CITY OF BLOOMINGTON COUNCIL MEETING OCTOBER 12, 2020

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 CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, OCTOBER 12, 2020, 6:00 P.M.

THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:
www.cityblm.org/live

Prior to 15 minutes before the start of the meeting, 1) those persons wishing to provide public comment or testify at the meeting must register at www.cityblm.org/register, and/or 2) those persons wishing to provide written comment must email their comments to publiccomment@cityblm.org.

Members of the public may also attend the meeting at City Hall. Attendance will be limited to the lesser of 50 persons or 50% of room capacity and will require compliance with City Hall COVID-19 protocols and social distancing.

The rules for participation and attendance may be subject to change due to changes in law or to executive orders relating to the COVID-19 pandemic occurring after the publication of this agenda. Changes will be posted at www.cityblm.org/register.

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Remain Standing for a Moment of Silent Prayer**
4. **Roll Call**
5. **COVID-19 Update by City Manager**
6. **Recognition/Appointments**

   A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers Linden and Hallatt, upon their completion of an eighteen-month probation, as requested by the Police Department. *(Recommended Motion: Recognition only.)*

   B. Recognition of Appointments and Re-Appointment to various Boards and Commissions, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*

7. **Public Comment**

   This meeting is being held virtually via live stream. Public comment will be accepted up until 15 minutes before the start of the meeting. Written public comment must be emailed to publiccomment@cityblm.org and those wishing to speak Live must register at https://www.cityblm.org/register.

8. Consent Agenda

Electronic Roll Call Vote

A. Consideration and action to approve the Minutes of the August 24, 2020 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

B. Consideration and action to approve Bills and Payroll in the amount of $7,774,531.59, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

C. Consideration and action to approve a Contract with P.J. Hoerr, Inc. for construction of a building for local, state, and federally mandated evidence storage at the Police Training Facility, in the amount of $194,998.00, as requested by the Facilities Department and the Police Department. *(Recommended Motion: The proposed Contract be approved.)*

D. Consideration and action on a Resolution Approving a Contract with Williams Architects for the Design of the O'Neil Park & Pool, as requested by the Parks, Recreation and Cultural Arts Department. *(Recommended Motion: The proposed Resolution be approved.)*

9. Regular Agenda

Electronic Roll Call Vote

A. Consideration and action on an Ordinance Amending the Bloomington City Code, including Chapter 10 Relating to the Adoption of the 2018 Editions of the International Code Council Building, Residential, Swimming Pool, Mechanical, Fire, Fuel Gas, Existing Building, and Energy Conservation; Chapter 15 Relating to the Adoption of the 2020 Edition of the National Electric Code; Chapter 34 on the Plumbing Code; and Chapter 45 of the City Code Adopting the International Property Maintenance Code, 2018 Edition, as requested by the Legal Department. *(Recommended Motion: The proposed Ordinance be approved as recommended by the Building Board of Appeals and Property Maintenance Review Board. Alternate Motion 1: That the Ordinance be adopted as presented, with the inclusion of Section 1103.5.1 of the International Fire Code requiring installation of sprinkler systems in Group A-2 occupancies where alcoholic beverages are consumed having an occupancy load of 300 or more persons. Alternate Motion 2: That the Ordinance be adopted as presented, with the inclusion of Section 1103.5.1 of the International Fire Code requiring installation of sprinkler systems in Group A-2 occupancies where alcoholic beverages are consumed having an occupancy load of 300 or more persons by January 1, 2024, to be shown as an amendment to Section 10-901.) (Presentation by Melissa Hon, Director of Economic & Community Development, 5 minutes; and City Council discussion, 10 minutes.)*

B. Consideration and action on a Resolution to Commit to Financial Support and Administration of Funds to Construct the Constitution Trail Southeast Extension: Lafayette Street to Hamilton Road Project with a 2020 Illinois Transportation Enhancement Program (ITEP) Grant, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be*

approved.) (Presentation by Craig Shonkwiler, P.E., City Engineer, 10 minutes; and City Council discussion, 10 minutes.)

C. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department. *(Recommended Motion: No modifications recommended at this time.) (Presentation by Tim Gleason, City Manager, 5 minutes; and City Council discussion, 5 minutes.)*

10. City Manager's Discussion

11. Mayor's Discussion

12. Council Member's Discussion

13. Executive Session - Cite Section

Clerk-led Roll Call Vote

14. Adjournment

Voice Vote

RECOGNITIONS

RECOGNITION/APPOINTMENTS ITEM NO. 6.A

FOR COUNCIL: October 12, 2020

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers Linden and Hallatt, upon their completion of an eighteen-month probation, as requested by the Police Department.

RECOMMENDED MOTION:
Recognition only.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: Recognizing the completion of the eighteen-month probationary period for Police Officers Jeffrey Linden and Taylor Hallatt.

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:

Gregory A. Scott, Assistant Police Chief 10/8/2020 Tara Henry, Legislative Assistant 10/8/2020

Recommended by:

Tim Gleason, City Manager

RECOGNITION/APPOINTMENTS ITEM NO. 6.B

FOR COUNCIL: October 12, 2020

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of Appointments and Re-Appointment to various Boards and Commissions, as requested by the Administration Department.

RECOMMENDED MOTION:
None; recognition only.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included Appointments and Re-Appointment are representative of City Council's approval from the September 28, 2020 meeting.

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: Amy Overton, Executive Assistant

Reviewed by:

Billy Tyus, Deputy City Manager 10/5/2020

Tara Henry, Legislative Assistant 10/5/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- ADM 1B Recognition of Appointments from 092820_CitizensBeautification_JMS_PublicBuilding

Appointment

Becky Altic: *Citizens' Beautification Committee*

Appointment

Willie Holton Halbert: *John M. Scott Health Care Commission*

Re-Appointment

Robert Fazzini: *Public Building Commission*

CONSENT AGENDA

CONSENT AGENDA ITEM NO. 8.A

FOR COUNCIL: October 12, 2020

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the August 24, 2020 Regular City Council Meeting, 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 meetings provided have been reviewed and certified as correct and complete by the City Clerk. 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 web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Mohan, Records and Licensing Specialist

Reviewed by:

Leslie Yocum, City Clerk 10/8/2020 Tara Henry, Legislative Assistant 10/8/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- CLK 1B DRAFT City Council Regular Meeting Minutes 8-24-20

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, AUGUST 24, 2020, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in Regular Session virtually via Zoom conferencing with the City Manager, Tim Gleason, and City Clerk, Leslie Yocum, in-person in City Hall's Council Chambers at 6:08 p.m., Monday, August 24, 2020. The meeting was called to order by Mayor Pro Tem Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Absent	
Jamie Mathy	Ward 1	Remote	
Donna Boelen	Ward 2	Remote	
Mboka Mwilambwe	Ward 3	Remote	
Julie Emig	Ward 4	Remote	
Joni Painter	Ward 5	Remote	
Jennifer Jazmin Carrillo	Ward 6	Remote	
Scott Black	Ward 7	Remote	
Jeff Crabill	Ward 8	Remote	
Kim Bray	Ward 9	Remote	

COVID-19 Update by City Manager

Tim Gleason, City Manager, discussed an increase in the number of COVID-19 cases that had occurred in McClean County and mentioned various ways staff were working on ways to reduce numbers such as attending meetings with other local municipalities and significant community stakeholders and increasing enforcement of COVID-19 guidelines/compliance amongst City staff and restaurants and taverns.

Recognition/Appointments

A. Recognition of Appointments to various Boards and Commissions.

Mayor Pro Tem Mwilambwe recognized the following Board/Commission appointments: (1) Sheila Montney, Planning Commission; (2) Brigitte Black, Public Safety and Community Review Board; and (3) Cristine Sipula, Cultural Commission.

Public Comment

Mayor Pro Tem Mwilambwe opened the meeting for public comment and the following individuals who had registered electronically to spoke live: (1) Jon Reed; (2) Tim Mitchell; (3) Jordan Baker; and (4) Shelby Rapp. Leslie Yocum, City Clerk, then stated that Shelby Rapp was the only person to email public comment and that it had been provided to Council.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by Council from the Consent Agenda for discussion are listed and voted on separately.

Council Member Mathy made a motion, seconded by Council Member Black, that the Consent Agenda, including all items listed below, be approved as presented.

Mayor Pro Tem Mwilambwe directed the Clerk to call roll which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Item 8.A. Consideration and action to approve Bills and Payroll in the amount of $8,467,417.81, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 8.B. Consideration and action to approve a Contract with CDM Smith Inc. for a Water Rate Study, in the amount not to exceed $214,809, utilizing RFQ #2019-34, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.C. Consideration and action to approve a Contract with Tarlton Corporation in the amount of $600,000 for repairs to the Arena and Market Street Parking Garages (Bid #2021-12), as requested by the Facilities Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.D. Consideration and action on a Resolution Approving an Intergovernmental Agreement with McLean County Regarding Use of the Arena as a Voting Center and Authorizing the City Manager to Enter Into an Agreement with the Bloomington Election Commission for Use of the Arena for Voting Purposes, as requested by the Legal Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 8.E. Consideration and action on an Ordinance Amending Chapter 23 of the City Code on Boat Docks and Approving Certain Access Easements and a Dock Agreement at Lake Bloomington, as requested by the Legal Department and the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.F. Consideration and action on an Ordinance Approving Minor Text Amendments, Modifications, and Deletions to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code, as requested by the Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.G. Consideration and action to approve the Application of Aldi, Inc., d/b/a Aldi, Inc. #54R, to be located at 907 Maple Hill Road, requesting a Class PBS (Package, Beer and Wine Only, and Sunday Sales) Liquor License, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved.)*

Item 8.H. Consideration and action of the Application of Ralben, Inc., d/b/a Cadillac Jacks, located at 1507 S. Main St., to redefine and expand its Outdoor Service and Consumption Area, as requested by the City Clerk Department. *(Recommended Motion: The proposed redefined premises be approved on the condition the Outdoor Service and Consumption Area closes at midnight Sunday through Thursday and closes at 2:00 a.m. on*

Friday and Saturday; and contingent on taxes for Bentley Motors, Inc. being paid current; and contingent upon compliance with all building, health, and safety codes.)

Item 8.I. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 15 in Block 1 in Peoria Pointe, from Donald and Sharon Morkin to the petitioners, Leslie and Van Friederich, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

Item 8.J. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 5 and 1/2 of 6 in Peoria Point, from Linda Thorson to the petitioner, Mark C. Schuler, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

Regular Agenda

The following item was presented:

Item 9.A. Presentation and discussion of Public Works project updates, as requested by the Public Works Department.

Mr. Gleason expressed appreciation for the opportunity to present the progress of a few infrastructure projects to the community. He introduced Kevin Kothe, Public Works Director.

Mr. Kothe echoed Mr. Gleason's appreciation and reminded the community that the Bloomington Streets portal on the City's website was available should they like to follow any of the projects or others after the presentation. He went on to highlight multiple Fiscal Year 2021 road resurfacing projects, as well as the Pavement Preservation Plan and the Safe Routes to School Sidewalk project that had included a $200,000 grant. He was excited to announce the stop light installation at the intersection of GE Road and Keaton Road had been completed and received lots of accolades from Council. He wrapped up by discussing Downtown Wayfinding Signage, the Sunset Road water main project, the rehabilitation of the Hamilton Road Elevated Water Tank, the SCADA water upgrades, and the CCTV sewer inspections.

Mayor Pro Tem Mwilambwe thanked all Public Works' staff for their continued work.

Council Member Mathy asked when City staff would correct the curbs and sidewalks on the recent emergency resurfacing of Route 9 by Illinois Department of Transportation ("IDOT"). Mr. Kothe explained that IDOT addressed curbs and sidewalks on planned projects, but that emergency resurfacing projects would take additional time to complete.

Council Member Carrillo left at 6:40 p.m.

Council Member Mathy noted sidewalks missing on both sides of Mercer Avenue and pointed out that nearby adult living facilities would benefit by having them installed. Mr. Kothe acknowledged that he was aware of the issues and would investigate the status. He thanked Council Member Mathy for his advocacy for sidewalks.

Council Member Carrillo left at 6:42 p.m.

Council Member Crabill complimented various projects in Ward 8 and then asked about the City's process to assess the need for the implementation of stop lights. Mr. Kothe explained that many times roads are maintained by separate municipalities, which requires

City staff to work alongside the other municipality to find a solution. He stressed that staff prefer preventative safety measures whenever possible.

Council Member Crabill asked about any difficulty associated to creating ADA (Americans with Disabilities Act) compliant bus stops on rural roads. Mr. Kothe responded that bus stops on rural roads were very difficult, as reconstruction of curb, gutter, and sewer was often needed to accommodate ditches.

Council Member Boelen expressed appreciation for the work completed in Ward 2 and asked the anticipated completion date of the Lutz Road project. Mr. Kothe stated that a few delays had occurred, but that they anticipated it being completed by the spring of 2021.

The following item was presented:

Item 9.B. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.

No modifications were presented.

Finance Director's Report

Mrs. Yocum informed Council that a Finance Director's Report would not be presented.

Mr. Gleason stated that the City continued to trend positively and that the monthly report would be posted to the website.

City Manager's Discussion

Mr. Gleason was asked by Chairman Ryan Whitehouse to inform the community that Connect Transit would be distributing their second survey soon. He recognized Scott Rathbun, Finance Director, for his achievement of the Certified Public Finance Officer credentials from the Government Finance Officers Association and then reminded the community that Police Chief Dan Donath was retiring. He thanked him for his service and listed multiple accomplishments he had achieved during his time as Police Chief. He ended by addressing the potential implementation of a City Face Mask Ordinance and stated that he did not believe it was not necessary at this time.

Mayor's Discussion

No discussion or comments occurred.

Council Member's Discussion

Council Member Mathy expressed that he was in favor of a special meeting to discuss the mask ordinance and responded to a comment made during public comment.

Council Member Black also supported a special meeting and believed the City should enforce policies recommended by the County Health Department including a mask ordinance, if needed.

Council Member Emig also agreed with a special meeting and believed that a unified voice across the communities was needed to address the recent increase in COVID-19 cases. She thanked Mr. Kothe for the completion of the Clinton Blvd. project and noted appreciation from her constituents.

Council Member Bray was interested in additional discussion of safety measures on Towanda Barns Road near Bittner Park.

Council Member Carrillo pointed out that the Human Relations Commission would hold a community forum on Thursday, September 27, 2020 at 6:30 p.m. regarding communities should investing/divesting police departments.

Executive Session - Cite Section

Litigation - Section 2 (c)(11) of 5 ILCS 120 (15 minutes)

Personnel - Section 2 (c)(1) of 5 ILCS 120 (15 minutes)

Council Member Boelen made a motion, seconded by Council Member Bray, to enter Executive Session.

Mrs. Yocum clarified that the motion needed to include the applicable sections of the statute, Litigation - Section 2 (c)(11) of 5 ILCS 120 and Personnel - Section 2 (c)(1) of 5 ILCS 120.

Mr. Jurgens provided additional details on the items and informed Council and Community that Council would return from Executive Session to act on the one remaining item regarding pending litigation.

Mrs. Yocum confirmed with Council Members Boelen and Bray that they agreed to amend their motion to include the two applicable statute sections. Both Council Members responded affirmatively.

Mayor Pro Tem Mwilambwe directed the Clerk to call roll which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Return to Open Session

Council Member Mathy made a motion, seconded by Council Member Emig, to return to Open Session.

Mayor Pro Tem Mwilambwe directed the Clerk to call roll which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Direction and Action on Case No. 17-L-133

Council Member Black made a motion, seconded by Council Member Painter, to authorize the Corporation Counsel to execute the release and dismissal of the claims in Case No. 17-L-133 involving Central Illinois Arena Management ("CIAM"), BMI Concessions, and John Butler.

Mayor Pro Tem Mwilambwe directed the Clerk to call roll which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Adjournment

Council Member Mathy made a motion, seconded by Council Member Painter, that the meeting be adjourned.

Motion carried (viva voce).

The meeting adjourned at 7:42 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Tari Renner, Mayor	Leslie Smith-Yocum, City Clerk

DRAFT

CONSENT AGENDA ITEM NO. 8.B

FOR COUNCIL: October 12, 2020

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills and Payroll in the amount of $7,774,531.59, as requested by the Finance Department.

RECOMMENDED MOTION:
The proposed Bills and Payroll 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 and Payroll 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 $7,774,531.59 (Payroll total $2,605,783.68, Accounts Payable total $4,532,385.76, and Bank Transfers total $636,362.15).

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:

F. Scott Rathbun, Finance Director 10/7/2020

Tara Henry, Legislative Assistant 10/7/2020

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
9/25/2020	$ 2,041,816.17	$ 545,182.26	$ 2,586,998.43
9/25/2020-9/28/2020 Off Cycle Adjustments	$ 16,582.61	$ 2,202.64	$ 18,785.25
		PAYROLL GRAND TOTAL	**$ 2,605,783.68**

ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
10/12/2020	AP General	$ 4,265,738.41
	AP JM Scott	
10/12/2020	AP Comm Devel	$ 8,489.37
10/12/2020	AP IHDA	$ 2,274.00
10/12/2020	AP Library	$ 36,326.67
10/12/2020	AP MFT	$ 71,851.02
9/25/202010/2/2020	Out of Cycle	$ 147,706.29
7/29/2020-9/23/2020	AP Bank Transfers	$ 636,362.15
	AP GRAND TOTAL	**$ 5,168,747.91**

PCARDS

Date Range	Total
PCARD GRAND TOTAL	

TOTAL	**$ 7,774,531.59**

Respectfully,

F. Scott Rathbun
Director of Finance

CONSENT AGENDA ITEM NO. 8.C

FOR COUNCIL: October 12, 2020

SPONSOR: Facilities Department and Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Contract with P.J. Hoerr, Inc. for construction of a building for local, state, and federally mandated evidence storage at the Police Training Facility, in the amount of $194,998.00, as requested by the Facilities Department and the Police Department.

RECOMMENDED MOTION:
The proposed Contract be approved.

STRATEGIC PLAN LINK:
-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:
-Objective 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service

BACKGROUND: The Police Department is charged with maintaining evidence from major cases for a significant period of time and in some cases, indefinitely. Maintaining evidence in a secure environment is essential to protecting the integrity of cases both from a prosecution standpoint and to ensure that persons receive a fair trial. The current space used for long-term storage has been exhausted. Staff evaluated several options to add storage, including repurposing the lodge at the Police training facility. During the economic downturn, the lodge fell into disrepair, was not used for several years, and deteriorated to the point that demolition was necessary. Building demolition occurred earlier this year. The lodge foundation and floor slab were protected during demolition so that a new storage building could be constructed in an expeditious and cost-efficient manner.

The Police Training Facility Storage Building Bid #2021-14 was released on September 2, 2020. Three bids, which are shown in the following table, were received.

VENDOR	LOCATION	TOTAL BID
P.J. Hoerr, Inc.	Normal, IL	$194,998.00
CAD Construction	Tremont, IL	$246,642.00
J Spencer	Normal, IL	$271,192.00

A full bid tabulation and local preference evaluation are attached. Two of the bids were from local vendors and the local preference policy did not affect the outcome. Staff recommends awarding the contract to P.J. Hoerr, Inc. who submitted the low and responsive bid.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic.

However, this project should move forward since the Police Department provides essential services for the entire community. Constructing this building is vital to ensure sufficient space for evidence and records storage is available. The Finance Department is monitoring the financial impact of the pandemic.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This bid was advertised in *The Pantagraph* on September 2, 2020.

FINANCIAL IMPACT: The contract, if approved, will be for $194,998.00. The Police Department has included $250,000.00 in the FY 2021 Budget within the Drug Enforcement Fund-Buildings account (20900900-72520-33000). Stakeholders can locate this in the FY 2021 Budget Book titled "Other Funds & Capital Improvement" on pages 15, 247, 262 and 263.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, Director of Facility Management

Reviewed by:

Russel Waller, Director of Facility Management 9/28/2020

Carla Murillo, Procurement Manager 9/29/2020

Chris Tomerlin, Budget Manager 9/29/2020

Jeffrey R. Jurgens, Corporation Counsel 10/5/2020

Tara Henry, Legislative Assistant 10/8/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- FAC 1B Bid Tab
- FAC 1C Bid LP Evaluation

- FAC 1D Contract_PJ Hoerr_Signed

City of Bloomington, Illinois
Police Training Facility New Storage Building
Bid 2021-14
BID TAB

				PJ HOERR		CAD CONSTRUCTION		J SPENCER	
Base Bid 1 Items (See Plans & Specifications)		**Units**	**QTY**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
1	Concrete Pad (Excavation, grading, aggregate base and cast in place concrete as indicated in the specifications and plans)	SF	1252	$ 16.70	$ 20,908.40	$ 33.47	$ 41,900.00	$ 31.71	$ 39,707.00
2	Aggregate Drive (Excavation, grading and aggregate drive as indicated in the specifications and plans)	SY	87	$ 31.41	$ 2,732.67	$ 50.57	$ 4,400.00	$ 47.97	$ 4,173.00
3	Electric Service (Electric service connection, lighting, outlets and all other electrical items as indicated in the specifications and plans)	LS	1	$ 9,179.93	$ 9,179.93	$ 8,280.00	$ 8,280.00	$ 7,848.00	$ 7,848.00
4	Site Restoration (Grading, topsoil, seeding, etc)	LS	1	$ 3,381.00	$ 3,381.00	$ 6,040.00	$ 6,040.00	$ 6,540.00	$ 6,540.00
5	Pre-Engineered Building (Foundation, building, doors, and other related items as indicated in the specifications and plans)	LS	1	$ 141,069.00	$ 141,069.00	$ 163,600.00	$ 163,600.00	$ 188,270.00	$ 188,270.00
Subtotal					$ 177,271.00		$ 224,220.00		$ 246,538.00
Contingency (10% of Subtotal)					$ 17,727.00		$ 22,422.00		$ 24,654.00
Total Bid					$ 194,998.00		$ 246,642.00		$ 271,192.00

City of Bloomington, Illinois
Police Training Facility New Storage Building
Bid 2021-14
BID EVALUATION

				PJ HOERR		CAD CONSTRUCTION		J SPENCER	
Base Bid 1 Items (See Plans & Specifications)		**Units**		**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
1	Concrete Pad (Excavation, grading, aggregate base and cast in place concrete as indicated in the specifications and plans)	SF	1252	$ 16.70	$ 20,908.40	$ 33.47	$ 41,900.00	$ 31.71	$ 39,707.00
2	Aggregate Drive (Excavation, grading and aggregate drive as indicated in the specifications and plans)	SY	87	$ 31.41	$ 2,732.67	$ 50.57	$ 4,400.00	$ 47.97	$ 4,173.00
3	Electric Service (Electric service connection, lighting, outlets and all other electrical items as indicated in the specifications and plans)	LS	1	$ 9,179.93	$ 9,179.93	$ 8,280.00	$ 8,280.00	$ 7,848.00	$ 7,848.00
4	Site Restoration (Grading, topsoil, seeding, etc)	LS	1	$ 3,381.00	$ 3,381.00	$ 6,040.00	$ 6,040.00	$ 6,540.00	$ 6,540.00
5	Pre-Engineered Building (Foundation, building, doors, and other related items as indicated in the specifications and plans)	LS	1	$ 141,069.00	$ 141,069.00	$ 163,600.00	$ 163,600.00	$ 188,270.00	$ 188,270.00
Subtotal					$ 177,271.00		$ 224,220.00		$ 246,538.00
Contingency (10% of Subtotal)					$ 17,727.00		$ 22,422.00		$ 24,654.00
Total Bid					$ 194,998.00		$ 246,642.00		$ 271,192.00
Local Preference Reduction					$ 7,799.92		$ -		$ 8,135.76
Adjusted Total Bid (Evaluation Purposes Only)					$ 187,198.08		$ 246,642.00		$ 263,056.24

CITY OF BLOOMINGTON
CONTRACT WITH
P.J. HOERR, INC.
FOR
POLICE TRAINING FACILITY STORAGE BUILDING

THIS AGREEMENT, dated this 2nd day of October, 2020, is between the City of Bloomington (hereinafter "CITY") and P.J. HOERR, 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/RFQ & Proposal Terms / Prevailing Wage.** This work was subject to the following procurement initiative by the CITY: Police Training Facility Storage Building (Bid 2021-14) (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 ofthe 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.

Section 3. **Description of Services.** CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: Construction of a storage building at the Bloomington Police Dept Training Facility in accordance with BID 2021-14.

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 up to the Contract amount of $ 194,998.00 .

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

ATTEST:

By: _____

City Clerk

P.J. HOERR, INC.

By: [redacted]

Its Vice President

By: [redacted]

Its Senior Estimator

CONSENT AGENDA ITEM NO. 8.D

FOR COUNCIL: October 12, 2020

SPONSOR: Parks, Recreation and Cultural Arts Department

WARD IMPACTED: Ward 7

SUBJECT: Consideration and action on a Resolution Approving a Contract with Williams Architects for the Design of the O'Neil Park & Pool, 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
-Goal 4. Strong Neighborhoods
-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
-Objective 4d. Improved neighborhood infrastructure
-Objective 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service

BACKGROUND: This item and the ongoing O'Neil Pool demolition represent major steps in moving forward with this long-standing community initiative that will serve citizens from a wide range of backgrounds. The demolition of the existing pool site this fall makes way for the design and construction of a new pool, associated water features and other park upgrades to serve the community well in the years to come.

A Request for Qualifications (RFQ) process was initiated on August 24, 2020 by inviting firms to submit their qualifications to design a new aquatics facility and other parks amenities at O'Neil Park. Of the fourteen (14) submittals, the City's RFQ evaluation team chose three (3) firms to interview based on the evaluation criteria stated in the qualifications section of the solicitation. There was one local firm that was not chosen to move forward as the other three (3) firms had more experience and ranked higher in regard to the evaluation criteria. As an RFQ, the City's Local Preference Policy does not apply.

Of the three (3) firms interviewed, Williams Architects was chosen based on the evaluation criteria and ability to best meet the needs of the City. The City entered into negotiations with Williams Architects and a price schedule was agreed upon for the scope of design work. The Parks, Recreation & Cultural Arts Department agreement (contract) with Williams Architects, for the design and construction management services of the O'Neil Park & Aquatic Center, is in the amount not to exceed $775,000.00.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic; however, this expenditure is necessary because the continued development of our parks is a great benefit to the community, especially in these times of limited activities. The Finance Department has further reviewed the costs associated with project and believes adequate funding will be available.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Funds totaling $738,000 are included in the FY 2021 Budget for the design. If approved, $775,000 will be paid out of the Capital Improvement Fund-Architectural & Engineering Services for Capital Projects account (40100100-70051). Although this exceeds the budget by $37,000, there are other projects in this fund that have been put on hold and paired down for FY 2021 including the Market Street Garage repairs/renovation. Stakeholders can locate the O'Neil Pool & Park Renovation architectural and engineering services in the FY 2021 Budget Book titled "Other Funds & Capital Improvement" on pages 74, 75, 248, 266, and 274.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeff Kohl, Parks Project Manager

Reviewed by:

Jay Tetzloff, Director of Parks,Recreation and Cultural Arts 9/29/2020

Carla Murillo, Procurement Manager 9/30/2020

Chris Tomerlin, Budget Manager 10/8/2020

Jeffrey R. Jurgens, Corporation Counsel 10/8/2020

Tara Henry, Legislative Assistant 10/8/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- PRCA 1B RFQ #2021-13 RFQ Submissions Tab O'Neil Park & Aquatic Center Design
- PRCA 1C O'Neil Pool Design Work Resolution

CITY CLERK
109 EAST OLIVE STREET
BLOOMINGTON, IL 61702-3157
309.434.2240 tel
309.434.2802 fax

CITY OF Bloomington ILLINOIS

RECORD OF RFQ OPENING FOR:

RFQ # 2021-13
O'NEIL PARK & AQUATIC CENTER DESIGN

DATE: August 27, 2020 **TIME: 2:00 p.m.**

	Received Date & Time & Staff Initials	Offeror's Name	City, State
1	8/26/2020 0951 HRS UPS TRACKING	LARSON + DARBY INC.	Rockford IL
2	8/26/2020 1319 HRS FEDEX TRACKING	FGM Architects	Oak Brook IL
3	8/26/2020 1655 HRS T. HENRY	MSA	CHAMPAIGN IL
4	8/27/2020 0900 HRS J. CESARIO	GRAHAM + HYDE ARCHITECTS INC	SPRINGFIELD IL
5	8/27/2020 0959 HRS UPS TRACKING	CONFLUENCE	KANSAS CITY MO
6	8/27/2020 0959 HRS UPS TRACKING	RATIO ARCHITECTS	CHAMPAIGN IL
7	8/27/2020 0959 HRS UPS TRACKING	CORDOGAN, CLARK, & ASSOC.	CHICAGO IL
8	8/27/2020 1030 HRS J. CESARIO	PERKINS + WILL	CHICAGO IL
9	8/27/2020 1031 HRS J. CESARIO	WOODHOUSE TINUCCI ARCHITECTS	CHICAGO IL
10	8/27/2020 1032 HRS J. CESARIO NO USB	HOLABIRD + ROOT LLC	CHICAGO IL
11	8/27/2020 1033 HRS J. CESARIO	WILLIAMS ARCHITECTS/AQUATICS	ITASCA IL

WITNESSES: Jay Terzloff - PRCA

Jeff Kohl - PRCA

PRCA

*Disclaimer: This is a RFQ tabulation for record of the RFQ received. RFQs 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 CLERK
109 EAST OLIVE STREET
BLOOMINGTON, IL 61702-3157
309.434.2240 tel
309.434.2802 fax

CITY OF Bloomington ILLINOIS

RECORD OF RFQ OPENING FOR:

RFQ # 2021-13
O'NEIL PARK & AQUATIC CENTER DESIGN

DATE: August 27, 2020 **TIME: 2:00 p.m.**

	Received Date & Time & Staff Initials	Offeror's Name	City, State
12	8/27/2020 1034 HRS J. CESARIO	STANTEC	CHICAGO IL
13	8/27/2020 10:50 HRS J. Cesario	ROG Planning & Design	Des Moines, IOWA
14	8/27/2020 12:05 HRS J. Cesario	FARNSWORTH GROUP	BLOOMINGTON, IL

WITNESSES: see page 1 of 2

*Disclaimer: This is a RFQ tabulation for record of the RFQ received. RFQs 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.

RESOLUTION NO. 2020 - _____

A RESOLUTION APPROVING A CONTRACT WITH WILLIAMS ARCHITECTS FOR THE DESIGN OF THE O'NEIL PARK & AQUATIC CENTER

WHEREAS, a Request for Qualifications ("RFQ") was issued on August 24, 2020, inviting firms to submit their qualifications to design a new aquatics facility and other park amenities at O'Neil Park; and

WHEREAS, through the RFQ process, Williams Architects was chosen as the most qualified based on the evaluation criteria and ability to meet the needs of the City; and

WHEREAS, the City Council finds it to be in the best interests of the City to approve a contract with Williams Architects for the design work at O'Neil Park as set forth in this Resolution.

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

That the City Manager is authorized to enter into a contract, and execute any related documents, with Williams Architects, in an amount not to exceed $775,000.00, upon legal review and approval of the contractual documents, for the design of a new aquatics facility and other park amenities at O'Neil Park.

ADOPTED this 12th day of October 2020.

APPROVED this ____ day of October 2020.

CITY OF BLOOMINGTON

_____
Tari Renner, Mayor

ATTEST

_____
Leslie Smith-Yocum, City Clerk

REGULAR AGENDA

REGULAR AGENDA ITEM NO. 9.A

FOR COUNCIL: October 12, 2020

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending the Bloomington City Code, including Chapter 10 Relating to the Adoption of the 2018 Editions of the International Code Council Building, Residential, Swimming Pool, Mechanical, Fire, Fuel Gas, Existing Building, and Energy Conservation; Chapter 15 Relating to the Adoption of the 2020 Edition of the National Electric Code; Chapter 34 on the Plumbing Code; and Chapter 45 of the City Code Adopting the International Property Maintenance Code, 2018 Edition, as requested by the Legal Department.

RECOMMENDED MOTION:
The proposed Ordinance be approved as recommended by the Building Board of Appeals and Property Maintenance Review Board. Alternate Motion 1: That the Ordinance be adopted as presented, with the inclusion of Section 1103.5.1 of the International Fire Code requiring installation of sprinkler systems in Group A-2 occupancies where alcoholic beverages are consumed having an occupancy load of 300 or more persons. Alternate Motion 2: That the Ordinance be adopted as presented, with the inclusion of Section 1103.5.1 of the International Fire Code requiring installation of sprinkler systems in Group A-2 occupancies where alcoholic beverages are consumed having an occupancy load of 300 or more persons by January 1, 2024, to be shown as an amendment to Section 10-901.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5e. More attractive city: commercial areas and neighborhoods

BACKGROUND: The City of Bloomington first administered model building codes following adoption of the 1955 National Building Code on February 10, 1958.

The International Code Council (ICC) publishes new editions of their model code regulations every three years. The National Fire Protection Association (NFPA) also publishes the National Electric Code every three years, but not simultaneously with the ICC. The ICC family of codes represents the model building code standard throughout the nation. The NEC has also been adopted nationwide to set the minimum standard for safe electrical design, installation and inspection. It is common practice for municipalities to periodically update their building codes to address changes in construction methods/materials, and to evaluate new development trends as well as to protect the health, safety and general welfare of their citizens. While the City adopted the 2012 ICC model building codes with amendments, the City did not adopt the 2015 editions of the ICC family of codes. There is now a need to modernize the model building codes for the City of Bloomington by updating to the 2018 International Code Council family of codes and other related codes.

Over the past year, the Building Safety Division and the Code Enforcement Division have been working with the Building Board of Appeals (BBA) and the Property Maintenance Review Board (PMRB) on updating to the 2018 International Code Council family of codes and other model codes. This coordination effort was intended to provide adequate opportunities for review of the updated editions of the model codes and provide for appropriate public outreach. Copies of the model code have been on file in the Clerk's office for examination by the public and are available online at https://codes.iccsafe.org/category/I-Codes and https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=70

If adopted, the updated codes and amendments take effect on January 1, 2021.

PROPOPOSED LOCAL AMENDMENTS:
It should be understood that the City Code currently includes an established listing of previously adopted amendments to the model codes as well as to specific sections within the City Code. These previously adopted amendments are intended to promote quality construction standards, maintain our community character, or address a shortcoming found in the model code. The established listing of previously adopted amendments is intended to be maintained, with only minor adjustments proposed.

The following is a general overview of the proposed adoption of the updated model building codes and further amendments to the City Code as discussed at the Committee of the Whole on September 21, 2020.

CHAPTER 10 - BUILDING CODE
Adoption of the International Building Code – 2018: The BBA recommend adoption of the 2018 IBC.

Adoption of the International Residential Code for One- and Two-Family Dwellings – 2018: The BBA recommend adoption of the 2018 IRC with inclusion of a new Appendix "Q" Tiny Houses.

Adoption of the International Swimming Pool and Spa Code – 2018: The BBA recommend adoption of the 2018 ISPSC.

Adoption of the International Mechanical Code – 2018: The BBA recommend adoption of the 2018 IMC.

Adoption of the International Fuel Gas Code – 2018: The BBA recommends adoption of the 2018 IFGC.

Adoption of the International Fire Code – 2018: The BBA recommend adoption of the 2018 IFC with deletion of Section 1103.5.1 Group A-2.

The 2018 IFC includes a new section which requires the retrofit installation of a fire sprinkler system in existing Group A-2 occupancies where alcoholic beverages are consumed if the occupant load is 300 or more. Generally, A-2 occupancies include night clubs, banquet halls, restaurants, and taverns. The retrofit regulation would impact several existing, entertainment-oriented businesses in the community and require installation of fire sprinkler

systems upon adoption of the model code. The intent of this code addition was to address potential fires and fatalities in larger scale entertainment-oriented business.

After thoughtful deliberation, the Building Board of Appeals did recommend deletion of this new section within the 2018 IFC with consideration of including this section in future model code adoptions. The recommended motion on this item follows the recommendation of the Building Board of Appeal and if approved, the sprinkler requirement would not be included within the City. Two alternate motions are also provided. The approval of "Alternate Motion 1" would put the sprinkler requirement back into the Code. The approval of "Alternate Motion 2" adds the sprinkler requirement back in, but with an effective date of January 1, 2024.

Adoption of the International Existing Building Code – 2018: The BBA recommend adoption of the 2018 IEBC.

Adoption of the International Energy Conservation Code – 2018: The BBA recommend adoption of the 2018 IECC.

Chapter 10 – Building Code Supplemental Recommendations:
Another amendment recommended by the Board was to the penalty provisions of the separate model codes. The current Chapter 10 language provides that any person violating a provision of the Code "shall be guilty of a misdemeanor, punishable by a fine of not more than $500 or by imprisonment not exceeding six months, or both such fine and imprisonment." Legal staff recommended that the provision be amended to provide for a minimum fine of $50 per violation and to delete references to criminal sanctions and imprisonment. This would bring this penalty provision into line with the City's property maintenance code penalty provision and clarify that building code violations can be prosecuted in administrative court, rather than criminal court.

CHAPTER 15 – ELECTRICITY
Adoption of the National Electrical – 2020: The BBA recommends adoption of the NEC 2020.

The NEC 2020 does include new provisions for requirements for surge protection for dwelling units with new or replaced service equipment, ground fault protection for all 125-volt through 250-volt receptacles supplied by single-phase branch circuits rated 150-volt or less to ground, and outdoor emergency disconnects for new construction, renovations and service replacements.

CHAPTER 34 – PLUMBING CODE
The BBA recommends minor administrative text amendments to Chapter 34 – Plumbing Code.

CHAPTER 45 – PROPERTY MAINTENANCE CODE Adoption of the International Property Maintenance Code – 2018: The PMRB recommend adoption of the 2018 IPMC.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: While the Covid-19 pandemic did impact the timeline for code adoption, efforts were made to provide appropriate review of the building code update by key stakeholders in the community. Community outreach included a Building Code Update website with access to model building codes and the significant amendments from previous editions. See on-line at
https://www.cityblm.org/government/departments/building-safety/building-codes

In addition, presentations were held with the Bloomington Normal Association of Realtors and the local chapter of the American Institute of Architects. The scheduled presentation with the Bloomington Normal Home Builders Association was unfortunately cancelled due to the pandemic, however, notices of the pending public hearings and links to the City's Building Code Update website were provided. In addition, the Department mailed notices to all registered contractors and landlords to solicit public input. The Department further provided notice to the thirteen Group A-2 entertainment oriented businesses that could be impacted by adoption of the 2018 IFC.

The Building Board of Appeals held a public hearing on September 1, 2020 at 5:00 P.M. at the City Council Chambers regarding the proposed amendments to Chapter 10 – Building Code, Chapter 15 – Electrical Code, and Chapter 34 – Plumbing Code of the Bloomington City Code related to adoption of the 2018 ICC family of codes. The Property Maintenance Review Board also held a public hearing on September 1, 2020 at 7:00 P.M. at the City Council Chambers regarding the proposed amendments to Chapter 45 – Property Maintenance Code. Notices of the hearings were published on August 14, 2020 in The Pantagraph. Both Board's unanimously recommended adoption of the updated editions of the model codes. The Minutes from the Special Meetings are attached to this memo. The meeting packet and video recordings are available online, as follows:

Meeting Packet:
Building Board of Appeals https://www.cityblm.org/Home/ShowDocument?id=25112 Property Maintenance Board https://www.cityblm.org/Home/ShowDocument?id=25094

Video Recordings:
Building Board of Appeals https://www.youtube.com/watch?v=uwWIbK82Rhw Property Maintenance Board https://www.youtube.com/watch?v=8FozGizATD4

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Goal H-1 Ensure the availability of safe, attractive, and high quality housing stock to meet the needs of all current and future residents of Bloomington; Goal PS-2 Plan and provide for fire and emergency facilities adequate to protect health, life safety, livelihood and property for current and future citizenry and business in the City; and, Objective N-1.1 Enhance the livability of all Bloomington Neighborhoods, Action N-1.1a Update the ordinances and regulations as needed to accomplish the goals of the Comprehensive Plan.

Respectfully submitted for Council consideration.

Prepared by: George Boyle, Assistant Corporation Counsel

Reviewed by:

Chris Tomerlin, Budget Manager 10/6/2020

Jeffrey R. Jurgens, Corporation Counsel 10/6/2020

Tara Henry, Legislative Assistant 10/8/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- E&CD 1B Ordinance Ch. 10, 15, 34 & 45

ORDINANCE NO. 2020 - _____

AN ORDINANCE AMENDING THE BLOOMINGTON CITY CODE, INCLUDING CHAPTER 10 RELATING TO THE ADOPTION OF THE 2018 EDITIONS OF THE INTERNATIONAL CODE COUNCIL BUILDING, RESIDENTIAL, SWIMMING POOL, MECHANICAL, FIRE, FUEL GAS, EXISTING BUILDING, AND ENERGY CONSERVATION; CHAPTER 15 RELATING TO THE ADOPTION OF THE 2020 EDITION OF THE NATIONAL ELECTRIC CODE; CHAPTER 34 ON THE PLUMBING CODE; AND CHAPTER 45 OF THE CITY CODE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION

WHEREAS, it is necessary for the protection of the health, safety, and welfare of the citizens of the City of Bloomington that building codes be established and enforced providing for the safe and sanitary maintenance of structures and premises throughout said city; and

WHEREAS, it is necessary for the protection of the health, safety, and welfare of the citizens of the City of Bloomington that property maintenance codes be established and enforced providing for the safe and sanitary maintenance of structures and premises throughout said city; and

WHEREAS, copies of all of the codes adopted herein by reference have been on file with the City Clerk for at least 30 days prior to adoption of this Ordinance; and

WHEREAS, it is in the best interest of the citizens of the City that said codes be updated from time to time to provide for changes in the standards for maintenance of buildings, structures, facilities and equipment and to assure best practices in the administration and application thereof.

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

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

SECTION 2. That the Bloomington City Code, Chapter 10, Articles II, IV, V, VI, VII, VIII, IX, and X shall be amended as follows (additions are indicated by underlining; deletions are indicated by strikeouts):

ARTICLE II – SCOPE OF CHAPTER

§ 10-203 [Ch. 10, Sec. 13] Adoption of International Building Code – ~~2012~~ 2018.

A. There is hereby adopted for the purpose of establishing minimum regulations governing the design, construction, alteration, enlargement, repair, removal, demolition, equipment installation,

use and occupancy, location, conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits, collection of fees and penalties, a Building Code known as the International Building Code ~~2012~~ 2018 edition, including Appendix Chapters C and J, as published by the International Code Council, Inc., and the whole thereof, hereinafter referred to as the International Building Code, save and except such portions as are deleted, modified or amended in Article IV of this chapter, of which Code not less than one copy has been and now is filed in the office of the Clerk of the City of Bloomington. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof shall be controlling in regard to all property, buildings and structures within the corporate limits of the City.

B. In addition to the one copy of the International Building Code ~~2012~~ 2018, which has been on file in the office of the City Clerk of the City, for use and examination by the public, at least one copy of said Code shall be kept on file in the office of the Economic and Community Development Department for public inspection.

§ 10-204 [Ch. 10, Sec. 14] Adoption of the International Residential Code for One- and Two-Family Dwellings – ~~2012~~ 2018.

A. There is hereby adopted the ~~2012~~ 2018 edition of the International Residential Code for One- and Two-Family Dwellings, including Appendix Chapters E, F, ~~G,~~ H, I, J, K~~, and~~ O, and Q as published by the International Code Council Inc. for the purpose of regulating and governing the construction alteration, movement, enlargement, replacement, repair, equipment, location, their appurtenances and accessory structures, or maintenance of building, mechanical, and electrical systems, removal and demolition of detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the City of Bloomington; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code of which not less than one copy has been and now is filed in the office of the Clerk of the City of Bloomington, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions,

insertions, deletions and changes, if any, set forth in Article V of this chapter.

B. In addition to the one copy of the International Residential Code for One- and Two-Family Dwellings – ~~2012~~ 2018, on file in the office of the City Clerk, at least one copy of said Code shall be kept on file in the office of the Economic and Community Development Department for public inspection.

§ 10-204A [Ch. 10., Sec. 15] Adoption of the International Swimming Pool and Spa Code – 2018.

A. There is hereby adopted by the City Council for the purpose of regulating and controlling the design, construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas in the City of Bloomington, the International Swimming Pool and Spa Code, 2018, as published by the International Code Council, Inc. Save and except such portions as are deleted, modified or amended in Article VII of this chapter, of which Code not less than one copy has been and now is on file in the office of the Clerk of the City of Bloomington.

B. All references to the "Board of Appeals," "Board" or similar reference shall be considered as references to the Building Board of Appeals established in Bloomington City Code Chapter 2, § 2-302, and § 10-212 of this chapter, unless a contrary reference is clearly intended by context of the reference.

§ 10-205 [Ch. 10, Sec. 16] Adoption of the International Mechanical Code – ~~2012~~ 2018.

A. There is hereby adopted by the City Council for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, including heating systems, ventilation systems, cooling systems, steam and hot water heating systems, hydronic piping, boiler and pressure vessels, appliances using gas, liquid or solid fuel, chimneys and vents, mechanical refrigeration systems, fireplaces, solar systems, barbecues, incinerators, and crematories in the City of Bloomington, the International Mechanical Code, ~~2012~~ 2018, as published by the International Code Council, Inc. Save and except such portions as are deleted, modified or amended in Article VII of this chapter, of which Code not less than one copy has been and now is on file in the office of

the Clerk of the City of Bloomington. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof shall be controlling in regard to the design, construction, quality of materials, erection, installation alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, including heating systems, ventilation systems, cooling systems, steam and hot water heating systems, hydronic piping, boiler and pressure vessels, appliances using gas, liquid or solid fuel, chimneys and vents, mechanical refrigeration systems, fireplaces, solar systems, barbecues, incinerators, and crematories.

B. In addition to the one copy of the International Mechanical Code, ~~2012~~ 2018, which has been on file in the office of the Clerk of the City of Bloomington, for use and examination by the public, at least one copy of said Code shall be kept on file in the office of the Economic and Community Development Department for public inspection.

§ 10-206 [Ch. 10, Sec. 17] Adoption of the International Fuel Gas Code – ~~2012~~ 2018.

A. There is hereby adopted the ~~2012~~ 2018 edition of the International Fuel Gas Code, regulating and governing fuel gas systems and gas-fired appliances in the City of Bloomington; providing for the issuance of permits and collection of fees therefor; That a certain document, one copy of which is on file in the office of the City of Clerk of the City of Bloomington, being marked and designated as the International Fuel Gas Code, ~~2012~~ 2018 edition, including Appendix Chapters A, B, C and D, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Bloomington, and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the City Clerk of the City of Bloomington are hereby referred to, adopted, and made a part ~~pert~~ hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, prescribed in Article VIII of this chapter.

§ 10-207 [Ch. 10, Sec. 18] Adoption of the International Fire Code – ~~2012~~ 2018.

A. There is hereby adopted the ~~2012~~ 2018 edition of the International Fire Code, at least one copy of which is on file in the office of the City Clerk of the City of Bloomington, being marked and designated as the International Fire Code, including Appendix Chapters B, C, D, E, F and G, as published by the International Code Council, be

and is hereby adopted as the code of the City of Bloomington for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Bloomington and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, ~~2012~~ 2018 edition, published by the International Code Council, on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Article IX of this chapter.

§ 10-208 [Ch. 10, Sec. 19] Adoption of the International Existing Building Code – ~~2012~~ 2018.

A. There is hereby adopted the ~~2012~~ 2018 edition of the International Existing Building Code, regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, in the City of Bloomington; providing for the issuance of permits and collection of fees therefor, at least one copy of which is on file in the office of the City Clerk of City of Bloomington, being marked and designated as the International Existing Code, ~~2012~~ 2018 edition, including Appendix A, B and C as published by the International Code Council, and each and all of the regulations, provisions, penalties, conditions and term of said Existing Building code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Article X of this chapter.

§ 10-209 [Ch. 10, Sec. 20] Adoption of the International Energy Conservation Code – ~~2012~~ 2018.

A. There is hereby adopted for the purpose of establishing minimum regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems; providing for the issuance of permits, collection of fees and penalties, an energy code by the name of the International Energy Conservation Code, ~~2012~~ 2018 edition, as published by the International Code Council, Inc., and the whole thereof, hereinafter referred to as International Energy Conservation Code, save and except such portions as are deleted, modified or amended in Article IV of this chapter, of which Code not less than one copy

has been and is now filed in the office of Clerk of the City of Bloomington. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and provisions thereof shall be controlling in regard to all property, buildings and structures within the corporate limits of the City.

§ 10-212 [Ch. 10, Sec. 23] Building Board of Appeals.

A. There is hereby created a Building Board of Appeals consisting of nine members. The members of the Board shall be individuals who are qualified by experience and training to decide upon matters pertaining to building construction and shall have the specific qualifications of each discipline set forth in this section. Three members shall represent general construction, and two members each shall represent the disciplines of mechanical construction, electrical construction and plumbing.

(1) General construction. A general construction representative must be a licensed architect, licensed structural engineer, an individual having a minimum of a Master's degree in construction technology or related field, or an individual having a minimum of five years of experience in general construction.

(2) Mechanical construction. A mechanical construction representative must be a licensed mechanical engineer or a licensed HVAC contractor with a minimum of five years of experience in HVAC installation and maintenance.

(3) Electrical construction. An electrical construction representative must be a licensed electrical engineer, ~~or~~ a licensed electrical contractor with a minimum of five years of experience in electrical installation and maintenance, or a graduate of a U.S. Department of Labor Electrical Apprenticeship program with a minimum of five years of experience in electrical installation and maintenance.

(4) Plumbing construction. A plumbing construction representative must be a licensed plumber with a minimum of five years of experience in plumbing or an individual with a minimum of a Bachelor's Degree in environmental science.

ARTICLE IV – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL BUILDING CODE – ~~2012~~ 2018

§ 10-401 [Ch. 10, Secs. 101.1 through 3302.2] Modifications.

The numbered subsections of this section correspond to sections of the International Building Code - ~~2012~~ 2018 or correspond to the Sections of said Code which are added to, completed, modified, amended or deleted as shown in the Sections herein.

SEC. 103.1 CREATION OF ENFORCEMENT AGENCY.

The Department of Economic and Community Development of the City of Bloomington (referred to herein as the Department of Building ~~Inspection~~ Safety) is hereby created and the executive official in charge thereof shall be known as the Code Official and/or Building Official.

SEC.105.8 ISSUANCE OF PERMIT - OCCUPANCY PROHIBITED STRUCTURE.

No building permit shall be issued for any building which the City of Bloomington Economic and Community Development ~~Division~~ Department has posted "No Occupancy" (hereafter referred to as "posted building") except in conformity with the provisions of this section.

(a) Scope of Permit. A building permit for a posted building shall cover all work needed to bring the building into conformity with all relevant Codes of the City of Bloomington without regard to whether a building permit would otherwise be requested for such work.

(b) Application for Permit. An application for a building permit for a posted building shall include the following information:

(1) Sufficient plans and/or drawings showing how the building will be brought into conformity with applicable Codes;

(2) A realistic cost estimate of material needed to bring the building into compliance with applicable Codes and a cost estimate from a licensed contractor if the contractor is to perform the work;

(3) A reasonable timetable for completion of repairs;

(4) Evidence of financial capacity and ability to make repairs approved by the Economic and Community Development Department.

(c) Processing Application. The Building Safety Division shall issue a building permit for the posted house/structure if, but only if, it has determined:

(1) The plans and drawings show repairs which, if made, would bring the building into compliance with applicable Codes;

(2) The Economic and Community Development ~~Division~~ Department has determined that:

(a) Cost estimates reasonably reflect the likely cost of materials and labor necessary to bring the building into compliance with applicable Codes; and

(b) The applicant has purchased or has immediate access to sufficient funds to pay for necessary materials and labor; and

(c) If the applicant intends to make the repairs himself, he possesses the necessary skills to complete the job in conformity with applicable Codes; and

(d) The timetable presented for completion of repairs is reasonable.

SEC.105.9 REPAIR OR DEMOLISH LITIGATION - MORATORIUM ON PERMITS.

Whenever the City of Bloomington has issued fifteen-day notices to repair or demolish pursuant to Section 11-31-1 et seq. of the Illinois Municipal Code ~~(Ill. Rev. Stat. Ch. 24, § 11-31-1 et seq.[1])~~ with respect to any property, the Building Safety Division may ~~shall not~~ issue a ~~any~~ building permit for work on any such property. In any case where the Economic and Community Development Department has issued a building permit for work on such property, the Director or his designee shall inspect the progress of work done under the permit and if the work has not proceeded on schedule, the Director or his designee shall suspend the building permit and order all work on the property under the permit stopped. Permits suspended or not issued under this section shall not be issued until the Economic and Community Development ~~Division~~ Department removes the property from its list of buildings to be repaired or demolished, or as may be provided in an order of Court.

SEC.105.10.3 APPLICATION FOR PERMIT; SCHEDULE FOR DEMOLITION REQUIRED.

(1) Every application for a demolition permit shall contain a proposed schedule for demolition indicating, at a minimum, the date upon which demolition activities will commence and a date by which the demolition will be completed. Said schedule shall be reviewed by the Director of Economic and Community Development, or the

director’s designee, who may approve, reject or propose modifications thereto. The Director's, or authorized agent’s, determination shall be in writing and, in the event the schedule is rejected or modifications are proposed, shall state the reasons for the determination. No permit for demolition shall issue without containing a schedule for demolition approved by the Director of Economic and Community Development, or the director’s designee, and the signature of the demolition contractor or an authorized representative agreeing to perform the demolition in accordance with the dates stated in the schedule.

SEC. ~~108.5~~ 109.5 RELATED FEES.

The payment of the fee for the construction, alteration, removal or demolition and for all work done in connection with or concurrently with the work contemplated or authorized by a building permit, shall not relieve the applicant or holder of the permit from the payment of other fees that may be prescribed by law or ordinance for water taps, sewer connections, electrical permits, HVAC permits, plumbing permits, erection of signs and display structures, marquees or other appurtenant structures or fees of inspections, certificates of use and occupancy or other privileges or requirements, both within and without the jurisdiction of the Department of Economic and Community Development; including, but not limited to, sewer connection charges imposed pursuant to Ordinance Nos. 547 and 548 of the Bloomington/Normal Water Reclamation District.

SEC. ~~108.6~~ 109.6 REFUNDS.

In the case of a revocation of a permit or abandonment or discontinuance of a work project, no fees shall be subject for refund.

SEC.~~108.7~~ 109.7 FEE SCHEDULES.

(a) General. The fee for permits for work regulated by any Code adopted by reference into Bloomington City Code Chapter 10 shall be set forth in the Schedule of Fees. The fee for a permit shall be based on the reasonable cost/value of the improvement, including material and labor. If the Code Official/Building Official determines that the applicant's estimate of the cost of the improvement is unreasonable, the permit fee shall be established according to the provisions of Subsection (c) of this section. One and Two-family dwellings shall be calculated per Subsection (d) of this section. The Code Official's/Building Official's determination of reasonability of the applicant's estimate shall be appealable as provided in Sections 121.1 and 121.1.1 of this Code.

(b) (Reserved)

(c) Alternate Method of Establishing Cost of Improvement or Valuation. Should the declared estimated value of improvements, which is the basis of permit fee calculation, be deemed unreasonable by the Code Official/Building Official, the most recent Building Valuation Data Report of the International Code Council Inc., or equal will be used in establishing the correct valuation.

NOTE:

(1) The applicable Schedule of Fees is applicable to each building on a lot considered separately as independent fire areas. For purposes of this section, any structure under one roof shall be considered one building.

(2) The Director of Economic and Community Development may waive or adjust the amount of the fee for any permit required by this chapter.

(d) Fees for new one and two family homes shall be calculated on the gross area of the dwelling based on the Schedule of Fees.

(e) Definitions. For clarity, the following definitions and guidelines are herein incorporated:

(1) Estimated cost/value include all cost of labor and material given a fair market value. A contractor-owner contract or letter of acceptance, certified architect-engineer estimate or accepted bid, or equivalent shall be acceptable as estimated cost adjusted only as allowed by other provisions of this section.

(2) Allowed exclusions from the estimated cost for fee consideration are the costs of the following:

a. Painting;

b. Nonstructural embellishments;

c. Permanent cabinetry or shelving not affecting area, exiting or fire rating requirements of the Code;

d. Except in residential occupancy/use, fixtures not basic to the occupancy or use of the building/structure, except lighting fixtures;

e. Fixtures, devices, equipment, and appliances covered by a separate permit;

f. Landscaping not required by statute.

(3) For the purposes of clarification, the following costs are included in the estimated cost:

a. Excavation work for foundations and subgrade structures;

b. Rough grading for drainage;

c. Dust proofing of parking lots/spaces including drainage facilities as approved and endorsed to the department by the Public Works Department;

d. Work required by zoning, rezoning, or annexation conditions under the department's supervisory jurisdiction.

(4) The estimated cost for permit and fee considerations of temporary buildings/structures shall be the labor cost of assembling, disassembling, and disposal or moving without affecting regular street traffic.

(f) Fee Surcharge. Any work undertaken without a permit shall be subject to a surcharge of 100% of the regular charge or $50, whichever is greater, upon issuance of a valid permit. This shall be construed as a supplemental penalty accruing regardless of any imposition provided for in Section 116.4 of this Code.

(g) A fee will be required for the review of construction documents/plans, other than 1 and 2 family dwellings, for work regulated by any code adopted or by referenced by Bloomington City Code Chapter 10. The fee for this review shall be of the reasonable value/cost of each separate project shall be as set forth in the Schedule of Fees.

If the Code Official/Building Official determines that the applicant's estimate of the value/cost for the project is unreasonable, the value of the project shall be as established according to the provisions of Subsection (c) of this section. Appeals shall be provided for in Sections 121.1 and 121.1.1 of this Code.

SEC. ~~108.8~~ 109.8 MOVING OF BUILDINGS.

A permit to move a building or structure shall be issued by the Code Official/Building Official only after clearances are obtained from the Police Department and the Public Works Department of the City, as required by Bloomington City Code Chapter 38, Article VII. Issuance of a moving permit does not relieve the permittee from any obligation of complying with all other City Codes insofar as they may be applicable. The moving permit shall not be construed as a building permit. The moving permit fee shall be calculated on the estimated cost of moving including loading and/or unloading within the City limits. If unloading is related to a building permit, the same will be excluded from the estimated moving cost. The fee to be charged for such permit shall be as set forth in the Schedule of Fees.

SEC.~~108.9~~ 109.9 DEMOLITION FEES.

The fee for a demolition permit shall be based on the estimated cost of demolition per building/structure including work on filling, grading, cleaning or safeguarding of the site. A permit shall be issued only after clearance from the utility companies has been obtained. The fee scales as set forth in the Schedule of Fees shall apply for each building/structure to be demolished.

SEC.~~108.11~~ 109.11 MECHANICAL WORK (HVAC) AND FEES.

The permit fee for all work covered by provisions of the International Mechanical Code and/or International Fuel Gas Code of the City shall be calculated based on estimated cost/value and nature of the work proposed. "Estimated Costs" shall be calculated by totaling the cost/value of all services, labor, materials, equipment and any other appliances or devices entering into and necessary to the execution and completion of the installation or the work in an amount as set forth in the Schedule of Fees.

~~COMMERCIAL KITCHEN HOODS FIRE SUPPRESSION SYSTEM FEE.~~
~~The fee for a permit for commercial kitchen hoods fire suppression systems shall be based on the reasonable cost/value of the installation, including material and labor, in an amount as set forth in the Schedule of Fees.~~

SEC. ~~108.13~~ 109.13 ELECTRICAL PERMIT FEES.

The electrical permit fees are those provided for in Bloomington City Code Chapter 15.

SEC. ~~108.14~~ 109.14 PLUMBING PERMIT FEES.

The plumbing permit fees are those provided for in Bloomington City Code Chapter 34.

SEC. ~~108.15~~ 109.15 ROOFING PERMITS.

A permit for roofing work done by a roofing contractor as defined in the Illinois Roofing Industry Licensing Act[2] shall be issued by the Code Official/Building Official upon ascertaining that the contractor to do the work is duly and currently certified as a roofing contractor by the State of Illinois. The permit fee shall be based on the cost of the work/improvement using the fee schedule in Section ~~112.3.1~~ 109.7.

SEC. ~~108.16~~ 109.16 AMUSEMENT DEVICE PERMITS.

Amusement devices, i.e. carnival rides, shall be inspected. A satisfactory compliance with safety regulations shall allow a permit to be issued for their operation. The fee for said permit shall be $50 per location.

SEC. ~~108.17~~ 109.17 REINSPECTION FEE.

If a contractor/owner/agent notifies the City that a project is ready for final inspection and, upon inspection the City finds the project not complete, then the City shall charge a fee of $15 per inspector or 50% of the permit fee, whichever is greater, for each reinspection required. The fee shall be paid prior to reinspection.

SEC. ~~108.20~~ 109.20 CONTRACTOR REGISTRATION, FEES, LIABILITY INSURANCE AND RESPONSIBILITY.

1. Purpose: The section is intended safeguard the public safety, health and general welfare of the citizens by establishing minimum standards for contractor registration, insurance and performance.

2. Definitions: Unless otherwise expressly stated, the following words and terms shall, for the purposes of this section, be interpreted as herein defined:

    (a) "Construction" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediation, renovating, custom fabricating, maintenance, improving, wrecking, demolishing, and adding to or subtracting from any building, structure, parking facility, or any other structure to such an extent a permit is required to be issued by the Department of Economic and Community Development.

(b) "Construction Documents" - Written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit. Construction documents shall be drawn to an appropriate scale.

(c) "Contractor" means any sole proprietor, partnership, firm, corporation, Limited Liability Company, association or other legal entity permitted by law to do business within the State of Illinois who engages in construction as defined herein.

3. Certificate of Registration. Every person who shall desire to practice the business of a Contractor, shall first obtain a Certificate of Registration to do so as provided by this chapter. This registration is required for any contractor doing work in the City of Bloomington for which a building permit is required.

(a) The registration fee and annual renewal shall be in an amount as set forth in the Schedule of Fees. All registrations and renewals of the same shall expire on the 31st day of December of each year, and a renewal shall be obtained on or before January 31st of the following year.

(b) Any Certificate of Registration forfeited for nonpayment of the renewal fee may be reinstated upon the payment of the annual renewal fee, in an amount as set forth in the Schedule of Fees, plus $25.

(c) Liability Insurance Required of Registrant. Contractor registrants shall provide a satisfactory certificate of liability insurance against any form of liability to a minimum amount of $100,000 for property damage and $300,000 for personal injury. The insurance shall be maintained in full force and effect during the term of the registration and said insurance policy, or certificate of insurance, shall provide that the City of Bloomington be notified of any cancellation or termination of the insurance 10 days prior to the date of cancellation or termination. Contractor registrants are responsible for notifying the City of said cancellation or termination as required herein and may be sanctioned, as provided in Paragraph 4(d) this section, and as provided elsewhere in the Bloomington City Code, for, failure to provide said notification.

(d) An owner/occupant of a single-family residence shall be permitted, without registration, to obtain a permit to perform construction at or on said residence, including accessories thereto; however said owner/occupant is subject to all other provisions of this Code.

(e) Construction by a building owner may be undertaken with the appropriate permits, provided the work does not include work whose performance requires a license, such as plumbing, electrical, and HVAC.

4. Contractor Responsibility: To ensure construction is meeting the minimum standards set forth in this chapter and other City, State or Federal regulations, persons conducting business as a contractor shall be responsible for the following:

(a) Registration: Contractors shall be responsible for maintaining their registration and associated liability insurance current and up to date.

(b) Construction Documents: Contractors shall be responsible for providing the appropriate construction documents as needed to obtain required permits.

(c) Permits: Contractors shall be responsible for obtaining appropriate permits prior to the start of any construction work.

(d) Violations: Contractors who fail to comply with the requirements of this section shall be subject to fines of not less than $250 nor more than $1000, irrespective of charges or fines that may be included in Sections 108.7(f) or 113.4 of this Code. Each day that a violation continues shall be deemed a separate violation and shall subject the violator to an additional penalty within the parameters of the fines set forth in the preceding sentence.

SEC. ~~108.21~~ 109.21 MANUFACTURED HOME PARK FEES.

As per § 43-108G of Chapter 43, Bloomington City Code, the Schedule of Fees will be followed for required permits in regards to manufactured homes in manufactured home parks.

SEC. ~~108.22~~ 109.22 CONSTRUCTION TRAILER TIE-DOWN FEE.

Any time a construction trailer is located on a construction site, a tie-down permit fee of $30 will be charged the general contractor and/or subcontractor meeting the tie-down guidelines as identified in Chapter 43.

SEC. ~~108.23~~ 109.23 FIRE PROTECTION SYSTEMS (SPRINKLERS) PERMITS AND FEES.

The permit fee for all fire protection work (sprinkler systems) shall be on the reasonable cost/value of the work to be performed or the system components based on the Schedule of Fees.

SEC. 109.24 COMMERCIAL KITCHEN HOODS FIRE SUPPRESSION SYSTEM FEE.

The fee for a permit for commercial kitchen hoods fire suppression systems shall be based on the reasonable cost/value of the installation, including material and labor, in an amount as set forth in the Schedule of Fees.

SEC. ~~108.24~~ 109.25 ACCOUNTING.

The Code Official/Building Official shall keep an accurate account of all fees collected; and such collected fees shall be deposited regularly in the jurisdiction treasury or otherwise disposed of as required by law.

SEC. ~~112.4~~ 113.4 FEE FOR APPEALS.

(a) Any petition for a variance/interpretation from the Building ~~Construction~~ Board of Appeals shall be filed with the Economic and Community Development Department, accompanied by a fee in an amount as set forth in the Schedule of Fees payable to the City of Bloomington. Each extra petition in a multiple petition shall be charged a fee in an amount as set forth in the Schedule of Fees. Any variance involved with Property Maintenance Code will be charged an amount as set forth in the Schedule of Fees per initial variance with an amount as set forth in the Schedule of Fees charged for each additional variance.

(b) Any application for a variance/interpretation to this Code provided by the City Council, Zoning Board of Appeals, ~~Construction Board of Appeals~~, Building ~~Code Review Board~~ Board of Appeals, ~~Plumbing Board of Appeals~~, ~~Electrical Commission~~, ~~HVAC Board~~, Property Maintenance Review Board, City staff or Regional Planning Commission staff shall be exempted from the requirements of this section.

SEC. ~~113.4~~ 114.4 VIOLATION PENALTIES.

Any person who shall violate a provision of the Code or shall fail to comply with any of the requirements therefor or who shall erect, construct, alter, add to, or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit or certificate under the provisions of this Code shall be guilty of a violation, punishable by a fine of not less than $50.00 nor more than $500.00. ~~of a misdemeanor, punishable by a fine of not more than $500 or by imprisonment not exceeding six months, or both such fine and imprisonment.~~ Each day that a violation continues shall be deemed a separate offense.

SEC. 1608.4 GROUND SNOW LOADS.

The basic ground snow loads to be assumed in the design of buildings or other structures shall be 30 pounds per square foot.

SEC. 1612.3 FLOOD HAZARD AREAS.

Establishment of flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Bloomington, Illinois," dated July 16, 2008, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

ARTICLE V – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS – ~~2012 EDITION~~ 2018

§ 10-501 [Ch. 10, Sec. R101.1 through Section R313.3] Modifications

The numbered subsections of this section correspond to sections of the International Residential Code for One- and Two-Family Dwellings - ~~2012~~ 2018 Edition which are completed, modified, amended or deleted thereby.

TABLE R301.2(1)

Insert the following into the Climatic and Geographic Design Criteria Table R 301.2(1)

Ground snow load (pounds per square foot) = 30
Wind Design speed (mph) = ~~90~~ 115 mph
Wind Design Topographical Effects - No

Seismic Design Category = B
Subject to damage from:
Weathering = Severe
Frost line depth = minimum depth of 40 inches below finish grade
Termite = Moderate to Heavy
Winter design temp. = -4° F.
Ice shield under-layment required = Yes
Flood Hazards = The Flood Insurance Study for the "City of Bloomington," dated "February 9, 2001," as amended or revised.
Air Freezing Index = 1,500
Mean Annual Temp. = 52

ARTICLE VI – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL SWIMMING POOL AND SPA CODE – 2018

§ 10-601 [Ch. 10, Sec. 1] Modifications.

The numbered subsections of this section correspond to sections of the International Residential Swimming Pool and Spa Code 2018 Edition which are completed, modified, amended or deleted thereby.

SEC. 101.1 TITLE

These regulations shall be known as the Swimming Pool and Spa Code of the City of Bloomington hereinafter referred to as the Swimming Pool and Spa Code or "this Code."

ARTICLE VII – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE – ~~2012~~ 2018

§ 10-701 [Ch. 10, Sec. 101.1 through Sec. M-130.5] Modifications.

The numbered subsections of this section represent additions to the International Mechanical Code ~~2012~~ 2018 or correspond to Sections of said Code which are completed, modified, amended or deleted thereby.

SEC. M-130.2 MECHANICAL BUSINESS; LICENSE REQUIRED.

(a) Except as provided in Subsection (b) below, every person who shall desire to practice the business of a mechanical contractor shall first obtain a license to do so as provided by this chapter.

(b) All manufacturing and commercial establishments that have a qualified maintenance staff to do the mechanical work must secure a premises-only license to do mechanical work on their own

premises. The application must be filed by the authorized representative of such manufacturing or commercial establishment, ~~and~~ the license must be in the company, the firm, limited liability company or corporation's name and must pass the N31 National Standard Journeyman Mechanical examination, proctored by the International Code Council (ICC) National Contractor/Trades Examination program. No bond is required in connection with such premises-only license. Permits must be taken out on all installations and major repairs, and inspection of the same requested upon completion.

SEC. M-130.3 EXAMINATION PREREQUISITE TO ISSUANCE.

Every applicant for any license required by this Mechanical Code must pass the ~~N~~W29 National Standard Master Mechanical examination, proctored by the International Code Council's (ICC) National Contractor/Trades ~~examination~~ Examination program. The exam shall be based on the most recent editions of the codes available. The cost of the exam shall be responsibility of the applicant.

(a) Application for License. Application for a license as a mechanical contractor, shall be made to the Economic and Community Development Department upon forms provided by the department. The application shall state the type of contracting in which the applicant is engaged; that he, or the partnership of which he is a member or a corporation of which he is an officer or representative, is a party directly interested in the license; if a nonresident, the address of his place of business; and if the application is for a license to be issued in the name of the partnership or corporation, the correct name thereof, the location of its principal office, and the length of time such partnership or corporation has been in existence.

(b) Applicant's Qualifications. An applicant for a license as a mechanical contractor as defined in this Mechanical Code shall be at least 21 years of age and shall have had at least four years' practical experience in the field or class in which a license is desired, or shall have satisfactorily completed a course in the subject for which the license is sought given by a recognized school, plus one year practical experience in the same, or shall be a registered professional engineer.

ARTICLE VIII – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL FUEL GAS CODE – ~~2012~~ 2018

§ 10-801 [Ch.10, Sec. 101.1 through 108.5] Modifications.

The numbered subsections of this section represent additions to the International Fuel Gas Code ~~2012~~ 2018 or correspond to Sections of said Code which are completed, modified, amended or deleted thereby.

SEC. ~~106.5.2~~ 106.6.2 FEE SCHEDULE.

The fees for all work shall be as shown in Article IV, Section ~~112.3.5~~ 108.11.

SEC. ~~106.5.3~~ 106.6.3 FEE REFUNDS.

See Article VII, Section ~~106.5.3~~ 106.6.2.

ARTICLE IX – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL FIRE CODE – ~~2012~~ 2018

§ 10-901 [Ch. 10, Sec. 101.1 through Sec. 3406.2.4.4] Modifications

The numbered subsections of this section represent additions to the International Fire Code 2018 or correspond to Sections of said Code which are completed, modified, amended or deleted thereby.

SEC. ~~109.3~~ 110.4 VIOLATION PENALTIES.

Any person who shall violate a provision of this the Code or shall fails to comply with any of the requirements therefor or who shall erects, constructs, alters, add to, or repairs a building or structure in violation of an approved construction documents/plans or directive of the Code Official/Building Official, or of a permit or certificate under the provisions of this Code shall be guilty of a violation, punishable by a fine of not less than $50.00 nor more than $500.00. ~~of a misdemeanor, punishable by a fine of not less than $100 and not more than $500.~~ Each day that a violation continues shall be deemed a separate offense.

SEC. ~~111.4~~ 112.4 FAILURE TO COMPLY.

Any person who shall continue any work in or about the structure or building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $100 or more than $500.

SEC. 1103.5.1 GROUP A-2.

Modify by deleting this Section 1103.5.1 requiring commercial sprinkler systems where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of 300 or more section in its entirety.

SEC. 1103.5.3 GROUP I-2, Condition 2.

In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The automatic sprinkler system shall be installed by January 1, 2021.

~~SEC. 3204.3.1.1 LOCATION.~~

~~Insert the following into the last sentence of Section 3204.3.1.1 to read as follows:~~
~~..." in which such storage is prohibited, except as permitted by applicable zoning and hazardous material codes and ordinances."~~

~~SEC. 3404.2.9.5.1 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED.~~

~~Insert the following into the last sentence of Section 3404.2.9.5.1 to read as follows:~~
~~..."in which such storage is prohibited, except as permitted by applicable zoning and hazardous material codes and ordinances."~~

~~SEC. 3406.2.4.4 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED.~~

~~Insert the following into the last sentence of Section 3406.2.4.4 to read as follows:~~
~~..." in which such storage is prohibited, except as permitted by applicable zoning and hazardous material codes and ordinances."~~

~~SEC. 3804.2 MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS.~~

~~Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 L).~~

SEC. 5704.2.9.6.1 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED.

Insert the following into the last sentence of Section 5704.2.9.6.1 to read as follows:
..."in which such storage is prohibited, except as permitted by applicable zoning and hazardous material codes and ordinances."

SEC. 5706.2.4.4 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED.

Insert the following into the last sentence of Section 5706.2.4.4 to read as follows:
..." in which such storage is prohibited, except as permitted by applicable zoning and hazardous material codes and ordinances."

SEC. 5806.2 LIMITATIONS

Insert the following into the last sentence of Section 5806.2 to read as follows:
..." in which such storage is prohibited, except as permitted by applicable zoning and hazardous material codes and ordinances."

SEC. 6104.2 MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS.

Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 L) per applicable zoning and hazardous material codes and ordinances."

ARTICLE X – ADDITIONS, COMPLETIONS, MODIFICATIONS, AND AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE – ~~2012~~ 2018

§ 10-1001 [Ch. 10, Sec. 101.1 through 1201.2] Modifications.

The numbered subsections of this section represent additions to the International Existing Building Code 2018 or correspond to Sections of said Code which are completed, modified, amended or deleted thereby.

~~SEC. 1301.2 APPLICABILITY .~~

~~Insert the following into the first sentence of Section 1301.2 to read as follows:~~
~~"Structures existing prior to January 1, 1955," .....~~
~~Remainder of section unchanged.~~

SECTION 3. That the Bloomington City Code shall be amended by changing the name of Chapter 15 from “Electricity” to “Electrical Code” and by further amending Article II and III of Chapter 15 as follows (additions are indicated by underlining; deletions are indicated by strikeouts):

ARTICLE II – ELECTRICAL CONTRACTORS.

§15-203 [Ch. 15, Sec. 5] Application for certificate of license - examination - issuance of license.

A. Any person, firm, limited liability company or corporation desiring to engage in the business of electrical contracting shall apply for a license to the Economic and Community Development Department, stating the name and place of business of the applicant and the name of the representative of the applicant who will act as supervisor of the work to be done under the license. Such applicant shall be at least 18 years of age shall supply a satisfactory affidavit that the applicant has had at least four years of experience being employed full-time as an Electrician or Electrician Helper installing and altering electrical wiring and apparatus for a licensed electrical contractor, with at least two of those years of experience just prior to the time of application.

B. Each applicant for a license under this section must ~~pass~~ have passed an examination within the past six years prior to the issuance of such license. Candidates for the Electrical Contractor License must pass the "Standard Master Electrician" examination administered by the International Code Council and/or its designated testing agent and submit proof of passing or provide proof of passing of a local exam through a standing municipal electrical commission equal to the "Standard Master Electrician" examination. In the event any applicant fails to pass said examination, he shall not present himself for reexamination before six months shall elapse from the date of his last examination.

C. Any person, firm, limited liability company or corporation who shall have filed proper application, paid the fee as set forth in the Schedule of Fees, passed the examination referred to in Subsection B and placed on file with the City Clerk a certificate of liability insurance in an amount not less than $300,000 aggregate bodily injury, $100,000 aggregate property damage, shall be entitled to receive a license to do electrical work and to engage in the business of electrical contracting in the City.

D. A license issued under this section can be suspended or revoked by the Building Board of Appeals, for repeated failure to perform work properly or for refusal to correct work that has been installed improperly when directed to do so by the Electrical Inspector.

E. The Building Board of Appeals may issue a limited license to a person, firm, limited liability company or corporation licensed as a

heating contractor in the City of Bloomington. The Certificate would permit the holder to do branch circuit electrical power wiring to new heating or cooling equipment being installed in existing residential buildings. The work to be performed under this limited certificate shall include not more than the actual branch circuitry required to serve or connect four ton or less of air conditioning or five horse power of air conditioning and heating combined, or 7,000 watts of air conditioning and heating combined. This certificate shall not permit the installation of wiring for electric heating equipment which uses electricity as the primary source of fuel, and/or heat through the use of resistance type elements or other electricity-to-heat-converter systems. The examination for this license shall be the "Standard Maintenance Electrician" examination administered by the International Code Council or its designated testing agent. The application fee shall be in an amount as set forth in the Schedule of Fees. The annual renewal fee shall be as set forth in the Schedule of Fees.

ARTICLE III – ELECTRICAL CODE

§ 15-301 [Ch. 15, Sec. 9] Adoption of Electric Code.

There is hereby adopted by the City for the purpose of establishing rules and regulations for the safe and practical installation, alteration and use of electrical equipment, including permits and penalties, that certain Electric Code known as the National Electrical Code, as published by the National Fire Protection Association, being particularly the ~~2014~~ 2020 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than one copy is on filed in the office of the Clerk of the City and the same are hereby adopted and incorporated as fully as if set out at length herein and from the date on which the Ordinance shall take effect, the provisions thereof shall be controlling in the installation, alteration, and use of electrical equipment within the corporate limits of the City and on City owned property outside the corporate limits of the City.

§ 15-302 [Ch. 15, Sec. 10] ~~Establishment of office of~~ Electrical Inspector.

The ~~office of~~ Electrical Inspector is ~~hereby created who shall receive such compensations as may be provided by ordinance~~ appointed by the City Manager. ~~He~~ The Electrical Inspector shall be under the supervision of the Director of Economic and Community Development Department.

§ 15-304 [Ch. 15, Sec. 12] Qualifications.

No person shall be appointed ~~to the Office of~~ as Electrical Inspector who is not reasonably well skilled in the various departments of electricity and well versed in the rules or requirements of the National Electrical Code.

§ 15-306 [Ch. 15, Sec. 14] Duties and authority.

A. The Electrical Inspector shall enforce all laws relating to the installation, alteration and use of electrical equipment; to see that the construction, maintenance and control of all electrical appliances and apparatus and systems of electrical wiring and systems of poles for the carriage of said electrical wires and the electrical wiring of all buildings in the City, either public or private, and electric or illuminated signs or billboards shall conform to and comply with the rules and regulations established by this article. The Electrical Inspector, in the discharge of his official duties, and upon proper identification, shall have authority to enter any buildings, structure or premises at any reasonable hour. In dangerous situations the Electrical Inspector shall have the authority to order service discontinued to any property until such conditions are corrected. ~~Said Electrical Inspector shall have the authority to order service discontinued to any property until such conditions are corrected. Said Electrical Inspector in the work of his office shall have the same powers as a Police Officer.~~

§ 15-313 [Ch. 15, Sec. 21] Inspection and tests.

A. During the installation of electrical wiring systems and service equipment, the Electrical Inspector shall make inspections to ensure compliance with the provisions of this chapter.

B. The Electrical Inspector shall within ~~one~~ two working ~~day~~ days of notification of completion by the contractor make ~~his~~ an inspection. No work in connection with an electric wiring system shall be covered or concealed until it has been inspected and permission to do so has been granted by the Electrical Inspector, and ~~he~~ the Electrical Inspector is hereby authorized to demand the removal of any flooring, lathing, plaster, sheet or metal, or other material which may conceal any electrical wiring or apparatus contrary to the provisions of this article.

C. On completion of the inspection of any electrical wiring or apparatus designed to be concealed and found to be in compliance with the provisions of this article, it shall be the duty of said Inspector to post a "Rough-In" inspection sticker on a location, and said sticker shall be considered as expressed permission to conceal

any part of the system, but no concealment shall take place until such sticker has been posted by said Inspector.

D. On completion of the work, the Electrical Inspector shall inspect the work to ensure compliance with all requirements.

E. It shall be unlawful to use or permit the use of, or to supply current for new electric wiring for heat, light or power in a building or structure, unless approved by the Electrical Inspector. No electrical current shall be turned on to such equipment so inspected, nor shall any company wires be connected therewith, until such approval is procured.

F. Emergency service can be performed if life or property is endangered by delay or if undue or unnecessary hardship is or will be caused by such delay. Such service must be reported to the Electrical Inspector for the purpose of obtaining ~~his~~ a property inspection within 72 hours following the performance of such service.

G. Any work which is rejected by the Electrical Inspector shall be corrected and reinspected within 30 days.

H. If, upon reinspection, an electric wiring system is found defective and unsafe, the Electrical Inspector shall revoke all certificates and permits in effect; and the use of such system shall be discontinued until it has been made to conform to this chapter and after a new permit has been issued.

SECTION 4. That the Bloomington City Code, Chapter 34, Articles I, II, III, IV, V, VII, and X shall be amended as follows (additions are indicated by underlining; deletions are indicated by strikeouts):

ARTICLE I – GENERAL

§ 34-101 [Ch. 34, Sec. 101] Adoption of Illinois State Plumbing Code.

There is hereby adopted by the City for the purpose of establishing rules and regulations for materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building that certain Plumbing Code known as the Illinois State Code, being particularly the current edition thereof, and the whole thereof, of which not less than one copy has been and now is filed in the Office of the City Clerk; and the same are hereby adopted and incorporated as fully as if set out at length in this chapter, the provisions of which shall be controlling within the

corporate limits of the City and within the area of Lake Bloomington and other areas under the jurisdiction of the City.

A. Illinois State Plumbing Code - administrative authority. Wherever the words "administrative authority" are used in the Illinois State Plumbing Code, adopted in the preceding section, it shall be held to mean the Director of Economic and Community Development Department of the City of Bloomington or ~~his~~ their representative.

~~B. Public Health Board. Wherever the words "public health board" are used in the Illinois State Plumbing Code, it shall be held to mean the McLean County Health Department.~~

~~C~~ B. The Current Edition of the State of Illinois Department of Health Food Service Sanitation Code Section 750.5., Water and Sewage Part 895, Public Area Sanitary Practice Code Section 895.50 Rest rooms.

§ 34-102 [Ch. 34, Sec.2] Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

BACKFLOW PREVENTION DEVICE
Any device, method or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois State Plumbing Code and the Illinois Environmental Protection Agency.

INSPECTION
A plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois State Plumbing Code, 77 Ill. Adm. Code 890.

ARTICLE II – CONTRACTOR REGISTRATION

§ 34-201 [Ch. 34, Sec. 5] Contractor administration permit fee required.

Every plumbing contractor engaging in the business of plumbing in the City shall cause his name, residence and place of business to be recorded with the City Clerk of the City. The City Clerk shall keep a record of such business. ~~An annual administration fee shall be required of any person, firm, limited liability company or corporation engaging in the business of plumbing contractor in the City.~~ Said annual business shall be issued only upon submission of a copy of the applicant's current Illinois State plumbers

contractor registration, and payment of the required fee as set forth in the Schedule of Fees, and approval by the Plumbing Inspector. Contractors shall obtain the business license on or before January 1 of each year. Should a contractor not obtain the business license by February 1, no permit will be issued until said documentation has been submitted ~~an additional $25 will be required~~.

§ 34-202 [Ch. 34, Sec. 7] Business license revocation.

A business license issued under this article can be suspended or revoked by the Building Board of Appeals, and the cause for such action shall be one of the following:

A. The refusal of any contractor to correct work he has installed improperly when directed to do so by the Plumbing Inspector;

B. Repeated failure to perform work properly;

C. Failure to have a licensed plumber in his employ at all times as required by the Illinois State Plumbing Code and License Law (225 ILCS 320);

D. Repeated violation of doing work prior to obtaining the required permit.

ARTICLE III – PERMITS REQUIRED

§ 34-301 [Ch. 34, Sec. 8] Permit.

A. No plumbing shall be installed, altered, or changed in any building structure or manufactured/mobile home within the City nor within the area of Lake Bloomington and other areas under the jurisdiction of the City, except in an emergency, without first having secured a permit for the same from the Plumbing Inspector. Such permit shall be issued to the registered plumbing contractor in charge of such work, provided that a permit may be issued to an owner-occupant of a single-family residence to do any work regulated by the Illinois State Plumbing Code adopted by the City with respect to such residences. Such permit shall be issued only after proof of residency has been submitted.

B. Emergency work §§may be allowed only when warranted. It shall be reported at the earliest possible time to the Plumbing Inspector and the required permit obtained thereafter.

§ 34-306 [Ch. 34, Sec. 12] Plans and specifications.

Before issuing any permit hereunder, the said Plumbing Inspector may require such detailed plans, specifications, and drawings as are necessary and complete to describe the work and the requirements thereof and the materials and manner of installing, altering or repairing. ~~He~~ The Plumbing Inspector shall issue such permit when such plans, etc. show that the said plumbing will be in compliance with the Illinois State Plumbing Code and this chapter.

§ 34-309 [Ch. 34, Sec. 17] Water meters and water service.

A. Water meter. A water meter will be issued only after purchase of a utility permit from the Public Works Department and a plumbing permit from the ~~Building Safety Department~~ Economic and Community Development Department.

B. When a water meter is issued for a location it becomes a part of that property whether residential or commercial. In the event that property is demolished or otherwise disposed of, the water meter shall become the property of the City. Provisions for remote reading shall be made whenever water meters are installed. All water meters shall have a full port valve installed on each side of the meter.

C. No person, firm or corporation, except licensed plumbers, shall make any connections to or attachments with the pipes of the water system of the City, nor make any repairs, additions to or alterations of any tap, pipe, cock or other fixture connected with said water department pipes on the outside or street side of the water meter; provided that the foregoing shall not apply to authorized employees of the City.

D. No tap greater than 3/4 inch shall be made in any water main having less than six-inch waterway. A one inch tap may be made in a eight-inch waterway. Multiple taps shall be made at least 18 inches apart and shall not be in the same line along the length of the main. Under no circumstances will more than two 3/4 inch taps be made to serve any one water service without prior approval of the ~~Water~~ Public Works Department.

E. No service pipe between City water mains and the building shall be laid less than four feet below the surface of the street grade or lawn. The material used for such pipe shall in each and every case be subject to the inspection of the Plumbing Inspector and if found defective or below the standard, its use will not be permitted. All service shall be laid straight from the curb stop-cock to the building

and shall be firmly bedded on solid earth. White rock, concrete or lime base material is prohibited in direct contact with buried water lines. Water service shall not be backfilled until the Plumbing Inspector has inspected the service. Water and sewer service shall not be run in the same trench, except by special permission of the Plumbing Inspector and following provisions in the Illinois State Plumbing Code.

F. All piping from the City water mains to the curb stop valve shall ~~be of type "K" copper; if larger than two inches, it shall be of Class 150 cast iron~~ meet standards set forth in the "Approved Materials Listing" of the Illinois State Plumbing Code. All joints in water services are to be mechanical/compression, threaded, slip seal or lead free solder. When water services larger than two inch are installed through the side wall of a building, such iron type water services shall be restrained with field lock or similar restraining type devices or locking gaskets.

G. Water services from the curb box (curb shutoff valve) to the building shall be ~~type "K" copper, Class 150 cast iron, or copper tube size (CTS) polyethylene (PE) tubing meeting ASTM D 2737 - standard~~ meet standards set forth in the "Approved Materials Listing" of the Illinois State Plumbing Code. Polyethylene (PE) pipe shall be installed only with compression fittings with insert and clamp type fittings. All clamps shall be of corrosion resistant material. The inside diameter (ID) of any insert fitting shall not be less than the minimum allowable size for water service as required by the Illinois State Plumbing Code. PE tubing water service shall be one continuous pipe from the curb stop or pig tail to building water meter. PE water service shall have a solid 12 gauge sheathed coated, suitable for direct burial tracer wire connected to the coupling or curb stop, unbroken and accessible at the water meter.

H. Water service for fire, domestic and combination services shall be installed and tested from the main to the interior of the building by same plumbing contractor.

I. New construction requiring potable water and fire protection water service shall be combination service. Location of shut off valves shall be approved by the Plumbing Inspector or Director of Public Works ~~Water~~.

ARTICLE IV – GENERAL RULES AND REGULATIONS

§ 34-405 [Ch. 34, Sec. 24] Interior piping - potable water.

A. Distribution piping in all buildings shall ~~be types "K," "L" or "M" copper, galvanized steel or equal. Solder joints to be of lead-free solder~~ meet standards set forth in the “Approved Materials Listing” of the Illinois State Plumbing Code.

(1) Exception 1: Distribution piping in residential buildings of three stories or less shall ~~be type "K," "L" or "M" copper galvanized steel or cross linked polyethylene~~ ~~meeting~~ meet the fitting and standard requirements as ~~list~~ listed in the Illinois State Plumbing Code.

(2) Exception 2: For interior HUD manufactured single-family homes, Appendix A, Table 6, Section 890 of the Illinois State Plumbing Code shall apply.

B. Piping from the meter to the water heater is to be size 3/4 inch or larger. Point of use water heaters for individual fixtures shall be sized by the minimum inlet of the water heating unit.

C. The water heater in a building that supplies more than one family shall have a shut off valve on both hot and cold water pipes connecting the water heater.

D. Domestic hot water supply and distribution, new or replacement water heater installation. Domestic hot water heating units shall be designed and sized for the number of plumbing fixtures being served. A water heater manufactures sizing table shall be used in calculating hot water demand for each residential, commercial or multi-unit building.

E. Chemical dispensing, softening, purification units shall have a dedicated water supply and shut off valves to each unit.

§ 34-406 [Ch. 34, Sec. 24.1] Lawn sprinklers/irrigation systems.

A. Lawn sprinkler and irrigation systems connected to the City water system shall comply with the City Plumbing Code. Materials used underground shall be type "K" copper lead free solder joints or PVC with a minimum of 160# test pressure with stainless steel hose clamps, cross linked polyethylene or solvent weld type connections or equal.

B. All landscape irrigation systems installed after the effective date of this Ordinance shall be equipped with either a rain sensing or soil moisture sensing device which overrides the irrigation cycle of

the sprinkler system when it rains and/or when the soil has adequate moisture.

C. No lawn sprinkler or landscape irrigation system shall be caused or allowed to operate during rain or in such manner so as to produce water run-off, over-spraying, low head drainage or any other condition which results in water flowing onto property not served by the lawn sprinkler or landscape irrigation system.

D. Lawn sprinkler contractors shall pay an application fee as set forth in the Schedule of Fees for each system installed. Registered plumbing contractors (i.e., installation by plumbers and apprentice only) and homeowners shall be exempt from the application fee.

E. No lawn sprinkler system will be installed without approved plans, securing a permit and prior approval of the Plumbing Inspector.

F. All back flow devices and assemblies must be certified by a licensed Cross-connection Control Device Inspector and a copy of the certification with the appropriate fees shall be sent to the Plumbing Inspector.

G. Lawn irrigation systems from any water source shall have a permit issued.

H. Interior piping for lawn irrigation systems shall ~~be copper or cross linked polyethylene piping~~ meet standards set forth in the "Approved Materials Listing" of the Illinois State Plumbing Code to the exterior of building.

§ 34-410 [Ch. 34, Sec. 33] Fixtures prohibited.

Fixtures not listed in the Illinois State Plumbing Code as approved by a listed testing agency shall be approved by the ~~plumbing inspection~~ Plumbing Inspector prior to installation.

ARTICLE V – REGULATIONS ON CROSS-CONNECTION CONTROL

§ 34-501 [Ch. 34, Sec. 40] Back flow prevention devices required.

All plumbing installed within the City of Bloomington, shall be installed in accordance with the Illinois State Plumbing Code, 77 Ill. Adm. Code 890. If in accordance with the Illinois Plumbing Code or in the judgment of the Director of Public Works, an approved back flow prevention device is necessary for the safety of the public water supply system, the Director of Public Works will give notice to the water customer to install such an

approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois State Plumbing Code, Illinois Environmental Protection Agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois State Plumbing Code, Illinois Environmental Protection Agency and local regulations.

§ 34-504 [Ch. 34, Sec. 43] Right to investigate; effect of refusal to furnish information.

The Director of ~~Water~~ Public Works or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City of Bloomington for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees or occupants of any property so served shall furnish to the Director of Public Works ~~Water~~ any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Director of ~~Water~~ Public Works, be deemed evidence of the presence of improper connections as provided in this Ordinance.

§ 34-511 [Ch. 34, Sec. 50] Where protection is required.

A. An approved back flow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the Agency's regulations, 35 Ill. Adm. Code 680. In addition, an approved back flow prevention device shall be installed on each water service line to a customer's water system serving premises, where in the judgment of the Director of Public Works, actual or potential hazards to the public water supply system exist.

B. An approved back flow prevention device shall be installed on each water service line to a customer's water system serving premises where the following conditions exist:

(1) Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Director of Public Works and the source is approved by the Illinois Environmental Protection Agency.

(2) Premises on which any substance is handled which can create an actual or potential hazard to the public water supply system. This shall include premises having sources or

systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the Director of Public Works.

(3) Premises having internal cross-connections that, in the judgment of the Director of Public Works and/or the Cross-Connection Control Device Inspector, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.

(4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.

(5) Premises having a repeated history of cross-connections being established or reestablished.

C. An approved back flow device shall be installed on all connections to the public water supply as described in the Illinois State Plumbing Code, 77 Ill. Adm. Code 890 and the Agency's regulations, 35 Ill. Adm. Code 653. In addition, an approved back flow prevention device shall be installed on each service line to a customer's water system serving, but not necessarily limited to, the following types of facilities unless the Director of Public Works determines that no actual or potential hazard to the public water supply system exists:

(1) Hospitals, mortuaries, clinics, nursing homes.

(2) Laboratories.

(3) Piers, docks, waterfront facilities.

(4) Sewage treatment plants, sewage pumping stations or stormwater pumping stations.

(5) Food or beverage processing plants.

(6) Chemical plants.

(7) Metal plating industries.

(8) Petroleum processing or storage plants.

(9) Radioactive material processing plants or nuclear reactors.

(10) Car washes.

(11) Pesticide, or herbicide or extermination plants and trucks.

(12) Farm service and fertilizer plants and trucks.

§ 34-515 [Ch. 34, Sec. 54] Booster pumps.

A. Where a booster pump has been installed on the water service line to or within any premises, such pump shall be equipped with a low pressure cutoff device designed to shutoff the booster pump when the pressure in the water service line on the suction side of the pump drops to 20 psi or less.

B. It shall be the duty of the water customer to maintain the low pressure cutoff device in proper working order and to certify to the ~~Water Resources Manager~~ Plumbing Inspector, at least once a year, that the device is operable.

ARTICLE VII – PLUMBING INSPECTOR ~~- OFFICE CREATED; APPOINTMENT; TERM ; QUALIFICATIONS~~

§ 34-701 [Ch. 34, Sec. 108] Plumbing Inspector.

There is hereby created the office of Plumbing Inspector of the City. The Plumbing Inspector shall be subordinate to the Director of Economic and Community Development. The person shall be well qualified from practical experience in the business of plumbing, house drainage, and plumbing installations. He/she must hold a Plumber's State of Illinois License.

§ 34-704 [Ch. 34, Sec. 116] Duty of Inspector.

It shall be the duty of the ~~said~~ Plumbing Inspector to see that the construction, maintenance, and control of the plumbing, drainage, and ventilation of all structures or buildings in the City conform to and comply with the rules and regulations established by the Code of the City or any future amendments thereto hereafter passed by the Council.

ARTICLE X – ADDITIONS, DELETIONS, MODIFICATIONS TO THE ~~2004~~ ILLINOIS STATE PLUMBING CODE

§ 34-1003 [Ch. 34, Sec. 132] Swimming pools, spas, etc.

All piping related to the proper operation of a swimming pool, spas, or the like are part of plumbing work and must comply with the ~~State of~~ Illinois

State Plumbing Code and this chapter including necessary permits required.

SECTION 5. That the Bloomington City Code, Chapter 45, Articles I and II shall be amended as follows (additions are indicated by underlining; deletions are indicated by strikeouts:

ARTICLE I – ADOPTION OF PROPERTY MAINTENANCE CODE

§ 45-101 [Ch. 45, Sec. 1] Adoption of the International Property Maintenance Code ~~2012~~ 2018.

That a certain document, one copy of which is on file in the office of the City Clerk of the City of Bloomington, being marked and designated as "The International Property Maintenance Code, ~~2012~~ 2018" as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance code of the City of Bloomington, in the State of Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the Additions, insertions, deletions and changes, if any, prescribed in Article II of this Chapter ~~Ordinance~~.

ARTICLE II – AMENDMENTS, REVISIONS, ADDITIONS AND MODIFICATIONS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE ~~2012~~ 2018

§ 45-201 [Ch. 45, Sec. 1] Amendments, revisions, additions and modifications.

That the international Property Maintenance Code is amended and revised in the following respects:

SEC. 1000.3 MEMBERSHIP OF BOARD

2. Except as provided in Subsection (b), all Board members must be residents of the City of Bloomington. Board membership shall be as follows:

(f) ~~Chairman~~ Chairperson - The Board shall annually select one of its members to serve as ~~Chairman~~ Chairperson.

SECTION 6. That except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 7. The City Clerk shall be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 8. This Ordinance is enacted pursuant to the authority granted to the City as a home-rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 9. This Ordinance shall take effect on January 1, 2021.

PASSED this 12th day of October 2020.

APPROVED this _____ day of October 2020.

CITY OF BLOOMINGTON

_____
Tari Renner, Mayor

ATTEST

_____
Leslie Smith-Yocum, City Clerk

REGULAR AGENDA ITEM NO. 9.B

FOR COUNCIL: October 12, 2020

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution to Commit to Financial Support and Administration of Funds to Construct the Constitution Trail Southeast Extension: Lafayette Street to Hamilton Road Project with a 2020 Illinois Transportation Enhancement Program (ITEP) Grant, as requested by the Public Works Department.

RECOMMENDED MOTION:
The proposed Resolution be approved.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods
-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5e. More attractive city: commercial areas and neighborhoods
-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 2a. Better quality roads and sidewalks

BACKGROUND: Public Works is recommending the approval of a Resolution to commit to financial support and administration of funds to construct the Constitution Trail Southeast Extension: Lafayette Street to Hamilton Road project with a 2020 ITEP grant. The resolution establishes support for the grant application as well as committing to financially and administratively supporting the project and the use of the grant to pay for it. However, if the grant is received, Council approval will be required to move forward with the project.

Staff is always looking for opportunities to implement the various accommodations shown in the City Bicycle Master Plan. In addition to incorporating facilities as part of other projects, such as adding bike or shared lanes with pavement resurfacings, staff seeks out ways to fund independent projects. Beginning August 21, 2020, the Illinois Department of Transportation (IDOT) began accepting applications for its ITEP grant. The grant can be used for multiple project types. Additional information on the grant is provided in another section below.

The proposed project will complete two high-priority Constitution Trail southeast extension projects included in the City's Bicycle Master Plan: extending the trail from Lincoln Street to Bunn Street along Norfolk Southern Railway, and then along Bunn Street to Hamilton Road. Note that the portion between Lincoln Street and Lafayette Street will be completed with a planned, future, locally-funded project rather than the ITEP grant due to requirements of

the grant. A future planned segment, which is a medium priority in the master plan, will complete the "backbone" that connects south Bloomington to west Bloomington.

The completed project will:

- Provide an extension of Constitution Trail that will connect users to Downtown Bloomington, parks, businesses, residential areas in the west and south portions of the City, and the Hamilton Road east-west corridor (scheduled for completion in 2022);
- Provide a safe place for pedestrians and bicyclists to navigate across Veterans Parkway (I-55 Business);
- Facilitate infill commercial and residential development as advocated in the Comprehensive Plan;
- Construct approximately 4,700 linear feet of new 10-foot-wide, multi-use path from Lafayette Street to connect to existing path along Hamilton Road;
- Complete two high-priority projects recommended in the Bicycle Master Plan and included in the McLean County Regional Planning Commission's Long-Range Transportation Plan; and
- Improve upon the original Bicycle Master Plan recommendation for the section along Bunn Street by providing a path separate from the roadway rather than just paved shoulders and sidewalk.

The ITEP grant is intended to fund transportation related projects, and time of day restrictions are not grant eligible. Public safety concerns expressed by City staff and the Transportation Commission, with regard to the dark and remote path location south of Easy Street to Bunn Street, will be addressed with the inclusion of lighting and yet-to-be determined public safety measures. Roadway lighting along Bunn Street to Hamilton Road will also been included in the grant application, since this section of Bunn Street does not have roadway lighting.

Bicycle Master Plan Tie-in

On March 18, 2014, a "Public Brainstorming Workshop" was attended by over 90 residents. The purposes of the workshop included:

- Gather local resident knowledge on biking needs
- Prioritize road corridors and other routes to study for potential improvements
- Build community support for the plan and its implementation.

Each attendee marked individual maps with suggested "routes to study" for improvements. A map in the Bicycle Master Plan shows the results of this input, with each recommended segment color-coded by the number of participants suggesting that it be considered. A group exercise followed in which top priorities of tables from three geographic regions of the City were discussed and reported in the master plan.

In addition to the Public Brainstorming Workshop, members of the public were given opportunities to comment both before and after the development of plan recommendations. McLean County Regional Planning Commission greatly increased public involvement and outreach at the onset of the plan, through the MindMixer online application. Electronic publicity and an insert in City utility bills resulted in over 1,000 comments from local citizens.

Later in the planning process, the preliminary bikeway network recommendations were presented at a November 18, 2014 public meeting attended by twelve residents. These and others provided input at the meeting and during a public comment period afterwards. Details on the results of the public input are available in the Bicycle Master Plan. The recommendations for the segments included in the locally-funded project and the proposed grant-funded project are included below:

Constitution Trail Southeast Extension, Lincoln to Bunn

Comments	Sidewalk Status	Primary recommendation	Notes and Other Options	Public "votes"	Priority
Along active railroad. City ROW owned SE to Bunn only.		Trail	W-side of active railroad tracks	3	High

Bunn Street, Railroad Crossing to Hamilton

Comments	Sidewalk Status	Primary recommendation	Notes and Other Options	Public "votes"	Priority
	None	Paved shoulders, add sidewalk	3 or 4' paved shoulders. SW on one (W?) side. Rail-trail ROW not owned SE of here, so Bunn become route S.	16	High

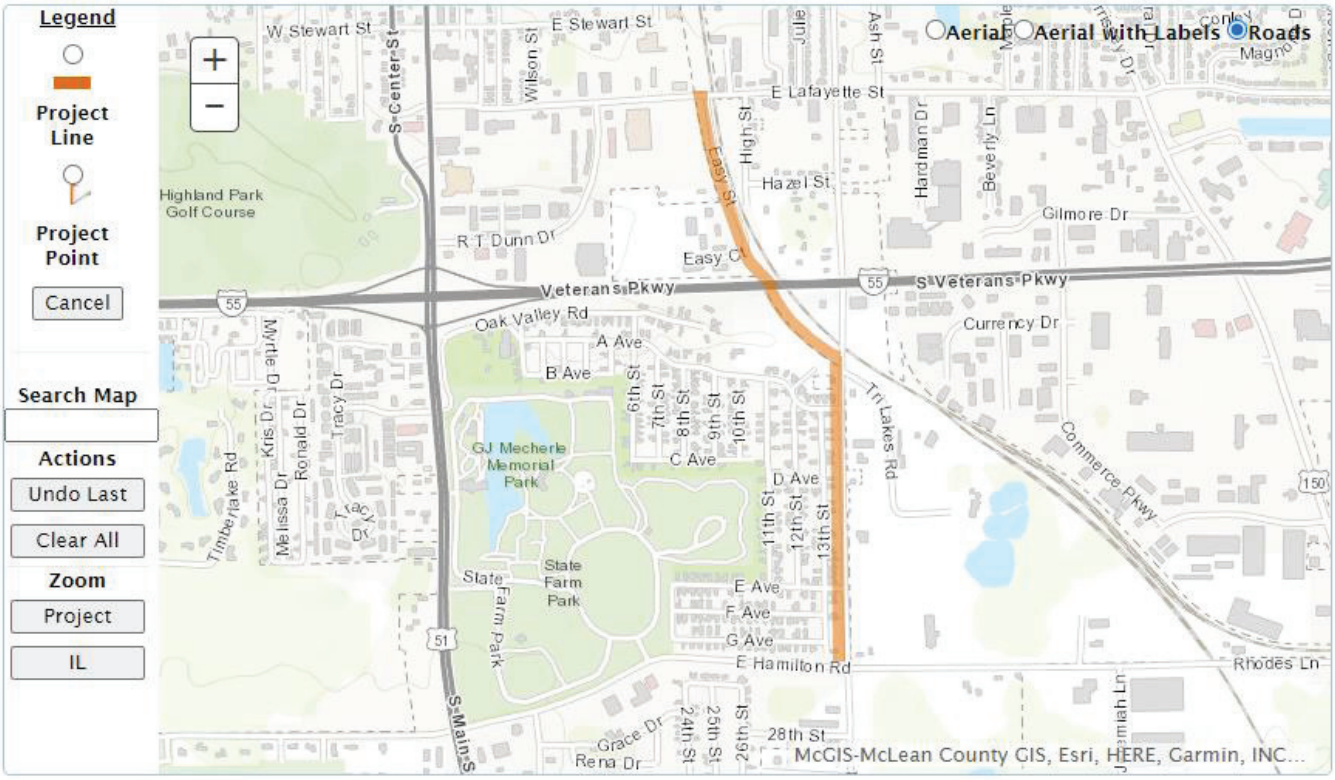
The Bunn Street, Railroad Crossing to Hamilton Road, section of the trail extension recommends paved shoulders and sidewalks. Instead, staff is proposing a multi-use path that would overlap an existing force main easement on the west side of Bunn Street near the mobile home park, which is an improvement on the original recommendation. Staff feels an update to the Bicycle Master Plan would be unnecessary, since the segment is included in the plan.

Community Score

As part of the Rebuild Illinois Capital Program, IDOT set aside $50,000,000 from the Road Fund for pedestrian and bicycle facilities and the conversion of abandoned railroad corridors to trails projects. At least 25 percent of projects funded will be directed towards projects in high-need communities. Furthermore, the local matching funds shall be determined on a sliding scale based on community size, median income and total property tax base.

An online, interactive map was used to draw the limits of the project to determine the corresponding score from each of the community scoring criteria. The scores will be weighted for an overall Community Map score of 100. The Tax Per Capita and Population will receive a weight of 15 percent each and the Percent Below Poverty Level and Estimated Median Household Income will both receive a weight of 35 percent each. Local match will be determined once all applications have been scored for both the project and the mapping high-need elements. The match for those projects in the most high-need communities will have no local match required; those projects in the next group of high-need scores will have 10 percent local match required. Projects that have high project scores but low scores for

the high-need elements will have a 20 percent local match required. The required local match will not be known until all projects are scored on the grant criteria and selected to receive the grant. However, staff recommends approving the full 20 percent local match so that the remaining 80 percent would come from ITEP funds. The proposed project has a Community Score of 58.5.



Census Tract	Tax Per Capita	Score	Population	Score	Below Poverty(%)	Score	Median Household Income	Score
Census Tract 11.04, McLean County, Illinois	1608.11	2	8271		2.4	1	90795	2
Census Tract 21.01, McLean County, Illinois	561.18	3	5118		16.7	1	57051	4
Census Tract 58, McLean County, Illinois	629	3	4083		5.9	1	52230	4
Census Tract 59, McLean County, Illinois	459.84	4	4587		26.8	2	40359	4
Selected Scores		4	22059	3		2		4
Weighted Scores		12		4.5		14		28

Community Score	Title	
58.5	Constitution Trail, Lafayette	Save and Return

What is the ITEP grant?

The ITEP grant is listed as major funding source in the Bicycle Master Plan. The goal of the grant is to allocate resources to well-planned projects that provide and support alternate modes of transportation, enhance the transportation system through preservation of visual and cultural resources and improve the quality of life for members of the communities. ITEP requires communities to coordinate efforts to develop and build safe, valuable and functional projects in a timely manner.

Under ITEP, IDOT works jointly with other state agencies, local governments, interest groups and citizens in enhancing the transportation system and building more livable communities. The enhancement program allows the opportunity for the public to become directly involved in transportation projects. Public participation is encouraged throughout the entire program in planning, development, and implementation process. The public may provide comments on the program guidelines, as well as individual projects.

Federal Funding for ITEP
On December 4, 2015, the federal transportation bill, Fixing America's Surface Transportation Act, or "FAST Act" was signed into law. The FAST Act replaced the MAP-21 Transportation Alternatives Program (TAP) with a set-aside of Surface Transportation Block Grant (STBG) Program funding for transportation alternatives authorized under Section 1109 of the FAST Act (23 U.S.C. 133(h)).

State Funding for ITEP
On June 28, 2019 the Department of Transportation Law of the Civil Administrative Code of Illinois (20 ILCS 2705) was amended by adding Sec. 2705-615. Supplemental funding; Illinois Transportation Enhancement Program.

Sec. 2705-615 requires that the Department of Transportation shall set aside $50 million received by the Department of Transportation from the Road Fund for the projects in the following categories:

- Pedestrian and bicycle facilities and the conversion of abandoned railroad corridors to trails. Phase I Preliminary Engineering will be eligible to receive funds.
- 25% of the funding will be directed towards projects in high-need communities, based on community median income and total property tax base.
- Local matching funds shall be required according to a sliding scale based on community size, total property tax base, and median income.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item is a continuation of the City's commitment to this project, and staff is recommending it be approved. Support of this resolution and a successful grant award will bring new funding into our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: On September 15, 2020, the Transportation Commission reviewed the project and unanimously approved a motion to recommend that staff move forward with constructing the Constitution Trail Southeast Extension, Lafayette Street to Hamilton Road, contingent upon funding availability and submitting a 2020 ITEP Grant application for funding.

Similarly, on September 23, 2020, the Planning Commission reviewed the project and unanimously approved a motion to accept and acknowledge the Constitution Trail Southeast Expansion Project: Lafayette Street to Hamilton Road, recommended by City staff, and further accept and acknowledge applying for the 2020 Illinois Transportation Enhancement Program (ITEP) grant to pay for the project.

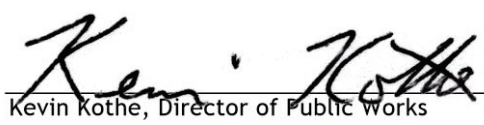
FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.3. Safe and efficient off-road bicycle trails integrated with direct on-road routes, connecting residential areas to activity centers, developing areas and all other modes of transportation.

Respectfully submitted for Council consideration.

Prepared by: Michael Hill, Management Analyst

Reviewed by:



Kevin Kothe, Director of Public Works 9/30/2020

Chris Tomerlin, Budget Manager 10/1/2020

Jeffrey R. Jurgens, Corporation Counsel 10/5/2020

Tara Henry, Legislative Assistant 10/8/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- PW 1B Resolution_ ITEP 2020 Grant Support Resolution 08122020

RESOLUTION NO. 2020 - ___

A RESOLUTION TO COMMIT TO FINANCIAL SUPPORT AND ADMINISTRATION OF FUNDS TO CONSTRUCT THE CONSTITUTION TRAIL SOUTHEAST EXTENSION: LAFAYETTE STREET TO HAMILTON ROAD PROJECT WITH A 2020 ILLINOIS TRANSPORTATION ENHANCEMENT PROGRAM (ITEP) GRANT

WHEREAS, the City of Bloomington, located in McLean County, Illinois, desires to construct a new segment of multi-use path on Constitution Trail, from Lafayette Street to Bunn Street, starting at the intersection of Lafayette Street and Easy Street, then running parallel to Easy Street, then continuing parallel to Norfolk Southern Railway to Bunn Street, and then parallel to Bunn Street to the intersection of Bunn Street and Hamilton Road; and

WHEREAS, the project will connect existing and planned trails on the Hamilton Road east-west corridor, along Norfolk Southern Railway, and the Constitution Trail, thereby enhancing travel opportunities for pedestrians and cyclists; and

WHEREAS, an Illinois Transportation Enhancement Program (ITEP) Grant will fund 80 percent of the eligible preliminary engineering, design, and construction for the project, with 20 percent to be paid for with local funds, or to be paid for by a portion of state funds if the project qualifies; and

WHEREAS the City of Bloomington is supportive of applying to the 2020 ITEP grant to construct the project and does hereby commit funds, in the amount of $1,383,785, to cover its share of the preliminary engineering, design, and construction expenses, with a grant request of $1,041,228 and a local match of up to $342,557; and

WHEREAS, the City of Bloomington is dedicated to responsible project administration, including timely bid letting and oversight of design and construction; and

WHEREAS, it is the finding of the Bloomington City Council that the decision to approve this Resolution is in the best interest of the City of Bloomington and in furtherance of its Strategic Plan, Comprehensive Plan, and Bicycle Master Plan, with improvements on the original recommendations for the project area in the Bicycle Master Plan;

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

SECTION 1. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. That the Bloomington City Council is committed to appropriating $1,383,785 in funds with an up to $342,557 local match to construct the Constitution Trail, Lafayette Street to Hamilton Road, Southeast Extension Project with a 2020 ITEP grant,

plus any additional amounts as may be required for the City of Bloomington's share of the projected costs.

SECTION 3. That the City of Bloomington is committed to administering the project, should the aforementioned grant be awarded, including ensuring bid letting is timely, and overseeing design and construction.

PASSED this 12th day of October 2020.

APPROVED this ____ day of October 2020.

CITY OF BLOOMINGTON

_____
Tari Renner, Mayor

ATTEST

_____
Leslie Smith-Yocum, City Clerk

REGULAR AGENDA ITEM NO. 9.C

FOR COUNCIL: October 12, 2020

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.

RECOMMENDED MOTION:
No modifications recommended at this time.

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
-Objective 1d. City services delivered in the most cost-effective, efficient manner
-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: On March 26, 2020, the City Council approved Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures. This Ordinance is effective for 28-day periods unless amended or repealed sooner by the City Council. Absent such repeal or amendment, the Ordinance continues in effect for additional 28-day periods.

As part of the passage of the Ordinance and due to its importance, the City Manager committed to placing Ordinance 2020-18 on every regular agenda. This allows the Council to repeal it as soon as the pandemic subsides, and thus end the use of the City's emergency powers.

On September 18, 2020, Governor Pritzker issued a new 30-day disaster proclamation related to the pandemic. As the community, including the City's businesses and residents, continue to address the impacts of the COVID-19 pandemic, City staff is not currently recommending the repeal of the Ordinance at this time.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: There is no new financial impact associated with continuing Ordinance 2020-18 in effect.

COMMUNITY DEVELOPMENT IMPACT: The continuation of Ordinance 2020-18 allows several key functions of the Community Development Department to continue that do not include

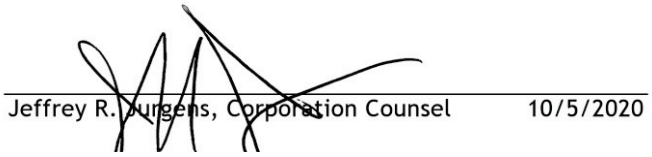
statutorily mandated public hearings, as well as the expansion of certain business operations for outdoor dining.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:

Chris Tomerlin, Budget Manager 10/3/2020



Jeffrey R. Jurgens, Corporation Counsel 10/5/2020

Tara Henry, Legislative Assistant 10/5/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- LGL 1B Local Emergency Declaration Ordinance 2020-18
- LGL 1C Ord. No. 2020 - 21
- LGL 1D Ord. No. 2020 - 25
- LGL 1E Ord. No. 2020 - 30
- LGL 1F Ord. No. 2020 - 38
- LGL 1G Ord. No. 2020 - 45
- LGL 1H Ord. No. 2020 - 61

ORDINANCE NO. 2020 - 18

AN ORDINANCE DECLARING A LOCAL EMERGENCY DUE TO THE COVID-19 VIRUS & ENACTING VARIOUS EMERGENCY MEASURES

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared it a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020, due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 outbreak; and

WHEREAS, the City Manager and staff have been meeting for weeks to begin preparing for the potential impact of the pandemic and has coordinated its response with McLean County and the Town of Normal; and

WHEREAS, the City Council has considered the existence of a public health emergency in acting upon this ordinance and actions required to promote the health, safety and welfare of its citizens; and

WHEREAS, 20 ILCS 3305/10J, of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Illinois Municipal Code and Chapter 12 of the Bloomington City Code provides political subdivisions with certain emergency authority; and

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

SECTION 1. Recitals. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. Emergency Authority. In accordance with the authority provided to the City by the Emergency Management Agency Act, the City Code and its home-rule authority, the following actions are authorized by the City Council:

(A) *Cancellation of Meetings*. The Mayor may cancel meetings of any board or commission to which he appoints members. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. In lieu of the Mayor

cancelling said meetings, the Chairperson of any board or commission may cancel said meetings and are encouraged to do so absent a priority need.

(B) *Ability to Conduct Electronic Meetings*. Any Council Member or board member of any board or commission, in accordance with Governor Pritzker's COVID-19 Executive Order No. 5 may attend any regular or special meeting via electronic means, including audio or video conferences. A physical quorum of the Trustees is not required before the remote participation is allowed.

(C) *Ability to Address Contract, Permitting and Licensure Issues*. The City Manager shall have the authority, upon approval of both the Mayor and Mayor Pro Tem, to address any contract, permitting and/or licensing issues, including the suspension of any permits or licenses, as the City Manager may deem to be in the best interest of the City. The suspension of any license or permit may be overturned by a majority of the City Council at a subsequent City Council meeting.

(D) *Emergency Purchases*. For any emergency purchases that are necessary, the City Manager shall follow the provisions of Chapter 16 of the Bloomington City Code.

(E) *Personnel Policies & Union Contracts*. The City Manager's authority is hereby reaffirmed that he may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency. In addition, he is authorized to enter into such temporary agreements, including memoranda of understanding with the City's bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.

(F) *Facility Closures*. The authority of the City Manager is hereby reaffirmed to close City facilities as is reasonably required to protect the health of the public and employees of the City.

(G) *Administrative Court*. The Corporation Counsel is authorized to extend any timeframe for responses related to City ordinance violations in recognition of the emergency and to suspend the City's Administrative Court and/or continue said cases.

(H) *Moratorium on Interest, Fines and Penalties*. No interest, fines and/or penalties shall accrue or be assessed on amounts owed to the City as of March 1, 2020, for City utility payments, food and beverage taxes (although timely tax return filings are still required), parking tickets and/or ordinance violations, so long as said obligations to the City are paid within 30 days after the conclusion Governor Pritzker's Gubernatorial Disaster Proclamation, including any and all renewals thereof, or until this provision is amended or repealed by the City Council. The City Manager is similarly authorized, by Executive Order, to extend the deadlines for payments related to any other amounts due and owing the City.

(I) *Payment of City Bills*. The City Manager may authorize the issuance of payments to City vendors, contractors and utilities if the City Council is unable to meet on a regularly scheduled meeting date. Any such payments must be reported to the City Council in writing at a future public meeting.

(J) *Water Shut Offs*. All City utility shut offs for nonpayment shall be suspended while this ordinance is in effect.

(K) *Acceptance of Applications*. The City is authorized to accept applications for all City licenses and permits electronically, and may accept all other documentation required related to said applications electronically.

(L) *Written Public Comment*. The City Manager shall implement procedures encouraging the electronic submission of written comments for public meetings beyond those set forth in Chapter 2, Section 85(I). These procedures shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof.

(M) *Community Development Approvals*. The City Manager and Director of Community Development, or City Planner in the absence of the Director of Community Development, shall have the authority to approve grant applications, the awarding of historic preservation grants, cite plans not involving special uses, certificates of appropriateness, and to postpone any meetings regarding the Planning Commission and Zoning Board of Appeals. Any applications requiring a public hearing may also be postponed by the City Manager.

(N) *Liquor Commissioner Authority to Allow Deliveries*. The Liquor Commissioner shall be granted the authority to allow all restaurant liquor license holders (Class RA and Class RB), as well as all taverns (Class TA and Class TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) for curbside pickup and Chapter 6, 32(D) for deliveries, as well as any other requirements that may be imposed by Executive Order of the Mayor. No packaged liquor license component shall be required. This authority of the Liquor Commissioner shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof, or until this authority is repealed by the City Council.

(O) *Intergovernmental Agreements*. The City Manager is authorized to execute intergovernmental agreements that address the response and needs associated with this local disaster declaration that he deems to be in the best interests of the City.

SECTION 3. Other Emergency Powers Disallowed. The Emergency Powers in Chapter 12, Section 11 are not necessary to address the COVID-19 crisis. Accordingly, no such powers may be exercised by the Mayor, City Manager or their successors.

SECTION 4. Succession Planning. In the absence or incapacity of the Mayor, the Mayor Pro Tem shall serve as the Mayor of the City of Bloomington and shall have all authority and power of the Mayor, including the emergency powers set forth in this Ordinance. If the Mayor Pro Tem is incapacity or otherwise serving as Mayor, the City Council shall appoint a new Mayor Pro Tem. In the absence or incapacity of the City Manager, the Deputy City Manager shall serve as the City Manager of the City of Bloomington and shall have all authority and power of the City Manager, including the emergency powers set forth in this Ordinance. In the absence or incapacity of both the City Manager and the Deputy City Manager, the Corporation Counsel shall serve as the City Manager of the City of Bloomington and shall have all authority and power of the City Manager, including the emergency powers set forth in this Ordinance.

SECTION 5. Declaration of a Local Disaster. This Ordinance shall be construed as a declaration of a local disaster as provided for under Section 11 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/11.

SECTION 6. Amendment of City Code. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 7. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 8. Publication. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 9. Home Rule Authority. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 10. Effectiveness & Duration. This ordinance takes effect immediately upon its passage due to the urgency of implementing appropriate responses to the COVID-19 virus, which is causing or anticipated to cause widespread impacts on the health of members of this community. The recitals are incorporated into this Section. This ordinance shall be effective for 28 days from the date of passage unless repealed or amended sooner by the City Council. The ordinance shall continue for 28-day periods thereafter unless repealed or amended by the City Council.

PASSED this 26th day of March 2020.

APPROVED this 27th day of March 2020.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

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ORDINANCE NO. 2020 - 21

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD CLUB LIQUOR LICENSES TO SECTION 2(N)

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by amending Section 2(N) to read as follows (added; deleted):

> (N) Liquor Commissioner Authority to Allow Deliveries. The Liquor Commissioner shall be granted the authority to allow all restaurant liquor license holders (Class RA and Class RB), club liquor license holders (Class CA and Class CB), as well as all taverns (Class TA and Class TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) for curbside pickup and Chapter 6, 32(D) for deliveries, as well as any other requirements that may be imposed by Executive Order of the Mayor. No packaged liquor license component shall be required. This authority of the Liquor Commissioner shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof, or until this authority is repealed by the City Council.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 13th day of April 2020.

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APPROVED this 15th day of April 2020.

CITY OF BLOOMINGTON

Tari Renner

Tari R[illegible], Mayor

ATTEST

Leslie [illegible], City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850

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ORDINANCE NO. 2020 - 25

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(P) TO ALLOW THE PRORATION OF THE CITY'S VIDEO GAMING LICENSE FEES

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(P) as follows:

(P) Video Gaming License Fee Proration; Other License Fee Prorations. To account for the mandated closure of video gaming establishments, the City shall prorate the City's video gaming license fee as follows: (1) for the license year May 1, 2019, through April 30, 2020, the City shall reimburse license holders 12% of the license fee paid within 15 days of adoption of this Ordinance; and (2) for the license year May 1, 2020, through April 30, 2021, the City shall issue a refund of the license fee based on the prorated amount of time the establishment was not authorized to operate within said year by the Illinois Gaming Board due to the COVID-19 pandemic or may otherwise offset said amount when the license fee is paid. Any such refund shall be paid by the City within 15 days after video gaming establishments are lawfully authorized to resume operations by the Illinois Gaming Board. The City Manager is similarly authorized, by Executive Order, with the written concurrence of both the Mayor and Mayor Pro Tem, to prorate other annual City license fees for license holders that are not permitted to operate by state or federal mandate due to the COVID-19 pandemic.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 27th day of April 2020.

APPROVED this 28th day of April 2020.

CITY OF BLOOMINGTON

Tari Renner
Tari Renner, Mayor

ATTEST

Leslie Smith Yocum
Leslie Smith Yocum, City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850

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ORDINANCE NO. 2020 - 30

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(Q) REGARDING LIQUOR LICENSE FEES AND A NEW SECTION 2(R) REGARDING COVID-19 GRANTS

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(Q) as follows:

> (Q) Liquor License Fee Proration. Establishments with a City liquor license that are not operating due to the pandemic, may apply to have their license fees prorated for the license year based on the amount of time the business was closed due to Executive Order of the Governor of the State of Illinois. To qualify for a proration in the license fee, the establishment must have been closed and may not have been providing curbside pickup and/or delivery. This shall be a one-time proration and only for establishments that were closed continually for at least 30 days. Establishments must apply for the proration refund to the City Clerk and shall be required to provide proof of closure by affidavit and/or other documentation as deemed appropriate by the City Clerk. Applications must be received by the City Clerk at least 30 days after establishments are allowed to have customers/patrons "dine-in" regardless of capacity restrictions.

SECTION 2. That Ordinance 2020-18 is hereby amended by adding a new Section 2(R) as follows:

> (R) COVID-19 GRANT AGREEMENTS. The City Manager, or designee, is authorized to enter into grant agreements on behalf of the City related to the COVID-19 pandemic and to submit grant applications related to same.

SECTION 3. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 11th day of May 2020.

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APPROVED this 12th day of May 2020.

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CITY OF BLOOMINGTON

Tari Renner, mayor

ATTEST

Leslie Smith Yocum, City Clerk

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ORDINANCE NO. 2020 - 38

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(S) REGARDING TEMPORARY OUTDOOR BUSINESS OPERATIONS AND STREET CLOSURES

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(S) as follows:

> (S) Temporary Outdoor Business Operations & Street Closures. The City Manager shall have the authority, through Executive Order, to temporarily close streets, or portions thereof, for outside use by businesses when said closure can be performed in a safe manner. The City Manager is also authorized to allow for the outdoor temporary expansion of premises for businesses, including but not limited to on closed public streets and/or other right-of-way areas of the City, including parking lots, parking spaces and alleys. The City Manager shall provide for the closure of any streets and the process for expansion of premises by Executive Order. No fee shall be required for any expansion, but appropriate insurance, waivers, barriers, plans, and other safety measures may be required. The City Manager may likewise waive any other requirements related to the expansion of a business premises for off-premises use and/or the placement of tents for outdoor use and may implement other Executive Orders to allow for and expedite the allowance of outdoor business operations.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 26th day of May 2020.

APPROVED this 27th day of May 2020.

CITY OF BLOOMINGTON

Tari Renner

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ATTEST

Leslie Smith Yocum, City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850

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ORDINANCE NO. 2020 - 45

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO MODIFY SECTION 2(H) REGARDING THE MORATORIUM ON INTEREST, FINES AND PENALTIES

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by modifying Section 2(H) as follows:

(S) Moratorium on Interest, Fines and Penalties. No interest, fines and/or penalties shall accrue or be assessed on amounts owed to the City as of March 1, 2020 and thereafter until our region begins Phase 4 of the Restore Illinois Plan, for City utility payments, food and beverage taxes (although timely tax return filings are still required), parking tickets and/or ordinance violations, so long as said obligations to the City are paid within ninety (90) days after our region hits Phase 4 of the Restore Illinois Plan, expected to be June 26, 2020, ~~30 days after the conclusion of Governor Pritzker's Gubernatorial Disaster Proclamation, including any and all renewals thereof,~~ or until this provision is amended or repealed by the City Council. The City Manager is similarly authorized, by Executive Order, to extend the deadlines for payments related to any other amounts due and owing the City.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 24th day of June 2020.

APPROVED this 25th day of June 2020.

CITY OF BLOOMINGTON

Tari Renner
'or

ATTEST

Leslie Yocum
Les um, City Clerk

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ORDINANCE NO. 2020 - 61

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(T) SUSPENDING DOWNTOWN SHUTTLES

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. The City Council finds that: (1) as McLean County is currently on the warning level for the new cases per 100,000, additional emergency measures are necessary to restrict the spread of COVID-19; and (2) the operation of the downtown shuttles, used to carry patrons to and from bars in vehicles where social distancing is not possible, creates a public health and safety risk during this time of rising cases; and (3) that the suspension of downtown shuttles is necessary for the public health and safety of the community.

SECTION 2. That Ordinance 2020-18 is hereby amended by adding a new Section 2(T) as follows:

> (T) Suspension of Downtown Shuttles. All licenses and certificates of public convenience for downtown shuttles issued under Chapter 40, Article X of the City Code are hereby suspended and no downtown shuttle shall operate until the repeal and/or termination of this Ordinance or provision. No additional and/or new licenses or certificates shall be issued until the repeal or termination of this Ordinance or provision.

SECTION 3. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 14th day of September 2020.

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APPROVED this 16th day of September 2020.

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CITY OF BLOOMINGTON

Tami Reynolds, Mayor

ATTEST

Lesli Finkle-Young, City Clerk