

**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, December 14, 2009.

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.

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

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

Nays: None.

Alderman David Sage participated remotely via telephone.

Motion by Alderman Schmidt, seconded by Alderman Purcell to amend the agenda by addressing Item 5B before Item 5A.

Motion carried.

The following was presented:

Item 5B. Oath of Office – Michael Luedtke, Police Patrol Officer and Justin Milton, Firefighter.

The following was presented:

Item 5A. 2009 Studs Terkel Humanities Service Award – Bill Kemp.

The following was presented:

Item 6A. Council Proceedings of December 11, 2006, and Work Session Minutes of November 9 and 23, 2009.

Motion by Alderman Hanson, seconded by Alderman McDade that the reading of the minutes of the previous Council Meeting of December 11, 2006 and Work Session Minutes of November 9 and 23, 2009 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 McDade 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 McDade 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. Appointment(s) and Reappointment(s) to Various Boards and Commissions.

Motion by Alderman Hanson, seconded by Alderman McDade that the appointment and reappointments 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 6E. Partial Payment to the Grove on Kickapoo Creek, LLC for the Grove on Kickapoo Creek Subdivision 2nd Addition – Black Oak Boulevard Over-sizing.

Motion by Alderman Hanson, seconded by Alderman McDade 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. Early Order Program with Syngenta and Helena Chemical for Procurement of Golf Course Chemicals from a Single Source.

Motion by Alderman Hanson, seconded by Alderman McDade that the formal bidding process be waived, golf course chemicals and fertilizer products be purchased through the Syngenta and Helena Early Order Program in an amount not to exceed

\$232,000, the Purchasing Agent 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 6G. Intergovernmental Agreement with the Town of Normal, McLean County, the Bloomington-Normal Water Reclamation District (BNWRD), and the Ecology Action Center (EAC) for Storm Water Education Services.

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

Nays: Alderman Huette.

Motion carried.

The following was presented:

Item 6H. Request to Enter into a Professional Services Contract with the Farnsworth Group for Design Services for Replacement Water Mains on Monroe Street from Madison to Center, and Gridley Street from Jackson to Oakland.

Motion by Alderman Hanson, seconded by Alderman McDade that the formal bidding process be waived, a professional design services agreement with the Farnsworth Group (FG) be approved in the amount of \$26,500 for water main replacement on Monroe Street from Madison to Center, and Gridley Street from Jackson to Oakland, 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6I. McLean County Abraham Lincoln Bicentennial Commission Extension and the Resolution adopted.

Motion by Alderman Hanson, seconded by Alderman McDade that the extension 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. Application of Caffé Italia, LLC, d/b/a Caffé Italia, located at 1804 S. Hershey for an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Hanson, seconded by Alderman McDade that an RBS liquor license for Caffé Italia, LLC, d/b/a Caffé Italia, located at 1804 S. Hershey, be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) the Commission reserves the right to observe the establishment and apply tavern "T" rules, if needed.

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. Application of Canambo, LLC, d/b/a Blue Line Night Club, located at 602 N. Main St., requesting a TAS 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 Hanson, seconded by Alderman McDade that a TAS liquor license for Canambo, LLC, d/b/a Blue Line Night Club, located at 602 N. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) the Commission reserves the right to regulate the environment's surroundings, with regard to music and sound baffling; 2.) the Commission reserves the right to regulate the use of the future outdoor patio to include the time of use, the time for liquor sales, sound/visual baffling/barrier, and occupancy; and 3.) appropriate approval from the PACE Department with regard to the sprinkler system.

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. Petition submitted by the City of Bloomington, requesting the amendment of Chapter 44 (Zoning) by adequately defining "drug store" and "pharmacy"; and identifying "pharmacy" as a permissible use, special use, or accessory in certain zoning districts with the City of Bloomington.

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

Nays: None.

Motion carried.

The following was presented:

Item 6M. Approval of Preservation Easement Documents for Bloomington Center for the Performing Arts (BCPA) as Part of the Requirements for a Save America's Treasures Grant through the United States National Park Service (USNPS).

Motion by Alderman Hanson, seconded by Alderman McDade that the Preservation Easement be approved and the documents recorded.

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. Petition from CIP, LLC, Requesting Approval of the Vacation of a Utility Easement located in Lot 262, Airport Park Subdivision, 6th Addition, commonly located west of Haeffele Way and north of Gerig Drive.

Motion by Alderman Hanson, seconded by Alderman McDade that the Vacation 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 6O. Petition from CIP, LLC, Requesting Approval of a Final Plat for Airport Park Subdivision 14th Addition, commonly located west of Haeffele Way and north of Gerig Drive.

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

Nays: None.

Motion carried.

The following was presented:

Item 6P. Petition from CIP, LLC, Requesting Approval of a Final Plat for the Resubdivision of Lot 145 in Airport Park Subdivision, 12th Addition, commonly located east of Haeffle Way and north of Empire Street (State Route 9).

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

Nays: None.

Motion carried.

The following was presented:

Item 6Q. Petition submitted by FOB Development, requesting the approval of the Second Revised Preliminary Plan of the Empire Business Park, located north of Route 9, east of Airport Road, west of Trinity Lane and south of Cornelius Drive, consisting of approximately 34.9 acres.

Motion by Alderman Hanson, seconded by Alderman McDade that the Second Revised 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6R. Request for Proposals for Debt Collection Services Unpaid Emergency Medical Service Bills.

Motion by Alderman Hanson, seconded by Alderman McDade that the Request for Proposal (RFP) for Debt Collection Services be awarded to RMK Holdings Inc., 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 6S. Petition from FOB Development, Inc., Requesting Approval of a Final Plat for the Empire Business Park Subdivision, First Addition, commonly located north of IL Route 9 and east of Airport Road.

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

Nays: None.

Motion carried.

The following was presented:

Item 7A. Approval of 2009 Tax Levy.

Motion by Alderman Hanson, seconded by Alderman Schmidt that the 2009 Tax Levy be approved and the Ordinance passed.

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

Ayes: Aldermen Schmidt, McDade, Anderson, Hanson and Fruin.

Nays: Aldermen Stearns, Huette, Sage and Purcell.

Motion carried.

The following was presented:

Item 8A. Implementation of an “Adopt-a-Street” Program.

Motion by Alderman Purcell, seconded by Alderman Anderson that the item be laid over until the Council’s December 28, 2009 meeting.

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 Purcell, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 10:17 p.m.

Motion carried.

**Tracey Covert
City Clerk**