

**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 7:01 p.m., Monday, April 14, 2014.

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, Joni Painter, Karen Schmidt and Mayor Tari Renner.

Aldermen Absent: David Sage, Robert Fazzini, Scott Black and Jim Fruin.

City Manager David Hales, City Clerk Tracey Covert, and Interim Corporate Counsel Jeff Jurgens were also present.

The following was presented:

Item 6A/B. Proclamations Declaring April 22, 2014 as Earth Day 2014 and April 2014 as Jazz Appreciation Month.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the Proclamation 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Council Proceedings of March 24, 2014.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the reading of the minutes of the previous Council Proceedings of March 24, 2014 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7B. Bills and Payroll.

Motion by Alderman Schmidt, seconded by Alderman Stearns 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7C. Appointments and Reappointments to Various Boards and Commissions.

Motion by Alderman Schmidt, seconded by Alderman Stearns 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7D. Payment for Property, Liability, Excess Liability, and Excess Worker's Compensation Insurance Coverage.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the payment to Arthur J. Gallagher, Itasca, IL for Insurance Coverage and Insurance Broker Service from May 1, 2014 through April 30, 2015 be approved, in the amount of \$776,898.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7E. Resolution Authorizing a Service Agreement with the Lowest Responsible Bidder for the Supply of Electricity/Natural Gas for City Municipal Facilities not Covered by the Municipal Electric Aggregation Program and Designating the City Manager the Authority to Approve Electricity/Natural Gas Supplier.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the Resolution be adopted.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7F. Purchase of Ammunition for the Police Department.

Motion by Alderman Schmidt, seconded by Alderman Stearns that Council retroactively authorize the purchase of handgun/rifle ammunition from Ray O'Herron Co., Inc., Danville, IL, using the State of Illinois Joint Purchasing Contract, in the amount of \$44,432, and the Procurement Manager 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7H. Analysis of Bids for Towing 10,000 Gross Vehicle Weight (GVW) and Under.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the Towing Bid for 10,000 GVW and Under be awarded to Joe's Towing and Recovery for the period of three (3) years commencing May 1, 2014.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7I. Analysis of Bids for Street and Park Trees.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the purchase of 186 trees from John Deere Landscape, 140 trees from Schichtels Nursery Inc. and twenty-one (21) trees from Green Glen Nursery Inc. be approved, for a total amount of \$34,701, and the Procurement Manager be authorized to issue a Purchase Orders.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7J. Analysis of Request for Proposals (RFP) for the Conservation of the Civil War Monument a/k/a Soldiers and Sailors Monument.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the RPF for Conservation of the Civil War/Soldiers and Sailors Monument be awarded to Joseph Gnazzo Company Inc., Union, CT, in the amount of \$48,300, and the Procurement Manager 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7L. Request for Proposals (RFP) for Taxable Capital Lease for FY 2014 Budget.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the RFP for Taxable Capital Lease be awarded to Commerce Bank, in the amount of \$1.482 million, 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7M. Amend Alternative Service Concepts (ASC), Third Party Administrator Claims, (TPA), Claims Service Contract – May 1, 2013 through April 30, 2016 regarding Claims Authority.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the contract amendment 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7N. Tolling Agreement with McLean County Land Trust CC-1.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the Agreement with McLean County Land Trust CC-1 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7Q. Payment for Participation in McLean County's Information Technologies for EJustice Support and Oracle Support.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the payment to McLean County's Information Technologies in the amount of \$29,696.97 for EJustice support and \$8,792.72 for Oracle support for EJustice be approved for a total amount of \$38,489.69.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7S. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington Davis Lodge on July 5, 2014.

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

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7T. Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on November 29, 2014.

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

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7U. Petitions from Andrew Hunt, Requesting Approval of a Final Plat for the Resubdivision of Lot 14 in the 5th Addition to Hawthorne Commercial Park Subdivision and Vacation of an Easement in Lot 14 in the 5th Addition to Hawthorne Commercial Park Subdivision.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the Final Plat and Easement Vacation be approved and the Ordinances passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7V. Petition from Hawthorne Commercial Park, LLC, requesting approval of a Final Plat for the Tenth (10th) Addition to Hawthorne Commercial Park Subdivision.

Motion by Alderman Schmidt, seconded by Alderman Stearns 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7W. Petition submitted by Hawthorne Commercial Park, LLC, requesting approval of a Rezoning from B - 1, Highway Business District to S - 2, Public Lands & Institutional District, for Lot 22, Tenth (10th) Addition to Hawthorne Commercial Subdivision located on the south side of the intersection of Pamela Dr. and Woodbine Rd.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7X. Petition from Hershey Grove, LLC, to rescind the Final Plat of the Hershey Grove Fourth (4th) Addition Phase I previously approved by Council and approval of the Final Plat for the Fourth (4th) Addition to Hershey Grove Subdivision.

Motion by Alderman Schmidt, seconded by Alderman Stearns that Ordinance 2009 – 02 be rescinded, 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7Y. Petition submitted by Dennis Pulliam, requesting approval of a Special Use Permit for a Two-Family Residence for the property located at 611 S. Clayton St.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the Special Use Petition be denied.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7G. Purchase of 2014 Bond MS SEDCO Intersector Microwave Detection.

Motion by Alderman Lower, seconded by Alderman Schmidt that the formal bid process be waived, the purchase of thirty-six (36) MS SEDCO Intersector Presence Detectors, thirty-six (36) MS SEDCO Intersector Interface Boards and 11,000' of Outdoor Rated CAT5 Cable from Brown Traffic Products Inc., a sole source provider, be approved, in the amount of \$160,550, and the Procurement Manager 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7K. Analysis of Bids for the City Hall Roof Replacement.

Motion by Alderman Lower, seconded by Alderman Schmidt that the bid for Replacement of the City Hall Roof be awarded to Wyman Roofing, Peoria Heights, IL, in the amount of \$226,311, and the Mayor and City Clerk be authorized to execute the necessary documents for approval of the Base Bid and Alternates One and Three, the Budget 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7O. McLean County Animal Shelter Agreement.

Motion by Alderman Schmidt, seconded by Alderman Stearns that the item be laid over until the Council's April 28, 2014 meeting.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7P. Animal Control Warden Services Agreement.

Motion by Alderman Schmidt, seconded by Alderman Stearns that item be laid over until the Council's April 28, 2014 meeting.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7R. Application of Asil 1, Inc., d/b/a Price Rite Food Mart, located at 706 N. Clinton, requesting a GPBS liquor license.

Motion by Alderman Schmidt, seconded by Alderman Stearns that an GPBS liquor license for Asil 1, Inc., d/b/a Price Rite Food Mart, located at 706 N. Clinton, be denied.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 7Z. Text Amendment to Chapter 13. Concealed Weapons. (Recommend that the Text Amendment be approved and the Ordinance passed

Motion by Alderman Lower, seconded by Alderman Schmidt 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 8. Public Hearing - FY 2015 Proposed Budget

The following was presented:

Item 9A. Amendment to US Cellular Coliseum Development and Management Agreement.

Motion by Alderman Mwilambwe, seconded by Alderman Painter that the First Amendment to the Development and Management Agreement with Central Illinois Arena Management, Inc., (CIAM), be approved and the Mayor authorized to execute the necessary documents.

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

Ayes: Aldermen Mwilambwe, Schmidt and Painter.

Nays: Alderman Stearns and Lower.

Motion carried.

The following was presented:

Item 9B. Termination of the Hockey License Agreement – US Cellular Coliseum.

Motion by Alderman Mwilambwe, seconded by Alderman Schmidt that the Termination Agreement with Illinois Pro Sports, LLC 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 9C. Hockey License Agreement with CSH International, Inc.

Motion by Alderman Schmidt, seconded by Alderman Mwilambwe that the Hockey License Agreement with CSH International, 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, Painter and Lower.

Nays: None.

Motion carried.

The following was presented:

Item 9D. "TIGER 2014" Discretionary Grant from the US Department of Transportation (US DOT) for Hamilton Rd. – Bunn to Commerce Connection.

Motion by Alderman Mwilambwe, seconded by Alderman Lower that staff be authorized to proceed with a grant application to US DOT and the Resolution supporting the project and obligating the City to authorize local matching funds up to \$2,900,000 be adopted.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter and Lower.

Nays: None.

Motion carried.

Motion by Alderman Schmidt, seconded by Alderman Lower, that the meeting be adjourned. Time: 9:10 p.m.

Motion carried.

**Tracey Covert
City Clerk**