

**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 7:00 p.m., Monday, August 12, 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, Robert Fazzini, Jennifer McDade, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

City Manager David Hales, City Clerk Tracey Covert, and Corporate Counsel Todd Greenburg were also present.

The following was presented:

Item 6A. Oath of Office: Steve Kiesling and Ryan Gleason, Firefighters

The following was presented:

Item 7A. Council Proceedings of July 22, 2013.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the reading of the minutes of the previous Council Proceedings of July 22, 2013 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, Mwilambwe, Schmidt, McDade, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7B. Bills and Payroll.

Motion by Alderman Mwilambwe, 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7C. MFT Report.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the report be received and placed on file.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7D. Formal Bid Waiver for the purchase of single source water meters and related accessories for the Water Department's FY 2014 Water Meter Installation Program.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the formal bid process be waived, and staff be authorized to purchase water meters and related accessories from Ferguson Waterworks, the authorized Neptune water meter supplier for this area, at the prices specified.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7E. Analysis of Request for Proposal (RFP) for Kitchen Remodel Project at Station #2, located at 1911 E. Hamilton Rd.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the RFP for Station #2 Kitchen Remodel Project be awarded to Anderson, in the amount of \$40,350, and the Purchasing Agent be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7I. Green Building, LLC Property Tax Abatement.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the proposed property tax abatement be approved, the Mayor and City Clerk be authorized to execute the necessary documents and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7J. Reciprocal Reporting Agreement between the Law Enforcement Agencies and the Public School Districts.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the agreement be approved and the Mayor and City Clerk be authorized to the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7K. Ratification of Contract with Local 699 American Federation of State, County and Municipal Employees, AFL-CIO (Public Works/Parks) for the period of May 1, 2012 through April 30, 2014.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the Contract be ratified.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7L. Application of Taste of India BLM, Inc., d/b/a Taste of India, located at 704 S. Eldorado Rd., 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 Mwilambwe, seconded by Alderman McDade that an RAS liquor license for Taste of India BLM, Inc., d/b/a Taste of India, located at 704 S. Eldorado Rd., 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, Mwilambwe, Schmidt, McDade, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7M. Application of Station Two Twenty Inc., d/b/a Station Two Twenty, located at 220 E. Front St., requesting an RAPS liquor license, which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that an RAPS liquor license for Station Two Twenty, Inc., d/b/a Station Two Twenty, located at 220 E Front 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, Mwilambwe, Schmidt, McDade, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7N. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on June 28, 2014.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the Ordinance be passed.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7O. Transfer of land to developers of The Grove on Kickapoo Creek, Fourth Addition Subdivision in exchange for parkland conveyed from developers.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the conveyance of land be authorized.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7P. Petition submitted by FOB Development, Inc. requesting approval of a Third Revision to a Preliminary Plan for a Portion of Empire Business Park.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the Preliminary Plan 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7Q. Petition submitted by Jeff Fuller requesting Approval of a Final Plat for Fuller Subdivision, located in McLean County within one and half (1½) miles of the corporate City limit, south of I-74, east of 1530 E. Rd.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7R. Petition submitted by Luther Oaks, Inc. requesting Approval of a Special Use Permit for a Skilled Nursing Facility for property located at 601 Lutz Rd.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the Special Use be approved with the condition that the Petitioner install a screen or filter at a location north of the public manhole on Lutz Rd. to prevent prohibited or problematic material from entering the public sewer system, all sewage originating from Luther Oaks shall pass through this screen or filter, which shall be cleaned and maintained by Luther Oaks on a routine basis, 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7S. Petition submitted by Luther Oaks, Inc. requesting Approval of an Amended Preliminary Plan for the First Addition to Luther Oaks Subdivision.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the Amended Preliminary Plan 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7T. Petition submitted by Luther Oaks, Inc. requesting Approval of a Final Plat for First Addition to Luther Oaks Subdivision, located north of Lutz Rd. and west of Wittenberg Woods Subdivision.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7U. Petition submitted by Robert Novtony, Joan Novotny, Craig Bowars and Katie Bowars requesting Approval of a Special Use Permit for a Medical, Health Services Facility for the property located at 1415 Croxton Ave.

Motion by Alderman Mwilambwe, seconded by Alderman McDade that the Special Use 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7F. Purchase and Installation of DuraSAFE Rubber Tile Surfacing for Holiday Park Playground.

Motion by Alderman Mwilambwe, seconded by Alderman Fazzini that the purchase and installation of DuraSAFE Plus rubber tiles from SofSurfaces be approved, in the amount of \$46,725.02, 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7G. Analysis of Bid for One (1) 2014 Ford E450 Chassis with an Elkhart Coach ECII Body for the Recreation Division of the Parks, Recreation and Cultural Arts Department.

Motion by Alderman Mwilambwe, seconded by Alderman Fazzini that the bid for a 2014 Ford E450 Chassis with an Elkhart Coach ECII Body be awarded to Midwest Transit Equipment, Inc., Kankakee, IL, in the amount of \$39,328, 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7H. Ashley Furniture Assignment of Sales Tax Incentive.

Motion by Alderman Mwilambwe, seconded by Alderman Schmidt that the Assignment of a Sales Tax Incentive previously granted to Ashley Furniture, in an amount not to exceed \$150,000, be approved, the Mayor and City Clerk by authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8A. Petition submitted by HL Bloomington LLC and Hundman Management LLC, requesting the Approval of a Special Use Permit for multiple family dwellings for the property located at 1021, 1025, 1031, 1037 and 1041 Ekstam Drive.

Motion by Alderman Mwilambwe, seconded by Alderman Sage that the petition be denied.

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

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

Nays: Alderman Fazzini, Fruin and Lower.

Motion carried.

The following was presented:

Item 8B. Consider Conceptual Approval for a \$10 Million Street Resurfacing Bond and direct the City Manager to Proceed as necessary.

Motion by Alderman Fazzini, seconded by Alderman Stearns that the City issue a ten (10) year \$10 million General Obligation bond for street resurfacing and sewers, if necessary.

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

Ayes: Aldermen Stearns, Mwilambwe, Lower, Fazzini and Black.

Nays: Aldermen McDade, Schmidt, Fruin and Sage.

Motion carried.

The following was presented:

Item 8C. FY2014 Action Agenda.

Motion by Alderman McDade, seconded by Alderman Mwilambwe that the Action Agenda be adopted.

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

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

Nays: None.

Motion carried.

Motion by Alderman Stearns, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:45 p.m.

Motion carried.

**Tracey Covert
City Clerk**