

**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, October 14, 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, Jim Fruin and Mayor Tari Renner.

Alderman absent: Karen Schmidt.

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

Motion by Black, seconded by McDade to allow Alderman Schmidt to participate remotely via telephone.

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

Nays: None.

Motion carried.

The following was presented:

Item 6A. Oath of Office Brendan Heffner, Police Chief.

The following was presented:

Item 6B. Moving Forward Youth At Risk Program - Summary and Presentation by Pastor Rayford.

The following was presented:

Item 6C. Introduction of Various Appointments and Reappointments.

The following was presented:

Item 7A. Council Proceedings of September 23, 2013.

Motion by Alderman Black, seconded by Alderman Fazzini that the reading of the minutes of the previous Council Proceedings of September 23, 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 Black, seconded by Alderman Fazzini 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. Various Appointments and Reappointments.

Motion by Alderman Black, seconded by Alderman Fazzini that the Appointment 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7D. Waive the Formal Bid Process and Authorize the Purchase of Polymers, Specialty Water Treatment Chemical, from Brenntag Mid-South, Inc. for the year starting October 1, 2013.

Motion by Alderman Black, seconded by Alderman Fazzini that the formal bid process be waived, the polymers be purchased from Brenntag Mid-South, Inc., at the quoted price of \$.652 per pound for Cationic Polymer and \$1.25 per pound for Anionic Polymer, 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 7E. Waive the Formal Bid Process and Authorize Purchase of Lime, Water Treatment Chemical, from Mississippi Lime, Inc. for two (2) years starting October 1, 2013.

Motion by Alderman Black, seconded by Alderman Fazzini that formal bid process be waived, the lime be purchased from Mississippi Lime, Inc., at the quoted price of \$172.40 per ton for the first year and \$179.80 per ton in the second year, 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 7F. Request to Approve Purchase of Two (2) Forensic Analysis Work Stations, Three (3) Forensic Air-Lite VII i7Laptops and Computer Peripherals for the Police Department Cyber Crimes Unit.

Motion by Alderman Black, seconded by Alderman Fazzini that the purchase of two (2) Forensic Analysis Work Stations, three (3) Forensic Air-Lite VII i7Laptops and Computer Peripherals for the Police Cyber Crimes Unit be approved in the amount of \$51,166, 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 7G. Project Acceptance and Contract Amendment with Stark Excavating, Inc. for Morris Ave. Reconstruction: Six Points Rd. to Fox Hill Apartments.

Motion by Alderman Black, seconded by Alderman Fazzini that the completed project be accepted, the contract amendment be approved in the amount of \$10,450.13, final payment be executed, the budget amendment 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 7H. Amendment to the 2011 Contract with Calgon Carbon Corporation for a Thirty-six (36) Month Lease of Calgon Filtrasorb 300 Granular Activated Carbon (GAC) for use at the Water Treatment Facility.

Motion by Alderman Black, seconded by Alderman Fazzini that the amended contract with Calgon Carbon Corporation for lease of Calgon Filtrasorb 300 GAC, at a cost of \$14,751 per month for thirty-six (36) months for a total cost of \$531,036 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7I. Change Order to Professional Services Agreement with Hanson Professional Services, Inc. for Evergreen Lake Reservoir Spillway and Bridge Inspections in the amount of \$1,042.79.

Motion by Alderman Black, seconded by Alderman Fazzini that the Change Order be approved.

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. Agreement with Ecology Action Center for Solid Waste Program.

Motion by Alderman Black, seconded by Alderman Fazzini that the Agreement with the EAC for Solid Waste Program be approved, in the amount of \$140,336.55 over three (3) years, 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7L. Application of Saheli 1810 Corp. d/b/a Bloomington Citgo, located at 1810 S. Morris Ave. requesting a GPBS liquor license, which would allow the sale of packaged beer and wine only for consumption off premises seven (7) days a week.

Motion by Alderman Black, seconded by Alderman Fazzini that a GPBS liquor license for Saheli 1810 Corp. d/b/a Bloomington Citgo, located at 1810 S. Morris Ave. 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 Parkway Partners, LLC d/b/a Marriott Residence Inn, located at 2180 Ireland Grove 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 Black, seconded by Alderman Fazzini that an RAS liquor license for Parkway Partners, LLC d/b/a Marriott Residence Inn, located at 2180 Ireland Grove 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 7O. Rescind Final Plat for Airport Park Subdivision, 14th Addition.

Motion by Alderman Black, seconded by Alderman Fazzini that the Final Plat and Ordinance No. 2009-79 be rescinded.

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. Petition submitted by Illinois Wesleyan University requesting the Vacation of the Titan Dr. right of way west of Fell Ave. and the adjacent north-south alley right of way lying north of the easterly extension of the centerline of the vacated east-west alley in Block 6 in the Phoenix Addition.

Motion by Alderman Black, seconded by Alderman Fazzini that the Vacations 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 7K. Bike Path: Initial Phase and Contract for a Bicycle Plan.

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that City staff be authorized to erect signage and paint lane markings along Front St. from Downtown to Constitution Trail for shared bike lanes and designated bike lanes and along the Prairie St./Park St. corridor from Downtown to Illinois Wesleyan University for shared bike lanes, the Resolution adopted and staff be authorized to enter into an agreement with the League of Illinois Cyclists for preparation and production of a "Bicycle Plan-Basic" in an amount not to exceed \$11,750.

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. Ordinance Providing for the Issuance of not to exceed \$10,000,000 General Obligation Bonds of the City of Bloomington, McLean County, Illinois, for the Purpose of Financing Road and Sewer Improvements in and for said City and Providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal of and Interest on Said Bonds.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Ordinance be passed with a debt repayment of ten (10) years.

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 8B. Ordinance Providing for the Issuance of not to exceed \$8,500,000 General Obligation Refunding Bonds of the City of Bloomington, McLean County, Illinois, for the Purpose of Refunding Certain Outstanding Bonds of said City and Providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal of and Interest on Said Bonds.

Motion by Alderman Fazzini, seconded by Alderman Fruin 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 8C. Ordinance approving a Fourth Amendment to Lease Agreement to be Entered into Between Public Building Commission of McLean County, McLean County, Illinois, as lessor, and the County of McLean, Illinois, and the City of Bloomington, McLean County, Illinois, as lessees, and Providing for the Levy and Collection of a Direct Annual Tax Sufficient to Pay the Rent Payable by the City under such Fourth Amendment to Lease Agreement.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Ordinance be passed 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, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 8D. Presentation regarding Employee Health, Dental and Vision Self-Insured Benefit Plans and the Affordable Care Act: Phil Sauder, Clemons and Associates

The following was presented:

Item 8E. Employee Health Insurance.

Motion by Alderman Fruin, seconded by Alderman Fazzini that this item be postponed until negotiations are finalized.

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 8F. Petition submitted by Eric Trujillo Requesting Approval of a Special Use Permit for Expansion of a Nonconforming Restaurant and Bar for Property Located at 903 W. Wood St.

Motion by Alderman Black, seconded by Alderman Stearns that the Special Use Permit 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 8G. Sanitary Sewer Fund Budget Amendment – Sanitary Sewer Trunk Line Project for The Grove on Kickapoo Creek Subdivision Fifth Addition.

Motion by Alderman Fruin, seconded by Alderman McDade that the Budget Amendment, in the amount of \$1,000,000, for the reallocation of funds within the Sanitary Sewer Fund for sewer oversizing 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: Alderman Fazzini.

Motion carried.

The following was presented:

Item 8H. Petition from Eastlake, LLC, requesting Annexation and Rezoning of a 18.91 Acre Tract to be known as The Grove on Kickapoo Creek Subdivision, Fifth Addition, commonly located north of Ireland Grove Rd. and west of Township Rd. 2100 East.

Motion by Alderman McDade, seconded by Alderman Lower that the Annexation and Rezoning 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 8I. Petition from Eastlake, LLC, requesting Approval of a Final Plat for The Grove on Kickapoo Creek Subdivision, Fifth Addition, commonly located north of Ireland Grove Rd. and west of Township Rd. 2100 East.

Motion by Alderman McDade, seconded by Alderman Fruin 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 8J. Text Amendment to Chapter 45, Section 900. Rental Inspection Program, Creating a New Inspection Rotation and Registration Fee Structure.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Text Amendment 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 meeting be adjourned. Time: 9:00 p.m.

**Tracey Covert
City Clerk**