



**CITY OF
BLOOMINGTON
COUNCIL MEETING
OCTOBER 28, 2019**



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

This portion of the meeting recognizes individuals, groups, or institutions publically, as well as those receiving a proclamation, or declaring a day or event.

PUBLIC COMMENT

Each regular City Council meeting shall have a public comment period not to exceed 30 minutes. Every speaker is entitled to speak for up to 3 minutes. To be considered for public comment, please complete a public comment card at least 5 minutes prior to the start of the meeting. The Mayor will randomly draw from the cards submitted. Public comment is a time to give comment. It is not a question and answer period and the City Council does not respond to public comments. Speakers who engage in threatening or disorderly behavior will have their time ceased.

CONSENT AGENDA

All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, City Manager or Corporation Counsel so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which typically begins with Item No. 8.

The City's Boards and Commissions hold Public Hearings prior to some Council agenda items appearing on the Council's Meeting Agenda. Persons who wish to address the Council should provide new information that is pertinent to the issue before them.

PUBLIC HEARING

Items that require receiving public testimony will be placed on the agenda and noticed as a Public Hearing. Individuals have an opportunity to provide public testimony on those items that impact the community and/or residence.

REGULAR AGENDA

All items that provide the Council an opportunity to receive a presentation, ask questions of City Staff, seek additional information, or deliberate prior to making a decision will be placed on the Regular Agenda.

MAYOR AND COUNCIL MEMBERS

Mayor, At-Large - Tari Renner

City Council Members

Ward 1 - Jamie Mathy
Ward 2 - Donna Boelen
Ward 3 - Mboka Mwilambwe
Ward 4 - Julie Emig
Ward 5 - Joni Painter
Ward 6 - Jenn Carrillo
Ward 7 - Scott Black
Ward 8 - Jeff Crabill
Ward 9 - Kim Bray

City Manager - Tim Gleason

Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

The **CHEVRON** Represents:
Service, Rank, and Authority
Growth and Diversity
A Friendly and Safe Community
A Positive, Upward Movement and
Commitment to Excellence!

MISSION, VISION, AND VALUE STATEMENT

MISSION

To Lead, Serve and Uplift the
City of Bloomington

VISION

A Jewel of the Midwest Cities

VALUES

Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

- ❖ Financially Sound City Providing Quality Basic Services
- ❖ Upgrade City Infrastructure and Facilities Grow the Local Economy
- ❖ Strong Neighborhoods
- ❖ Great Place - Livable, Sustainable City
- ❖ Prosperous Downtown Bloomington

AGENDA



REGULAR SESSION MEETING AGENDA
CITY COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, OCTOBER 28, 2019, 6:00 P.M.

1. Call to Order
 2. Pledge of Allegiance to the Flag
 3. Remain Standing for a Moment of Silent Prayer
 4. Roll Call
 5. Recognition/Appointments
 - A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers who have completed probation:
 - i. Mitchell Filarski
 - ii. Taylor Turner
 - B. Presentation of the winners of the 2019 Beautification Awards, as presented by the Beautification Committee:
 - i. Residential Winners:
 - A. Kathryn Mundell-Bligh
 - B. Jon Wilson & Craig Gilsinger
 - C. Shirley Hartley (The Memory Garden)
 - ii. Commercial Winners:
 - A. St. Mary's Parish
 - B. Patrick Fruin/Flinger's
 - C. City of Bloomington - Illinois Art Station/West Side Revitalization Project
 6. Public Comment
 7. Consent Agenda
- Electronic Roll Call Vote
- A. Consideration and action to approve the Minutes of the September 30, 2019 Special Joint Meeting of the McLean County Board, Normal Town Council, and Bloomington City Council, as requested by the City Clerk Department.
(*Recommended Motion:* The proposed Minutes be approved.)

- B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$8,258,704.01, as requested by the Finance Department. (*Recommended Motion:* The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)
- C. Consideration and action to approve Bernie Wrezinski to the John M. Scott Health Care Commission, as requested by the Administration Department. (*Recommended Motion:* The proposed Appointment be approved.)
- D. Consideration and action to approve a Contract with Amereco, Inc (RFP 2020-15), for Lead Assessment and Clearance Testing Services on an "as needed" basis for a one (1) year term with three (3) one (1) year options based upon acceptable performance, as requested by the Community Development Department. (*Recommended Motion:* The proposed Contract be approved.)
- E. Consideration and action to waive the technicality in the bid submission and approve a one (1) year Contract with Evergreen FS, with the option of four (4) one-year renewals, to pay for fuel for fleet vehicles and equipment, as requested by the Public Works Department. (*Recommended Motion:* The proposed Technicality be waived and the Contract be approved.)
- F. Consideration and action to rescind the Council's previous approval of a Contract with H & H Landscaping and to reject all proposals for grass and weed mowing services under RFP#2020-12, as requested by the Community Development Department and the Police Department. (*Recommended Motion:* The Contract be rescinded and all Proposals for RFP#2020-12 be rejected.)
- G. Consideration and action on a Resolution to waive the formal bidding process for the Early Order Program with Helena Chemical (the distributor) for procurement of Syngenta, BASF, Bayer, and Nufarm (the manufacturers) golf course chemicals for the 2020 golf season, as requested by the Parks, Recreation and Cultural Arts Department. (*Recommended Motion:* The proposed Resolution be approved.)
- H. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020, as it Relates to the Library Fixed Asset Budget, in the amount of \$98,318, as requested by the Bloomington Public Library. (*Recommended Motion:* The proposed Ordinance be approved.)
- I. Consideration and action on an Ordinance Approving a Special Use Permit for a Sports and Fitness Establishment in the D-2 Downtown Transition District, for the property located at 216 E. Grove Street, as requested by the Community Development Department. (*Recommended Motion:* The proposed Ordinance be approved.)
- J. Consideration and action on an Ordinance Approving an Application Submitted by Bellas Landscaping, LLC Requesting Approval of the Site Plan for a Restaurant Patio and Parking Lot in the B-1 General Commercial District for the Property at 5 Finance Drive, as requested by the Community Development Department. (*Recommended Motion:* The proposed Ordinance and Site Plan be approved.)

- K. Consideration and action on an Ordinance Approving an Application Submitted by Carmala, LLC Requesting Approval of the Site Plan for a Restaurant in the B-1 General Commercial District for the Property at 802 E Washington Street, as requested by the Community Development Department. (*Recommended Motion:* The proposed Ordinance and Site Plan be approved.)

8. Regular Agenda

Electronic Roll Call Vote

- A. Consideration of approving a Professional Services Agreement in the amount of \$49,810.00 with The Lakota Group (as per RFP 2020-17) to create a Community Preservation Plan for the City of Bloomington, as requested by the Community Development Department. (*Recommended Motion:* The proposed Agreement be approved.) (Presentation by Bob Mahrt, Community Development Director, 5 minutes; and City Council discussion, 5 minutes.)
- B. Consideration and action on an Intergovernmental Agreement with the Department of Healthcare and Family Services to participate in a Federal program to receive supplemental Medicaid payments for Ground Emergency Medical Transports, as requested by the Fire Department. (*Recommended Motion:* The proposed Agreement be approved.) (Presentation by Brian M. Mohr, Fire Chief, 10 minutes; and City Council discussion, 10 minutes.)
- C. Consideration and action on a Resolution Initiating a Text Amendment to the City of Bloomington Zoning Code, Chapter 44, to Allow Adult-Use Cannabis Business Establishments in the City of Bloomington, as requested by the Community Development Department. (*Recommended Motion:* The proposed Resolution be approved.) (Presentation by Jeff Jurgens, Corporation Counsel, 5 minutes; and City Council discussion, 15 minutes.)

9. City Manager's Discussion

- A. Finance Director's Report

10. Mayor's Discussion

11. Council Member's Discussion

12. Executive Session - Cite Section

Clerk-led Roll Call Vote

- A. Review of Minutes - Section 2 (c)(21) of 5 ILCS 120 (10 minutes)
- B. Claim Settlement - Section 2 (c)(12) of 5 ILCS 120 (5 minutes)

13. Return to Open Session and Adjourn

Clerk-led Roll Call Vote

RECOGNITIONS



City of Bloomington Beautification Committee Presents:

2019 Award Winners

City of Bloomington - Illinois Art Station and West
Side Revitalization Project
Mural at Intersection of Morris and Market





St. Mary's Parish 527 W. Jackson St.



Patrick Fruin/Flingers
1503 E. Vernon





Shirley Hartley - The Memory Garden
715 Bissell

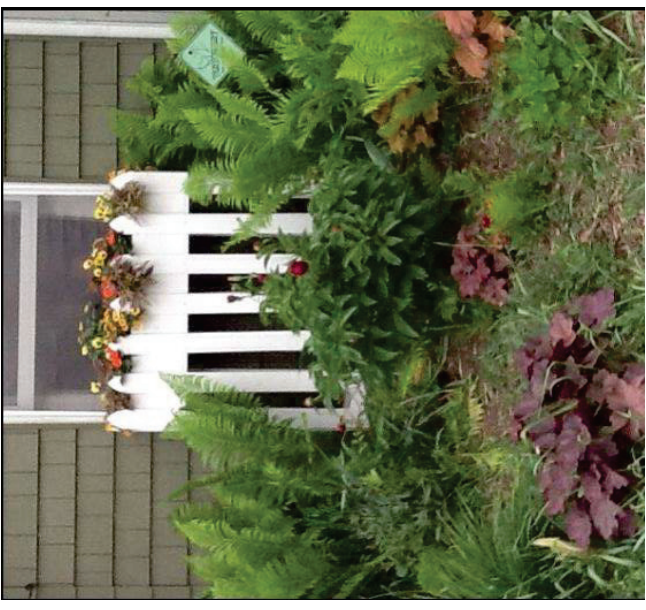
Jon Wilson & Craig Gilsinger
3302 Monterey Rd.





Kathryn Mundell-Bligh
1310 W. Market St.





CONSENT AGENDA



CONSENT AGENDA ITEM NO. 7.A

FOR COUNCIL: October 28, 2019

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the September 30, 2019 Special Joint Meeting of the McLean County Board, Normal Town Council, and Bloomington City Council, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Minutes be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: The minutes of the September 30, 2019 Joint Session meeting of the McLean County Board, Normal Town Council and Bloomington City Council were taken and provided by the Town of Normal's City Clerk, Angie Huonker. The minutes have been reviewed and certified as correct and complete by City Clerk, Leslie Yocum. In compliance with the Open Meetings Act, Council Proceedings must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later. In accordance with the Open Meetings Act, Council Proceedings are available for public inspection and posted to the City's website within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Reviewed by:



Leslie Yocum, City Clerk 10/22/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- 1B Minutes - September 30 2019 - Special Joint Meeting

MINUTES OF THE SPECIAL JOINT MEETING OF THE MCLEAN COUNTY BOARD, NORMAL TOWN COUNCIL, AND CITY OF BLOOMINGTON COUNCIL, HELD AT THE ILLINOIS STATE UNIVERSITY ALUMNI CENTER, 1101 N. MAIN STREET, NORMAL, MCLEAN COUNTY, ILLINOIS – MONDAY, SEPTEMBER 30, 2019.

1. CALL TO ORDER:

McLean County Board Chairman John McIntyre called the special joint meeting of the McLean County Board, Normal Town Council, and City of Bloomington Council to order at 5:03 p.m., Monday, September 30, 2019.

2. ROLL CALL:

The Town of Normal Clerk called the roll with the following persons physically

PRESENT: McLean County Board Chairman John McIntyre and Board Members Josh Barnett, Jacob Beard, William Caisley, Chuck Erickson, George Gordon, Elizabeth Johnson, Catherine Metsker, Carlo Robustelli, Susan Schafer, Logan Smith, Jim Soeldner, Shayna Watchinski, and Laurie Wollrab.

ABSENT: Lyndsay Bloomfield, William Friedrich, Randall Martin, Gerald Thompson, George Wendt.

PRESENT: Normal Town Council Mayor Chris Koos and Councilmembers, Kevin McCarthy, Chamberly Cummings, Stan Nord, Karyn Smith, Kathleen Lorenz, and Scott Preston.

ABSENT: None.

PRESENT: City of Bloomington Mayor Tari Renner and Councilmembers, Jamie Mathy, Donna Boelen, Mboka Mwilambwe, Jenn Carrillo, Scott Black, and Kim Bray.

ABSENT: Julie Emig, Joni Painter, Jeff Crabill.

McLean County Board Member Sharon Chung, and City of Bloomington Council Member Julie Emig arrived after the Roll Call, but prior to the Pledge of Allegiance.

3. PLEDGE OF ALLEGIANCE:

McLean County Board Chairman McIntyre led the Pledge of Allegiance to the Flag.

4. PUBLIC COMMENT:

Marc Tiritilli, Normal Resident, spoke in opposition of a Sports Complex in the community, indicating we are late to the table and other communities have completed or nearly completed similar complexes which he feels will pull customers away from us. Mr. Tiritilli also spoke about concerns regarding Connect Transit Board vacancies and indicated he feels the Connect Transit Board is moving forward with decisions and not waiting for the working group recommendations.

5. INTRODUCTION OF CITY MANAGERS AND COUNTY ADMINISTRATOR:

McLean County Board Chairman McIntyre introduced City Managers Pamela Reece of Normal and Tim Gleason of Bloomington. Chairman McIntyre also introduced County Administrator, Camille Rodriquez.

6. PRESENTATION BY MCLEAN COUNTY CHAMBER OF COMMERCE:

Representatives from the McLean County Chamber of Commerce gave a presentation that included an overview of the Chamber operations and focus. The presentation also included information about the BN Advantage program and the McLean County Community Compact initiative, and it's focus on workforce development. Presenters discussed Compact's structure, investors, areas of focus and expanded engagement.

During the question and answer period there were discussions on rural representation and resources available to those outside of Bloomington and Normal, school outreach, measuring equity and progress of the program, collaboration with other local organizations, and the importance of workforce development within the community to broaden available skills and recruit new business.

An Intermission was given from 5:52 p.m. to 6:02 p.m.

7. PRESENTATION BY BLOOMINGTON-NORMAL AREA CONVENTION AND VISITORS BUREAU:

Representatives from the Bloomington-Normal Convention and Visitors Bureau gave a presentation that included what the mission of the organization is, funding sources, and allocation of funds. The presentation also included information on the local economic impact of hotel rooms, major hosted events, trade show and conference attendance, and an explanation of outreach conducted by the organization. Presenters also discussed their work alongside the Illinois Office of Tourism, the Partners in Promotion program, and the Hotel Standards program.

During the question and answer period there were discussions on economic impact numbers, clarification on hotel tax, the direct and indirect impact of local events, convention trends, competition in the marketplace, and what current and future challenges the organization faces.

An Intermission was given from 6:30 p.m. to 6:40 p.m.

8. PRESENTATION BY BLOOMINGTON NORMAL ECONOMIC DEVELOPMENT COUNCIL:

Representatives from the Bloomington Normal Economic Development Council gave a presentation that included background information on the new CEO, Patrick Hoban, an update on the recent changes to the organization, and a review of what the structure and leadership of the organization should look like moving forward. The presentation also included a review of the mission and goals on the organization, highlighting focus on areas such as infrastructure needs, blight elimination, neighborhood beautification, retention and attraction of a skilled work force, business retention and expansion, investment development, streamlined incentives, marketing, and project management. During the question and answer period there were discussions on what

the perception of being located in Illinois means and the stigma attached to it, what local government can do to help the organization, streamlining incentives and structuring abatements, prioritizing industry needs, defining standard rules, incentives and policies, and working with other taxing bodies.

9. OTHER ITEMS OF INTEREST:

There were no Other Items of Interest.

10. ADJOURNMENT:

There being no further business to come before the Councils and Board, McLean County Board Chairman McIntyre called for a Motion to Adjourn the Special Joint Meeting of the McLean County Board, Normal Town Council, and City of Bloomington Council.

McLean County Board Chairman McIntyre adjourned the Special Joint Meeting of the McLean County Board, Normal Town Council, and City of Bloomington Council at 7:14 p.m., Monday, September 30, 2019.



CONSENT AGENDA ITEM NO. 7.B

FOR COUNCIL: October 28, 2019

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$8,258,704.01, as requested by the Finance Department.

RECOMMENDED MOTION: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: Bills, Payroll, Electronic Transfers, and Procurement Card Purchases are filed in the City Clerk's Department. The full Bills and Payroll Report is now housed under Finance documents on the City website available at <https://www.cityblm.org/bills>.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved \$8,258,704.01 (Payroll total \$2,506,531.50 Accounts Payable total \$3,156,678.92, Electronic Transfers \$2,492,933.73, and Procurement Card Purchases total \$102,559.86).

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:



F. Scott Rathbun, Finance Director

10/23/2019



Tara Henry, Legislative Assistant

10/24/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- FIN 1B Council Finance Summary Report

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL				
Date	Gross Pay	Employer Contribution	Totals	
10/11/2019	\$ 2,002,489.15	\$ 504,091.98	\$ 2,506,581.13	
9/27/2019	\$ -	(49.63)	\$ (49.63)	
Off Cycle Adjustments				
PAYROLL GRAND TOTAL			\$ 2,506,531.50	
ACCOUNTS PAYABLE (WIRES)				
Date	Bank	Total	PCARDS Date Range	Total
10/28/2019	AP General	\$ 3,012,097.63	9/1/2019-9/30/2019	\$ 102,559.86
	AP JM Scott		PCARD GRAND TOTAL	\$ 102,559.86
10/28/2019	AP Comm Devel	\$ 20,222.90		
10/28/2019	AP IHDA	\$ 600.00		
10/28/2019	AP Library	\$ 44,248.19		
10/28/2019	AP MFT	\$ 11,356.38		
10/10/2019-10/22/2019	Out of Cycle	\$ 68,153.82		
7/1/2019-10/4/2019	AP Bank Transfers	\$ 2,492,933.73		
AP GRAND TOTAL		\$ 5,649,612.65		
TOTAL			\$	8,258,704.01

Respectfully,

F. Scott Rathbun
Director of Finance



CONSENT AGENDA ITEM NO. 7.C

FOR COUNCIL: October 28, 2019

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bernie Wrezinski to the John M. Scott Health Care Commission, as requested by the Administration Department.

RECOMMENDED MOTION: The proposed Appointment be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4e. Strong partnership with residents and neighborhood associations

BACKGROUND: The Mayor of the City of Bloomington has nominated, and asks your concurrence in the appointment of Bernie Wrezinski to the John M. Scott Health Care Commission, representing Finance. Bernie will serve a 3-year term which will be effective October 28, 2019 and will expire on April 30, 2022. The application is on file in the Administration Office.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Mayor contacts all recommended appointments.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Reviewed by:

Billy Tyus

Billy Tyus, Deputy City Manager

10/23/2019

Tara Henry

Tara Henry, Legislative Assistant

10/24/2019

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is written over a horizontal line.

Tim Gleason, City Manager

Attachments:

- ADM 1B John M. Scott Health Care Commission Roster

John M. Scott Health Care Commission

Council Approved	Staff/Chair	Title	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Notes
X	Grant Administration	Chair	Holly	Ambuehl	04/30/21	11/13/18	2018	
X	Grant Administration	Secretary	Deb	Halperin	04/30/21	11/13/18	2018	
X	Health Care - Underserved	Vice Chair	Susan	Grant	04/30/21	11/13/18	2009	
X	Health Care - Underserved		Angie	McLaughlin	04/30/20	02/11/19	2019	
X	Health Care - Mental Health	Dr.	Scott	Hamilton	04/30/20	11/13/18	2014	
X	Health Care - Primary	Dr.	James	Swanson	04/30/22	05/13/19	2005	
X	Health Care - Optometry	Dr.	John	Couillard	04/30/21	11/13/18	2008	
X	Health Care - Dental	Dr.	Colton	Sylvester	04/30/20	08/12/19	2019	
X	Finance	Treasurer	Brandi	Sweeney	04/30/20	05/01/17	2015	
X	Second Presbyterian	Dr.	Scott	Hamilton	04/30/20	11/13/18	2014	
X	Township		Deb	Skllrud	4/30/2020	11/13/2018	2018	
	Staff Administrator		Jennifer	Toney				

Details:

Term: 3 years
Term Limit per ByLaws: No more than 3 consecutive terms unless such expertise is unavailable from others at the time as determined by Trustee
Members: 11 members
Number of members the Mayor appoints: 0
Type: Independent
City Code:
Required by State Statute: No
Intergovernmental Agreements: 9/29/09 IGA Dissolved by Resolution 5-14-18 with new Bylaws
Funding budgeted from COB for FY2016:
Meetings: 2nd Wednesday of each month in the Township Office at 5:30pm

LEGEND: Green=New Appointments, Light Red=Reappointments, Gray=Current Members with Non-Expired Terms, Bright Red=Current Vacant Positions



CONSENT AGENDA ITEM NO. 7.D

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Contract with Amereco, Inc (RFP 2020-15), for Lead Assessment and Clearance Testing Services on an "as needed" basis for a one (1) year term with three (3) one (1) year options based upon acceptable performance, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Contract be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4b. Upgraded quality of older housing stock

BACKGROUND: This Item was tabled from the Regular City Council Meeting on October 14, 2019.

Recommending approval of a one-year (1) contract with Amereco, Inc., beginning November 1, 2019 and ending October 31, 2020. This contract may be extended for three (3) subsequent one (1) year options if Community Development determines Amereco's performance under the contract to be acceptable. The contract covers 1) services related to performing a lead risk assessment and providing an assessment report for the Community Development Block Grant and Illinois Housing Development Authority housing rehabilitation programs at the rate of \$774.00 per unit, and 2) services related to clearance testing and a clearance report at the rate of \$520.00 per unit.

Staff issued a Request for Proposal and received (4) proposals. A summary of the submitted proposals follows:

Company	Risk Assessment/Report Cost per Unit	Clearance Testing/Report Cost per Unit
Amereco, Inc.	\$774.00	\$520.00
ATC Group Services, LLC	\$950.00	\$575.00
IDEAL Environmental Engineering, Inc.	\$895.00	\$475.00
Professional Environmental Engineers, Inc.	\$936.35	\$599.00

There were four (4) City employees on the selection committee. Proposals were evaluated

on Company Experience, Qualifications of Individuals Providing Services, References, Proposed Cost and Responsiveness with the RFP Requirements. Combined totals ranked as follows: Amereco, Inc. 71; ATC Group Services 63; IDEAL Environmental Engineering 70; and Professional Environmental Engineers 50.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Proposals was advertised in the Pantagraph on Friday, August 23, 2019.

FINANCIAL IMPACT: Services provided through this contract will be paid from the Community Development Rehabilitation - Other Purchased Services (22402430-70690-51000), Illinois Housing Development Authority Single Family Rehabilitation - Other Purchased Services (22502520-70690-55000) and Illinois Housing Development Authority Home Accessibility Program - Other Purchased Services (22502520-70690-57000).

Stakeholders can find the Community Development Block Grant and Illinois Housing Development Authority budgets in the FY 2020 Budget Book titled "Other Funds and Capital Improvements" starting on page 22.

COMMUNITY DEVELOPMENT IMPACT: H-2.3: Rehabilitate housing in the designated Regeneration Area. Objective H-2.3b: Develop and maintain programs that identify substandard housing and provide a wide spectrum of options to correct housing code violations.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by:



Robert G. Mahre, Community Development Director

10/2/2019



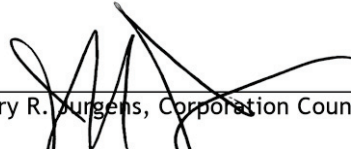
Carla Murillo, Procurement Manager

10/7/2019



Chris Tomerlin, Budget Manager

10/7/2019



Jeffery R. Jurgens, Corporation Counsel

10/8/2019



Leslie Yocum, City Clerk

10/9/2019

Attachments:

- CD 1B RFP 2020-15 Lead Hazard Control Contract

**CITY OF BLOOMINGTON
CONTRACT WITH**

Amereco, Inc.

FOR

Lead Based Paint Inspector Risk Assessor

THIS AGREEMENT, dated this 1st day of November, 2019, is between the City of Bloomington (hereinafter "CITY") and Amereco, Inc. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms. This work was subject to the following procurement initiative by the CITY:
RFP #2020-15 Lead Based Paint Inspector Risk Assessor (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: Paint testing, visual assessment, dust wipes and soil testing; comprehensive risk assessment report including sample results, testing methods and a lead hazard control plan. Clearance testing, as appropriate. May renew contract for 3- subsequent 1-year options if Community Dev. accepts performance level.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

☐

A flat fee of \$_____ as set forth in the Procurement Documents.

☒

Fees as set forth in the Procurement Documents. (Exhibit A)

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 12. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 13. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 14. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

Amereco, Inc.

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

EXHIBIT A

PROPOSAL FORM

RFP #2020-15

Lead Based Paint Inspector/Risk Assessor

The proposer agrees to contract with the City of Bloomington to provide all necessary services, labor, documents and any other means to do all the work and furnish all the materials specified in the proposal in the manner and time therein as set forth by the proposer and that the proposer will take in full payment the amount set forth hereon. The cost of all labor, material and equipment necessary for the completion of the proposed work, even though not shown or specified, shall be included in the total price for the various items shown herein.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. The proposer certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

Description of	Price
Services related to the "Risk Assessment Report"	\$ 774.00 per unit
Services related to the "Clearance Testing"	\$ 520.00 per unit

Amereco, Inc.

Name of Company

54 Michigan Avenue

Address

219.531.0531

Telephone Number

jblosky@amerecoeng.com

Email Address


Authorized Signature

Valparaiso

City

Indiana

State

46383

Zip

219.464.9166

Fax Number

09-11-2019

Date



CONSENT AGENDA ITEM NO. 7.E

FOR COUNCIL: October 28, 2019

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to waive the technicality in the bid submission and approve a one (1) year Contract with Evergreen FS, with the option of four (4) one-year renewals, to pay for fuel for fleet vehicles and equipment, as requested by the Public Works Department.

RECOMMENDED MOTION: The proposed Technicality be waived and the Contract be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1a. Budget with adequate resources to support defined services and level of services

BACKGROUND: Public Works is recommending waiving the technicality in the bid submission and approving a one (1) year contract with Evergreen FS, with the option of four (4) one-year renewals, based upon overall performance by Evergreen FS and mutual agreement of both parties, to pay for fuel for fleet vehicles and equipment, in the amount of approximately \$1,200,000 to \$1,400,000 annually as included in the fiscal year budget. The annual renewals will be granted with City Council approval.

On September 10, 2019, the City released a bid to supply fuel for the City's vehicle and equipment needs. On September 24, 2019, the City held a bid opening and received one bid:

Bidder	Unleaded Gas - Transport	Unleaded Gas - Tank Wagon	No. 1 Diesel - Transport	No. 1 Diesel - Tank Wagon	No. 2 - Diesel up to 20% Bio - Transport	No. 2 - Diesel up to 20% Bio - Tank Wagon	Diesel Exhaust Fuel - Tank Wagon	LP - Retail Discount	Kerosene - Retail Discount
Evergreen FS, Inc.	\$0.03	\$0.20	\$0.03	\$0.20	\$0.03	\$0.20	\$0.50	3%	3%
No other bids submitted									

The cost per gallon markup over terminal cost (daily market) are as follows: Unleaded Gasoline with 10% ethanol, No. 1 diesel Fuel, No. 2 Diesel Fuel with up to 20% Bio added is \$0.03 for transport loads and \$0.20 for tank wagons; Diesel Exhaust Fuel is \$0.50 for tank wagons. LP and Kerosene will be discounted 3% from retail at the time of purchase.

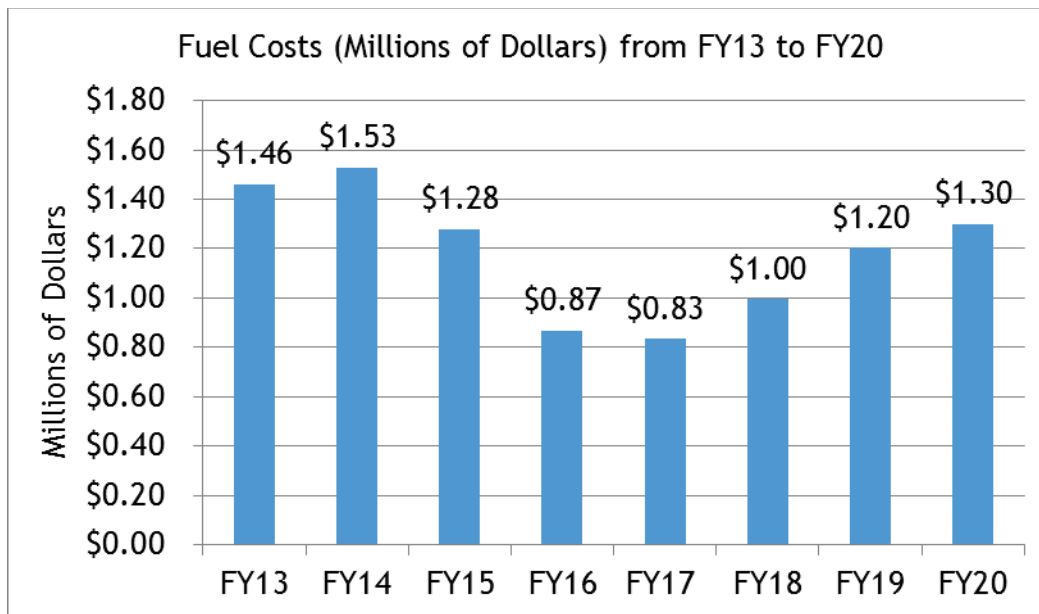
Evergreen FS did not originally submit a signed Addendum #1, but subsequently provided a scanned signed copy of the Addendum upon request. The Department does not feel that the originally missing signed Addendum #1 changes the responsiveness of the bid submitted and Evergreen FS meets all the requirements of the bid. Evergreen FS has provided the City with the same services for the prior five (5) years. Based on the quality of the product and performance history, the Department recommends waiving the technicality associated with the bid submission.

The City purchases approximately 50% of its fuel needs through the daily market (terminal cost). The markups bid by Evergreen FS apply to these purchases. The remaining approximately 50% of the purchases are done through Evergreen FS's fuel risk management program. The Evergreen FS fuel risk management program (hedging) allows schools and municipalities to pool their fuel purchases for volume discounts and guaranteed fuel costs. The City will enroll in the risk management program to help remove the wide swings of fuel prices throughout the year and allow the City to budget more accurately. The markups bid by Evergreen FS do not apply to fuel purchased through the risk management program. Please see the attached City of Bloomington Fuel Strategy for additional information.

Evergreen FS has met all of the current contract specifications, which are important to the City's ability to respond to its citizens' needs in a natural or man-made disaster. These services include bulk fuel transport to the bulk tank at the Public Works fuel station, deliveries to various smaller fuel tanks at the parks and golf courses, emergency generators for the Water Division of the Public Works Department, Fire Stations, Grossinger Arena, sewer lift pump stations, and to fire apparatus at working fires. Fuel cards are used to purchase fuel from Evergreen FS local stores when the Public Works Department garage fuel station is out of service for maintenance.

The local tank farm insures the ability to deliver fuel from the tank farm to the City in the event of disaster. The City has used this service in past winters during big snow events when bulk fuel transports could not deliver fuel from out of town locations. Evergreen FS provides fuel storage tank sampling and testing with storage tank maintenance recommendations at no charge to the City on an annual basis.

The timely approval of this bid is important for the City to have the ability to purchase fuel on contract or hedging fuel costs starting January 2020, since, historically, fuel is at its lowest price in January. In addition, the current contract expires October 31, 2019.



The Public Works Department has continued to explore ways to “green” the fleet in responsible and practical manners, which is consistent with Strategic Plan and Comprehensive Plan goals. The City uses 20 percent bio-diesel in all units that fill up at the Public Works fueling site. Bio-diesel is an alternative, renewable fuel. The city uses biodiesel derived from soybean oil. In total, the City has over 190 vehicles that run on this alternative fuel. The City also has many cars and trucks that are compatible with E85 fuel. However, the City does not have an available fuel tank for this type of fuel, and off-site E85 fuel is not cost-effective at this time.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice of this bid was published in the Pantagraph on September 10, 2019 and posted to the City’s website.

FINANCIAL IMPACT: Funds are included in the FY 2020 Budget and will be included in the FY 2021 Proposed Budget to cover the terms of the contract under the Fleet Management - Fuel Account (10016310-71070). Funds will need to be liquidated from the current FY 2020 purchase order associated with the expiring contract to apply to the new Purchase Order after all charges have been paid through October 31, 2019. The FY 2020 budget includes \$1,259,342; 6 months (November through April) estimated at 50% of the total budget or \$629,671. Therefore, it is anticipated that the new Purchase Order, through April 30, 2020, will be created for approximately \$629,671. Public Works will budget approximately \$1,350,000 in FY 2021 for fuel purchases.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Prepared by: Rob Krones, Superintendent of Fleet Management

Reviewed by:



Jim Karch, Director of Public Works

10/15/2019



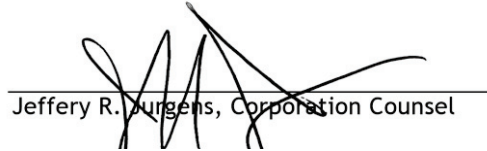
Carla Murillo, Procurement Manager

10/16/2019



Chris Tomerlin, Budget Manager

10/17/2019



Jeffery R. Jurgens, Corporation Counsel

10/18/2019



Tara Henry, Legislative Assistant

10/22/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- PW 1B Bid #2020-18 Citywide Gasoline & Diesel Fuel Contract_Redacted
- PW 1C Bid #2020-18 Citywide Gasoline & Diesel Fuel_Invitation to Bid
- PW 1D Evergreen FS Addendum #1 Signed_Redacted
- PW 1E City of Bloomington Fuel Strategy

**CITY OF BLOOMINGTON
CONTRACT WITH**

Evergreen FS
FOR

CITYWIDE GASOLINE & DIESEL FUEL

THIS AGREEMENT, dated this 28th day of October _____, 2019, is between the City of Bloomington (hereinafter "CITY") and Evergreen FS (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms / Prevailing Wage. This work was subject to the following procurement initiative by the CITY:
Bid #2020-18 Citywide Gasoline & Diesel Fuel (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply. This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties. This includes Public Act 100-1177 which became effective on June 1, 2019.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: Citywide gasoline
& diesel fuel according to the Bid Specifications. 1 year contract with 4 - one year renewals based upon performance as evaluated by the City and mutual agreement of both parties.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$ _____ as set forth in the Procurement Documents.
- ☒ Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

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CITY OF BLOOMINGTON

Evergreen FS

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

The Completion and Submission of This Page with the Bid Is Mandatory

Bid/Contract Requirements:

1. The City is seeking bids for the **markup charged** to the per gallon price of Diesel fuel, with up to a 20% blend of bio and no-leaded gasoline with 10% ethanol delivered to the City's storage tanks.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

2. The term of this contract shall be 12 months November 1, 2019 thru October 31, 2020. The City anticipates awarding the contract on October 28, 2019 for the purpose of "hedging" or the pre ordering of fuel purchases for the City's 2021 Fiscal Year with the successful bidder. This contract will have the option of four (4) one-year renewals based upon overall performance by the successful Bidder and mutual agreement of both parties. The renewals will be granted with City Council approval.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

3. The Bidder shall have sufficient equipment and have access to supplies from the manufacturer so as to be able to deliver any item required in this Specification to any site at any time fuel would be needed. The tanks at the Public Service Department fuel station are accessible by fuel "Transport Tanker Trucks". All other tanks need to be accessed with "Tank Wagons". Delivery of the product may need to be made to the site at the request of the department responsible for the site at a mutually convenient time. The successful Bidder may make arrangements with any site manager to "top" any tank at the site at the convenience of the supplier.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

4. The successful Bidder shall be capable of providing service twenty-four (24) hours per day, seven (7) days per week, including holidays, for emergency deliveries such as during snow removal operations, refueling fire apparatus on working fires, and any other disasters or emergencies declared by the City. The Bidder shall also be capable of "wet hosing" City vehicles/equipment when needed.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

5. The successful Bidder shall supply to the City of Bloomington Fleet Management Department an emergency contact list of their employees who may be contacted for after-hours emergency deliveries. The City of Bloomington Fleet Management Department shall be notified immediately of any changes in the list. The list shall be arranged in the order that the employees should be contacted.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

6. Ordering of fuel for the Public Service Department fuel station:

- A. These tanks are monitored, and ordering is done by the staff of the Fleet Management Department.
- B. After consultation, the Fleet Management Department staff will order diesel fuel appropriately blended up to B20 and blends shall be adjusted seasonally to prevent gelling. This adjustment may include any of the following: adjust the Bio Fuel rate, and addition of number 1 diesel fuel, or addition of an additive to the fuel to prevent fuel gelling. Gasoline will be ordered at this time if needed.
- C. Successful Bidder shall notify the Fleet Management Department staff on the day transport loads of fuel are ordered of the delivery time and the price per gallon for diesel fuel and gasoline.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

7. The City has had excellent results with the use of B2-B20 diesel fuel for the past fifteen (15) years. The Bio Fuel to be blended with diesel fuel shall meet the following guidelines:

- A. Used cooking oil will not be allowed in the manufacturing of Bio Fuel.
- B. All Bio Fuel shall be processed by distillation.
- C. The Bio Fuel shall meet ASTM D6751, but will exceed the standard in the following area:
 - a. Glycerin content shall be less than .15%
 - b. Water & Sediment, volume, maximum shall be less than 0.025%
 - c. Copper Strip corrosion, max, 3hr@50C will be no. 1
 - d. Shall pass a 360 Sec. maximum cold soak test
 - e. Cloud point should be less than 2 Degrees C January thru March.
- D. The Bio Fuel must be filtered with a 10-micron filter prior to blending with the diesel fuel.
- E. The Bio Fuel must be injection blended into the diesel fuel.
- F. The Bidder's Bio Fuel tanks must be heated to prevent gelling and fallout.
- G. The Bio Fuel provider must be a BQ9000 producer or in the qualification process.
- H. No change of Bio Fuel provider shall be made without prior approval by the City.
- I. Bidder must provide documentation of #7C; a-d, 7D & 7E, #8, and #9 at the time of delivery. The Fleet Management Department may waive this requirement (#7 C-E with each load) after a history is established but reserves the right to re-establish the requirement or ask for spot checks of the loads.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

8. If at any time during the term of this contract, the City deems it no longer economical to add Bio Fuel to the diesel fuel, then the City reserves the right to discontinue adding the Bio Fuel to the diesel fuel.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

9. No-Lead Gasoline shall be as defined by the Society of Automotive Engineers (SAE) as Regular Gasoline with an Octane Rating of not less than 87 Octane.
- A. Octane Rating will be found using the Anti-Knock Index (AKI). This is the Research Octane Number (RON) plus the Motor Octane Number (MON) divided by 2 or $(R+M)/2$.
 - B. No-lead shall contain 10% Ethanol.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

10. On-road #2 Ultra Low Sulfur Diesel Fuel shall have a Cetane rating of 40.0 minimum and a flash point rating of 130-degree Fahrenheit minimum. Cloud Point 14 degrees Fahrenheit maximum. Pour Point 0 degrees Fahrenheit maximum. Viscosity of 1.9 Minimum and 4.1 Maximum 104 degrees Fahrenheit.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

11. Bidders will provide detailed specifications of their products with their bids.
- Specifications
Shall include Product Properties, ASTM Test Method used, Test Results Minimums And Maximums.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

12. The successful Bidder shall supply all MSDS sheets for their products to the Fleet Management Department.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

13. The successful Bidder will provide all necessary information to the City and conform to all State and Federal requirements relating to bulk storage, delivery, identification, etc. as may be required by applicable regulatory agencies.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

14. During the term of this contract the City may install more gasoline and diesel fuel storage tanks. The successful Bidder will be kept updated as additional tanks are put into service.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

15. The successful Bidder shall operate a local tank farm with the ability to deliver fuel from the tank farm to the City or shall provide a fueling location in the city limits of Bloomington, IL. that the City can access 24 hours a day 7 days a week including all holidays in the event of a natural or man-made disaster.

Please list locations below:

Route 150 Bulk Plant - 1808 Morrissey Dr.
Bloomington, IL 61704
Farm Town FAST STOP - 1808 Morrissey Dr.
Bloomington, IL 61704

Please list the daily average amount of product available of no lead and diesel fuel below:

Daily average amount of NO LEAD Fuel	~ 20,000 gal
Daily average amount of DIESEL Fuel	~ 100,000 gal

16. The successful Bidder shall employ a full-time Energy Manager available to discuss needs and fuel pricing with the City during the term of this contract.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

17. The successful Bidder shall allow the City to 'hedge' or pre order 'wet gallons' fuel for the contract period.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

18. The successful Bidder shall be able to perform testing of gasoline & fuel products for contamination and cleaning of the interior of the City's fuel tanks at no charge to the City.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

19. Successful Bidder shall provide the City with a method to purchase fuel from local retail pumps, i.e. fuel cards or other methods acceptable to the City.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

20. Successful Bidder shall provide bulk deliveries of Diesel Exhaust Fluid (DEF Fluid) to any of the City's bulk storage DEF tanks. DEF Fluid must have 32.5% Urea and 67.5% distilled water.

Compliance with Specifications	Mark Appropriate Box
Comply	☒
Does Not Comply	☐
State Variation	☐

CHART OF TANK SIZES, TYPE AND LOCATIONS

Current as of September 2019

Fuel tank sizes and locations to refuel fleet vehicles and equipment:

Public Service Department - 401 S. East St.

One - Diesel 10,000 gal. UST

One - Gasoline unleaded 6,000 gal. UST

Fleet Management Department places the orders for these two tanks

Bloomington Water Department at Lake Bloomington

One - Gasoline 500 gal. AST Lake Bloomington Water Treatment Plant

One - On Road Diesel 500 gal. AST Lake Bloomington Water Treatment Plant

These two tanks are normally on a keep filled basis

Parks and Golf Courses

One - On Road Diesel	500 gal. AST	Forrest Park Maintenance Facility
One - Gasoline	500 gal. AST	Forrest Park Maintenance Facility
One - Off Road Diesel	500 gal. AST	Highland Golf Course
One - Gasoline	500 gal. AST	Highland Golf Course
One - Off Road Diesel	500 gal. AST	Prairie Vista Golf Course
One - Gasoline	500 gal. AST	Prairie Vista Golf Course
One - Gasoline	300 gal. AST	Prairie Vista Golf Course
One - Off Road Diesel	500 gal. AST	The Den Golf Course
One - Gasoline	500 gal. AST	The Den Golf Course

These fuel tanks are normally on a "keep filled" basis.

Emergency Generators

The City also has many emergency generators at various locations in the Bloomington/Normal area and at Lake Bloomington for emergency operations. The successful Bidder will receive the list of emergency generators after the award of the contract. All emergency generators are accessible by tank wagons. Some emergency generators are on keep fill, but most have fuel ordered as needed by city staff.

Renewal Options

1st Renewal: November 1, 2020 through October 31, 2021

2nd Renewal: November 1, 2021 through October 31, 2022

3rd Renewal: November 1, 2022 through October 31, 2023

4th Renewal: November 1, 2023 through October 31, 2024

BID FORM
BID # 2020-18
CITYWIDE GASOLINE AND DIESEL FUEL

We, the undersigned, agree to the terms and conditions used by the City of Bloomington, Illinois, at the bid price submitted, and to supply all services and/or commodities as required in the requirements and Instructions to Bidders. We further agree to deliver the commodity and/or services as outlined with in this document, FOB Bloomington, Illinois, freight prepaid.

The cost of all labor, material, and equipment necessary for the completion of the work itemized, even though not shown or specified, shall be included in the unit price for the various items shown hereon. The City of Bloomington reserves the right to increase or decrease the quantity of any item or omit items as deemed necessary, and the same shall in no way affect or make void the contract. When increases or decreases are made, appropriate additions or deductions from the contract total price will be made at the stipulated unit price.

The bidder certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. Contractors shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Prevailing Wage Act (820 ILCS 130/1-12) including Public Act 100-1177 effective June 1, 2019.

Product	Markup Cents Per Gallon	
	Transport	Tank Wagon
Unleaded gasoline with 10% ethanol	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 1 Diesel Fuel	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel, 5%	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel, 11%	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel, 20%	\$ <u>0.03</u>	\$ <u>0.20</u>
Diesel Exhaust Fluid (DEF Fluid)		\$ <u>0.50</u>

Bid Form Continued on next page

BID FORM cont.

BID # 2020-18

CITYWIDE GASOLINE AND DIESEL FUEL

Product

Discount from Retail at the time of purchase

LP

3 %

Kerosene

3 %

We, the undersigned, agree to sell and deliver fuel to the City of Bloomington per the Specification, from contract award through **October 31, 2024**, at the terminal price plus the above listed bid markup, plus applicable State and Federal taxes, and to meet the conditions set forth in the Specifications and General Instructions to Bidders.

Evergreen FS, Inc.

Firm


Authorized Signature

402 N. Hershey Rd.

Address

Bloomington IL 61704

City

State

Zip


Phone Number

9/30/19
Date

Email Address: 



INVITATION TO BID

BID #2020-18

CITYWIDE GASOLINE & DIESEL FUEL

Mailing Address: Office of the City Clerk
City of Bloomington
109 East Olive Street
Bloomington, IL 61701

Contact Person(s): Rob Krones
Fleet Manager
rkrones@cityblm.org

Carla Murillo
Procurement Manager
cmurillo@cityblm.org
309-434-2277

Bids Due: **Tuesday, September 24, 2019 @ 10:00 a.m.**

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**LEGAL NOTICE OF
INVITATION TO BID
CITY OF BLOOMINGTON, ILLINOIS**

Sealed bids will be received at the office of the City Clerk, City Hall, 109 East Olive Street, Bloomington, Illinois 61701, until **Tuesday, September 24, 2019 at 10:00 a.m. Central time**, at which time they will be publicly opened and read for the following:

**BID #2020-18
CITYWIDE GASOLINE & DIESEL FUEL**

Bid documents are to be obtained from the City of Bloomington Procurement Services by sending an email to procurement@cityblm.org. Respondents must provide their complete name, company name, street address, telephone number, fax number and their email address. Bid documents may also be obtained at the office of the City Clerk, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. Central time. Only bidders recorded with the City, as a bona fide plan holder, are eligible for the contract award.

The City of Bloomington reserves the right to reject any and all bids and to waive technicalities.

The City of Bloomington requires all bidders doing business with the City not to discriminate on the basis of race, age, color, religion, gender, ancestry, national origin, marital status, mental or physical disability unrelated to ability, familial status or sexual orientation.

Bids in excess of \$10,000 must be accompanied by a Bid guaranty which shall not be less than ten percent (10%) of the amount of the Bid. Bid guaranty may be a cashier's check, money order, certified bank check, or a surety bond. All guaranties, except surety bonds, will be deposited and reimbursement checks and surety bonds will be issued to unsuccessful bidders following the bid award.

Contractors shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Prevailing Wage Act (820 ILCS 130/1-12) including Public Act 100-1177 effective June 1, 2019.

Published **9/10/19** Bloomington, Illinois

TERMS AND CONDITIONS FOR BIDDERS

BACKGROUND: The City of Bloomington, incorporated in 1856, is a home rule unit of government under the 1970 Illinois Constitution. The City of Bloomington is located in the heart of Central Illinois, approximately 125 miles southwest of Chicago, 155 miles northeast of St. Louis and 64 miles northeast of Springfield, the State Capital. The City of Bloomington is the County Seat of McLean County, the largest county in Illinois (approximately 762,240 acres). The results of the 2010 Census shows the City now has a population of 76,610 citizens. The economic strength of the City of Bloomington metropolitan area is well diversified with no single dominating industry.

BID IDENTIFICATION: Bidders are required to legibly write the bid number, bid name and due date in the lower left corner. Do **not** submit bids by fax or electronically. Bids submitted by fax or electronically cannot be accepted or considered for award. Sealed bids are required.

DEFINITION: "City" shall mean the City of Bloomington, Illinois.

QUESTIONS: Questions regarding bid/proposal procedures shall be directed to Carla Murillo, Procurement Manager, during regular working hours, telephone 309-434-2277.

Questions regarding the technical nature or performance expectations of the equipment, material, or service in the bid shall be submitted in writing to:

Carla Murillo, Procurement Manager, at cmurillo@cityblm.org or
Fax (309) 434-2874

Questions will be answered in the form of written addenda and provided to all Bidders, as per State of Illinois statutes.

BID PACKAGE: If you have obtained this bid from the City of Bloomington web site or from a source other than directly from Procurement Services or the City Clerk, you are not on record as a plan holder. The Procurement Office takes no responsibility to provide addenda to parties not listed by the City as plan holders. It is the bidder's responsibility to check with the Procurement Office, or with the City Clerk's office prior to submitting your bid to ensure that you have a complete, up-to-date package. The original bid document maintained and on file in the City Clerk's office shall be considered the official "copy". Copies of all addenda shall be attached to the bid document as proof of receipt.

One original and 2 copies of the complete bid packet should be submitted to:
Bloomington City Clerk's Office
109 E. Olive Street
Bloomington, Illinois 61701

REJECTION OF BIDS: The City of Bloomington reserves the right to reject any and all bids and to waive technicalities and to accept that bid which is to be considered to be in the best interest of the City. Any such decision shall be considered final.

BID SUBMISSION: Submit (1) original and 2 copies of the entire bid packet

EX PARTE COMMUNICATION: Please note that to insure the proper and fair evaluation of a proposal or bid, the City of Bloomington prohibits ex parte communication (i.e., unsolicited) initiated by the Bidder to a City Official (i.e. City Aldermen, Mayor, etc.) or Employee evaluating or considering the proposal/bid prior to the time a selection has been made. Communication includes but is not limited to fax, phone calls, email and personal visit. Communication between Bidder and the City shall be directed in writing to the Procurement Manager or designated contact person only. The Procurement Manager will obtain the information or clarification needed. Ex parte communication may be grounds for disqualifying the offending Bidder from consideration or award of the proposal/bid and repeat offenders may be disqualified from future projects.

NO BID: Bidders who are not able to submit a bid for this product/service, but wish to receive bid tabulation or to be assured of remaining on the City's bid list for similar products/services should clearly indicate on the envelope the designation “**NO BID**”. Envelopes so marked will not be considered as a formal bid, but the contents will be responded to in the appropriate manner by City of Bloomington staff. The City will issue a purchase order to the successful Bidder.

DELIVERY: **F.O.B. Bloomington, IL FREIGHT PREPAID.**
Delivery will be considered in making the award and the bidders shall state, in the spaces provided, expected delivery after receipt of Purchase Order. Failure to meet said delivery promises without prior consent of the City Procurement Manager may be considered a breach of faith.

FULL PRICING AND CONTINGENCIES: Please quote your best net price including delivery and discounts to meet the approval of the City. Prices shall be stated in units of quantity specified. No additional charges shall be passed to the City, including any applicable taxes, delivery or surcharges. Prices quoted shall be the final cost to the City. The City shall hold the successful bidder to the bid pricing. Additional charges for contingencies discovered by the bidder at any time after the date of the opening of this bid may not be considered for payment by the City. All prices and notations shall be in ink or typewritten. Mistakes may be crossed out and corrections made in ink and must be initialed and dated in ink by the person signing the bid. In case of error in the extension of prices, the unit price shall govern.

PAYMENT TERMS: If payment terms are not indicated, terms of NET 30 days shall be applied by the City. Payment terms to apply after receipt of invoice or final acceptance of the products/services, whichever is later. Payment terms offering less than 20 days for payment will not be considered.

BID EVALUATION: Bids will be evaluated and awarded to the lowest responsible, responsive bidder. The quality of the products/services, conformity with the specifications, suitability to the requirements, delivery terms including length of time for delivery, qualifications and references will be taken into consideration in making an award. The City will be the sole judge of acceptability of any products offered.

QUALITY: The scope of work or specification is intended to procure a quality product or service. Quality must be proven to the satisfaction of the City to meet or exceed requirements as set forth in the scope of work. Items shall be manufactured according to the highest traditions of the industry and shall meet all commercial standards of quality. The City will be the sole judge of acceptable products/services. Unacceptable products/services will be rejected and suitable price adjustments be made.

It is the bidder's task to be familiar with the referenced items and to offer only products/services of equal or greater quality. Samples, when requested, must be furnished free of expense, and upon request, if not destroyed, may be returned at the Bidder's risk and expense.

RECOURSE FOR UNSATISFACTORY MATERIALS: Payment shall be contingent upon the City's inspection of and satisfaction with completed work. Any defective work or materials, non-conformance to bid specifications, damaged materials, or unsatisfactory installation shall be corrected to the City's satisfaction by the successful bidder at no additional charge.

INVESTIGATION: Bidders must acquaint themselves with the policies of the City, and may do so by contacting the Procurement Manager. All questions as to the meaning of the scope of work must be resolved prior to the bid submission deadline. It is the Bidder's responsibility to check with City Clerk prior to submitting their bid to ensure that they have received all Addenda issued.

PROOF OF LICENSE, PERMIT, ETC.: Bidders must provide proof of conformance with any applicable Federal/State/Local permits, licenses, certifications, etc., as stated in the scope of work/specifications section. It is the Bidder's responsibility to inquire about requirements of performing the job with the requesting department contact person.

BID FORM: This entire package shall be returned complete and intact with all information requested and all questions answered. Failure to do so may be considered grounds for rejection of the bid. The amount of the bid shall be stated on the form(s) provided. Variations from the Specification shall be noted on a separate sheet of paper. If more space is required to furnish a description of the product/service offered or delivery/start terms, the bidder may attach a letter hereto, which will be made a part of the bid.

SPECIFICATION: The Specification may, in some areas, be unique to a particular brand of product or type of service. If this situation exists, equal consideration will be given to all Bidders whose items, in the opinion of the City, meets or exceeds performance in these areas.

ALTERNATES: Trade names are used solely for the purpose of setting minimum standards of quality and performance and are not to be construed as exclusionary. Bidders are encouraged to contact the City Procurement Department prior to the bid opening for the purpose of clarifying specifications.

BRAND NAME, MODEL, SCOPE OF WORK: All Bidders shall include with their bid brand names, models, catalog numbers, and complete information about the items they are offering. **Manufacturer's Safety Data Sheets, MSDS, are required for all chemical Bids.** Failure to do so may be considered grounds for rejection of the bid.

DEFAULT BY VENDOR: In the event of default by bidder, the City reserves the right to procure the products/services from other sources, and hold the bidder liable for any excess costs occasioned thereby. Additionally, a contract shall not be assignable by the Bidder in whole or in part without the written consent of the City of Bloomington.

BID OPENING: Telephone/Fax/Verbal Offers Will Not Be Accepted.

Bids shall be publicly opened and read at the time and date set. It is the responsibility of the bidder to see that the bid is in the Office of the City Clerk, by the specified time and date. The date of the postmark will not be considered. Bids received after the time and date set may be returned unopened to the Bidder. This includes Bids not received as a result of mail delays. In the event that City Hall is closed for business at the time scheduled for the bid opening, sealed bids will be accepted on the next business day of the City, up to the originally scheduled time.

BID BOND: Bids in excess of \$10,000 must be accompanied by a Bid guaranty which shall not be less than ten percent (10%) of the amount of the Bid. At the option of the Bidder, the guaranty may be a cashier's check, money order, certified bank check or a surety bond. All guaranties, except surety bonds, will be deposited and reimbursement checks and surety bonds will be issued to unsuccessful bidders following the bid award. The Bid bond shall be secured by a guaranty or a surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid bond shall be within the maximum amount specified for such Company in said Circular 570. No Bid will be considered complete unless it is accompanied by the required guaranty of a cashier's check, money order, certified bank check made payable to the City of Bloomington; or a surety bond. The Bid guaranty shall insure the execution of the Agreement and the furnishings of the surety bond or bonds by the successful Bidder, all as required by the Contract Documents.

Revised Bids submitted before the opening of Bids, whether forwarded by mail or telegram, if representing an increase in excess of two percent (2%) of the original Bid, must have the Bid guaranty adjusted accordingly; otherwise the Bid will not be considered.

CANCELLATION: Failure to comply with the terms and conditions as herein stated shall be cause for cancellation of the contract. The City will provide a written notice of unsatisfactory performance and the bidder will be allowed adequate time, typically thirty (30) days, to take corrective action and accomplish satisfactory control. If at the end of the stated time to correct, the City may deem that the bidder performance is still unsatisfactory, the contract may be canceled. The exercise of its right of cancellation shall not limit the City's right to seek any other remedies allowed by law.

WITHDRAWAL OF BID: A bidder may withdraw a bid prior to the deadline for bid submittal by submitting a request for its withdrawal. Bids received after the time for opening bids or received at any place other than the place specified will not be considered. Except as otherwise provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, will be submitted in writing and will be supported by a written determination made by the Procurement Manager.

REJECTION OF BIDS, WAIVERS OF IRREGULARITY: The City reserves the right to reject any or all bids, to waive irregularities, and to accept that bid which is considered to be in the best interest of the City. Any such decision shall be final.

PROTESTS: Any actual or prospective bidder who is aggrieved in connection with this bid or award may protest to the City Manager within ten (10) days of the award. The protest must be submitted in writing to the Office of the City Clerk immediately after such aggrieved person knows or should have known of the facts.

LOCAL PREFERENCE POLICY: The City of Bloomington has adopted a Local Preference Purchasing Policy that is applicable in the City's competitive bidding processes, except in situations where external funding sources do not permit local preference purchasing allowances, in situations where the products or services being purchased are available through a cooperative purchasing program, or where waived by the City. Bidders should complete the Local Preference Purchasing Policy Certificate if bidder qualifies as a local bidder under the Policy. The Policy is in place to address, in part, responsiveness and related concerns of the City. After submission, but prior to award, an offeror claiming local preference will be required to submit evidence demonstrating all the criteria for local preference is met.

SECURITY: The bidder represents and warrants to the City that neither it nor any of its principals, shareholders, members, partners or affiliates, as applicable, is a person or an entity named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of a Specially Designated or Blocked Person. The bidder further represents and warrants to the City that the bidder and its principals, shareholders, members, partners, or affiliates as applicable, are not directly or indirectly, engaged in, and are not facilitating, the transactions contemplated by this Agreement on behalf of any person or entity named as Specially Designated National and Blocked Person. The bidder hereby agrees to defend, indemnify and hold harmless the City of Bloomington, and all City elected or appointed officials, officers, employees, agents, representatives, engineers and attorneys, from and against any and all claims, damages, losses, risks, liabilities, and expenses (including reasonable attorneys' fees and costs) arising from or related to any breach of the foregoing representation and warranties.

PURCHASE EXTENSION: This contract shall be offered for purchases to be made by other governmental units within the State of Illinois as authorized by the Government Joint Purchasing Act. All purchases and payments made under this authority shall be made directly by the governmental unit to the vendor. The City shall not be responsible in any way for such purchase orders or payments. All terms and conditions of this contract shall apply to all purchases placed by another governmental unit.

INDEMNIFICATION: Bidder shall indemnify, defend with counsel approved by City, and hold harmless City, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable attorney's fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with Bidder's performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, regardless of City's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the City. Should City in its sole discretion find Bidder's legal counsel unacceptable, then Bidder shall reimburse the City its costs of defense, including without limitation reasonable attorney's fees, expert fees and all other costs and fees of litigation. The Bidder shall promptly pay any final judgment rendered against the City (and its officers, officials, employees and volunteers) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of Illinois and will survive termination of this Agreement.

CITY OF BLOOMINGTON, IL
GENERAL INSURANCE REQUIREMENTS FOR VENDORS/CONTRACTORS/BIDS

Prior to the commencement of work governed by any contract between the **CITY** and the bidder, the bidder shall provide the **CITY** satisfactory evidence of insurance coverage. A Certificate of Insurance AND any contract stating the **CITY**, its employees and officials as additional named insured's will be required and will also denote the description of the job. **The bidder's insurance shall be primary and non-contributory.**

All insurance coverage should be placed with a solid carrier who has no less than an A- VIII Best's Rating. The Bidder's program shall hold the **CITY**, its employees and officials harmless from and against all loss, cost, expense, damage, liability or claims, whether groundless or not, arising out of the bodily injury, sickness or disease (including death resulting at any time therefrom).

All coverage, as follows shall be maintained through the life of the contract and include, as a minimum:

General Liability - \$2,000,000 Bodily Injury and Property Damage (Combined Single Limit) with \$2,000,000 GL annual aggregate and will include:

- Medical payments - \$5,000
- Premises Operations
- Products and Completed Operations
- Blanket Contractual Liability
- Personal Injury Liability
- Expanded Definition of Property Damage

Workers' Compensation and Employer's Liability –

- \$500,000 Bodily Injury by Accident
- \$500,000 Bodily Injury by Disease, policy limits
- \$500,000 Bodily Injury by Disease, each employee

Automobile Liability - \$1,000,000 Bodily Injury and Property Damage (CSL)

(Owned, Non-owned and Hired vehicles should be included) and include \$10,000 medical pay per passenger.

Umbrella Liability Coverage - \$3,000,000 each occurrence, \$3,000,000 aggregate

(These limits will be excess over all underlying coverage documents and would be the minimum required).

Increased limits may be required on "larger contracts" and would be at the discretion, and approval of the, CITY'S legal counsel.

All Liability (General Liability/Auto) insurance certificates should include a "blanket additional insured" endorsement, must specify that should described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

1) GIFT BAN ACT: I certify that _____ (print company name), its officers, employees and agents, have not made any gifts to officers or employees of the City of Bloomington in violation of Illinois Compiled Statutes, 5 ILCS 430/Article 10, State Officers and Employees Ethics Act (commonly known as the “Gift Ban Act”). The Act is available online at: <http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=000504300HArt%2E+10&ActID=2529&ChapterID=2&SeqStart=1700000&SeqEnd=2200000> under.

I further certify that as a bidder, I have not violated the Bloomington City Code Chapter 2, Administration; Article I, Section 8: Officers and Employees Generally: Section 8a Prohibition on the Solicitation and Acceptance of Gifts; and 8b State Officials and Employees Ethics Act. This section of the Bloomington City Code is available online at <http://www.cityblm.org/code.asp?show=section&id=3450>.

2) Vendor Compliance with Public Act 85-1295: The vendor certifies by signing this statement that this bid is made without prior understanding, agreement or accord with any other person submitting a bid for the same product or service and that this bid is in all respects bona fide, fair and not the result of any act of fraud or collusion with another person engaged in the same line of business or commerce. Furthermore, the firm certifies that it is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid-rigging or bid-rotating. Any false statement hereunder constitutes a felony and can result in a fine and imprisonment as well as civil damages. The vendor also understands that failure to sign this statement will make the bid non-responsive and unqualified for award.

3) Insurance: Vendors providing a service or installing equipment on or about City property shall provide to the City Clerk evidence of Comprehensive, Liability, and Workman's Compensation insurance prior to commencement of work on City property. The vendor guarantees to save the City, its agents or employees, harmless from liability of any nature or kind, for use of any copyright, composition, secret process, patented or unpatented invention, articles or appliances furnished or used in the performance of the contract, or which the vendor is not the patentee, assignee, or licensee.

Furthermore, the vendor hereby agrees to save and hold harmless and indemnify the City from and against all injury, death, damage, loss, claims and liability caused by or arising out of the performance of this agreement by the Vendor, its employees, agents or sub-vendors. This agreement extends to all claims, of any nature, whether made by the Vendor's employees or third parties.

4) NON-DISCRIMINATION: The City of Bloomington requires all Vendors doing business with the City not to discriminate against anyone on the basis of race, age, color, religion, gender, ancestry, national origin, marital status, mental or physical disability unrelated to ability, familial status or sexual orientation.

Vendors shall comply with the Illinois Human Rights Act, 775 ILCS 5/101 et seq., as amended and any rules and regulations promulgated in accordance therewith, including, but not limited to the Equal Employment Opportunity Clause, Illinois Administrative Code, Title 44, Part 750 (Appendix A), 775 ILCS 5/1-102 and constituting of a written EEO policy and a workforce profile that demonstrates its EEO practices. Furthermore, the Vendor or Vendors shall comply with the Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended. The Vendor or Vendors must have a written sexual harassment policy, which meets Illinois Compiled State Statutes, 775 ILCS, 15/3.

5) EQUAL OPPORTUNITY GUIDELINES: The City requires all Vendors doing business with the City not to discriminate against anyone on the basis of race, age, color, religion, gender, sexual orientation, ancestry, national origin, and non-job-related disabilities. This program was approved by the City Council on May 27, 1974. In accordance with this program, the City shall require that the Vendor or

Vendors be familiar and comply in every respect with the provisions of this program. Information regarding the program may be obtained by contacting the Human Relations Department 309-434-2218.

By signing below, Contractor certifies compliance with each of the five provisions outlined above.

Print Name & Date

Authorized Signature

Company Name

LOCAL PREFERENCE PURCHASING POLICY CERTIFICATION

The City of Bloomington has adopted a local preference purchasing policy. Under the terms of the policy local bidders may be granted a pre-determined preference in competitive bidding situations. Bids from qualified local bidders may receive the following adjustment to the submitted bid:

1. 5% up to a maximum of \$2,500 on bids of \$10,000 up to \$50,000;
2. 4% up to a maximum of \$10,000 on bids of up to \$250,000;
3. 3% up to a maximum of \$30,000 on bids of up to \$1,000,000; and
4. \$50,000 on bids of over \$1,000,000.

For purposes of comparison and consideration in awarding contracts the preferential discount will be applied to the low bid of all qualified local bidders when determining the lowest responsible bid. The City Council reserves the right to waive or amend the local preference purchasing policy in connection with any bid, when it deems it in the best interest of the citizens of Bloomington.

A Local Bidder is defined as any business that meets all of the following criteria:

1. The business has established and maintained a physical presence within the County of McLean, via the ownership or lease of a building or a portion of a building for a period of not less than 12 consecutive months; and
2. The business employs a minimum of two full time employees at the McLean County location and those employees spend the majority of their work day and work week at the McLean County location; and
3. The business is legally authorized to conduct business within the State of Illinois and the County of McLean.

The undersigned hereby certifies to the City of Bloomington that it is a Local Bidder as defined above and qualifies for the Local Bidder Preference pursuant to the City of Bloomington Local Preference Purchasing Policy.

Print Name & Date

Authorized Signature

Company Name

REFERENCES:

Three (3) references are **required** with your bid. The references shall be from three different sources where you have provided the minimum specifications as required in this bid. Bidder may use the City of Bloomington as one reference if the Bidder has provided this equipment or service to the City since January 1, 2010

(1.) Company Name: _____

Company address: _____

City: _____ State: _____ Zip: _____

Company Contact Name or Department: _____

Company Contact Telephone: _____ Fax: _____

Company Contact e-mail address: _____

(2.) Company Name: _____

Company address: _____

City: _____ State: _____ Zip: _____

Company Contact Name or Department: _____

Company Contact Telephone: _____ Fax: _____

Company Contact e-mail address: _____

(3.) Company Name: _____

Company address: _____

City: _____ State: _____ Zip: _____

Company Contact Name or Department: _____

Company Contact Telephone: _____ Fax: _____

Company Contact e-mail address: _____

EQUAL EMPLOYMENT OPPORTUNITY

In the event of the bidder's non-compliance with the provisions of this Equal Opportunity Clause, the Illinois Human Rights Act or the Rules and Regulations of the Illinois Department of Human Rights ("Department"), or the City of Bloomington's Contract Compliance Program, the bidder may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, including the City of Bloomington, and the contract may be canceled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute, ordinance or regulation. During the performance of this contract, the bidder agrees as follows:

- (1) That it will not discriminate against any employee or applicant for employment because of race, color, religion, gender, sexual orientation, marital status, national origin or ancestry, age, physical or mental disability unrelated to ability, or an unfavorable discharge from military service; and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such under-utilization.
- (2) That, if it hires additional employees in order to perform this bidder any portion thereof, it will determine the availability (in accordance with the Department's Rules and Regulations or those of the Human Relations Commission) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
- (3) That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, gender, sexual orientation, marital status, national origin or ancestry, age, physical or mental disability unrelated to ability, familial status, or an unfavorable discharge from military service.
- (4) That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the bidder's obligations under the Illinois Human Rights Act and the Department's Rules and Regulations. If any such labor organization or representative fails or refuses to cooperate with the bidder in its efforts to comply with such Act and Rules and Regulations, the bidder will promptly so notify the Department and Human Relations Commission and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations thereunder.
- (5) That it will submit reports as required by the Department's Rules and Regulations and Human Relations Commission, furnish all relevant information as may from time to time be requested by the Department or the contracting agency, and in all respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations and those of the City of Bloomington's Contract Compliance Program.
- (6) That it will permit access to all relevant books, records, accounts and work sites by personnel of the contracting agency and the Department for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Department's Rules and Regulations and those of the City of Bloomington's Contract Compliance Program.
- (7) That it will include verbatim or by reference the provisions of this clause in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that such provisions will be binding upon such subbidder. In the same manner as with other provisions of this contract, the bidder will be liable for compliance with applicable provisions of this clause by such subbidders; and further it will promptly notify the contracting agency, the Department and the Human Relations Commission in the event any subbidder fails or refuses to comply therewith. In addition, the bidder will not utilize any subbidder declared by the Illinois Human Rights Commission or Human Relation Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations including the City of Bloomington.



Equal Opportunity Plan
109 E. Olive Street
Bloomington, IL 6170
(309) 434-2215

Failure to properly complete this form and submit with bid or proposal will result in your submission not being considered responsive and result in the denial of eligibility to bid or do business with the City of Bloomington for this project/services/goods. A copy of the Equal Opportunity plan for your firm should be included with this form and Section IV. Certification must be signed and dated.

Section I. Identification

1. Company Name and Address:

Name: _____

D/b/a: _____

Address: _____

City/State/Zip: _____

Telephone Number(s) Area Code: _____

Check one of the following:

Corporation	Partnership	Individual Proprietorship	Limited Liability Corp.
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2. Name and Address of the Company's Principal Office (answer only if not the same as above).

Name: _____

Address: _____

City/State/Zip: _____

3. Major activity of your company (product or service):

Section II. Policies and Practices

Description of EEO Policies and Practices

- A. Is it the Company's policy to recruit, hire, train, upgrade, and discipline persons without regard to race, sex, color, religion, national origin, age, mental and/or physical disability, and sexual orientation?

YES _____ NO _____

- B. Has someone been assigned to develop procedures, which will assure that the EO policy is implemented and enforced by managerial, administrative, and supervisory personnel? If so, please indicate the name and title of the charged with this responsibility.

Name: _____

Title: _____

Telephone: _____

- C. Has the Company developed a written Equal Opportunity Plan? **Note: A copy of the Equal Opportunity Plan must be submitted with this form in order to be considered eligible to do business with the /city of Bloomington.** If you would need technical assistance in developing your plan, please contact the Community Relations Office at: (309) 434-2215.

YES _____ NO _____

- D. Has the Company developed a written policy statement prohibiting Sexual Harassment? Please attach a copy of the policy statement.

YES _____ NO _____

- E. Have all recruitment sources been notified that the Company will consider all qualified applicants without regard to race, color, age, sex, national origin, religion, mental and/or physical disability, or sexual orientation?

YES _____ NO _____

- F. If advertising is used, does it specify that all qualified applicants will be considered for employment without regard to race, color, age, sex, national origin, religion, mental and/or physical disability, or sexual orientation?

YES _____ NO _____

- G. Has the bidder notified all of its sub-bidders of their obligations to comply with the Equal Opportunity requirements either in writing, by inclusion in subbidders or purchase orders?

YES _____ NO _____

- H. Is the Company a state certified minority/female owned business? If yes, please attach a copy of the state certification.

YES _____ NO _____

I. Does the Company have collective bargaining agreements with labor organizations?

YES _____ NO _____

J. Has the labor organization been notified of the Company's responsibility to comply with the Equal Employment Opportunity requirements in all contracts by the City of Bloomington?

YES _____ NO _____

Section III. Employment Information

A. Please complete the company workforce analysis form on the bottom of this page. Use the number of employees as of the most recent payroll period. Be sure to complete all applicable columns.

B. Job Classifications (See descriptions attached)

C. Identify the geographical area(s) from which the company may reasonably recruit employees (use city, county, SMSA, or distance in miles from your company location).

D. If minorities and women are currently under-utilized in your workforce, please attach a copy of an explanation for your plan to recruit and hire minorities and women.

Section IV. Certification

The Company certifies that it has answered all of the foregoing questions truthfully to the best of its knowledge and belief. The Company also agrees that it will comply and abide by the City of Bloomington's Contract Compliance Ordinance and the City of Bloomington Human Relations Ordinance.

Signature:	Print Name & Title	Telephone Number	Date

CITY OF BLOOMINGTON CONTRACT COMPLIANCE WORKFORCE ANALYSIS

*M = male/F=female

Job Categories	Overall Totals		White (Not of Hispanic origin)		Black of African American (Not of Hispanic Origin)		Hispanic or Latino		Asian or Pacific Islander		American Indian or Alaskan Native	
	M*	F	M	F	M	F	M	F	M	F	M	F
Officials & Managers												
Professionals												
Technicians												
Office & Clerical												
Craft Workers (skilled)												
Operatives (semi-skilled)												
Laborers (unskilled)												
Service Workers												
TOTAL												

Name of person that compiled the above data: _____

SPECIFICATIONS

General Information:

The City of Bloomington (hereinafter referred to as "City") maintains a number of refueling sites around the City and at Lake Bloomington for refueling of the City's five hundred plus (500+) pieces of equipment. A list of the refueling sites including tank sizes, tank types, and locations is included in this Specification. The City operates its vehicles and equipment on gasoline with a 10% blend of ethanol and on-road and off-road diesel fuel with up to a 20% blend of Bio Fuel.

The Underground Storage Tanks (USTs) at the Public Service Department fuel station located at 401 S. East St. can accept deliveries from transport tankers. All other sites require tank wagon deliveries.

In Fiscal Year 2019, the City purchased approximately 432,000 gallons of fuels for its fleet, of which: 352,000+/- gallons were delivered by transport tankers to the Public Service Department fuel station, 63,000 +/- were delivered by tank wagon to various locations including emergency generators, and 17,000 +/- gallons were purchased through the current supplier's local fuel stations. Normal delivery hours are between 8:00 AM and 2:00 PM on Fridays.

The average loads for the Public Service tank delivery are -

Average Diesel load is 3,000+/- gallons

Average No Lead Gasoline load is 3,500+/- gallons

The types of fuels delivered to the Public Works fuel site last year was approximately:

No Lead Gasoline -186,000

Bio Diesel 20% -68,000

Bio Diesel 11% -44,000

Bio Diesel 5% -40,000

Diesel (Non-Bio) - 14,000

Evidence of BQ-9000 certification of provider is required

The bid shall reflect the "margin over the terminal cost".

The use of common carriers is allowed to deliver the fuel, but the bidder will be held accountable for deliveries.

Testing of the tanks shall be scheduled by the City in September of each year and cleaning of the interior of the tanks shall be undertaken as needed.

The city also purchases a small amount (less than 1,000 gallons each) of LP and Kerosene.

Definitions:

For the purpose of this Bid Specification, the following definitions will apply:

- **Bio Fuel** -- 98%-100% processed Soy oil.
- **Bio Diesel** -- #2 diesel fuel with up to 20% Bio Fuel added.

Compliance with Specifications:

Bidders are required to write "**Comply**" or "**Does Not Comply**" in the space provided. In the event that your bid does not meet the minimum requirements, you are required to explain your variations in the space provided or provide an additional sheet of paper to explain your variation.

In the event that your bid exceeds the minimum requirements, you are required to explain your variations in the space provided or provide an additional sheet of paper to explain your variation.

Bids containing variations will be considered. In the event of a "No Bid" please indicate it on the Bid Form.

The Completion and Submission of This Page with the Bid Is Mandatory

Bid/Contract Requirements:

1. The City is seeking bids for the **markup charged** to the per gallon price of Diesel fuel, with up to a 20% blend of bio and no-leaded gasoline with 10% ethanol delivered to the City's storage tanks.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

2. The term of this contract shall be 12 months November 1, 2019 thru October 31, 2020. The City anticipates awarding the contract on October 28, 2019 for the purpose of "hedging" or the pre ordering of fuel purchases for the City's 2021 Fiscal Year with the successful bidder. This contract will have the option of four (4) one-year renewals based upon overall performance by the successful Bidder and mutual agreement of both parties. The renewals will be granted with City Council approval.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

3. The Bidder shall have sufficient equipment and have access to supplies from the manufacturer so as to be able to deliver any item required in this Specification to any site at any time fuel would be needed. The tanks at the Public Service Department fuel station are accessible by fuel "Transport Tanker Trucks". All other tanks need to be accessed with "Tank Wagons". Delivery of the product may need to be made to the site at the request of the department responsible for the site at a mutually convenient time. The successful Bidder may make arrangements with any site manager to "top" any tank at the site at the convenience of the supplier.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

4. The successful Bidder shall be capable of providing service twenty-four (24) hours per day, seven (7) days per week, including holidays, for emergency deliveries such as during snow removal operations, refueling fire apparatus on working fires, and any other disasters or emergencies declared by the City. The Bidder shall also be capable of "wet hosing" City vehicles/equipment when needed.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

5. The successful Bidder shall supply to the City of Bloomington Fleet Management Department an emergency contact list of their employees who may be contacted for after-hours emergency deliveries. The City of Bloomington Fleet Management Department shall be notified immediately of any changes in the list. The list shall be arranged in the order that the employees should be contacted.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

6. Ordering of fuel for the Public Service Department fuel station:

- A. These tanks are monitored, and ordering is done by the staff of the Fleet Management Department.
- B. After consultation, the Fleet Management Department staff will order diesel fuel appropriately blended up to B20 and blends shall be adjusted seasonally to prevent gelling. This adjustment may include any of the following: adjust the Bio Fuel rate, and addition of number 1 diesel fuel, or addition of an additive to the fuel to prevent fuel gelling. Gasoline will be ordered at this time if needed.
- C. Successful Bidder shall notify the Fleet Management Department staff on the day transport loads of fuel are ordered of the delivery time and the price per gallon for diesel fuel and gasoline.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

7. The City has had excellent results with the use of B2-B20 diesel fuel for the past fifteen (15) years. The Bio Fuel to be blended with diesel fuel shall meet the following guidelines:

- A. Used cooking oil **will not** be allowed in the manufacturing of Bio Fuel.
- B. All Bio Fuel shall be processed by distillation.
- C. The Bio Fuel shall meet ASTM D6751, but will exceed the standard in the following area:
 - a. Glycerin content shall be less than .15%
 - b. Water & Sediment, volume, maximum shall be less than 0.025%
 - c. Copper Strip corrosion, max, 3hr@50C will be no. 1
 - d. Shall pass a 360 Sec. maximum cold soak test
 - e. Cloud point should be less than 2 Degrees C January thru March.
- D. The Bio Fuel must be filtered with a 10-micron filter prior to blending with the diesel fuel.
- E. The Bio Fuel must be injection blended into the diesel fuel.
- F. The Bidder's Bio Fuel tanks must be heated to prevent gelling and fallout.
- G. The Bio Fuel provider must be a BQ9000 producer or in the qualification process.
- H. No change of Bio Fuel provider shall be made without prior approval by the City.
- I. Bidder must provide documentation of #7C; a-d, 7D & 7E, #8, and #9 at the time of delivery. The Fleet Management Department may waive this requirement (#7 C-E with each load) after a history is established but reserves the right to re-establish the requirement or ask for spot checks of the loads.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

8. If at any time during the term of this contract, the City deems it no longer economical to add Bio Fuel to the diesel fuel, then the City reserves the right to discontinue adding the Bio Fuel to the diesel fuel.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 9.** No-Lead Gasoline shall be as defined by the Society of Automotive Engineers (SAE) as Regular Gasoline with an Octane Rating of not less than 87 Octane.
- A. Octane Rating will be found using the Anti-Knock Index (AKI). This is the Research Octane Number (RON) plus the Motor Octane Number (MON) divided by 2 or $(R+M)/2$.
 - B. No-lead shall contain 10% Ethanol.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 10.** On-road #2 Ultra Low Sulfur Diesel Fuel shall have a Cetane rating of 40.0 minimum and a flash point rating of 130-degree Fahrenheit minimum. Cloud Point 14 degrees Fahrenheit maximum. Pour Point 0 degrees Fahrenheit maximum. Viscosity of 1.9 Minimum and 4.1 Maximum 104 degrees Fahrenheit.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 11.** Bidders will provide detailed specifications of their products with their bids.
 Specifications
 Shall include Product Properties, ASTM Test Method used, Test Results Minimums And Maximums.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 12.** The successful Bidder shall supply all MSDS sheets for their products to the Fleet Management Department.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

13. The successful Bidder will provide all necessary information to the City and conform to all State and Federal requirements relating to bulk storage, delivery, identification, etc. as may be required by applicable regulatory agencies.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

14. During the term of this contract the City may install more gasoline and diesel fuel storage tanks. The successful Bidder will be kept updated as additional tanks are put into service.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

15. The successful Bidder shall operate a local tank farm with the ability to deliver fuel from the tank farm to the City or shall provide a fueling location in the city limits of Bloomington, IL. that the City can access 24 hours a day 7 days a week including all holidays in the event of a natural or man-made disaster.

Please list locations below:

Please list the daily average amount of product available of no lead and diesel fuel below:

Daily average amount of NO LEAD Fuel	
Daily average amount of DIESEL Fuel	

- 16.** The successful Bidder shall employ a full-time Energy Manager available to discuss needs and fuel pricing with the City during the term of this contract.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 17.** The successful Bidder shall allow the City to 'hedge' or pre order 'wet gallons' fuel for the contract period.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 18.** The successful Bidder shall be able to perform testing of gasoline & fuel products for contamination and cleaning of the interior of the City's fuel tanks at no charge to the City.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 19.** Successful Bidder shall provide the City with a method to purchase fuel from local retail pumps, i.e. fuel cards or other methods acceptable to the City.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

- 20.** Successful Bidder shall provide bulk deliveries of Diesel Exhaust Fluid (DEF Fluid) to any of the City's bulk storage DEF tanks. DEF Fluid must have 32.5% Urea and 67.5% distilled water.

Compliance with Specifications	Mark Appropriate Box
Comply	☐
Does Not Comply	☐
State Variation	☐

CHART OF TANK SIZES, TYPE AND LOCATIONS

Current as of September 2019

Fuel tank sizes and locations to refuel fleet vehicles and equipment:

Public Service Department - 401 S. East St.

One - Diesel 10,000 gal. UST

One - Gasoline **unleaded** 6,000 gal. UST

Fleet Management Department places the orders for these two tanks

Bloomington Water Department at Lake Bloomington

One - Gasoline 500 gal. AST Lake Bloomington Water Treatment Plant

One - On Road Diesel 500 gal. AST Lake Bloomington Water Treatment Plant

These two tanks are normally on a keep filled basis

Parks and Golf Courses

One - On Road Diesel	500 gal. AST	Forrest Park Maintenance Facility
One - Gasoline	500 gal. AST	Forrest Park Maintenance Facility
One - Off Road Diesel	500 gal. AST	Highland Golf Course
One - Gasoline	500 gal. AST	Highland Golf Course
One - Off Road Diesel	500 gal. AST	Prairie Vista Golf Course
One - Gasoline	500 gal. AST	Prairie Vista Golf Course
One - Gasoline	300 gal. AST	Prairie Vista Golf Course
One - Off Road Diesel	500 gal. AST	The Den Golf Course
One - Gasoline	500 gal. AST	The Den Golf Course

These fuel tanks are normally on a "keep filled" basis.

Emergency Generators

The City also has many emergency generators at various locations in the Bloomington/Normal area and at Lake Bloomington for emergency operations. The successful Bidder will receive the list of emergency generators after the award of the contract. All emergency generators are accessible by tank wagons. Some emergency generators are on keep fill, but most have fuel ordered as needed by city staff.

Renewal Options

1st Renewal: November 1, 2020 through October 31, 2021

2nd Renewal: November 1, 2021 through October 31, 2022

3rd Renewal: November 1, 2022 through October 31, 2023

4th Renewal: November 1, 2023 through October 31, 2024

**BID FORM
 BID # 2020-18
 CITYWIDE GASOLINE AND DIESEL FUEL**

We, the undersigned, agree to the terms and conditions used by the City of Bloomington, Illinois, at the bid price submitted, and to supply all services and/or commodities as required in the requirements and Instructions to Bidders. We further agree to deliver the commodity and/or services as outlined with in this document, FOB Bloomington, Illinois, freight prepaid.

The cost of all labor, material, and equipment necessary for the completion of the work itemized, even though not shown or specified, shall be included in the unit price for the various items shown hereon. The City of Bloomington reserves the right to increase or decrease the quantity of any item or omit items as deemed necessary, and the same shall in no way affect or make void the contract. When increases or decreases are made, appropriate additions or deductions from the contract total price will be made at the stipulated unit price.

The bidder certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. Contractors shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Prevailing Wage Act (820 ILCS 130/1-12) including Public Act 100-1177 effective June 1, 2019.

Product	Markup Cents Per Gallon	
	Transport	Tank Wagon
Unleaded gasoline with 10% ethanol	\$_____	\$_____
No. 1 Diesel Fuel	\$_____	\$_____
No. 2 Diesel Fuel, up to 20% Bio added	\$_____	\$_____
Diesel Exhaust Fluid (DEF Fluid)		\$_____

Product	Discount from Retail at the time of purchase
LP	_____
Kerosene	_____

Bid Form Continued on next page

BID FORM cont.

BID # 2020-18

CITYWIDE GASOLINE AND DIESEL FUEL

We, the undersigned, agree to sell and deliver fuel to the City of Bloomington per the Specification, from contract award through **October 31, 2024**, at the terminal price plus the above listed bid markup, plus applicable State and Federal taxes, and to meet the conditions set forth in the Specifications and General Instructions to Bidders.

Firm

Authorized Signature

Address

City State Zip

Phone Number

Date

Email Address: _____

BID CHECKLIST:

1. Return the **entire** packet – not just your response
2. Sign and Attach all addenda if any were issued
3. Sign and date all required forms
4. Include a copy of your certificate of insurance for your business and any other required certificates, permits, etc.
5. Seal the envelope and attach the label or print in the lower left corner of the outer envelope the bid/proposal name and date due
6. Your (1) original and 2 required copies
7. Bid Bond
8. Anything relative to this bid

TENTATIVE BID SCHEDULE:

A. The following projected timetable should be used as a working guide for planning purposes. The City reserves the right to adjust this timetable as required during the course of the bid process.

Action	Due Date	Due Time
BID Released	Tuesday, September 10, 2019	8:00 a.m. Central Time
Questions Due to City	Monday, September 16, 2019	3:00 p.m. Central Time
Response from City	Wednesday, September 18, 2018	3:00 p.m. Central Time
BIDS Due	Tuesday, September 24, 2019	10:00 a.m. Central Time
Anticipated Award Date	Monday, October 28, 2018	N/A

B. Questions will be answered in the form of written addenda and provided to all Bidders, as per State of Illinois statutes. Submit questions regarding the bid in writing to Carla Murillo, Procurement Manager, at cmurillo@cityblm.org no later than **3:00 p.m., Central Time, on Monday, September 16, 2019.**

**CITY OF BLOOMINGTON
CONTRACT WITH**

**FOR
CITYWIDE GASOLINE & DIESEL FUEL**

THIS AGREEMENT, dated this _____ day of _____, 2019, is between the City of Bloomington (hereinafter "CITY") and _____ (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms / Prevailing Wage. This work was subject to the following procurement initiative by the CITY:
Bid #2020-18 Citywide Gasoline & Diesel Fuel (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply. This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties. This includes Public Act 100-1177 which became effective on June 1, 2019.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: Citywide gasoline
and diesel fuel needs according to the Bid Specifications. 5 year renewable contract.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$ _____ as set forth in the Procurement Documents.
- ☒ Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 12. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 13. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 14. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____



ADDENDUM NUMBER 1: August 18, 2019

**BID # 2020-18
CITYWIDE GASOLINE & DIESEL FUEL**

1. Please provide addresses for each site.

Public Service Department - 401 S. East St.

Bloomington Water Department at Lake Bloomington- 18174 P J Keller Hwy, Hudson, IL

Parks and Golf Courses

Forrest Park Maintenance Facility-1813 Springfield Rd, Bloomington, IL

Highland Golf Course-1613 S Main St, Bloomington, IL

Prairie Vista Golf Course-502 W Hamilton Rd, Bloomington, IL

The Den Golf Course-3002 Fox Creek Rd, Bloomington, IL

Emergency Generators

Sugar Creek-2424 Bloomingdale Rd

Main Branch Kickapoo Creek-5601 Ireland Grove Rd

Fell Avenue-1520 Fell Avenue

Eagle Crest East-3611 Fort Jesse

Ft Jesse Rd Pump Station--1513 Ft Jesse Rd

Fire Station #1- 310 S Lee ST

Fire Station #2- 1911 Hamilton RD

Fire Station #3- 2301 E Empire

Fire Station #4- 1701 S Morris

Fire Station #5- 2602 Six Points RD

Fire Station #6- 4040 E Oakland Ave

City Hall- 109 E Olive ST

Police Department- 305 S East ST

Lincoln Street Parking Deck- 105 E Front ST

Market Street Parking Deck- 204 W Market S

2. Would you like to be priced using an OPIS index?

The bid shall reflect the "margin over terminal cost".

3. Would you like to be priced using the OPIS Gross Contract Average?

The bid shall reflect the "margin over terminal cost".

4. What OPIS city are vendors to base their price proposal off of/

The bid shall reflect the "margin over terminal cost".

5. Do you wish to be priced by a "Cost Plus" Pricing method?

The bid shall reflect the "margin over terminal cost".

6. Pertaining to "Bid Evaluation" on page 5, are the items listed in order of total weight/importance for the overall score of the bid for award?

The order of the criteria is not by importance. The City is looking for the lowest, responsible bid that meets the City's needs.

7. Do you plan to award to one vendor?

Yes

8. Are vendors required to bid on all products and locations?

Yes

9. Do you require a performance bond in addition to the bid bond? If so, would you like a 100% performance bond?

No performance bond is required for this bid.

10. Specify the products you wish vendors to bid on. Page 19 of the bid has products including No Lead Gasoline, Bio Diesel 20%, Bio Diesel 11%, Bio Diesel 5%, and Diesel (Non-Bio), whereas the pricing page on page 28 of the bid has products including Unleaded gasoline with 10% ethanol, No. 1 Diesel, No. 2 Diesel, up to 20% Bio added, Diesel Exhaust Fluid, LP, and Kerosene. (NOTE: Please use PDF of the updated bid form attached to the addendum when submitting your bid. Exhibit A)

Product	Markup Cents Per Gallon	
	Transport	Tank Wagon
Unleaded gasoline with 10% ethanol	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 1 Diesel Fuel	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Bio Diesel Fuel 5%	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Bio Diesel Fuel 11%	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Bio Diesel Fuel 20%	\$ <u>0.03</u>	\$ <u>0.20</u>
Diesel Exhaust Fluid (DEF Fluid)		\$ <u>0.50</u>

Product Discount from Retail at the time of purchase

LP 3%

Kerosene 3%

11. How is the local preference calculated into the scoring for award?

If local preference needs to be applied, it will be based on the approximate amount spent for fuel for the past three fiscal years (\$962,000). Each different product will be given a value based on the fiscal year 2019 approximate gallons purchased. A percentage of 3, 4, or 5% will be adjusted from each markup cents per gallon. LP and Kerosene will not be considered as they are a very low volume of this bid.

12. Is the local preference applied to the differential or total extended price?

Please see response above.

13. Are taxes to be included I the differential pricing or line itemed separately on invoice?

Taxes are not to be included in the Markup Cents per Gallon. Taxes shall be line items charged on invoice.

14. Do you accept a split load containing both Gasoline and Diesel on the Public Service department location that accepts Transport Truck deliveries?

Yes, we accept split loads of No Lead and Diesel at Public Service Department location 401 S East St.

15. Please provide a current Gasoline invoice.

See Exhibit B

16. Please provide a current Gasoline BOL.

See Exhibit C

17. Please provide a current Diesel BOL.

See Exhibit D

18. Please provide a current Diesel invoice.

See Exhibit E

19. Please provide bid tabulations from your most current fuel bid.

See Exhibit F

Evergreen FS, Inc.

Firm

9/30/19

Date

Authorized Signature

PLEASE NOTE: Failure to return the signed addendum with your sealed bid may result in disqualification.

Carla Murillo, Procurement Manager
9/18/19

EXHIBIT A

BID FORM
BID # 2020-18
CITYWIDE GASOLINE AND DIESEL FUEL

We, the undersigned, agree to the terms and conditions used by the City of Bloomington, Illinois, at the bid price submitted, and to supply all services and/or commodities as required in the requirements and Instructions to Bidders. We further agree to deliver the commodity and/or services as outlined with in this document, FOB Bloomington, Illinois, freight prepaid.

The cost of all labor, material, and equipment necessary for the completion of the work itemized, even though not shown or specified, shall be included in the unit price for the various items shown hereon. The City of Bloomington reserves the right to increase or decrease the quantity of any item or omit items as deemed necessary, and the same shall in no way affect or make void the contract. When increases or decreases are made, appropriate additions or deductions from the contract total price will be made at the stipulated unit price.

The bidder certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. Contractors shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Prevailing Wage Act (820 ILCS 130/1-12) including Public Act 100-1177 effective June 1, 2019.

Product	Markup Cents Per Gallon	
	Transport	Tank Wagon
Unleaded gasoline with 10% ethanol	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 1 Diesel Fuel	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel, 5%	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel, 11%	\$ <u>0.03</u>	\$ <u>0.20</u>
No. 2 Diesel Fuel, 20%	\$ <u>0.03</u>	\$ <u>0.20</u>
Diesel Exhaust Fluid (DEF Fluid)		\$ <u>0.50</u>

Bid Form Continued on next page

BID FORM cont.

BID # 2020-18

CITYWIDE GASOLINE AND DIESEL FUEL

Product

Discount from Retail at the time of purchase

LP

3 %

Kerosene

3 %

We, the undersigned, agree to sell and deliver fuel to the City of Bloomington per the Specification, from contract award through **October 31, 2024**, at the terminal price plus the above listed bid markup, plus applicable State and Federal taxes, and to meet the conditions set forth in the Specifications and General Instructions to Bidders.

Evergreen FS, Inc.

Firm


Authorized Signature

402 N. Hershey Rd.

Address

Bloomington IL 61704

City

State

Zip

9/30/19
Date

Email Address: 

EXHIBIT B

EXD

Evergreen FS, Inc.
1808 Morrissey Drive
Bloomington IL 61704

Invoice

49003766

Invoice Date 09/12/2019
Due Date 10/25/2019 Regular

Customer ID 0824010

Salesperson 0049
Shipping Loc. 049

CITY OF BLOOMINGTON DIRECT DROP
109 E OLIVE
BLOOMINGTON, IL 61701

Comments: shipped 9/6 bol 679357. gas

Quantity	Description	Unit Price	Total \$
3708.000 Gal	87 OCTANE UNL/ETH BLEND	1.8222 /Gal	6,756.72
	STATE MFT - GAS	.38 /Tax	1,409.04
	ENV IMPACT FEE	.008 /Tax	29.66
	FEDERAL LUST	.001 /Tax	3.71
	STATE UST	.003 /Tax	11.12

Terms: A FINANCE CHARGE OF 2.0% PER MONTH IS EQUIVALENT TO 24% PER YEAR

Sub Total 8,210.25

Amount Due 8,210.25

Remit To: Evergreen Fs Inc.
402 N. Hershey Road
PO 1367
Bloomington IL 61702-1367

CITY OF BLOOMINGTON DIRECT DROP

Invoice

49003766
File Copy 1

EXHIBIT C

EXC

231673

BILL OF LADING #: 679357
TRANSACTION #: 2064
PAGE #: 1

MAGELLAN PIPELINE COMPANY, L.P.

A SUBSIDIARY OF MAGELLAN MIDSTREAM PARTNERS, L.P.
P.O. BOX 22188, TULSA, OKLAHOMA 74121-0188

START TIME: 2019-09-06 10:53:29
END TIME: 2019-09-06 11:05:42

DOT FIRST RESPONDER INFORMATION		GROSS VOL	MEAS
NA1983, DIESEL FUEL, 3, PGII ERG#128 UN1203, GASOLINE, 3, PGII ERG#128		2401 5011	GAL GAL
EVRGRN FS City of Bloomington IL			

EMERGENCY CONTACT NUMBER: 800-451-8346 3E for Magellan	ONE CARGO TANK
TERMINAL ADDRESS: 16490 E. 100 North Rd. Hayworth, IL 61745	CARRIER: MANITO TRANSIT LLC BLOOMINGTON, IL
SUPPLIER: 0256 GROWMARK IL 1701 TOWANDA AVENUE BLOOMINGTON, IL EPA: 9916 PETROEX: 900000	INSURANCE EXP DATE: 2020-03-01 23:59:59.0 VTC: 54
EPA-Facility ID: 4026-80500	DESTINATION: 000439 EVERGREEN FS, INC. 402 N. HERSHEY AVE BLOOMINGTON, IL

231673
2-991757

GRADE		RECIPE INFORMATION									
		GRS	NET	ADD	BLN	UOM	GRV	TMP/PSI	MTR	OGT	
1C	UNLEADED REGULAR, AT OR BELOW 0.0 LBS RVP DETERGENT ADITIZED GASOLINE THE 1.0 LB RVP WAIVER APPLIES TO THIS GASOLINE. DO NOT MIX WITH GASOLINE CONTAINING ANYTHING OTHER THAN BETWEEN 9 AND 10 VOL% ETHANOL.	2604	2583	5	0	GAL	60.601	71.6	3-2	87.0	
1C	UNLEADED REGULAR, AT OR BELOW 0.0 LBS RVP DETERGENT ADITIZED GASOLINE THE 1.0 LB RVP WAIVER APPLIES TO THIS GASOLINE. DO NOT MIX WITH GASOLINE CONTAINING ANYTHING OTHER THAN BETWEEN 9 AND 10 VOL% ETHANOL.	1104	1094	5	0	GAL	60.504	71.6	3-2	87.0	
X	ULTRA LOW SULFUR #2 DIESEL UNDEYED 15 PPM SULFUR (MAX) ULSD FOR USE IN ALL DIESEL VEHICLES AND ENGINES.	2401	2380	0	N	GAL	31.200	70.7	3-3	0.0	

THIS PRODUCT DOES NOT MEET THE REQUIREMENTS FOR REFORMULATED GASOLINE, AND MAY NOT BE USED IN ANY REFORMULATED GASOLINE COVERED AREA.

GASOLINE WITH AN "O" OR "A" SUFFIX IN THE BLN (BLEND) COLUMN IS E10: CONTAINS BETWEEN 9 AND 10 VOL% ETHANOL. GASOLINE WITH A "J" SUFFIX IN THE BLN (BLEND) COLUMN IS E15: CONTAINS UP TO 15 VOL% ETHANOL. GASOLINE WITH A "G" SUFFIX IN THE BLN (BLEND) COLUMN CONTAINS GREATER THAN 10% ETHANOL BLEND. DO NOT BLEND THESE FUELS WITH ETHANOL OR ANY OTHER OXYGENATE.

GASOLINE WITH A "B" OR "N" SUFFIX IN THE BLN (BLEND) COLUMN IS E0: CONTAINS NO ETHANOL.

DIESEL WITH A "3" IN THE ADD COLUMN CONTAINS COLD FLOW IMPROVER. DIESEL WITH A "6" IN THE ADD COLUMN CONTAINS PDA.

MAGELLAN PIPELINE COMPANY, P.O. BOX 22188, TULSA, OK 74121-0188 EPA #4026

ENTITY-FACILITY ID 4026-80500

CARRIER CERTIFIES that the CARGO TANK or TANKS, supplied for this shipment is a proper container for the transportation of the commodity. By leaving Magellan property with this document, I acknowledge that I have been informed while on terminal premises, I have notified Magellan personnel of this fact prior to leaving the terminal. I also acknowledge and agree to the terms of the Emergency Response Guide(s) with this Bill of Lading.

SEALS

BADGE/DRIVER: 32035 Marvin Sephad

This volume of 100% or blended ethanol, bio diesel or renewable diesel is designated and intended for use as transportation fuel and is subject to the requirements of 40 CFR 80.1420. No assigned RINs transferred by Magellan.

Document ID: v1.0
of persons

EXHIBIT D

EX D

EVERETT FS
 Station No. City 08
 Location Bloomington
 Cust. P.O. No. 2-991757
 Delivery Ticket No. 679357
 24628
 Time 231673
 Date 09-06-19
 AM
 PM

PRODUCT	Stick Reading of Tanks BEFORE Unloading		Gallons Delivered	Stick Reading of Tanks AFTER Unloading		TANK #/LETTER
	FEET & INCHES	GALLONS ON HAND		FEET & INCHES	GALLONS ON HAND	
87galohol	28 3/4"	1593	3708	4 1/4"	9028	T-2
#2 Diesel Clean B-100	55 1/4"	6077	2401 601	11 3/4"	5298	T-1
			3002			

Driver's Signature
 Form #8906



BILL FRT.
 SOURCE Highway 71
 DEST.
 TRACTOR 600 TRAILER 54

USE FOR SALESMAN'S LOADINGS, TRANSFERS OUT, RETURNS

E 27628

LAST SALES TICKET NO

SHIPPED VIA

DATE LOADED

09-06-19

POINT OF PICK-UP

150 Bulls B.M.

DELIVER TO:

LODGINGS BY COMPARTMENTS

LOADINGS BY COMPARTMENTS

TYPE OF FUEL	1	2	3	4	5	6
READINGS						
AFTER						
BEFORE						
NET						

[illegible]

RETURNED BY SALESMAN

RECEIVED BY

END

EXHIBIT E

EXT

Evergreen FS, Inc.
1808 Morrissey Drive
Bloomington IL 61704

Invoice

49003767

Invoice Date 09/12/2019
Due Date 10/25/2019 Regular

Customer ID 0824010

Salesperson 0049
Shipping Loc. 049

CITY OF BLOOMINGTON DIRECT DROP
109 E OLIVE
BLOOMINGTON, IL 61701

Comments: shipped 9/6. bol 679357. 20% diesel

Quantity	Description	Unit Price	Total \$
3002.000 Gal	#2 ULTRA LS CLR B20	2.195 /Gal	6,589.39 Book
	ENV IMPACT FEE	.008 /Tax	24.02
	FEDERAL LUST	.001 /Tax	3.00
	STATE MFT - DIESEL	.455 /Tax	1,365.91
	STATE UST	.003 /Tax	9.01

Terms: A FINANCE CHARGE OF 2.0% PER MONTH IS EQUIVALENT TO 24% PER YEAR

Sub Total 7,991.33

Amount Due 7,991.33

Remit To: Evergreen Fs Inc.
402 N. Hershey Road
PO 1367
Bloomington IL 61702-1367

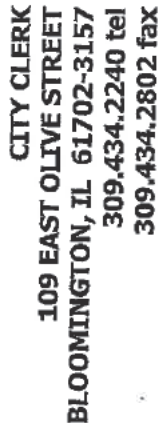
CITY OF BLOOMINGTON DIRECT DROP

Invoice

49003767

File Copy 1

EXHIBIT F



**BID # 2015-19-REBID
GASOLINE AND DIESEL FUEL FOR THE CITY OF BLOOMINGTON**

DATE: October 24, 2014

TIME: 2:00 p.m.

[illegible]

WITNESSES:

*Disclaimer: This is a Bid tabulation for record of the Bid opening. Bids have not been reviewed and have not been presented to council. This does not represent any Award. Prices or options/alternates will not be included on the tabulation.

CITY OF BLOOMINGTON FUEL STRATEGY

Purchase approximately 50% of yearly fuel in the Evergreen FS Risk Management Program. Take delivery of fuel 50% of monthly use each month. Buy the remaining 50% each month on the market. Decide when to use Program fuel and when to buy fuel off the market each month, based on fuel prices and trends for the month.

Risk Management Program

The goal of this program is to reduce risk by locking in fuel prices during a time frame that historically offers fuel oil prices that are at a low point for the year. This program pools fuel from multiple users to get a volume discount.

Users must be enrolled by mid-December to participate and receive fuel from February 1st to January 30th of the following year. Evergreen takes the total gallons enrolled in the program and buys equal amounts of fuel on select trading days from December 1st thru January 30th for each month of the year. The product price is averaged and applied to each month plus applicable State and Federal taxes, and \$0.03 Transport or \$0.20 Tank Wagon per gallon as per our current contract with Evergreen FS. The product price for diesel exhaust fuel is \$0.50 Tank Wagon per gallon under the same contract.

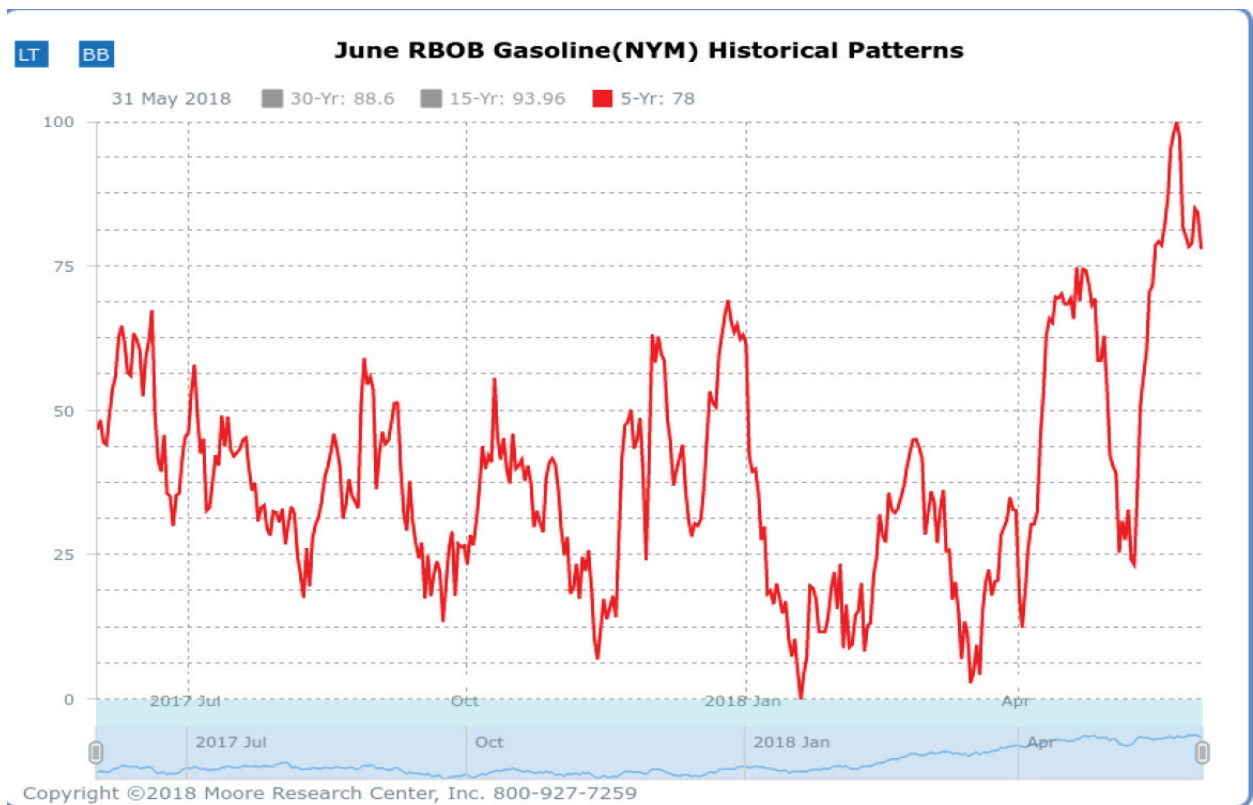
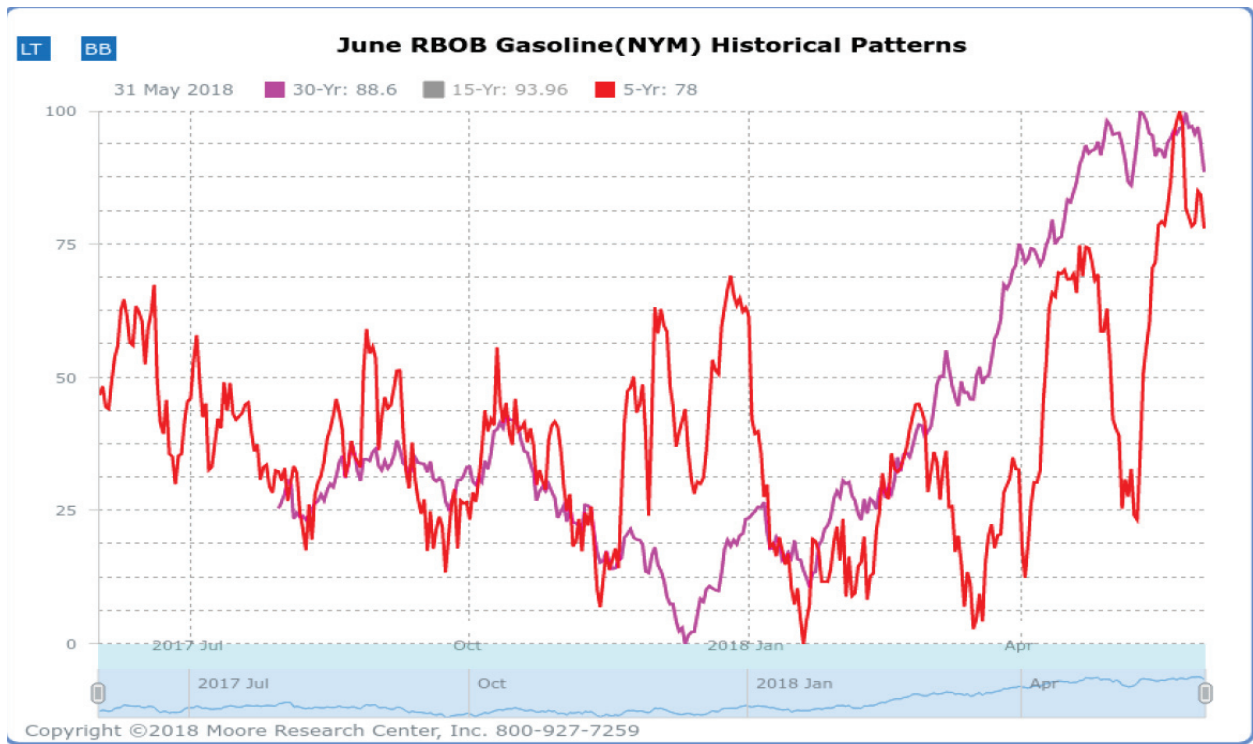
Other agencies that use Risk Management Program

District 87, Unit 5, Olympia, Heyworth, Clinton, Fieldcrest, Town of Normal. This past year, the City placed 50% of their gallons in this program and left the other 50% to purchase at market price which allows for diversity in their fuel purchases. This strategy works well as there are periods when the market price is lower than the contract price, this allows for a lower average price for the month. Currently the contract price on the Risk Manager Program is averaging higher than the market price. Although the hope is that the program price is better than the market price as an average, the main objective is to remove the wide swings of the fuel prices throughout the year, and allow us to budget more accurately and consistently

Contract with Evergreen FS

- Services with FS
 - Contracting Fuels
 - Tank wagons fuel working fire trucks, tank farm in town
 - Bio Diesel purity
 - Tank sampling water, microbes
 - Market updates daily

Historical Fuel price trends over the last 30 years indicated that fuels should be purchased in the months of November thru December for the following year as shown on the chart below. In the last 5 years, price trends indicate that fuels should be purchased in January. As the world economy continues to improve, crude oil costs will increase.



LT BB

June NY Harbor ULSD(NYM) Historical Patterns



Copyright ©2018 Moore Research Center, Inc. 800-927-7259



CONSENT AGENDA ITEM NO. 7.F

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department and Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to rescind the Council's previous approval of a Contract with H & H Landscaping and to reject all proposals for grass and weed mowing services under RFP#2020-12, as requested by the Community Development Department and the Police Department.

RECOMMENDED MOTION: The Contract be rescinded and all Proposals for RFP#2020-12 be rejected.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: On September 23, 2019, the City Council approved a contract with H & H Landscaping (RFP #2020-12) for grass and weed mowing services. The contractor contacted the Procurement Specialist on October 1, 2019 and indicated that they were closing the business effective immediately. As of October 1, 2019, the Community Development and Police Departments do not have a contractor for mowing services. Mowing fees for both Departments are currently paid out of Code Enforcement-Other Purchased Services account (10015430-70690), Police Other Purchased Services account (10015110-70690) and IHDA App-other Purchased Services account (22502520-70690-56000). As can be seen from the proposal costs submitted below, the only other proposal received was significantly higher than the approved contract with H&H Landscaping.

Company	Gen. Lbr	Hand Mow	Normal Mow	Lg Area Mow	Trim Rate	Hrs. Range	Hrs. Lot
H&H Landscaping	\$21.00	\$30.00	\$30.00	\$30.00	\$30.00	10	1
Dawdy Services	\$45.00	\$45.00	\$60.00	\$75.00	\$50.00	8	0.5

Also, other criteria were evaluated as stated in the Council Memo which included Firm Expertise and Competence with Similar Projects; References; Time Required to Accomplish the Requested Services; Proposed Cost and Appropriate equipment listed to Perform Services. The total evaluation ranking for H&H Landscaping was 90 and 49 for Dawdy Services.

Due to the above considerations, meetings and conversations involving Human Resources, Legal, Parks Maintenance, Police, and Procurement were conducted to address the best approach to finish out the fiscal year through April 30, 2019. It was agreed that Park Maintenance would perform the needed mowing services in-house for the remainder of FY 2020. Parks Administration will create detailed invoices for Finance for the hourly overtime work, fuel, and equipment costs so journal entries can be created to move the expenses to the appropriate division. As the City works through the FY 2021 budget process, we will explore options of keeping mowing services internally or if the City will need to go out to bid.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The previous Contract and Purchase Order expired September 30, 2019. No new contract or purchase order was executed.

COMMUNITY DEVELOPMENT IMPACT: Goal N-1.1 Enhance the livability of all Bloomington neighborhoods. CF-1 Continue to provide quality public facilities and services.

Respectfully submitted for Council consideration.

Prepared by: Carey Snedden, Code Enforcement Manager

Reviewed by:

Katie Simpson

Katie Simpson, City Planner

10/16/2019

Carla A. Murillo

Carla Murillo, Procurement Manager

10/18/2019

Robert G. Mahre

Robert G. Mahre, Community Development Director

10/22/2019

Chris Tomerlin

Chris Tomerlin, Budget Manager

10/22/2019

Jeffery R. Durgens

Jeffery R. Durgens, Corporation Counsel

10/23/2019

Jara Henry

Jara Henry, Legislative Assistant

10/24/2019

Recommended by:

Tim Gleason

Tim Gleason, City Manager



CONSENT AGENDA ITEM NO. 7.G

FOR COUNCIL: October 28, 2019

SPONSOR: Parks, Recreation and Cultural Arts Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution to waive the formal bidding process for the Early Order Program with Helena Chemical (the distributor) for procurement of Syngenta, BASF, Bayer, and Nufarm (the manufacturers) golf course chemicals for the 2020 golf season, as requested by the Parks, Recreation and Cultural Arts Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents

BACKGROUND: Our golf courses are considered to be some of the finest in downstate Illinois. In the most recent Golf Digest Magazine rankings, The Den at Fox Creek received a prestigious 4 ½ star rating (out of 5) which places it alongside only six other courses in the state of Illinois in the same fee category to receive the honor. Prairie Vista received a 4-star rating, while Highland Park received a 3½ star rating. Golf Digest also voted Bloomington/Normal the fifth best city to live in for golf in the country. The courses regularly host events from throughout the state, most notably, the Illinois High School State Finals (IHSA) held at The Den at Fox Creek and Prairie Vista in October of each year. In order to maintain our courses in a manner that is consistent with the expectations of our customers, we need to continue providing quality playing surfaces. One of the primary factors in providing quality playing surfaces is to keep the turf free from disease and insects, which if left untreated, have the potential to do significant damage. Damage to the playing surface/turf would result in a significant loss of rounds and revenue, while also requiring major dollars to reseed the infected areas. Best practices in the golf industry show the most efficient manner to treat turf diseases and insects is to do so in a preventative manner. By utilizing preventative chemical applications, we stay ahead of the diseases and suppress potential outbreaks before they occur.

Each year Syngenta, BASF, Bayer and Nufarm offer an early order program that allows the opportunity to lock in next year's prices at discounted rates. Syngenta and BASF are the two primary manufacturers of chemical and fertilizer products utilized in the management of turfgrass in the golf industry. Bayer and Nufarm products are also widely used in the industry with proven success. Through best practices, the golf course maintenance staff has

found the products from these companies to provide the desired effects in order to provide a high level of playing conditions demanded by our golfing public.

Helena Chemical has become a valued partner over our years of operation, and a bid waiver is being requested due to the proven past results and the difficulty to know how other chemicals may interact with the soil and grass. Helena Chemical currently provides products and services to the following municipalities and golf courses: Normal, Decatur, Peoria, Springfield, Champaign and Quincy. The golf courses at Illinois State University and Crestwicke Country Club also use products through Helena Chemical. Entering into the early order program guarantees the discounted price for any additional products from these manufacturers purchased throughout 2020. Additionally, by participating in the early order program we are offered extended payment terms, with payment not due until mid-July on all early order purchases.

Syngenta, BASF, Bayer & Nufarm engage the assistance of locally-recognized quality turf distributors to assure the delivery, service and billing of their products. These companies operate using an agency pricing model, meaning the price of their chemicals is exactly the same regardless of the distributor chosen. These distributors are contractually obligated to offer these products at set agency prices. For 2020, we intend to utilize Helena Chemical, which is located in Warrensburg, IL. Helena Chemical will store the products on their site and deliver on an as-needed basis, saving space in our golf maintenance facilities. Helena Chemical's local dealership manager is a former golf course superintendent who has worked diligently for the City over the years to help improve our golf courses.

The deadline to enter this program is before December 6, 2019. However, maximum discounts are given when products are ordered by October 31st. While other "turf" chemicals are available, our experience is that the cost savings realized in the "unit price" of the purchase price are lost as a result of the additional applications that are needed to be as effective as the Syngenta, BASF, Bayer & Nufarm products have been, proven through field experience. These products provide the weed, fungus and insect-free turf that our customers expect.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The golf courses annually spend approximately \$200,000 on chemicals and conservatively will realize savings of approximately \$24,000 by participating in this early buy program. Funds will be included in the FY 2021 Proposed Budget in the Highland Park (56406400-70590), Prairie Vista (56406410-70590) & The Den at Fox Creek Golf Course (56406420-70590)-Other Repair & Maintenance accounts.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Jason Wingate, Superintendent of Golf

Reviewed by:

Eric Veal

Eric Veal, Assistant Director

10/14/2019



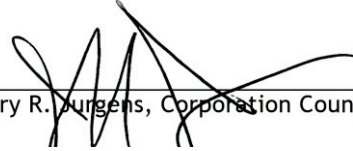
Carla Murillo, Procurement Manager

10/18/2019



Chris Tomerlin, Budget Manager

10/18/2019



Jeffery R. Jurgens, Corporation Counsel

10/23/2019



Tara Henry, Legislative Assistant

10/23/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- PRCA 1B Early Order Golf Course Chemicals Program Brochure
- PRCA 1C Helena Chemicals - Early Order Program Resolution 2019 - 30
- PRCA 1D Helena Letter of Understanding

GOLF US

IT'S TIME TO PUT PREMADE PALLETS
IN THE PAST. IT'S TIME TO

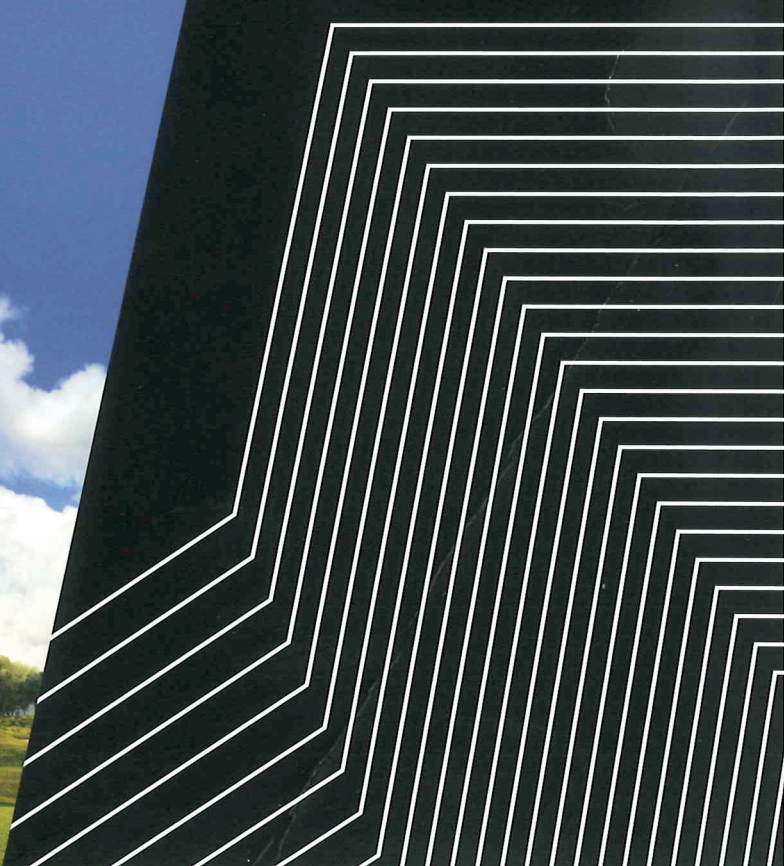
CHANGE COURSE.

Introducing the revolutionary
2020 Early Order Program.

Simple. Flexible. Rewarding.

 **BASF**

We create chemistry



STRAIGHT TO SAVINGS

THE PATH TO SAVINGS JUST GOT EASIER TO FOLLOW.

Maximize your budget and your turf quality when you order between **October 1 – December 6, 2019**. With the broadest branded portfolio, GreenTrust® 365 offers new ways to save, includes new products, pallets and more.



Yearlong Rebates

Spend at least \$5,000, during the Early Order Period, on Qualifying Products to lock in your yearlong rebate: October 1, 2019 – September 30, 2020.



Pallet Solutions

Apply intelligently with the right mix of products for almost any facet of your agronomic program. You can save up to an **additional 22%** from a selection of Pallet Solutions, making it easy to meet your minimum order requirement on Qualifying Products.



GT Bonus Booster

It's easy, a \$5,000 purchase earns additional rebates in October.



Product Assurances

Protect your course with confidence through expert application recommendations and performance guarantees.



SummerPay™

Keep your cash flow in check by deferring payment until June 26, 2020.



Multipaks

Save even more on complementary products delivered in convenient multipaks.

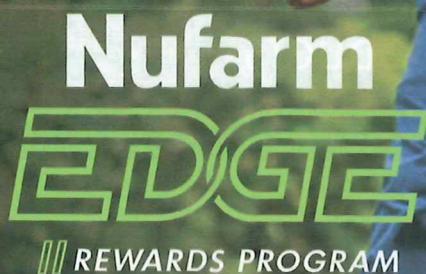
GreenTrust365.com/Golf



syngenta®

Golf and Sports Turf

[@SyngentaTurf](https://twitter.com/SyngentaTurf)



2020

NUFARM EDGE REWARDS

// BOOST PROFITS WITH EARLY ORDER REWARDS

EARLY ORDER PROGRAM

EARN DISTRIBUTOR CREDITS

Purchase and take delivery of at least two eligible Nufarm brands totaling our **NEW LOWER MINIMUM OF \$2,500** or more from a Nufarm authorized distributor and maximize profits with valuable distributor credit rebates.

PERIOD 1: September 16 - October 31, 2019

PERIOD 2: November 1 - December 6, 2019

Distributor credit available after June 30, 2020

REGISTER ONLINE TO QUALIFY

NUFARMREWARDS.COM

Must register between September 16 and December 6, 2019. Previous registrants will be automatically registered for 2020. **Valid e-mail address required for eligibility.**

TERMS AND CONDITIONS

1) By registering for Nufarm Edge Rewards Program you grant the distributor the right to release your sales records to the manufacturer. 2) End users will qualify based upon Nufarm authorized EDI reporting. 3) Reward calculations will be done at the sole discretion of Nufarm. 4) This offer is not available to Nufarm distributors, dealers or retailers. 5) Nufarm reserves the right to audit, change or terminate this program or pricing at any time without notification. 6) Nufarm also reserves the right to verify customer qualifications and claims for reward payments (verification may delay payments).

NEW FOR 2020

MORE LUCRATIVE
PRODUCT REBATES

SIGNIFICANTLY
INCREASED
REBATES ON
SUREGUARD® SC,
TETRASAN®,
AND PINPOINT®

NEW LOWER
\$2,500 MINIMUM
TO QUALIFY

NEW FAIRWAY
VOLUME BONUS
ON ANUEW™ PGR

NUFARMREWARDS.COM

 **Nufarm**
Grow a better tomorrow

RESOLUTION NO. 2019 - 30

**A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL
BIDDING REQUIREMENTS AND APPROVING THE PURCHASE
OF SYNGENTA, BASF, BAYER AND NUFARM CHEMICALS
AND FERTILIZERS FROM HELENA CHEMICALS**

WHEREAS, the City has found that Helena Chemicals is a single source distributor and reliable source for the provision of golf course chemicals and fertilizers; and

WHEREAS, to ensure the reliable provision and results that keep the turf free from disease and insects (which if left untreated, have the potential to do significant damage), the best manner to treat turf diseases and insects is to do so preventatively; and

WHEREAS, by allowing the City to enter into an Early Order Program for procurement of the chemicals and fertilizer, the City will realize savings of approximately \$24,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS:

That the recitals set forth above are incorporated herein, the technical bidding requirements waived, and the City Manager or designated representative be authorized to enter the City into the Early Order Program for up to \$200,000 with an approximate savings of \$24,000 dependent on how much is needed, and authorized to execute any necessary documents to effectuate the purchase.

PASSED this 28th day of October 2019.

APPROVED this ____ day of October 2019.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk



People...Products...Knowledge...

Helena Agri-Enterprises
Steve Mulvey
9 Isabelle Drive
Auburn, IL 62615
Cell: (217) 725-4160
Fax: (217) 438-6432

10/10/2019

City of Bloomington

To Whom it May Concern,

This letter is to confirm that Helena Agri Enterprises understands that the chemicals ordered during the 2019 Early Order Program are dependent on funds being approved for Fiscal Year 2021.

If you have any questions, please give me a call. My cell is 217-725-4160.

Thank you!

Sincerely,

Steve Mulvey



CONSENT AGENDA ITEM NO. 7.H

FOR COUNCIL: October 28, 2019

SPONSOR: Bloomington Public Library

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020, as it Relates to the Library Fixed Asset Budget, in the amount of \$98,318, as requested by the Bloomington Public Library.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
- Objective 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service

BACKGROUND: Since 2010, the Library has used an automated sorter/materials handling system to process and sort the 1.3+ million materials annually returned to the Library to increase effectiveness and efficiency. The expected life of the original sorter was 5 years, or 2015. While the funds set aside to replace the sorter have remained in the Library's Fixed Asset Fund, the Library has delayed the replacement of the sorter past its expected life in an effort to be as fiscally responsible as possible. The current sorter has begun to show its age and the annual maintenance costs have increased. The replacement sorter (an expense of \$92,818) will not only allow the Library to reduce annual maintenance costs but will also offer new features that will increase efficiencies.

The Library uses a tractor for snow removal on Library sidewalks and main thoroughfares. Due to the wear of the current tractor, which has become difficult to maneuver, a replacement needs to be purchased. The new tractor expense is \$5,500.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: While this project was not reflected in the original FY 2020 Library Fixed Asset Budget, the Library has set aside funds in anticipation of a replacement automated sorter/materials handler as well as in preparation for unanticipated fixed asset needs. As of May 1, 2019, the Library Fixed Asset Fund Balance was \$969,259. A budget amendment is requested for Library Fixed Asset-Use of Fund Balance (23203200-40000) for \$98,318 and for an increase of \$92,818 in the Library Fixed Asset Office & Computer

Equipment account (23203200-72120) and for an increase of \$5,500 in the Library Fixed Asset-Capital Outlay Licensed Vehicle account (23203200-72130).

See the attached exhibit for the Library Fixed Asset Budget Amendment approved by the Library Board on October 15, 2019.

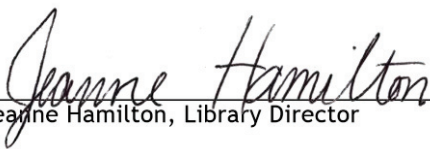
COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeanne Hamilton, Library Director

Reviewed by:



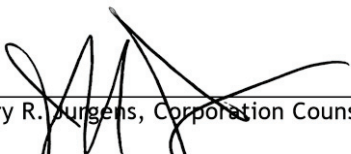
Jeanne Hamilton, Library Director

10/15/2019



Chris Tomertin, Budget Manager

10/16/2019



Jeffery R. Durgens, Corporation Counsel

10/18/2019



Leslie Yocum, City Clerk

10/23/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- BPL 1B Ordinance 2019 - 78_10282019
- BPL 1C Exhibit - BPL Fixed Asset Budget Amendment 10282019

ORDINANCE NO. 2019 - 78

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2020,
AS IT RELATES TO THE LIBRARY FIXED ASSET BUDGET**

WHEREAS, on April 8, 2019 by Ordinance Number 2019-23, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2020, which Ordinance was approved by Mayor Tari Renner on April 9, 2019; and

WHEREAS, a Budget Amendment is needed in the amount of \$98,318 to adjust the Library Fixed Asset Fund Budget to allow for the purchase of equipment;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS:

Section One: Ordinance Number 2019-23 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2020) is further hereby amended by inserting the following line item and amount presented in Exhibit #1 in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2019-23 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2019-23.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

PASSED this 28th day of October 2019.

APPROVED this ____ day of October 2019.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk

FY 2020 Budget Amendment-Exhibit

Account #	Fund	Account Description	Amount	Comments
23203200-40000	Library Fixed Assets	Use of Fund Balance	\$ (98,318.00)	
23203200-72120	Library Fixed Assets	Capital Outlay Office & Computer Equipment	\$ 92,818.00	
23203200-72130	Library Fixed Assets	Capital Outlay Licensed Vehicles	\$ 5,500.00	
Net Transaction:			\$ -	



CONSENT AGENDA ITEM NO. 7.I

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department

WARD IMPACTED: Ward 6

SUBJECT: Consideration and action on an Ordinance Approving a Special Use Permit for a Sports and Fitness Establishment in the D-2 Downtown Transition District, for the property located at 216 E. Grove Street, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 6. Prosperous Downtown Bloomington
- Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

- Objective 6d. Healthy adjacent neighborhoods linked to Downtown
- Objective 6c. Downtown becoming a community and regional destination
- Objective 3d. Expanded retail businesses
- Objective 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington

BACKGROUND: The applicant is requesting a Special Use Permit to allow a “sports and fitness establishment” focused on leisure activities and axe-throwing at 216 E. Grove Street, the “subject property”. The subject property is located at the northwest corner of E. Grove Street and Prairie Street and is adjacent to East Street/US 51. The property is improved with a large, two story, brick warehouse. The building has been vacant for many years but was used previously as a storage facility for a bank. The subject property is located on a parcel that includes 45 parking spaces. The public Lincoln Parking Deck is west of the subject property on the west side of East Street/US 51. The Oaks/Gridley Mansion apartments, Beck’s Funeral Home, and the McBarnes Building, which provides office space for PATH and United Way, are south of the subject property. North of the subject property are mixed-use buildings located along Front Street. Offices, single family homes, and apartments are located east of the subject property. Additionally, the subject property is west of the East Grove Street National Register Historic Preservation District. The property is zoned D-2 Downtown Transitional District.

The petitioner intends to lease a portion of the building, approximately 11,500 square feet of the building’s first floor. Of the rented space, approximately 1,600 square feet will remain flexible. Approximately 9,900 square feet will be designated to the sports, recreation, and leisure use. The rented units are adjacent to the parking lot and located closer on the west side of the building. The subject property is in the City’s Preservation Area, as designated by the Comprehensive Plan. The proposed special use encourages the adaptive re-use of a building whose architecture, and proximity to Route 66, is

representative of its automotive history and its contribution to Bloomington's automotive and transportation heritage. The Preservation Area calls for a balance between preservation and redevelopment, and the reuse of 216 E. Grove Street furthers this goal.

The Zoning Board of Appeals reviewed the application on September 18, 2019. The Board held a public hearing on the application. The Board determined that the application met the necessary parking requirements for the proposed use and was compatible with surrounding uses and other uses in the D-2 Downtown Transitional District. The Board recommended adding a condition to the special use permit that the tenant must follow the National Axe Throwing Federation's and World Axe Throwing League's safety standards and requirements. The applicant agreed to the condition. The Board unanimously recommended approval of the permit with the added condition. Their recommendation was consistent with staff's recommendation.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Zoning Board of Appeals held a public hearing on the special use permit application on Wednesday, September 18, 2019. Notice of the public hearing was published in *The Pantagraph* on Saturday August 31, 2019. Staff mailed notices to property owners within 500 feet of the subject property, and also placed a large metal notification sign on the property. No one outside of the applicant spoke in favor of the application. No one spoke against the application. The Zoning Board found the application to meet the standards for a Special Use Permit and added a condition to the permit for additional safety. The Board voted, unanimously, to provide City Council with a positive recommendation. The vote passed 4-0.

FINANCIAL IMPACT: The subject property has been vacant for many years. The proposed Special Use Permit facilitates reuse of the property and may result in additional revenue and investment for the City.

COMMUNITY DEVELOPMENT IMPACT: Goal D-1.1 Strengthen business recruitment and retention. Objective D-1.1a. Identify and seek development and business opportunities appropriate for Downtown.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:

	
Robert G. Maher, Community Development Director	Chris Tomerlin, Budget Manager
10/15/2019	10/16/2019

George Boyle	
George Boyle, Assistant Corporation Counsel	Tara Henry, Legislative Assistant
10/21/2019	10/22/2019

Recommended by:


Tim Gleason, City Manager

Attachments:

- CD 1B Ordinance No. 2019 - 76 Special Use Sports & Fitness
- CD 1C Petition_216 Grove St_Redacted
- CD 1D Special Use_Site Plan 216 Grove St
- CD 1E Cover Memo-SP-03-19 216 Grove 091219
- CD 1F 9-18-19 DRAFT ZBA Minutes
- CD 1G Aerial View
- CD 1H Zoning Map_216 E Grove
- CD 1I Notices_216 E Grove

ORDINANCE NO. 2019 - 76

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A SPORTS AND FITNESS ESTABLISHMENT IN THE D-2 DOWNTOWN TRANSITION DISTRICT, FOR THE PROPERTY LOCATED AT 216 E GROVE STREET

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition and site plan requesting a Special Use Permit for a sports and fitness establishment in the D-2 Downtown Transition District for certain premises hereinafter described in Exhibit(s) A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use complied with the standards and conditions for granting such special use, specifically:

- 1). The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;
- 2). The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- 3). The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;
- 4). That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;
- 5). That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- 6). That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

WHEREAS, the Bloomington Board of Zoning Appeals voted to add a condition to the Special Use Permit that the business using the location comply with the National Axe Throwing Federation and the World Axe Throwing League safety regulations and standards;

WHEREAS, the City Council of the City of Bloomington has the power to pass this Ordinance and grant this Special Use Permit with the recommended conditions.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the above recitals are hereby incorporated into this ordinance as though fully set forth herein.

2. That the City Council adopts the findings of fact and recommendation of the Board of Zoning Appeals.
3. That a Special Use Permit for a sports and fitness establishment in the D-2 Downtown Transition District for the premises at 216 E. Grove Street hereinafter described in Exhibit(s) A shall be, and the same is hereby approved, with the condition that the business located at the premises comply with the National Axe Throwing Federation and World Axe Throwing League safety regulations and standards.
4. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 28th day of October 2019.

APPROVED this _____ day of October 2019.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk

Exhibit A
“Legal Description”

Gridley’s Add Lts 4, 5, & 6 & Lts 1 & 2 White’s Add & PT NW SE SEC 4-23-2E LYG
Between SD Lts (PIN: 21-04-413-018)

PIN: 21-04-41-018

PETITION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT:

216 GRAVE STREET BLOOMINGTON, IL 61701

State of Illinois)
)ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now come(s)

AXE GROVE SOCIAL LLC

REGISTERED AGENT DANIEL KELLEY

hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s) A, which is (are) attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents: receiver, executor (executrix); trustee, lease, or any other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently has a zoning classification of D2 under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That under the provisions of Chapter 44, Section 44.6-30 of said City Code SPORTS & FITNESS ESTABLISHMENT, are allowed as a special use in a D2 zoning district;
4. That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
5. That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
6. That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the D2 zoning district;

7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;
8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the D2 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your petitioner(s) respectfully pray(s) that said special use for said premises be approved.

Respectfully submitted,

DANIEL R KELLEY

[REDACTED]
8/21/18

ASPHALT

CITY OF BLOOMINGTON

REPORT FOR THE BOARD OF ZONING APPEALS

September 18, 2019

CASE NUMBER	SUBJECT PROPERTY:	TYPE	SUBMITTED BY:
SP-03-19	216 E. Grove St.	SPECIAL USE PERMIT	Katie Simpson City Planner

PETITIONER'S REQUEST:	
Section of Code: 44.5-2 Business Districts-Permitted and Special Uses	
Type	Request
Special Use permit	Sports and Fitness Establishment

Project Description	The petitioner is seeking a Special Use to allow a Sports and Fitness Establishment in the D-2 district for the property located at 216 E. Grove Street.
Staff Recommendation	Staff finds that the petition meets the Zoning Ordinance's standards required to allow a special use. Staff recommends that the Zoning Board of Appeals provide Council with a positive recommendation to approve the petition for a special use permit to allow a sports and fitness establishment/axe-throwing in the D-2 District at 216 E. Grove St.

Figure 1 The building at 216 E. Grove is shaded in orange.



NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the *Pantagraph* on Saturday, August 31, 2019. Staff mailed notices to property owners within 500 ft of the subject property, and placed a large, metal notification sign on the property.

GENERAL INFORMATION

Petitioner: Axe Grove Social, LLC

PROPERTY INFORMATION

Legal Description: Gridley's Add Lts 4, 5, & 6 & Lts 1 & 2 White's Add & PT NW SE SEC 4-23-2E LYG Between SD Lts (PIN: 21-04-413-018),
Existing Zoning: D-2 Downtown Transitional District
Existing Land Use: Warehouse/Storage (multiple units)
Property Size: 33,235 ft²
PIN: 21-04-413-018

Surrounding Zoning and Land Uses

Zoning

North: D-2 Downtown Transition District
South: D-2 Downtown Transition District
East: D-2 Downtown Transition District
West: P-2 Public Lands and Institutions

Land Uses

North: Business/retail
South: Apartments/funeral home
East: Offices
West: City & County offices/parking garage

Analysis

This report is based on the following documents, which are on file with the Community Development Department:

1. Application for a special use
2. Site Plan
3. Aerial photographs
4. Site visit

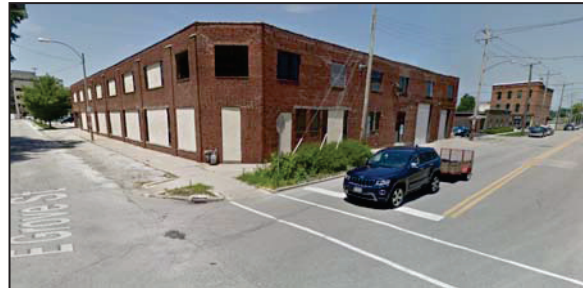
BACKGROUND

The subject property is located at the northwest corner of E. Grove Street and Prairie Street. The property is improved with a large, two story, brick warehouse. In 1937 the warehouse was home to "Seeger's Park'N' Shop Food Market." The 1940



Bloomington Polk Directory suggests that the building was used for auto sales and service, radio sales and service, and auto parts retail. In 1986, the building was used as a storage facility by Champion Federal. In 1997 National City Bank also used the facility for storage. The subject property is located on a parcel that includes 45 parking spaces.

An additional parking lot sits west of the subject property, as well as the Lincoln Parking Deck. The Oaks Apartments/Gridley Mansion, Beck's Funeral Home, and the McBarnes Building, which houses PATH and United Way, are south of the subject property. North of the site are mixed-use buildings located along Front Street. Offices, single family homes, and apartments are located east of the subject property. Additionally, the subject property is west of the East Grove Street National Register Historic Preservation District. The property is zoned D-2 Downtown Transitional District.



Purpose and intention of the D-2 Downtown Transition District.

The intent of this D-2 Downtown Transitional District is to complement and support the uses located in the D-1 Central Business District. Offices, services and civic uses, as well as residential apartments and multifamily dwelling units are appropriate in this district. Due to its transitional location between the central business district and outlying residential areas, the D-2 District permits development at a lower intensity and density than the downtown core. Pedestrian circulation is prioritized. To this end, buildings should be located close to the sidewalk with on-site parking located at the rear of the parcel and accessed from secondary roadways or alleys, though modest setbacks for courtyards, gardens and other similar amenities.

The district allows uses such as an Exhibition Hall or Sports/Fitness establishment with a special use permit. A Sports/Fitness establishment is defined as a building, or portion thereof, designed for the conduct of sports, leisure activities or other recreational activities.

PROJECT DESCRIPTION

Petitioner's request:

The petitioner is requesting a special use permit for a Sports/Fitness establishment created primarily for axe-throwing, although other leisure activities such as darts or sports may occur at the venue and could occur if the axe-throwing venture is unsuccessful.

Axe-throwing is a sport common in Canada and the northern United States. Like darts, axe-throwing enthusiasts have formed leagues and host tournaments. According to the National Axe Throwing Federation (<http://www.nationalaxe.com>) there are over 6,000 competitive players in 8 countries and 75 cities. For competition, the axe head weighs between 1.25 and 1.75 lbs for hatchets and 2.25-2.275 lbs for larger axes. Blades are generally a maximum of 4

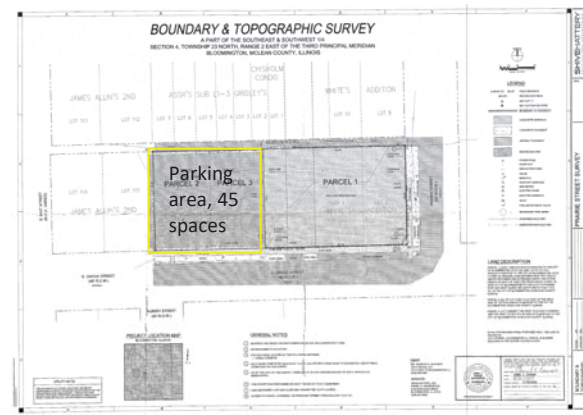
Agenda Item 5A
SP-03-19
216 E. Grove St.

inches long and handles are generally 13-17 inches. Axes are thrown about 14 feet away from the target. Spectators usually stand more than 18ft away from the target to ensure safety. Recreational axe-throwing is also growing in popularity in the United States. Over the past decade, establishments have opened in New York, Chicago, Pennsylvania, and Michigan. It is relatively new to the Bloomington area, although a similar facility opened in Peoria in December 2018.

The petitioner intends to rent a portion of the building, approximately 11,500 square feet of the building's first floor. Of the rented space, approximately 1600 square feet will remain flexible. Approximately 9,900 square feet will be designated to the sports, recreation and leisure use. The rented units are adjacent to the parking lot and located closer on the west side of the building.

Parking

The subject property has adequate parking for the proposed use. However, three bicycle spaces will need to be added to the site. The adjacent parking lot contains 45 on-site parking spaces. There are, approximately 9 on-street parking spaces adjacent to the building, on the north side of E. Grove Street and the west side of S. Prairie Street. Parking also exists on the south and east sides of E. Grove Street and Prairie Street, respectively. Additionally, the subject property is located along a Connect Transit Bus Route, and within a half mile of apartments and residences. Lastly, the subject property is within 900 feet of a public parking garage which is free on nights and weekends. Per the zoning ordinance, the amount of required on-street parking may be reduced if alternatives are provided. The table below illustrates the alternatives and how they are applied to the subject property.



Description	Ratio	Adjustment	Total
Required Off-Street Parking	1/200 sqft (12-8E)	11,500 sqft/200	58 required spaces
Required bicycle parking	5% required	58 * 5%	3 bicycle spaces
Exemptions:			
Public parking w/in 900ft	10% reduction	-6 spots	52 spaces
On Street Parking	½ space reduction per each on-street space	9 on-street = 4 off street	48 spaces
Within 900ft of bus route	10% reduction	-6 spots	42 spaces
Within 1320 feet of residential uses	10% reduction	-6 spots	36 spaces
Amount of required off-street parking after applying relevant exemptions			36 parking spaces

The proposed use requires 36 off-street parking spaces. The parking lot provides 45 spaces, meeting the minimum amount of parking. Regardless, the zoning ordinance also allows that if a public parking deck or lot is located within 500 feet of the front entrance, up to half of the minimum required parking may be provided by the public parking area. Therefore, when calculating required parking, only 18 spaces are required to be provided on-site, allowing other parking to be used by future tenants of the building.

Safety

Axe-throwing is a relatively new experience in Bloomington. Research of other axe-throwing facilities suggests that the use and experience can be safe. Most establishments in the US, many of which also serve beer and wine, have reported few to no incidents or issues. Staff learned of one incident in Michigan where a patron was not wearing shoes. The Zoning Board is not tasked with considering whether this establishment should be given a liquor license. No license has been requested at this time. Furthermore, the Bloomington Liquor Commission is tasked with recommending a license.

Safety can be addressed by the building layout and design. A building permit is required before remodeling and opening the establishment. Additionally, some facilities provide an orientation for patrons teaching them how to throw axes and providing safety details. Staff also reached out to the Bloomington Police Department to vet any potential concerns. All axes should be contained to the property and would not be allowed in the public domain.

Conformance with the Comprehensive Plan:

The Economic Development section of Bloomington's Comprehensive Plan identifies the need to promote a range of businesses, recreation and entertainment downtown.

Goal D-1.1 Strengthen business recruitment and retention.

Objective D-1.1a. Identify and seek development and business opportunities appropriate for Downtown.

Additionally, the building is in the City's Preservation Area, as designated by the Comprehensive Plan. The Preservation Area calls for a balance between preservation and redevelopment. The proposed special use encourages the adaptive re-use of a building whose architecture, and proximity to near Route 66, is representative of its automotive history and its contribution to Bloomington's automotive and transportation heritage.

Action by the Board of Zoning Appeals.

For each special use application, the Board of Zoning Appeals shall report to the Council its findings of fact and recommendations, including the stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein. No special use application shall be recommended by the Board of Zoning Appeals for approval unless such Board shall find:

1. **that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare**
The proposed use will offer a recreational activity compatible with surrounding downtown uses. It will also offer an amenity to nearby residents. The property has adequate off-street parking, and additional parking is available in the public parking garage. The use will be contained within the property. **The standard is met.**
2. **that the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;** The proposed use is compatible with other entertainment uses located in and near downtown Bloomington, specifically the uses along Front Street. Additionally, the proposed use is compatible with the mix residential, retail and entertainment. **The standard is met.**
3. **that the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;** The building is in a commercial area. It is not directly adjacent to single family residential. The special use should not impede normal development. **The standard is met.**
4. **that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** The building is located along an arterial road and near public facilities. Drainage, water, and sewer are adequate for the use at this location. The standard is met.
5. **that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;** Ingress to the parking lot is provided by a cross-access easement with the adjacent property. Circulation is internal to the parking lot minimizing congestion on US 51. **The standard is met.**
6. **that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals. (Ordinance No. 2006-137).** The building exists, and the proposed use encourages the adaptive reuse of the building. No change to the building's bulk, setbacks or mass is expected because of the special use. The special use complies with off-street parking requirements. However, the petitioner will need to provide three bicycle parking spaces. **The standard is met.**

STAFF RECOMMENDATION:

Staff finds that the petition meets the Zoning Ordinance's standards required to allow a special use. Staff recommends that the Zoning Board of Appeals provide Council with a positive recommendation to **approve** the petition for a special use permit to allow a sports and fitness establishment/axe-throwing in the D-2 District at 216 E. Grove St.

Respectfully submitted,
Katie Simpson

Attachments:

- Draft Ordinance
- Exhibit A-Legal Description
- Petition and supplemental documents from petitioner
- Site Plan
- Aerial Map
- Zoning Map
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified

**DRAFT
MINUTES
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, SEPTEMBER 18, 2019
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

Members present: Mr. Terry Ballantini, Mr. Michael McFarland, Mr. Tyler Noonan, and Chairperson Victoria Harris.

Members absent: Mr. Michael Rivera Jr, and Mr. Richard Vitengruber

Also present: Mr. George Boyle, Assistant Corporation Counsel
Ms. Casey Weeks, Assistant City Planner
Ms. Katie Simpson, City Planner

Ms. Harris called the meeting to order at 4:02 p.m. Ms. Simpson called the roll; with six members present, the Zoning Board of Appeals established a quorum.

PUBLIC COMMENT: None.

MINUTES: The Zoning Board of Appeals reviewed the July 17, 2019 regular meeting minutes. Mr. Ballantini motioned to approve the minutes as corrected. Seconded by Mr. Noonan. The motion to accept the minutes as amended, was unanimously approved, 4-0 by voice vote.

1. REGULAR AGENDA

- A. SP-03-19 Consideration, review and approval of a petition for a special use permit for a Sports/Fitness Establishment in the D-2 Downtown Transition District at 216 E. Grove Street, submitted by Axe Social LLC. (Ward 6).**

Ms. Simpson gave the staff recommendation in favor of the petition and presented findings. Staff reports how the application applies to the zoning ordinance and whether it fits with the comprehensive plan. Staff is recommending in favor for the petition for the sports and fitness establishment. The primary use would be for ax throwing, but the special use would also allow for dart throwing, badminton, other sports and recreational activities. The property is in the Downtown Transition District. The building was built in the early 1900s and has had various uses including storage, and auto parts sales. The building has been vacant for a few years. Staff is encouraged at the interest in reusing the building and bringing it back to life again. The Sports and fitness use is considered with a Special Use Permit. The Parking lot that serves this building is only half of the lot next door to the building with cross-easement access from US 51. There is also on-street parking on Gridley and Prairie. The Lincoln Parking Deck is within 500 feet to the building with free parking on nights and weekends. The petitioner is only developing a portion of the building. The total parking required is 36 spaces on site and 3 bicycle spaces.

There are established ax throwing leagues with as throwing establishments in Peoria and Chicago. There are established safety regulations, rules, and guidelines with the various sport leagues. Offices buffer the building to the east from residences. The *Bring It On Bloomington* Comprehensive Plan suggests that the City encourage development downtown and reuse of existing structures. It encourages business retention and recruitment in the downtown with a variety of uses and amenities for downtown residents and workers. The Standards are met with access to utilities and no new infrastructure. The owner will need to get a building permit to make sure the codes are met.

Petitioner was sworn in, Daniel Kelley with Grove Street Social. (Emailed exterior image for the record. Exhibit A)

The demographic is young to old multidimensional entertainment venue. An arena sport area with tailgate games like corn hole, 10 pin pigskin, and others. There are 5 spokes within the space: Ax throwing, arena games, karaoke rooms and virtual reality pit. We are applying for a beer and wine only liquor license to have a bar as well. It will take up about 12,000 square feet of space. We hope to have business hours Tuesday through Saturday at first then to expand. The closest ax throwing facility is in Peoria. There will be exterior site improvements including landscaping by the building owner.

There will be a closed toe shoe policy and the ability to rent shoes if needed. We will follow most industry standards with additional standards. Most facilities have fenced off lanes with an open front. We will have the lanes closed off like batting cages. Each minor will have to be accompanied by an adult. Another industry standard will not allow intoxicated individuals to participate. There will be a two drink maximum. We hope to be open by early January. The facility provides all the equipment with a total of ten targets. There are number of different games that are played by the different leagues.

Zoning Board will give a recommendation to City Council. Vote on the findings:

1. that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare; Amended that the industry standards including The World Ax Throwing League and the National Ax Throwing Federation will be followed. Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Michael Rivera Jr - Yes, Mr. Tyler Noonan - Yes, Mr. Richard Vitengruber - Yes, and Chairperson Victoria Harris – Yes, approved 6-0.

2. that the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

3. that the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district; Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

4. that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided; Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

5. that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; Mr. Terry

Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

6. that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals. (Ordinance No. 2006-137). Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

Vote on condition to add that the Grove Street Social will adhere to the industry safety standards established by The World Ax Throwing League and the National Ax Throwing Federation will be followed. Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

Vote to approve the Special Use permit with the safety condition. Mr. Noonan made a motion to approve, seconded by Mr. Ballantini. Mr. Terry Ballantini - Yes, Mr. Michael McFarland - Yes, Mr. Tyler Noonan - Yes, and Chairperson Victoria Harris – Yes, approved 4-0.

2. OTHER BUSINESS

- A. Sign Ordinance revisions/update - Joint meeting on September 11th. The sign ordinance survey will be online by the end of the week with a copy of the draft ordinance and sign presentation.

3. NEW BUSINESS

- A. Introduction of New Commissioner – Michael McFarland recently moved back to Bloomington from Normal where he served on the Normal Planning Commission for almost ten years.

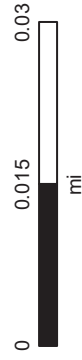
ADJOURNMENT

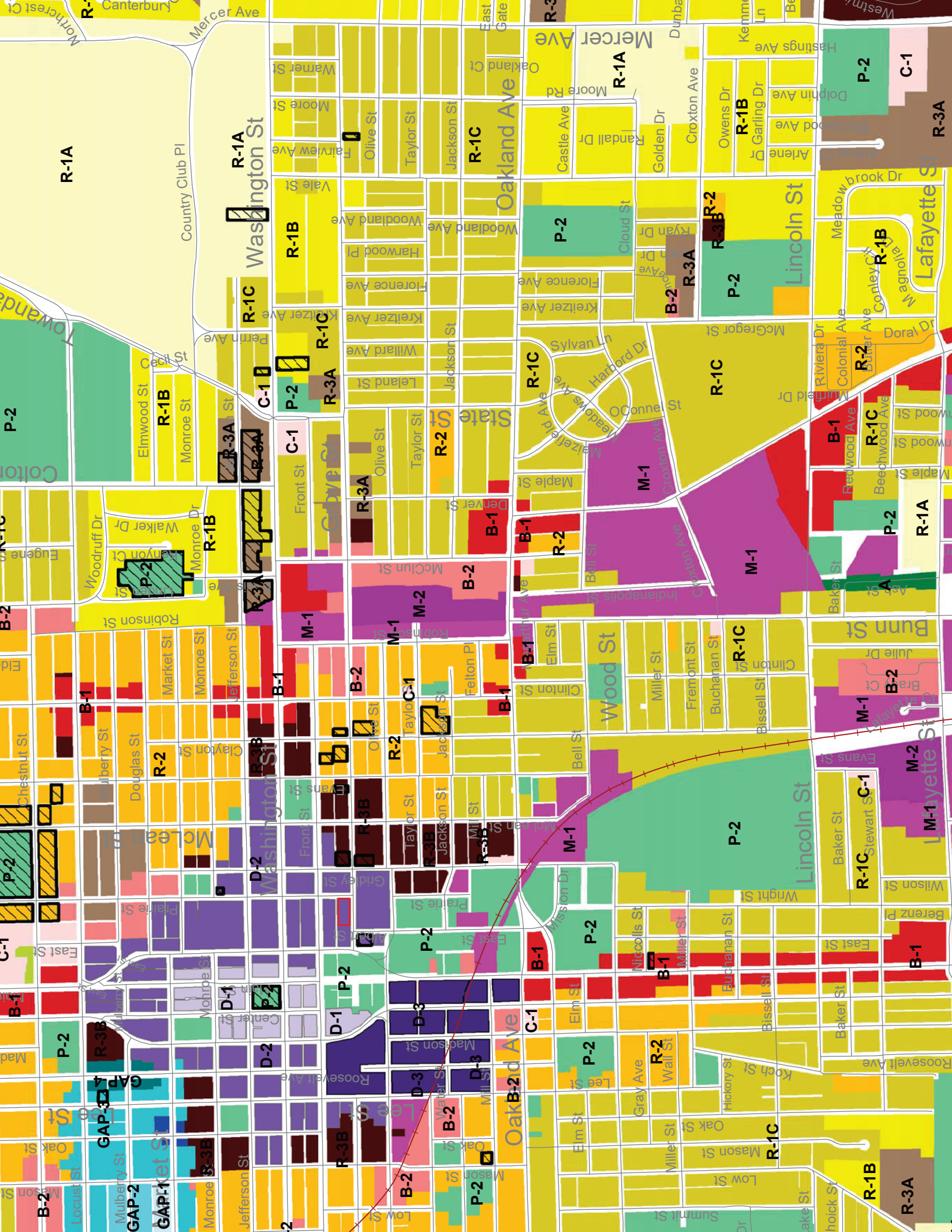
Mr. Ballantini motioned to adjourn. Seconded by Mr. Noonan. The motion was approved by voice vote. The meeting adjourned at 4:44 PM.

Respectfully Submitted,
Casey Weeks
Assistant City Planner



McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.







Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

August 30, 2019

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday, September 18, 2019 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by Axe Grove Social, LLC. (2703 Westbrook Dr., Bloomington, IL 61705) for the approval of a special use permit for the property located at **216 Grove St.** owned by 216 East Grove, LLC (210 S East St. Bloomington, IL 61701) at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting.

REQUEST

The petitioner is requesting to allow for a sports and fitness establishment (axe throwing) in D-2, Downtown Transitional District as a special use.

LEGAL DESCRIPTION: GRIDLEY'S ADD LTS 4, 5 & 6 & LTS 1 & 2 WHITE'S ADD & PT NW SE SEC 4-23-2E LYG BETWEEN SD LTS (PIN: 21-04-413-018)

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email us at planning@cityblm.org or call us at (309) 434-2226.

Sincerely,

Planning Division staff

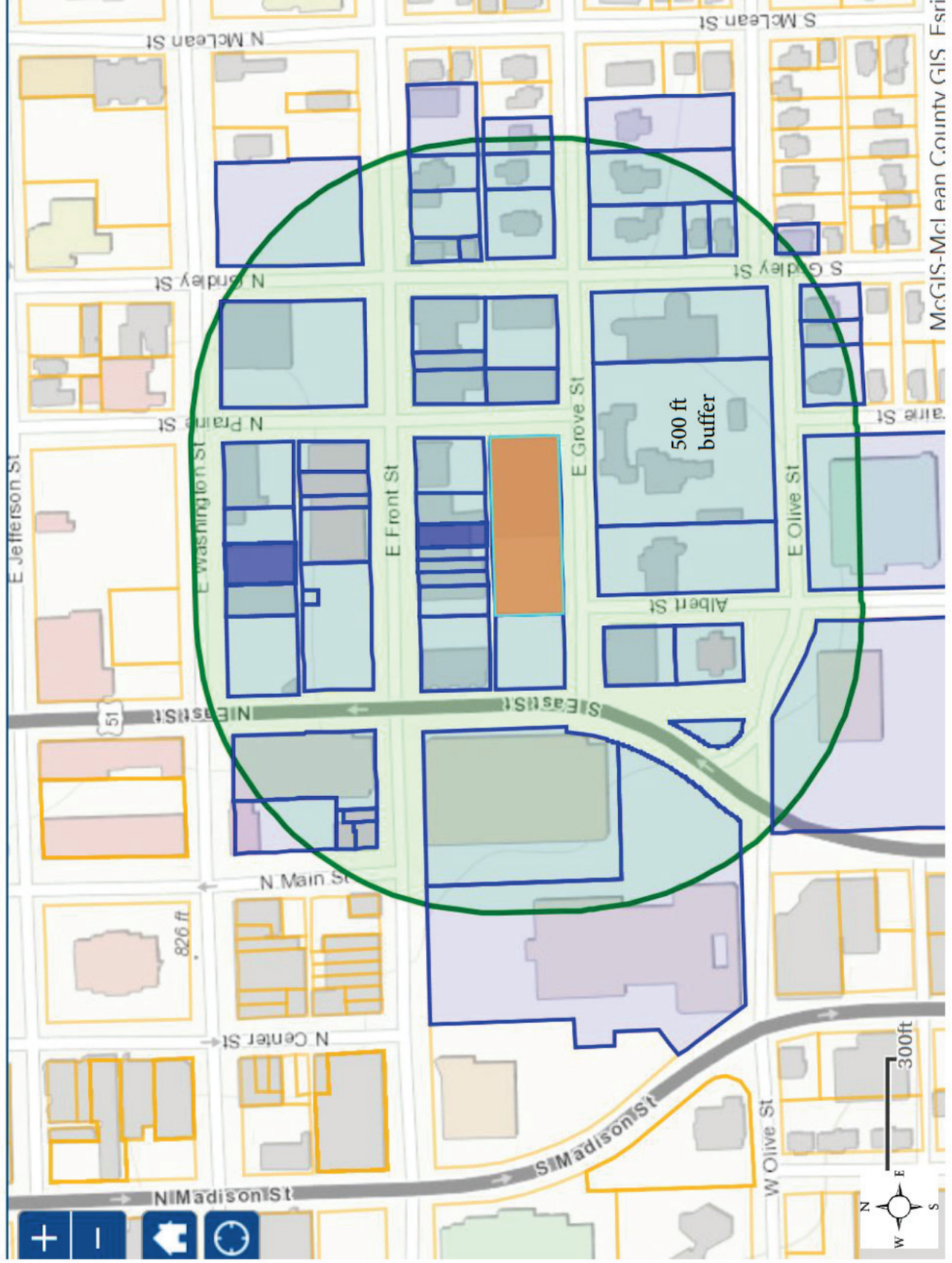
Attachments:

Map of notified properties within 500 ft of subject property

Public Hearing on September 18, 2019 for a Special Use permit request at 216 Grove



McLean County Public Notification



PUBLIC BUILDING COMMISSION

[REDACTED]
BLOOMINGTON, IL 61702

216 E GROVE C/O ANDREW KAUFMAN

[REDACTED]
BLOOMINGTON, IL 61701

HEARTLAND BANK & TRUST CO

[REDACTED]
NORMAL, IL 61761

PUBLIC BUILDING COMMISSION

[REDACTED]
BLOOMINGTON, IL 61701

CALVERT & METZLER MEMORIAL
HOMES

[REDACTED]
BLOOMINGTON, IL 61701

STARK, DAVID

[REDACTED]
BLOOMINGTON, IL 61701

WHITE, JAMES B

[REDACTED]
BLOOMINGTON, IL 61701

GREEN BUILDING LCC

[REDACTED]
BLOOMINGTON, IL 61705

TRUST TNT-2

[REDACTED]
BLOOMINGTON, IL 61701

GREEN BUILDING LCC

[REDACTED]
BLOOMINGTON, IL 61705

MCLEAN COUNTY HISTORICAL SOCIETY

[REDACTED]
BLOOMINGTON, IL 61701

GIBBONS, EVAN & KRISTIENNE

[REDACTED]
NORMAL, IL 61761

PUBLIC BUILDING COMMISSION

[REDACTED]
BLOOMINGTON, IL 61701

PARKER MCLEAN COUNTY
ENTERPRISES LLC

[REDACTED]
BLOOMINGTON, IL 61701

XI VIXENS LLC

[REDACTED]
BLOOMINGTON, IL 61701

MANDULA BAY LLC

[REDACTED]
BLOOMINGTON, IL 61701

GREEN BUILDING LCC

[REDACTED]
BLOOMINGTON, IL 61705

CME REAL ESTATE INVESTMENTS LLC

[REDACTED]
BLOOMINGTON, IL 61701

TYNER, DAVID

[REDACTED]
BLOOMINGTON, IL 61701

BEVERLY MILLER

[REDACTED]
DANVERS, IL 61732

MCLEAN CO HISTORICAL SOCIETY

[REDACTED]
BLOOMINGTON, IL 61701

FIRST OF AMERICA BANK TRUST

[REDACTED]
BLOOMINGTON, IL 61704

DEVYN CORP

[REDACTED]
BLOOMINGTON, IL 61701

WILLIAM FITZGERALD

[REDACTED]
BLOOMINGTON, IL 61701

MCCLELLAND, MICAH AND MELISSA

[REDACTED]
BLOOMINGTON, IL 61701

MILLER, BEVERLY

[REDACTED]
DANVERS, IL 61732

ANDREW KAUFMAN

[REDACTED]
BLOOMINGTON, IL 61701

GLENN, BRADLEY N & RONDA DEE
TAYLOR GLEN

[REDACTED]
STANFORD, IL 61774

LYNN TRUST

[REDACTED]
BLOOMINGTON, IL 61701

203 FRONT INC C/O JAMES T. FINEGAN

[REDACTED]
BLOOMINGTON, IL 61701

APFELBAUM, LARRY & TODD BRESNEY

[REDACTED]
BLOOMINGTON, IL 61701

JOY LUCK CLUB LLC

[REDACTED]
SHIRLEY, IL 61772

ANNETTA MILLER TRUSTEE

[REDACTED]
BLOOMINGTON, IL 61701

NANCY RODGERS

[REDACTED]
BLOOMINGTON, IL 61701

JOHN FORBES

[REDACTED]
BLOOMINGTON, IL 61704

RICHARD HARRISON

[REDACTED]
SOUTH SIOUX CITY, NE 68776

403 E FRONT LLC

[REDACTED]
BLOOMINGTON, IL 61702

JOSEPH BOYCE

[REDACTED]
LEXINGTON, IL 61753

INN FRONT LLC

[REDACTED]
BLOOMINGTON, IL 61701

WESTON PROPERTIES LLC

[REDACTED]
BLOOMINGTON, IL 61701

301 GROVE ST LLC

[REDACTED]
HUDSON, IL 61748

EMPYREAN HOLDINGS LLC

[REDACTED]
PEORIA, IL 61615

PATRICIA YODER [REDACTED]

[REDACTED]
BLOOMINGTON, IL 61701

CARLO ROBUSTELLI & EMILY MARIE
KELAHAN

[REDACTED]
BLOOMINGTON, IL 61701

ALLIED PROPERTIES LLC

[REDACTED]
BLOOMINGTON, IL 61701

JOHN ELTERICH

[REDACTED]
BLOOMINGTON, IL 61701

APFELBAUM, LARRY & TODD BRESNEY

[REDACTED]
BLOOMINGTON, IL 61701

301 GROVE ST LLC

[REDACTED]
HUDSON, IL 61748

FRED, WOLLRAB

[REDACTED]
BLOOMINGTON, IL 61701

THE LAUNCH PAD OF BLOOMINGTON
LLC

[REDACTED]
GRIDLEY, IL 61744

DEVYN CORP

[REDACTED]
BLOOMINGTON, IL 61701

DAWN PETERS & DIANA KRIEG

[REDACTED]
BLOOMINGTON, IL 61701

JAMES WARREN

[REDACTED]
BLOOMINGTON, IL 61701



CONSENT AGENDA ITEM NO. 7.J

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department

WARD IMPACTED: Ward 1

SUBJECT: Consideration and action on an Ordinance Approving an Application Submitted by Bellas Landscaping, LLC Requesting Approval of the Site Plan for a Restaurant Patio and Parking Lot in the B-1 General Commercial District for the Property at 5 Finance Drive, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance and Site Plan be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: On March 11, 2019, the City Council adopted revisions to Chapter 44 of the City Code, the Zoning Ordinance. The revised ordinance combined the Commercial and Business districts, carrying over the legislative site plan review requirement to apply to new construction, significant redevelopment and infill development projects in the business districts. The purpose of the site plan review process is to provide a platform for better, more creative design, and to promote a democratic and inclusive process for land development that will impact surrounding developments and uses. It also provides an opportunity for other governmental entities, like Connect Transit and the School Districts, to comment and ask questions about the proposed development. The legislative site plan review evaluates the general layout, location, and design of the project. It does not substitute as an approval of administrative site plan review by city staff prior to issuing building permits. All projects must obtain approvals from the engineering and building safety division prior to construction. If there are major changes to a site plan previously approved by City Council, the changes will require a new legislative review.

5 Finance Drive, the subject property, is located south of Veterans Parkway and east of Commerce Parkway. The subject property is directly east of the Lil Beaver Brewery, located at 16 Currency Drive, and will be developed to serve the brewery with additional parking and an outdoor patio as it expands into the adjoining unit. Lil Beaver Brewery plans to expand their taproom into a portion of the building that is currently leased by a party supply store. Future plans for the site include housing a restaurant in addition to the brewery. The property is zoned B-1, General Commercial District and is adjacent to other properties zoned B-1 General Commercial. Surrounding uses include offices, a chocolate shop, Soybean Association, a party supply store, and restaurant.

The applicant is requesting to build an outdoor patio and parking lot at 5 Finance Drive that will serve the brewery's taproom/restaurant at 16 Currency Drive. The two lots are considered one zoning lot, and should, eventually be combined into one parcel. It is staff's understanding that the primary entrance for the restaurant/taproom will come from Finance Drive, and that the existing Currency Drive access will be maintained for deliveries and employees. The use is permitted by right in the B-1 zoning district. The proposed site plan deviates from the following requirements from the zoning ordinance: 1). Parking lot perimeter landscaping front yard setback; 2). Landscaping islands required every 10 parking spaces; 3). 5ft pedestrian route to the sidewalk; and 4). Pedestrian path through the parking lot to the entrance.

On Wednesday, October 9, 2019, the Planning Commission held a public hearing and conducted a legislative site plan review on the proposed site plan. The Commission recommended approval of the site plan and approval of the requested variances. The Commission's recommendation is consistent with staff's recommendation.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bloomington Planning Commission held a public hearing on the application on Wednesday, October 9, 2019. The City published notice of the hearing on Monday, September 16, 2019 in *The Pantagraph*. The City placed a large metal notification sign on the property and mailed notice to 18 property owners within 500 feet of the subject property. No one, outside of the applicant, spoke in favor of the application. No one spoke against the application. The Planning Commission voted 7-0 to provide a positive recommendation on the proposed site plan. The recommendation is consistent with staff's recommendation.

FINANCIAL IMPACT: The subject property is currently vacant. The proposed site plan facilitates the redevelopment of the property at 16 Currency Drive into a brewery and restaurant, potentially resulting in additional revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: ED-4.2 Prioritize infill and development to spur growth and reinvestment in the City. ED-4.4a. Evaluate the existing commercial areas and sites for adaptive reuse, particularly in the context of changing demands.
Tier 1 Infill Redevelopment priority.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:

Katie Simpson

Katie Simpson, City Planner

10/15/2019



Chris Tomertin, Budget Manager

10/16/2019

George Boyle

George Boyle, Assistant Corporation Counsel

10/21/2019



Tara Henry, Legislative Assistant

10/22/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- CD 3B Ordinance 2019 - 79_5 Finance Drive
- CD 3C Exhibit B_Site Plan_ 5 Finance Drive
- CD 3D Application for Site Plan Review_5 Finance Drive
- CD 3F Draft Minutes PC 10.09.19
- CD3E Staff Report 5 Finance Drive_Site Plan review
- CD 3G Aerial Map_5 Finance Drive
- CD 3H Zoning Map_5 Finance Drive
- CD 3I Notices_5 Finance Drive

ORDINANCE NO. 2019 - 79

AN ORDINANCE APPROVING AN APPLICATION SUBMITTED BY BELLAS LANDSCAPING, LLC REQUESTING APPROVAL OF THE SITE PLAN FOR A RESTAURANT PATIO AND PARKING LOT IN THE B-1 GENERAL COMMERCIAL DISTRICT FOR THE PROPERTY AT 5 FINANCE DRIVE

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, an application requesting a legislative site plan review for a restaurant patio and parking lot in the B-1 General Commercial District for the land described in Exhibit A, attached hereto and made a part hereof by this reference;

WHEREAS, after proper notice, the City of Bloomington Planning Commission held a public hearing and determined said site plan, represented in Exhibit B attached hereto and made a part hereof by this reference, complies with the purposes of the zoning ordinance as well as the standards and objectives of the Code; and

WHEREAS, the Planning Commission recommended the City Council of the City of Bloomington approve said site plan; and

WHEREAS, the City Council has the authority to approve the site plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. The site plan represented in Exhibit B is hereby approved.
2. The Ordinance shall be in full force and effective as of the date of its passage and approval.

PASSED this 28th day of October 2019.

APPROVED this _____ day of October 2019.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk

Exhibit A
5 Finance Drive

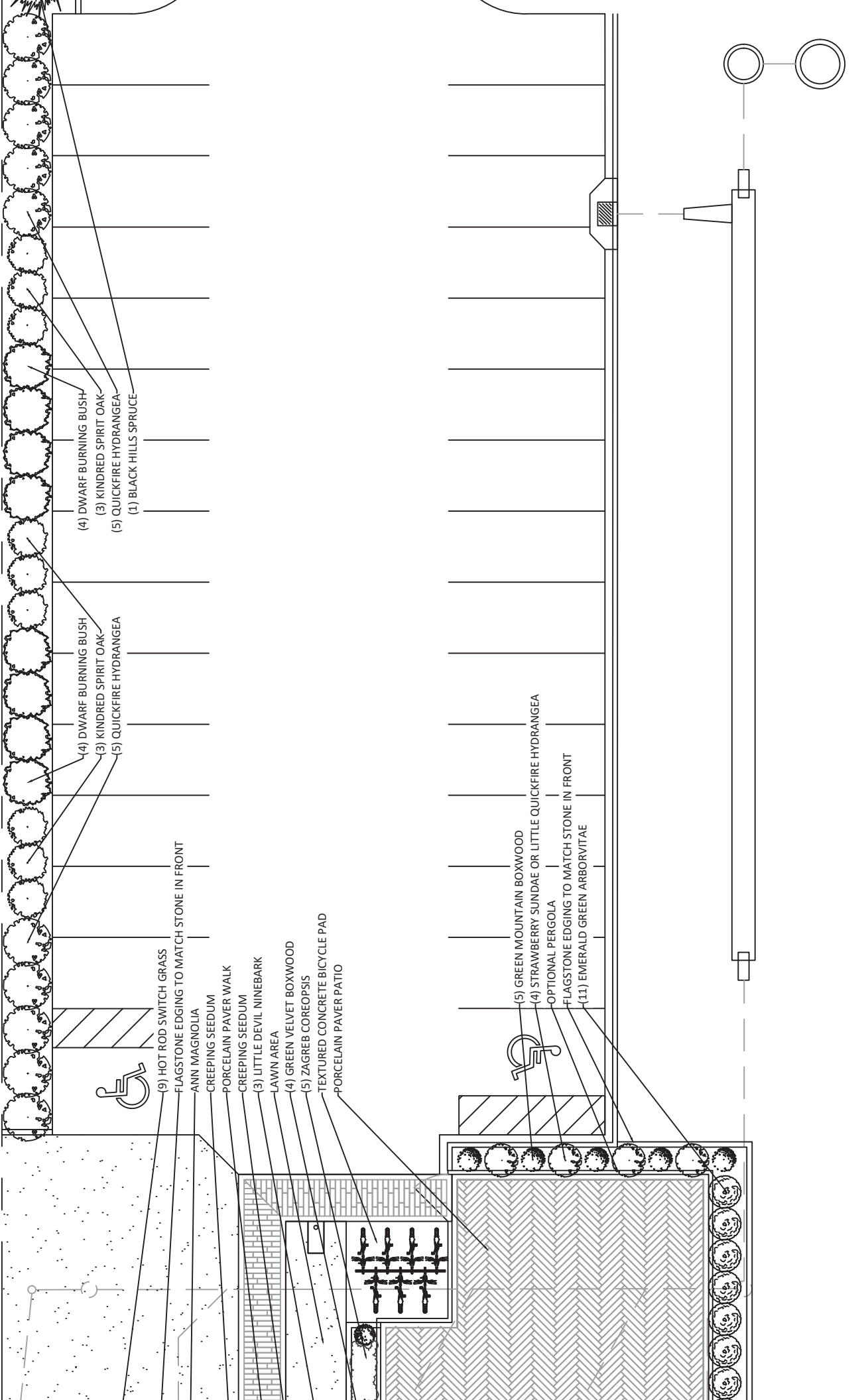
PIN: 21-15-105-022

COMMERCE PARK 27TH ADDITION LOT 41

.48 ACRES

Exhibit B

Site Plan



Lil' Beaver Brewery

BM-
CHIN
LIGH
ELE

CP-1
N 1381339.23
E 804913.52

CP-2
N 1381325.71
E 805032.59

EXISTING BUILDING

PROPERTY LINE

(E) PROPERTY LINE

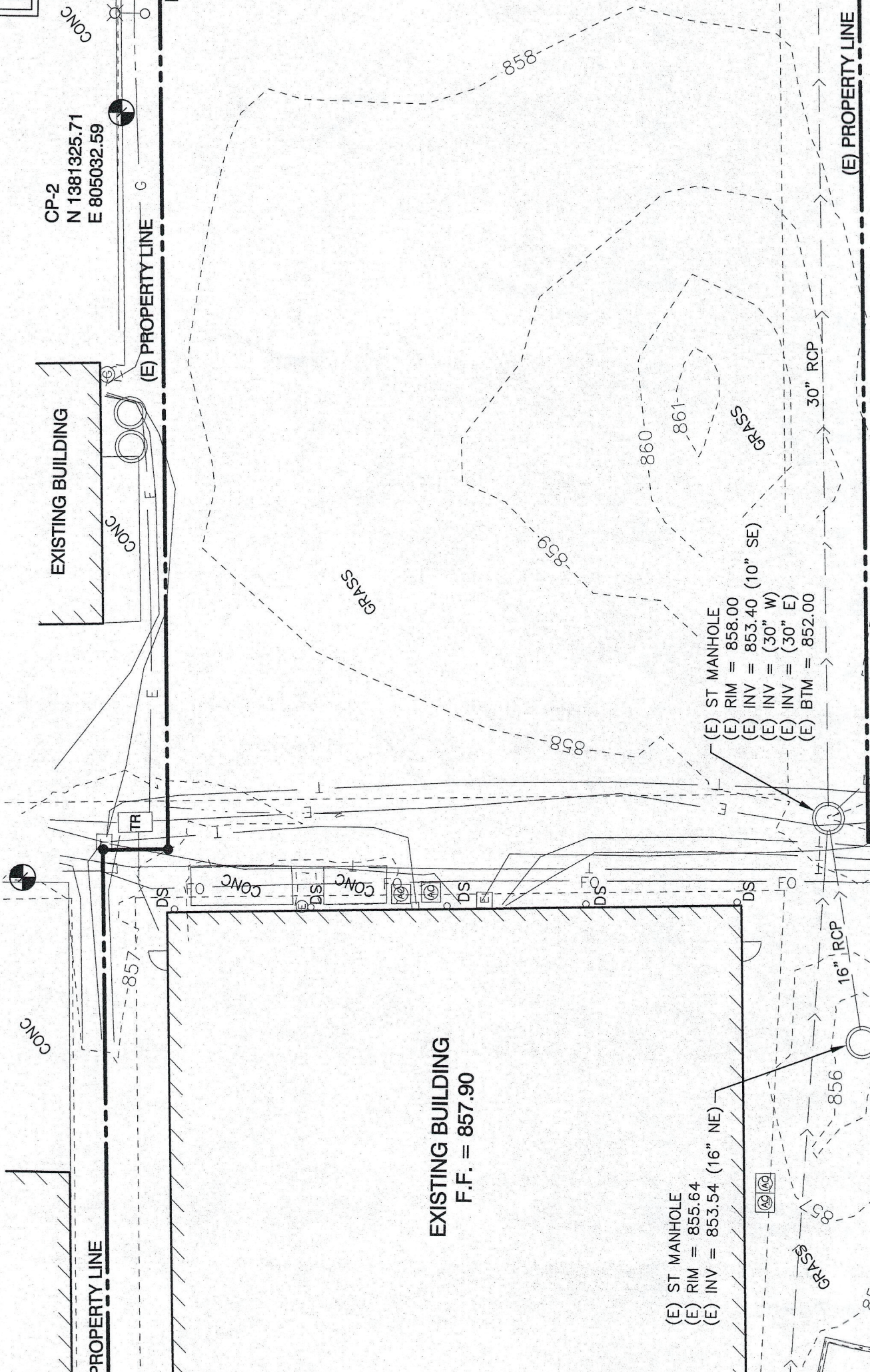
BM-

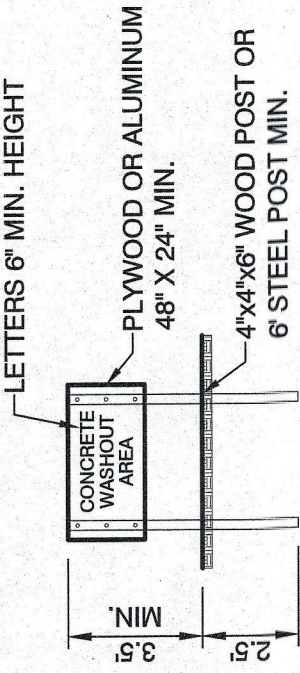
EXISTING BUILDING
F.F. = 857.90

(E) ST MANHOLE
(E) RIM = 855.64
(E) INV = 853.54 (16" NE)

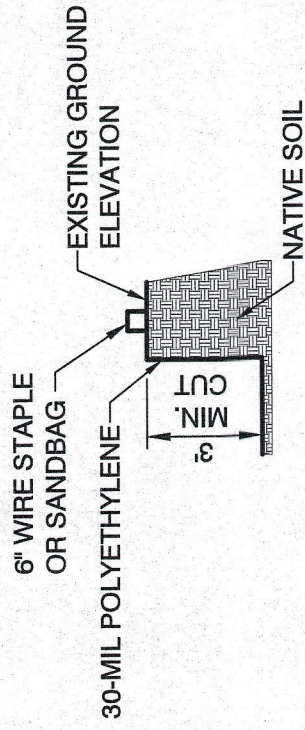
(E) ST MANHOLE
(E) RIM = 858.00
(E) INV = 853.40 (10" SE)
(E) INV = (30" W)
(E) INV = (30" E)
(E) BTM = 852.00

(E) PROPERTY LINE





SIGN DETAIL
SCALE: 1:2



SECTION A-A - SUBGRADE
SCALE: 1:2

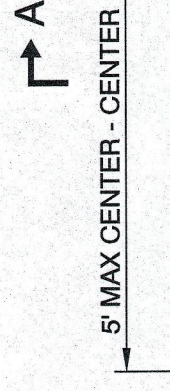
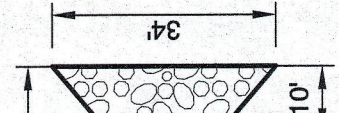
NOTES:

MAINTAINING TEMPORARY CONCRETE WASHOUT FACILITIES SHALL INCLUDE REMOVING AND DISPOSING OF HARDENED CONCRETE AND/OR SLURRY AND RETURNING THE FACILITIES TO FUNCTIONAL CONDITION.

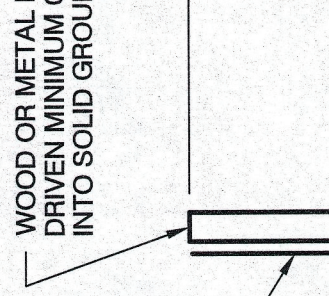
FACILITY SHALL BE CLEANED OR RECONSTRUCTED IN A NEW AREA ONCE WASHOUT BECOMES TWO-THIRDS FULL.

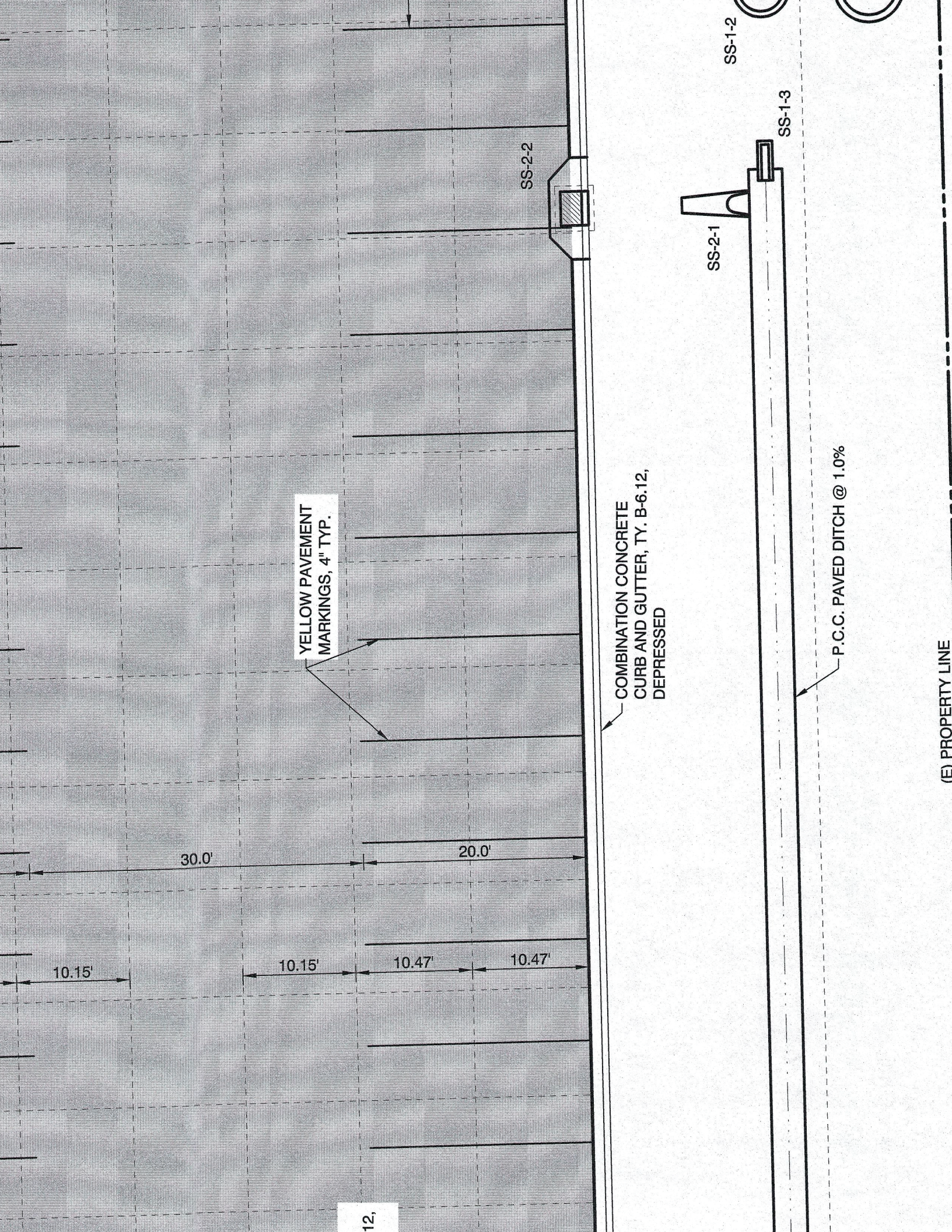
TEMPORARY CONCRETE WASHOUT FACILITY - EARTHEN TYPE

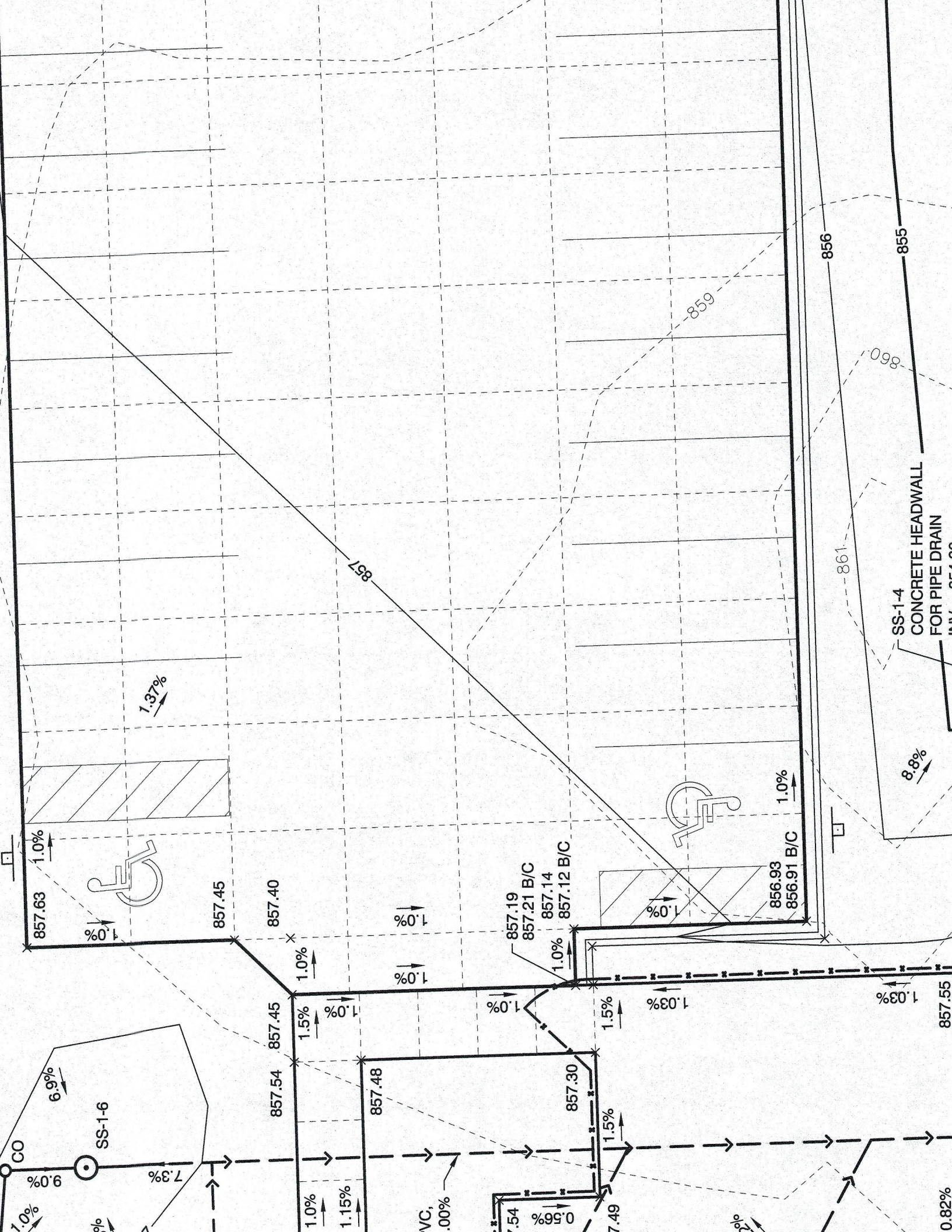
SCALE: 1" = 5'



SILT FILTER FENCE MEETING STANDARD REQUIREMENTS OF SECTION 1080.02 OF THE IDOT STANDARD SPECIFICATIONS. TIE TO FENCE WITH TIES AT 2' INTERVALS ON TOP AND HALFWAY UP THE FENCE.







GENERAL NOTES

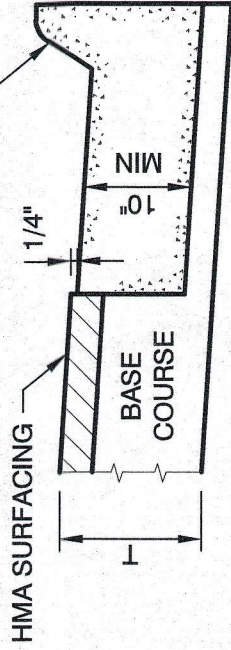
THE BOTTOM SLOPE OF COMBINATION CURB AND GUTTER CONSTRUCTED ADJACENT TO CONC PAVEMENT SHALL BE THE SAME SLOPE AS THE SUBBASE OR 6% WHEN SUBBASE IS OMITTED.

= THICKNESS OF PAVEMENT.

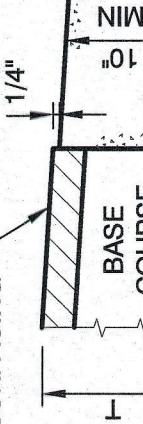
LONGITUDINAL JOINT TIE BARS SHALL BE NO. 6 AT 24" CENTERS IN ACCORDANCE WITH DETAILS OR LONGITUDINAL CONSTRUCTION JOINT SHOWN IN STANDARD 420001.

MINIMUM CLEARANCE OF 2" BETWEEN THE END OF THE TIE BAR AND THE BACK OF THE CURB SHALL BE MAINTAINED.

MOUNTABLE CURB SHOWN
(OTHER TYPES PERMITTED)



HMA SURFACING



ON DISTURBED SUBGRADE

ON UNDISTURBED SUBGRADE

ADJACENT TO FLEXIBLE PAVEMENT

CONCRETE CURB AND GUTTER DETAIL

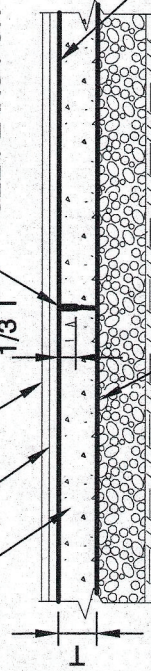
MIRAGE PORCELAIN
PAVERS, 3/4", BY OWNER

SAND BEDDING
COURSE, 1", BY OWNER

PORTLAND CEMENT
CONCRETE SIDEWALK, 4"

SAW CUT CONTROL JOINTS
SEE PLANS FOR SPACING

1/3 T



GEOTEXTILE FABRIC, BY OWNER

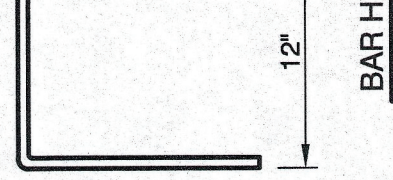
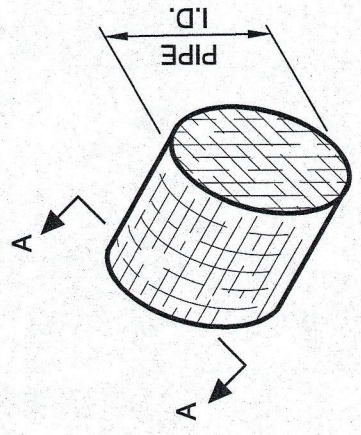
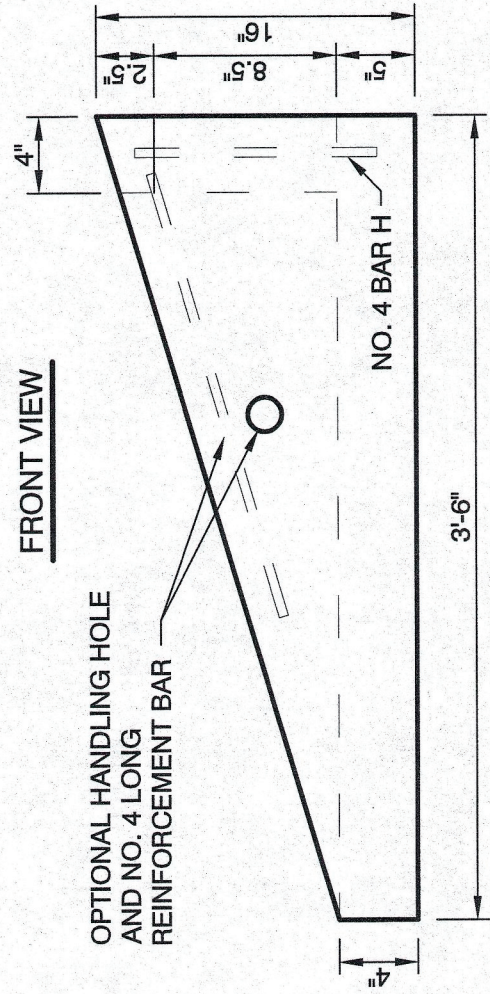
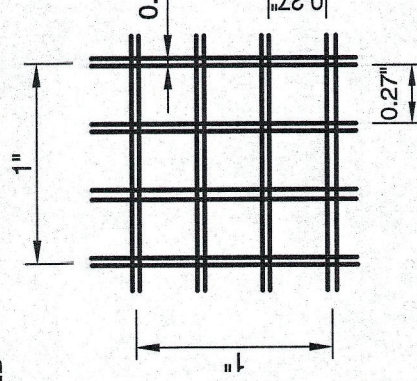
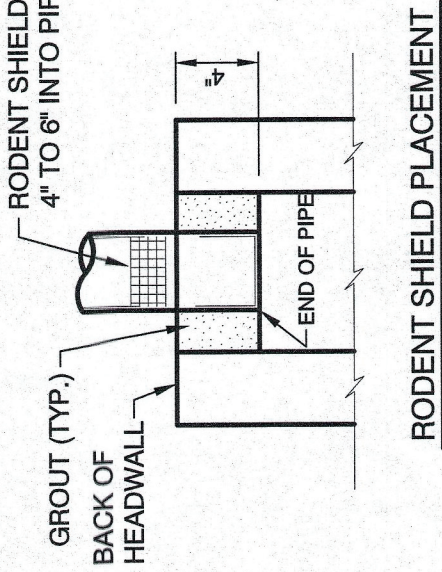
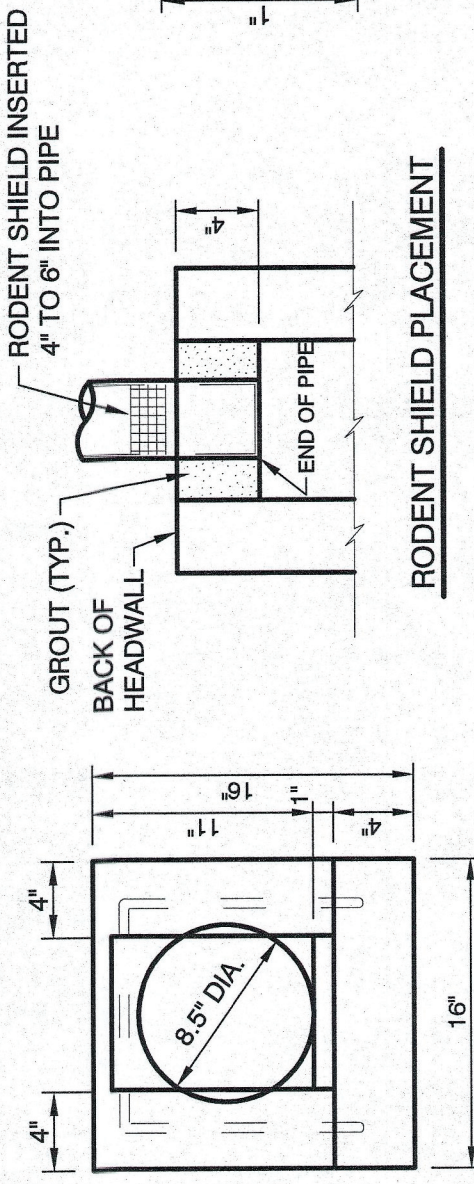
AGGREGATE BASE COURSE, (CA-6 OR CAM 6) TYPE B,
4", COMPACTED IN ACCORDANCE TO SECTION
351 OF THE IDOT STANDARD SPECIFICATION.

SUBGRADE PREPARED IN ACCORDANCE
WITH SECTION 301 OF THE IDOT
STANDARD SPECIFICATION

PROVIDE 3/4" PREFORMED EXPANSION JOINT
AT ALL BUILDING FACES, INTERSECTION AND
ABRUPT CHANGES.

MIRAGE PORCELAIN PAVERS

NOT TO SCALE



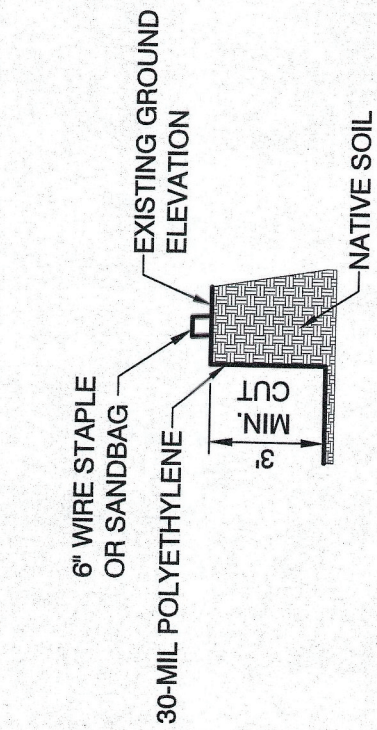
CONCRETE HEADWALL FOR PIPE DRAIN NOT TO SCALE

EXISTING GRADE

SEED AND FERTILIZE

H

SCALE: 1:2



SIGN DETAIL
SCALE: 1:2

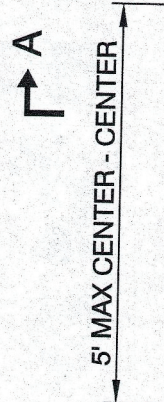
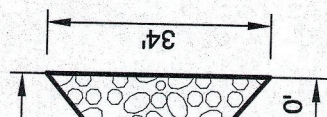
SECTION A-A - SUBGRADE
SCALE: 1:2

NOTES:

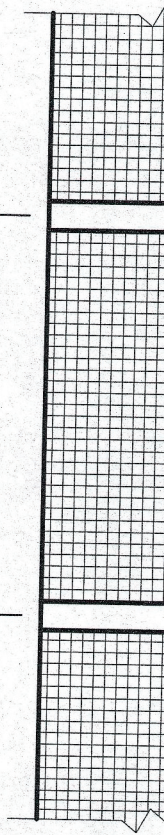
MAINTAINING TEMPORARY CONCRETE WASHOUT FACILITIES SHALL INCLUDE REMOVING AND DISPOSING OF HARDENED CONCRETE AND/OR SLURRY AND RETURNING THE FACILITIES TO FUNCTIONAL CONDITION.

FACILITY SHALL BE CLEANED OR RECONSTRUCTED IN A NEW AREA ONCE WASHOUT BECOMES TWO-THIRDS FULL.

TEMPORARY CONCRETE WASHOUT FACILITY - EARTHEN TYPE
SCALE: 1" = 5'



SILT FILTER FENCE MEETING STANDARD REQUIREMENTS OF SECTION 1080.02 OF THE IDOT STANDARD SPECIFICATIONS, TIE TO FENCE WITH TIES AT 2' INTERVALS ON TOP AND HALFWAY UP THE FENCE.



CITY OF BLOOMINGTON
APPLICATION FOR SITE PLAN
REVIEW



To the City of Bloomington:

I (we), the undersigned, do hereby respectfully petition the City of Bloomington for a site plan review as set forth herein, pursuant to Division 17-9 Site Plan Review Procedures set forth in Chapter 44 of the Bloomington City Code, and in support thereof state the following facts and make the following certifications and agreements:

1. The name of the proposed development is: Lil Beaver Brewery Parking lot

2. The property in question is legally described below and attached as Exhibit A:

Commerce Park Sub 27th Add LT 41

21-15-105-022

3. The property has the following common address:

5 Finance dr, Bloomington

4. The property has the following zoning classification: B-1

5. The approximate size of the property is as follows:

110 (feet wide)

190 (feet long)

6. The names and addresses of the property owner(s) making this request are as follows:

Bellas Landscaping LLC

(First & Last Name)

(First & Last Name)

2405 Fox Creek Rd

(Street Address)

(Street Address)

Bloomington, IL 61705

(City & Zip Code)

(City & Zip Code)

** Please attach a separate sheet if there are additional property owners to be listed. Additional proof of ownership, pursuant to Division 17-3 of Chapter 44 of the City Code may be required.*

7. The site plan provided includes the following information:

- a) Location by Section, Town and Range or other legal description;
- b) Names and addresses of the persons having proprietary interest over the property;
- c) Graphic (engineering) scale;
- d) North-points;
- e) Date of preparation;
- f) The boundary lines of the property in question;
- g) Size, location, height, number of stories, building design, and arrangement of proposed buildings and structures and existing buildings and structures;
- h) Schematic drawings illustrating the locations and dimensions of proposed buildings and structures, the design and character of the building, elevations, exterior building materials and types of construction of all proposed buildings and structures;
- i) A scaled site plan showing the existing buildings and land uses, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation, and utilities.
- j) A scaled site plan of the proposed development showing lot area, the required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, size, and location of proposed parking areas with arrangement of bays and aisles and curb cuts, and with indication of the total number of spaces;
- k) Schematic drawings illustrating the design and character of the building elevations, types of construction, and floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and floor area of all uses or combinations of uses, and the floor area of the entire development.
- l) Size, location, and composition of all proposed fencing, refuse enclosures, and landscaped screening material;
- m) Landscaping plan indicating size, location, and general characteristics of plant materials as specified in 13 of this Zoning Ordinance if the project would result in new landscaping or landscape changes.
- n) A site drainage plan for the proposed project if required.
- o) A photometric/lighting plan for the proposed project if the project would result in new exterior lighting or changes to exterior lighting.

8. The Applicant(s) requests the following variations to the bulk, sign, and off-street parking and loading regulations of Chapter 44 of the City Code (if applicable):

9. The Applicant(s) request consideration of the following uses, which would otherwise be allowed in the district by a special use permit (if applicable):

10. This application complies with the standards for site plan approval set forth in Division 17 of Chapter 44 of the City Code.

11. To the fullest extent permitted by law, Applicant(s) agree to and hereby shall indemnify and hold harmless the City of Bloomington, its officers, officials, agents and employees from and against liability and all claims arising out of the site plan review.

12. Applicant(s) agree to submit payment of any fees or costs associated with this application for the site plan review in accordance with Chapter 44 of the City Code.

13. All other facts, representations and agreements pertaining to this petition are as follows:

WHEREFORE, the Applicants(s) certify the above stated provisions are true and correct, agree to be bound by the indemnification provisions contained herein, and request the City of Bloomington approve the site plan provided in accordance with this Applicant.

Justin Bellas
(Print Name)

(Print Name)


(Signature)

(Signature)

8-26-19
(Date)

(Date)

* Please attach a separate sheet if additional property owners must sign the petition.

EXHIBIT A
LEGAL DESCRIPTION

21- 15-105-022

Commerce Park Sub 27th add Lt 41

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, OCTOBER 9, 2019 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. David Stanczak; Mr. John Protzman; Mr. Justin Boyd; Mr. Mark Muehleck; Mr. Tyson Mohr; Mr. Thomas Kreiger; Chairperson Megan Headean.

MEMBERS ABSENT: Mr. Kevin Suess; Mr. Eric Penn; Ms. Megan McCann.

OTHERS PRESENT: Mr. Bob Mahrt, Community Development Director; Ms. Casey Weeks, Assistant City Planner; Mr. George Boyle, Assistant Corporate Council.

CALL TO ORDER: Chairperson Headean called the meeting to order at 4:05 PM. Mr. Mahrt called roll. With seven members present, the Commission established a quorum.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the minutes from the August 28, 2019 regular meeting. Mr. Boyd motioned to approve the minutes as presented; Mr. Stanczak seconded the motion. The minutes were approved by voice vote 7-0.

REGULAR AGENDA:

Mr. Mahrt provided an overview of the recent update to the Zoning Ordinance, which now established the requirement for legislative Site Plan Reviews for commercial developments in all Business Districts. The two public hearings on the agenda represent the first application of the regulations since adoption by the City Council on March 11, 2019. Mr. Mahrt outlined the general application criteria and the standards for conducting a Site Plan Review by the Planning Commission.

PR-01-19 Public Hearing, review and action on a site plan review application submitted by Bellas Landscaping LLC for a patio and parking lot in the B-1 General Commercial District at 5 Finance Drive (Ward 1).

Chairperson Haedean opened the public hearing and introduced the case. Ms. Weeks was sworn in and provided an overview of the case and the staff recommendation. The staff recommendation included approval of the application for outdoor seating and parking lot at 5 Finance Drive along with the four requested variances as follows: 1) variance to reduce the front yard landscaping setback for the parking lot, 2) variance to waive the requirement for landscape islands installed in a parking lot with more than ten spaces, 3) variance to waive the requirement for pedestrian sidewalk from the public sidewalk to the building entrance, and 4) variance to waive the five foot sidewalk requirement through the parking lot entrance.

Mr. Boyd requested information on the process and timing for the developer to secure building permits with approvals by both the City Council and administrative site plan approval by City Staff. There was some general discussion on timing for legislative Site Plan Review being roughly 6-8 weeks and the administrative site plan review being 2-3 weeks before Building Permit issuance. There was continued discussion on whether the Commission should continue the discussion on the new processes under New Business.

Justin Bellas, petitioner, provided an overview of the development project and development constraints on the property. He expressed the need for approval of the requested variances.

Chairperson Haedean called for additional testimony in favor or opposition to the petition. There was none.

There being no further testimony, Chairperson Haedean closed the public hearing.

Commissioner Mohr made a motion to adopt the findings of fact and approve the petition for Site Plan Review with the requested variances as recommended by City Staff. Commissioner Justin Boyd seconded the motion.

Roll call vote to approve petitioner's request: Mr. David Stanczak - Yes; Mr. Justin Boyd - Yes; Mr. John Protzman - Yes; Mr. Mark Muehleck - Yes; Mr. Tyson Mohr - Yes; Mr. Krieger - Yes; Chairperson Megan Headean - Yes.

PR-02-19 Public Hearing, review and action on a site plan review application submitted by Carmala LLC for a restaurant in the B-1 General Commercial District at 802 E Washington Street (Ward 4).

Chairperson Haedean opened the public hearing and introduced the case. Ms. Weeks was sworn in and provided an overview of the case and the staff recommendation. The staff recommendation included approval of the application for a restaurant at 802 East Washington Street with development conditions and conditional approval of requested variances as follows: 1) condition to shift the building either 10 feet to the east or shift the building 5 feet to east while vacating a portion of existing easement along the west property line; 2) variance to eliminate the landscaping setback on east property line while maintaining the requirement for perimeter landscaping adjacent to the alley right-of-way; 3) condition that no required plantings be located within public right-of-way; 4) condition to relocate dumpster to northeast corner of the property; and 5) variance to waive the requirement for pedestrian sidewalk from the public sidewalk to the building entrance.

Mr. Boyd requested information on site lighting and the impact on the adjoining properties to the east. Mr. Mahrt indicated that lighting would be required within the parking lot, but that lighting would need to be shielded to prevent glare on adjoining residential uses.

Mr. Mohr requested information on the need to relocate the dumpster and was encouraged by the building placement which maintained the streetscape along Washington Street. Mr. Mahrt

replied that the refuse disposal areas are not to be located in the required street front of the property.

Mr. Mark Allen, petitioner, provided an overview of the development project. He indicated that the property owners completed a survey of the property and found some discrepancies in the alley right-of-way. He also indicated an interest in working with IDOT to establish a two-way alley.

Chairperson Haedean called for additional testimony in favor or opposition to the petition.

Mr. Mark Kudrys indicated that he owned property in the vicinity and that he wanted to view the building configuration on the property and the proposed location of the mechanicals. After viewing the renderings provided he stated he had no further questions and was happy to see something get developed. He further requested information on the removal of the billboard.

Mr. Allen indicated that the billboard would be removed.

There being no further testimony, Chairperson Haedean closed the public hearing.

Commissioner Mohr made a motion to adopt the findings of fact and approve the petition for Site Plan Review with the conditions and variances as recommended by City Staff. Commissioner Justin Boyd seconded the motion.

Roll call vote to approve petitioner's request: Mr. David Stanczak - Yes; Mr. Justin Boyd - Yes; Mr. John Protzman - Yes; Mr. Mark Muehleck - Yes; Mr. Tyson Mohr - Yes; Mr. Krieger - Yes; Chairperson Megan Headean - Yes.

OLD BUSINESS: None.

NEW BUSINESS: There was general discussion amongst commission members in regard to the newly adopted legislative Site Plan Review and the potential impacts on the business community. A request was put forth by the membership for Staff to provide a summary of the process and the benefits of the Site Plan Review for discussion at a future meeting.

ADJOURNMENT: The meeting was adjourned at 4:46 pm by voice vote, motioned by Mr. Muehleck and seconded by Mr. Boyd.

Respectfully submitted,
Bob Mahrt
Community Development Director

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
October 9, 2019**

CASE NUMBER:	SUBJECT PROPERTY:	TYPE:	SUBMITTED BY:
PR-01-19	5 Finance Drive	Legislative Site Plan Review	Planning Division
PETITIONER'S REQUEST:	Site Plan review for outdoor seating and parking lot at 5 Finance Drive		
Staff finds that the application meets the Zoning Ordinance's guidelines for site plan review.			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:
That the City Council approve the Site Plan submitted by Bellas Landscaping LLC for outdoor seating and parking lot at 5 Finance Drive, case PR-01-19.



NOTICE

The application has been filed in conformance with applicable procedural requirements. Notice of the hearing was published in *The Pantagraph* on Monday, September 16, 2019.

GENERAL INFORMATION

Owner and Applicant: Bellas Landscaping LLC

PROPERTY INFORMATION

Existing Zoning: B-1 General Commercial District
Existing Land Use: Vacant, grass lawn
Proposed Use: Outdoor seating and parking lot for Brewery/Restaurant
Legal Description: COMMERCE PARK SUB 27TH ADD LOT 41

Surrounding Zoning and Land Uses

Zoning

North: B-1 General Commercial District
South: B-1 General Commercial District
East: B-1 General Commercial District
West: B-1 General Commercial District

Land Uses

North: Chocolatier
South: Commercial businesses
East: Soybean Association
West: Brewery

PROJECT DESCRIPTION

5 Finance Drive, the subject property, is located south of Veterans Parkway and east of Commerce Parkway. The subject property is directly east of the Lil Beaver Brewery, located at 16 Currency Drive, and will be developed to serve the brewery with additional parking and an outdoor patio as it expands into the adjoining unit. Lil Beaver Brewery plans to expand their taproom into a portion of the building that is currently leased by a party supply store. Future plans for the site include housing a restaurant in addition to the brewery. The property is zoned B-1, General Commercial District and is adjacent to other properties zoned B-1 General Commercial. Surrounding uses include offices, a chocolatier, Soybean Association, a party supply store, and restaurant.

The applicant is requesting to build an outdoor patio and parking lot at 5 Finance Drive that will serve the brewery's taproom/restaurant at 16 Currency Drive. The two lots are considered one zoning lot, and eventually combined into one parcel. It is staff's understanding that the primary entrance for the restaurant/taproom will come from Finance Drive, and that the existing Currency Drive access will be maintained for deliveries and employees. The use is permitted by right in the B-1 zoning district. Additionally, the zoning ordinance requires a legislative site plan review for new development in the commercial districts, and alterations that increase off-street parking areas by twenty percent (20%) or more. The purpose of the legislative site plan review is to ensure the proposed development is compatible with the area, meets the standards of the zoning ordinance, and the intention of the Comprehensive Plan. In instances where a redevelopment requires a variance or deviation from the standards of the ordinance, the variance(s) are considered and reviewed during the legislative site plan review process.

The application and site plan are attached to this report. The Planning Commission is charged with reviewing the application submitted. The legislative site plan review gages the general layout, location, and design of the project. It does not substitute as an approval of administrative site plan review by city staff prior to issuing building permits. All projects must obtain approvals from the engineering and building safety division prior to construction. If there are major changes to a site plan previously approve by City Council, the changes will require a new legislative review.

ANALYSIS

Submittals

This report is based on the following documents, which are on file at the Community Development Department:

1. Application
2. Site Plan
3. Aerial photographs
4. Site Visit

The table below illustrates the zoning requirements and provided elements. **Bold** illustrates areas where the site plan is not compliant with the regulations, and where a variance/relief is needed.

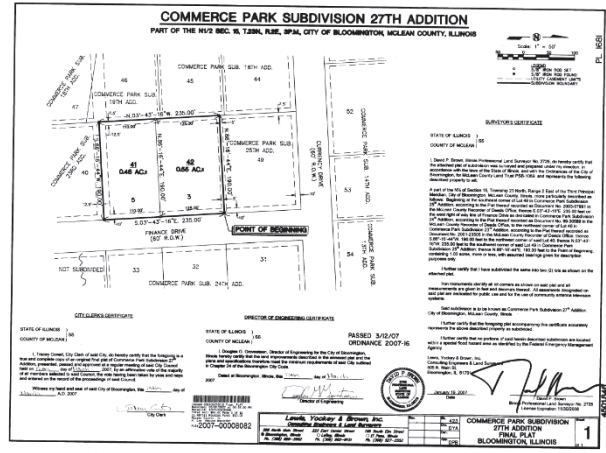
Site Area	43,560 (1 acre) (16 Currency and 5 Finance)		
Building Area	9450 (~6450/restaurant and patio; ~3000 brewery)		
Requirement	Allowed/Required	Provided	Deviance
Floor Area Ratio (FAR)	0.8	0.15	Compliant
Front yard setbacks	0ft	175ft	Compliant
Side yard building setbacks	5ft	10ft	Compliant
Rear yard building setbacks	0ft	0ft	Compliant
Parking spaces	53 ^{ab} (~55/restaurant and 5/brewery)	54 (24 existing and 30 proposed)	Compliant
Bicycle parking	3	7	+4
Minimum aisle widths	24ft	30ft	+6ft
Minimum parking stall dimensions (width/length)	8.5/17	9/28	+0.5/+11
Parking lot perimeter landscaping (front/sides/rear)	12ft/6ft/6ft	10ft/6.36ft/35ft	-2ft/+0.36/+29ft
Building Foundation landscaping	Required	Provided	Compliant
Landscaping island required every 10 parking spaces	Required	Not provided	Not provide
5ft pedestrian route to sidewalk	Required	Not provided	Not provide
5ft pedestrian path through parking lot to entrance	Required	Not provided	Not provided
Dumpster screening	NA	NA	NA
Dumpster location	NA	NA	NA
Transitional yard landscaping	NA	NA	NA
Lighting Plan	NA	NA	NA
Storm water management	Must comply with storm water requirements	Must comply with storm water requirements	On site detention provided. The drainage calculations should reflect the formula in the Manual of Practice Section 6.02c1B.

^a10% reduction for proximity to residential (-6)

^b4 additional bicycle spaces= reduction (-1)

Property physical constraints:

The subject property, 5 Finance Drive, is relatively square and approximately a half acre. It is also relatively flat with a slight change in grade sloping east and south. The property has easements on three sides including a 10ft easement on the east, 12.5ft on the south, and 7.5ft west. Utilities are located within these easements. An 8 inch watermain and 24 inch storm sewer occupy the southern easement. Additionally, when the Commerce Park subdivision was created, the development did not include a regional detention basin. Consequently, all lots are required to provide on-site storm water detention.



The applicant requested the following variances in their application:

1). Parking lot perimeter landscaping front setbacks.

The ordinance requires a 12ft front yard perimeter landscaping setback for parking lots visible from the street. The proposed site plan shows a 10ft landscaping setback. A 2ft variance is necessary. It might be possible for the applicant to reduce the dimensions of the parking stalls to the minimum required 8.5 to address the additional feet required. However, the adjacent parking lots have 10ft perimeter landscaping setbacks as well, therefore a precedence has been established in the commercial park. *Staff supports a variance request to reduce the front yard landscaping setback to 10ft since there is precedence and the applicant would not be given a special privilege.*

2). Landscaping island required every 10 parking spaces

For parking lots with 10 or more spaces, a landscaping island is required every 10 spaces. The purpose is to break up large areas of concrete, accommodate shade trees, and to promote better circulation and traffic calming, assist with storm water management, and in some cases, provide a refuge area for pedestrians. The applicant is requesting a variance from this requirement. The applicant proposed providing heavy landscaping by the foundation of the building and on the north side of the lot. Additionally, landscaping islands, in this location, would reduce the amount of provided parking resulting in a need for a variance from parking requirements. *Staff supports the variance request because a variance would be the minimum action necessary, and additional landscaping is provided elsewhere on site.*

3). 5ft pedestrian route to sidewalk

The applicant is required to provide on-site detention. The proposed detention area is located on the southern portion of the property. The grade of the detention area makes it difficult to provide an accessible, 5ft wide pedestrian route south of the parking lot. A route could be

located on the north side, but the applicant would then need to remove the landscaping which provides a buffer to the northern property and beautifies the area. *Staff supports the requested variance since the property has physical challenges resulting from on-site detention, that make strict adherence to the ordinance difficult.*

4). Pedestrian path through the parking lot to the entrance

Division 12 of the zoning ordinance requires a pedestrian path through the parking lot. Due to the location of the storm water detention area, and aforementioned physical challenges with the property, *Staff supports a variance from requiring a 5ft pedestrian path through the parking lot to the entrance, since the property has physical characteristics that make strict adherence to the code difficult.*

Compliance with the Comprehensive Plan 2035

ED-4.2 Prioritize infill and development to spur growth and reinvestment in the City.

ED-4.4a. Evaluate the existing commercial areas and sites for adaptive reuse, particularly in the context of changing demands.

Tier 1 Infill Redevelopment priority.

Findings of Fact:

The legislative site plan review process is intended to protect the public interest in safety, economy, and from adverse site development that may be detrimental to neighboring property owners and the surrounding area. The following standards and objectives shall guide the review of City staff, the Planning Commission, and the City Council in deciding on the proposed site plan (44.17-9):

- A. *The extent to which potential incompatibilities between the proposed development and surrounding existing development and/or zoning is minimized by such design features as placement of buildings, parking areas, access driveways and existing or proposed topography.* The proposed use is compatible with surrounding uses. The proposed site plan exceeds minimum landscaping requirements and bicycle parking requirements. The landscaping north of the parking lot will provide an attractive development that will improve the commercial park and function as a buffer for the adjoining development. **The standard is met.**
- B. *The extent to which the proposal minimizes any adverse impact of the development upon adjoining land, including the hours of use and operation and the type and intensity of activities which may be conducted.* The proposed use is compatible with the surrounding uses. **The standard is met.**
- C. *The extent to which adequately improved streets connected to the improved arterial street system are available or can be reasonably supplied to serve the uses proposed in the development.* The street system is adequate for the proposed development. The primary entrance for the restaurant will be from Finance Drive. The primary entrance for the

brewery and deliveries will be from Currency Drive, reducing congestion in the proposed parking lot. **The standard is met.**

*D. The extent to which the proposed development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed. **The standard is met.***

STAFF RECOMMENDATION:

That the Planning Commission recommend City Council approve the Site Plan submitted by Bellas Landscaping LLC for outdoor seating and parking lot at 5 Finance Drive, case PR-01-19.

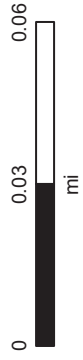
Respectfully submitted,
Planning Staff

Attachments:

1. Staff comments
2. Draft Ordinance
3. Exhibit A-“Legal Description”
4. Exhibit B- Site Plan
5. Petition for site plan review
6. Aerial Map
7. Zoning Map
8. Newspaper publication and neighborhood notice



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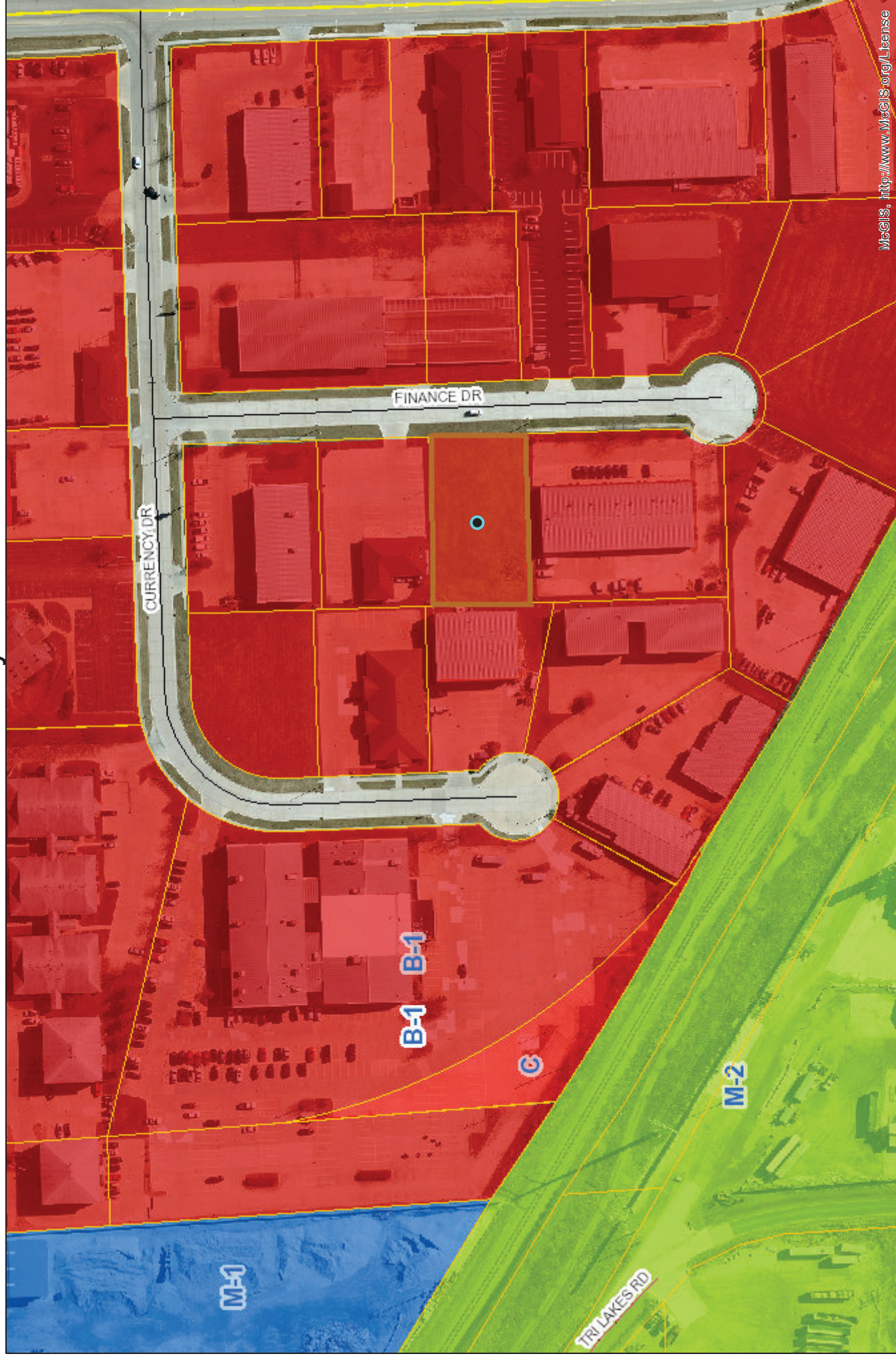


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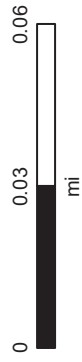
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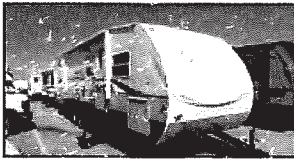
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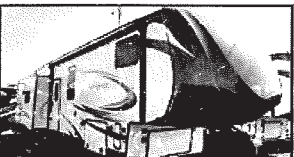
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Vegas - 2014
Thor Motor Coach 24.1 \$45,995
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www.FOURWINDSRV.com



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www.FOURWINDSRV.com

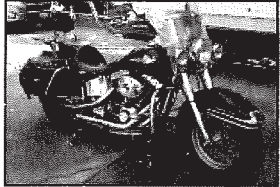


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Jay Sport 8SD \$7,900
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Legal Inside

58205
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
Planning Commission - October
9, 2019

Notice is hereby given that the
Planning Commission of the
City of Bloomington, Illinois, will
hold a public hearing on
October 9, 2019 at 4 pm in the
Council Chambers of City Hall
Building, 109 E. Olive St.,
Bloomington, Illinois, on the
following site plan applications:
1) Application submitted by Bel-
las Landscaping LLC (2405
Fox Creek Rd., Bloomington, IL
61705) for a site plan review at
property located at 5 Finance
Dr., Bloomington, IL.
PIN: 21-15-105-022
LEGAL DESCRIPTION: (COM-
MERCE PARK 27TH ADD LOT
41 .48 ACRES)
2) Application submitted by Car-
mala LLC (924 E. Eldorado St.,

Legal Inside

Decatur, IL 62521) for a site
plan review at property located
at 802 E. Washington St.,
Bloomington, IL.
PIN: 21-04-431-029
LEGAL DESCRIPTION: (MR
QUICK SUB LOT 1 .31
ACRES)
All interested persons may
present their views upon such
matters pertaining thereto at
the meeting. The petitioner or
his/her Counsel/Agent must
attend the meeting. The applica-
tion is on file for public
review at the City of Bloomington
Community Development
Department, 115 E. Washing-
ton St., Suite 201, Bloomington,
IL 61701

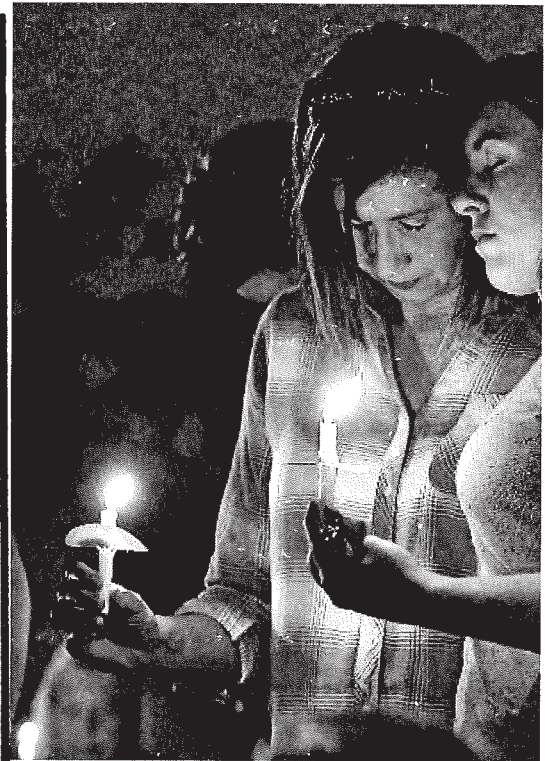
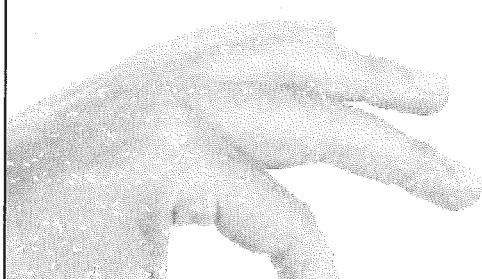
In compliance with the American
with Disabilities Act and other
applicable federal and
state laws, the hearing will be
accessible to individuals with
disabilities. Persons requiring
auxiliary aids and services
should contact the City Clerk,
preferably no later than five
days before the hearing. The
City Clerk may be contacted
either by letter at 109 E. Olive
St., Bloomington, IL 61701, by
telephone at 309-434-2240, or
email cityclerk@cityblm.org
The City Hall is equipped with a
text telephone (TTY) that may
also be reached by dialing
309-829-5115.

Published: September 16, 2019

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Connie Robinson, left, hugs her daughter Kayla Comp
Church of Christ, on Sept. 25, 2017, during a vigil for v
Antioch, Tenn. A man charged in the shooting express
to police records.

NY schools fir petition power

RYAN TARINELLI
Associated Press

ALBANY, N.Y. — Schools
across New York began the
academic year with a new
tool intended to prevent
student suicides and vio-
lence: the ability to ask a
court to remove a troubled
person's access to firearms.

About a third of U.S.
states have so-called "red
flag" laws, which allow
courts to temporarily seize
guns from people believed
to be a danger to them-
selves or others, but New
York is the first to empower
schools to petition a court
themselves for such an order,
rather than go through
local law enforcement.

In New York, school
principals are now allowed
to petition the court for an
"extreme risk protection

pressed and suicidal
about if a student or
a classmate talking
hall or sees post o:
media about wan
shoot up the schoo
when should a sch
turn to law enforc
rather than try to h
petition themselves

John Kelly, a
president of the Ne
Association of Sch
chologists, said he
schools would file p
only in the most c
cases. Schools th
low best practices,
should have threat
assessment proto
help them decide w
situation is serious
for court interventi
That process, h
should include find
the context of the



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701
(309)434-2226
planning@cityblm.org

September 16, 2019

Dear Property Owner or Resident:

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on October 9, 2019 at 4 pm in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony for a petition submitted by Bellas Landscaping LLC requesting a site plan review of "Lil Beaver Brewery Parking lot" for the property located at 5 Finance Drive in Bloomington, IL. The project involves the addition of a parking area east of Lil Beaver Brewery, currently located at 16 Currency Drive. The Site Plan Review process intends to facilitate comprehensive development of an area by reducing impacts or conflicts on surrounding properties and is regulated by Division 17-9 of the Zoning Ordinance.

The subject property is legally described as follows:

COMMERCE PARK 27TH ADD LOT 41 .48 ACRES (PIN:21-15-105-022)

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email planning@cityblm.org or call at (309) 434-2226.

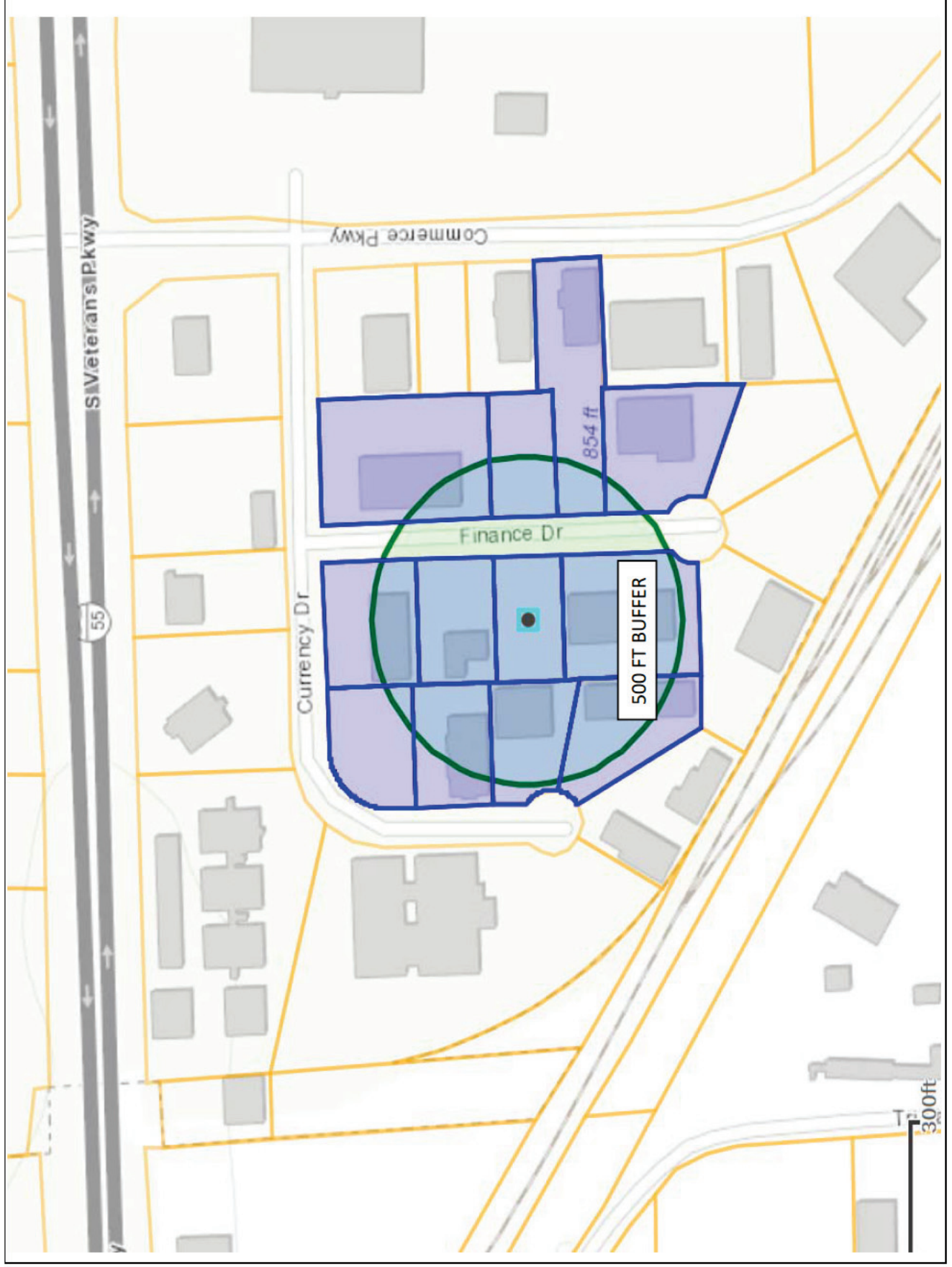
Sincerely,

Planning Division staff

Attachments:

Map of notified properties within 500 ft of subject property

PUBLIC HEARING ON OCT. 9, 2019 FOR A SITE PLAN REVIEW – 5 FINANCE DR



MARIGOLD PROPERTIES LLC

[REDACTED]
BLOOMINGTON, IL 61702

SHEILA BROWN

[REDACTED]
DECATUR, IL 62526

ROBERT BRIGGS

[REDACTED]
LONGBOAT KEY, FL 3422

EXCHANGE RIGHT REAL ESTATE LLC

[REDACTED]
PASADENA, CA 91101

ONPROP LLC

[REDACTED]
BLOOMINGTON, IL 61702

POTINI GROUP LLC

[REDACTED]
BLOOMINGTON, IL 61704

BC PROPERTY HOLDINGS LLC

[REDACTED]
DOWNS, IL 61736

ILLINOIS SOYBEAN PROGRAM

[REDACTED]
BLOOMINGTON, IL 61704

BCA LLC

[REDACTED]
LEXINGTON, IL 61753

ROCK ROSE PROPERTIES LLC

[REDACTED]
BLOOMINGTON, IL 61702

DAVID HORINE

[REDACTED]
BLOOMINGTON, IL 61705

RICK KESSINGER

[REDACTED]
Bloomington, IL 61704

SRIM LLC

[REDACTED]
NORMAL, IL 61761

OREILLY AUTO PARTS

[REDACTED]
SPRINGFIELD, MO 65801

RAYMOND FAIRCHILD

[REDACTED]
BLOOMINGTON, IL 61704

JOHN SHANK

[REDACTED]
LA GRANGE, IL 60525

MCLEAN COMMERCIAL CORP

[REDACTED]
BLOOMINGTON, IL 61702

MCJEWELS LLC

[REDACTED]
BLOOMINGTON, IL 61704



CONSENT AGENDA ITEM NO. 7.K

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department

WARD IMPACTED: Ward 4

SUBJECT: Consideration and action on an Ordinance Approving an Application Submitted by Carmala, LLC Requesting Approval of the Site Plan for a Restaurant in the B-1 General Commercial District for the Property at 802 E Washington Street, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance and Site Plan be approved.

STRATEGIC PLAN LINK:

- Goal 3. Grow the Local Economy
- Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 3c. Revitalization of older commercial homes
- Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: On March 11, 2019, the City Council adopted revisions to Chapter 44 of the City Code, the Zoning Ordinance. The revised ordinance combined the Commercial and Business districts, carrying over the legislative site plan review requirement to apply to new construction, significant redevelopment and infill development projects in the business districts. The purpose of the site plan review process is to provide a platform for better, more creative design, and to promote a democratic and inclusive process for land development that will impact surrounding developments and uses. It also provides an opportunity for other governmental entities, like Connect Transit and the School Districts, to comment and ask questions about the proposed development. The legislative site plan review evaluates the general layout, location, and design of the project. It does not substitute as an approval of administrative site plan review by city staff prior to issuing building permits. All projects must obtain approvals from the Engineering and Building Safety Divisions prior to construction. If there are major changes to a site plan previously approved by City Council, the changes will require a new legislative review.

802 E. Washington Street, the subject property, is located at the northeast corner of Washington Street and Clinton Street. Clinton Street is a state route and an arterial road. Washington Street is a major collector road. The property is zoned B-1, General Commercial District and is adjacent to other properties zoned B-1 General Commercial. Surrounding uses include offices, a car wash, a Speed Lube/car repair, a car dealership, and convenience store. In 1964, the property was improved with a Mr. Quick's drive-thru restaurant. Mr. Quick's was demolished in 2002. Since then, the property has been vacant except for a large

billboard located on the site. The applicant is requesting to build a restaurant on the subject property. The use is permitted by right in the B-1 zoning district. The proposed site plan deviates from the following requirements from the zoning ordinance: 1) Parking lot perimeter landscaping side and rear setbacks, and 2) Pedestrian path through the parking lot. Additionally, City staff provided a list of technical comments that should be addressed as a part of the site plan approval. The list is attached to this report.

On Wednesday, October 9, 2019, the Planning Commission held a public hearing and conducted a legislative site plan review on the proposed site plan. The Commission recommended approval of the site plan with the technical staff comments, approval of a variance reducing the 6ft parking lot perimeter landscaping setback on the east side, and a variance eliminating the need to provide a pedestrian path through the parking lot. The Commission's recommendation is consistent with staff's recommendation.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bloomington Planning Commission held a public hearing on Wednesday, October 9, 2019. The City published notice of the hearing on September 16, 2019, in *The Pantagraph*. The City placed a large, metal notification sign on the property and mailed notices to the 35 property owners within 500 feet of the subject property. No one outside of the applicant spoke in favor or against the application. An adjacent property owner asked questions on the site plan but did not express opposition to the project. The Planning Commission voted unanimously, 7-0, to recommend approval of the site plan with the technical comments provided by staff, as well as, approval of two variances included.

FINANCIAL IMPACT: The proposed site plan encourages the redevelopment of a vacant and underutilized parcel. The investment could result in additional property tax, and sales tax revenues for the City.

COMMUNITY DEVELOPMENT IMPACT:

ED-4.2. Prioritize infill and development to spur growth and reinvestment in the City; ED-4.4a. Evaluate the existing commercial areas and sites for adaptive reuse, particularly in the context of changing demands; N-1.1c. Improve the walkability to destinations such as schools, parks, and neighborhood commercial centers to preserve and enhance the walkable character of neighborhoods; and D-2.1c. Create and sustain consistent downtown streetscape and design, including gateway areas. Tier 1 Infill Redevelopment priority.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:

Katie Simpson

Katie Simpson, City Planner

10/15/2019



Chris Tomertin, Budget Manager

10/16/2019

George Boyle

George Boyle, Assistant Corporation Counsel

10/21/2019



Leslie Yocum, City Clerk

10/22/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- CD 2B Ordinance 2019 - 77_802 E Washington St.
- CD 2C Exhibit B_802 E Washington Site Plan review
- CD 2D 802 E Washington_staff report_
- CD 2E Exhibit C_staff comments
- CD 2F Application for Site Plan Review_802 E Washington St
- CD 2G Aerial Map_802 E Washington Street
- CD 2H Zoning Map_802 E Washington Street
- CD 2I Notices_802 E Washington
- CD 2J Draft Minutes PC 10.09.19

ORDINANCE NO. 2019 - 77

AN ORDINANCE APPROVING AN APPLICATION SUBMITTED BY CARMALA, LLC REQUESTING APPROVAL OF THE SITE PLAN FOR A RESTAURANT IN THE B-1 GENERAL COMMERCIAL DISTRICT FOR THE PROPERTY AT 802 E WASHINGTON STREET

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, an application requesting a legislative site plan review for a restaurant in the B-1 General Commercial District for the land described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, after proper notice, the City of Bloomington Planning Commission held a public hearing and determined said site plan, dated September 11, 2019, represented in Exhibit B attached hereto and made a part hereof by this reference, complies with the purposes of the zoning ordinance as well as the standards and objectives set forth therein; and

WHEREAS, the Planning Commission recommended the City Council of the City of Bloomington approve said site plan after the technical comments proposed by staff, represented in Exhibit C and attached hereto and made a part hereof by this reference, are addressed;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the site plan, dated September 11, 2019, pertaining to the property located 802 E. Washington Street and represented in Exhibit B and revised to address the staff comments, represented in Exhibit C, is hereby approved.
2. That this Ordinance shall be in full force and effective as of the date of its passage and approval.

PASSED this 28th day of October 2019.

APPROVED this ____ day of October 2019.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk

Exhibit A

802 E Washington

PIN: 21-04-431-029

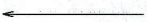
MR QUICK SUBDIVISION LOT 1

.31 ACRES

Exhibit B

Site Plan

10' SET BACK LINE



SURFACE DRAINAGE

1

2

3

4

5

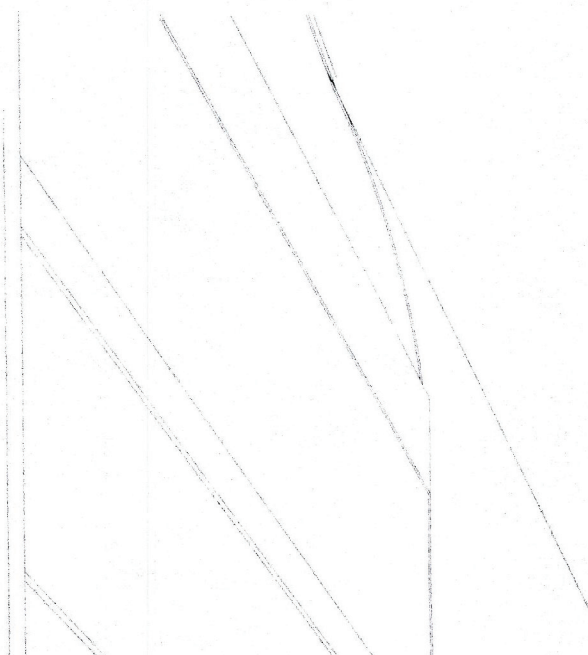
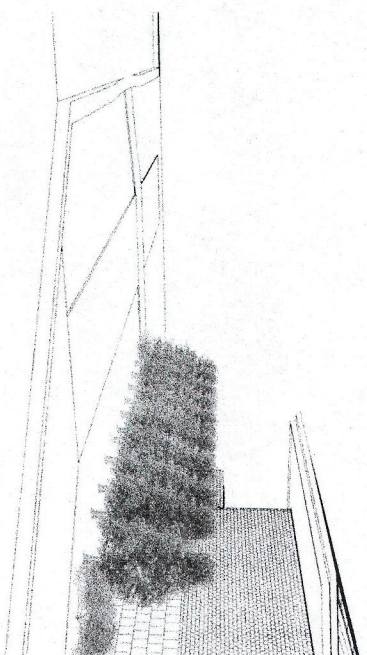
6

7

115.0'

PERS

PERSPEC



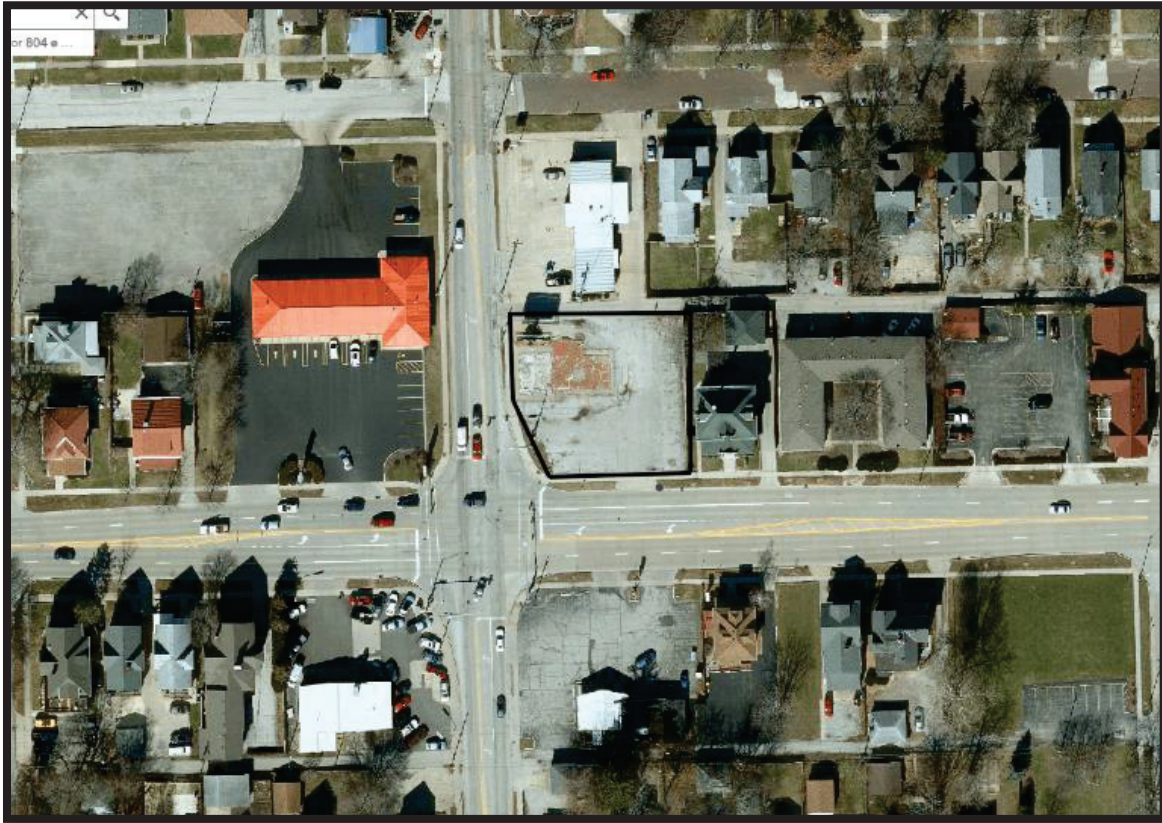
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**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
October 9, 2019**

CASE NUMBER:	SUBJECT PROPERTY:	TYPE:	SUBMITTED BY:
PR-02-19	802 E. Washington Street	Legislative Site Plan Review	Planning Division
PETITIONER'S REQUEST:	Legislative site plan review for a new restaurant at 802 E. Washington St.		
Staff finds that the application will meet the Zoning Ordinance's guidelines for a legislative site plan review once the staff's review comments are addressed.			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:
That the City Council approve the Site Plan, submitted by Carmala, LLC for a restaurant at 802 E. Washington Street, with the incorporation of staff comments case PR-02-19.



NOTICE

The application has been filed in conformance with applicable procedural requirements. Notice of the hearing was published in *The Pantagraph* on Monday, September 16, 2019.

GENERAL INFORMATION

Owner and Applicant: Carmala, LLC

PROPERTY INFORMATION

Existing Zoning: B-1 General Commercial District
Existing Land Use: Billboard/Vacant land, formerly Mr. Quick's restaurant.
Proposed Use: Restaurant.
Legal Description: MR QUICK SUB LOT 1

Surrounding Zoning and Land Uses

Zoning

North: B-1 General Commercial District
South: B-1 General Commercial District
East: B-1 General Commercial District
West: B-1 General Commercial District

Land Uses

North: Car Wash
South: Convenient Store
East: Office/Apartments
West: Auto service/repair

PROJECT DESCRIPTION

802 E. Washington Street, the subject property, is located at the northeast corner of Washington Street and Clinton Street. Clinton Street is a state managed route and an arterial road.

Washington Street is a major collector road. The property is zoned B-1, General Commercial District and is adjacent to other properties zoned B-1 General Commercial. Surrounding uses include offices, a car wash, a Speed Lube/car repair, a car dealership, and convenience store. In 1964, the property was improved with a Mr. Quick's drive-thru restaurant. Mr. Quick's was demolished in 2002. Since then, the property has been vacant except for a large billboard located on the site.

The applicant is requesting to build a restaurant on the subject property. The use is permitted by right in the B-1 zoning district. Additionally, the zoning ordinance requires a legislative site plan review for new development in the commercial districts. The purpose of the legislative site plan review is to ensure the proposed development is compatible with the area, meets the standards of the zoning ordinance, and the intention of the Comprehensive Plan. In instances where a redevelopment requires a variance or deviation from the standards of the ordinance, the variance(s) are considered and reviewed during the legislative site plan review process.

The application and site plan are attached to this report. The Planning Commission is charged with reviewing the application submitted. The legislative site plan review gages the general layout, location, and design of the project. It does not substitute as an approval of administrative site plan review by city staff prior to issuing building permits. All projects must obtain approvals from the engineering and building safety division prior to construction. If there are major changes to a site plan previously approved by City Council, a new legislative review is required.

ANALYSIS

Submittals

This report is based on the following documents, which are on file at the Community

Development Department:

1. Application
2. Site Plan
3. Photometric Plan
4. Aerial photographs
5. Site Visit

The table below illustrates the zoning requirements and provided elements. **Bold** illustrates areas where the site plan is not compliant with the regulations, and where a variance/relief is needed.

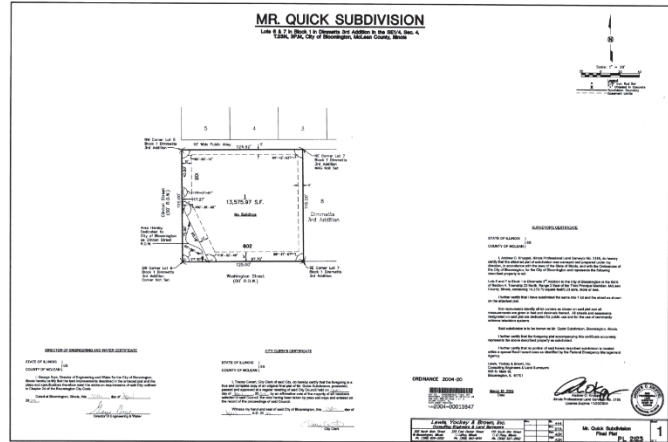
<i>Site Area</i>	13,939 square feet (.31 acres)		
<i>Building Area</i>	1, 937 square feet		
<i>Requirement</i>	<i>Allowed/Required</i>	<i>Provided</i>	<i>Deviation</i>
Floor Area Ratio (FAR)	0.8	0.13	Compliant
Front yard setbacks	0ft	0ft	Compliant
Side yard building setbacks	5ft	5ft	Compliant
Rear yard building setbacks	5ft	5ft	Compliant
Front easement setback	10ft	0ft	-10ft
Parking spaces	15 ^{ab}	15 ^{ab}	0
Bicycle parking	2	4	+2
Minimum aisle widths	24ft	38ft to 56 ft	Compliant
Minimum parking stall dimensions (width/length)	8.5/18	9/19	+0.5/+1
Parking lot perimeter landscaping (front/sides/rear)	12ft/6ft/6ft	12ft/0ft/0ft	0ft/-6ft/-6ft
Building Foundation landscaping	Required	Provided but located in public parkway	Public property
Landscape island every 10 parking spaces	NA	NA	NA
5ft pedestrian connection to sidewalk	Required	Provided	Compliant
5ft pedestrian connection to entrance from parking lot	Required	Not provided	Not provide
Dumpster screening	6ft masonry or wood fence	6ft masonry or wood fence	Compliant
Dumpster location	Rear yard	Front yard	Front yard
Transitional yard landscaping	NA	NA	NA
Lighting Plan	Required	Provided	Compliant
Storm water management	Must comply with storm water requirements	Agreed to comply with storm water requirements	Compliant

^a10% reduction for proximity to bus stop (-2)

^b10 % reduction for proximity to residential units (-2)

Property Physical Constraints:

The subject property has physical hardships that make redevelopment challenging. The property is located at the intersection of two major roads, making it difficult to relocate entrances. In fact, the property does not have access onto Clinton Street, route controlled by the State of Illinois, and relies on the public alley on the north side of the parcel for ingress and egress. Additionally, in 2004, the City of Bloomington acquired additional right-of-way from the property, reducing the size of the lot. The City installed a stop light mast arm that projects over Clinton Street and is in the grassy area just behind the sidewalk. At the time, a 10ft easement was also platted along the width of the frontage of the lot. The curved front also makes design and building location challenging.



The applicant requested the following variances in their application:

1). 10-foot easement and setbacks

The proposed site plan shows the building located within the 10ft easement. City staff encouraged the developer to consider locating the building towards the front of the lot, rather than the rear, to encourage a walkable environment and for consistency with the older commercial structures, like the Bloomington High School, or neighboring house/office conversion, and the residential structures. An alternative configuration could include parking in front of the building and the building at the rear of the site near the alley. This alternative favors cars over pedestrians and bicycles, and decreases the walkability of the corridor. Additionally, locating the building closer to the street enhances safety since the windows overlook the bus stop, sidewalk, and the interior parking lot (encouraging “eyes on the street”). The building lighting can help light the sidewalk as well. However, the building cannot encroach into the easement. *Therefore, staff is recommending that the building is shifted either 10ft to the east or shifted 5ft to the east while vacating a portion of the easement.* The applicant recently requested a JULIE of the property. No utilities were in the easement. Vacating a portion of the easement requires letters from the utility companies and City Council approval.

2). Parking lot perimeter landscaping side and rear setbacks.

The ordinance requires a 6ft side and rear perimeter landscaping setback for parking lots visible from the street. The proposed site plan does not show a landscaping setback on the side and rear of the parking lot. The 10ft easement forces the developer to shift the building east, causing a physical challenge for meeting the eastern perimeter setback. *Staff is supportive of a variance to eliminate the landscaping setback on the east side of the parking lot since the property has physical characteristics that make meeting this requirement challenging.*

However, to delineate the alley from the parking lot and improve circulation, staff recommends the petitioner include a 6ft landscaping setback and narrow proposed the

ingress/egress. *Staff does not support the requested variance from the north setback requirement along the alley.*

3). To use the city property to facilitate landscaping requirements on the southwest corner of the property.

The site plan shows building and foundation landscaping located in the parkway. During review of the proposed plan, staff learned of a 10ft easement located at the property line. The easement necessitates a slight shift of the building. Moving the building negates the need for locating plantings in the parkway. *Therefore, staff is not supportive of the request. Staff recommends against planting the required landscaping in the right-of-way.* This does not preclude the city from adding additional landscaping in the right-of-way in the future.

4). Dumpster location and screening.

The dumpster is proposed next to the building and close to the sidewalk. While the proposed dumpster complies with the required screening, the dumpster's location deviates from the requirements of the code. Dumpsters are not allowed in the required front yard setbacks. *Staff recommends relocating the dumpster to the northeast corner.* The area where the dumpster is currently proposed could then be converted into parking to ensure the development meets the required number of parking spaces.

5). Pedestrian path through the parking lot.

Division 12 of the zoning ordinance requires a pedestrian path through the parking lot. Due to the building's location by the sidewalk, and the size of the parking lot, *staff supports a variance from requiring a 5ft pedestrian path through the parking lot to the entrance.*

Compliance with the Comprehensive Plan 2035

ED-4.2 Prioritize infill and development to spur growth and reinvestment in the City.

ED-4.4a. Evaluate the existing commercial areas and sites for adaptive reuse, particularly in the context of changing demands.

N-1.1C Improve the walkability to destinations such as schools, parks, and neighborhood commercial centers to preserve and enhance the walkable character of neighborhoods.

D-2.1c Create and sustain consistent downtown streetscape and design, including gateway areas
Tier 1 Infill Redevelopment priority.

Findings of Fact:

The site plan review process is intended to protect the public interest in safety, economy, and from adverse site development that may be detrimental to neighboring property owners and the surrounding area. The following standards and objectives shall guide the review of City staff, the Planning Commission, and the City Council in deciding on the proposed site plan (44.17-9):

- A. The extent to which potential incompatibilities between the proposed development and surrounding existing development and/or zoning is minimized by such design features as placement of buildings, parking areas, access driveways and existing or proposed topography.* The building is located on the south side of the property near the streets and

has been designed to angle with the curvature of the lot to encourage a more pedestrian friendly design. Adding a landscaping setback to separate the alley from the parking lot will assist with circulation and minimize congestion of the alley. **The standard will be met once the additional landscape setback is added and the ingress/egress is narrowed and better defined.**

- B. *The extent to which the proposal minimizes any adverse impact of the development upon adjoining land, including the hours of use and operation and the type and intensity of activities which may be conducted.* The use is compatible with the adjacent and surrounding uses. **The standard is met.**
- C. *The extent to which adequately improved streets connected to the improved arterial street system are available or can be reasonably supplied to serve the uses proposed in the development.* The proposed development is located at the intersection of two major streets, and accessible via car. The streets are improved with pedestrian and transit facilities. **The standard is met.**
- D. *The extent to which the proposed development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed.* The use is compatible with surrounding uses and offers an amenity and destination to nearby residents. The applicant is favorable to locating the building closer to the street and providing parking in the rear of the property. This layout favors pedestrian walkability, is consistent with the nearby residential setbacks, and is consistent with other redevelopment in the area, such as The Foundry and Green Top Grocery located at 921 E. Washington. Additionally, the layout is compatible with building setbacks of the D-2, Downtown Transition District located within proximity to the subject property. The building's location and curvature encourage windows that overlook the sidewalk, the bus stop, and the parking lot. Washington Street is a gateway to Bloomington's Downtown and safety, as well as consistency are important design features. Due to site constraints, staff supports the variance for the parking lot perimeter landscaping setback on the east side of the property. The variance will allow a more pedestrian friendly building location and additional landscaping is provide by the foundation of the building. **The standard is met.**

STAFF RECOMMENDATION:

That the Planning Commission recommend City Council approve the Site Plan, submitted by Carmala, LLC for a restaurant at 802 E. Washington Street, with the incorporation of staff comments case PR-02-19.

Respectfully submitted,
Planning Staff

Attachments:

- | | |
|-------------------------------------|--|
| 1. Staff comments | 6. Zoning Map |
| 2. Draft Ordinance | 7. Aerial Map |
| 3. Application for site plan review | 8. Newspaper publication and neighborhood notice |
| 4. Exhibit A-"Legal Description" | |
| 5. Exhibit B- Site Plan | |

October 3, 2019

City of Bloomington Staff Comments:

- A 10ft easement borders the property. The building is shown as located in the easement and will need to shift, approximately 10ft, to the east or if the easement does not contain utilities, shifted 5ft to the east while vacating a portion of the easement.
- Landscaping is shown in the public right-of-way rather than on the site. Shifting the building will allow the landscaping to be on the property.
- There is a Connect Bus Stop at the intersection. Coordinate with Connect Transit for any Transit infrastructure needed such as a bus stop pad.
- Stormwater Detention Requirements will be triggered by this work. Investigate inclusion of onsite storm water detention to comply with requirements. A fee in lieu may be available at the discretion of the City Engineer.
- Entrance from the alley needs to be narrowed and improved with a curb and/or approach within the alley. Narrow the opening to the alley in compliance with the Manual of Practice (Standard 4.06F).
- A 6ft parking lot perimeter landscaping setback is required between the alley and the parking lot.
- Flow of traffic in alley is one way westbound. Provisions should be made for traffic flow to/from this site. Provisions can be addressed at the same the approach is defined.
- Relocate dumpster to the rear of the property, away from the sidewalk. A parking space could be added where the dumpster is to account for the lost space.
- Align the parking spaces 12-14 with handicap parking to facilitate safer circulation. The area by the building could be additional landscaping, additional bicycle parking (if needed), or outdoor seating.
- Show details of ADA accessible route into the building.
- Luminaries should use full cutoff luminaire positioned in a way to maximize the cutoff effect.

Exhibit C

City of Bloomington staff technical comments on 802 E Washington Street site plan dated
September 11, 2019

October 3, 2019

- A 10ft easement borders the property. The building is shown as located in the easement and will need to shift, approximately 10ft, to the east or if the easement does not contain utilities, shifted 5ft to the east while vacating a portion of the easement.
- Landscaping is shown in the public right-of-way rather than on the site. Shifting the building will allow the landscaping to be on the property.
- There is a Connect Bus Stop at the intersection. Coordinate with Connect Transit for any Transit infrastructure needed such as a bus stop pad.
- Stormwater Detention Requirements will be triggered by this work. Investigate inclusion of onsite storm water detention to comply with requirements. A fee in lieu may be available at the discretion of the City Engineer.
- Entrance from the alley needs to be narrowed and improved with a curb and/or approach within the alley. Narrow the opening to the alley in compliance with the Manual of Practice (Standard 4.06F).
- A 6ft parking lot perimeter landscaping setback is required between the alley and the parking lot.
- Flow of traffic in alley is one way westbound. Provisions should be made for traffic flow to/from this site. Provisions can be addressed at the same time the approach is defined.
- Relocate dumpster to the rear of the property, away from the sidewalk. A parking space could be added where the dumpster is to account for the lost space.
- Align the parking spaces 12-14 with handicap parking to facilitate safer circulation. The area by the building could be additional landscaping, additional bicycle parking (if needed), or outdoor seating.
- Show details of ADA accessible route into the building.
- Luminaries should use full cutoff luminaire positioned in a way to maximize the cutoff effect.

**CITY OF BLOOMINGTON
APPLICATION FOR SITE PLAN
REVIEW**



To the City of Bloomington:

I (we), the undersigned, do hereby respectfully petition the City of Bloomington for a site plan review as set forth herein, pursuant to Division 17-9 Site Plan Review Procedures set forth in Chapter 44 of the Bloomington City Code, and in support thereof state the following facts and make the following certifications and agreements:

1. **The name of the proposed development is:** LuLu's Pizza Emporium
2. **The property in question is legally described below and attached as Exhibit A:**
Lot 1 in Mr. Quick Subvision, being a part of Lots 6 and 7 in Block 1 in Dimmetts 3rd Addition in the Southeast 1/4 of Section 4,
Township 23 North, Range 3 East of the Third Principal Meridian, according to the Plat thereof recorded
April 30, 2004 as Document No. 2004-13847, in McLean County, Illinois; Permanent Tax Index No. 21-04-431-029
3. **The property has the following common address:**
802 E. Washington Street
4. **The property has the following zoning classification:** B-1
5. **The approximate size of the property is as follows:**
125' +/- (feet wide) 98-125' +/- (feet long)
6. **The names and addresses of the property owners making this request are as follows:**

<u>Mark R. Allen dba Carmala, LLC</u>	<u>Carl R. Muench dba Carmala, LLC</u>
(First & Last Name)	(First & Last Name)
<u>924 E. Eldorado St.</u>	<u>924 E. Eldorado St.</u>
(Street Address)	(Street Address)
<u>Decatur, IL 62521</u>	<u>Decatur, IL 62521</u>
(City & Zip Code)	(City & Zip Code)

**Please attach a separate sheet if there are additional property owners to be listed. Additional proof of ownership, pursuant to Division 17-3 of Chapter 44 of the City Code may be required.*

7. The site plan provided includes the following information:

- a) Location by Section, Town and Range or other legal description;
- b) Names and addresses of the persons having proprietary interest over the property;
- c) Graphic (engineering) scale;
- d) North-points;
- e) Date of preparation;
- f) The boundary lines of the property in question;
- g) Size, location, height, number of stories, building design, and arrangement of proposed buildings and structures and existing buildings and structures;
- h) Schematic drawings illustrating the locations and dimensions of proposed buildings and structures, the design and character of the building, elevations, exterior building materials and types of construction of all proposed buildings and structures;
- i) A scaled site plan showing the existing buildings and land uses, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation, and utilities.
- N/A j) A scaled site plan of the proposed development showing lot area, the required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, size, and location of proposed parking areas with arrangement of bays and aisles and curb cuts, and with indication of the total number of spaces;
- k) Schematic drawings illustrating the design and character of the building elevations, types of construction, and floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and floor area of all uses or combinations of uses, and the floor area of the entire development.
- l) Size, location, and composition of all proposed fencing, refuse enclosures, and landscaped screening material;
- m) Landscaping plan indicating size, location, and general characteristics of plant materials as specified in 13 of this Zoning Ordinance if the project would result in new landscaping or landscape changes.
- n) A site drainage plan for the proposed project if required. Due to small size a "fee in lieu of" is requested
- o) A photometric/lighting plan for the proposed project if the project would result in new exterior lighting or changes to exterior lighting.

8. The Applicant(s) requests the following variations to the bulk, sign, and off-street parking and loading regulations of Chapter 44 of the City Code (if applicable):

Abuilding of approximately 1900 square foot is proposed. This requires 19 parking spaces. Property is within 1/2 mile of residential (-2)

on a bus route (-2) A 4 unit bike rack will be provided (-1). Additionally we can provide 6 regular plus 1 Handicapped parking spaces

across Clinton Street on the front lot of Speed Lube. We are requesting a variance from the set back requirement on the East property

line adjacent to the commercial property next door to facilitate a wider traffic aisle. We request the use of the city property on the Southwest corner to facilitate meeting the landscape requirements.

9. The Applicant(s) request consideration of the following uses, which would otherwise be allowed in the district by a special use permit (if applicable):

Pizza Restaurant with video gaming

10. This application complies with the standards for site plan approval set forth in Division 17 of Chapter 44 of the City Code.

11. To the fullest extent permitted by law, Applicant(s) agree to and hereby shall indemnify and hold harmless the City of Bloomington, its officers, officials, agents and employees from and against liability and all claims arising out of the site plan review.

12. Applicant(s) agree to submit payment of any fees or costs associated with this application for the site plan review in accordance with Chapter 44 of the City Code.

13. All other facts, representations and agreements pertaining to this petition are as follows:

We will be submitting an application for a City Liquor License by the September 23rd deadline.

Anticipating contingent approval at the October 8th hearing based upon the October 9th Site Review panel meeting.

WHEREFORE, the Applicants(s) certify the above stated provisions are true and correct, agree to be bound by the indemnification provisions contained herein, and request the City of Bloomington approve the site plan provided in accordance with this Applicant.

Mark Allen

(Print Name)

(Signature)

9/11/19

(Date)

Carl Muench

(Print Name)

(Signature)

9-11-19

(Date)

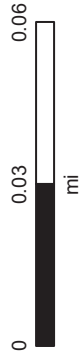
* Please attach a separate sheet if additional property owners must sign the petition.

McLean County GIS Consortium

10/3/2019



<http://www.McGIS.org/License>

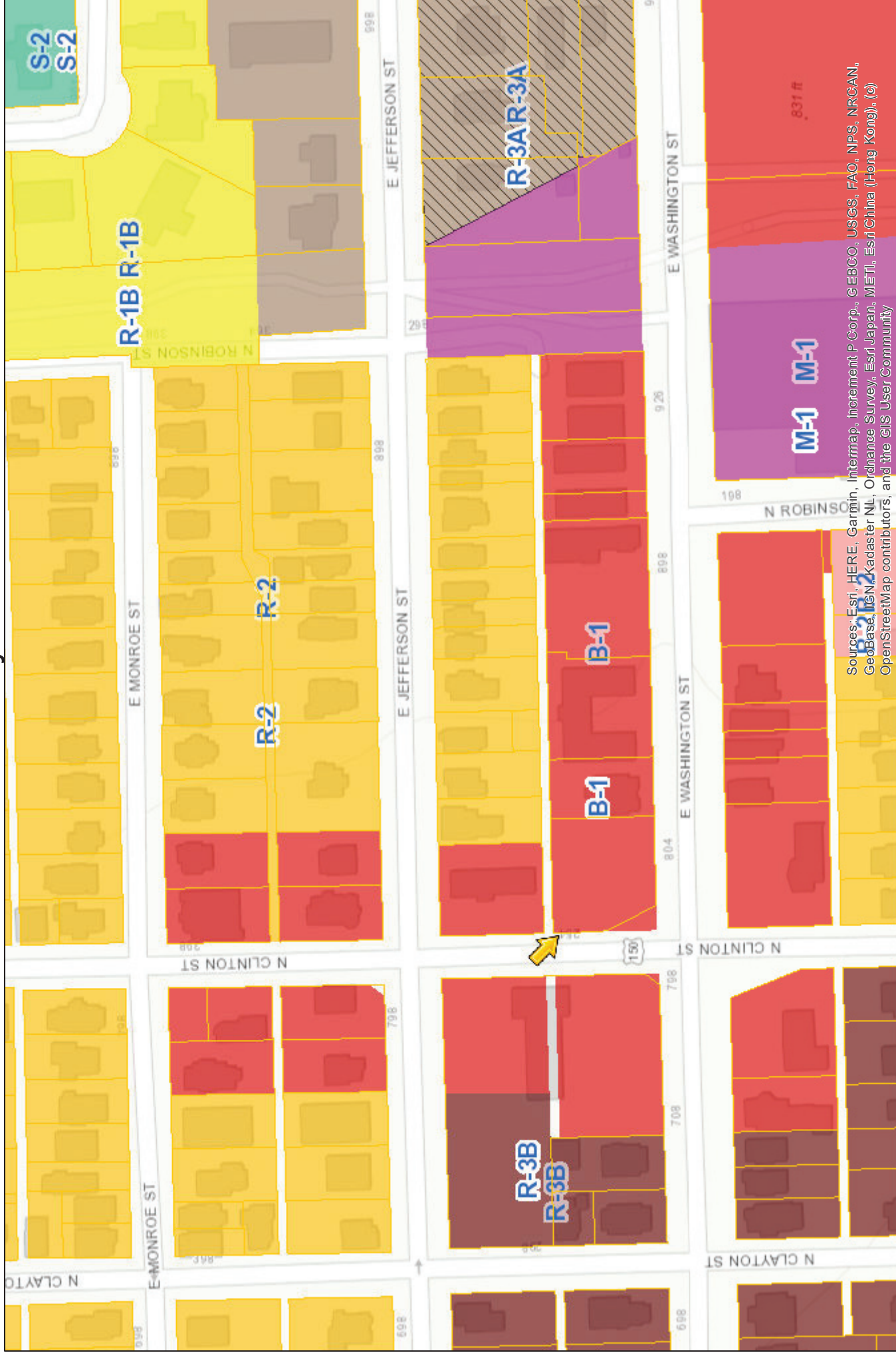


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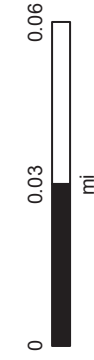
McLean County GIS Consortium

10/3/2019

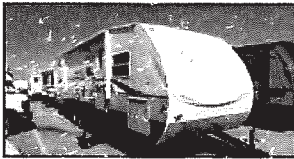


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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Campers-Motorhomes



Keystone Outback - 2008
Sydney Edition 31RQS \$9,995
Maroa, 800-528-9787
www.FOURWINDSRV.com



KZ Durango - 2011
1500 D275RL \$12,995
Maroa, 800-528-9787
www.FOURWINDSRV.com



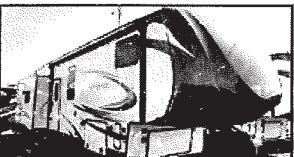
Shadow Cruiser - 2014
S-185FBS \$11,995
East Peoria, 800-528-9787
www.FOURWINDSRV.com



Vegas - 2014
Thor Motor Coach 24.1 \$45,995
Maroa, 800-528-9787
www.FOURWINDSRV.com



Riverside - 2016
28FBS RPM \$15,595
Maroa, 800-528-9787
www.FOURWINDSRV.com



Forest River - 2018
368RLBHK Salem \$39,990
Maroa, 800-528-9787
www.FOURWINDSRV.com

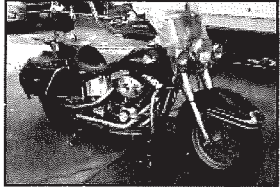


Jayco - 2018
Jay Sport 8SD \$7,900
East Peoria, 800-528-9787
www.FOURWINDSRV.com



Motorcycles-ATV-Golf Carts

2004 Heritage Soft Tail Classic



Sweet Pipes, Low Mls-22,300,
2 New Tires w/ less than 300
mils on them, 2 Seats, Cover,
Battery Tender, 4 Helmets,
Custom Chrome on Bike and
extra to go w/ it, Custom Head
and Tail Lights, Custom Grips,
Pegs & Floor Boards (extra
set), Leather Saddle Bags &
Matching T-Bag, Set of Chaps
& Leather Jacket. \$8000 obo.
Call 217-620-6488

Legal Inside

58205
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
Planning Commission - October
9, 2019

Notice is hereby given that the
Planning Commission of the
City of Bloomington, Illinois, will
hold a public hearing on
October 9, 2019 at 4 pm in the
Council Chambers of City Hall
Building, 109 E. Olive St.,
Bloomington, Illinois, on the
following site plan applications:
1) Application submitted by Bel-
las Landscaping LLC (2405
Fox Creek Rd., Bloomington, IL
61705) for a site plan review at
property located at 5 Finance
Dr., Bloomington, IL.
PIN: 21-15-105-022
LEGAL DESCRIPTION: (COM-
MERCE PARK 27TH ADD LOT
41 .48 ACRES)
2) Application submitted by Car-
mala LLC (924 E. Eldorado St.,

Legal Inside

Decatur, IL 62521) for a site
plan review at property located
at 802 E. Washington St.,
Bloomington, IL.
PIN: 21-04-431-029
LEGAL DESCRIPTION: (MR
QUICK SUB LOT 1 .31
ACRES)
All interested persons may
present their views upon such
matters pertaining thereto at
the meeting. The petitioner or
his/her Counsel/Agent must
attend the meeting. The applica-
tion is on file for public
review at the City of Bloomington
Community Development
Department, 115 E. Washing-
ton St., Suite 201, Bloomington,
IL 61701

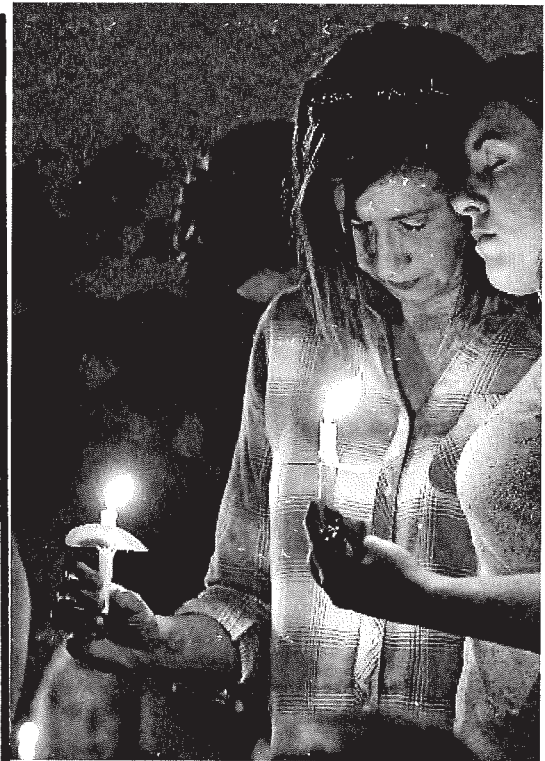
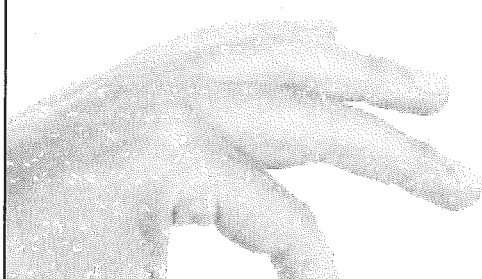
In compliance with the American
with Disabilities Act and other
applicable federal and
state laws, the hearing will be
accessible to individuals with
disabilities. Persons requiring
auxiliary aids and services
should contact the City Clerk,
preferably no later than five
days before the hearing. The
City Clerk may be contacted
either by letter at 109 E. Olive
St., Bloomington, IL 61701, by
telephone at 309-434-2240, or
email cityclerk@cityblm.org
The City Hall is equipped with a
text telephone (TTY) that may
also be reached by dialing
309-829-5115.

Published: September 16, 2019

**EARN
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DRIVING SALES

When it comes to cars, nothing has
more horsepower than newspaper
advertising to ignite customers.



Connie Robinson, left, hugs her daughter Kayla Comp
Church of Christ, on Sept. 25, 2017, during a vigil for v
Antioch, Tenn. A man charged in the shooting express
to police records.

NY schools fir petition power

RYAN TARINELLI
Associated Press

ALBANY, N.Y. — Schools
across New York began the
academic year with a new
tool intended to prevent
student suicides and vio-
lence: the ability to ask a
court to remove a troubled
person's access to firearms.

About a third of U.S.
states have so-called "red
flag" laws, which allow
courts to temporarily seize
guns from people believed
to be a danger to them-
selves or others, but New
York is the first to empower
schools to petition a court
themselves for such an order,
rather than go through
local law enforcement.

In New York, school
principals are now allowed
to petition the court for an
"extreme risk protection

pressed and suicidal
about if a student or
a classmate talking
hall or sees post o:
media about wan
shoot up the schoo
when should a sch
turn to law enforc
rather than try to h
petition themselves

John Kelly, a
president of the Ne
Association of Sch
chologists, said he
schools would file p
only in the most c
cases. Schools th
low best practices,
should have threat
assessment proto
help them decide w
situation is serious
for court interventi
That process, h
should include find
the context of the



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701
(309)434-2226
planning@cityblm.org

September 16, 2019

Dear Property Owner or Resident:

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on October 9, 2019 at 4 pm in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony for a petition submitted by Carmala LLC requesting a site plan review for the property located 802 E. Washington St. The project involves development of LuLu's Pizza Emporium. The Site Plan Review process intends to facilitate comprehensive development of an area by reducing impacts or conflicts on surrounding properties and is regulated by Division 17-9 of the Zoning Ordinance.

The subject property is legally described as follows:

MR QUICK SUB LOT 1 .31 ACRES (PIN: 21-04-431-029)

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e. lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email planning@cityblm.org or call at (309) 434-2226.

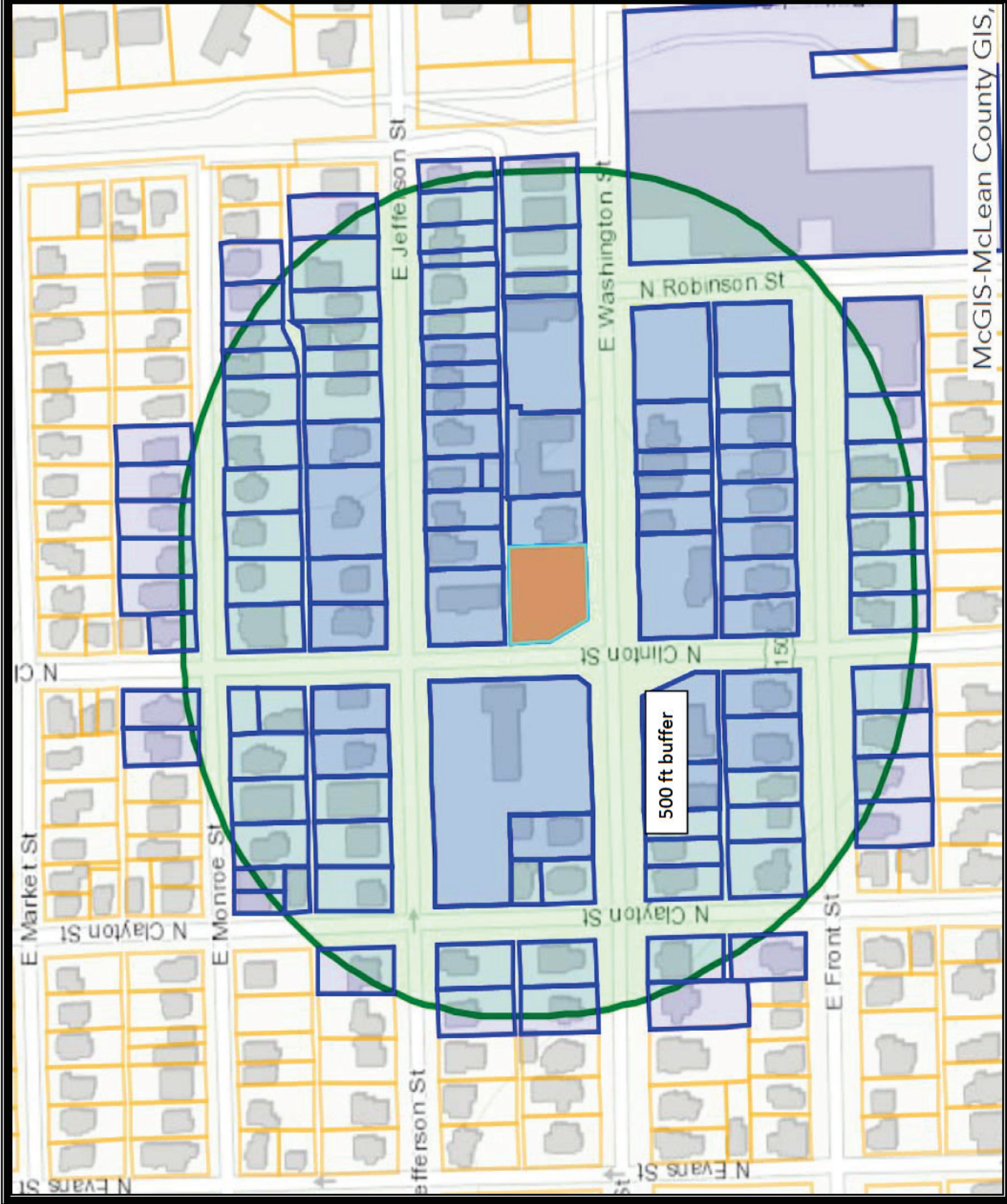
Sincerely,

Planning Division staff

Attachments:

Map of notified properties within 500 ft of subject property

PUBLIC HEARING ON OCT.9, 2019 FOR A SITE PLAN REVIEW – 802 E WASHINGTON ST.



TONY & DEBORAH ADEKOYA

[REDACTED]

BLOOMINGTON, IL 61701

WAYNE PELHANK

[REDACTED]

BLOOMINGTON, IL 61701

DAVID & BECKYL ALTIC

[REDACTED]

BLOOMINGTON, IL 61701

WILLIAM & MARCY SWAIN

[REDACTED]

BLOOMINGTON, IL 61701

GERARDO CASTANEDA

[REDACTED]

BLOOMINGTON, IL 61701

JOHN THOMAS

[REDACTED]

BLOOMINGTON, IL 61701

TINA TRAUSCH

[REDACTED]

BLOOMINGTON, IL 61701

ELIZABETH JACKSON

[REDACTED]

BLOOMINGTON, IL 61701

ANNETTA MILLER

[REDACTED]

BLOOMINGTON, IL 61701

CORY PATTERSON

[REDACTED]

BLOOMINGTON, IL 61704

CHASE CAVALERA

[REDACTED]

BLOOMINGTON, IL 61701

SUZANNE KIDWELL

[REDACTED]

BLOOMINGTON, IL 61701

CINDY LEE

[REDACTED]

BLOOMINGTON, IL 61701

LYNN AMMERMAN

[REDACTED]

BLOOMINGTON, IL 61701

BRAD BUTZIRUS

[REDACTED]

BLOOMINGTON, IL 61702

BRIDGER WESTON HOLDINGS LLC

[REDACTED]

ARLINGTON, WA 98223

BETH MARIE WREZINSKI TRUST

[REDACTED]

HEYWORTH, IL 61745

MK2 PROPERTIES LLC

[REDACTED]

BLOOMINGTON, IL 61704

ANNETTA MILLER

[REDACTED]

BLOOMINGTON, IL 61701

KEVIN JONES

[REDACTED]

BLOOMINGTON, IL 61705

RANDY PRESCHER

[REDACTED]

BLOOMINGTON, IL 61701

HOLLY SANFORD

[REDACTED]

BLOOMINGTON, IL 61701

TODD KENLY ASHBROOK

[REDACTED]

BLOOMINGTON, IL 61705

ANDREW & CHARITI GENT KAHN

[REDACTED]

MADISON, WI 53719

RICHARD GREEN

[REDACTED]

DANVERS, IL 61732

ALAN WILLIAMS

[REDACTED]

HEYWORTH, IL 61745

MK2 PROPERTIES LLC

[REDACTED]

BLOOMINGTON, IL 61704

THOMAS & NANCY MARKO

[REDACTED]

NORMAL, IL 61761

WAYNE PELHANK

[REDACTED]

BLOOMINGTON, IL 61701

CARMALA

[REDACTED]

DECATUR, IL 62521

GARY & SALLY BOLLINGER ERWIN

[REDACTED]
BLOOMINGTON, IL 61701

BEER NUTS INC

[REDACTED]
BLOOMINGTON, IL 61702

FRONT AT WESTERN DEV INC

[REDACTED]
BLOOMINGTON, IL 61701

HELEN HETTINGER

[REDACTED]
EUREKA, IL 61530

SPEED LUBE INC

[REDACTED]
DECATUR, IL 62521

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, OCTOBER 9, 2019 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. David Stanczak; Mr. John Protzman; Mr. Justin Boyd; Mr. Mark Muehleck; Mr. Tyson Mohr; Mr. Thomas Kreiger; Chairperson Megan Headean.

MEMBERS ABSENT: Mr. Kevin Suess; Mr. Eric Penn; Ms. Megan McCann.

OTHERS PRESENT: Mr. Bob Mahrt, Community Development Director; Ms. Casey Weeks, Assistant City Planner; Mr. George Boyle, Assistant Corporate Council.

CALL TO ORDER: Chairperson Headean called the meeting to order at 4:05 PM. Mr. Mahrt called roll. With seven members present, the Commission established a quorum.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the minutes from the August 28, 2019 regular meeting. Mr. Boyd motioned to approve the minutes as presented; Mr. Stanczak seconded the motion. The minutes were approved by voice vote 7-0.

REGULAR AGENDA:

Mr. Mahrt provided an overview of the recent update to the Zoning Ordinance, which now established the requirement for legislative Site Plan Reviews for commercial developments in all Business Districts. The two public hearings on the agenda represent the first application of the regulations since adoption by the City Council on March 11, 2019. Mr. Mahrt outlined the general application criteria and the standards for conducting a Site Plan Review by the Planning Commission.

PR-01-19 Public Hearing, review and action on a site plan review application submitted by Bellas Landscaping LLC for a patio and parking lot in the B-1 General Commercial District at 5 Finance Drive (Ward 1).

Chairperson Haedean opened the public hearing and introduced the case. Ms. Weeks was sworn in and provided an overview of the case and the staff recommendation. The staff recommendation included approval of the application for outdoor seating and parking lot at 5 Finance Drive along with the four requested variances as follows: 1) variance to reduce the front yard landscaping setback for the parking lot, 2) variance to waive the requirement for landscape islands installed in a parking lot with more than ten spaces, 3) variance to waive the requirement for pedestrian sidewalk from the public sidewalk to the building entrance, and 4) variance to waive the five foot sidewalk requirement through the parking lot entrance.

Mr. Boyd requested information on the process and timing for the developer to secure building permits with approvals by both the City Council and administrative site plan approval by City Staff. There was some general discussion on timing for legislative Site Plan Review being roughly 6-8 weeks and the administrative site plan review being 2-3 weeks before Building Permit issuance. There was continued discussion on whether the Commission should continue the discussion on the new processes under New Business.

Justin Bellas, petitioner, provided an overview of the development project and development constraints on the property. He expressed the need for approval of the requested variances.

Chairperson Haedean called for additional testimony in favor or opposition to the petition. There was none.

There being no further testimony, Chairperson Haedean closed the public hearing.

Commissioner Mohr made a motion to adopt the findings of fact and approve the petition for Site Plan Review with the requested variances as recommended by City Staff. Commissioner Justin Boyd seconded the motion.

Roll call vote to approve petitioner's request: Mr. David Stanczak - Yes; Mr. Justin Boyd - Yes; Mr. John Protzman - Yes; Mr. Mark Muehleck - Yes; Mr. Tyson Mohr - Yes; Mr. Krieger - Yes; Chairperson Megan Headean - Yes.

PR-02-19 Public Hearing, review and action on a site plan review application submitted by Carmala LLC for a restaurant in the B-1 General Commercial District at 802 E Washington Street (Ward 4).

Chairperson Haedean opened the public hearing and introduced the case. Ms. Weeks was sworn in and provided an overview of the case and the staff recommendation. The staff recommendation included approval of the application for a restaurant at 802 East Washington Street with development conditions and conditional approval of requested variances as follows: 1) condition to shift the building either 10 feet to the east or shift the building 5 feet to east while vacating a portion of existing easement along the west property line; 2) variance to eliminate the landscaping setback on east property line while maintaining the requirement for perimeter landscaping adjacent to the alley right-of-way; 3) condition that no required plantings be located within public right-of-way; 4) condition to relocate dumpster to northeast corner of the property; and 5) variance to waive the requirement for pedestrian sidewalk from the public sidewalk to the building entrance.

Mr. Boyd requested information on site lighting and the impact on the adjoining properties to the east. Mr. Mahrt indicated that lighting would be required within the parking lot, but that lighting would need to be shielded to prevent glare on adjoining residential uses.

Mr. Mohr requested information on the need to relocate the dumpster and was encouraged by the building placement which maintained the streetscape along Washington Street. Mr. Mahrt

replied that the refuse disposal areas are not to be located in the required street front of the property.

Mr. Mark Allen, petitioner, provided an overview of the development project. He indicated that the property owners completed a survey of the property and found some discrepancies in the alley right-of-way. He also indicated an interest in working with IDOT to establish a two-way alley.

Chairperson Haedean called for additional testimony in favor or opposition to the petition.

Mr. Mark Kudrys indicated that he owned property in the vicinity and that he wanted to view the building configuration on the property and the proposed location of the mechanicals. After viewing the renderings provided he stated he had no further questions and was happy to see something get developed. He further requested information on the removal of the billboard.

Mr. Allen indicated that the billboard would be removed.

There being no further testimony, Chairperson Haedean closed the public hearing.

Commissioner Mohr made a motion to adopt the findings of fact and approve the petition for Site Plan Review with the conditions and variances as recommended by City Staff. Commissioner Justin Boyd seconded the motion.

Roll call vote to approve petitioner's request: Mr. David Stanczak - Yes; Mr. Justin Boyd - Yes; Mr. John Protzman - Yes; Mr. Mark Muehleck - Yes; Mr. Tyson Mohr - Yes; Mr. Krieger - Yes; Chairperson Megan Headean - Yes.

OLD BUSINESS: None.

NEW BUSINESS: There was general discussion amongst commission members in regard to the newly adopted legislative Site Plan Review and the potential impacts on the business community. A request was put forth by the membership for Staff to provide a summary of the process and the benefits of the Site Plan Review for discussion at a future meeting.

ADJOURNMENT: The meeting was adjourned at 4:46 pm by voice vote, motioned by Mr. Muehleck and seconded by Mr. Boyd.

Respectfully submitted,
Bob Mahrt
Community Development Director

REGULAR AGENDA



REGULAR AGENDA ITEM NO. 8.A

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration of approving a Professional Services Agreement in the amount of \$49,810.00 with The Lakota Group (as per RFP 2020-17) to create a Community Preservation Plan for the City of Bloomington, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Agreement be approved.

STRATEGIC PLAN LINK:

- Goal 6. Prosperous Downtown Bloomington
- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods
- Goal 3. Grow the Local Economy
- Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 6e. Preservation of historic buildings
- Objective 6d. Healthy adjacent neighborhoods linked to Downtown
- Objective 6c. Downtown becoming a community and regional destination
- Objective 6b. Downtown Vision and Plan used to guide development, redevelopment and investments
- Objective 6a. More beautiful, clean Downtown area
- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
- Objective 5c. Incorporation of "Green Sustainable" concepts into City's development and plans
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 4d. Improved neighborhood infrastructure
- Objective 4c. Preservation of property/home valuations
- Objective 4b. Upgraded quality of older housing stock
- Objective 3e. Strong working relationship among the City, businesses, economic development organizations
- Objective 3c. Revitalization of older commercial homes
- Objective 1e. Partnering with others for the most cost-effective service delivery

BACKGROUND: A Community Historic Preservation Plan guides the City's preservation efforts for the next ten years. A plan establishes historic contexts for a City, identifies key preservation landmarks and districts, provides recommendations for policies and ordinances,

and aligns or integrates preservation into other planning efforts. Most importantly, a Community Historic Preservation Plan is rooted in community participation. It is a dynamic document that provides goals, objections, and actions for the entire community.

In 1983, Bloomington established its preservation program and adopted a preservation plan. The plan was last revised in 2004. On July 12, 2019 the City of Bloomington received a Certified Local Government grant from the Illinois Historic Preservation Agency in the amount of \$30,000.00 to update and replace Bloomington's Community Historic Preservation Plan. On September 3, 2019 the City published a Request for Proposals from qualified firms to oversee and carry out the preservation planning process. On October 2, 2019 the City received three proposals. A team of staff reviewed the proposals. The City team included Katie Simpson, City Planner; Bob Mahrt, Community Development Director; and Casey Weeks, Assistant City Planner. The cost and experience are outlined below:

FIRM	COST	RELATED PROJECTS/EXPERIENCE
James Ingermann Heimlich/Orbis (South Bend, IN)	\$36,797.00	• SR 55 at 73rd Avenue Roundabout Project (IN) • Archeological Survey, Historic Assessment and Artifact Documentation Portage Creek Bicentennial Park (MI) • Phase 1a Archeological survey, architectural assessment, dame removal project (IN)
Trivers (St. Louis, MO)	\$49,000.00	• NOW Master Plan St. Louis (MO) • Master Services Agreement, Tower Grove Park, St. Louis (MO) • Richard C. Lee Courthouse, New Haven (CT) • Crittenden County Courthouse, Marion (AK) • Downtown Davenport: Survey of Architectural Resources (IA)
The Lakota Group (Chicago, IL)	\$49,810.00	• Strategic Historic Preservation Plan San Antonio (TX) • Racine Heritage Preservation Plan (WI) • Belvidere 10-year Historic Preservation Plan (IL) • Heritage Resources Plan Rock Island (IL) • City of Denton, Texas Historic Preservation Plan (TX) • City of Tyler Historic Preservation Plan (TX) • Downtown Peoria Historic District survey and nomination (IL) • Albany Historic Preservation Plan (NY)

City staff recommend that the City contract with The Lakota Group be approved in the amount of \$49,810.00, since the firm is highly experienced and qualified in community preservation planning. Additionally, the Lakota Group has successfully completed similar projects in other Illinois communities, including projects receiving Certified Local Government grant funds. The firm also has a good reputation with the State of Illinois Historic Preservation Agency. Furthermore, the proposal submitted by the Lakota Group differed from the others in that it outlined a dynamic public engagement strategy, a critical component of the planning process. It also recognized Historic Preservation as an economic development tool, a paradigm that aligns well the City's goals of downtown revitalization

and heritage tourism. The other proposals received were less strong than the Lakota Group's proposal and did not illustrate the same level of professional community planning experience.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The RFP was published on the City's website, published in the newspaper, and sent to a list provided by the Illinois Historic Preservation Agency of 51 preservation firms and consultants who meet the National Park Service's professional qualification standards.

FINANCIAL IMPACT: The funds for the proposed professional services agreement are included in the FY 2020 Budget under the Planning-Other Purchased Services account (10015420-70690). Stakeholders can locate this in the FY 20202 Budget Book titled "Budget Overview & General Fund" on page 253. The City also received a Certified Local Government Grant in the amount of \$30,000.00 from the National Parks Service, managed the Illinois Historic Preservation Agency of the Illinois Department of Natural Resources. The Grant is a reimbursement grant, therefore the net cost of the project to the City of Bloomington after the project is completed will be \$19,810.00.

COMMUNITY DEVELOPMENT IMPACT: N-1.3 Redevelop the neighborhoods in the Preservation area while carefully protecting their historic nature and character.

N-1.3a Keep the City's historic preservation plan current through schedule of regular updates and ensure consistency between it and various elements of this comprehensive plan.

H-2.2 Preserve historic homes and structures in the designated Preservation Area. H-2.2a

Update the City's historic preservation plan on a regular basis, preferably every five years.

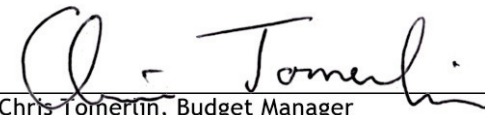
Prepared by: Carey Snedden, Code Enforcement Manager

Reviewed by:



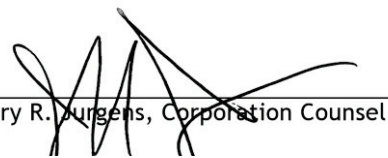
Robert G. Mahrt, Community Development Director

10/23/2019



Chris Tomertin, Budget Manager

10/23/2019



Jeffery R. Jurgens, Corporation Counsel

10/24/2019



Tara Henry, Legislative Assistant

10/24/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- CD 1B Professional Services Contract - The Lakota Group

CITY OF BLOOMINGTON CONTRACT WITH
The Lakota Group
FOR PROFESSIONAL SERVICES FOR
Community Historic Preservation Plan

THIS AGREEMENT, dated this 28th day of October, 2019, is between the City of Bloomington (hereinafter "CITY") and The Lakota Group (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Description of Services. CONTRACTOR shall provide the services/work identified on Exhibit A.

Section 3. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$ _____ as set forth in the payment terms attached as Exhibit B.
- ☒ Fees as set forth in the Payment Terms attached as Exhibit B.

Section 4. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 5. Reuse of Documents. All documents including reports, drawings, specifications, and electronic media furnished by CONTRACTOR pursuant to this Contract are instruments of CONTRACTOR'S services. Nothing herein, however, shall limit the CITY'S right to use the documents for municipal purposes, including but not limited to the CITY'S right to use the documents in an unencumbered manner for purposes of remediation, remodeling and/or construction. CONTRACTOR further acknowledges any such documents may be subject to release under the Illinois Freedom of Information Act.

Section 6. Standard of Care. Services performed by CONTRACTOR under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

Section 7. Indemnification. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, its officers, officials, agents and employees from and against liability arising out of CONTRACTOR'S negligent acts, errors, or omissions in performance of services under this Contract. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force.

Section 8. Insurance Requirements. CONTRACTOR shall maintain an errors and omissions policy in the amount of \$2,000,000.00 and shall further maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with general limits not less than \$2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy.

Section 9. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 10. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 11. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 12. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 13. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 14. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 15. Attorney Fees. In the event that any action is filed by a party in relation to this contract and the party prevails in court and obtains a court order or judgment as a result of said litigation, the non-prevailing party in the action shall pay to the prevailing party, in addition to the sums that either party may be called on to pay, a reasonable sum for the prevailing party's attorneys' fees and court costs (including expert witness fees).

Section 16. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 17. Term. The term of this Contract shall be:

☒ Until all of the services and/or deliverables required to provided within this Contract are completed.

☐ From one (1) year from the date of execution.

☐ From two (2) years from the date of execution.

☐ Other: _____

The Contract shall also be subject to the following renewal terms, if any: _____

Notwithstanding anything herein, the provisions in Sections 7 and 12 shall survive termination.

Section 18. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

The Lakota Group

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

EXHIBIT A
SCOPE OF SERVICES / WORK PROVIDED

See The Lakota Group proposal received on October 2, 2009 for RFP# 2020-17

This includes that The Lakota Group shall provide all necessary services, labor, documents and any other means to do all the work and furnish all the materials specified in the proposal to complete a comprehensive Community Historic Preservation Plan for the City of Bloomington, in the manner and time therein as set forth by The Lakota Group, including the completion of all phases and work set forth in the proposal.

EXHIBIT B
PAYMENT TERMS

See The Lakota Group proposal received on October 2, 2009 for RFP# 2020-17 (attached)

This includes that the professional fees and reimbursable expenses for the work for Phase 1 are \$32,480 and for Phase 2 are \$13,640, with travel and expenses estimated at \$3,690, for a total budget of \$49,810. It is agreed that no additional fees or expenses will be charged to the City without the prior written consent of the City of Bloomington.



RFP #2020-17
CITY OF BLOOMINGTON, ILLINOIS
Community Historic Preservation Plan

October 2, 2019

**THE
LAKOTA
GROUP.**

29

NEW MARKET
OCT 1938

49

20

W. EAST

E. MULDERBY

E. DOUGLAS

E. MARKET

E. MARKET

E. MONROE

28

30

CITY OF ALBANY CITYWIDE HISTORIC PRESERVATION PLAN

THE LAKOTA GROUP

116 W. Illinois Street | Floor 7 | Chicago, Illinois 60654

Project Manager: Nicholas Kalogeresis, AICP

E: nkalogeresis@thelakotagroup.com

P: (312) 467-5445 x 215

February 12, 2019

39

Delve In

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"We shape our buildings, thereafter they shape us." - Winston Churchill

October 2, 2019

Cara Murillo
Procurement Manager
City Clerk
Bloomington City Hall
109 East Olive Street
Bloomington, Illinois 61701

116 West Illinois Street
Floor 7
Chicago, Illinois 60654
p 312.467.5445
f 312.467.5484
thelakotagroup.com

Re: City of Bloomington Community Historic Preservation Plan

Dear Ms. Murillo:

On behalf of **The Lakota Group** we want to thank you for the opportunity to present our professional services submittal for the preparation of the **Community Historic Preservation Plan** for the City of Bloomington, Illinois.

Since 2009, The Lakota Group has provided comprehensive preservation planning services to communities seeking to preserve their architectural and historical resources as key elements to maintaining community character and in revitalizing neighborhood and traditional commercial districts. Over the last several years, our firm has completed a variety of preservation planning assignments, including community preservation plans, National Register nominations, architectural resource surveys, design guidelines, preservation-based neighborhood and commercial district revitalization plans, and Main Street revitalization consultations.

What separates our preservation planning work from others is how we integrate preservation as an economic development and planning tool for revitalizing historic downtowns and neighborhoods. Our community engagement work provides opportunities for local stakeholders to participate in preservation planning processes in innovative ways. Most importantly, we bring strategic thinking needed to find that balance between retaining our communities as "memory places" while ensuring historic buildings continue to contribute to the community's economic vitality.

Our firm also understands that this project assignment represents an important opportunity for the City of Bloomington to address historic preservation in a comprehensive manner. We look forward to discussing our experience and approach with you. Please call us with any questions.

Nick Kalogeresis, AICP, Associate Principal, will be the primary contact person for this RFP. I can be reached at 312-467-5445, ext. 215.

Cordially:

Nicholas P. Kalogeresis



Nicholas P. Kalogeresis, AICP
ASSOCIATE PRINCIPAL





Northwest from East Side Square, Bloomington, Ill.

1889 MADE FOR S. H. KNOX & CO.



Preservation Heart *and* Soul

The Lakota Group is a team of talented historic preservation planners and strategic thinkers powered by a passion to provide creative solutions to community preservation issues.

The Lakota Group brings extensive experience in community historic preservation planning, architectural surveys and context statement development, property documentation, and historic preservation-based economic development, and will work closely with the City of Bloomington, its Historic Preservation Commission, and other key stakeholders in the preparation of a *Community Historic Preservation Plan*.

Our firm's mission is simple:

We want to improve communities through the power of preservation.

Lakota associates follow a preservation planning process that combines critical thinking and effective community engagement. *The result? Preservation plans that incorporate compelling solutions that consider on-the-ground realities and preservation possibilities.* By engaging local stakeholders and residents through on-site listening sessions, workshops and community speak-outs, and online engagement platforms our firm strives to understand local preservation issues and to pinpoint the opportunities for preservation planning action. We place ourselves in the community's frame of context: what historic resources should be preserved and adapted if we were the ones living in the community? What are the tools, processes and community support to make that happen?

Through the course of the planning process, we shed light on the qualities of historic resources that make a community

unique, as well as the benefits of historic preservation and what planning actions can be implemented to achieve short and long-term community preservation goals.

Since the firm's founding in 1993 in Chicago, Illinois, Lakota has completed planning assignments in more than 300 cities, suburbs and small towns across the country, gaining recognition for its work in historic preservation, community planning, urban design, and landscape architecture.

Contact Information:

Nicholas P. Kalogeresis, AICP, Associate Principal
The Lakota Group
116 West Illinois Street, 7th Floor
Chicago, Illinois 60654
T. 312-467-5445, ext. 215

Lakota is an Illinois S-Corporation and is currently available to undertake a project of this scope. Lakota is currently completing a historic preservation and cultural resource management plan for the County of Maui, Hawaii.

The Lakota Group enjoys the opportunity to work with local communities, which is reflected in its name: "Allies," the English translation of the Native American word, Lakota.

OUR SERVICES

Planning • Urban Design • Landscape Architecture • Historic Preservation • Community Engagement



*"Preservation brings
history to life"*



PROJECT TEAM



The Lakota Team has the skills and expertise necessary to assist the City of Bloomington with a successful preservation planning process. The following personnel will be participating as key staff during the planning process:

The Lakota Group



**PROJECT MANAGER
ASSOCIATE PRINCIPAL**

NICHOLAS KALOGERESIS AICP Associate Principal - nkalogeresis@thelakotagroup.com

Nick brings 28 years of professional experience in historic preservation planning, downtown and neighborhood revitalization, preservation-based economic development, and arts and culture planning. Nick has led preservation planning assignments in Illinois, Wisconsin, and Texas and is currently completing a preservation plan for Maui County, Hawaii. He is also working with CNY Arts in Syracuse, New York on an arts-based downtown revitalization initiative. Previous to Lakota, Nick worked for the National Trust for Historic Preservation's Main Street Center where he consulted with clients across the United States. Nick is also a frequent writer and has presented at conferences for the American Planning Association, Congress for New Urbanism, and New Partners for Smart Growth, among others. Nick is certified under 36 CFR Part 61 Secretary of the Interior Professional Qualifications Standards as a historian.

Nick will be the Project Manager and will be the lead preservation planner.



SENIOR ASSOCIATE

DOUGLAS KAARRE AICP Senior Associate - dkaarre@thelakotagroup.com

Douglas brings 20 years of planning and historic preservation experience with an emphasis on local government. He has served as both city planner and preservation planner for several Illinois municipalities, and has significant experience with projects important to local communities, including neighborhood planning, education and outreach, historic district management, historic resource surveys, preservation plans, design guidelines/design review and Local and National Register nominations. He recently served as president of the *Illinois Association of Historic Preservation Commissions*, a non-profit education and advocacy organization for training local government commission members and staff. He has presented at conferences for the National Trust for Historic Preservation, the American Planning Association and the Illinois State Historic Preservation Conference, among others. Douglas is certified under 36 CFR Part 61 Secretary of the Interior Professional Qualifications Standards as an architectural historian.

Douglas will assist in field work and report preparation and production.



ASSOCIATE

ABIGAIL ROSE, Associate - arose@thelakotagroup.com

Abigail is a planner and designer whose multidisciplinary background has led her to work closely with a wide range of communities and stakeholders. She has served as a municipal planner in the Austin Metropolitan area and design consultant for numerous Midwest municipalities. Abigail is well-versed in morphing complex issues into simple messages and clean visuals to communicate the big picture.

Abigail will assist with urban design, graphics creation, and public outreach process.

WHY OUR FIRM

Founded in 1993, **The Lakota Group** is known for its multi-disciplinary work portfolio in planning, urban design, and landscape architecture, encompassing community comprehensive plans, downtown and neighborhood plans, subareas, transit-oriented development, commercial corridors, design guidelines, and streetscapes and public space enhancement projects. Lakota has provided a broad range of historic preservation planning services, including architectural and historical surveys, community historic preservation plans, preservation-based design guidelines, National Register nominations, and community engagement initiatives and consensus-building services in regard to local historic district designation. Our preservation planning work has taken us around the country encompassing small, slow-growing towns; disinvested districts and neighborhoods in Legacy Cities; fast-growing suburban communities; and places where rapid change requires clear, strategic thinking on ensuring equitable preservation planning outcomes.

Some of our most recent historic preservation planning includes:

In 2019, Lakota prepared Historic Preservation Plans for the City of Denton, Texas, and the City of Albany, New York, both focusing on historic context statements, future survey areas, neighborhood revitalization, incentives, and education and outreach activities.

In 2019, Lakota completed a comprehensive assessment of Maui County, Hawaii's historic preservation program, including a review of its historic preservation ordinance and cultural resource management practices, future landmarks, climate change, design management, and cultural and heritage tourism.

In 2017, Lakota prepared a Heritage Preservation Plan for the City of Racine, Wisconsin, that identified and mapped "high character" neighborhood areas as suitable candidates for neighborhood preservation and conservation district efforts.

In 2016, Lakota prepared a 10-Year Historic Preservation Plan for the City of Belvidere, Illinois, that included specific recommendations and planning actions regarding future survey areas and re-establishing a Main Street Revitalization Program.

In 2015, Landmarks Illinois engaged Lakota to prepare a Neighborhood Conservation District Enabling Ordinance on behalf of the City of Chicago. Lakota also drafted a separate enabling ordinance for a portion of the Englewood neighborhood.



Nicholas Kalogeresis, AICP

Associate Principal | 2008-Present

Nick brings 25 years of historic preservation experience in small towns, suburbs, urban neighborhoods, and large cities, and brings diverse skill sets in preservation planning, traditional neighborhood and commercial district revitalization, historic resource surveys, and National Register nominations. Nick is also a frequent writer and has presented at conferences for the American Planning Association, the National Main Street Center, and the Illinois State Historic Preservation Conference, among others. Nick is certified as an architectural historian under 36 CFR Part 61.

SIGNATURE PROJECTS

Strategic Historic Preservation Plan - San Antonio, TX

Worked with a 30-member steering committee to prepare a strategic plan to enhance the city's historic preservation program; developed guidelines for creating resource surveys and established processes for landmark designations. Nick was the project manager for this assignment.

Rock Island Preservation Plan - Rock Island, IL

Lakota prepared a Heritage Resources Plan plan for the Rock Island to enhance its historic preservation program and address key issues related to survey and documentation, design guidelines, neighborhood revitalization, heritage tourism and economic development, and education and advocacy. Nick was the project manager for this process. Nick was the project manager for this assignment.

Central Berwyn Bungalow National Register District - Berwyn, IL

A National Register District Nomination for 1,500+ residential homes that comprise the largest collection of Chicago Bungalow-styled homes outside the City of Chicago. The project also included development of an on-line database of contributing and non-contributing buildings. Nick was the project manager for this assignment.

Central Springfield National Register District Expansion - Springfield, IL

Completed a boundary expansion of an existing National Register District in downtown Springfield; the expansion included 150+ new properties in the District ranging in styles from Art Deco to Mid-Century Modern and Contemporary resources. Nick was the project manager for this assignment.

Cermak Road Architectural and Historic Survey - Berwyn, IL

An intensive level survey of architectural and historic building resources; included in-depth archival research, field documentation and evaluation of 155 properties for potential eligibility for the National Register of Historic Places. Nick was the project manager for this assignment.

River Forest Architectural and Historical Survey - River Forest, IL

A reconnaissance and intensive level survey of over 2,900 architectural resources was conducted in River Forest, Illinois where a number of Frank Lloyd Wright's first independent commissions are located. The project also included in-depth archival research. Field documentation was conducted using an Apple iPad and customized software. Nick was the project manager for this assignment.

Historic Building Design + Resource Manual - Naperville, IL

Prepared design guidelines for the locally-designated Historic District that contains primarily residential resources and a college campus. The document is used for Certificate of Appropriateness review processes and preservation education activities. Nick was the project manager for this assignment.

Education

University of Illinois at Urbana-Champaign, Masters of Urban Planning (1991)

Elmhurst College
Bachelor of Arts - Urban Studies & History (1988)

Organizations

- American Planning Association
- American Institute of Certified Planners
- National Trust for Historic Preservation
- Village of Oak Park Historic Preservation Commission
- Society of Architectural Historians
- Chaddick Institute of DePaul University's Municipal Design Review Network

Recent Publications

- **Main Street Now**, "Incorporating Sustainability into Downtown Master Plans and Codes" May/June 2011
- **Revitalizing Main Street**, "Chapter 16: Master Planning," "Chapter 17: Zoning and Other Land Use Regulatory Tools" 2009
- **Main Street News**, "Form-Based Zoning: The New Urbanism Comes to Main Street," March 2008

Accreditations

- American Institute of Certified Planners

Experience

Years with Lakota: 10



Douglas Kaarre, AICP

Senior Associate | 2019-Present

Douglas brings 20 years of planning and historic preservation experience with an emphasis on local government. He has served as both city planner and preservation planner for several Illinois municipalities, and has significant experience with projects important to local communities, including education and outreach, historic district management, historic resource surveys, preservation plans, design guidelines and Local and National Register nominations. He has presented at conferences for the National Trust for Historic Preservation and the American Planning Association, among others. Douglas is certified as an architectural historian under 36 CFR Part 61.

SIGNATURE PROJECTS

Albany Historic Preservation Plan - Albany, NY

Lakota worked with the City of Albany and its Historic Resources Commission to prepare the first Historic Preservation Plan for this 400-year-old city by assessing the City's preservation program with the goal of strengthening its policies and procedures for preservation, conservation and revitalization through short- and long-term strategies for implementation.

Maui County Historic Preservation Plan - Maui County, HI

Lakota worked with Maui County and its Cultural Resources Commission to prepare a Phase I assessment of the County's historic preservation program and policies, including an inventory of its significant historic, cultural and archaeological resources and landscapes on three of the four islands within county jurisdiction.

Denton Historic Preservation Plan - Denton, TX

Lakota worked with the City of Denton and its Historic Landmark Commission to update its Historic Preservation Plan that will build on prior preservation programs and initiatives, highlight community-supported preservation planning policies, and provide key strategies for short- and long-term implementation.

***Online Architectural Resources of Oak Park - Oak Park, IL**

Utilizing the RuskinARC online historic resources documentation tool, Douglas organized the uploading of thousands of surveyed and designated properties into the community's historic resources page. This often involved documenting properties in historic districts that had not been surveyed in 40 years.

***Revisions to the Architectural Review Guidelines - Oak Park, IL**

In conjunction with a preservation consultant and the Oak Park Historic Preservation Commission, Douglas managed the process of revising the 1994 Guidelines to reflect modern design review issues such as sustainability, solar energy and replacement materials while presenting the Guidelines in a user-friendly format utilizing photographs and line drawings.

***Frank Lloyd Wright-Prairie School of Architecture National Register Historic District - Oak Park, IL**

In conjunction with a preservation consultant and the Oak Park Historic Preservation Commission, Douglas managed the survey of 2,000 properties, the creation of an updated National Register nomination report, including a boundary expansion and successful National Register listing.

Education

The School of the Art Institute of Chicago
Master of Science in Historic Preservation (2000)

University of Cincinnati
Master of Community Planning (1991)

Central Michigan University
Bachelor of Science in Geography (1989)

Organizations

- American Planning Association
- National Trust for Historic Preservation
- Landmarks Illinois
- National Alliance of Preservation Commissions
- Illinois Association of Historic Preservation Commissions (former president)

Accreditations

- American Institute of Certified Planners

Experience

Years of Practice: 20

*Completed with previous employer



Abigail Rose

ASSOCIATE | 2019-Present

Abigail is a planner and designer whose multidisciplinary background has led her to work closely with a wide range of communities and stakeholders. She has served as a municipal planner in the Austin Metropolitan area and design consultant for numerous Midwest municipalities. Abigail is well-versed in morphing complex issues into simple messages and clean visuals to communicate the big picture. The fusion of graphic design, urban planning, and community engagement drives her passion to better inform city policy and create authentic, viable places and solutions.

SIGNATURE PROJECTS

Albany Historic Preservation Plan - Albany, NY

Lakota worked with the City of Albany and its Historic Resources Commission to prepare the first Historic Preservation Plan for this 400-year-old city by assessing the City's preservation program with the goal of strengthening its policies and procedures for preservation, conservation and revitalization through short- and long-term strategies for implementation.

Maui County Historic Preservation Plan - Maui County, HI

Lakota worked with Maui County and its Cultural Resources Commission to prepare a Phase I assessment of the County's historic preservation program and policies, including an inventory of its significant historic, cultural and archaeological resources and landscapes on three of the four islands within county jurisdiction.

Western Racine County Targeted Development Study - Racine County, Wisconsin

The Western Racine County Targeted Development Study focuses on development opportunities in Racine County for communities west of I-94. The findings and recommendations of this project are intended to assist several of the western communities within the County in capitalizing on the positive impacts of Foxconn and its supplier companies, including impact on public services, new residential and mixed-use development opportunities, increased land values, and transportation.

Libertyville Comprehensive 2030 - Libertyville, Illinois

The Village of Libertyville is currently undertaking a collaborative planning process with community residents and stakeholders to update its Comprehensive Plan - It outlines important policies and strategies related to land use and development, downtown, infrastructure and capital improvements, housing and neighborhoods, open spaces and natural resources, transportation, historic preservation, quality of life, and community sustainability and resiliency.

ExposeDes Moines - Des Moines, Iowa*

ExposeDes Moines is a qualitative research graphic report created to start a discussion regarding the existing creative efforts which contribute to the development of a greater sense of place in the City of Des Moines. The main goals were to reveal the pivotal role of arts and culture in Des Moines and the necessary improvements of policy. Over 120 Des Moines creatives participated in the study and helped informed land use and policy decisions.

Education

Iowa State University
Master of Community and Regional Planning (2016)

Iowa State University
Master of Urban Design (2016)

Iowa State University
Bachelor of Design (2014)

Organizations

- American Planning Association

Accreditations/Awards

- Graduate Assistant Award for Extraordinary Performance

Experience

Years with Lakota: 1
Years of Practice: 2

*Completed with previous employer







**EXPERIENCE AND
PROJECT SAMPLES**



THE LAKOTA GROUP. ALLIES IN PLACE

Planning
Urban Design
Landscape Architecture
Historic Preservation
Community Engagement



Strategic Historic Preservation Plan San Antonio, Texas

Lakota prepared a strategic plan for the City of San Antonio to strengthen and enhance its historic preservation program and initiatives. Working with a 30-member steering committee, Lakota focused on several strategic planning, zoning, and program areas, including resource survey and landmark/district designation processes, neighborhood planning, incentives, design guidelines, form-based zoning, economic development, and education. The plan included strategic goals and action strategies for multiple agencies and civic partners.

Statistics

Start Date: February 2009
Completed: August 2009

Reference

Shannon Miller, AICP
City of San Antonio
Office of Historic Preservation

(210) 207-0035

THE LAKOTA GROUP. IN PLACE

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Racine Heritage Preservation Plan Racine, WI

In many legacy cities across the country - places of past industrial innovation experiencing significant economic change - historic preservation has played an indispensable role in shaping and maintaining the visual character and resiliency of older neighborhoods and traditional commercial districts. In that spirit, the City of Racine, Wisconsin, engaged The Lakota Group to prepare a Heritage Preservation Plan, a policy document that outlines key strategic directions for conserving Racine's distinctive architecture and heritage as means for enhancing community economic vitality, quality of life, and sense of place. This Heritage Preservation Plan builds on Racine's preservation assets - eight National Register Historic Districts, an intact traditional downtown, historic homes and schools, churches, parks, among others - and seeks to advance a preservation vision that engages both the public and private sectors in its implementation. The Plan addresses future survey areas, design review, the potential establishment of a neighborhood conservation district program, and an update to the municipal historic preservation ordinance.

Statistics

Start Date: November 2017
End Date: February 2019

Reference

Matthew G. Sandowski, AICP
Principal Planner, Planning Manager
City of Racine, Department of City Development, Division of Planning and Redevelopment

(262) 626-9151
msadowski@cityofracine.org

THE LAKOTA GROUP. ALLIES IN PLACE

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Historic Preservation
Community Engagement



Belvidere 10-Year Historic Preservation Plan Belvidere, IL

The Lakota Group along with the City of Belvidere, Illinois and Belvidere citizens and stakeholders, initiated a process to create a 10-Year Historic Preservation Plan – a plan that will guide local decision-making on the identification, conservation, and stewardship of Belvidere's architecturally and historically significant buildings and places. Like many similarly-sized Midwestern communities, the City of Belvidere is seeking ways in which to encourage growth and economic development while preserving and maintaining the assets that make their communities distinct from others – assets that include traditional neighborhoods and downtown commercial districts, historic churches, schools, industrial buildings, and other heritage resources that contribute to a community's sense of place, identity and quality of life. This 10-Year Historic Preservation Plan was created to provide a strategic direction for historic preservation in Belvidere – one that builds on past preservation successes, strengthens public-private partnerships, and promotes more certainty and predictability in the roles historic preservation will play going forward in shaping Belvidere's built environment and economic vitality.

Statistics

Start Date: January 2017
Completed: January 2018

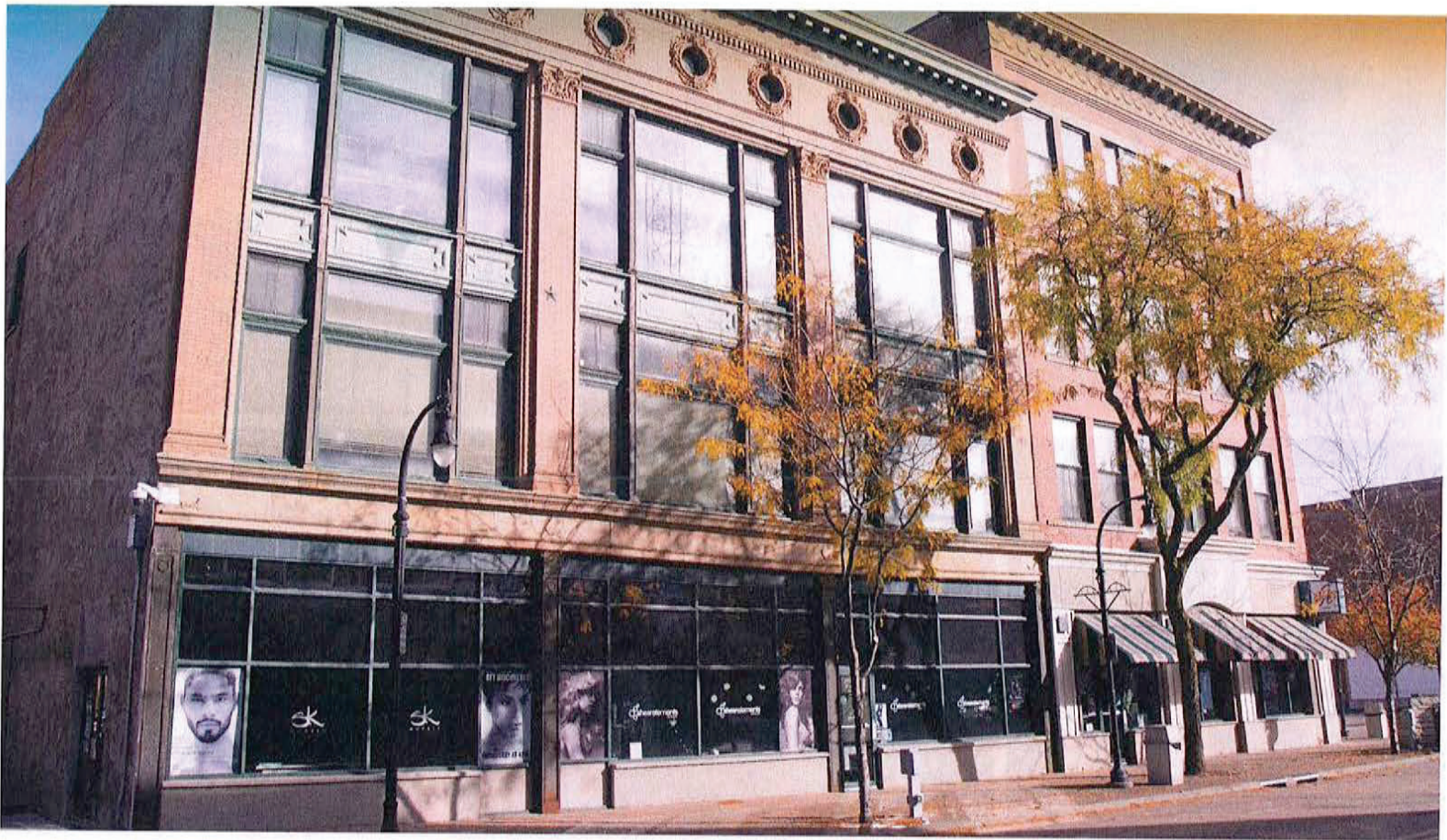
Reference

Becky Tobin
Historic Preservation Commission, Chair
401 Whitney Blvd.

City of Belvidere
(815) 544-2612

THE LAKOTA ALLIES GROUP. IN PLACE

Planning
Urban Design
Landscape Architecture
Historic Preservation
Community Engagement



Heritage Resources Plan Rock Island, Illinois

Lakota prepared a Heritage Resources Plan plan for the City of Rock Island to enhance its historic preservation program and address key issues related to survey and documentation, design guidelines, neighborhood revitalization, heritage tourism and economic development, and education and advocacy. The Plan also included an analysis of Rock Island's historic preservation ordinance in order to update and strengthen provisions related to landmark/district designation processes, demolition delay, roles and responsibilities of the Preservation Commission, and design review procedures. The Plan also recommended the establishment of a neighborhood conservation district program.

Statistics

Start Date: September 2015
Completed: June 2016

Reference

Brandy Howe, AICP
Senior Community Development Planner
City of River Falls, Wisconsin

(715) 426-3431
bhowe@rfcity.org

THE LAKOTA GROUP. ALLIES IN PLACE

Planning
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Historic Preservation
Community Engagement



City of Denton, Texas Historic Preservation Plan Denton, Texas

The City of Denton, Texas, located 20 miles northwest of the Dallas-Fort Worth metroplex engaged the Lakota Group to update its 30-year old Preservation Plan focusing on future survey areas, incentives, and underrepresented communities in future documentation activities. The updated Historic Preservation Plan also addresses conservation districts, education and advocacy efforts, and potential updates to the municipal historic preservation ordinance. The Historic Preservation Plan was funded in part with a Certified Local Government Grant by the Texas Historical Commission.

Statistics

Start Date: October 2018
End Date: October 2019

Reference

Roman MacAllan, AIA
Former City Preservation Planner
City of Denton, Texas

(713) 384-5233

THE LAKOTA GROUP. ALLIES IN PLACE

Planning
Urban Design
Landscape Architecture
Historic Preservation
Community Engagement



City of Tyler Historic Preservation Strategic Plan Tyler, Texas

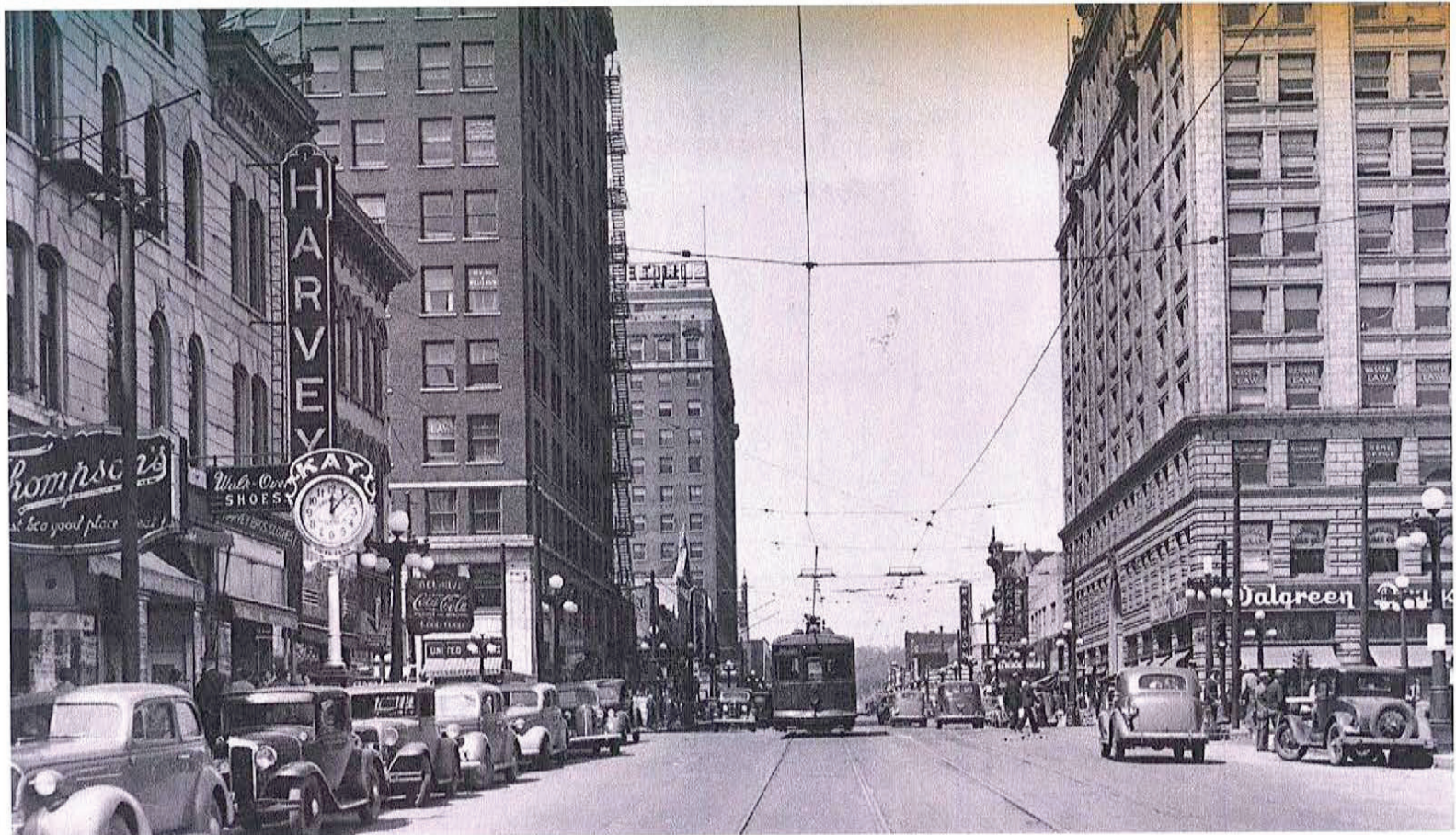
The Lakota Group worked with the City of Tyler Texas, residents and stakeholders to create the City's first Strategic Historic Preservation Plan. Tyler has a rich history and boasts 22 individual buildings listed on the National Register of Historic Places and six national historic districts encompassing more than 2,400 buildings, sites and structures of a variety of building types and architectural styles. The process of preparing the Historic Preservation Strategic Plan represented a unique opportunity to assess the effectiveness of the current program, understand current issues and constraints to preservation, and consider a set of planning strategies and initiatives that address critical preservation planning concerns, including new survey areas and conservation districts. Comparative analysis of the existing historic preservation ordinance and recommendations for enhancements were important elements of the final Plan, which was adopted in July 2017.

Statistics

Start Date: June 2016
Completed: July 2017

THE LAKOTA GROUP. ALLIES IN PLACE

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Urban Design
Landscape Architecture
Historic Preservation
Community Engagement



Downtown Peoria Historic District - Survey and Nomination Peoria, IL

The Downtown Peoria Historic District represents a diverse collection of commercial building types – retail and department stores, theaters, corporate headquarters, courthouses, and fraternal halls – all embodying downtown's commercial development during the period of significance of 1867-1967. The district's architectural styles range from the Italianate to the International Style and Modern expressions of the Post World War II period. The majority of buildings retain their historic appearance and integrity, especially those constructed at Mid-Century where such buildings have been relatively unaltered. Storefront alterations are common, and, in many cases, such changes are within the period of significance and contribute to the historic character of the district. The resources of the Historic District tell the story of a downtown that prospered from Peoria's industrial and commercial growth during the 1870s through the turn of the century, and beyond to the 1950s and 60s when, in attempts to forestall downtown's economic decline, urban renewal and the new Modernist building expressions would forever change downtown Peoria's landscape.

The Downtown Peoria Historic District was listed in the National Register of Historic Places in December of 2018.

Statistics

Start Date: November 2017
End Date: December 2018

Reference

Amy Hathaway
National Register Specialist
Illinois State Historic Preservation Office

(217) 782-8588
Amy.Hathaway@Illinois.gov



Albany Historic Preservation Plan City of Albany, New York

The City of Albany, New York is reaching its 400th anniversary and engaged the Lakota Group to create its first ever Historic Preservation Plan focusing on assessing existing historic resources, future historic resource surveys and neighborhood revitalization. The Historic Preservation Plan also addresses conservation districts, education and advocacy efforts, and potential updates to the municipal unified sustainable development ordinance. The Historic Preservation Plan was funded in part with a Certified Local Government Grant by the New York State Office of Parks, Recreation and Historic Preservation.

Statistics

Start Date: April 2019
End Date: September 2019

Reference

Erin Glennon
Senior Historic Preservation Planner
City of Albany, New York
(518) 242-7714

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Central Springfield National Register Historic District Boundary Expansion and Additional Documentation - Springfield, Illinois

Lakota was engaged by the City of Springfield to complete a boundary expansion and additional documentation of the existing Central Springfield National Register Historic District, first listed in 1977. The District is mainly comprised of commercial buildings located around and near the Old State Capitol Building, constructed between 1837-1840, and the Lincoln-Herndon Law Office Building (1940). The boundary expansion added more 70 buildings to the Historic District representing a variety of architectural styles from Greek and Romanesque Revivals to Art Deco and Mid-Century Modern.

Statistics

Start Date: November 2014
Completed: October 2015

Reference

Norm Sims
Executive Director
Springfield-Sangamon Regional
Planning Commission

(217) 535-3110



Central Berwyn Bungalow National Register Historic District Inventory and Nomination – Berwyn, Illinois

Lakota was engaged by the City of Berwyn, a western suburb of Chicago, and the non-profit City of Homes of Organization (CoHo) to conduct an inventory of historic resources and to prepare a National Register nomination for the Central Berwyn Bungalow Historic District. The District is comprised of 1,500 residential resources predominately designed as Chicago Bungalows, the distinctive housing type developed in Chicago during the early part of the 20th century. The survey/inventory and mapping was conducted with Apple iPads using customized database software accessible through the Internet. The district is the largest residential bungalow district of its kind in the United States.

Statistics

Start Date: November 2014
Completed: August 2015

Reference

Nasri Mansour
President
City of Homes Organization

nasri.mansour@gmail.com

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Landmark Inventory City of Evanston, Illinois

Lakota led a team of surveyors in completing an inventory of more than 400 Evanston Landmarks located outside the City's existing National Register and Local Historic Districts. The inventory included field documentation using an Apple iPad and customized survey software, and extensive building permit research carried out by a team of volunteers managed by the Evanston Preservation Commission. Historic resources documented as part of the inventory included a mix of residential, commercial and institutional building types and architectural styles ranging from Queen Anne and Revival Styles to Art Deco, Mid-Century and other Modern expressions. Several academic and residential buildings located on the campus of Northwestern University were also inventoried as part of this assignment. This project was funded by a Certified Local Government Grant from the Illinois Historic Preservation Agency.

Statistics

Start Date: March 2015
Completed: November 2015

Reference

Carlos Ruiz
Preservation Coordinator
City of Evanston

(847) 448-4311
cruiz@cityofevanston.org

The inventory will allow the Preservation Commission to gain a more thorough understanding of each landmark's existing integrity and past alterations – information critical to conducting effective Certificate of Appropriateness reviews.

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Architectural & Historical Survey Downers Grove, Illinois

Lakota led a team of architectural historians and surveyors in completing an architectural survey of buildings and properties in portions of downtown Downers Grove and three residential districts and subdivisions. The residential districts included a mix of architectural styles and building forms from Queen Anne, Prairie School, Foursquare, Tudor and Colonial Revivals, Chicago Bungalows, and Mid-Century Modern ranch homes. The survey included the field documentation and evaluation of over 900 properties and the development of a comprehensive context statement serving as a framework for understanding the architectural and historical significance of properties located in these survey areas. The on-site survey work was completed using an Apple iPad and customized survey software.

An important finding from the survey was the eligibility of two of the residential subdivisions for listing in the National Register of Historic Places. This project was funded by a Certified Local Government Grant from the Illinois Historic Preservation Agency.

Statistics

Start Date: May 2013
Completed: October 2013

Reference

Stan Popovich
Community Development Director
Village of Downers Grove

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spopovich@downers.us

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Village-Wide Architectural & Historical Survey River Forest, Illinois

Lakota led a team of architectural historians and surveyors in completing a community-wide architectural and historical survey of buildings and properties within the Village of River Forest. River Forest is known for its diverse collection of Queen Anne, Prairie School, Tudor and Colonial Revivals, and Mid-Century Modern homes and commercial buildings. It is also known for the William H. Winslow House, Frank Lloyd Wright's first independent commission. The survey included the field documentation and evaluation of over 2,900 properties, including 800 buildings already located in River Forest's existing National Register Historic District, and a comprehensive context statement serving as a framework for understanding the architectural and historical significance of River Forest's architectural heritage. It also included documentation of three Jens Jensen-designed parks. The on-site survey work was completed using an Apple iPad and customized survey software. After the conclusion of the project, the Village updated its historic preservation ordinance to add a demolition delay provision – a provision that would apply to architecturally and historically significant properties identified in the survey.

Statistics

Start Date: May 2012
Completed: August 2013

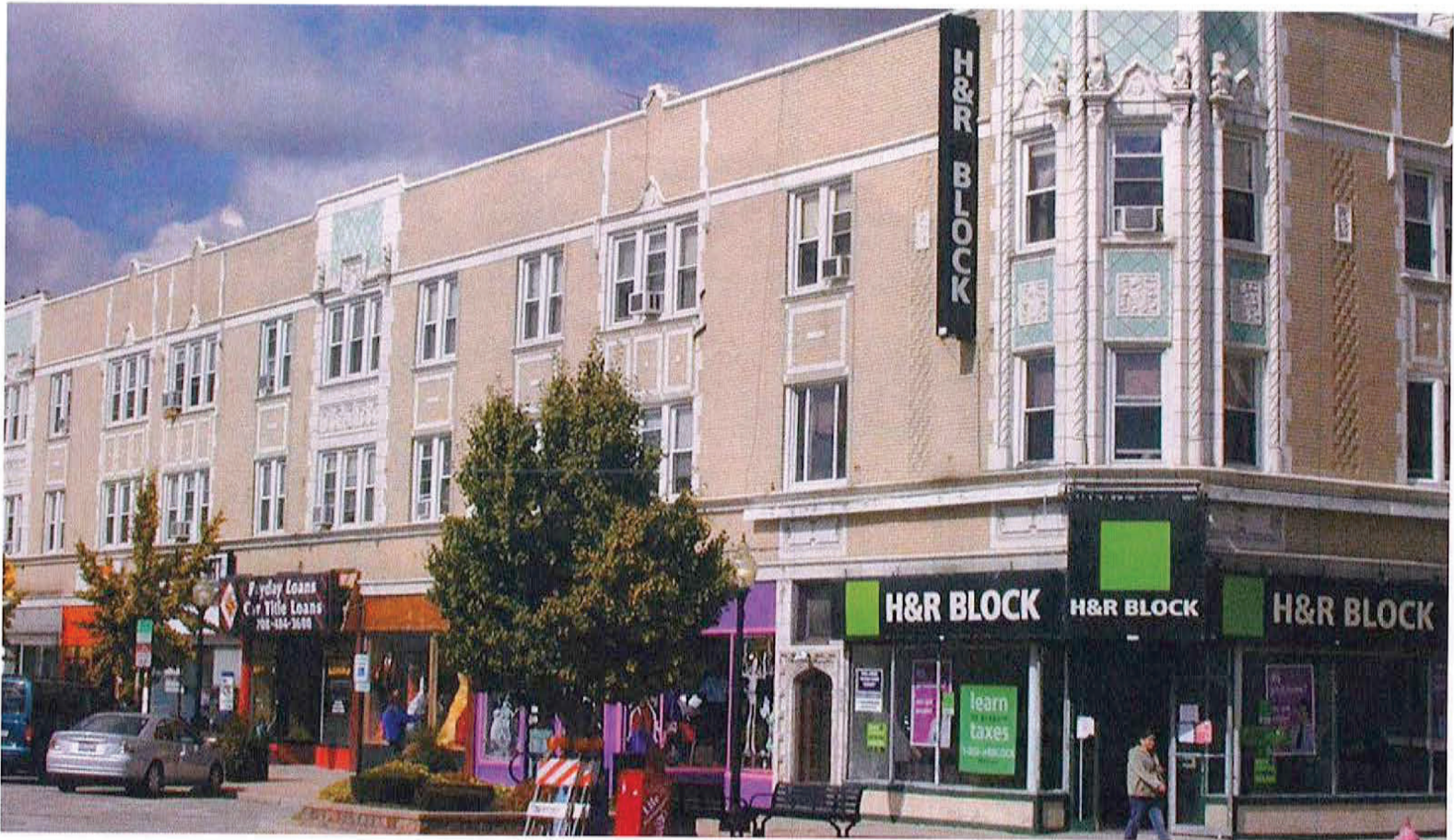
Reference

Lisa Schelner
Assistant Village Administrator
Village of River Forest

(708) 714-3554

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Cermak Road Architectural and Historical Resources Survey

Berwyn, Illinois

Lakota conducted an intensive survey of architectural and historic building resources located along the Cermak Road commercial corridor in Berwyn. The survey included in-depth archival research, field documentation, and the evaluation of 155 properties (considered on both the individual and collective district levels) for potential eligibility for the National Register of Historic Places. A context statement was also prepared as a framework for understanding the architectural and historical significance of Cermak Road's building resources. Cermak Road's architecture varies from the Classical and Tudor Revival buildings of the 1920s to the sleek, glass wall Modern structures of the 1950s.

Statistics

Start Date: April 2010
Completed: February 2011

Reference

Brian Pabst
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City of Berwyn

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bpabst@ci.berwyn.il.us

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Enos Park Neighborhood Master Plan and Design Guidelines Springfield, Illinois

Lakota was engaged by the Enos Park Neighborhood Improvement Association and Mansur Real Estate Services to prepare a Master Plan for the historic Enos Park neighborhood, located north of downtown Springfield and within the Mid-Illinois Medical District. The Master Plan included several implementation strategies, such as a program for home rehabilitation, the establishment of an LLC to purchase vacant lots for infill development, recommendations for funding a permanent development organization, and a set of design guidelines for the conservation of the neighborhood's historic residential fabric. In the end, the Master Plan created a vision and action strategy for future revitalization activities encompassing 36 blocks of residential, commercial, and institutional properties.

Statistics

Start Date: April 2010
Completed: August 2010

Reference

Michelle Ownbey
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Enos Park Neighborhood
Improvement Association
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michelle@springfieldbusinessjournal.com

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Downtown Master Plan Momence, Illinois

Lakota was engaged by the City of Momence and Main Street Momence, a non-profit downtown revitalization organization, to prepare a master plan for its historic downtown commercial district. The majority of downtown Momence is listed in the National Register of Historic Places and is located along a scenic portion of the Kankakee River. The master plan addressed land use, streetscape, wayfinding signage, historic preservation, building improvements, and the adaptive use of key historic commercial buildings and properties. Two conceptual riverfront development schemes were also prepared to provide a vision and direction for future improvements including a new riverwalk, community facilities, an interpretive trail, and a landscaped amphitheater for downtown events. The Downtown Master Plan was funded through grants from two local community foundations.

Statistics

Start Date: August 2011
Completed: March 2012

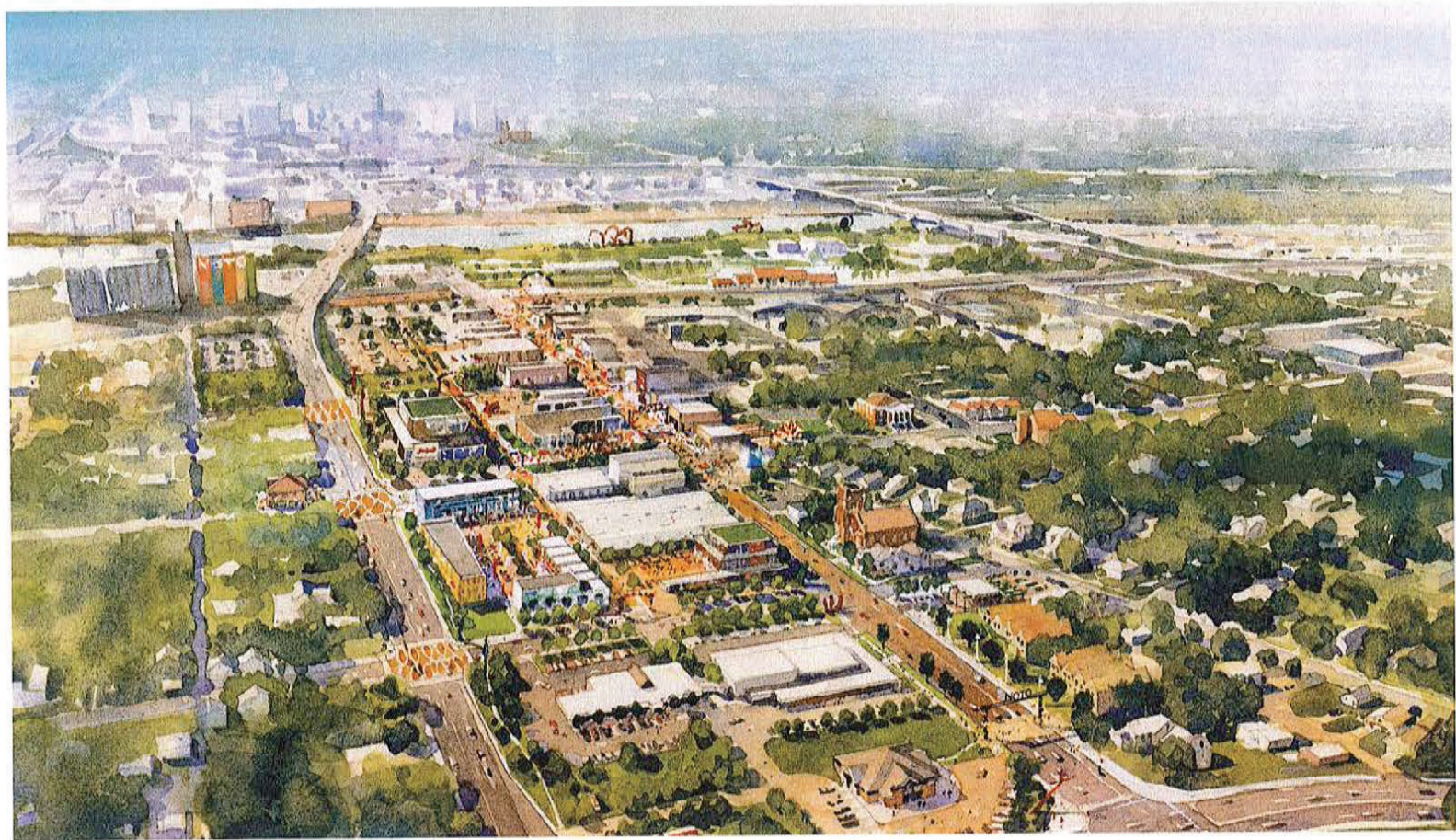
Reference

Janine Loftus
Executive Director
Main Street Momence

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mainstreetmomence@sbcglobal.net

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North Topeka Arts District Revitalization Plan Topeka, Kansas

In association with LaMotte West Consulting of Portland, Oregon, Lakota prepared a revitalization plan focused on placemaking and the arts for the North Topeka Arts District (NOTO), a compact traditional commercial district located north of the Kansas State Capitol and Downtown Topeka. Working with the non-profit North Topeka Arts District Board and a volunteer steering committee composed of district property owners, artists and businesses, Lakota prepared design concepts for building and streetscape enhancements, sculpture gardens, public spaces, development sites, and small and large-scale placemaking and public art projects. Preservation of historic buildings focused on retaining the character of the historic area for an arts and culture based economic development plan. The Plan also provides recommendations for building the organizational capacity of the Arts District Board to manage and market the district effectively and on integrating historic preservation-based economic development initiatives focused on rehabilitating and adapting the district's historic buildings for retail, arts-based businesses and upper-story residential and studio space. The Revitalization Plan was funded in part by the RedBud Foundation of Topeka.

Statistics

Start Date: January 2016
Completed: December 2016

Reference

Anita Wolgast
Co-chair
NOTO Arts District Board
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Creating Energy Efficient Main Streets

Main Street Iowa, Iowa Department of Economic Development

The Lakota Group – with the assistance of Tom Liebel, FAIA of Marks-Thomas Architects, Baltimore, Maryland – conducted specialized training services to eight Main Street Iowa communities that focused on adapting sustainable design and energy efficiency practices for historic commercial buildings. Communities selected to receive the training included Bloomfield, Mount Vernon, Elkader, Colfax, Charles City, Jewell, Sac City, and Corning. Training subject areas included the inherent sustainable design features of historic commercial buildings, building envelope improvements, and mechanical and alternative energy generating equipment. A 20-page "Creating Energy Efficient Main Street Guide" was also developed as part of the training services.

Statistics

Start Date: March 2011
Completed: June 2011

Reference

Michael Wagler
Main Street Iowa, Iowa DED
(515) 348-6184
mainstreet@iowaeda.com

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Texas Main Street Consultation – Texas Main Street Program

Lakota provided downtown design, planning and historic preservation consultation services to six communities participating in the Texas Main Street Program, a historic preservation-based economic development program for traditional commercial districts developed by the National Trust for Historic Preservation. The primary focus of the consultations included building and facade rehabilitations, preservation planning, urban design and streetscape enhancements. Communities participating in the assessments included Bastrop, Denton, Luling, Marshall, Nacagdoches and Waxahachie.

Statistics

Start Date: March 2010
Completed: September 2011

Reference

Debra Farst, State Coordinator
Texas Main Street/Texas Historical
Commission

(812) 463-5758

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State of Oregon Main Street Revitalization Services Oregon

Lakota provided revitalization services to 11 communities participating in the Oregon Main Street Program—an economic development program for traditional commercial districts developed by the National Trust for Historic Preservation. Lakota's services to the Oregon communities involved management consultations and intensive training in the Main Street Four-Point Approach®, an economic development tool used for revitalizing downtown districts by leveraging a community's local assets.

Statistics

Start Date: January 2009
Completed: June 2009

Reference

Gary Van Huffel
State of Oregon

(503) 986-0123

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Preserve America Wayfinding & Cultural Tourism Ferndale, Michigan

The Lakota Group led a consultant team that developed a comprehensive wayfinding plan for Ferndale, Michigan, as well as interpretive historic and cultural signage and web-based self-guided tours of the city. The new branding campaign and signage package has enhanced the growing vitality of this Detroit suburb. Based on public process, Lakota developed a wayfinding master plan to serve as the roadmap for all future city signage projects and advanced plan details for a first-phase construction project. The preferred design and branding theme was inspired by Ferndale's Radio City Theater marquee that is featured prominently in historic photos but was unfortunately demolished in 1975. The project was funded through a grant from the National Park Service's Preserve America program, a matching-grant program that supports preservation efforts.

Statistics

Start Date: October 2009
Completed: March 2012

Reference

Cristina Sheppard-Decius
Executive Director
West Dearborn Downtown
Development Authority

Former Ferndale Downtown Development
Authority

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csdecus@ci.dearborn.mi.us

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HISTORIC BUILDING

DESIGN AND RESOURCE MANUAL



Historic Design & Resource Manual Naperville, Illinois

Lakota and Bailey-Edward Architecture prepared a set of design guidelines for Naperville's National Register and locally-designated Historic District. The District is primarily composed of residential resources and is also the location of North Central College's main campus. The guidelines address building rehabilitation and restoration methods, new additions and construction, landscape elements, and green and energy efficiency techniques. The document will be used by the Naperville Historic Preservation Commission for its Certificate of Appropriateness review processes and for preservation education activities.

Statistics

Start Date: February 2010
Completed: August 2010

Reference

Gabrielle Mattingly
Assistant Planner
City of Naperville

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Residential Design Standards Oshkosh, Wisconsin

Adjacent to downtown Oshkosh and the University of Wisconsin-Oshkosh campus is one Oshkosh's oldest and historic residential neighborhoods, mainly consisting of Queen Anne and Craftsman homes constructed from the 1880s to the 1920s. Over the decades, the neighborhood's single-family historic housing stock transitioned to rental apartments to accommodate the growing college student population. To maintain the integrity, as well as to conserve the historic housing stock, the City of Oshkosh engaged Lakota to prepare a set of residential design standards that guide changes and alterations to existing homes and infill construction.

Statistics

Start Date: May 2013
Completed: January 2014

Reference

Darryn Burich
Planning Director
City of Oshkosh

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dburich@ci.oshkosh.wi.us





PROJECT APPROACH

Planning Approach

The City of Bloomington is seeking a qualified professional consultant team to assist in the preparation of a Community Historic Preservation Plan. The plan will update and replace its 2004 plan. The central objectives of this assignment are to assess the city's historic preservation programs and policies, establish historic contexts for the City, make recommendations for identifying historic resources and potential designations, assess preservation's role in the broader planning process, and conduct a thorough community engagement process. With this Preservation Plan, the community desires to build on past successes while recognizing that additional efforts are needed to identify priority areas for preservation, reinvestment, and economic development and to shape and enhance the City's character.

Clearly, a central challenge of most American communities today is to balance historic preservation with the redevelopment and revitalization of their traditional commercial district, neighborhoods, and other key historic resources, especially in light of challenging economic times.

Protecting important historic resources from their loss and demolition, due to development pressures or from disinvestment and neglect, should always be a key priority for any community.

However, what other ways and means should be explored in which to implement a broader, more comprehensive approach to preserving and reusing historic resources? For instance, how does the City leverage its current set of building rehabilitation incentives to promote increased use of the Federal Historic Preservation Tax Credits? What set of new incentives should be developed to help facilitate substantial building rehabilitation projects? Can new partnerships with other organizations and entities be forged to undertake specific tourism activities and educational and outreach efforts to build a stronger historic preservation ethic? Can the internal operations of the Historic Resources Commission be enhanced and improved so that adequate resources are devoted to implementing the short and long-term Preservation Plan goals and initiatives? What Bloomington historic assets are not represented in the City's Inventory of Historic Districts and Landmarks?

These questions and others should be addressed through a well-researched and prepared Community Historic Preservation Plan, one that is developed and produced with the input and participation of the citizens of Bloomington.

Our approach to this assignment will be multi-disciplinary and will include the following elements:

- Assess the current level of preservation planning in Bloomington, including existing survey and documentation efforts, local and National Register designation activities, current design review processes, local financial incentive programs, and educational and community outreach efforts.
- Assess the level of preservation planning and needs in other community planning processes for Downtown Bloomington, and other commercial districts and neighborhoods.
- Undertake a reconnaissance tour with local officials and City staff, preservationists and historians to understand the location of significant resources and the potential for new historic districts and landmarks. This will help inform the inventory list.
- Research and establish context statements for understanding, identifying, and evaluating properties and distinct districts within the City, areas that include historic resources and places that tell the story of Bloomington and its people. Historic contexts provide the foundation for effective preservation planning.
- Review all existing inventories, including those resources listed in the National Register of Historic Places as districts and individual landmarks, as well as survey and nomination reports, context statements and other data and information.
- Analyze Bloomington's land use trends, historic building conditions, and additional data to understand broader impacts and threats to local historic resources and undertake an assessment of potential impacts on historic resources from development pressures, disinvestment or other threats.

- Explore additional digital technology needs beyond the City's existing website and GIS systems for placing survey and historic district information on the Internet for broader accessibility by the public.
- Interview organizations and entities, the McLean County Historical Society, Old House Society, neighborhood associations and businesses, civic and economic development groups to determine possible roles in implementing more encompassing historic preservation-based community development initiatives.
- Review other zoning code provisions and development regulations to determine the need for incorporating historic preservation elements, or revising current provisions to strengthen the vitality of the City's historic districts.
- Propose a program of ongoing community outreach, education, heritage tourism, and preservation advocacy efforts that help promote increased awareness of Bloomington's historic resources and stakeholder buy-in in the long-term stewardship and revitalization of the City's landmarks and districts.
- Explore the capacity-building needs of preservation advocacy entities, as well as preservation leadership development needs – who will be the next preservation leaders for Bloomington?
- Incorporate practical strategies and a detailed implementation plan, which prioritizes specific actions to be taken. Implementation strategies will identify parties responsible for each action as well as potential funding mechanisms.

Other aspects of our preservation planning methodology include:

MAPPING

As part of the planning process, our Team will map all historic resources, districts, landmarks and eligible resources. In addition, the Team will develop adaptive use opportunities and character area maps using Geographic Information Systems (GIS) and a set of criteria including building construction dates, building sizes and floor-plates. Such mapping allows the community to understand where adaptive use opportunities and "high" character areas are located – buildings conducive to adaptive use, as well as areas that may not be eligible as historic districts but could warrant some measures for their protection and enhancement through zoning overlays and other tools.

IDENTIFICATION OF ETHNICALLY AND RACIALLY DIVERSE RESOURCES

Bloomington's heritage story must broaden to include the City's rich tapestry of ethnic and racial groups that contributed to Bloomington's development. These groups are often underrepresented in the recognition and interpretation of their stories to future generations. Therefore, Lakota will consider historic contexts and their associated historic resources that contribute to a greater understanding of Bloomington's history and development, including Bloomington's settlement by different ethnic and racial groups.

DESIGN REVIEW

The Lakota Team will use a comparative analysis approach to determine ways in which new regulatory and financial mechanisms can be introduced to improve design review processes and encourage the rehabilitation and reuse of important historic resources. This approach will take into account current best practices undertaken and implemented

by other communities in Illinois and around the country in their preservation planning programs.

HISTORIC PRESERVATION-BASED ECONOMIC DEVELOPMENT

Through engagement with key stakeholders, property owners and the local and regional development community - as well as independent research and analysis - our Team will refine a set of strategies aimed at sharpening the community's historic preservation-based economic development efforts.

Preservation-based economic development strategies to be explored during this planning process include, but are not limited to:

- Identifying key adaptive use projects.
- Exploring the expansion of existing incentives and/or creating new ones that meet preservation and economic development needs.
- Exploring gaps and needs for the downtown and potential development strategies and initiatives that could be undertaken in partnership with the City.
- Considering updates to zoning and land use regulations to enhance and streamline adaptive use processes as necessary.
- Providing suggestions and recommendations on enhancing the roles of partner organizations in carrying out specific economic development responsibilities and initiatives.
- Assessing the potential impacts of nationwide trends, including online shopping, the desire for walkable mixed-use communities, and other demographic and sectoral shifts that can influence preservation strategies.
- Understand the potential for heritage tourism activities, including identifying and enhancing heritage tourism assets.



IMPLEMENTATION

No plan is valued and effective without a realistic implementation strategy. All policies and initiatives will incorporate public and private-sector participation on short and long-term implementation. In addition, a detailed chart summarizing key actions, funding sources, and critical implementation partners will be included. Our Team focuses its implementation strategy work on what roles the local government and key organizations and agencies will play in implementation. Implementation strategies will also focus on potential "grass-roots" involvement of residents and stakeholder groups for long-term planning success.

COMMUNITY ENGAGEMENT

The City of Bloomington will take the lead in organizing engagement efforts including community meetings. The Lakota Group will participate in all sessions and provide all exhibits and ancillary printed materials. An important objective of the preservation planning process is to undertake an inclusive public participation program that engages local stakeholders and residents in effective, meaningful ways. An open and transparent public engagement effort will provide a platform for building the trust, confidence and optimism needed to effectively cultivate key stakeholder support for short and long-term preservation planning goals.

Lakota will work closely with the City, the Historic Preservation Commission, local stakeholder groups, and other state and regional agencies, and other preservation advocacy groups throughout the planning process to solicit ideas and gather input so that the Community Historic Preservation Plan reflects a strong consensus of the community.

Lakota understands that a particular community's stakeholder level of interest and participation in community meetings can vary significantly. Therefore, our Team's collective experience suggests that the appropriate means for engaging stakeholders during workshops and meetings must be identified and understood early on before the planning process begins. Therefore, carefully-designed community engagement plan will be developed in close collaboration with the City, the Preservation Plan Steering Committee, the Historic Preservation Commission, and other key stakeholders before the planning process starts in earnest.

At a minimum, however, our Team's workshop approach will include:

- **Postcards from the Future.** If you visited Bloomington in 2029, what buildings or districts have been preserved and revitalized? This is the question posed to people in customized postcards that Lakota designs (pre-paid) and distributes during the workshops. These are distributed through multiple forums and at events.
- **Do-It-Yourself Budgeting.** This is a chance for the public to put their money where their priorities are during open houses and workshops. Piggy banks are created and filled with fake money to help participants understand budgeting constraints and communicate what is most important to them. It is an effective interactive exercise in open houses and public meetings.
- **Online Surveys.** Lakota can develop one or several online surveys regarding preservation issues that could be undertaken during the community meeting.

Other community engagement tools are described on page 47.



PROJECT MANAGEMENT

To ensure continuity and effective communication and management, a Lakota Associate Principal will be the day-to-day project manager. To facilitate communication and coordination, Lakota will use several web-based tools to establish to-do task lists, develop visit schedules, share documents, and exchange ideas and suggestions. Lakota will invoice the City monthly and will manage all project billings and accounting on behalf of the Team. Lakota has a full-time accountant/bookkeeper that will oversee cost control and regular billings. The Lakota Associate Principal will be responsible for quality control and facilitate regular (bi-weekly) coordination calls with the City to ensure the process stays on track. The Lakota Team can also consult with the City on the formation of a Preservation Plan Steering Committee, including identifying potential stakeholder candidates as well as preparing Committee member prospectuses and job descriptions.

PLAN PRODUCTION

Any plan needs to be well-written and easy to use and implement. Our Team has helped clients accomplish this objective by preparing a well-illustrated planning document, written in "plain English" that addresses substantive, locally-defined issues and planning strategies effectively. All readers of the document should be able to find answers to their questions.

WORK PLAN

The planning process for the Citywide Historic Preservation Plan will undertake the project tasks outlined in section 5.1: Project Tasks of the RFP. The process has been broken into two phases.

Phase I, *State of the City*. This phase involves a wide range of private sector stakeholders and public agency representatives; to define preservation challenges and opportunities and to develop a comprehensive base line of information for analysis and decision-making. The Phase also includes the creation of preliminary preservation planning policies, crafting a Preservation Philosophy or Vision Statement and initiatives through research, creative thinking, and community engagement, with the overall goal of establishing a shared, compelling vision for Bloomington's heritage resources.

Phase II, *Citywide Historic Preservation Plan*. This phase will bring together in a formal plan document the preferred preservation planning goals, policies and recommendations based on the community's vision and consensus for short and long-term preservation goals.



phase 1 | State of The City

The first-phase analysis will include a comprehensive review of the following:

- Previous historic resource surveys.
- Previous National Register nominations.
- Previous Local District nominations and individual Landmark designations.
- Bloomington Historic Preservation Ordinance.
- Previous preservation plans and studies.
- Current and in-production community and neighborhood plans.
- Current administrative rules and annual work plan for the Bloomington Historic Preservation Commission.
- Economic data and development trends.
- City CDBG Consolidated Plan.
- Tourism studies.
- Evaluation of current Bloomington incentive program and tax credit rehabilitation activity.
- The current process and procedure for applying COA review.
- Other plans and reports.

The first-phase of the planning process will also include focus group and stakeholder listening sessions, City of Bloomington staff review sessions, document analyses and results of the interview session process.

TASK 1.1: PROJECT START MEETING (VISIT #1, MEETING #1)

A project start meeting will be organized and conducted with the City of Bloomington planning staff and members of the Historic Preservation Commission, to introduce the Lakota Group and discuss:

- Client Planning Mission.
- Preservation Plan Steering Committee Formation and Organization.
- Potential Historic Context Committee, if needed, to assist Lakota in the identification and development of specific historic contexts that should be considered in the creation of the Preservation Plan.
- Initial Preservation Planning Issues and Challenges.
- Work Plan and Schedule.
- Community Engagement Program.
- Available Data, Resources, and Resource People.

The Work Plan and Schedule will be refined based on input received during the project start meeting. A more specific calendar of meeting dates and work products will be developed along with a list of needed data sources and potential key person interviews during the process.

TASK 1.2: PROJECT WEBSITE

Lakota will create a project website that describes the overall preservation planning project and process. The website will be interactive in allowing the public to access documents, such as project updates and communications, draft and final plan documents, workshop materials and surveys, as well as to post comments and other information.

TASK 1.3: FIELDWORK (VISIT #1, MEETING #2)

Lakota will undertake additional field investigations, photography and reconnaissance work of Bloomington in order to document Bloomington's architectural styles and building forms, potential survey areas and historic districts, existing conditions and preservation planning constraints and opportunities.

TASK 1.4: HISTORIC PRESERVATION COMMISSION ORIENTATION AND LISTENING SESSION (VISIT #2; MEETING #3)

Lakota will conduct a formal orientation and discussion session with the Historic Preservation Commission regarding the Historic Preservation Plan, key preservation issues and, goals and objectives going forward. Other municipal or county departments and commissions can also be invited to attend.

TASK 1.5: STEERING COMMITTEE LISTENING SESSION (VISIT #2; MEETING #4)

Lakota will conduct a focus group discussion with the Preservation Plan Steering Committee to review preservation planning issues and constraints and opportunities regarding Bloomington's preservation program.

TASK 1.6: STAKEHOLDER LISTENING SESSIONS (VISIT #2; MEETING #5)

Listening sessions will be conducted with elected and appointed officials, preservation advocates and advocacy groups, developers, homeowner organizations and neighborhood association, property owners, realtors, financial institutions and other stakeholders to discuss local historic preservation issues and potential preservation planning strategies.

TASK 1.7: DATA AND INFORMATION COLLECTION

Lakota will collect additional information and data as necessary to conduct analysis of local preservation issues. An additional meeting can be scheduled with a historic context committee to discuss historic context themes and heritage resources to be evaluated as potential landmarks and districts.

TASK 1.8: MAPPING

Lakota will collect City or County GIS information, other digital maps, Sanborn maps and aerial photos from the City of Bloomington for use in preparing maps that document existing historic districts and surveyed areas. New maps will be developed documenting potential survey areas, historic districts, areas of special concern to the City of Bloomington. The maps will be refined as information becomes available during the process.

TASK 1.9: ANALYSES

Lakota will analyze relevant documents and plans, resource inventories, reconnaissance observations, listening session results, and other materials and information. Research will also be conducted into best practices in historic preservation planning with a determination of opportunities for strategic action in Bloomington.

TASK 1.10: COMMUNITY SPEAK OUT SESSION (VISIT #3, MEETING #6)

Lakota will organize and host a Community Speak Out Session with community stakeholders and residents to introduce the preservation planning process and to discuss preservation issues and opportunities in an informal open house or "speak-out" format. Interactive preservation issue booths, a "piggy bank" voting exercise, a mapping station and round-table discussions will be employed as part of the open house to gain community feedback on preservation issues and possible strategies and solutions. This informal open-ended format provides a more relaxed atmosphere and setting for residents to participate rather than a lecture-discussion format. The mapping station in particular will allow community residents to map out where there are historic resources of critical importance to Bloomington. Prior to the Speak-Out session, the Team will prepare a workshop announcement or mailer, a press release, a website update, and social media posts to help raise awareness.

Reproduction and distribution of mailings and announcements will be the responsibility of the City. Prior to the workshop, Lakota will update the project website and work with the City to prepare workshop announcements and other communication pieces.

TASK 1.11: COMMUNITY SURVEY

Lakota will prepare an online survey, using many of the exhibits and exercises from the Community Open House, to gain additional insight from Bloomington citizens about current preservation issues.

TASK 1.12: COMMUNITY INPUT SUMMARY (DELIVERABLE #1)

Lakota will complete a summary of the Speak Out session results and Community Survey feedback. The summary will be delivered to the City, Preservation Plan Steering Committee, Historic Preservation Commission and posted to the Project Website.

TASK 1.13: STATE OF THE CITY REPORT (DELIVERABLE #2)

Lakota will prepare a State of the City Report as the program overview that will serve as a summary of the stakeholder listening sessions, the reconnaissance tour/survey, and research and other information analysis.

The report will be organized as follows:

- Preservation Philosophy Statement
- Historic Contexts and Bloomington Architecture
- Existing Landmarks and Districts
- Previous Preservation Planning Documents, Surveys and Documentation Initiatives
- Municipal Historic Preservation Programs, Ordinance, Landmarking and Design Review Procedures
- City Planning and Zoning-related Processes and Programs
- Incentives and Economic Development Programs
- Other City Departments and Preservation Program Responsibilities
- Recommendations for new databases, web resources, and ways to promote existing resources such as MapGeo.
- Existing Partnerships and Organizational Relationships
- Draft Preservation Planning Objectives, Strategies and Concepts

The report document will be delivered in electronic form to the City and the Preservation Plan Steering Committee. A draft will also be forwarded to the State Historic Preservation Office. Lakota will consult with the City and the Preservation Plan Steering Committee to review and help develop a more current and comprehensive context statement of Bloomington from early Native American settlement to Mid- 20th Century influences.

TASK 1.14: CITY STAFF REVIEW MEETING (VISIT #4, MEETING #7)

Lakota will meet with City staff to review and consider draft revisions prior to the on-site meeting with the Preservation Plan Steering Committee.

TASK 1.15: PRESERVATION PLAN COMMITTEE MEETING (VISIT #4, MEETING #8)

Lakota will conduct an on-site review meeting with the Preservation Plan Steering Committee and City planning staff to review the Draft State of the City Report, check planning assumptions, and sharpen historic preservation planning goals and objectives.

TASK 1.16: REVISED STATE OF THE CITY REPORT (DELIVERABLE #3)

Lakota will prepare a revised State of the City Report based on Preservation Plan Steering Committee and City staff comments. The Revised Report will be prepared and delivered in both booklet and electronic form. The final version of the Report will be posted to the project website.

phase 2 | Community Historic Preservation Plan

During this phase, Lakota, together with City leaders, the Preservation Plan Committee, Historic Resources Commission, preservation advocates, property/business owners, and residents, will complete the Citywide Historic Preservation Plan and generate a range of implementation actions and programs to help implement the strategies and recommendations presented in the Plan.

TASK 2.1: DRAFT CITYWIDE HISTORIC PRESERVATION PLAN (DELIVERABLE #4)

Lakota will prepare a Draft Citywide Historic Preservation Plan for the City of Albany, the Preservation Plan Committee and the Historic Resource Commission that will include the following chapters:

- Executive Summary
- Introduction
- Citywide Historic Preservation Plan
- Implementation
- Albany Heritage Resources
- City Planning and Program Administration
- Albany Speaks
- Appendices

Preservation planning implementation strategies presented within the planning document will focus on the following elements:

- Priority survey areas and future landmarks and historic districts.
- Enhancements to Historic Resource Commission operations and review procedures, including any needed changes to enabling ordinances and administrative procedures.
- Preservation-based economic development strategies.
- Education, advocacy and outreach strategies including development of new educational materials such as brochures for use by the HRC.
- Downtown and neighborhood revitalization and conservation strategies including the integration of Conservation Districts.
- Partnership opportunities with other organizations, agencies and entities.
- Integration of preservation planning policies and initiatives in other comprehensive and district level planning activities.
- Planning strategies to mitigate threats and development pressures to historic resources.

TASK 2.2: CITY STAFF REVIEW MEETING (VISIT #5, MEETING #9)

Conduct a conference call with City Staff to review the Draft Historic Preservation Plan and consider revisions prior to the on-site meeting with the Preservation Plan Committee. Following the conference call, the revised draft version of the Report will be posted to the project website.

TASK 2.3: PRESERVATION PLAN COMMITTEE MEETING (VISIT #5, MEETING #10)

A review meeting with the Preservation Plan Committee and City planning staff will be conducted to review the Draft Citywide Historic Preservation Plan and discuss potential changes and revisions.

TASK 2.4: REVISED CITYWIDE HISTORIC PRESERVATION PLAN (DELIVERABLE #6)

Lakota will prepare a revised Citywide Historic Preservation Plan document incorporating results from the second community workshop and incorporating additional recommendations on implementation actions. The Revised Plan will be prepared and delivered in both booklet and electronic form and posted to the Project Website.

TASK 2.5: SUBMISSION OF FINAL DOCUMENT TO NYS HISTORIC PRESERVATION OFFICE

Lakota will submit the final plan document to the NYS Historic Preservation Office by September 30, 2019.

Community Engagement

The Lakota Team will work closely with the City of Albany staff, the City Council, and other local stakeholders throughout the planning process to solicit input and gather ideas so that this Citywide Historic Preservation Plan reflects a strong consensus of the community. Our Team offers a range of engagement activities, such location-based and “pop-up” workshops to several digital platforms.

Each planning project engagement plan is not a one-size-fits-all and is carefully calibrated to the specific needs of the community. However, our Team has found that certain elements are time-tested and effective mechanisms to engaging hard-to-reach populations - by leveraging partnerships that build trust with different neighborhoods entities and by listening to their needs and strategizing about the best way to engage them throughout the process.



INFORM

Keeping the public informed & aware of the process



PROJECT BRAND

We will create a project-specific brand that draws upon the existing identity of the City and the spirit of the Plan. This branding exercise will result in a project logo, an easy-to-understand set of standards to ensure all project-related messaging and graphics are consistent, and a project website that will be used as the main online community portal for the project.



PROJECT WEBSITE

We will design an online home for the project to describe the overall planning project and process and post project updates, draft plans, workshop materials and plan drawings.



SOCIAL MEDIA

We will create a project-specific brand image, Facebook page and Twitter account to capture additional participants, communicate during the process and spur community energy and activity for the planning process.

LISTEN

Listening to and acknowledging concerns & providing feedback on how to influence the process



STAKEHOLDER INTERVIEWS & FOCUS GROUP SESSIONS

We will conduct interviews with community leaders, representatives of key institutions, property and business owners, and residents to discuss community issues. will be conducted to reach various groups. The purpose of the interviews and sessions is to gain a thorough understanding of how the community would like to see arts and culture in the city grow and develop.



ONLINE ENGAGEMENT TOOLS

Utilize programs, such as Community Remarks, a special internet-based mapping tool used for community engagement purposes. These programs allow residents and stakeholders to capture place-based comments and photos in real time to help the community understand and solve specific planning issues. The programs can be used with iPads and smartphones.



ONLINE SURVEYS ANALYSIS

Prepare additional online surveys for local stakeholders to undertake.

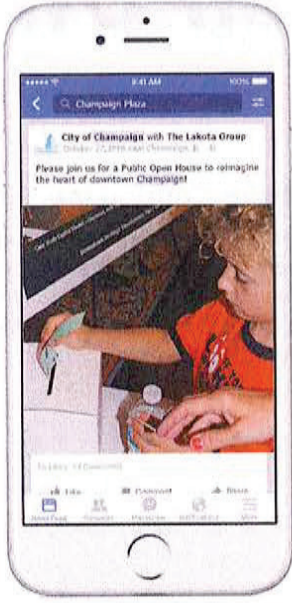
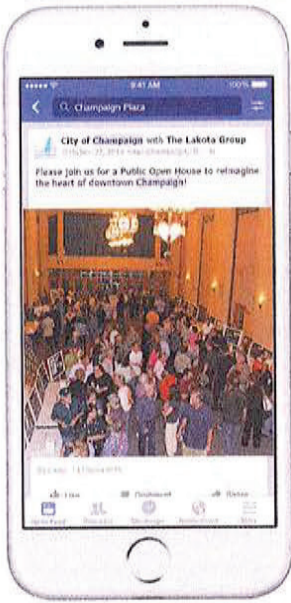
The Lakota Team can employ different online platforms that engage people through surveys and crowd sourced information gathering



Community Remarks
sMap
Open Town Hall
CoDigital
Front Porch Forum

Social Media
mySidewalk
PlaceSpeak
Wordpress Sites
MetroQuest
coUrbanize
Urban Interactive
CivicPage

Survey Monkey
Survey Gizmo
Poll Daddy
Zoomerang
Key Survey
LimeSurvey



ENGAGE

Partnering with the public



POPUP WORKSHOPS

We bring workshops to the people! We've been to schools, festivals, churches, and block parties and bring our workshops with us. This ensures we engage all facets of the community and make it more convenient for them to participate in the process.



- » One Community Workshop
- » Interactive Exercises



EMPOWER

Incorporating advice & recommendations and empowering the public for implementation

Steering Committee

From our collective experience, Steering Committees must represent different spheres of influence and key sectors of the community to ensure that the Historic Preservation Plan has credibility and the initial partnerships needed to implement the Plan over the long-term.

Steering Committees

for a project of this importance range from nine to thirteen individuals. It is recommended that the Task Force meet at four key milestones during the project process: 1) Project Start, 2) delivery of the State of the City Report and needs assessment, 3) Draft Plan review and, 4) Final Plan presentation.

Project Timeline



PHASE #1

NOVEMBER 2019 - APRIL 2020



PHASE #2

MAY 2020 - AUGUST 2020



Cost Proposal

The Lakota Group will work closely with the City of Bloomington and the Historic Preservation Commission to refine the project scope, schedule and deliverables. Our firm has the resources, experience, and expertise to conduct a preservation assignment of this scope.

Professional Fees and Expenses

Professional fees and reimbursable expenses for this assignment are estimated as follows:

Phase 1:	\$32,480
Phase 2:	\$13,640
Travel and Expenses:	\$3,690
Total Budget	\$49,810

Fee estimates are negotiable and can be adjusted based on clarifications or changes to the work scope made by the City of Albany. The fee estimate includes all phases including engagement, travel, and final report production as outlined in this RFP response. If requested by the City, Lakota will provide fee estimates for additional tasks. Any additional services requested of the Lakota Group will be billed on an hourly rate basis according to the firms current hourly rates:

Lakota Hourly Rates

Associate Principal:	\$200.00
Senior Associate:	\$180.00
Associate Planner:	\$140.00

No additional fees will be charged to the City of Bloomington without the prior written consent by the City.

References

Additional references can be furnished upon request.

Bloomington (Illinois)Historic Preservation Plan					LAKOTA									
Professional Fee Estimate														
October 2, 2019														
Work Scope/Phases/Tasks/Hours/Fees					Staff Hours					Staff Hours				
PHASE 1: State of the City					A	B	C	D	E	A	B	C	D	
Task 1.1: Project Start Meeting (Visit #1, Meeting #1)					2	2								
Task 1.2: Project Website							4							
Task 1.3: Fieldwork (Visit #1)					6	6								
Task 1.4: Historic Preservation Commission Orientation and Listening Session (Visit #2; Meeting #3)					2	2								
Task 1.5: Steering Committee Listening Session (Visit #2; Meeting #4)					2	2								
Task 1.6: Stakeholder Listening Sessions (Visit #2; Meeting #5)					14	14								
Task 1.7: Data and Information Collection					2	4	4							
Task 1.8: Mapping							8							
Task 1.9: Analyses					8	8								
Task 1.10: Community Speak Out Session (Visit #3, Meeting #6)					4	4	10							
Task 1.11: Community Survey					2	2	2							
Task 1.12: Community Input Summary (Deliverable #1)					2	2	2							
Task 1.13: State of the City Report (Deliverable #2)					16	8	22							
Task 1.14: City Staff Review Meeting (Visit #4, Meeting #7)					2	2								
Task 1.15: Steering Committee Meeting (Visit #4, Meeting #8)					2	2								
Task 1.16: Revised State of the City Report (Deliverable #3)					2	4	6							
Subtotal Hours					66	62	58	0	0	0	0	0	0	
Subtotal Fees					\$13,200	\$11,160	\$8,120	\$0	\$0	\$0	\$0	\$0	\$0	
Total Phase 1 Fee					\$32,480					\$0				
Total Phase 1 Fee: \$32,480														
PHASE 2: Citywide Historic Preservation Plan														
Task 2.1: Draft Community Historic Preservation Plan (Deliverable #4)					8	12	14							
Task 2.2: City Staff Review Meeting (Visit #5, Meeting #9)					2	2								
Task 2.3: Steering Committee Meeting (Visit #5, Meeting #10)					2	2								
Task 2.4: Revised Community Historic Preservation Plan (Deliverable #5)					6	10	12							
Task 2.5: Submission of Document to Illinois Historic Preservation Office					2	2	4							
Task 2.6: City Adoption Hearings					2									
Subtotal Hours					22	28	30	0	0	0	0	0	0	
Subtotal Fees					\$4,400	\$5,040	\$4,200	\$0	\$0	\$0	\$0	\$0	\$0	
Total Phase 2 Fee					\$13,640					\$0				
Total Phase 2 Fee: \$13,640														
Total Hours by Staff					88	90	88	0	0	0	0	0	0	
Subtotal Fee by Staff					\$17,600	\$16,200	\$12,320	\$0	\$0	\$0	\$0	\$0	\$0	
Total Fee by Firm					\$46,120					\$0				
Project Fee Total =					\$46,120	Staff Categories				Staff Categories				
Expense Fee (8 percent of fee)					\$3,690	A. Associate Principal				A. Principal				
Total Project Budget =					\$49,810	B. Senior Associate				B. Principal				
						C. Associate Planner								
						D. Project Planner/Designer								
						E. Operations Manager								

Insurance Certificate



LAKOGRO-01

TROBINSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/26/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Associated Agencies, Inc 1701 Golf Road #3-700 Rolling Meadows, IL 60008		CONTACT NAME: PHONE (A/C, No, Ext): (847) 427-8400 FAX (A/C, No): (847) 427-3430 E-MAIL ADDRESS: assocagencies@associated.cc															
INSURED The Lakota Group, Inc. 116 W. Illinois Street 7th Floor Chicago, IL 60654		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: The Travelers Indemnity Co of CT</td> <td>25682</td> </tr> <tr> <td>INSURER B: Charter Oak Fire Insurance Co</td> <td>25615</td> </tr> <tr> <td>INSURER C: Trumbull Insurance Company</td> <td>27120</td> </tr> <tr> <td>INSURER D: Admiral Insurance Company</td> <td>24856</td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: The Travelers Indemnity Co of CT	25682	INSURER B: Charter Oak Fire Insurance Co	25615	INSURER C: Trumbull Insurance Company	27120	INSURER D: Admiral Insurance Company	24856	INSURER E:		INSURER F:	
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INSURER F:																	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☒ PRO-JECT ☐ LOC OTHER:		680-9H737119-17-47	05/01/2017	05/01/2018	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY		BA-3J986735-17-GRP	05/01/2017	05/01/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000		CUP-7B762111-17-47	05/01/2017	05/01/2018	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	83WECVP8565	05/01/2017	05/01/2018	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Professional Liab.		EQ00002394705	10/20/2017	10/20/2018	Agg/Each OCC 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Proof of Coverage

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Equal Opportunity Plan
109 E. Olive Street
Bloomington, IL 61701
(309) 434-2215

Failure to properly complete this form and submit with bid or proposal will result in your submission not being considered responsive and result in the denial of eligibility to bid or do business with the City of Bloomington for this project/services/goods. A copy of the Equal Opportunity plan for your firm should be included with this form and Section IV. Certification must be signed and dated.

Section I. Identification

1. Company Name and Address:

Name: The Lakota Group

D/b/a: _____

Address: 116 W Illinois St., Floor 7

City/State/Zip: Chicago, IL 60654

Telephone Number(s) Area Code: 312.467.5445

Check one of the following:

☒ **Corporation** ☐ **Partnership** ☐ **Individual Proprietorship** ☐ **Limited Liability Corp.**

2. Name and Address of the Company's Principal Office (answer only if not the same as above).

Name: _____

Address: _____

City/State/Zip: _____

3. Major activity of your company (product or service):

Urban Planning, Urban Design, Historic Preservation, Community Branding, Landscape Architecture

Section II. Policies and Practices

Description of EEO Policies and Practices

- A. Is it the Company's policy to recruit, hire, train, upgrade, and discipline persons without regard to race, sex, color, religion, national origin, age, mental and/or physical disability, and sexual orientation?

YES ☒ NO ☐

- B. Has someone been assigned to develop procedures, which will assure that the EO policy is implemented and enforced by managerial, administrative, and supervisory personnel? If so, please indicate the name and title of the charged with this responsibility.

Name: _____

Title: _____

Telephone: _____

- C. Has the Company developed a written Equal Opportunity Plan? **Note: A copy of the Equal Opportunity Plan must be submitted with this form in order to be considered eligible to do business with the /city of Bloomington.** If you would need technical assistance in developing your plan, please contact the Community Relations Office at: (309) 434-2215.

YES ☐ NO ☒

- D. Has the Company developed a written policy statement prohibiting Sexual Harassment? Please attach a copy of the policy statement.

YES ☒ NO ☐

- E. Have all recruitment sources been notified that the Company will consider all qualified applicants without regard to race, color, age, sex, national origin, religion, mental and/or physical disability, or sexual orientation?

YES ☒ NO ☐

- F. If advertising is used, does it specify that all qualified applicants will be considered for employment without regard to race, color, age, sex, national origin, religion, mental and/or physical disability, or sexual orientation?

YES ☒ NO ☐

- G. Has the consultant notified all of its sub-consultants of their obligations to comply with the Equal Opportunity requirements either in writing, by inclusion in sub consultants purchase orders?

YES ☒ NO ☐

H. Is the Company a state certified minority/female owned business? If yes, please attach a copy of the state certification.

YES _____ NO X

I. Does the Company have collective bargaining agreements with labor organizations?

YES _____ NO X

J. Has the labor organization been notified of the Company's responsibility to comply with the Equal Employment Opportunity requirements in all contracts by the City of Bloomington?

YES _____ NO X

Section III. Employment Information

A. Please complete the company workforce analysis form on the bottom of this page. Use the number of employees as of the most recent payroll period. Be sure to complete all applicable columns.

B. Job Classifications (See descriptions attached)

C. Identify the geographical area(s) from which the company may reasonably recruit employees (use city, county, SMSA, or distance in miles from your company location).

D. If minorities and women are currently under-utilized in your workforce, please attach a copy of an explanation for your plan to recruit and hire minorities and women.

Section IV. Certification

The Company certifies that it has answered all of the foregoing questions truthfully to the best of its knowledge and belief. The Company also agrees that it will comply and abide by the City of Bloomington's Contract Compliance Ordinance and the City of Bloomington Human Relations Ordinance.

	Nick Kalogeresis, Associate Principal	312.467.5445	10/1/2019
Signature:	Print Name & Title	Telephone Number	Date

CITY OF BLOOMINGTON CONTRACT COMPLIANCE WORKFORCE ANALYSIS

*M = male/F=female

Job Categories	Overall Totals		White (Not of Hispanic origin)		Black of African American (Not of Hispanic Origin)		Hispanic or Latino		Asian or Pacific Islander		American Indian or Alaskan Native	
	M*	F	M	F	M	F	M	F	M	F	M	F
Officials & Managers	3		3									
Professionals	6	4	6	4								
Technicians												
Office & Clerical	1	2	1	1						1		
Craft Workers (skilled)												
Operatives (semi-skilled)												
Laborers (unskilled)												
Service Workers												
TOTAL	10	6	10	5						1		

Name of person that compiled the above data: Anya Nair

PROPOSAL FORM

RFP #2020-17

COMMUNITY PRESERVATION PLAN

The proposer agrees to contract with the City of Bloomington to provide all necessary services, labor, documents and any other means to do all the work and furnish all the materials specified in the proposal in the manner and time therein as set forth by the proposer and that the proposer will take in full payment the amount set forth hereon. The cost of all labor, material and equipment necessary for the completion of the proposed work, even though not shown or specified, shall be included in the total price for the various items shown herein.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. The proposer certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

This project receives federal funds and requires compliance with all Federal, State, and local laws, rules, and regulations.

Description of Proposal:

The development of proposals for services to complete a comprehensive Community Historic Preservation Plan for the City of Bloomington, IL. The Consultant or consulting firm must meet the National Park Services Professional Qualifications Standards and will work with City Staff and the City of Bloomington Historic Preservation Commission on this project.

Project Lump Sum Cost \$ 49,810

The Lakota Group

Name of Company


Authorized Signature

116 W Illinois St., Floor 7

Address

Chicago

City

IL

State

60654

Zip

312.467.5445 x 215

Telephone Number

N/A

Fax Number

nkalogeresis@thelakotagroup.com

Email Address

10/1/2019

Date

**CITY OF BLOOMINGTON CONTRACT WITH
FOR PROFESSIONAL SERVICES FOR**

THIS AGREEMENT, dated this 1 day of October, 2019, is between the City of Bloomington (hereinafter "CITY") and (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Description of Services. CONTRACTOR shall provide the services/work identified on Exhibit A.

Section 3. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$_____ as set forth in the payment terms attached as Exhibit B.
- ☐ Fees as set forth in the Payment Terms attached as Exhibit B.

Section 4. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 5. Reuse of Documents. All documents including reports, drawings, specifications, and electronic media furnished by CONTRACTOR pursuant to this Contract are instruments of CONTRACTOR'S services. Nothing herein, however, shall limit the CITY'S right to use the documents for municipal purposes, including but not limited to the CITY'S right to use the documents in an unencumbered manner for purposes of remediation, remodeling and/or construction. CONTRACTOR further acknowledges any such documents may be subject to release under the Illinois Freedom of Information Act.

Section 6. Standard of Care. Services performed by CONTRACTOR under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

Section 7. Indemnification. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, its officers, officials, agents and employees from and against liability arising out of CONTRACTOR'S negligent acts, errors, or omissions in performance of services under this Contract. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force.

Section 8. Insurance Requirements. CONTRACTOR shall maintain an errors and omissions policy in the amount of \$2,000,000.00 and shall further maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with general limits not less than \$2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy.

Section 9. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 10. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 11. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 12. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 13. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 14. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 15. Attorney Fees. In the event that any action is filed by a party in relation to this contract and the party prevails in court and obtains a court order or judgment as a result of said litigation, the non-prevailing party in the action shall pay to the prevailing party, in addition to the sums that either party may be called on to pay, a reasonable sum for the prevailing party's attorneys' fees and court costs (including expert witness fees).

Section 16. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 17. Term. The term of this Contract shall be:

- ☐ Until all of the services and/or deliverables required to be provided within this Contract are completed.
- ☐ From one (1) year from the date of execution.
- ☐ From two (2) years from the date of execution.
- ☐ Other: _____

The Contract shall also be subject to the following renewal terms, if any: _____

Notwithstanding anything herein, the provisions in Sections 7 and 12 shall survive termination.

Section 18. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: _____
Its City Manager

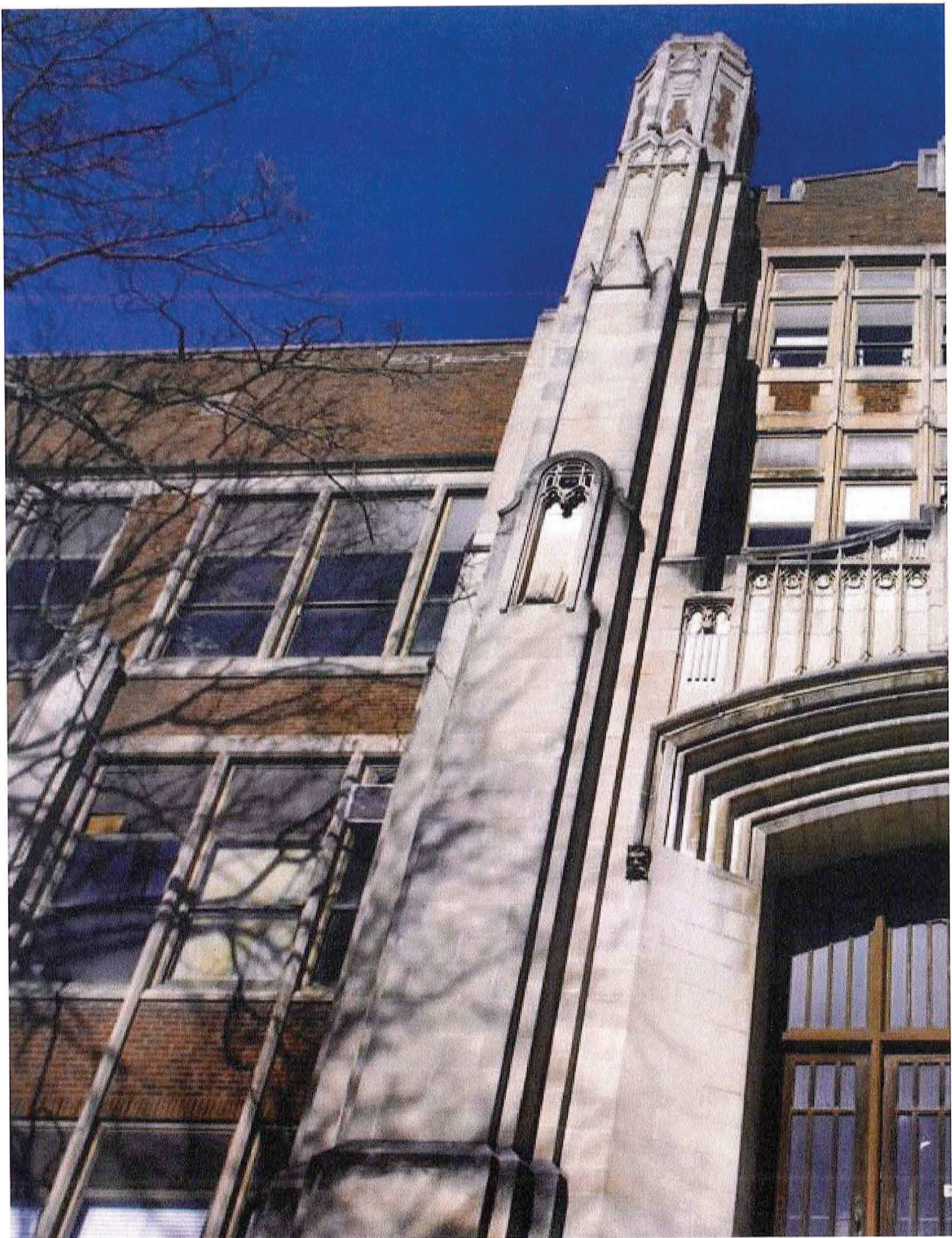
By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

4/7/2015



**THE
LAKOTA ALLIES
GROUP.IN
PLACE**

THANK YOU!



REGULAR AGENDA ITEM NO. 8.B

FOR COUNCIL: October 28, 2019

SPONSOR: Fire Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Intergovernmental Agreement with the Department of Healthcare and Family Services to participate in a Federal program to receive supplemental Medicaid payments for Ground Emergency Medical Transports, as requested by the Fire Department.

RECOMMENDED MOTION: The proposed Agreement be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1e. Partnering with others for the most cost-effective service delivery

BACKGROUND: The Illinois Fire Chiefs Association (IFCA) has partnered with the Department of Healthcare and Family Services (HFS) to pursue a Federal program with the Centers for Medicare and Medicaid Services (CMS) for supplemental Medicaid payments commonly known as GEMT (Ground Emergency Medical Transportation). The program was developed to reduce the financial impact on municipalities that provide ground medical transports to Medicaid patients. The State Plan Amendment has been submitted to CMS but has not yet been approved. HFS is requiring Departments that want to participate in this program to complete an HFS cost report and Intergovernmental Agreement by November 1, 2019. It is anticipated that the plan will be approved by the end of 2019. This is a very important program that will generate millions of Federal dollars for Illinois Fire Departments and Districts.

To be eligible to receive funding the City must meet the following criteria:

- Submit to Medicaid for costs of transportation to a recognized facility (hospital) under a National Provider Identifier (NPI) registered to a public provider (Municipality or District).
- Be considered an “obligated provider” of emergency response and transportation to a hospital, meaning that Departments are required by law or statute to respond, treat and transport.
- Annually complete a detailed cost report that delineates the Department’s cost of service (EMS transports) per response on a Department of Healthcare and Family Services (HFS) approved form.
- Execute an Intergovernmental Agreement (IGA) with the State of Illinois HFS.
- Maintain a completed cost report and IGA on file with HFS.

If approved, Supplemental Medicaid payments will be distributed through the following process:

- Based on the Fire Department's cost report provided to HFS, HFS will develop a uniform per trip supplemental payment based on an average cost for Departments in our region.
- The Fire Department will continue to submit billing to Medicaid through its normal billing process.
- For Fee-for-service (FFS) claims, the supplemental payment amount will be added to the HFS fee schedule rate so that Fire Departments are paid the full amount as claims are processed.
- For Managed Care Organization (MCO) claims, they will initially be paid at their current fee schedule rates. However, on a quarterly basis, HFS will audit the Fire Department's number of paid MCO claims and multiply the number of claims by the supplemental add-on amount to calculate the amount owed to the Fire Department. MCOs will then be notified by HFS of the outstanding supplemental payments owed to the Fire Department and MCOs will forward payment to the Fire Department within an allotted timeline.
- Following receipt of payments by the Fire Department and in accordance with the IGA, the Fire Department will send HFS 50% of the payments it receives from MCOs and 50% of supplemental payments it receives FFS claims.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, additional cost recovery dollars would be realized by the Fire Department, of which a portion will need to be passed on to the State. The City will not make payments until the additional dollars are received. The City can opt out of the IGA at any time.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Brian Mohr, Fire Chief

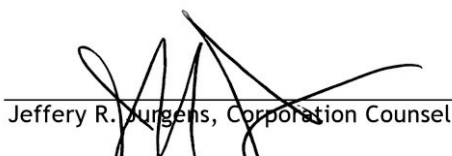
Reviewed by:


Brian Mohr, Fire Chief

10/22/2019


Chris Tomertin, Budget Manager

10/23/2019


Jeffery R. Jurgens, Corporation Counsel

10/23/2019


Tara Henry, Legislative Assistant

10/24/2019

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- PD 1B GEMT IGA Bloomington Fire Department

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
AND
Bloomington Fire Department
2020-2021**

The Illinois Department of Healthcare and Family Services (HFS or the Department) and **Bloomington Fire Department (BFD)**, pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, hereby enter into this Intergovernmental Agreement (Agreement) in connection with enhance rates for ambulance services. HFS and BFD are collectively referred to herein as “Parties” or individually as a “Party.”

**ARTICLE I
INTRODUCTION**

1.01 Background. Article XII of the Illinois Public Aid Code authorizes the Illinois Department of Healthcare and Family Services to make use of, aid and co-operate with State and local governmental agencies and the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.* provides for cooperation between units of government. Provider operates a Fire Department (Provider) that is enrolled in the Medical Assistance Program that provides covered ambulance services to individuals eligible for benefits under the Medical Programs; the costs of providing the services described above is not covered by the fee schedule pursuant to which the Department and Managed Care Organizations (MCOs) pay for such services.

1.02 Purpose. In order to provide greater cost coverage to Provider through enhanced rates for services, the Parties enter into this Intergovernmental Agreement.

1.03 Definitions

- (a) Covered Ambulance Services means all ambulance services reimbursable under the Illinois Medicaid state plan and provided to beneficiaries of Medical Programs.
- (b) Effective Federal Match Rate means the weighted average of the Federal Medical Assistance Percentage (FMAP) for Illinois non-Affordable Care Act (ACA) enrollees and the enhanced FMAP for ACA expansion population based on the percentage of specified covered services to the different populations.
- (c) Fee-for-service or FFS means the services under Medical Programs reimbursed to providers directly by the Department and not through an MCO.
- (d) Managed Care Program means services under the Medical Programs for which the Department pays a capitated payment to MCOs to cover the cost of covered medical services.
- (e) Managed Care Organization (MCO) means an entity under contract with the Department receiving capitated payments and at risk for providing reimbursement for enrollees.
- (f) Medical Programs means programs administered by the Department under the Illinois Public Aid Code (305 ILCS 5/5 *et seq.*), the Children’s Health Insurance Program Act (215 ILCS 106/1 *et seq.*) and the Covering All Kids Health Insurance Act (215 ILCS 170/1 *et seq.*).

INTERGOVERNMENTAL AGREEMENT

Page 2 of 5

- (g) Participating Municipal Ambulance Provider means an ambulance provider owned by a municipal corporation that has executed an Intergovernmental Agreement with the Department with terms substantially identical to this Agreement.
- (h) Specified Covered Ambulance Services means emergency and non-emergency Basic Life Support and Advanced Life Support trips and does not include mileage or oxygen.

ARTICLE II INTERGOVERNMENTAL TRANSFER

- 2.01 Provider will transfer on a periodic basis to the Department an amount equal to 50% of the total enhanced rates paid to Provider by the Department and all MCOs for the period.
- 2.02 For FFS payments, the Department will send a monthly invoice to Provider for the higher FFS payments described in Article III.
- 2.03 For MCO payments, the transfer of 50% of the supplemental payment described in Article III shall be made within 14 days after the receipt of enhanced payments from the MCO.

ARTICLE III ENHANCED RATES FOR SERVICES

- 3.01 Expenditures. The Department shall pay or cause MCOs to pay enhanced rates to Provider for specified covered ambulance services pursuant to this Article III in addition to payments made at the Department's published fee schedule.
- 3.02 The enhanced rate will be determined as follows:
 - a. The Department will establish classes of similar Participating Municipal Ambulance Providers.
 - b. For each provider in the class, the Department will calculate an amount as follows using data from each provider's most recent cost report:
 - i. Provider's total costs for covered ambulance services will be calculated based on submittal of the Department's approved cost report.
 - ii. Total fee schedule payments received for covered ambulance services by Provider will be subtracted from costs to determine the cost coverage gap.
 - iii. The cost coverage gap will be divided by the number of Specified Covered Ambulance Services to determine a per service add-on payment
- 3.03 For FFS claims, the Department will add the calculated add-on amount to Provider's rate on the FFS fee schedule and the enhanced rate will be paid with the original claim.
- 3.04 On a quarterly basis, using encounter data of paid claims from each MCO in the Managed Care Program received by the Department during the quarter, the Department will identify the number of Specified Covered Ambulance Services provided to each MCO's enrollees by Provider multiplied by the uniform add-on fee and cause each MCO to pay provider the amount so calculated.
- 3.05 If mutually agreed upon by the Department and all Participating Municipal Ambulance Providers, the payment of enhanced rates may be moved from a quarterly basis to a monthly basis.

ARTICLE IV TERM

INTERGOVERNMENTAL AGREEMENT

Page 3 of 5

4.01 Term. This Agreement shall commence October 1, 2019, or as soon as federal approval is received for the Directed Payments required by this Agreement and shall continue until otherwise terminated by the Parties.

ARTICLE V TERMINATION

5.01 Termination on Notice. This Agreement may be terminated by either Party for any or no reason upon thirty (30) days' prior written notice to the other Party.

5.02 Termination for Cause. In the event either Party breaches this Agreement and fails to cure such breach within ten (10) days' written notice thereof from the non-breaching Party, the non-breaching Party may terminate this Agreement upon written notice to the breaching Party.

5.03 Availability of Appropriation; Sufficiency of Funds. This Agreement is contingent upon and subject to the availability of sufficient funds. The Department may terminate or suspend this Agreement, in whole or in part, without advance notice and without penalty or further payment being required, if (i) sufficient funds for this Agreement have not been appropriated or otherwise made available to the Department by the State or the Federal funding source, (ii) the Governor or the Department reserves funds, or (iii) the Governor or the Department determines that funds will not or may not be available for payment. The Department shall provide notice, in writing, to Provider of any such funding failure and its election to terminate or suspend this Agreement as soon as practicable. Any suspension or termination pursuant to this Section will be effective upon the date of the written notice unless otherwise indicated.

ARTICLE VI MISCELLANEOUS

6.01 Renewal. This Agreement may be renewed for additional periods by mutual consent of the Parties, expressed in writing and signed by the Parties.

6.02 Amendments. This Agreement may be modified or amended at any time during its term by mutual consent of the Parties, expressed in writing and signed by the Parties.

6.03 Applicable Law and Severability. This Agreement shall be governed in all respects by the laws of the State of Illinois. If any provision of this Agreement shall be held or deemed to be or shall in fact be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all cases because it conflicts with any other provision or provisions hereof or any constitution, statute, ordinance, rule of law or public policy, or for any reason, such circumstance shall not have the effect of rendering any other provision or provisions contained herein invalid, inoperative or unenforceable to any extent whatsoever. The invalidity of any one or more phrases, sentences, clauses, or sections contained in this Agreement shall not affect the remaining portions of this Agreement or any part thereof. In the event that this Agreement is determined to be invalid by a court of competent jurisdiction, it shall be terminated immediately.

6.04 Records Retention. The Parties shall maintain for a minimum of six (6) years from the later of the date of final payment under this Agreement, or the expiration of this Agreement, adequate books,

INTERGOVERNMENTAL AGREEMENT

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records and supporting documents to comply with the Illinois State Records Act. If an audit, litigation or other action involving the records is begun before the end of the six-year period, the records shall be retained until all issues arising out of the action are resolved.

6.05 No Personal Liability. No member, official, director, employee or agent of either Party shall be individually or personally liable in connection with this Agreement.

6.06 Assignment; Binding Effect. This Agreement, or any portion thereof, shall not be assigned by any of the Parties without the prior written consent of the other Parties. This Agreement shall inure to the benefit of and shall be binding upon the Parties and their respective successors and permitted assigns.

6.07 Precedence. In the event there is a conflict between this Agreement and any of the exhibits hereto, this Agreement shall control. In the event there is a conflict between this Agreement and relevant statute(s) or Administrative Rule(s), the relevant statute(s) or rule(s) shall control.

6.08 Entire Agreement. This Agreement constitutes the entire agreement between the Parties; no promises, terms, or conditions not recited, incorporated or referenced herein, including prior agreements or oral discussions, shall be binding upon either Party.

6.09 Notices. All written notices, requests and communications may be made by electronic mail to the e-mail addresses set forth below.

To HFS: Mary.Doran@illinois.gov
Kiran.Mehta@illinois.gov

To City of Bloomington: bmohr@cityblm.org
srathbun@cityblm.org

6.10 Headings. Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

6.11 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be considered to be one and the same agreement, binding on all Parties hereto, notwithstanding that all Parties are not signatories to the same counterpart. Duplicated signatures, signatures transmitted via facsimile, or signatures contained in a Portable Document Format (PDF) document shall be deemed original for all purposes.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives.

BLOOMINGTON FIRE DEPARTMENT

**ILLINOIS DEPARTMENT OF HEALTHCARE AND
FAMILY SERVICES**

INTERGOVERNMENTAL AGREEMENT

Page 5 of 5

Tim Gleason
City Manager

Director

Theresa Eagleson

Date: _____

Date: _____



REGULAR AGENDA ITEM NO. 8.C

FOR COUNCIL: October 28, 2019

SPONSOR: Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Initiating a Text Amendment to the City of Bloomington Zoning Code, Chapter 44, to Allow Adult-Use Cannabis Business Establishments in the City of Bloomington, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: On July 25, 2019 Governor JB Pritzker signed into law Public Act 101-0027, the Cannabis Regulation and Tax Act. The Act, which is effective January 1, 2020, legalizes the possession and private use of cannabis for Illinois residents over the age of 21. The Act also provides municipalities the opportunity to either prohibit adult-use cannabis establishments or to regulate the time, place, manner, and number of adult cannabis establishments through local zoning ordinances. Through zoning regulations, municipalities may also establish separation, or minimum distance, requirements for establishments. The municipalities may choose to prohibit or allow on-premise consumption through zoning regulations.

To begin the zoning amendment process, City Council must pass a resolution initiating a text amendment to Chapter 44 and referring the matter to the City's Planning Commission. The Planning Commission must then hold a public hearing on the proposed text amendment. The Planning Commission will provide the City Council with a recommendation on the proposed text amendment. Council will then act on the amendment.

As presented here, any adult-use business establishment would require a special use permit to operate. The special use zoning for these establishments is limited in the text amendment to certain business, agricultural and manufacturing districts depending on the specific type of use. These establishments would not be allowed within 500 feet of schools, daycare centers, residential care homes, churches or playgrounds or within 250 feet of residentially zoned properties. Numerous application requirements are also included as part of the text amendment, including that applicants will have to provide a copy of the business and security plans. In preparing the draft ordinance, staff utilized provisions from the Illinois

Municipal League model ordinance, various approaches from other communities throughout the state, as well as direct language from the Cannabis Regulation and Tax Act. The proposed text amendment, while not a recommendation, serves as a conversation starter and will enable discussion by residents, the City Council, and the Planning Commission on components of adult-use Cannabis Business Establishments, like separation requirements, evaluation criteria for a special use permit, and acceptable zoning districts.

If Council passes the attached resolution, the Planning Commission would hold a public hearing at its next regular meeting on November 13, 2019. A public hearing requires a minimum of 15 days' notice in a locally-circulated newspaper. Legal notice was published in *The Pantagraph* in advance to ensure that the Planning Commission would be able to hold the hearing at its next meeting. If Council does not pass the attached resolution, then the public hearing advertised will be cancelled.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: On September 9, 2019, City Council approved Resolution No. 2019-28 creating a 10-member Cannabis Task Force. The Task Force was charged with evaluating the impacts and making policy proposals in relation to the legalization of cannabis. The Task Force met weekly for three weeks. On October 21, 2019 the Task Force presented their findings and recommendation to City Council. While the Task Force may not have had sufficient time to form specific recommendations on zoning, on-premise use, and taxation, the Task Force recommended City Council allow adult-use cannabis business establishments in Bloomington. They recommended that the City regulate these establishments through zoning.

FINANCIAL IMPACT: The City Council has the option to enact up to a 3% retailer's occupation tax on persons engaged in the sale of cannabis, if such establishments are permitted in the City of Bloomington. These considerations would be separate from zoning regulations.

COMMUNITY DEVELOPMENT IMPACT: ED-1. Ensure a broad range of employment opportunities for all residents. ED-1.1f Explore state level policy initiatives to support local economic development. ED-4.5 Identify and reduce barriers for local growth and economic development. ED-4.5c. Provide clear and objective standards for development reviews that provide for a quick and predictable approval process with reduced amount of uncertainty.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

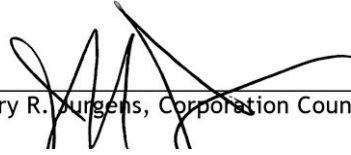
Prepared by: Katie Simpson, City Planner

Reviewed by:



Chris Tomerlin, Budget Manager

10/24/2019



Jeffery R. Jurgens, Corporation Counsel

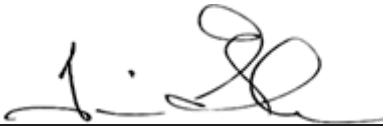
10/24/2019



Tara Henry, Legislative Assistant

10/24/2019

Recommended by:



Tim Gleason, City Manager

Attachments:

- Adult Use Cannabis Text Amendment Resolution

RESOLUTION NO. 2019 - 31

**A RESOLUTION INITIATING A TEXT AMENDMENT TO THE CITY OF BLOOMINGTON
ZONING CODE, CHAPTER 44, TO ALLOW ADULT-USE CANNABIS
BUSINESS ESTABLISHMENTS IN THE CITY OF BLOOMINGTON**

WHEREAS, the City of Bloomington is a home rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, pursuant to the Illinois Municipal Code, the City of Bloomington has authority to create and to establish, by ordinance, zoning regulations and districts, and to amend said regulations and districts from time to time; and

WHEREAS, on June 6, 2019, Illinois General Assembly passed the “Cannabis Regulation and Tax Act” (the “Act”), which Act legalizes the sale, possession and use of cannabis sativa and its derivatives and subspecies (“Cannabis”) for recreational purposes by adults over age 21 starting January 1, 2020; and

WHEREAS, the Act grants limited authority to municipalities to regulate commercial cannabis facilities, including cultivation centers, dispensaries, infusers, processors and craft growers intending to serve recreational customers (collectively, “Adult-Use Cannabis Business Establishments”); and

WHEREAS, the Act authorizes municipalities to completely prohibit the location and operation of Adult-Use Cannabis Business Establishments, restrict the Adult-Use Cannabis Business Establishments to specific zoning districts, require Adult-Use Cannabis Business Establishments to obtain special use permits to operate, and condition the grant of a special use permit on compliance with certain regulatory restrictions; and

WHEREAS, the City’s Zoning Code does not plainly address uses that would encompass Adult-Use Cannabis Business Establishments; and

WHEREAS, the Zoning Code defines and classifies “Medical Marijuana Dispensing Organization” as an allowable use in the City’s B-1, B-2, C-1, D-1, D-2, D-3, M-1 and M-2 Zoning Districts, however this use only permits sales for medical use; and

WHEREAS, the City Council has determined that it is in the best interest of the City to initiate with the Planning Commission a text amendment to the Zoning Code in relation to the zoning of Adult-Use Cannabis Business Establishments within the City as set forth in Exhibit “A”.

WHEREAS, pursuant to Chapter 44-1706(B) of the Zoning Code, the City Council has the power to pass this resolution to initiate the text amendment, and to direct the Bloomington Planning Commission to hold a public hearing on said amendment.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bloomington, McLean County, Illinois:

Section 1. Recitals. The above recitals are incorporated into this Section 1 as if fully stated herein.

Section 2. Text Amendment. City staff is directed to initiate the process for adoption of a text amendment, specified in Exhibit “A”, to the Zoning Code.

Section 3. Public Hearing. The Planning Commission shall hold a public hearing on said text amendment as soon as practical, and after proper notice is given, and shall make a recommendation to the City Council on same.

Section 4. Effective Date. This Resolution shall be in full force and effect upon the passage and approval.

ADOPTED this 28th day of October 2019.

APPROVED this ____ day of October 2019.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk

Exhibit “A”

Adult-Use Cannabis Business Establishments Proposed Text Amendments to Zoning Code, Chapter 44 of the City Code.

I. New Definitions in Section 44-1602

§ 44-1602. Definitions “A”

Adult-Use Cannabis Business Establishment. An adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

Adult-Use Cannabis Craft Grower. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Cultivation Center. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Dispensing Organization. A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and regulations promulgated thereunder. No on-site consumption is allowed.

Adult-Use Cannabis Infuser Organization or Infuser. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Processing Organization or Processor. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Transporting Organization or Transporter. An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on

behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

II. New Section 44-1038

§ 44-1038. Adult Use Cannabis Business Establishments.

- A. Purpose and Applicability. It is the intent and purpose of this Section to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring within the corporate limits of the City of Bloomington. Such Adult-Use Cannabis Business Establishments shall comply with all regulations provided in the Cannabis Regulation and Tax Act (hereinafter “Act”), as it may be amended from time-to-time and the regulations provided below. If the Act is amended, the more restrictive of the state or local regulations shall apply.
- B. Application. In addition to the special use application requirements of Section 44-1707, the application for a special use for Adult-Use Cannabis Business Establishments must include all the following information and documents:
 - [1] The legal name and, if different than the legal name, the trade name of the proposed Adult-Use Cannabis Business Establishment for which the special use is sought.
 - [2] The commonly known address of the proposed Adult-Use Cannabis Business.
 - [3] The property owner’s name and address.
 - [4] The legal name of the applicant, if different than the name of the proposed Adult-Use Cannabis Business.
 - [5] The address, telephone number and e-mail address of the Adult-Use Cannabis Business and applicant’s principal place of business, if different than the common address of the proposed Adult-Use Cannabis Business. *A post office box may not be submitted as the address of the applicant’s principal place of business.*
 - [6] A copy of a business plan for the proposed Adult-Use Cannabis Business Establishment that includes, without limitation, the following information:
 - [a] A description of the products and services that the proposed Adult-Use Cannabis Business Establishment intends to offer, if any;
 - [b] Number of employees;
 - [c] Anticipated number of customers (if applicable); and
 - [d] The proposed hours and days of operation of the proposed Adult-Use Cannabis Business.
 - [7] A security plan that describes how the proposed adult-use cannabis business will provide security for its inventory, customers, and employees shall be submitted

to Community Development Department. The security plan shall be shared with the Chief of Police for review and recommendation. The security plan shall be kept confidential to the extent permitted by law. Without limitation, the security plan shall include the following information:

- [a] A description of the procedures that the proposed Adult-Use Cannabis Business Establishment will implement to prevent the diversion, theft, or loss of cannabis during the delivery of cannabis to, and possibly from, the Adult-Use Cannabis Business Establishment by another Adult-Use Cannabis Business Establishment including, without limitation, the use of delivery manifests;
 - [b] A description of the procedures that the proposed Adult-Use Cannabis Business Establishment will implement to: (1) monitor the activities conducted within the proposed adult-use cannabis business; (2) secure the proposed business, including, without limitation, the Adult-Use Cannabis Business Establishment agents, cannabis, and currency stored at the business; and (3) prevent the diversion, theft or loss of cannabis; and
 - [c] A description of the procedures that the proposed Adult-Use Cannabis Business Establishment will implement to restrict access to limited access areas and restricted access areas within and outside of the establishment.
- [8] A written, and notarized, statement that the applicant owns the property on which it proposes to operate the Adult-Use Cannabis Business Establishment or, if the applicant does not own the property, a written, and notarized, statement from the property owner certifying the owner's consent to the use of the property as an adult-use cannabis business.
- [9] A statement of the impact of the proposed Adult-Use Cannabis Business Establishment on existing and/or planned uses located within the vicinity of the subject property.
- [10] A map of the area surrounding the location of the proposed Adult-Use Cannabis Business Establishment identifying the businesses, and the nature of each surrounding use, located within 1,000 ft of any part of the property line of the proposed Adult-Use Cannabis Business Establishment in existence at the time that the application of a special use permit is filed with the City.
- [11] Schematic drawings illustrating the design and character of the building elevations, types of construction, and floor plans of all proposed buildings and structures.
- [a] The drawing shall also include a schedule showing the number, type, and floor area of all uses or combinations of uses, and the floor area of the entire development.
 - [b] The drawings shall illustrate ingress/egress of the entire building, as well as ingress/egress for any and all secured areas and restricted or limited access areas.
 - [c] The drawing shall illustrate any loading and handling facilities, including trash and waste.
 - [d] The drawings shall illustrate video surveyance areas, panic button locations and other security systems as needed.
- [12] A comprehensive site plan drawn to scale, compliant with the requirements of Section 44-1707 of this code, that also includes:

- a. Anticipated parking demand and available private parking supply
 - b. A photometric lighting plan for the proposed project if the project would result in new exterior lighting or changes to the existing exterior lighting
 - c. A site drainage plan, if applicable
- [13] Information sufficient to demonstrate that the proposed Adult-Use Cannabis Business Establishment complies with all applicable State laws and regulations, as such laws and regulations may be adopted or amended from time to time.

C. Special Use Considerations: Adult-Use Cannabis Business Establishments, requiring approval of a special use in the respective districts in which they are requested shall be processed in accordance with Section 44-1707 (Special Uses) of this Chapter 44. Additionally, the Zoning Board of Appeals and the City Council, when determining to approve a special use permit shall evaluate the following based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:

- [1] Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
- [2] Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
- [3] Hours of operation and anticipated number of customers/employees.
- [4] Anticipated parking demand and available private parking supply.
- [5] Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
- [6] Site design, including access points and internal site circulation.
- [7] Proposed signage plan.
- [8] Compliance with all requirements provided in Section H[1] (Adult-Use Cannabis Craft Grower); Section H[2] (Adult-Use Cannabis Cultivation Center); Section H[3] (Adult-Use Cannabis Dispensing Organization); Section H[4] (Adult-Use Cannabis Infuser Organization); Section H[5] (Adult-Use Cannabis Processing Organization); or Section H[6] (Adult-Use Cannabis Transporting Organization), as applicable.
- [9] The number of Adult-Use Cannabis Business Establishments already in operation
- [10] Other criteria determined to be necessary to assess compliance with Chapter 44 (Special Uses) of this Chapter.

D. General Operational Standards. The following requirements shall apply to all Adult-Use Cannabis Business Establishments:

- [1] Applicant shall install building enhancements, such as security cameras, lighting or other improvements, as set forth in the special use, to ensure the safety of employees and customers of the Adult-Use Cannabis Business Establishments, as well as its environs. The improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Business Establishment and the site on which it is located, consistent with the requirements of the Act.
- [2] No consumption of cannabis may be permitted on the premises.
- [3] Any cannabis, cannabis-infused products, or cannabis waste on the premises of an Adult-Use Cannabis Business Establishment must be stored within secure refuse containers located within a restricted access area of the Adult-Use Cannabis Business Establishment at all times prior to the destruction and disposal thereof, which destruction and disposal must be performed pursuant to all applicable State laws and regulations, as may be amended from time to time.
- [4] All advertising shall comply with advertising and promotional standards of the Cannabis Regulation and Tax Act and with the City of Bloomington Sign Code.
- [5] Adult-Use Cannabis Business Establishments may not be located in a dwelling unit or operated as a home occupation.

E. Co-Location of Cannabis Business Establishments. The City may approve the co-location of an Adult-Use Cannabis Dispensing Organization with an Adult-Use Cannabis Craft Grower Center or an Adult-Use Cannabis Infuser Organization, or both, subject to the provisions of the Act and the Special Use criteria within the City of Bloomington Zoning Code. In a co-location, the floor space requirements of Section H[3]c and H[4]c shall not apply, but the co-located establishments shall be the sole use of the tenant space.

F. Screening and Buffering: All Adult-Use Cannabis Business Establishments shall comply with the landscaping provisions, including transitional yard and screening requirements of Division 13 of this code.

G. Parking: Off-street parking shall be provided in accordance with Division 12 of this code.

H. Specific Operational Standards: The following additional requirements shall apply.

[1] Adult-Use Cannabis Craft Grower (“Grower”): In those zoning districts in which an Adult-Use Cannabis Craft Grower may be located, the proposed Grower must comply with the following:

- [a] Grower may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, any place of worship or playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- [b] Grower may not be located within 250 feet of the property line of a pre-existing

property zoned R1A, R1B, R1C, R1H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.

- [c] Grower may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- [d] Petitioner shall file an affidavit with the City affirming compliance with Section H[1] as provided herein and all other requirements of the Act.

[2]. Adult-Use Cannabis Cultivation Center (“Center”): In those zoning districts in which an Adult-Use Cannabis Cultivation Center may be located, the proposed Center must comply with the following:

- [a] Center may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, place of worship or playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- [b] Center may not be located within 250 feet of the property line of a pre-existing property zoned R1A, R1B, R1C, R1H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.
- [c] Center may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- [d] Petitioner shall file an affidavit with the City affirming compliance with Section H[2] as provided herein and all other requirements of the Act.

[3]. Adult-Use Cannabis Dispensing Organization (“Dispenser”): In those zoning districts in which an Adult-Use Cannabis Dispensing Organization may be located, the proposed Dispenser must comply with the following:

- [a] Dispenser may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, place of worship or park/playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- [b] Dispenser may not be located within 250 feet of the property line of a pre-existing property zoned R1A, R1B, R1C, R1H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.
- [c] At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act, and no Dispenser shall also sell food for consumption on the premises.

- [d] Dispenser may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- [e] Dispensers that display or sell drug paraphernalia shall do so in compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 et seq.) and the “Cannabis Regulation and Tax Act.”
- [f] Dispensers may not have a drive through service window.
- [g] All Dispensers must be equipped with a secure unloading space for the reception of deliveries of recreational cannabis and recreational cannabis infused products, which space must be: (a) located within an enclosed area of the principal structure in which the Adult-Use Cannabis Dispensing Organizations operates; (b) secured by doors that are closed and locked during all times that deliveries of recreational cannabis or recreational cannabis infused products are unloaded; and (c) a restricted access area.
- [h] All Dispensers must be located at least 1,500 feet from the property line of another Adult-Use Cannabis Dispensing Organizations
- [i] Petitioner shall file an affidavit with the City affirming compliance with Section H[3] as provided herein and all other requirements of the Act.

[4]. Adult-Use Cannabis Infuser Organization (“Infusers”): In those zoning districts in which an Adult-Use Cannabis Infuser Organization may be located, the proposed Infusers must comply with the following:

- [a] Infusers may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, place of worship, or parks/playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- [b] Infusers may not be located within 250 feet of the property line of a pre-existing property zoned R1A, R1B, R1C, R1H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.
- [c] At least 75% of the floor area of any tenant space occupied by an Infuser shall be devoted to the activities of the infusing organization as authorized by the Act. Infusers may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- [d] Petitioner shall file an affidavit with the City affirming compliance with Section H[4] as provided herein and all other requirements of the Act.

[5]. Adult-Use Cannabis Processing Organization (“Processors”): In those zoning districts in which an Adult-Use Cannabis Processing Organization may be located, the proposed Processors must comply with the following:

- [a] Processors may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, place of worship, or park/playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- [b] Processors may not be located within 250 feet of the property line of a pre-existing property zoned R1A, R1B, R1C, R1H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.
- [c] At least 75% of the floor area of any tenant space occupied by a Processor shall be devoted to the activities of the processing organization as authorized by the Act. Processor may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- [d] Petitioner shall file an affidavit with the City affirming compliance with Section H[5] as provided herein and all other requirements of the Act.

[6]. Adult-Use Cannabis Transporting Organization (“Transporters”): In those zoning districts in which an Adult-Use Transporting Organization may be located, the proposed Transporters must comply with the following:

- [a] Transporters may not be located within 500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, place of worship, or park/playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- [b] Transporters may not be located within 250 feet of the property line of a pre-existing property zoned R1A, R1B, R1C, R1H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.
- [c] The Transporter shall be the sole use of the tenant space in which it is located. Transporter may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- [d] Petitioner shall file an affidavit with the City affirming compliance with Section H[6] as provided herein and all other requirements of the Act.

III. Changes to Tables 302A, 502A & 602A

Table 302A: Agricultural District - Permitted and Special Uses		
	A	Reference
Adult-Use Cannabis Craft Grower	S	44-1038
Adult-Use Cannabis Cultivation Center	S	44-1038

Table 502A: Business Districts - Permitted and Special Uses										
				B-1	B-2	C-1	D-1	D-2	D-3	References
COMMERCIAL										
Retail and Service										
Adult-Use Cannabis Dispensing Organization			<u>S</u>	S	S	S	S	S	S	44-1038
INDUSTRIAL										
Manufacturing and Production, Light										
Adult-Use Cannabis Craft Grower			S	S		S	S	S		44-1038
Adult-Use Cannabis Cultivation Center								S		44-1038
Adult-Use Cannabis Infuser Organization			S	S				S		44-1038
Adult-Use Cannabis Processing Organization								S		44-1038
Transportation										
Adult-Use Cannabis Transporting Organization								S		44-1038

Table 602A: Manufacturing District - Permitted and Special Uses			
	M-1	M-2	Reference
Retail and Service			
Adult-Use Cannabis Dispensing Organization	S	S	44-1038
Manufacturing and Production, Light			
Adult-Use Cannabis Craft Grower	S	S	44-1038
Adult-Use Cannabis Cultivation Center	S	S	44-1038
Adult-Use Cannabis Infuser Organization	S	S	44-1038
Adult-Use Cannabis Processing Organization	S	S	44-1038
Transportation			
Adult-Use Cannabis Transporting Organization	S	S	44-1038

IV. Changes to Table 12-8E

Table 12-8E Off Street Parking Requirements	
Retail and Service	
Adult-Use Cannabis Dispensing Organization	1 space per 250 GFA
Manufacturing and Production, Light	
Adult-Use Cannabis Craft Grower	1 space per 600 GFA
Adult-Use Cannabis Cultivation Center	1 space per 600 GFA
Adult-Use Cannabis Infuser Organization	1 space per 600 GFA
Adult-Use Cannabis Processing Organization	1 space per 600 GFA
Transportation	
Adult-Use Cannabis Transporting Organization	1 space per 1000 GFA

V. Changes to Table “GAP Form-Based Code, Section C. Uses. Permitted Use Table.”

Table 502A: Business Districts - Permitted and Special Uses			
	GAP-5	GAP-6	References
COMMERCIAL			
Retail and Service			
Adult-Use Cannabis Dispensing Organization	S	S	44-1038
INDUSTRIAL			
Manufacturing and Production, Light			
Adult-Use Cannabis Craft Grower	S	S	44-1038
Adult-Use Cannabis Cultivation Center		S	44-1038
Adult-Use Cannabis Infuser Organization		S	44-1038
Adult-Use Cannabis Processing Organization		S	44-1038
Transportation			
Adult-Use Cannabis Transporting Organization		S	44-1038