CITY OF BLOOMINGTON COUNCIL MEETING OCTOBER 11, 2021

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 - Mboka Mwilambwe

City Council Members

Ward 1 - Jamie Mathy
Ward 2 - Donna Boelen
Ward 3 - Sheila Montney
Ward 4 - Julie Emig
Ward 5 - Nick Becker
Ward 6 - Vacant
Ward 7 - Mollie Ward
Ward 8 - Jeff Crabill
Ward 9 - Tom Crumpler

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
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
MONDAY, OCTOBER 11, 2021, 6:00 P.M.

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Remain Standing for a Moment of Silent Prayer**
4. **Roll Call**
5. **Recognition/Appointments**

   A. Recognition of new Police Chief Jamal Simington, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*

   B. Recognition of Appointments to Various Boards & Commissions, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*

6. **Public Comment**

   Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person or remotely may register at cityblm.org/register at least 5 minutes before the start of the meeting for in-person public comment and at least 15 minutes before the start of the meeting for remote public comment.

7. **Consent Agenda**

   A. Consideration and action to approve the Minutes of the September 13, 2021 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 $6,725,461.11, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

   C. Consideration and action to postpone consideration of an Ordinance Amending Chapter 7 of the City Code Regarding Video Gaming Licensure Requirements Within the City, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be postponed to the October 25, 2021 Council meeting.)*

   D. Consideration and action on an Ordinance Amending Bloomington City Code Chapter 2 to Add a Welcoming America Commission, as requested by the Legal Department. *(Recommended Motion: The proposed Ordinance be approved.)*

E. Consideration and action on an Ordinance Amending Bloomington City Code Chapter 2 to Add a Policy on City Sponsorships, as requested by the Legal Department. *(Recommended Motion: The proposed Ordinance be approved.)*

F. Consideration and action on an Ordinance Approving a Zoning Map Amendment from B-1 (General Commercial) District, to P-2 (Public Lands and Institutions) District, for the Property Located at 2002 Fox Creek Road, 2.93 Acres More or Less, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

G. Consideration and action on an Application from The 236 Group, LLC, d/b/a The Stable Music Hall and Lounge, to be located at 236 E. Front St. requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved.)*

H. Consideration and action on an Application from Bloomington Normal Sunrise Rotary, who will hold an annual Oktoberfest 5K Run/1 Mile Walk fundraiser with a reception held at the GE Clubhouse at 1750 General Electric Rd. on Saturday, October 17, 2021, requesting a Class LB (Limited/Beer and Wine) Liquor License, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved.)*

8. Regular Agenda

A. Consideration and action on a Resolution in Support of Increasing the Percentage of Funding Available through the Harriet Fuller Rust Grant Program for Projects that Enhance Building Accessibility, as requested by Ward 7 Mollie Ward. *(Recommended Motion: The proposed Resolution be approved.) (Presentation by Tim Gleason, City Manager; and Billy Tyus, Deputy City Manager, 10 minutes; and City Council discussion, 10 minutes.)*

9. City Manager's Discussion

10. Mayor's Discussion

11. Council Member's Discussion

12. Executive Session - Cite Section

A. **Claim Settlement - Section 2 (c)(12) of 5 ILCS 120 (20 minutes)**

B. **Collective Bargaining - Section 2(c)(2) of 5 ILCS 120 (25 minutes)**

13. Return to Open Session and Adjourn

RECOGNITIONS

RECOGNITION/APPOINTMENTS ITEM NO. 5.A

FOR COUNCIL: October 11, 2021

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of new Police Chief Jamal Simington, 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 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: The City of Bloomington's new Police Chief Jamal Simington is being introduced by City Manager Tim Gleason.

Chief Simington's career started in 1991 at the Kankakee County Sheriff's Department where he served as a correctional officer, tele-communicator, and then sheriff's deputy. Simington served with the Illinois State Police for more than two decades, starting in District 21-Ashkum Post as a Trooper in 1999. Chief Simington rose through the ranks at the Illinois State Police, serving in investigations and patrol. He became the Operations Commander in District 21, the District Commander in District 10, and the Region III Commander for the State Police overseeing 2 investigative zones and 6 patrol operations in Central Illinois. Chief Simington was appointed Lieutenant Colonel overseeing Field Support in the Division of Operations which was responsible for the Statewide Terrorism and Intelligence Center, Special Weapons and Tactics and Weapons of Mass Destruction Programs, Commercial Motor Vehicle Enforcement Operations and Air Operations amongst others. In 2018, Chief Simington was appointed as the Deputy Director of the Division of Internal Investigation and was later appointed as the Deputy Director for the Division of the Academy and Training in March 2021. Chief Simington completed the Northwestern University Center for Public Safety School of Police Staff and Command and earned a Masters in Public Administration degree from Governors State University.

Chief Simington's first day with the City was October 1st, 2021.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant & Records Manager

Reviewed by:

Tara Henry, Legislative Assistant 10/6/2021

RECOGNITION/APPOINTMENTS ITEM NO. 5.B

FOR COUNCIL: October 11, 2021

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of Appointments to Various Boards & 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 are Mayoral appointments to Boards and Commissions.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council information.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:

Billy Tyus, Deputy City Manager 10/6/2021 Tara Henry, Legislative Assistant 10/6/2021

Attachments:

- ADM 1B Recognition of Mayoral Appointments

Appointment

Vivian Doctora: Human Relations Commission

Appointment

Rachel McFarland: Public Safety & Community Relations Board

Appointment

Joseph Blaney: Transportation Commission

CONSENT AGENDA

CONSENT AGENDA ITEM NO. 7.A

FOR COUNCIL: October 11, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the September 13, 2021 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 Stutsman, Deputy Clerk

Reviewed by:

Leslie Yocum, City Clerk 10/5/2021

Tara Henry, Legislative Assistant 10/6/2021

Attachments:

- CLK 1B DRAFT 09-13-2021 Council Minutes - Regular Session

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, SEPTEMBER 13, 2021, 6:00 P.M.

The City Council convened in regular session in-person in the Government Center Chambers at 6:02 p.m., Monday, September 13, 2021. The meeting was called to order by Mayor Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Mboka Mwilambwe	Mayor	Present	
Jamie Mathy	Council Member, Ward 1	Present	
Donna Boelen	Council Member, Ward 2	Present	
Sheila Montney	Council Member, Ward 3	Present	
Julie Emig	Council Member, Ward 4	Present	
Nick Becker	Council Member, Ward 5	Present	
Mollie Ward	Council Member, Ward 7	Present	
Jeff Crabill	Council Member, Ward 8	Present	
Tom Crumpler	Council Member, Ward 9	Present	
Vacant	Council Member, Ward 6		

Recognition/Appointments

A. Proclamation recognizing Welcoming Week September 10-19, 2021

Mayor Mwilambwe read the Proclamation aloud.

B. Recognition of Appointments to Various Boards & Commissions

Staff recognized the appointment of Council Member Donna Boelen to the McLean County Behavioral Health Coordinating Council and Council Member Jamie Mathy to the Bloomington Normal Area Convention and Visitors Bureau.

Public Comment

Mayor Mwilambwe read a statement of procedure for public comment and the following spoke in-person: (1) Mathew Toczko; (2) Tina Sipula; (3) Scott Stimeling; (4) Tim Foley; (5) Mary Gordon; (6) Mary Kramp; and (7) Gary Lambert. Jon Reed registered to provide public comment remotely, but despite multiple attempts his audio never connected in the meeting. Gary Donohue and Zach Carlson emailed public comment.

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 Emig, that the Consent Agenda, including all items listed below, be approved as presented with the exception of Items 7.F. and 7.K.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried.

Item 7.A. Consideration and action to approve the Minutes of the July 26, 2021 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 7.B. Consideration and action to approve Bills and Payroll in the amount of $8,525,981.30, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 7.C. Consideration and action to approve a Contract with Stewart Spreading, Inc. for lime sludge removal (RFP #2022-08), from September 13, 2021, to April 30, 2023, in the amount of $73.21 per dry ton of lime sludge, with an option for three one-year renewals, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 7.D. Consideration and action to approve a Contract with Walker Consultants for Parking Planning and Garage Concept Design, in the amount of $95,280, as requested by the Facilities Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 7.E. Consideration and action on a Resolution Authorizing Waiving the Formal Bidding Process and Approving the Agreements with PFM Asset Management and Busey Wealth Management for Investment Advisory Services in the Amount not to Exceed $70,000, as requested by the Finance Department. *(Recommended Motion: The proposed Resolution and Agreements be approved.)*

Item 7.F. was removed from the Consent Agenda by Council Member Boelen.

Item 7.G. Consideration and action on 1) a Resolution to Authorize a Change Order in the Amount of $26,575 for the Contract Between the City of Bloomington and Western Waterproofing, Inc. for Repairs to the Police Parking Garage, and 2) a Resolution to Authorize a Change Order in the Amount of $2,190 for the Contract Between the City of Bloomington and Shive-Hattery, Inc. for Design of Repairs to the Police Parking Garage, as requested by the Facilities Department and the Police Department. *(Recommended Motion: The proposed Resolutions be approved.)*

Item 7.H. Consideration and action on a Resolution to Adopt Standards for Determining Affordable Rents, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 7.I. Consideration and action on 1) a Resolution Approving Acceptance of the Illinois Housing Development Authority's (IHDA) Single Family Rehab Program funding increase in the Amount of $100,000, 2) an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2022, in the Amount of $100,000, and 3) the approval of the Program Funding Agreement and Affidavit, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution, Ordinance, Funding Agreement and Affidavit be approved.)*

Item 7.J. Consideration and action to postpone consideration of 1) an Ordinance Approving the Vacation of an Alley between Lot 8 of McDowell Subdivision and Lot 4 of J B Stevenson Subdivision, and 2) an Ordinance Amending the City Policy on Street & Alley Vacations, as requested by the Public Works Department. *(Recommended Motion: Consideration of the proposed Ordinances be postponed until September 27, 2021.)*

Item 7.K. was removed from the Consent Agenda by Council Member Crumpler.

Item 7.L. Consideration and action on an Ordinance Approving a Special Use Permit for Food & Kindred Industries in the M-1 (Restricted Manufacturing) District for the Property Located at 2501 Beich Road, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7.M. Consideration and action on an Ordinance Amending Bloomington City Code Chapter 1 Regarding Administrative Adjudication, as requested by the Legal Department and the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7.N. Consideration and action on an Ordinance Approving the Final Plat of the Second Addition to Harvest Pointe Subdivision, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved, subject to the petitioner providing the required sureties.)*

Items Removed from the Consent Agenda

The following item was pulled from the Consent Agenda by Council Member Crumpler:

Item 7.K. Consideration and action on an Ordinance Amending Chapter 25 of the City Code Regarding Utility Penalties & Shutoffs, as requested by the Finance Department.

Council Member Crumpler whether the moratorium should be extended beyond the end of September.

Council Member Crumpler made a motion, seconded by Council Member Ward, to extend the moratorium to the end of 2021.

Jeff Jurgens, Corporation Counsel, explained that exemptions for those significantly impacted by COVID-19 were considered in the proposed Ordinance. Mr. Jurgens and Council Member Crumpler then discussed potential procedure and requirements for individuals to demonstrate significant COVID impact and the inability to pay their utility bill.

Council Member Crumpler withdrew his motion.

Council Member Crumpler made a motion, seconded by Council Member Montney, that the proposed Ordinance be approved.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Boelen:

Item 7.F. Consideration and action on a Resolution to Authorize a Change Order in the Amount of $110,960 for the Contract Between the City of Bloomington and Williams

Associates Architects Ltd. for the Design of the O'Neil Park & Pool Improvements, as requested by the Parks, Recreation and Cultural Arts Department.

Council Member Boelen asked for additional clarification on hard costs versus soft costs. Jay Tetzloff, Parks, Recreation, and Cultural Arts Department Director, explained that construction related fees were considered hard costs, whereas architect's fees were considered soft costs. Council Member Boelen and Mr. Tetzloff discussed the possibility of hard costs increasing, as well as contingencies built into the contracts. Council Member Boelen expressed dissatisfaction with the project's cost increase.

Council Member Boelen made a motion, seconded by Council Member Ward, that the proposed Resolution be approved.

Council Member Becker strongly encouraged options be considered to reduce project costs versus increasing them. Mr. Tetzloff pointed out that portions of the project, such as the skate park or splash park, could be eliminated from Phase 1 of the project.

City Manager Gleason stated that the project continued to operate within the approved $11.7 million and assured Council that if submitted bids came back over budget additional discussion would be had to amend the project.

Council Member Montney referenced a previous meeting where staff were optimistic that the project would finish under-budget. Mr. Tetzloff responded that after a detailed review, costs came back higher than anticipated due to demand during COVID. He noted that staff had made cuts to reduce costs.

Council Member Ward did not favor eliminating the skate park or splash park as they were to be free for use and would benefit lower income level households.

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

AYES: Mathy, Boelen, Montney, Emig, Ward, Crabill, Crumpler

NAYES: Becker

Motion carried.

Public Hearing

A. Public Hearing for the 2020 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER), as requested by the Economic & Community Development Department.

Mayor Mwilambwe opened the Public Hearing at 6:47 p.m.

No individuals had registered for public comment.

Melissa Hon, Economic and Community Development Department Director, presented an overview of the Consolidated Annual Performance Evaluation Report ("CAPER") for Year 46 (May 1, 2020 - April 30, 2021). She discussed impacts of the COVID-19 pandemic and highlighted the following CAPER results: (1) 86 households received up to $5,000 in direct aid or assistance; (2) 60 local businesses received small business grants where an owner or employee qualified under low-income; (3) 105 individuals were assisted through the PATH COVID Emergency funding that provided funding or shelter to prevent homelessness; and (4) due to COVID-related delays, the goal of 3 homeowner housing units was not achieved, but

they would be by 2022. She went on to discuss various infrastructure improvements including accessible playground equipment, benches, and drinking fountains at Evergreen Park. She reported on multiple public service accomplishments including 26,000 peace meals served to residents of very low income, as well as multiple activities that aided in reducing homelessness. Ms. Hon reminded the community that the CAPER could be found on the City's website or viewed at The Hub or Bloomington Public Library. She ended by explaining how public comment for the CAPER could be submitted.

Council Member Ward recognized the benefits of individuals who were awarded CAPER funds. She and Ms. Hon then discussed how the aid given to those individuals benefitted the City as a whole.

Council Member Crabill asked Ms. Hon if she anticipated staff elevating portions of the CAPER that were not addressed. Ms. Hon was confident that the City could meet their goal within the next five years.

Council Member Boelen confirmed with Ms. Hon that CAPER funds were federally funded.

Mayor Mwilambwe closed the Public Hearing at 6:55 p.m.

Regular Agenda

The following item was presented:

Item 9.A. Presentation and discussion of priorities and recommendations for associated projects related to City infrastructure and recent storm events, as requested by the Public Works Department and the Administration Department.

City Manager Tim Gleason provided an overview of staff's work on recommendations for the Locust Colton Combined Sewer Overflow ("CSO") Elimination Phases.

Kevin Kothe, Public Works Director, presented charts to address the current and accelerated phases with construction cost estimates on the Locust Colton CSO. He explained the benefits of combining Phases 4 and 5, reducing project completion from 2030 to 2027. He then discussed proposed additions of hydraulic modeling to provide relief in the core area of the City. He referenced the 2014 Master Plan's Pond 1 (East Street Basin) and mentioned a goal of October for approval of the engineering contract. He noted hydraulic modeling for Pond 2, to be located on property owned by Nicor, would be targeted for consideration in Fiscal Year ("FY") 2023. Mr. Kothe presented a map indicating flood claims made to the City's PMA Insurance Company, as well as flooding complaints submitted to the McLean County Emergency Management Agency.

City Manager Gleason reminded the community that 3 of 9 phases of the Locust Colton CSO project were complete and that there would be a tremendous cost to the City if the project was compressed to be completed by 2025. He explained that staff believed that, in addition to combining Phases 4 and 5, the addition of the East Street Basin would not only provide flooding relief but would also be the best investment of taxpayers' dollars.

Billy Tyus, Deputy City Manager, discussed a proposed Expediting Ordinance, which would allow the Mayor and City Manager to jointly approve agreements, designs, and construction documents under limited circumstances. The Expediting Ordinance would only be applicable to sewer and storm water infrastructure projects budgeted and approved by Council. Further, it required the City Manager to report approved items back to Council at

the next scheduled regular meeting. He then discussed the proposed increased funding to the Overhead Sewer Program, as well as potential options to implement a resident installment payment program to make projects more affordable.

Jeff Jurgens, Corporation Counsel, discussed considerations when determining public purpose of a direct aid initiative.

Mr. Tyus reminded Council and the community of multiple relief programs available. He then discussed the Illinois Housing Development Authority ("IHDA") Single Family Housing Program, which was designed to provide rehabilitation projects to low-income residents and how it could be benefit those impacted by the flooding.

City Manager Gleason highlighted the IHDA Single Family Housing Program and stated that staff and City Lobbyists continued to research additional opportunities including funding from Department of Commerce of Economic Opportunity ("DCEO"). He then discussed proposed dates for the action items presented.

Mayor Mwilambwe expressed appreciation to staff for their work.

Council Member Crabill reiterated that the Locust Colton CSO project timeline would be reduced by 3 years with the combination of Phases 4 and 5. He and Mr. Kothe discussed the benefits a detention basin would have for homeowners in affected flooding areas.

Council Member Ward and Mr. Jurgens discussed the definition of public purpose and whether an Overhead Sewer Program classified as public purpose under infrastructure projects. Mr. Tyus and Mr. Kothe expanded on how the program benefited the City. Council Member Ward asked if public health as it related to hospital resources could be argued as a public purpose. Mr. Jurgens stated it could, and then reiterated the definition.

Council Member Crumpler highlighted the IHDA fund and asked if residents of Eastgate Subdivision would qualify. Mr. Tyus responded that only residents of low or very low income qualified.

Council Member Montney asked Mr. Kothe if the retention basin combined with the expedited completion of the Locust Colton CSO project would fix the issue for the residents of Eastgate Subdivision. Mr. Kothe explained that it would help, but that until the entire system was separated, there would continue to be potential for sewer back up.

Council Member Boelen discussed local funding for public purpose and cautioned the legalities of the City providing relief grants.

Council Member Emig asked if the installation of a water retention basin could incorporate green infrastructure. Mr. Kothe confirmed it could and explained it could also be designed as a functional amenity.

Council Member Mathy explained the basic principle of retention basins. He supported the basin as it benefited more homeowners at a faster rate than the CSO elimination.

Council Member Becker stressed that a retention basin would provide the best outcome while CSO projects continued.

Council Member Crabill confirmed with Mr. Jurgens that the public purpose doctrine was outlined in the Illinois Constitution and that it applied to State and local government agencies. City Manager Gleason clarified that any grant funds received from the DCEO must be used towards infrastructure related projects. Council Member Crabill then confirmed with

Mr. Jurgens that the IHDA program previously discussed also had to adhere to the public purpose doctrine. Council Member Crabill supported awarding additional City funds using the same criteria. He and Mr. Kothe then discussed a completion date of 2026 for the water retention basin. Council Member Crabill reiterated that every CSO project helped incrementally. He Crabill and Mr. Kothe then elaborated other elements of the CSO project.

City Manager's Discussion

City Manager Tim Gleason highlighted the Welcoming Week Proclamation, various upcoming Parks and Recreation programs, and Downtown events. He recognized the anniversary of 9/11, as well as a commemorative event held at the Corn Crib.

Mayor's Discussion

Mayor Mwilambwe also recognized the 9/11 commemorative event and thanked first responders in the community, as well as those who lost their lives on 9/11. He provided an update on the selection of a Ward 6 Council Member, noting he anticipated submitting a name to Council by September 27, 2021.

Council Member's Discussion

Council Member Crumpler highlighted an upcoming event where a Harriet Tubman re-enactor would hold a presentation.

Council Member Boelen highlighted Welcoming Week, the coalition's resources showcased at the Farmer's Market, and multiple informational events to bring awareness. She closed by discussing multiple initiatives and programs available through the McLean County Behavioral Health Coordinating Council.

Council Member Emig reminded the community of an upcoming hazardous waste disposal event.

Council Member Ward reminded the community about an upcoming O'Neil Park and Pool Open House to discuss the project's status.

Council Member Crabill discussed data on traffic stops in Bloomington released by Illinois Department of Transportation. He reminded the community of an upcoming virtual town hall being held by the National Association for the Advancement of Colored People.

Council Member Mathy mentioned a discussion he'd recently had with two 30-year line worker employees of the Ferrero plant and how excited the employees were for the new ownership. He publicly recognized his wife and celebrated their anniversary.

Executive Session - Section 2(c)(1) of 5 ILCS 120

Mayor Mwilambwe explained that Council would enter Executive Session per Section 2(c)(1) of 5 ILCS 120 to discuss a personnel matter. Leslie Yocum, City Clerk, clarified that the personnel matter was to discuss compensation and review of a specific employee.

Council entered Executive Session at 8:09 p.m.

Council Member Boelen made a motion, seconded by Council Member Ward, that Council enter into Executive Session per Section 2(c)(1) of 5 ILCS 120.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried.

Return to Open Session and Adjourn

Council Member Boelen made a motion, seconded by Council Member Ward, that Council return to open session and adjourn the meeting.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried (viva voce).

Meeting adjourned at 9:32 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Mboka Mwilambwe, Mayor	Amanda Stutsman, Deputy City Clerk

DRAFT

CONSENT AGENDA ITEM NO. 7.B

FOR COUNCIL: October 11, 2021

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills and Payroll in the amount of $6,725,461.11, 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 $6,725,461.11 (Payroll total $2,653,900.83, Accounts Payable total $3,695,032.89, and Bank Transfers total $376,527.39).

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:

F. Scott Rathbun, Finance Director 10/6/2021

Tara Henry, Legislative Assistant & Records Manager 10/7/2021

Attachments:

- FIN 1B Council Finance Summary Report

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
9/24/2021	$ 2,092,495.22	$ 566,139.58	$ 2,658,634.80
6/4/2021-7/2/2021 Off Cycle Adjustments	$ (4,728.37)	$ (5.60)	$ (4,733.97)
	PAYROLL TOTAL		**$ 2,653,900.83**

ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
10/11/2021	AP General	$ 3,303,099.08
	AP JMScott	
10/11/2021	AP Comm Devel	$ 4,810.54
	AP IHDA	
10/11/2021	AP Library	$ 43,561.49
10/11/2021	AP MFT	$ 3,357.03
9/24/2021-9/29/2021	Out of Cycle	$ 340,204.75
7/15/2021-9/17/2021	AP Bank Transfers	$ 376,527.39
	AP TOTAL	**$ 4,071,560.28**

PCARDS

Date Range		
PCARD TOTAL	**$**	**-**

GRAND TOTAL	**$**	**6,725,461.11**

Respectfully,

F Scott Rathbun
Director of Finance

CONSENT AGENDA ITEM NO. 7.C

FOR COUNCIL: October 11, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to postpone consideration of an Ordinance Amending Chapter 7 of the City Code Regarding Video Gaming Licensure Requirements Within the City, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be postponed to the October 25, 2021 Council meeting.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 3. Grow the Local Economy
-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5e. More attractive city: commercial areas and neighborhoods
-Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
-Objective 3e. Strong working relationship among the City, businesses, economic development organizations
-Objective 3d. Expanded retail businesses
-Objective 3b. Attraction of new targeted businesses that are the "right" fit for Bloomington
-Objective 3a. Retention and growth of current local businesses
-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: At the City Council meeting on September 27, 2021, Council voted to postpone consideration of an Ordinance Amending Chapter 7 of the City Code Regarding Video Gaming Licensure Requirements Within the City until this meeting. City staff are recommending this Ordinance be postponed further to allow additional time for drafting and evaluation. Postponement to the October 25, 2021, Council meeting is recommended.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

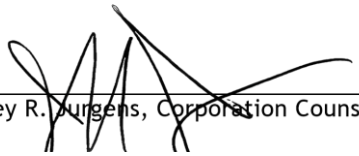
COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant & Records Manager

Reviewed by:

Leslie Yocum, City Clerk 10/6/2021



Jeffrey R. Jurgens, Corporation Counsel 10/6/2021

Tara Henry, Legislative Assistant 10/7/2021

CONSENT AGENDA ITEM NO. 7.D

FOR COUNCIL: October 11, 2021

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Bloomington City Code Chapter 2 to Add a Welcoming America Commission, as requested by the Legal Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

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

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

BACKGROUND: On January 11, 2021, the City Council approved a resolution authorizing the City's participation in the Welcoming Network operated by Welcoming America. Welcoming America is a non-profit, non-partisan organization that provides a roadmap and support for its members to become more inclusive toward immigrants and all residents. To assist with the implementation and operation of the City's Welcoming America Initiative, the formation of a formal commission is being proposed.

Specifically, the commission will: (1) serve as an advisory body to the City Council, the City Manager and other City officials in creating, supporting, developing and maintaining plans for the City's Welcoming America initiative, including specifically plans for Welcoming America week; (2) serve as convening body for and liaison to other public and private organizations in the City; (3) coordinate with the Mayor and City Council, the City Manager, and other City officials to showcase the vibrancy of the City's international residents; and (4) monitor demographic data on the economic impact and expressed needs of immigrant residents in relation to the City's Welcoming America initiative and programs.

If adopted, the commission will consist of seven (7) members, all appointed by the Mayor with the advice and consent of the City Council. An ex officio member from the City Council can also be appointed by the Mayor to assist the commission and serve as a liaison between the commission and the Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

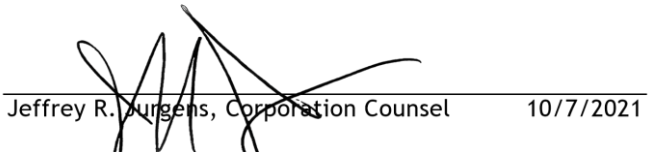
COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:

Chris Tomerlin, Budget Manager 10/7/2021



Jeffrey R. Jurgens, Corporation Counsel 10/7/2021

Lara Henry, Legislative Assistant & Records Manager 10/7/2021

Attachments:

- LGL 1B Welcoming America Commission Ordinance

ORDINANCE NO. 2021 - _____

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 2 TO ADD A WELCOMING AMERICA COMMISSION

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois (additions are indicated by underlining; deletions are indicated by strikeouts):

SECTION 1. That Bloomington City Code Chapter 2 shall be amended by amending §2-302 [Ch. 2, Sec. 30] to add "Welcoming America Commission" to the list of City boards and commissions.

SECTION 2. That Bloomington City Code Chapter 2 shall be amended by adding a new §2-354 [Ch. 2, Sec. 84] as follows:

§2-354 [Ch. 2, Sec. 84] WELCOMING AMERICA COMMISSION.

A. Membership. The Welcoming America Commission shall consist of seven members appointed by the Mayor with the advice and consent of the City Council. Members shall serve for a three-year term; however, at the inception of the Commission, two members shall be appointed for a one-year term, two members for a two-year term, and three members for a three-year term, so that terms are staggered. This term may be extended after the three years for no more than two additional three-year terms. Members of the Commission shall serve no more than three consecutive three-year terms (a total of nine years). All terms shall expire on April 30th. Reappointment shall be by the Mayor with the consent of the City Council. The members of the Commission shall elect a Chairman and a Vice-Chairman on an annual basis. A majority of the sitting members of the Commission shall constitute a quorum. The Mayor may also appoint a member of the City Council to serve as an ex-officio member of the Commission.

B. Meetings. The Commission shall meet on a regular basis on a schedule to be established by the members, but not less than once per month. A regular place of meeting shall be established by the Commission. All meetings shall be open to the public, unless grounds exist for a closed meeting pursuant to the Illinois Open Meetings Act.

C. Duties and functions. The Commission shall have as its duties and functions:

(1) To serve as an advisory body to the City Council, the City Manager and other City officials in creating, supporting, developing and maintaining plans for the City's Welcoming America initiative, including specifically plans for Welcoming America week.

(2) To serve as convening body for and liaison to other public and private organizations in the City.

(3) To coordinate with the Mayor and City Council, the City Manager, and other City officials to showcase the vibrancy of the City's international residents.

(4) To monitor demographic data on the economic impact and expressed needs of immigrant residents in relation to the City's Welcoming America initiative and programs.

SECTION 3. Except as provided herein, the Bloomington City Code, 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 take effect after its approval and publication as required by law.

PASSED this 11th day of October 2021.

APPROVED this _____ day of October 2021.

CITY OF BLOOMINGTON

_____
Mboka Mwilambwe, Mayor

ATTEST

_____
Leslie Smith-Yocum, City Clerk

CONSENT AGENDA ITEM NO. 7.E

FOR COUNCIL: October 11, 2021

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Bloomington City Code Chapter 2 to Add a Policy on City Sponsorships, as requested by the Legal Department.

RECOMMENDED MOTION: The proposed Ordinance 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 City holds various events, programs and activities for the public that individuals, companies and/or organizations may be willing to help sponsor either financially or through the provision of other resources. As no formal City policy exists governing such sponsorships, City staff is recommending a policy be adopted allowing the City Manager to approve sponsorship agreements and establishing parameters for sponsorships.

Under the proposed policy, any funds received through a sponsorship will be deposited in the fund associated with the event, program or function. If a specific fund is not identifiable, then the sponsorship revenue will go into the General Fund.

General sponsorship benefits include recognition of the sponsor at the event, mention of the sponsor's name in media releases and/or signage at the event, and recognition on website and/or electronic materials.

Sponsorships are not designed to create a public forum or to provide an opportunity for individuals to advocate positions, rather it is merely recognition of the financial contribution to the event or program.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Although the exact impact is unknown, the approval of the ordinance is anticipated to have a positive impact on the budget by obtaining additional donated revenues for certain City programs, events and functions.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:

Jeffrey R. Jurgens, Corporation Counsel 10/7/2021

Chris Tomerlin, Budget Manager 10/7/2021

Tara Henry, Legislative Assistant & Records Manager 10/7/2021

Attachments:

- LGL 1B Ordinance_Sponsorship Policy

ORDINANCE NO. 2021 - _____

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 2 TO ADD A POLICY ON CITY SPONSORSHIPS

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois (additions are indicated by underlining; deletions are indicated by strikeouts):

SECTION 1. That Bloomington City Code Chapter 2, shall be amended by adding a new Article IX as set forth on Exhibit A.

SECTION 2. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and she 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 take effect after its approval and publication as required by law.

PASSED this 11th day of October 2021.

APPROVED this _____ day of October 2021.

CITY OF BLOOMINGTON

_____
Mboka Mwilambwe, Mayor

ATTEST

_____
Leslie Smith-Yocum, City Clerk

EXHIBIT A

ARTICLE IX CITY SPONSORSHIPS

Section 901. Declaration of legislative intent and findings. In an effort to support and improve various programs offered by the City of Bloomington, it is in the best interest of the City to create and enhance relationships with the private sector, including individuals, corporations and other organizations, through sponsorship arrangements. Sponsorship arrangements are deemed not to constitute a public forum for communication and debate. The recognition rights established by the sponsorships are established and retained at the City's discretion. Sponsorships will create alternative revenue streams that will increase the City's ability to improve and to maintain various City programs and/or to provide enhanced levels of service and maintenance beyond the core levels funded from other funds of the City for the benefit of users and the community at large. In appreciation of such support, it is the policy of the City to support our local businesses, residents, and other organizations by providing these sponsors with suitable acknowledgement of their contribution. However, such recognition should adhere to the aesthetic values and purposes of the City and/or its specific program. In addition, such recognition should not detract from the public's experience or expectation, nor should it impair the visual qualities of the City or be perceived as creating a proprietary interest.

Section 902. Definitions. As used in this article, unless the context otherwise requires:

“Financial contribution” means cash, goods, and/or services, paid, given or provided to the City at such time or times as set forth in the sponsorship agreement.

“Person” means any individual, partnership, corporation, firm, limited-liability company, or other legal entity.

”Recognition” means the display or announcement of a person’s financial or other contribution of value to an event.

“Request for proposals” means an open competitive process whereby persons may express their interest in participating in sponsorship opportunities with the City. Requests for proposals shall include a summary of the sponsorship opportunity, benefits for participation and a description of the open and competitive procedure for expressing interest in participating in sponsorship opportunities.

“Sponsor” means a person that enters into a sponsorship agreement with the City.

“Sponsorship” means a mutually beneficial arrangement between the City and a person, wherein the person provides a financial contribution to the City in return for recognition of the sponsor, for a specified period of time, toward a City events, programs, or functions.

“Sponsorship agreement” means a written agreement executed between the City and a sponsor governing a sponsorship, on terms and conditions acceptable to the City and the sponsor.

Section 903. Exceptions. This policy shall not apply to gifts, grants, or unsolicited donations where no sponsorship agreement exists or is required. To the extent any provisions of this Article conflict with the provisions of the City Code on entertainment facility contracts under Chapter 16, the provisions of Chapter 16 shall govern and control.

Section 904. Approval of sponsorship agreements.

(a) The City Manager, or his/her designee, may approve sponsorship agreements for City programs, events and other functions of the City in accordance with the terms of this Policy.

(b) Nothing herein shall provide any right to sponsor an event, function or program of the City and the City Manager may reject any proposed sponsorship agreement deemed not to be in the best interest of the City as set forth in Section 906.

(c) There is no guarantee that sponsorships will be accepted by the City.

Section 905. Funds received from sponsorship agreements. All funds received from general sponsorship agreements made pursuant to this article shall be deposited into the specific fund associated with the sponsored event, program or function and if no such fund is designated, then the funds shall be deposited into the City's General Fund.

Section 906. Sponsorship guidelines; general criteria.

(a) The following guidelines shall apply to a sponsorship agreement:

(1) Signage, publications and informational notices shall conform to all applicable laws, rules and regulations.

(2) The sponsorship shall not confer a personal benefit, directly or indirectly, to any particular City employee or official.

(3) The sponsorship shall not constitute an endorsement of the sponsor or its services and products, or create any proprietary interest of the sponsor in the City or City sponsored event or program.

(4) No materials, communications, or advertisements including, but not limited to, print, video, internet, broadcast, or display items developed to promote or communicate the sponsorship, may use the City's name, seal, or logo without express prior written approval from the City.

(5) The sponsorship shall not discriminate against any person on the basis of race, color, creed, religion, sex, including gender identity and expression, sexual orientation, age, marital status, ancestry, national origin or disability.

(6) Sponsors shall have no private speech right in the message the City selects to recognize and the Sponsor's only recourse shall be discontinuation of the Sponsorship or a prorated refund of the donation. Sponsors shall be required to waive any claims and causes of action premised on denial of its expressive or other alleged rights in relation to the Sponsorship.

(7) Signage, branding, publicity and advertising in conjunction with the sponsorship agreement: (i) shall not be in conflict with City's master plans, strategic plan goals or other missions, vision and values identified by the City; (ii) shall not be in direct conflict or competition with any City program; and (iii) shall not be in conflict with the proposed City event or program.

(8) Sponsorships shall be nonexclusive, and the City shall retain the right to grant multiple sponsorships for any given event or program.

(9) Sponsorships recognition benefits may include the following during the term of the agreement: (i) recognition of the sponsor for the event or program; (ii) appropriate mention in media releases and promotional materials as sponsor for the event or program; (iii) appropriate sponsor signage at the event or program; (iv) appropriate recognition on the program website as a sponsor for the event or program; and (v) other possible benefits as negotiated.

(10) Sponsorships may be terminated in writing at any time during the term of the sponsorship agreement when, in the sole determination of the City, the sponsorship is no longer in the best interest of the City. If a sponsorship is terminated, the donated funds will be returned. The refund will be prorated if certain sponsored events have already occurred.

(11) The City retains its rights and discretion to exercise full editorial control over the placement, content, appearance, and wording of sponsorship signs, affiliations and messages.

(12) Sponsorship materials that advocate positions, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services, or organizations, shall not be allowed.

(b) The following criteria shall be considered before entering into a sponsorship agreement:

(1) Community benefits of the sponsorship;

(2) Importance/relevance of the sponsorship to the mission of the City; and

(3) Consistency with the City's strategic plan goals and other missions, vision and values identified by the City.

(c) The City possesses sole and final decision-making authority for determining the appropriateness of a sponsorship and reserves the right to refuse any offer of sponsorship and/or to sever any sponsorship relationship when the City determines such to be in the best interests of the City, including specifically where acceptance of a sponsorship would compromise the public's perception of the City's neutrality or its ability to act in the public interest.

Section 907. Sponsorship rules. The City Manager may adopt rules for the implementation, administration and enforcement of this article. Such rules may include, but will not be limited to the: (1) types of events and programs that may be sponsored; (2) when and whether a request for proposal process is necessary for selection of the sponsor; (3) types of access to the commercial and/or marketing potential association with the City, including giving sponsorship credit to the sponsor, size, number, and placement of plaques or signs; (4) use of City logos; and (5) types of programs or events that are not eligible for sponsorship.

CONSENT AGENDA ITEM NO. 7.F

FOR COUNCIL: October 11, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 2

SUBJECT: Consideration and action on an Ordinance Approving a Zoning Map Amendment from B-1 (General Commercial) District, to P-2 (Public Lands and Institutions) District, for the Property Located at 2002 Fox Creek Road, 2.93 Acres More or Less, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:
-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:
-Objective 3a. Retention and growth of current local businesses

BACKGROUND: The Petitioner, Center for Comprehensive Services, Inc., is requesting to rezone the property located at 2002 Fox Creek Road from B-1 (General Commercial) District, to P-2 (Public Lands and Institutions) District.

On Wednesday, September 8, 2021, the Planning Commission voted 8-0-0 to recommend approval of the proposed rezoning.

For more detailed information, please see the attached Staff Memorandum to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The City published notice of the hearing in *The Pantagraph* on Monday, August 23, 2021 and courtesy notices were mailed to 14 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: N/A.

COMMUNITY DEVELOPMENT IMPACT: The proposed P-2 zoning map amendment supports the following Comprehensive Plan goal: Goal N1-1. Enhance the livability of all Bloomington Neighborhoods

Respectfully submitted for Council consideration.

Prepared by: Kimberly Smith, Asst Economic & Community Development Director

Reviewed by:

Melissa Hoh, Economic and Community Development Director 10/5/2021

Chris Tomerlin, Budget Manager 10/5/2021

George Boyle

George Boyle, Assistant Corporation Counsel 10/6/2021

Tara Henry, Legislative Assistant & Records Manager 10/7/2021

Attachments:

- E&CD 1B Z-20-21 Ordinance
- E&CD 1C Z-20-21 Staff Report 2002 Fox Creek Road
- E&CD 1D Z-20-21 Aerial Map
- E&CD 1E Z-20-21 Zoning Map
- E&CD 1F PC Minutes 9.8.21

ORDINANCE NO. 2021 – _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM B-1 (GENERAL COMMERCIAL) DISTRICT, TO P-2 (PUBLIC LANDS AND INSTITUTIONS) DISTRICT, FOR THE PROPERTY LOCATED AT 2002 FOX CREEK ROAD, 2.93 ACRES MORE OR LESS

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as two and ninety-three hundredths of an acre located at 2002 Fox Creek Road (PIN: 21-17-302-017) hereinafter referred to as "Property" legally described in Exhibit "A" attached hereto and made part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to rezone the Property from B-1 (General Commercial) District to P-2 (Public Lands and Institutions) District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the applicant, using the standards and objectives of the City Code as set forth in Chapter 44 Division 17-6, E2; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning the Property and amending the zoning map to reflect said rezoning; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone said Property.

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

1. The above recitals are incorporated into and made a part of this ordinance as though fully set forth herein.

2. The Council hereby adopts the findings of fact made by the Planning Commission.

3. The petition requesting to rezone the property commonly described as two and ninety-three hundredths of an acre located at 2002 Fox Creek Road (PIN: 21-17-302-017) legally described in Exhibit "A" is hereby approved and the zoning map of the City is hereby amended to reflect said rezoning.

4. This Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 11th day of October 2021.

APPROVED this _____ day of October 2021.

CITY OF BLOOMINGTON

_____
Mboka Mwilambwe, Mayor

ATTEST

_____
Leslie Smith-Yocum, City Clerk

EXHIBIT A

Legal Description

PT LOT 46 OF SW & PT LOT 1 OF SUB OF LOT 47 ON SW BEG ON NW IN US 66 675.6' SW OF N 1N SW N 80.50' W 527.77' TO W 1N SD LOT 1, N TO S 1N NEW CABIN TOWN RD, ELY ALG S 1N RD TO US 66 SW ALG US 66 301' TO POB & PT SW 107-23-2E, COMM NW COR LOT 1 STIMELING SUB; S195.23' TO POB; ELY 23.5', ELY298.98', ELY221.8',. NE128.19', SW183.01', NW96.39', SW ALG CURVE 366.12', SW 160.58', SWLY ALG CURVE 111.48', NW48.39', NE45.32', NE67.64', NE61.8', NE47.21' TO POB. (EX 1.77 ACRES TAKEN FOR ROW IN DEED 2003-54809). Subject to easements of record and public rights-of-ways.

COMMONLY KNOWN AS: 2002 Fox Creek Rd, Bloomington, IL 61701

PIN: 21-17-302-017

PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	September 8, 2021
CASE NO:	Z-20-21, Zoning Map Amendment
REQUEST:	Rezone from B-1, General Commercial District to P-2, Public District.
STAFF RECOMMENDATION:	To establish findings of fact and approve the zoning map amendment as requested.

Above: 2002 Fox Creek Road (Source: Google)

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, August 23, 2021. Courtesy notices were mailed to 14 property owners within 500 feet of the subject property.

PROPERTY INFORMATION

Subject Property:	2002 Fox Creek Road
Applicant:	Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois
Existing Zoning:	B-1 General Commercial District
Existing Land Use:	Vacant Office/formerly Crown Realty Office
Property Size:	2.93 acres
PIN:	21-17-302-017

BACKGROUND

Petitioner's request:
The petitioner seeks to rezone the subject property from B-1, General Commercial, to P-2, Public District, to locate a specialized school at the property. The P-2 zoning district is required to allow the proposed use. The Commission should keep in mind the request before them is to determine if the rezoning to P-2 is appropriate at this location; a rezoning is not tied to a specific use. Any use allowed in this district could be possible.

For background purposes only here is a description of the project that will be proposed if the rezoning is granted: NeuroRestorative provides after hospital residential brain injury rehabilitation services and wishes to operate a school in the existing structures. Students are transported in vans from nearby residential facilities and will typically attend Monday through Friday 8:30 am to 3:30 pm to participate in education and supports such as physical therapy, occupational therapy, speech therapy, counseling, and others as needed. Attendance is anticipated to be 20 students initially with a maximum capacity of 30 students. Exterior changes proposed to accommodate the use would be limited to a fence close to the building and adjacent pavilion and necessary improvements to meet current accessibility standards. The proposed use is permitted by right within the P-2 Public District but prohibited under the current B-1 General Commercial District zoning.

Property Characteristics:
The subject property consists of 2.93 acres of land located in Southwestern region of Bloomington, near the intersection of Interstate 55 and Interstate 74. This property is bound by S Veterans Pkwy to the east, Springfield Rd to the north and east, and Fox Creed Rd to the south. The property is improved with an office building and accessory structure previously utilized by Crown Realty. The western portion of the property is currently vacant. The surrounding properties are all zoned commercial and are utilized as such.

SURROUNDING ZONING AND LAND USES

	Zoning	Land Uses
North	B-1 General Commercial, B-2 Local Commercial District	Retail, Jackson's Produce (including residential home), Canine Classics Spa
South	B-1	Freedom Baptist Church
East	B-1	Vacant
West	B-2	Office, Williams & Swee Attorneys

ANALYSIS

*Comparison of Existing and Proposed Districts**

B-1 General Commercial District	P-2 - Public Lands and Institutions District
The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.	The intent of this P-2 Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. The creation of such a district shall be provided for parcels of substantial size where such community serving uses are necessary in order that adequate community services may be rendered and where, through proper site selection and planning, such uses are compatible with the surrounding area. Discontinuance of use. Whenever any use of property in a P-1 or P-2 district, whether permitted, special or nonconforming, is discontinued for a period of 18 months, the zoning classification of such property shall, as of the first day of discontinuance of such use, revert to the classification of R-1A.

*A list of permitted uses for commercial districts and public districts can be found online in Chapter 44, Divisions 5-2 and 6-2 respectively.

Compliance with the Comprehensive Plan
Rezoning requests should be consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan's Future Land Use map identifies this section of S Veterans Pkwy and Fox Creek Rd as regional commercial. The Land Use Priorities map does not identify this area as a priority area. This area was identified as a primary gateway in the Opportunities for Infill Development and Redevelopment map.

The proposed P-2 zoning map amendment supports the following Comprehensive Plan goal:

- Goal N1-1. Enhance the livability of all Bloomington Neighborhoods

STANDARDS FOR REVIEW

As indicated in Ch. 44, 17-6 Zoning Map (rezoning) and text amendments, the Planning Commission shall be guided by those purposes, standards, and objectives of this Code and shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant.

Standards for Consideration of Rezoning

Standard	Discussion	Finding
The suitability of the subject property for uses authorized by the existing zoning.	Uses permitted within the B-1 General Commercial District are primarily oriented to commercial uses accessed by motor vehicle, and the property has historically operated with other permitted office uses. While not inappropriate for the district, office users have not been successful at the isolated location, and the structures cannot easily be utilized for retail/commercial businesses. Pre-schools and trade	Standard is met.

	school could be permitted, but public and private schools are not permitted.	
The length of time the property has remained vacant as zoned considered in the context of land development in the area.	The property has remained vacant for one to two years. Several years ago Fox Creek was re-routed and made this property somewhat isolated with public streets on all sides.	Standard is met.
The suitability of the subject property for uses authorized by the proposed zoning.	The intent of P-2 Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. At 2.93 acres, the subject property is fairly large and meets the criteria for P-2 as this zoning emphasizes this district be established on parcels of substantial size to ensure adequate community services may be rendered. Uses permitted within the P-2 District are primarily oriented around public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest.	Standard is met.
The existing land uses and zoning of nearby property.	Commercial zoning predominates in the area immediately surrounding the subject property. Nearby uses consist of a mix of commercial, and office, ranging from a pet spa to attorney's offices.	Standard is met.
Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.	If the zoning map amendment is granted, the applicant would be able to develop the site in a manner that allows for the creation of a school which meets the needs of a specific group of residents that is not currently being met.	Standard is met.
The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.	The site has access to both Springfield and Fox Creek Roads.	Standard is met.
The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.	The rezoning does not involve any construction activities and will not negatively affect drainage patterns.	Standard is met.
The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.	The site is currently served by existing watermains and sewer connections, as well as fire and police protection.	Standard is met.
The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose	The map amendment is intended to facilitate use of underutilized property, providing a net benefit to the area. Additionally, the proposed use represents a needed school to serve residents.	Standard is met.

and intent of this Code as set forth in § 44-1701 herein.		
The extent to which property values are diminished by the particular zoning restriction.	It may be difficult to develop the present site for commercial uses, contributing to its long-term vacancy.	Standard is met.
The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.	The proposed rezoning and use are not anticipated to diminish property values in the area.	Standard is met.
Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.	The Comprehensive Plan's Future Land Use map identifies the subject property as being part of a regional/local commercial space. The Land Use Priorities map does not directly call this area out. This type of development in this area is both desired and prioritized.	Standard is met.
Whether the City needs the proposed use.	The applicant reports that the school is necessary to serve residents in the area, and staff notes that no other Public District properties meeting the needs of this specialized school are available. A rezoning for this use would be required wherever located within the City limits.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a zoning map amendment and recommends that the Planning Commission take the following actions:

1. Motion to establish findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner.

2. Motion to recommend approval of the petition submitted by Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois for a zoning map amendment for the property located at 2002 Fox Creek Road, Bloomington, IL 61701 (PIN: 21-17-302-017) from B-1, General Business District to P-2, Public District (Ward 2).

Respectfully submitted,

Glen Wetterow
City Planner

Attachments:
- Draft ordinance
- Aerial map
- Zoning map
- Neighborhood notice and map

8/26/2021

Z-20-21 Aerial Map

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

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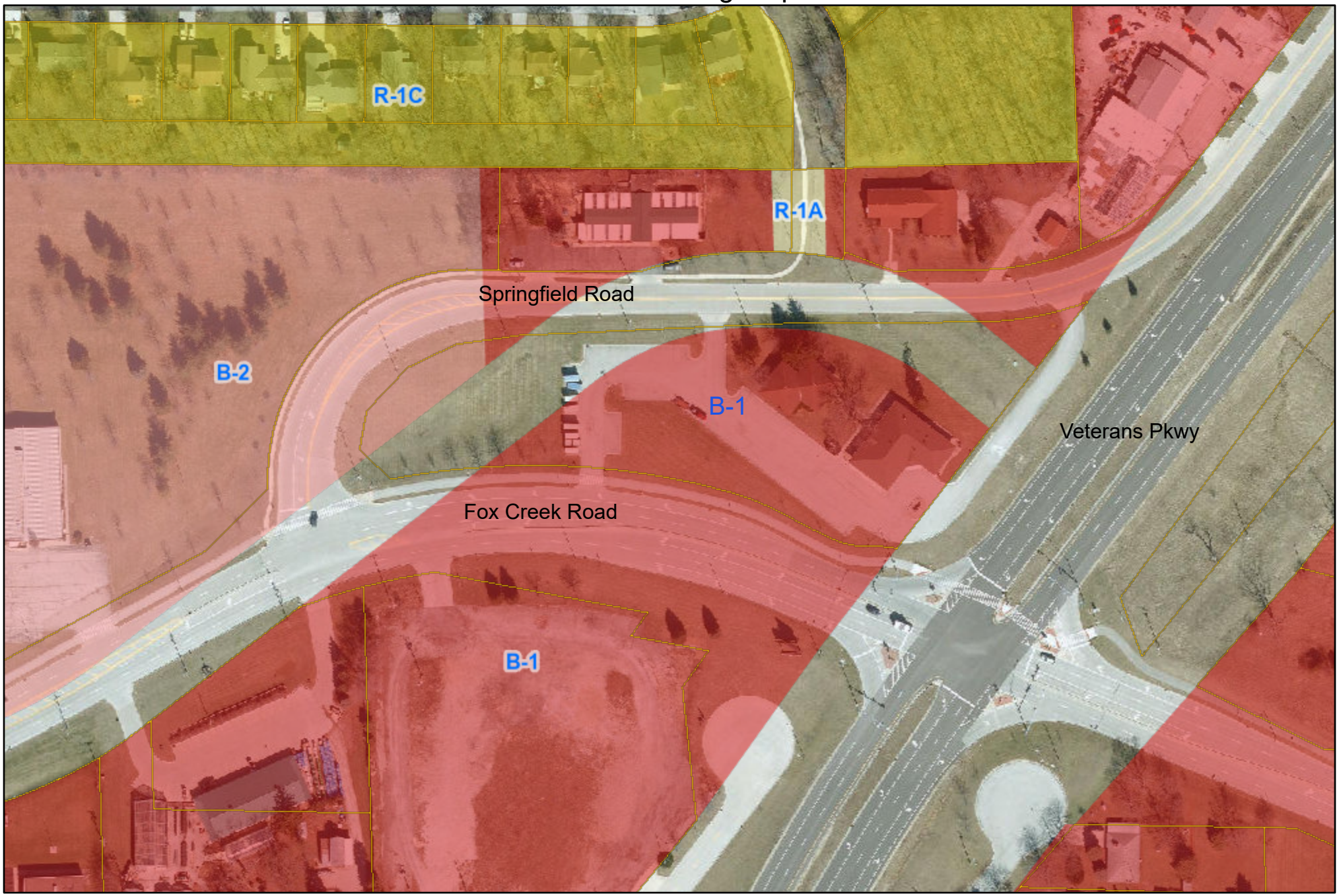
mi

1 inch = 188 feet

McGIS

8/26/2021

Z-20-21 Zoning Map



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McGIS

DRAFT

MINUTES

PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

REGULAR MEETING

Community Room

115 E Washington St

BLOOMINGTON, IL

WEDNESDAY, September 8, 2021 4:00 P.M.

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

The Planning Commission convened in Regular Session in person with Assistant City Planner Glen Wetterow, Assistant Director Kimberly Smith, and Assistant City Attorney George Boyle present in the Community Room at 4:00 p.m., Wednesday, September 8, 2021.

The meeting was called to order by Chairperson Mohr.

ROLL CALL

Attendee Name	Title	Status
Mr. Tyson Mohr	Chair	Present
Mr. Justin Boyd	Vice Chair	Present
Mr. Thomas Krieger	Commissioner	Present
Mr. Mark Muehleck	Commissioner	Present
Mr. David Stanczak	Commissioner	Present
Mr. John Danenberger	Commissioner	Present
Mr. Brady Sant-Amour	Commissioner	Present
Mr. Benjamin Muncy	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Mr. Glen Wetterow	City Planner	Present

PUBLIC COMMENT

No public comment.

MINUTES

Mr. Boyd motioned to approve the minutes from the regular June 23, 2021 meeting. Mr. Muehleck seconded. Roll call vote: Mr. Stanczak – Yes, Mr. Danenberger – Yes, Mr. Boyd – Yes, Mr. Muehleck – Yes, Mr. Krieger – Yes, Mr. Muncy – Yes, Mr. Sant-Amor – Yes, Mr. Mohr - Yes. The motion was approved (8-0-0).

REGULAR AGENDA

A. Z-20-21 Public hearing, review, and action on a petition submitted by Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois to rezone property from B-1, General Commercial District to P-2, Public Districts located at 2002 Fox Creek Road (PIN: 21-17-302-017). (Ward 2)

Mr. Boyd and Mr. Muehleck inquired about and asked for clarification related the discontinuance of use condition associated with P-2 zoning. City staff reiterated that under P-2 zoning if a permitted, special or nonconforming, is discontinued for a period of 18 months, the zoning classification of such property shall, as of the first day of discontinuance of such use, revert to the classification of R-1A. Staff stated they hoped this never happens and would work with the owner to try to prevent this from happening, but ultimately if the use is discontinued for 18 months the zoning would revert to R-1A. Staff stated it was likely the property would come back before the Commission for rezoning from R-1A to another zoning as the location and previous uses of the property are not ideal for residential zoning. Mr. Boyle reiterated what staff had stated in regard to the discontinuance in P-2 zoning and the reversion to R-1A zoning.

Mr. Mohr asked staff why the zoning could not be P-1 zoning. Staff stated the intent for P-1 University District zoning is to allow for the establishment and expansion of colleges, universities, or theological schools. The proposed school does not meet this criteria and would thus be best suited in the P-2 zoning district as it is a private school that has an inherent relationship to the public interest.

Mr. Mohr asked staff why the zoning could be left as B-1. Staff stated the current zoning, B-1 does not permit the proposed use. P-2 would be the zoning needed to permit the proposed use.

Petitioner was present but did not have any comments.

There was no further discussion on the case.

Mr. Boyd motioned to accept the findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner. Mr. Krieger seconded the motion. Roll call vote: Mr. Stanczak – Yes, Mr. Danenberger – Yes, Mr. Boyd – Yes, Mr. Muehleck – Yes, Mr. Krieger – Yes, Mr. Sant Amour – Yes, Mr. Muncy – Yes, Mr. Mohr - Yes. The motion was approved (8-0-0).

Mr. Boyd motioned to recommend approval of the petition submitted by Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois for a zoning map amendment for

the property located at 2002 Fox Creek Road, Bloomington, IL 61701 (PIN:21-17-302-017) from B-1, General Business District to P-2, Public District (Ward 2). Mr. Muehleck seconded the motion. Roll call vote: Mr. Stanczak – Yes, Mr. Danenberger – Yes, Mr. Boyd – Yes, Mr. Muehleck – Yes, Mr. Krieger – Yes, Mr. Sant Amour – Yes, Mr. Muncy – Yes, Mr. Mohr - Yes. The motion was approved (8-0-0).

OLD BUSINESS
No items.

NEW BUSINESS
No items.

ADJOURNMENT

Mr. Muehlck motioned to adjourn. Mr. Boyd seconded. All were in favor. The meeting was adjourned at 4:30 PM.

DRAFT

CONSENT AGENDA ITEM NO. 7.G

FOR COUNCIL: October 11, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: Ward 6

SUBJECT: Consideration and action on an Application from The 236 Group, LLC, d/b/a The Stable Music Hall and Lounge, to be located at 236 E. Front St. requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed License be approved.

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

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

BACKGROUND: The 236 Group, LLC, d/b/a The Stable Music Hall and Lounge, Applicant, is located at 236 E. Front St. and is currently under remodel in the previous 8 Bit Arcade location. The Applicant has requested a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) liquor license, which would allow the sale of all types of alcohol by the glass for consumption on premises seven (7) days a week. Class EAS license require the business is an entertainment or recreational sports venue where gross sales of admission to entertainment events constitute at least 60% of the gross sales. The Stable Music Hall is planned to operate as an entertainment venue and the Applicant has confirmed they understand the ticketing sales requirement. The Applicant who also owns NTL Productions, a promotional company, intends to operate an entertainment venue offering blues, bluegrass, Americana, and comedy acts.

The Applicant appeared before the Liquor Commission on September 14, 2021, where the Liquor Commission unanimously agreed to send the item to Council with a positive recommendation (draft minutes attached).

All license creations, amendments or transfers are contingent upon compliance with all building, health, and safety codes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on September 4, 2021, a public notice was published in *The Pantagraph*. Nine notices were mailed to properties adjacent to the applicant property.

FINANCIAL IMPACT: The current annual license fee for a Class EAS liquor license is $2,950, which will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2022 Budget Book titled "Budget Overview & General

Fund" on page 132. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

COMMUNITY DEVELOPMENT IMPACT: D-1 Continue to build a healthy Downtown that offers a range of employment, retail, housing, cultural and entertainment opportunities for all. D-1.1 Strengthen business recruitment and retention activities

Respectfully submitted for Council consideration.

Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:

Leslie Yocum, City Clerk 10/5/2021

Chris Tomerlin, Budget Manager 10/5/2021

Melissa Hon, Economic and Community Development Director 10/5/2021

Tim McCoy

Tim McCoy, Assistant Police Chief 10/5/2021

George Boyle

George Boyle, Assistant Corporation Counsel 10/6/2021

Tara Henry

Tara Henry, Legislative Assistant 10/6/2021

Attachments:

- CLK 3B The Stable Music Hall and Lounge (Class EAS) Application_Redacted
- CLK 3C Draft 09-10-21 Liquor Commission Minutes_The Stable (Class EAS)

September 20, 2021

City Clerk Requirement Verification Memo

To: Liquor Commission Review

Re: Legal Name: The 236 Group, LLC

D/B/A Name: The Stable Music Hall & Lounge

Dear Reviewer,

The City Clerk Department has reviewed the application of the above-mentioned applicant's submission. The required documents below were reviewed and considered suitable.

- Articles of Organization
- Certificate of Good Standing with the State of Illinois
- Financial Documentation: for NTL Productions, a sister company
- Employer Identification Number (EIN) registration with the Internal Revenue Service (IRS) for The 236 Group, LLC.
- A Lease between Inn Front, LLC, and Nicholas LeRoy for the term 07/14/2021 to 07/14/2024.
- A statement from the insurance company that the Applicant will be insured if the license is approved.
- Bloomington/Normal Food and Beverage Tax Registration Form

The documents listed above are available for review upon request. If you have any questions or concerns, please feel free to reach out.

Respectfully,

Amanda Mohan
Deputy City Clerk

Liquor License Application

Applicant Business Contact Information: *Please fill in your business information completely and legibly.*

Legal Entity Name (Corporate/LLC Name)	THE 236 GROUP, LLC
Doing Business As (DBA) OR **Establishment Name** *(Assumed names must be registered with the State of Illinois)*	The Stable Music Hall And Lounge
Legal Entity Address *(including City, State, and Zip)*	207 W. Jefferson St. Bloomington, Il. 61701
Legal Entity Phone Number	(309)808-8776
Legal Entity Email Address	Ntlproductionsinc@gmail.com
Establishment Address including Zip	236 E. Front Street. Bloomington, I'll. 61701
Establishment Phone Number	(309) 808-8776
Establishment Email Address	Ntlproductionsinc@gmail.com
***Email Address for ALL City Communications:**	Ntlproductionsinc@gmail.com

Note, that **all City communications related to this Application and/or the resulting license, if approved, will be sent by email to the email designated for **all** City Communications. It is the responsibility of the business to notify the City of any changes.*

BELOW PLEASE LIST THOSE RESPONSIBLE FOR LICENSING THE ESTABLISHMENT

Primary Contact:

Name (First & Last)	**City**	**State**	**Zip**
Nicholas LeRoy	Bloomington	Il	61701
Phone Number	**Email Address**		
[redacted]	[redacted]		

Contact Information for the Legal Entity's Agent: *(If applicable)*

Name (First & Last)	**City**	**State**	**Zip**
Phone Number	**Email Address**		

Contact Information for the Establishment's General Manager: *(If different than above)*

Name (First & Last)	**City**	**State**	**Zip**
Phone Number	**Email Address**		

Applicants should review Chapter 6: Alcoholic Beverages (https://ecode360.com/34403863) of the Bloomington City Code for all requirements, obligations and information on liquor licensing.

Liquor License Fee Chart					
		2020 Fees		**2021 Fees**	
Class	**Description**	**Semi**	**Annual**	**Semi**	**Annual**
PA	Package Sales – All Types of Liquor *(Fee applies to all except CA, EA, RA, or TA)*	$600	$1,200	$650	$1,300
PB	Package Sales – Beer and Wine Only	$450	$900	$500	$1,000
	*(Package Sales fee for CB, EB, RB, or TB, but **no** Package Sales fee applies to CA, EA, RA, or TA)*	$112.50	$225	$150	$300
S	Sunday *(Fee applies to all except CA & CB)*	$275	$550	$300	$600
	Curbside Pick-Up and Delivery of Alcohol	-	-	-	-
	Outdoor Consumption Area	-	-	-	-

Bloomington ILLINOIS

Liquor License Fee Chart (cont.)					
		2020 Fees		2021 Fees	
Class	Description	Semi	Annual	Semi	Annual
CA	Clubs – All Types of Liquor	$1,200	$2,400	$1,350	$2,700
CB	Clubs – Beer and Wine Only	$400	$800	$450	$900
EA	Entertainment/Recreational Sports Venue – All Types of Liquor	$1,200	$2,400	$1,350	$2,700
EB	Entertainment/Recreational Sports Venue – Beer and Wine Only	$400	$800	$450	$900
GPB	Convenience Store (Package) – Beer and Wine Only	$450	$900	$500	$1,000
MA	Hotel/Motel – All Types of Liquor	$600	$1,200	$650	$1,300
MB	Hotel/Motel – Beer and Wine Only	$375	$750	$425	$850
RAP	Restaurant, All Types of Liquor, and Package Sales	$1,200	$2,400	$1,350	$2,700
RBP	Restaurant, Beer & Wine Only, and Package Sales	$512.50	$1,025	$750	$1,200
RA	Restaurant – All Types of Liquor	$1,200	$2,400	$1,350	$2,700
RB	Restaurant – Beer and Wine Only	$400	$800	$450	$900
ST	Stadium – All Types of Liquor	$1,200	$2,400	$1,350	$2,700
TAP	Tavern, All Types of Liquor, and Package Sales	$1,200	$2,400	$1,350	$2,700
TBP	Tavern, Beer and Wine Only, and Package Sales	$512.50	$1,025	$750	$1,200
TA	Tavern – All Types of Liquor	$1,200	$2,400	$1,350	$2,700
TB	Tavern – Beer and Wine Only	$400	$800	$450	$900

The questions contained in this Application apply equally to all business owners, partners, officers, or members of the applicant business. If more space is needed to answer any question completely, please attach the additional information.

Status of Business Information:

1. Check the applicable box which corresponds to your business's filing with the Illinois Secretary of State.

☐ **Sole Proprietorship**

☐ **Partnership** (Date of Formation: _____)

● **Limited Liability Company** (LLC)
A copy of the Articles of Organization must be attached.

☐ **Corporation** (Inc. or Corp.)
A copy of the Articles of Incorporation must be attached.

2. Attach a list including the name, age, address, and percent of ownership/stock for each owner/partner/member.

3. ☐ Yes ● No ☐ N/A **If Applicant is a Corporation or LLC:** Is any individual owning more than 5% of stock in the applicant business ineligible to hold a liquor license for any reason other than citizenship or residence? *If yes, please identify the individual(s) and explain:* _____

Business Owner/Operator: ***(Please circle Yes (Y) or No (N) where applicable.)***

1. I verify that all owners, partners, officers, members, and majority stockholders:
   - ● Yes ☐ No Are 21 years of age or older.
   - ● Yes ☐ No Are citizens of the United States.
   - ● Yes ☐ No Have never been convicted of any felony, or of the violation of any law relating to the prohibition of the sale of alcoholic liquor, or any other crime or misdemeanor (except minor traffic violations).
   - ● Yes ☐ No Have never been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor.
   - ● Yes ☐ No Have never been convicted of pandering or any other crime opposed to decency and morality.
2. Illinois Liquor Law states the applicant individual must be a resident of the city, village or county in which the premises covered by the license is located. 235ILCS 5/6-2(a)(1)
   - 2A ● Yes ☐ No Are any of the persons listed under ownership a resident of McLean County?
   - 2B ● Yes ☐ No Is the General Manager a resident of McLean County?
3. ☐ Yes ● No Is the General Manager of the establishment unable to hold a liquor license for any reason other than citizenship or residence?
4. ☐ Yes ● No Is the establishment located within 100 feet of any church, school, hospital, home for aged, indigent persons, or war veterans and/or their wives or children?

5. ☐ Yes ● No Is the premises for which the license is sought owned?
   5A ● Yes ☐ No If not, does a valid lease to the premises for which the license is sought exist? *If so, a copy of the lease is required.*

☐ Yes ● No Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code in connection with the proposed sale of alcoholic beverages? *If yes, please explain:* _____

Nature of License:

1. What type of establishment is intended to be operated with this license? *(e.g. lounge, tavern, restaurant, wine & cheese shop)* Music Hall and Lounge
2. What class of liquor license is being sought? *(See descriptions beginning on page 1.)* EA5
3. ● Yes ☐ No Will the establishment offer Sunday Sales?
4. ☐ Yes ● No Will the establishment offer Curbside Pick-Up & Delivery of Alcohol? *(Package License Holders Only) See City Code Ch. 6 Sec. 32 for more details. https://ecode360.com/34837503*
5. ☐ Yes ● No Will the establishment offer an Outdoor Dining Area?
6. State the reason the applicant desires a liquor license for the establishment: So that people can enjoy a beverage while they relax and enjoy music.
7. If approved, how would the liquor license benefit the City and its residents? It would bring in tourism and patrons of music and the arts.
8. ● Yes ☐ No Will the establishment offer live entertainment in the establishment? *If yes, please explain:* We plan on bringing in blues, bluegrass, Americana, and comedy acts for entertainment.
9. ☐ Yes ● No Will the proposed or current establishment sell food?
10. ☐ Yes ● No Will most of the establishment's gross revenue come from sources other than the sale of alcohol? *If yes, what sources will such revenue be derived?* _____
11. If approved, what license renewal billing cycle would be preferred? ☐ Annual ● Semi-Annual

Impact of Establishment:

1. What are the proposed hours of operation?

Day	Time Open	Time Close
Monday:	Closed	Closed
Tuesday:	4:00 p.m.	Midnight
Wednesday:	4:00 p.m.	Midnight
Thursday:	4:00 p.m.	Midnight
Friday:	4:00 p.m.	1:00 a.m.
Saturday:	4:00 p.m.	1:00 a.m.
Sunday:	Noon	10:00 p.m.

2. Describe the surrounding neighborhood within 500 ft. of the establishment (e.g. residential, commercial, mixed, etc.) Mixed

   2A. If there are office or commercial buildings nearby, approximately what are their hours of operation? 8:00 a.m. to 5:00 p.m.

   2B. Is the area predominately residential, are they single or multi-family homes? Not primarily residential
3. Describe any and all streets immediately surrounding the establishment: *(e.g. approximate width, one-way, two-way, parking restrictions, etc.)* Front Street and McLean Street. Both are two way traffic.
4. How much additional traffic is expected to be generated with a liquor license? A moderate amount.
5. Describe any and all on- and off-street parking: Limited on-street parking. A parking garage is 1 block to the West.
6. How many establishments with liquor licenses are located within 500 ft. of the establishment? 3

Responsibility:

1. If the establishment **is presently in operation**, attach a financial statement of the establishment's last fiscal year.
2. If the establishment **is not presently in operation**, attach a financial statement showing ownerships personal assets and liabilities (or the entity's assets and liabilities).
3. ● Yes ☐ No Is the establishment eligible for a State of Illinois retail liquor dealer's license?
4. ☐ Yes ● No Has any owner, partner, officer, member, or majority stockholder ever held a liquor license?
   4A If yes, please explain: _____
5. ☐ Yes ● No If yes, has any owner, partner, officer, member, or majority stockholder ever been found guilty of violating Bloomington's Liquor Ordinance? *If yes, please explain:* _____
6. ☐ Yes ● No Has any owner, partner, officer, member, or majority stockholder ever had a liquor license revoked? *If yes, please explain:* _____
7. ☐ Yes ● No Has a similar application made by any of the persons of ownership ever been denied? *If yes, please explain:* _____
8. ☐ Yes ● No Has any other license type ever been revoked from any owner, partner, officer, member, or majority stockholder? *If yes, please explain:* _____

Please provide any additional information significant to this application:
I have booked numerous musical acts for The Castle and several other entities and venues.

Additional License Interests:

Are any of the below additional licenses of interest to the establishment?

● Yes ☐ No **Sidewalk Café License** *(Downtown Area Only)* Allows use of public sidewalk for serving food and beverages on the sidewalk immediately adjacent to the establishment.

☐ Yes ● No **Catering Liquor License** *Allows liquor license holders to provide catering services to private parties.*

☐ Yes ● No **Video Gaming License** Allows an establishment to have video gaming terminals and to conduct video gaming on the premises as defined by the Illinois Video Gaming Act.

☐ Yes ● No **Public Dancing License** Allows a for-profit establishment to offer dance privileges to the public.

☐ Yes ● No **Tobacco License** Allows retail sale of any cigar, cigarette, snuff, chewing tobacco, manufactured product of tobacco or tobacco in any form.

Please note that each of the above-mentioned licenses requires a separate application and most require additional documentation. Applications available via the City Clerk Department.

I, the undersigned, swear or affirm that:

1. **I am authorized to sign as an owner, officer, or authorized agent, of the above listed establishment;**
2. **I declare that all the information included in this application, and any attachment hereto, is true and accurate to the best of my information, knowledge, and belief;**
3. **All applicants of the establishment are qualified and eligible to obtain the license applied for;**
4. **I have read and understand the requirements of the City of Bloomington Code pertaining to Chapter 6: Alcoholic Beverages** https://ecode360.com/34403863**; and**
5. **If approved, I certify in accordance with 235 ILCS 5/6-27.1 and City Code Chapter 6: Section 29, that all employees required to check IDs will become BASSET certified within 120 days of employment, that at least one BASSET Certified employee will be on the premises at all times, that all certifications will be kept on premises, and that all certifications will immediately be made available upon request by any law enforcement personnel.**

Nicholas LeRoy	Owner/Manager
Name (Please Print)	**Title**
[redacted]	August 16, 2021
Signature	**Date**

The 236 Group LLC

NAme Nicholas T. LeRoy

Age: [redacted]

Address- [redacted] / Bloomington, IL 61701

% 100% ownership

NTL PRODUCTIONS

Talent Buying & Concert Promotions

NICHOLAS T. LEROY

CEO

309.808.8776

ntlproductionsinc@gmail.com

See TICKETS
Los Angeles | Nashville | London | Paris | Berlin | Madrid | Amsterdam

Nick,

I'd like to start by thanking you for the opportunity to submit this proposal. As your ticketing partner, it is my intent to continually meet your needs and identify ways we can directly impact the health and growth of your events. See Tickets has thrived for over twenty seven years by developing deep partnerships and it is my hope to continue this tradition with you and your team.

With the goal of addressing your needs I've outlined our core objectives and the proposed solutions that make up our offer. On the following pages you will find the details of each aspect.

Purpose Built: Our business is built on service but our platform is built for music venues and promoters. The reason we can meet your needs is because all we do is serve people with your needs as one of the largest ticketing companies in the world.

Stability: Owned by one of the oldest and largest media companies in the world, Vivendi, See Tickets market position and dependability has no equal. Neither a startup or venture backed, we've over 170+ years of dependability which is why we are as safe as a bank. We are not going out of business, preparing for an IPO, or have debt.

100% Support: We are a full service, always on, always available company who prides ourselves on being a full service event solutions partner. Each client works with a dedicated client support manager who trains, facilitates, manages and supports you through every step of the process.

I look forward to your feedback, the opportunity to fine tune and the possibility of working with your team.

Sincerely,

[redacted]

Chris Donohue
Vice President, Business Strategy & Partnerships

OPTION 3

Term	4 years **Ticket Minimum** | 14,000 annually
Customer Fee (See Tickets Fee)	$0 - $14.99 Ticket Price = $1.50 $15.00 - $19.99 Ticket Price = $2.25 $20.00+ Ticket Price = $3.25
Bonus & Facility Fee Advance	The Ticketing Bonus and Facility Fee Advance would be payable in two installments, based on achieving sales benchmarks, as presented in the model below. Benchmark 1: Signing $20,000 ($10k Bonus + $10k Advance) Benchmark 2: 500 tickets sold ~~$25,000~~ ($15k Bonus + $10k Advance) **Total $45,000**
Facility Fee (Promoter Rebate)	10% Face Value | Upon recoupment, 100% Set and Retained by Client.
Client Processing	3% | See Tickets (80% pre-settlement, 20% post-settlement)
Client Service	Dedicated Client Service Manager for onboarding and set-up success, included.
Marketing Support	*Free* Hive.co Account to manage all of your email marketing.
Website Development	See Tickets to build a Client website.
White Label Development	See Tickets to build a white label ticketing page for Client.
Customer Support Center	Telephone/Email Support Center staffed to handle customer inquiries, included.
Equipment	See Tickets to provide all box office, scanning and printing equipment at no cost.

CHOOSE STABILITY & EXPERIENCE

See TICKETS

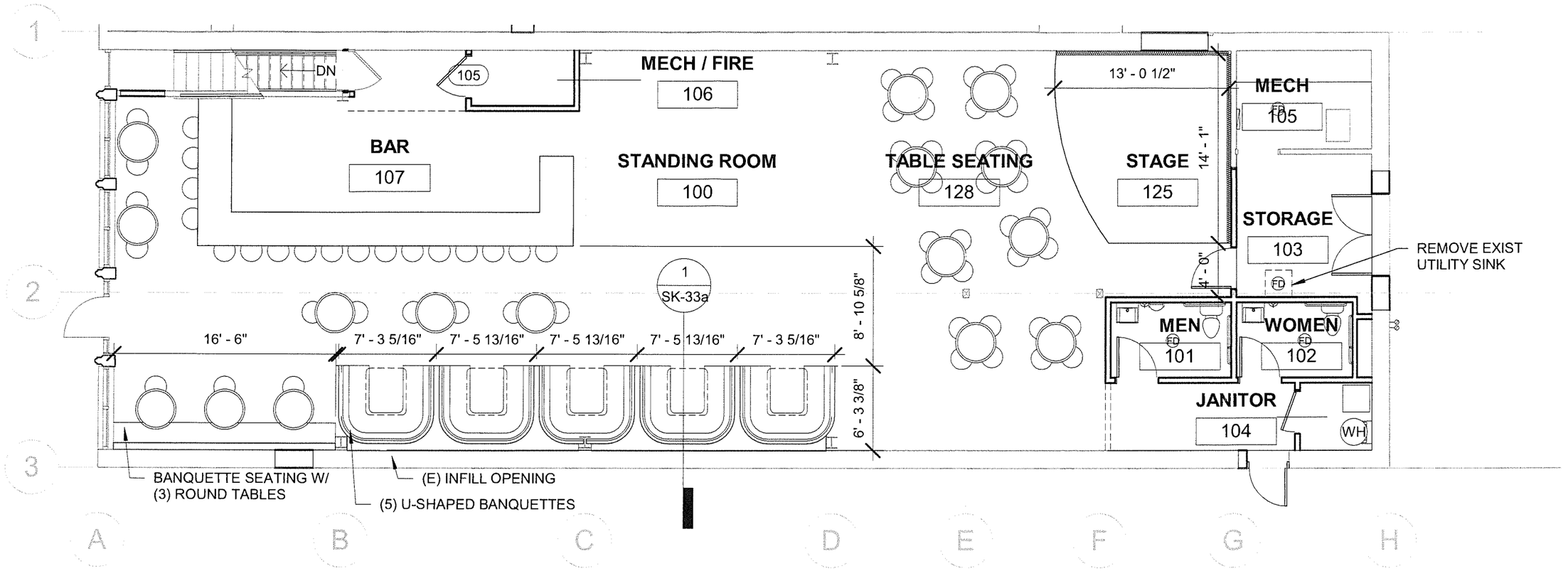
vivendi

UNIVERSAL

UNIVERSAL MUSIC GROUP

See Tickets: Founded more than 27 years ago, See Tickets is one of the leaders in the Global ticketing market, with a strong presence in Europe (11 offices) and the United States (2 offices). See Tickets serves over 8,000 clients including the legendary Glastonbury Festival, White Oak Music Hall, Alexandra Palace , LA Pride, Ineffable Music, Disco Donnie Presents, L'Olympia, Pitchfork Music Festival and the Queen Mary.

Vivendi: Founded in 1853 by Napoleon III, Vivendi has grown into one of the largest publicly traded media companies in the world with a market cap of $30B and revenues of $13B in 2019 and includes Universal Music Group, Havas, StudioCanal, Canal+, Bravado and more.



1 FURNITURE PLAN - LEVEL 1
1/8" = 1'-0"

6/3/2021 12:28:29 PM

FURNITURE PLAN
236 E FRONT STREET

SK-33
21-011
06.02.2021

WORKBENCH architects

Camre Harrer, representative of Aldi Inc., after being sworn, addressed the Commission. Ms. Harrer explained that Aldi would opening a 3rd store on October 27, 2021.

George Boyle, Assistant Corporation Counsel, stated that the Legal Department had no previous issues with Aldi.

Commissioner Meister confirmed with Ms. Harrer that all employees selling alcohol would be BASSET trained.

Commissioner Mwilambwe closed the public hearing at 4:21 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, Commissioner Mwilambwe made a motion, seconded by Commissioner Meister, that the item be sent to the City Council with a positive recommendation.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.D. Public Hearing and action on an Application from The 236 Group, LLC, d/b/a The Stable Music Hall and Lounge, to be located at 236 E. Front St. requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:21 p.m.

Nicolas LeRoy, Owner of The Stable Music Hall & Lounge, after being sworn, addressed the Commission. He explained that the business model centered around an Intimate and upscale music and entertainment space that would include comedy, singer songwriters, blues, live band, karaoke, etc. He explained that they would have mixologists on staff to create and serve craft cocktails and beers from local breweries. He noted that the establishment would close at midnight on the weekdays and 1:00 a.m. on weekends. He stressed his intentions not to stay open late. Mr. LeRoy then explained that he also owned NTL Productions, who worked with local businesses such as The Castle Theatre. He noted that The Castle had a capacity of 800 whereas the Stable would have a smaller capacity which would provide new talent a location to begin and grow their fan base.

George Boyle, Assistant Corporation Counsel, asked what the capacity was. Mr. LeRoy stated the multiple configurations ultimately allowing for a capacity of 175 to 200.

Commissioner Mwilambwe asked if Mr. LeRoy intended to serve food. Mr. LeRoy responded that they were not interested at this time but may serve frozen pizza. They then

noted that there was not enough room in the space for a kitchen.

Mr. Boyle asked Mr. LeRoy with his familiarity with alcohol licensed establishments. Mr. LeRoy responded that while he had not experience with alcohol sales, his company had worked with venues all over the Midwest and learned intimate knowledge of ticket sales. He stated that all staff were BASSET trained.

Commissioner Mwilambwe Mr. LeRoy's plan for staffing. Mr. LeRoy responded that on busy nights he intended to have 2 bartenders, 3 servers plus security at door for ticket verification, and then 1 bartender and 1 server on slower nights. He went on to describe the space which would include 4 top tables and vignettes which would be comfortable seating areas that could be considered VIP seating.

Mr. Boyle asked what steps Mr. LeRoy had taken to be added into the neighborhood. Mr. LeRoy responded that he had completed 130 events in this community. He stated that generally everyone in the neighborhood and then named multiple local bars that were supportive.

Commissioner Meister asked what the target market was. Mr. LeRoy stated that the location would cater to clientele that are- non-college demographic, more upscale as the tickets and drinks will be at a higher price point such as those who frequent Epiphany Farms. He noted that the venue could hold pre- or post- concert parties.

He highlighted that he was the producer who sourced 75% of Castle's shows but that he did not to cannibalize other venues, so he wanted to be strategic when booking bands. He explained how he would be strategic in planning of events as to not host similar events as other local venues.

Commissioner Mwilambwe confirmed the hours of operation. Mr. LeRoy responded that the establishment would open at 5 to allow touring bands to sound check beginning at 3:00 p.m.

Commissioner Meister asked if individuals under the age of 21. Mr. LeRoy confirmed that no one under age would be allowed.

Commissioner Mwilambwe asked if anyone would like to speak for or against the application.

Commissioner Mwilambwe closed the public hearing at 4:37 p.m.

Mr. Boyle asked Amanda Stutsman, Deputy City Clerk, when the item would appear on the City Council Agenda Mrs. Stutsman responded that the item would appear on the 1st meeting in October.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, that the item be sent to Council with a positive recommendation.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.E. Public Hearing and action on a Liquor License Change of Ownership Application from Hostmark Hospitality Group Inc., d/b/a Bloomington Chateau Hotel & Corporate Center Bloomington, located at 1621 Jumer Drive, holding a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) Liquor License, to Adidev Hospitality Management, LLC, d/b/a Chateau Hotel and Conference Center, for the same license type, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 9:34 p.m.

Jeremy Cruthis, General Manager of The Chateau Hotel and Conference Center, after being sworn in, addressed Commission. He briefly explained the long-standing Chateau Hotel and that they sought a change of ownership from Hostmark to Adidev.

Commissioner Meister asked the hours of operation. Mr. Cruthis stated that while they sought for the license to permit the hotel and conference center to be opened until 2:00 a.m. and that all employees were BASSET certified.

Commissioner Mwilambwe confirmed that staff would remain the same. Mr. Cruthis responded affirmatively.

There were not concerns from staff advisors.

Commissioner Mwilambwe asked if there was anyone who would like to speak. No individuals spoke.

Mr. Cruthis stated that the new owner was local and was confident of the direction it was going.

Commissioner Mwilambwe closed the public hearing at 4:38 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to send the item to Council with a positive recommendation.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

CONSENT AGENDA ITEM NO. 7.H

FOR COUNCIL: October 11, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: Ward 5

SUBJECT: Consideration and action on an Application from Bloomington Normal Sunrise Rotary, who will hold an annual Oktoberfest 5K Run/1 Mile Walk fundraiser with a reception held at the GE Clubhouse at 1750 General Electric Rd. on Saturday, October 17, 2021, requesting a Class LB (Limited/Beer and Wine) Liquor License, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed License be approved.

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

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

BACKGROUND: Bloomington Normal Sunrise Rotary, Applicant, plans to host their annual Oktoberfest 5K Run/1 Mile Walk fundraiser event with the post-event celebration located at the G.E. Clubhouse at 1750 GE Road on Saturday, October 17, 2021, from 12:00 p.m. (noon) until 5:00 p.m.

The Applicant requests a Class LB (Limited Service of Beer and Wine Only) liquor license, which allows the retail sale of beer and wine by civic, charitable, fraternal, educational, patriotic, festival, and/or religious organizations on premises in nonresidential locations with the following conditions: (1) Each license may only be issued for a maximum period of 60 days; (2) The qualified organization has been in active and continuous existence for a period of one year prior to the date of making the application, or is incorporated under the laws of the State of Illinois will be eligible to receive a "LB" license; and (3) No organization shall be issued more than three "LB" licenses in any twelve-month period. The Applicant has met these conditions and, if the license is approved, this would be the 3rd Class LB issued to the organization within the past 12 months.

It is recommended that, if the license is approved, that the applicant follows Section 133(D) 6(d) – 6(j) of Chapter 6 of the City Code, which would impose license conditions consistent with other events. Additionally, if the license is approved, it would temporarily permit alcohol in the G.E. Clubhouse, the designated event space, on the specified date.

The Applicant appeared before the Liquor Commission on September 14, 2021, where the Liquor Commission unanimously agreed to send the item to Council with a positive recommendation (*draft minutes attached*).

All license creations, amendments or transfers are contingent upon compliance with all building, health, and safety codes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on September 4, 2021, a public notice was published in *The Pantagraph*. Thirty-five notices were mailed to properties adjacent to the applicant location.

FINANCIAL IMPACT: The current annual license fee for a Class LB liquor license is $100, which will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2022 Budget Book titled "Budget Overview & General Fund" on page 132. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:

Leslie Yocum, City Clerk 10/5/2021

Chris Tomerlin, Budget Manager 10/5/2021

Melissa Hon, Economic and Community Development Director 10/5/2021

Tim McCoy

Tim McCoy, Assistant Police Chief 10/5/2021

George Boyle

George Boyle, Assistant Corporation Counsel 10/6/2021

Tara Henry, Legislative Assistant 10/6/2021

Attachments:

- CLK 2B Liquor App - BN Sunrise Rotarty (Class LB)
- CLK 2C Draft 09-10-21 Liquor Commission Minutes

September 29, 2021

City Clerk Requirement Verification Memo

To: City Council Review

Re: Legal Name: Bloomington Normal Sunrise Rotary

D/B/A Name: Bloomington Normal Sunrise Rotary

Dear Reviewer,

The City Clerk Department has reviewed the application of the above-mentioned applicant's submission. The required documents below were reviewed and considered suitable.

- Proof of Good Standing with the State of Illinois
- Certificate of Liability Insurance (DRAM Shop) – 07/01/2021 to 07/01/2022
- Liquor Bond in the amount of $2,000
- Bloomington/Normal Food and Beverage Tax Registration Form

The documents listed above are available for review upon request. If you have any questions or concerns, please feel free to reach out.

Respectfully,

Amanda Stutsman
Deputy City Clerk

Application for Class "L" Limited Liquor License

Events for Civic, Service, Charitable, Fraternal or Social Organization, Group or Entity

Applicant Organization Contact Information: *Please fill in your business information completely and legibly.*

Legal Entity Name (Corporate/LLC Name)	Bloomington Normal Sunrise Rotary
Doing Business As (DBA) OR **Establishment Name** *(Assumed names must be registered with the State of Illinois)*	BN Sunrise Rotary
Legal Entity Address *(including City, State, and Zip)*	PO Pox 724, Bloomington, IL 61702-724
Legal Entity Phone Number	309-261-3158
Legal Entity Email Address	kkubsch@growmark.com
Establishment Address including Zip	
Establishment Phone Number	3092613158
Establishment Email Address	
***Email Address for ALL City Communications:**	kkubsch@growmark.com

Note, that **all City communications related to this Application and/or the resulting license, if approved, will be sent by email to the email designated for **all** City Communications. It is the responsibility of the business to notify the City of any changes.*

Below Please List Those Responsible for Licensing the Event & Attending the Liquor Commission Meeting

Primary Contact: *(A current member, officer or director of the organization, group or entity in charge of event.)*

Name (First & Last)	**City**	**State**	**Zip**
Kristen KJubsch	Normal	IL	61761
Phone Number	**Email Address**		
3[redacted]	[redacted]		

Secondary Contact: *(A current member, officer or director of the organization, group or entity assisting with event.)*

Name (First & Last)	**City**	**State**	**Zip**
Brian Shoemaker	Bloomington	IL	61704
Phone Number	**Email Address**		
[redacted]	[redacted]		

Contact Information for the Legal Entity's Agent: *(If applicable)*

Name (First & Last)	**City**	**State**	**Zip**
Phone Number	**Email Address**		

EVENT INFORMATION

Name of Event	Oktoberfest 5K Run/ 1 Mile Walk
Event Address	1750 GE Road, Bloomington IL 61704
Anticipated Number of Attendees:	500

Event Date(s)	**Start Time(s)**	**End Time(s)**
10/17/2021	12:00pm	5:00pm

1. Description of the activity or event in connection with which the limited alcoholic liquor license will be utilized, specifying the nature of the proposed entertainment, if any:
Our Rotary club will hold this fundraiser 5K run/walk and plans to serve beer after event. Included with event registration.

2. Description of the proposed procedures for handling the following:
   A. Crowd control:
   We will be inside GE Clubhouse
   B. Identification check:
   BASSETT trained certified ID checkers and servers

3. Classificaiton of Limited License: ☑ LB (Beer & Wine Only) ☐ LA (All Types)

4. ☐ Yes ☑ No Is the premises within 100 feet of any church, school, hospital, home for the aged or indigent persons, or for War Veterans, their wives or children?

5. ☑ Yes ☐ No Has the civic, service, charitable, fraternal, or social organization, group or entity applying for this license been in existence continuously for at least one year?
   a. If so, please list Date Established: June 14, 1990

6. ☐ Yes ☑ No Is the civic, service, charitable, fraternal, or social organization, group or entity applying for this license incorporated under the laws of the State of Illinois?
   a. If so, please list Date Incorporated: _____

7. ☑ Yes ☐ No Has the civic, service, charitable, fraternal, or social organization, group or entity seeking a Limited Alcoholic Liquor License received such a licensee within the past year?
   a. If so, please list how many: 2

I, the undersigned, swear or affirm that:

1. **I am authorized to sign as an owner, officer, or authorized agent, of the above listed organization;**
2. **I declare that all the information included in this application, and any attachment hereto, is true and accurate to the best of my information, knowledge, and belief;**
3. **The applicant organization is qualified and eligible to obtain the license applied for;**
4. **I have read and understand the requirements of the City of Bloomington Code pertaining to Chapter 6: Alcoholic Beverages https://ecode360.com/34403863; and**
5. **If approved, I certify in accordance with 235 ILCS 5/6-27.1 and City Code Chapter 6: Section 29, that all employees required to check IDs will become BASSET certified within 120 days of employment, that at least one BASSET Certified employee will be on the premises at all times, that all certifications will be kept on premises, and that all certifications will immediately be made available upon request by any law enforcement personnel.**

Date Signed: 08/03/2021

Committee Member	Kristen J Kubsch	[redacted]
Title	**Name** (Print)	**Signature**

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

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.

Item 4.A. Consideration and action to approve the Minutes of the August 10, 2021 Regular Liquor Commission Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Regular Agenda

The following item was presented:

All license creations, amendments or transfers are contingent upon compliance with all building, health, and safety codes.

The following item was presented:

Item 5.A. Public Hearing and action on the Request from Bloomington Normal Sunrise Rotary, who will hold an annual Oktoberfest 5K Run/1 Mile Walk fundraiser with a reception held at the GE Clubhouse at 1750 General Electric Rd. on Saturday, October 17, 2021, for a Class LB (Limited/Beer and Wine) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:07 p.m.

Commissioner Meister recused herself at 4:07 p.m. as she was a member of the applicant organization.

Glen Harbin, Representative for the Bloomington Normal Sunrise Rotary ("Rotary"), after being sworn, addressed the Commission.

Commissioner Mwilambwe asked Mr. Harbin to explain the event. Mr. Harbin explained that the event was their 12th annual fundraising event that would support the Rotaract Club which benefited the Central Catholic High School. The event would include a run or walk with a brat dinner to follow at the GE Clubhouse. Alcohol would be served by BASSET trained individuals and participants who were aged 21 and over would receive a wristband indicating they could drink alcohol.

George Boyle, Assistant Corporation Counsel, stated that the Rotary had received numerous limited liquor licenses in the past and that he was not aware of any concerns.

Liquor Commissioner asked the hours that alcohol would be served. Mr. Harbin stated alcohol would be served from 3:00 p.m. - 4:00 p.m. and was typically one serving per customer.

Closed the public hearing at 4:10 p.m.

Liquor Commissioner Mwilambwe approved to send the item to Council with a positive recommendation.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Meister returned to the meeting at 4:11 p.m.

The following item was presented:

Item 5.B. Public Hearing and action on the Request from Bloomington Normal Jaycees, who will hold their Bruegala with a Twist fundraiser in Portions of Downtown Bloomington on Friday, October 1, 2021, for a Class LB (Limited/Beer and Wine) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:11 p.m.

Andrea Whalen, representative from Bloomington Normal Jaycees ("Jaycees"), after being sworn, addressed the Commission.

Ms. Whalen explained that the organization condensed the event and combined it with Downtown Bloomington's First Friday event for October. She went on to explain that both Jefferson St. and Main St. would be closed for the event and would hold a variety of beer tents and food trucks along with a stage for live music entertainment.

The BASSET trained volunteers from Bloomington Normal Jaycees would verify identification at the ticket station where wristbands would be issued to individuals aged 21 and the volunteers would also serve the alcohol. Signs would be posted that no alcohol could leave the event

Catherine Dunlap, Downtown Development Specialist in the Economic and Community Development Department, explained that she had worked with the event organizer on the event and that the Special Event Permit was included in the Commission's packet. She also confirmed that the event would be held in conjunction with the First Friday event.

George Boyle, Assistant Corporation Counsel, asked for additional details on the barricades for street closure. Mrs. Dunlap stated that Type 3 barricades would be placed

REGULAR AGENDA

REGULAR AGENDA ITEM NO. 8.A

FOR COUNCIL: October 11, 2021

SPONSOR: City Council

WARD IMPACTED: Ward 1, Ward 4, Ward 6

SUBJECT: Consideration and action on a Resolution in Support of Increasing the Percentage of Funding Available through the Harriet Fuller Rust Grant Program for Projects that Enhance Building Accessibility, as requested by the City Council.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:
-Goal 6. Prosperous Downtown Bloomington
-Goal 3. Grow the Local Economy
-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:
-Objective 6a. More beautiful, clean Downtown area
-Objective 3c. Revitalization of older commercial homes
-Objective 1e. Partnering with others for the most cost-effective service delivery
-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: Per Chapter 2, Section 18.2A(2): Agenda items and voting, the Mayor and Council Members may put forth agenda initiatives by completing an Agenda Initiative Form and submitting it to the City Clerk. Upon submission, the form is added to the agenda of the next Committee of the Whole for consideration.

At the May 17, 2021 Committee of the Whole meeting, Council Member Ward brought forward an Agenda Initiative (attached). Council Member Ward's initiative proposed that City staff research and develop a Rust Fund resolution as directed. A majority of the Council Members present at that meeting voted to have the initiative placed on a future City Council agenda for further discussion.

The Harriet Fuller Rust Grant Program is a façade improvement program administered by the Historic Preservation Commission (HPC) providing financial incentives to "improve the appearance, safety, structural integrity and quality of storefronts in Downtown Bloomington". It is by design a façade program; however, the City in funding it also realizes that the structural integrity and base structure can impact the sustainability of the central business district, so funds can also be used for non-façade work in some instances.

The current Harriet Fuller Rust Grant Program provides grants of up to 50% of the cost of qualified façade rehab, repair, restoration or structural work up to a maximum of $25,000 per project. Building owners can receive $50,000 per project for a building determined by the Historic Preservation Commission to be in extreme or dangerous state of repair.

Changes to the program and application review are administered by the HPC. Approving this resolution would be to formally support a request that the Commission consider an amendment to provide up to 75% of the cost of exterior accommodations to enhance accessible ingress or egress, up to a maximum grant amount of $50,000. This would be a one-time grant allowance and would not count towards current grant maximums. It is also being requested that the City's Communications & External Affairs Manager work with the Commission to develop a communications plan for marketing the program.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Approval of this resolution would have no direct impact on the current budget for the program. Additional program funding could be requested if increased usage is seen. Harriet Rust Grant funds are budgeted in account (10015420-79885) of the Planning Division of the Economic & Community Development Department. Stakeholders can find information on the Grant and the budgeted funds in the FY2022 Adopted Budget Book titled 'Budget Overview & General Fund' on pages 263 through 267.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Billy Tyus, Deputy City Manager

Attachments:

- CC 1B Council Initiative Submitted by Council Member Ward_Rust Fund
- CC 1C Resolution_Historic Preservation Commission

MAYOR & COUNCIL MEMBER
AGENDA INITIATIVE PROPOSAL FORM

SPONSOR: Ward 7 Alderwoman Mollie Ward

PROPOSED INITIATIVE:

Direct City Staff to research and develop a resolution to
-- increase the amount of Rust Fund grants available for accessibility projects from the current 50% to 75%,
-- provide options for a cost share between the City and eligible business owners for the remaining 25%, and
-- develop a plan to improve marketing of the Rust Fund for accessibility projects.

ESTIMATED CITY STAFF TIME TO RESEARCH & PREPARE FULL COUNCIL MEMO ON PROPOSED INITIATIVE, INCLUDING BACKGROUND AND ANY NECESSARY RESEARCH:

__✔__ Nominal (less than 5 hours)

_____ Moderate (5 to 10 hours)

_____ Significant (more than 10 hours)

ESTIMATED COST OF PROPOSED INITIATIVE: unknown

WILL THE PROPOSED INITIATIVE REQUIRE A BUDGET AMENDMENT?

__✔__ Yes

_____ No

WHAT CITY PROGRAMS OR STAFF ACTIVITIES ARE PROPOSED TO BE CUT OR REDUCED IN LIEU OF THE PROPOSED INITIATVE, IF ANY:

eSigned via SeamlessDocs.com
M.C. Ward+
Key: 8e44c1dfbc3400bc6e49f408eea20982

SPONSOR SIGNATURE

05/10/2021

DATE SUBMITTED

RESOLUTION NO. 2021 - _____

A RESOLUTION IN SUPPORT OF INCREASING THE PERCENTAGE OF FUNDING AVAILABLE THROUGH THE HARRIET FULLER RUST GRANT PROGRAM FOR PROJECTS THAT ENHANCE BUILDING ACCESSIBILITY

WHEREAS, the City of Bloomington, McLean County, Illinois (hereinafter "City") is an Illinois home-rule municipality; and

WHEREAS, The City has committed itself to the continued revitalization of its central business district and this commitment manifests itself in implementation of the Downtown Bloomington Vision and Strategic Plan, the intent of which is to define specific strategies and initiatives that would promote and sustain the recent investment and revitalization activity that has already turned the downtown around; and

WHEREAS, the city wishes to encourage private investment in area commercial buildings which directly improves the viability of this important corridor and supports the local tax base which, in turn, funds critical public services and local infrastructure; and

WHEREAS, the City in or around 1972 established the Harriet Fuller Rust Façade grant program, named after Harriet Fuller Rust in recognition of her many community contributions and her can-do spirit in support of local history, historic preservation and scores of other community related initiatives; and

WHEREAS, the program is geared to facade and related structural improvements needed to prevent the facade from safety failures; and

WHEREAS, the grant program is administered by the Bloomington Historic Preservation Commission which amended program regulations in fall 2020 to allow funding for permanent exterior accommodations as needed to enhance the accessible means of egress of the building; and

WHEREAS, such investment can dramatically improve the safety and accessibility of what are often historic structures frequented by the public and can support Americans with Disabilities Act (ADA) compliance; and

WHEREAS, each year the city allocates money from the General Fund to be provided as grants to property or business owner in a targeted area in recognition of the positive impact that individual façade renovations, associated structural improvements and accessibility-related ingress and egress improvements can have on the downtown; and

WHEREAS, the Bloomington City Council as the funding authority for the program has expressed a desire to allow for increased funding for accessibility-related project costs.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Bloomington, McLean County, Illinois, as follows:

Section 1. The above stated recitals are incorporated herein by reference.

Section 2. The City Council does hereby request that the Bloomington Historic Preservation amend Harriet Fuller Rust Grant guidelines allowing building owners to receive grants of up to 75% of the total cost of qualified permanent exterior accommodations to enhance the accessible means of building ingress or egress up to a maximum grant amount of $50,000. Grants to enhance the accessible means of building ingress or egress shall not count towards other maximum grant amounts and shall be given as a one-time incentive.

Section 3. The City Council would support ideas generated by the Historic Preservation Commission as to how to accomplish the goal of improving accessibility in downtown establishments eligible for Rust Grant improvements.

Section 4. This Resolution shall be in full force and effect immediately after its passage and approval.

PASSED this 11th day of October 2021.

APPROVED this _____ day of October 2021.

CITY OF BLOOMINGTON

_____
Mboka Mwilambwe, Mayor

ATTEST

_____
Leslie Smith- Yocum, City Clerk