manager, for the preparation of a letter agreement which addresses the required payouts as specified in the Council Memorandum.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**The following was presented:**

**Item 7B. Text Amendment to Chapter 8. Animals and Fowls, Identification and Regulation of Vicious and Dangerous Dogs.**

**Motion by Alderman Stearns, seconded by Alderman Lower that the item be remanded back to the Public Safety Committee's June 13, 2013 meeting.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Lower, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**Motion by Alderman McDade, seconded by Alderman Black, that the meeting be adjourned. Time: 8:58 p.m.**

**Motion carried.**

**Tracey Covert  
City Clerk**