

**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, July 28, 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, Robert Fazzini, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.**

**Alderman absent: David Sage.**

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

**The following was presented:**

**Item 6A. Oath of Tom Dabareiner, Director of Community Development.**

**The following was presented:**

**Item 6B. Introduction of Roberta “Bobbie” Herakovich, Interim Director of Parks, Recreation and Cultural Arts.**

**The following was presented:**

**Item 7A. Council Proceedings of July 14, 2014.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the reading of the minutes of the previous Council Proceedings of July 14, 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7B. Bills and Payroll.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7C. Appointments to John M. Scott Health Care Commission.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the Appointments be affirmed.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7D. Appointment to the Human Relations Commission.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the Appointment be approved.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7E. Purchase of a 2015 International Navistar 4300 Horton Type MED, Model 623 Type I Ambulance.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the purchase of a 2015 International Navistar 4300 Horton Type MED, Model 623 Type I Ambulance from Foster Coach, Sterling, IL through the Northwest Municipal Conference Joint Purchasing Cooperative be approved, in the amount of \$232,585, 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7F. Purchase of a 2014 E-ONE HP 78 Ladder Truck and Loose Equipment.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the purchase of a 2014 E-ONE HP 78 Ladder Truck from Banner Fire Equipment, Roxana, IL through the Houston-Galveston Area Council (H-GAC) Joint Purchasing Group be approved, in the amount of \$813,858, 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7G. Waive Formal Bid Process and Purchase of Personal Protective Equipment – Firefighting Turnout Gear.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the formal bid process be waived, the purchase of six (6) complete sets (jacket and pants) of Globe Gold Millenia XT G-Xtreme Firefighter Turnout Gear from Municipal Emergency Services, Inc., Deerfield, IL, be approved, in the amount of \$14,954, the Procurement Manager be authorized to issue a Purchase Order, and the Resolution adopted.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7H. Waive Formal Bid Process and Contract with CPS Human Resources Consulting to Administer an Asst. Fire Chief Promotional Testing.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the formal bid process be waived, the agreement with CPS Human Resources Consulting, Sacramento, CA, be approved, in the amount of \$17,450, in addition to the possibility of the cost for an additional test date and reasonable costs for travel and lodging, the Resolution adopted, 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7I. Waive Formal Bid Process and contract with Clark Dietz Inc. for Motor Fuel Tax (MFT) Project Administration and Engineering Services.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the formal bid process be waived, the Engineering Services Contract with Clark Dietz Inc. for work on**

**MFT project closeouts be approved, for a maximum amount of \$53,275, the Resolution adopted, 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7K. Analysis of Bids and Approval of Contract for Tuck Pointing & Sealing Replacement for the Bloomington Center for the Performing Arts (BCPA).**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the bid for Tuck Pointing & Sealing Replacement be awarded to R.L. Vollintine Construction, Inc., Springfield, IL, in the amount of \$28,100, the contract be approved, and the Mayor and City Clerk be authorized to execute the necessary documents and any associated contracts approved in form and substance by Corporation Counsel.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7L. Final Change Order for Phase 1 Locust Street CSO Elimination and Water Main Replacement Project and Request to Approve a Budget Amendment to Accounts (51101100 - 72555) and (53103100 - 72555) in the Sewer and Storm Water Fund Budgets.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the Change Order be approved in the amount of \$114,985.13, the Resolution adopted, and the Ordinance Amending the Budget Ordinance to Add Funds to Accounts (51101100 - 72555) and (53103100 - 72555) in the Sewer and Storm Water Fund Budgets passed. The change is germane to the original contract as signed and is in the best interest of the City and authorized by law.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7M. Request to Approve a Budget Amendment to Accounts (10015110 – 72520) and (10015110 – 70420) in the General Fund Budget for Emergency Replacement of Police Department Chiller.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7N. Request to Approve a Budget Amendment to Accounts (10015110 – 72130) and (20900900 - 72130) in the General Fund Budget and Drug Enforcement Fund for Reallocation of a Vehicle Purchase for the Police Department.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7O. Collective Bargaining Agreement with American Federation of State, County and Municipal Employees (AFSCME) Local 699.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the Contract be ratified.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7P. Regional Planning Services Agreement with the McLean County Regional Planning Commission (MCRPC).**

**Motion by Alderman Fazzini, seconded by Alderman Painter that the Agreement with the MCRPC be approved, in the amount of \$55,457, 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7R. Illinois Municipal Retirement Fund (IMRF) Non Participation of Elected Officials.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7S. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington Davis Lodge on August 1, 2014.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7T. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington Davis Lodge on May 30, 2015.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7U. Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on March 21, 2015.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7V. Application of MKM Oil, Inc., d/b/a Colonial Shell Fast N Fresh, located at 1504 E. Empire St., requesting a GPBS liquor license which allows the sale of packaged beer and wine for consumption off the premises seven (7) days a week.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that an GPBS liquor license for MKM Oil, Inc., d/b/a Colonial Shell Fast N Fresh, located at 1504 E. Empire St., 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, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7W. Liquor Application of Blue Note Enterprises, LLC, d/b/a Six Strings Club, located at 525 N. Center St., requesting a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that a TAS liquor license for Blue Note Enterprises, LLC, d/b/a Six Strings Club, located at 525 N. Center St., 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, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7X. Application by Bloomington Normal (BN) Jaycees, requesting a Limited Liquor License, (LB), which would allow the sale of beer and wine only by the glass for consumption at the event called “Bruegala”, a charitable fundraiser, to be held at the Bloomington Center for the Performing Arts, (BCPA), located at 600 N. East St., on Friday, August 22, 2014 from 5:00 p.m. to 11:30 p.m. and Saturday, August 23, 2014 from 1:00 p.m. to 11:30 p.m.**

**Motion by Alderman Fazzini, seconded by Alderman Painter that an LB liquor license for the BN Jaycees for a fundraiser called “Bruegala” to be held at the BCPA, located at 600 N. East St., on Friday, August 22, 2014 from 5:00 p.m. to 11:30 p.m. and Saturday, August 23, 2014 from 1:00 p.m. to 11:30 p.m. 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, Painter, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7Y. Suspension of Ordinances to Allow Consumption of Alcohol at Lincoln Park on August 22-23, 2014 for the event named Bruegala.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7Z. Text Amendment to Chapter 2 Administration regarding Public Comment at City Council Meetings.**

**Motion by Alderman Fazzini, seconded by Alderman Painter the Text Amendment be reconsidered and 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7AA. Petition submitted by Evergreen Memorial Cemetery requesting Approval to Rezone 1006 Wright St. from R - 1C, Single Family Residence District, to S - 2, Public Lands and Institutions District.**

**Motion by Alderman Fazzini, seconded by Alderman Painter 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, Lower, Fazzini, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7J. Waive the Formal Bid Process and Approve Contract for Bloomington Center for Performing Arts (BCPA) HVAC Computer Software and Hardware Upgrade and Maintenance.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the formal bid process be waived, the seven (7) year agreement with Technical Solutions Services Inc., East Peoria, a sole source provider, for TSS Software and Hardware upgrade be approved, in the amount of \$12,650 per year, the Resolution adopted, 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 Mwilambwe, Schmidt, Painter, Fazzini, Fruin and Black.**

**Nays: Alderman Stearns and Lower.**

**Motion carried.**

**The following was presented:**

**Item 7Q. Request to Approve a Budget Amendment to Account 10016110 - 70425 in the General Fund and Approve Lease Agreement for 104 - 106 E. Oakland Ave., the former Connect Transit Bus Storage Depot, a/k/a the Bus Barn.**

**Motion by Alderman Fazzini, seconded by Alderman Black that the Ordinance Amending the Budget Ordinance to add funds to Account 10016110 - 70425 in the General Fund be passed, the lease agreement with Connect Transit be approved, in the amount of \$5,226.54 per month (\$62,718.50 per year) for 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 Mwilambwe, Painter, Fazzini, Fruin and Black.**

**Nays: Alderman Stearns, Schmidt and Lower.**

**Motion carried.**

**The following was presented:**

**Item 8A. Downtown Transportation Hubs – Changes for the 2014 – 2015 School Year.**

**Motion by Alderman Schmidt, seconded by Alderman Fazzini, that the meeting be adjourned. Time: 8:13 p.m.**

**Motion carried.**

**Tracey Covert  
City Clerk**