

**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 7:30 p.m., Monday, February 22, 2010.

The Meeting was opened by Pledging Allegiance to the Flag followed by 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, Kevin Huette, Bernie Anderson, David Sage, John Hanson, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

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

The following was presented:

Item 5A. Oaths of Office – Police Patrol Officers Jason Haworth and Evan Hurt.

The following was presented:

Item 6A. Council Proceedings of December 28, 2009 and previous Executive Session Minutes of January 25, 2010.

Motion by Alderman Hanson, seconded by Alderman Anderson that the reading of the minutes of the previous Council Meeting of December 28, 2009 and Executive Session Minutes of January 25, 2010 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6B. Bills and Payroll.

Motion by Alderman Hanson, seconded by Alderman Anderson that the bills and payroll be allowed and 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6C. Payments from various Municipal Departments.

Motion by Alderman Hanson, seconded by Alderman Anderson that the payments be approved.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6D. Report.

Motion by Alderman Hanson, seconded by Alderman Anderson that the report be placed on file and made a matter of record.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6E. Payment to RBT of Illinois, LLC for the Upsizing of the Water Main in the First Addition to Harvest Pointe Subdivision from an Eight Inch (8") to a Sixteen Inch (16") Water Main.

Motion by Alderman Hanson, seconded by Alderman Anderson that the payment be approved.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6F. Request to Approve Purchase of New Police Patrol Cars by Using State of Illinois Joint Purchasing Contract.

Motion by Alderman Hanson, seconded by Alderman Anderson that two (2) replacement vehicles be purchased from Bill Jacobs Chevrolet, Joliet, through the State of Illinois Joint Purchasing Contract, in the amount of \$39,698.82 and additional equipment to be installed by City staff at a cost of \$6,215.70, for a total of \$45,914.52, and one (1) police undercover vehicle be purchased through the State of Illinois Joint Purchasing Contract, in the amount of \$19,196, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6H. Change Order for Professional Services Agreement with AECOM Technical Services, Incorporated (AECOM) for Design Services for the Design, Recommendation, Specification Development, and Bidding Services for a Replacement to Dust Collector System at the Water Treatment Plant.

Motion by Alderman Hanson, seconded by Alderman Anderson that the Change Order be approved in the amount of \$21,600 and the Resolution adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6I. Change Order #4 to Johnston Contractors for McGraw Park Phase II.

Motion by Alderman Hanson, seconded by Alderman Anderson the Change Order be approved.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6J. Change Order to the Joint Agreement between the City and the Illinois Department of Transportation Reimbursement for Hamilton Road – Greenwood Avenue to Timberlake Lane (MFT Section 93-00295-02-PV).

Motion by Alderman Hanson, seconded by Alderman Anderson that the Change Order in the amount of \$18,485.17 be approved and the Resolution adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6K. Change Order in a Professional Services Agreement with Stark Excavating, Inc. for an Emergency Water Main Rerouting Project on Pipeline Road, North of Northtown Road.

Motion by Alderman Hanson, seconded by Alderman Anderson that the Change Order with Stark Excavating, Inc. in the amount of \$42,391.98 be approved and the Resolution adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6L. Correction to Harriet Fuller Rust Façade Grant Agreement.

Motion by Alderman Hanson, seconded by Alderman Anderson that the clerical correction to 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 Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6M. Application of PATH for a fund raiser to be held on March 18, 2010 from 5:00 – 11:00 p.m. at the Bloomington Center for the Performing Arts, for a Limited Alcoholic Liquor License, Class LA, which will allow the selling and serving of all types of alcohol by the glass for consumption on the premise.

Motion by Alderman Hanson, seconded by Alderman Anderson that an LA liquor license for PATH for a fund raiser to be held on March 18, 2010 from 5:00 – 11:00 p.m. at

the Bloomington Center for the Performing Arts, (BCPA), 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6N. Suspension of Ordinance to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on March 20, 2010.

Motion by Alderman Hanson, seconded by Alderman Anderson that the Ordinance Suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the possession and consumption of alcohol at the Lake Bloomington Davis Lodge on March 20, 2010 be passed.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6O. Participation in Illinois Housing Development Authority Single Family Owner Occupied Rehabilitation (SFOOR) Program.

Motion by Alderman Hanson, seconded by Alderman Anderson that the Illinois Housing Development Authority (IHDA) Grant Agreement for the administration of the Single Family Owner Occupied Rehabilitation (SFOOR) Program 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Public Hearing for Approval and Authorization to submit the Community Development Block Grant Program Year 2010 - 2015 Consolidated Plan and 2010 - 2011 Annual Action Plan.

Motion by Alderman Schmidt, seconded by Alderman McDade that that the 2010 - 2015 Consolidated Plan and 2010 - 2011 Annual Action Plan be approved, and the Resolutions adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6G. Analysis of Proposals for the Renovation Design of the Creativity Center.

Motion by Alderman Huette, seconded by Alderman Stearns that the Request for Proposal for Design Services for the Creativity Center be awarded to the Farnsworth Group and that the Mayor and City Clerk be authorized to execute the necessary documents with the following conditions: 1.) City staff undertake a study of the Creativity Center which would address the building's management, operations, and fiscal policy; and 2.) City staff present the Council with a long term model for the Creativity Center.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, and Fruin.

Nays: Alderman Purcell.

Motion carried.

The following was presented:

Item 8A. Fiscal Year 2010 Midyear Budget Amendment.

Motion by Alderman Hanson, seconded by Alderman Adkins that the Fiscal Year 2010 Midyear 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Excess General Obligation Funds.

Motion by Alderman Anderson, seconded by Alderman Purcell that the expenditure of the excess General Obligation Bond Series 2004 and 2007 Proceeds, in the amount of \$467,362.01 be approved for capital improvement projects, and the Ordinances passed.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8C. Petition submitted by Heritage Enterprises, Inc., requesting the Rezoning of land located at 1006 and 1008 Elder St., from R - 2, Mixed Residence District, to R - 3A, Multiple-family Residence District for the property adjacent to Heritage Manor, 700 E. Walnut St.

Motion by Alderman Anderson, seconded by Alderman McDade 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8D. Petition submitted by Heritage Enterprises, Inc., requesting a Special Use Permit for a Nursing Home located at 700 E. Walnut St., including the properties at 1006 and 1008 Elder St.

Motion by Alderman Anderson, 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

Motion by Alderman Schmidt, seconded by Alderman Purcell, that the meeting recessed to Executive Session for Collective Bargaining, Section 2(c)(2). Time: 10:27 p.m.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

Motion by Alderman Anderson, seconded by Alderman Schmidt to return to regular session and adjourn. Time: 11:29 p.m.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

**Tracey Covert
City Clerk**