

**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, October 27, 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, Kevin Lower, David Sage, Diana Hauman, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

Alderman absent: Mboka Mwilambwe.

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

The following was presented:

Item 6A. Council Proceedings of October 13, 2014 and Work Session Minutes of August 11, 2014.

Motion by Alderman Schmidt, seconded by Alderman Painter that the reading of the minutes of the previous Council Proceedings of October 13, 2014, Special Session Minutes of January 27, 2014, February 10, 2014, March 24, 2014, April 7, 2014, June 23, 2104, July 28, 2014 and August 11, 2014, and Work Session Minutes of August 11, 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, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6B. Bills and Payroll.

Motion by Alderman Schmidt, 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, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6C. Rejection of Bids for Topsoil Processing Machine.

Motion by Alderman Schmidt, seconded by Alderman Painter that the bids for the Topsoil Processing Machine be rejected, and the bid be reissued.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6D. Request to Enter into an Early Order Program with Helena Chemical, (the distributor), for Procurement of Syngenta, BASF, Bayer, Nufarm, (the manufacturers), Golf Course Chemicals from a Single Source.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Parks, Recreation & Cultural Arts Department be allowed to participate in the Syngenta, BASF, Bayer, and Nufarm chemicals “early order discount program” for golf turfgrass management for the 2015 golf season, and grant a bid waiver which identifies Helena Chemical as the local distributor for these products and the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6E. Waiver of Request for Proposal (RFP) for Leaf and Grass Disposal.

Motion by Alderman Schmidt, seconded by Alderman Painter that the City continue to negotiate its leaf and grass disposal agreement with Chris Witte, Bloomington, and the RFP for this service be attempted again in FY 2016.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6F. Change Order for West Elevation Tuck Pointing Project Contract for Bloomington Center for the Performing Arts, (BCPA).

Motion by Alderman Schmidt, seconded by Alderman Painter that the Change Order using the unit prices from R.L. Vollentine Construction, Inc., for the west elevation tuck pointing project be accepted, the Change Order approved, in the amount of \$10,933, to be paid out of the FY 2015 Budget, the Mayor and Clerk City 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, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6G. Change Order No. #1 to the Professional Services Agreement with Clark Dietz, Inc. for the Phase 2 Locust CSO (Combined Sewer Overflow) Elimination and Water Main Replacement Project Design.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Change Order to Clark Dietz design contract for the Phase 2 Locust Street CSO Elimination and Water Main Replacement Project be approved, in the additional amount of \$13,188.50, and

the Resolution be adopted. The change is germane to the original contract as signed and is in the best interest of the City of Bloomington and authorized by law.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6H. Grant Application – Illinois Historic Preservation Agency (IHPA).

Motion by Alderman Schmidt, seconded by Alderman Painter that the request for submittal of a \$21,000, (state's share = \$14,200 and City's share = \$6,800), grant application to the IHPA be approved to allow improvements and modifications to the Historic Preservation portion of the City's web site.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6J. Intergovernmental Agreement with the County of McLean for Cost Sharing of the Local Portion of Traffic Signal Improvements at Towanda Barnes Rd. and Fort Jesse Rd.

Motion by Alderman Schmidt, seconded by Alderman Painter 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, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6K. Illinois Environmental Protection Agency (IEPA) Loan Closeout Documents for Phase 1 Locust Combined Sewer Overflow (CSO) Elimination and Water Main Replacement Project.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Mayor and City Clerk be authorized to execute the IEPA Locust CSO Elimination and Water Main Replacement Phase 1 loan closeout documents.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6M. Agreement with Applied Controls, Inc. (ACI) for HVAC (Heating Ventilating & Air Conditioning) Controls Services at the US Cellular Coliseum, (USCC).

Motion by Alderman Schmidt, seconded by Alderman Painter that the Agreement with ACI for HVAC Controls Services at the USCC 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, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6N. Settlement Agreement Pepsi Ice Center Garage.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Settlement 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, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6O. Petition from TGFP, LLC for Approval of Utility, Pedestrian and Sanitary Sewer Easement Dedications in Lot 3 of the Resubdivision of Lot 2 of Illinois Power Company Subdivision, (Golwitzer Commercial Sub.), and Utility and Pedestrian Easements in Lot 1 of Illinois Power Company Subdivision, (Pony League).

Motion by Alderman Schmidt, seconded by Alderman Painter that the Dedications be approved and the Ordinances passed.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6P. Review of Request Submittal by KSTT, LLC Requesting Approval to Reinstated Preliminary Plan for the Business Park at Nord Farms for the Property Located South of IL Rt. 9 at the Intersection of Mitsubishi Motorway, consisting of approximately 36.34 acres.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Preliminary Plan for the Business Park at Nord Farms be reinstated.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6Q. Petition from St. Ivans, LLC, Requesting Approval of Final Plat for the First Addition St. Ivan's at Fox Creek, commonly located at St. Ivan's Court south of Fox Creek Rd.

Motion by Alderman Schmidt, seconded by Alderman Painter 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, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6I. Grove Subdivision – Memorandum of Understanding (MOU) and Agreement.

Motion by Alderman Schmidt, seconded by Alderman Lower that the MOU & Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary document.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 6L. Agreement with Microsoft Software Enterprise for License Renewal.

Motion by Alderman Lower, seconded by Alderman Hauman that the payment to CDWG, Inc. for the 2014 Microsoft Enterprise Agreement (EA) software maintenance and support covering the City's Microsoft licensing, be approved, in the amount of \$147,576.83, 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, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Cooperative Agreement for Constructed Wetland Near Lake Bloomington.

Motion by Alderman Schmidt, seconded by Alderman Hauman that authorization be granted to build treatment wetland on City property near Lake Bloomington and the Cooperative Agreement with The Nature Conservancy 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, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7B. Analysis of Re-bid – Evergreen Lake Spillway Bridge Superstructure Replacement.

Motion by Alderman Hales, seconded by Alderman Schmidt that the Bid for Evergreen Lake Spillway Bridge Superstructure Replacement be awarded to Stark Excavating, Inc., the prices accepted, in the amount of \$994,816.60, 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, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7C. Streets Master Plan Update – Presentation by Kurt Bialobreski, PE PTOE; Cindy Loos, PE; and Becca Wagner, EI - Hanson Professional Services, Inc.

The following was presented:

Item 7D. Resolution Communicating City of Bloomington Priorities, Issues and Needs to the Illinois Department of Transportation.

Motion by Alderman Black, seconded by Alderman Hauman that the Resolution be adopted.

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

Ayes: Aldermen Stearns, Schmidt, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Item 7E. Proposed 2014 Tax Levy, (City and Library), and Adoption of Estimated Levy.

Motion by Alderman Painter, seconded by Alderman Schmidt that the proposed tax levy be adopted as the estimate of \$23,719,066 for the 2014 Tax Levy.

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

Ayes: Aldermen Schmidt, Painter, Hauman, Sage and Fruin.

Nays: Aldermen Lower, Stearns and Black.

Motion carried.

The following was presented:

Item 7F. Removal of Barrier on W. Jefferson St. at Allin St.

Motion by Alderman Black, seconded by Alderman Hales that the Resolution be adopted.

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

Ayes: Aldermen Stearns, Painter, Lower, Hauman, Sage, Fruin and Black.

Nays: Alderman Schmidt.

Motion carried.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 8:41 p.m.

Motion carried.

**Tracey Covert
City Clerk**