

**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, September 10, 2012.

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, Bernard Anderson, David Sage, Robert Fazzini, 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 6A. Oath of Office – Firefighters Dylan Ferguson, Erick Hall and Joshua Plese.

The following was presented:

Item 6B. Appointments of David Stanczak to the Planning Commission and Sherry Graehling to the Historic Preservation Commission.

Motion by Alderman Purcell, seconded by Alderman Fazzini that the Appointments be approved.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Council Proceedings of August 27, 2012.

Motion by Alderman Purcell, seconded by Alderman Fazzini that the reading of the minutes of the previous Council Meeting of August 27, 2012 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7B. Bills and Payroll.

Motion by Alderman Purcell, 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7C. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on September 28, 2012.

Motion by Alderman Purcell, seconded by Alderman Fazzini that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington Davis Lodge on September 28, 2012 be passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7D. Suspension of Chapter 6 Section 26(d) to Allow Possession of Open Alcohol on Public Property for the Bloomington-Normal Sunrise Rotary Club – Brats and Bags, a fundraising event to benefit the Midwest Food Bank, located on Jefferson Street between Main and Center and Main Street between Jefferson and Washington on October 5, 2012.

Motion by Alderman Purcell, seconded by Alderman Fazzini 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7E. Application of GS Partners, Inc., d/b/a Ride the Nine/Shooters Lounge located at 503 N. Prospect Rd., Suite 300 for a TAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week.

Motion by Alderman Purcell, seconded by Alderman Fazzini that a TAS liquor license for GS Partners, Inc., d/b/a Ride the Nine/Shooters Lounge, located at 503 N. Prospect Rd., Suite 300, 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7F. Application of Bloomington Lodge #281, Benevolent and Protective Order of Elks of the USA Inc., d/b/a Bloomington Elks Lodge #281, located at 608 Seminary Ave.,

for a CA liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week.

Motion by Alderman Purcell, seconded by Alderman Fazzini that a CA liquor license for Bloomington Lodge #281, Benevolent and Protective Order of Elks of the USA Inc., d/b/a Bloomington Elks Lodge #281, located at 608 Seminary 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7G. Application of Smashtwo, LLC, d/b/a Smashburger, located at 1401 N. Veterans Pkwy., for an RBS liquor license, which will allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week be approved.

Motion by Alderman Purcell, seconded by Alderman Fazzini that an RBS liquor license for Smashtwo, LLC, d/b/a Smashburger, located at 1401 N. Veterans Pkwy., 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7H. Professional Services Contract for the Bloomington Center for Performing Arts.

Motion by Alderman Purcell, seconded by Alderman Fazzini that the contract from Good Games Live, Inc., in the amount of \$27,500, 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7J. Petition from Wingover East, LLC Requesting Approval of a Water Easement Dedication, located west of Ekstam Dr., north of Gerig Dr., and south of Cornelius Dr.

Motion by Alderman Purcell, seconded by Alderman Fazzini that the Dedication 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, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7K. Proposed Change Order #1 to 2012 Street and Alley Repair Contract (Citywide).

Motion by Alderman Purcell, seconded by Alderman Fazzini that the Amendment to the contract with Rowe Construction for the 2012 Street and Alley Repairs in the amount of \$175,000 be approved.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7I. Petition submitted by City of Bloomington, Requesting the Amendment of Chapter 44. Zoning. Section 44.4-2, by adding a Provision for Parkland Dedication for Residential Development in Nonresidential Zoning Districts.

Motion by Alderman Purcell, seconded by Alderman Fazzini that the Text Amendment to Chapter 44. Zoning, Section 44.4-2, be approved and the Ordinance passed.

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

Ayes: Aldermen Stearns, Mwilambwe, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: Alderman Schmidt.

Motion carried.

The following was presented:

Item 7L. Analysis of Bids and Approval of the FY 2013 Traffic Signal Maintenance Contract (City Wide).

Motion by Alderman Purcell, seconded by Alderman Fruin that the bid for FY 2013 Traffic Signal Maintenance be awarded to Laesch Electric, in an amount not to exceed \$100,000, 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, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8A. Application of Setinthebar, d/b/a Gat's Jazz Cafe, located at 424 N. Main St., for a TAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week.

Motion by Alderman Fazzini, seconded by Alderman Purcell that this item be laid over until the Council's October 22, 2012 meeting.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Review of a Petition Submitted by Lue A. Walters Requesting a Special Use for an Additional Dwelling Unit for the Property Located at 811 W. Washington St.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Petition be denied.

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

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

Nays: Alderman Mwilambwe.

Motion carried.

The following was presented:

Item 8C. An Ordinance Amending “An Ordinance Describing and Designating an Area Located Partially within the City of Bloomington, Town of Normal, and Unincorporated McLean County as an Enterprise Zone” including Amendment to Enterprise Zone Intergovernmental Agreement - Downtown Bloomington.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the amended Intergovernmental Agreement be approved, the Mayor and City Clerk be authorized to execute the necessary documents and the Ordinance passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8D. Analysis of Bids for a Single Axle, Rear Mount, 75 Foot Aerial Ladder Truck.

Motion by Alderman Anderson, seconded by Alderman Purcell that the bid for a Single Axle, Rear Mount, 75 Foot Aerial Ladder Truck be awarded to Banner Fire Equipment, Inc., Ocala, FL, for an E-ONE HP75, in the amount of \$675,955, 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 Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:52 p.m.

Motion carried.

**Tracey Covert
City Clerk**