



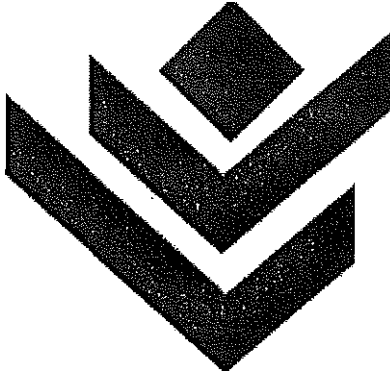
CITY OF
BLOOMINGTON
COUNCIL MEETING
OCTOBER 10, 2016

CONSENT AGENDA

RECOGNITION

AGENDA

PUBLIC HEARINGS



City Logo Design Rationale

The symbol for the City of Bloomington is multifaceted in its visual and conceptual approach. Visually the symbol and the City's identity represent a modern progressive style which is consistent with the City's government. The symbol is based on three different concepts which combine to represent the City in a contemporary and appropriate way.

First and foremost is the chevron. The City government is a respected agency dedicated to serving the public. In this way, the chevron represents service, rank and authority.

The symbol may also be seen as a three dimensional building. This represents growth and diversity in our community.

Finally, the flower or plant derived from the original name "Blooming Grove," represents a community that is friendly and safe. Progress and growth are also associated with plant life as well as regeneration and renewal.

The symbol's positive upward movement is representative of the City's commitment to excellence!

RESOLUTION NO. 2016 -29

**A RESOLUTION ADOPTING A MISSION, VISION AND VALUES STATEMENT FOR THE
CITY OF BLOOMINGTON**

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

WHEREAS, the City is known as the "Jewel of the Midwest;" and

WHEREAS, the City is a great place to live, work and play; and

WHEREAS, the City Council desires to adopt a statement expressing the Organizational Mission, Vision and Values of the City.

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 of the City of Bloomington hereby formally adopt the following as the City's Organizational Mission, Vision and Values:

Mission: To lead, serve and uplift the City of Bloomington

Vision: A Jewel of Midwest Cities

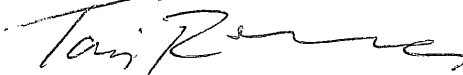
Values: Service-centered, results-driven, inclusive.

Section 3. All resolutions in conflict with this Resolution, as well as any previous statements adopted on the mission, vision and values of the City are hereby repealed.

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

APPROVED by the City Council of the City of Bloomington, McLean County, Bloomington, Illinois, July 25, 2016, by a vote of 7 to 1. (Nay: Alderman Kevin Lower) (Absent: Alderman David Sage)

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST


Cherry L. Lawson, City Clerk



2015 Strategic Plan Goals

Goal	1. Financially Sound City Providing Quality Basic Services
Objective	a. Budget with adequate resources to support defined services and level of services b. Reserves consistent with city policies c. Engaged residents that are well informed and involved in an open governance process d. City services delivered in the most cost-effective, efficient manner e. Partnering with others for the most cost-effective service delivery
Goal	2. Upgrade City Infrastructure and Facilities
Objective	a. Better quality roads and sidewalks b. Quality water for the long term c. Functional, well maintained sewer collection system d. Well-designed, well maintained City facilities emphasizing productivity and customer service e. Investing in the City's future through a realistic, funded capital improvement program
Goal	3. Grow the Local Economy
Objective	a. Retention and growth of current local businesses b. Attraction of new targeted businesses that are the "right" fit for Bloomington c. Revitalization of older commercial homes d. Expanded retail businesses e. Strong working relationship among the City, businesses, economic development organizations
Goal	4. Strong Neighborhoods
Objective	a. Residents feeling safe in their homes and neighborhoods b. Upgraded quality of older housing stock c. Preservation of property/home valuations d. Improved neighborhood infrastructure e. Strong partnership with residents and neighborhood associations f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods
Goal	5. Great Place – Livable, Sustainable City
Objective	a. Well-planned City with necessary services and infrastructure b. City decisions consistent with plans and policies c. Incorporation of "Green Sustainable" concepts into City's development and plans d. Appropriate leisure and recreational opportunities responding to the needs of residents e. More attractive city: commercial areas and neighborhoods
Goal	6. Prosperous Downtown Bloomington
Objective	a. More beautiful, clean Downtown area b. Downtown Vision and Plan used to guide development, redevelopment and investments c. Downtown becoming a community and regional destination d. Healthy adjacent neighborhoods linked to Downtown e. Preservation of historic buildings

Brief Summary of Five Council Priorities

Five Priorities

At the September retreat, Council informally selected its top five priorities, and since that time staff has seen that these five areas are the dominant focus of the Council's policy deliberations. The selected priorities are:

1. Economic Development
2. Infrastructure
3. Financial Planning
4. Reduced Emergency Response Times
5. Downtown Implementation Plan

The value in naming priorities is to establish policy direction, make that direction known to stakeholders and guide policy, budget and operational decisions. As we work to develop the City's FY17 budget, staff would find value in formalizing the five priorities for the next fiscal year.

Prior to formalization, we have prepared this brief summary to begin the dialogue about what each priority means, where it stands and what it will take to advance each going forward.

1. Economic Development

- A. Economic development was overwhelmingly recognized by the Council as **essential to the financial sustainability** of the community. It is our prime means to diversify our tax base and expand our revenue streams.
- B. City of Bloomington economic development is undertaken in parallel with **regional collaboration** and economic development initiatives of the EDC, B/N Advantage and others.
- C. The time is right to review our **economic development strategic plan and incentive policy**. Tools such as TIF are invaluable for the redevelopment of areas such as Colonial Plaza, and will be key to our success.
- D. Economic development cannot stand alone and depends on sound infrastructure and quality of life to successfully ensure a financially-sound future for our community.

2. Infrastructure

- A. The City is decades behind in funding much-needed **infrastructure maintenance**, estimated to total \$400M or more. Reliable infrastructure with the capacity to handle growth is essential to economic development, quality of life and the City's financial long-term stability.
- B. Our City's recently completed **infrastructure Master Plans**, encompassing streets, sanitary sewers, storm water, facilities, sidewalks and more provide detailed inventory, condition rating and make it possible for us to assess and prioritize critical needs.
- C. The next essential step is to develop a **five year Capital Improvement Plan** to address the most urgent/timely needs, AND a funding strategy.
- D. Some projects included in the City's Master Plans are prime candidates for borrowing. Financing options are many, and Council will determine a preferred strategy, ranging from conservative to aggressive.

3. Financial Planning

- A. Since the Great Recession, we are all adapting to a new economy that requires us to have a **long-term, continuously evolving plan for financial sustainability**, including a plan for appropriate reserves. We must have a balanced budget to avoid the pitfalls and reputational damage that many other governments continue to experience.
- B. A deficit in the City's General Fund was averted in the near term through Budget Task Force recommendations and the Council's recent adoption of a 1% sales tax increase. However, the City's expenses, especially those tied to Police and Fire pensions and labor costs, will continue to increase over the years. The **potential for a General Fund structural deficit** will continue to threaten future budgets.
- C. It will take all of us, including our citizens, to develop solutions for achievement of financial sustainability. We must focus on refining our financial projections, re-forecasting when appropriate, identifying programs and services, establishing appropriate levels of service performance measures, and prioritization.
- D. A **Capital Improvement Plan and funding** is critical to the City's financial strategy now and going forward.

4. Reduced Emergency Response Times

- A. Despite the excellent efforts of our first responders, the Fire Master Plan identified that **service to the City's northeast portion is inadequate and response times are below our standards**. Long-term, the Master Plan recommends a new Fire Station facility to serve the northeast area of the City. In the short-term, we must identify creative and innovative methods to reduce EMS and fire suppression response times.
- B. Quality public safety services are essential to a community's Economic Development and, with so many financial resources devoted to public safety, **finding efficient solutions to public safety issues** contributes to the long-term financial health of the community.

5. Downtown Implementation Plan

- A. The Downtown Master Plan was adopted by the City Council in 2013 without an Implementation Plan. Increased interest in Downtown economic development, notably in the proposed addition of hotel and/or convention center space, indicates this is the time to **design the City's role** in success of the Downtown.
 - a. It will take inside and outside **resources to vet potential Downtown projects**.
 - b. We must determine the amount and type of **public engagement** that is appropriate for Downtown development proposals.
 - c. Traditionally, municipalities play a role in Downtown **streetscape improvements** and meeting its **parking needs**.
- B. We can **build upon the qualities that make our Downtown special**, such as our ties to President Lincoln and Route 66, both expertly displayed in the new Visitors Center at the McLean County Museum of History. Smart economic development in Downtown will expand on existing assets and attractions like the Museum, the BCPA and the Coliseum.



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, OCTOBER 10, 2016 7:00 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. Proclamation declaring October 9 – 15, 2016 as “Fire Prevention Week”.
 - B. Proclamation declaring October 2016 as, “Domestic Violence Awareness Month and Stand Up With Me Campaign Month”
 - C. Recognition of Achievement, Diversity Project Collaborative Mural.
Certificate of Award of Diversity Project Collaborative Mural: Artist and Mentor; Vince Bobrosky, Project Founder; Jeff Schwartz, Participants; Maximillian Beck, Richie Beck, Ethan Clay, Molly Klessig, Kristin Koe, Ved Lombar, Abhiru Raut, Olivia Urquizo, Oakar Urquizo.
 - D. Appointment of Anthony Jones to the Bloomington Human Relations Commission.
 - E. Appointment of Thomas Whalen to the Bloomington Board of Fire and Police Commissioners.
- 6. Public Comment**
- 7. “Consent Agenda”**

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(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 is Item #8.

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

- A. Consideration of approving the Minutes of the September 26, 2016 Special Session Meeting and the September 26, 2016 Regular City Council Meeting. *(Recommend that the reading of the minutes be dispensed with and the minutes approved as printed.)*
- B. Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$5,337,370.73. *(Recommend that the bills, payroll, and electronic transfers be allowed in the amount of \$5,337,370.73, and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of approving Appointments to Various Commissions and Commissions. *(Recommend that Anthony Jones be appointed to the Bloomington Human Relations Commission and that Thomas Whalen be appointed to the Bloomington Board of Fire and Police Commissioners.)*
- D. Consideration of approving the purchase of mowers for the Parks, Recreation and Cultural Arts Department. *(Recommend Council approves the purchase of three (3) Toro mowers from MTI Toro Distributing for 139,774.04 be approved and the Procurement Manager be authorized to issue a Purchase Order for the same.)*
- E. Consideration of Analysis of a Proposal and Approval of a Contract with Corrective Asphalt Materials, LLC in the amount of \$100,000 for FY 2017 Pavement Preservation. *(Recommend that the unit prices and contract with Corrective Asphalt Materials, LLC for the FY 2017 Pavement Preservation Program in the amount of \$100,000 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.)*
- F. Consideration of approving a Professional Services Contract with BLDD Architects, Inc. for Professional Architectural Services for Fire Station Alerting, (RFQ 2016-04). *(Recommend that the Professional Services Contract with BLDD Architects, Inc. for Professional Architectural Services for Fire Station Alerting in the amount of \$26,750.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.)*
- G. Consideration of review and approval of funding a shoreline stabilization installation at Comlara Park Campsite, Evergreen Lake through the City's Intergovernmental Agreement with McLean County, The Town of Normal, and the McLean County Soil and Water

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Conservation District. *(Recommend Council approves that the expenditure of \$113,125 be authorized for stabilizing 800 feet of shoreline on Evergreen Lake through the Watershed Conservation Intergovernmental Agreement and the Procurement Manager be authorized to issue a purchase order.)*

- H. Consideration of approving an extension of Fuel Contract with Evergreen FS for Fleet Vehicles and Equipment. *(Recommend that the Fuel Purchasing Agreement with Evergreen FS be extended for one (1) year and the Purchasing Agent authorized to issue a Purchase Order for same.)*
- I. Consideration of adopting a Resolution waiving the bidding requirements, and approving the purchase of five (5) portable beverage carts for the U.S. Cellular Coliseum. *(Recommend that a Resolution waiving the bidding requirements to approve the purchase of five (5) portable beverage carts from Iowa Rotocast Plastics, Inc. in the amount of \$72,810.00, be approved, the City Manager authorized to execute any necessary documents to effectuate the purchase, and the Mayor and City Clerk be authorized to execute the Resolution.)*
- J. Consideration of adopting an Ordinance approving a Petition from Various Petitioners, for an expedited final plat for Meadow Ridge Subdivision, located South of Veterans Parkway and West of Morris Avenue. *(Recommend that the Ordinance be passed approving the final plat for Meadow Ridge Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents.)*
- K. Consideration of adopting an Ordinance approving a Petition to Rezone 901 W MacArthur Avenue from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay. *(Recommend that an Ordinance approving the Petition to Rezone 901 W MacArthur Ave from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- L. Consideration of adopting an Ordinance approving a Petition to Rezone 913 W MacArthur Avenue from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay. *(Recommend that an ordinance approving the petition to rezone 913 W MacArthur Ave from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- M. Consideration of adopting an Ordinance approving a Petition to Rezone 931 W MacArthur Ave from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay. *(Recommend that an ordinance approving the petition to rezone 931 W MacArthur Ave from R-1C, Single Family Residential District to R-1C with the S-4 Historic*

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Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.)

- N. Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 15, Block 5 of Camp Kickapoo, from the Elizabeth A. Weir estate to Ruth A. Trower and Susan R. Trower. *(Recommend that the Lake Lease Transfer be approved, subject to the septic system conditions included in the Mclean County Health Department's September 12, 2016 letter, and contingent upon the transferee providing documentation of the sale of the house located on the property, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- O. Consideration of the application of 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E Front St Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend that the application of 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E Front St Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all health and safety codes.)*
- P. Consideration of the application of Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend that the application of Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all health and safety codes.)*
- Q. Consideration of the application of Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. *(Recommend that the application of Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved contingent upon: 1.) all employees that serve receive BASSET certification within sixty (60) days, 2.) serving liquor ceases at 8:30 p.m. on weekdays and 10:00 p.m. on weekends, and 3.) compliance with all health and safety codes.)*
- R. Consideration of the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week or subject to the conditions set forth in the Recommendation/Motion. *(Recommend from two of the Commissioners serving at the time that the application of Extravaganza Ballroom, Inc.,*

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d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon: 1. that alcohol sales cease at 12:00 a.m. (Midnight); 2. that the establishment shall close at 1:00 a.m.; 3. that the establishment will be open only Friday through Sunday; 4. that the maximum occupancy allowed in the establishment shall be the lesser of 200 persons or the occupancy load determined by the Fire Inspector. Note the Liquor Commissioner has not made a recommendation on this item.)

- S. Consideration of an Ordinance Suspending Portions of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of downtown Bloomington during the “A Noble Run” event on October 22, 2016. *(Recommend that an Ordinance be adopted Suspending Portions of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of downtown Bloomington during the “A Noble Run” event on October 22, 2016.)*
- T. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 5, 2016. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 5, 2016 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- U. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 19, 2016. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 19, 2016 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- V. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 25, 2017. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 25, 2017 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*

8. “Public Hearing”

- A. Public Hearing for the Downtown-Southwest Redevelopment Project Area

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- (a) Public Hearing Downtown-Southwest Redevelopment Project Area
 - (i) Open Public Hearing
 - (ii) Staff Overview (*Presentation by Austin Grammer, Economic Development Coordinator 5minutes*)
 - (iii) *Public Comment*
 - (iv) Close Public Hearing
- B. Public hearing on Petitions from the Public Building Commission of McLean County, for a Street Vacation Plat for Main Street between Olive Street and Front Street.
 - (a) Public Hearing Petition from the Public Building Commission of McLean County, for a street vacation plat for Main Street between Olive Street and Front Street.
 - (i) Open Public Hearing
 - (ii) Staff Overview (*Presentation by Jim Karch, Director of Public Works, Eric Schmitt, McLean County Administrative Services, and John Bishop, Farnsworth 15minutes*)
 - (iii) *Public Comment*
 - (iv) Close Public Hearing

9. “Regular Agenda”

A. Consideration of adopting:

- a). An Ordinance Approving Petitions from the Public Building Commission of McLean County for a Street Vacation Plat for Main Street between Olive Street and Front Street
- b). An Ordinance Approving Petitions from the Public Building Commission of McLean County for an Expedited Final Plat for McLean County Government Subdivision, located west of East Street, North of Olive Street, and south of Front Street.

(Recommend that the Ordinances be passed approving the street vacation plat and the expedited final plat for McLean County Government Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents.) (Council discussion 10 minutes.)

- B. Consideration of approving a Professional Services Contract with Shive-Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Indoor Training Facility Improvements, (RFQ 2016-04). *(Recommend that the Professional Services Contract with Shive- Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Indoor Training Facility Improvements in the amount of \$55,100.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.)(Presentation by David Hales, City Manager and Ken Bays, Assistant Chief of Police, 10 minutes; Council discussion 10 minutes.)*

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- 10. City Manager's Discussion**
- 11. Mayor's Discussion**
- 12. City Aldermen's Discussion**
- 13. Executive Session – *Cite Section***
- 14. Adjournment**
- 15. Notes**

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COUNCIL AGENDA ITEM NO. 5

RECOGNITION/APPOINTMENT

5. Recognition/Appointments

- A. Proclamation declaring October 9 – 15, 2016 as “Fire Prevention Week”.
- B. Proclamation declaring October 2016 as, “Domestic Violence Awareness Month and Stand Up With Me Campaign Month”
- C. Recognition of Achievement, Diversity Project Collaborative Mural.
Certificate of Award of Diversity Project Collaborative Mural: Artist and Mentor; Vince Bobrosky, Project Founder; Jeff Schwartz, Participants; Maximillian Beck, Richie Beck, Ethan Clay, Molly Klessig, Kristin Koe, Ved Lombar, Abhiru Raut, Olivia Urquizo, Oakar Urquizo.
- D. Appointment of Anthony Jones to the Bloomington Human Relations Commission.
- E. Appointment of Thomas Whalen to the Bloomington Board of Fire and Police Commissioners.

PROCLAMATION

Fire Prevention Week October 9 – 15, 2016

WHEREAS, the City of Bloomington is committed to ensuring the safety and security of all those living in and visiting Bloomington; and,

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire. U.S. fire departments responded to 369,500 home fires in 2014, according to the National Fire Protection Association (NFPA); and,

WHEREAS, U.S. home fires resulted in 2,745 civilian deaths in 2014, representing the majority (84 percent) of all U.S. fire deaths; and,

WHEREAS, three out of five home fire deaths result from fires in properties without smoke alarms (38 percent) or with no working smoke alarms (21 percent); and,

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half. Many Americans don't know how old the smoke alarms in their homes are, or how often they need to be replaced. All smoke alarms should be replaced at least once every ten years; and,

WHEREAS, the age of a smoke alarm can be determined by the date of its manufacture, which is marked on the back of the smoke alarm; and,

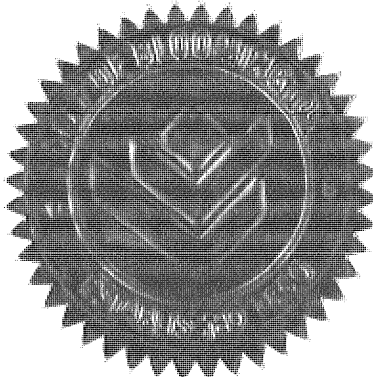
WHEREAS, Bloomington's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and,

WHEREAS, Bloomington's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and,

WHEREAS, the 2016 Fire Prevention Week theme, "Don't Wait – Check the Date! Replace Smoke Alarms Every 10 Years" effectively serves to educate the public about the vital importance of replacing the smoke alarms in their homes at least every ten years, and to determine the age of their smoke alarms by checking the date of manufacture on the back of the alarms.

THEREFORE, I Tari Renner, Mayor of Bloomington, do hereby proclaim October 9-15, 2016, as Fire Prevention Week. I urge all the people of Bloomington to find out how old the smoke alarms in their homes are, to replace them if they're more than 10 years old, and to participate in the many public safety activities and efforts of Bloomington's fire and emergency services during Fire Prevention Week 2016.


Tari Renner
Mayor




Cherry Lawson
City Clerk

PROCLAMATION

Declaring October 2016

Domestic Violence Awareness Month and Stand Up With Me Campaign Month

WHEREAS, domestic violence is a prevalent societal problem harming victims, their children, family, friends and communities at large; and,

WHEREAS, domestic violence know no boundaries, impacting women, men, and children of every age, race, ethnicity, economic background, sexual orientation, and belief; and,

WHEREAS, nearly 1 in 4 women and 1 in 7 men in the United States have suffered severe physical violence by an intimate partner; and,

WHEREAS, many victims are deprived of their autonomy, liberty, and security, and face tremendous threats to their health, safety, and economic security, and the health, safety, and economic security of their children at the hands of their batterers; and,

WHEREAS, Mid Central Community Action's Countering Domestic Violence Program serves as a vital resource to our community and their Stand Up With Me Campaign hopes to shine the spotlight on this issue of domestic violence in our community; and,

WHEREAS, our community choose to act as allies and advocates to those who experience domestic violence.

NOW, THEREFORE, I, Tari Renner, Mayor of the City of Bloomington, do hereby proclaim October 2016 as

Domestic Violence Awareness Month and Stand Up With Me Campaign Month

I encourage all Bloomington residents to recognize Domestic Violence Awareness Month and be part of the Mid Central Community Action's Stand Up With Me Campaign.

Tari Renner
Mayor



Cherry Lawson
City Clerk

Recognition of Diversity Project Collaborative Mural Participants

WHEREAS, we are here to recognize and acknowledge the accomplishments of the Diversity Project Collaborative Mural Participants:

*Vince Bobrosky
Ethan Clay
Abhiru Raut*

*Jeff Schwartz
Molly Klessig
Olivia Urquiza*

*Maximillian Beck
Kristin Koe
Oskar Urquiza*

*Richie Beck
Ved Lombar*

WHEREAS, the Downtown Bloomington Association established a Public Art Program in 2015 with funds received through grants from Illinois Prairie Community Foundations, the Mirza Arts and Culture Fund and the Jerome Mirza Foundation; and

WHEREAS, the Public Art Program has added seven new art installations to the downtown landscape; and

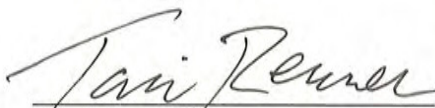
WHEREAS, in 2015, Not in Our Town approached the Downtown Bloomington Association about the possibility of adding a mural that spoke to their mission of putting an end to hatred; and

WHEREAS, this project – mural idea was brought to the McLean County Diversity Project Kids and established this project specifically for them. The retaining wall at Olive & Albert was the site selected for this mural; and

WHEREAS, the talent of local artist and mentor Vince Bobrosky was enlisted. Jeff Schwartz served as the project founder--the piece includes multiple languages as well as braille plates so that all members of our community can interact and experience it.

NOW, THEREFORE, I, Tari Renner, Mayor of the City of Bloomington, do hereby deem it an honor and pleasure to extend this Recognition to the Diversity Project Collaborative Mural Participants, with sincere thanks

THEREFORE, IN WITNESS WHEREOF, I do hereby set my hand, and cause the Seal of The City of Bloomington be affixed, this 10th day of October 2016.


Tari Renner
Mayor




Cherry L. Lawson
City Clerk



FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving the Minutes of the September 26, 2016 Regular City Council Meeting.

RECOMMENDATION/MOTION: That the reading of the minutes of September 26, 2016 Regular City Council Meeting, be dispensed with and the minutes approved as printed.

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 within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Cherry L. Lawson, C.M.C., City Clerk

Recommended by:

Philip H. Hays

David A. Hales
City Manager

Attachments:

- September 26, 2016 Regular Session Meeting Minutes

Motion: That the reading of the minutes of September 26, 2016 Regular City Council Meeting, be dispensed with and the minutes approved as printed.

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM: 7B

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$5,337,370.73.

RECOMMENDATION/MOTION: That the bills, payroll, and electronic transfers be allowed in the amount of \$5,337,370.73, and orders drawn on the Treasurer for the various amounts as funds are available.

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.

FINANCIAL IMPACT: Total disbursements to be approved \$5,337,370.73 (Payroll total \$2,140,418.37, Accounts Payable total \$2,040,041.36, and Electronic Transfers total \$1,156,911.00).

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Accounts Payable

Reviewed by: Jon C. Johnston, Procurement Manager

Recommended by:



David A. Hales, City Manager

Attachment:

- Bills, Payroll, and Electronic Transfers on file in the Clerk's office. Also available at www.cityblm.org.
- Summary Sheet Bills, Payroll, and Electronic Transfers

Motion: That the bills, payroll, and electronic transfers be allowed in the amount of \$5,337,370.73 and orders drawn on the Treasurer for the various amounts as funds are available.

CITY OF BLOOMINGTON FINANCE REPORT					
Council of October 10, 2016					
PAYROLL					
Date	Gross Pay	Employer Contribution	Totals		
9/23/2016	\$ 231,975.64	\$ 79,674.75	\$ 311,650.39		
9/29/2016	\$ 1,352,765.32	\$ 123,333.36	\$ 1,476,098.68		
9/30/2016	\$ 233,664.31	\$ 79,712.15	\$ 313,376.46		
9/28/2016	\$ 34,930.24	\$ 4,362.60	\$ 39,292.84		
Off Cycle Adjustments					
		PAYROLL GRAND TOTAL	\$ 2,140,418.37		
ACCOUNTS PAYABLE				PCARD	
Date	Bank	Total			
10/10/2016	AP General	\$ 1,916,090.87			
	AP BCPA			PCARD GRAND TOTAL	
10/10/2016	AP Comm Devel	\$ 12,375.26			
	AP IHDA	\$ -			
10/10/2016	AP Library	\$ 38,531.79		WIRES	
10/10/2016	AP MFT	\$ 43,806.11		Date	Total
9/27/2016 - 9/29/2016	Off Cycle Check Runs	\$ 29,237.33		9/20/2016 - 10/4/2016	\$ 1,156,911.00
	AP GRAND TOTAL	\$ 2,040,041.36		WIRE GRAND TOTAL	\$ 1,156,911.00
		TOTAL			\$ 5,337,370.73
			Respectfully,		
				Patti-Lynn Silva	
				Finance Director	

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of Approving Appointments to Various Boards and Commissions.

RECOMMENDATION/MOTION: That Anthony Jones be appointed to the Bloomington Human Relations Commission and that Thomas Whalen be appointed to the Bloomington Board of Fire and Police Commissioners.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 4e. Strong partnership with residents and neighborhood associations.

BACKGROUND: The Mayor of the City of Bloomington has nominated and I ask your concurrence in the appointment of:

Board of Fire and Police Commissioners. Thomas Whalen of 1522 West Chestnut, Bloomington, Illinois 61701, to the Bloomington Board of Fire and Police Commissioners. He will be completing the unfulfilled term previously held by Eric Penn who resigned July 14, 2015, and whose term will expire 4-30-17. Application is on file in the Administration Office.

Human Relations Commission. Anthony Jones of 2103 Clearwater Avenue, Bloomington, Illinois 61704, to the Bloomington Human Relations Commission. He will be completing the unfulfilled term previously held by Leslie Clay who relocated July 2016 and whose term will expire 4-30-18. Application is on file in the Administration Office.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration for approval.

Prepared by:

M. Beth Oakley, Executive Assistant

Recommended by:



Tari Renner

Mayor

Attachments:

- Rosters

Motion: That Anthony Jones be appointed to the Bloomington Human Relations Commission and that Thomas Whalen be appointed to the Bloomington Board of Fire and Police Commissioners.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

Board of Fire & Police Commissioners

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Ward	Email	Street	City	Zip	Home Phone	Work Phone	Cell Phone	Fax Number	Political Party	Reappointment
x		Eric	Penn	04/30/17	6/22/2015	2015	1	eric.penn@cityofbloomington.org	1016 McGregor	Bloomington	61701					Democrat	
x		Dianne	Hollister	04/30/17	4/28/2014	2014	4	happy26@gmail.com	2 Briarwood Ave	Bloomington	61701					Democrat	
x		James	Jordan	04/30/17	9/26/2016	2016	9	jamesjordan324@yahoo.com	3207 Brennan Lane	Bloomington	61704					Republican	
x		Keith	Rich	04/30/17	4/14/2014	2008	8	krich1945@gmail.com	32 Chiswick Cir	Bloomington	61704					Non-Partisan	
x		"Dean"	Messinger	04/30/17	4/14/2014	2011	9	deanmessinger@comcast.net	2107 Hackberry Rd	Bloomington	61704					Republican	
	Staff	Daniel	Esquivel														
	Staff	Selma	Graham														
	Staff	Nicole	Alberston														
	Staff	Argelia	Evans-Simenez														
	Staff	Brendan	Heimer														
	Staff	Brian	Morr														

Details:

Term: 3 years
Term Limit per City Code: 3 terms/9 years
Members: 5 members
Number of members the Mayor appoints: 5
Type: Internal
City Code:
Required by State Statute: Yes
Intergovernmental Agreements:
Funding budgeted from COB for FY 2014:
Meetings: 1st Tuesday of each month at 4:00pm - City Hall Conference Room

Other: Per State Statute, no more than two members can be from the same political party. If a member does not vote in a Primary, they are considered Independent.

Number of Vacancies: 1
Number of Expired Board Members (Blm Appointments only): 0
Number of Expired Board Members Eligible for Reappointment: 0

Appointment/Reappointment Notes:

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration Date	Appointment Date	Ward	Email	Street	City	Zip	Home Phone	Work Phone	Cell Phone	Fax Number	Reappointment
x		Kiran	Konam	04/30/17	07/28/14	8	rkiran2@yahoo.com	7 Tralee Ct	Bloomington	61704					
x		Shadia	Odemarais	04/30/17	10/12/15	6	odemaraisandrea@4448.org	605 W Oakland Ave	Bloomington	61701					
x		Gary	Hoover	04/30/17	04/14/14	5	groover158@aol.com	2810 #2 Rainbow Ave	Bloomington	61704					
x		Teslie	Gary	04/30/18	09/28/15	9	teslie.gary25@gmail.com	3018 Wisteria Lane	Bloomington	61704					
x	Chair	Rhonda	Smith	03/30/17	03/24/14	3	ebonye05@comcast.net	2 Rock Garden Ct, Duplex #1	Bloomington	61704					
x		Suresh	Krishna	04/30/19	03/28/16	8	sureshkrishna.usa@gmail.com	1408 Tralee Lane	Bloomington	61704					
x		Janet	Lancaster	04/30/19	03/28/16	6	bisromama@aol.com	316 N Main	Bloomington	61701					
	Staff	Nicole	Albertson				nalbertson@cityblm.org	109 E. Olive St	Bloomington	61701					

Term: 3 years
Term Limit per City Code: 3 terms⁹ years
Members: 7 members
Number of members the Mayor appoints: 7
Type: Internal
City Code:
Required by State Statute: No
Intergovernmental Agreements:
Funding budgeted from COB for FY2014:
Meetings: 2nd Wed of each month at 6:00pm - Council Chambers
Number of Vacancies: 1
Number of Expired Board Members (Bln Appointments only): 0
Number of Expired Board Members Eligible for Reappointment: 0

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving the purchase of mowers for the Parks, Recreation and Cultural Arts Department.

RECOMMENDATION/MOTION: Council approves the purchase of three (3) Toro mowers from MTI Toro Distributing for \$139,774.04 be approved and the Procurement Manager be authorized to issue a Purchase Order for the same.

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 PRCA Department mows and maintains grounds at 42 parks, 153 Right of Way (ROW) areas, City Hall, Library, PCSL Soccer Complex, City Parking Garages, and Constitution Trail all totaling approximately 1000 acres. The following units have been scheduled to be traded in on this purchase per budgeting and planning processes:

Unit #	Make	Model	Year	Usage Years	Hours	Trade Value
781	John Deere	1445 UF	2004	12	3351	\$1,250.00
782	John Deere	1445 UF	2004	12	3600	\$1,750.00
783	Kubota	F3680	2001	15	4373	\$2,000.00
799	Jacobsen	HR5111	2003	13	4357	\$4,000.00

* mower will be kept as back up machine

It is significant to note that all of the above referenced mowers have served their useful life and have been maintained by both park maintenance staff and the fleet maintenance division of Public Works. Without this maintenance program these mowers would not have served the City this well for this extended period of time.

During the 2016 mowing season, staff has demonstrated mowers from Jacobsen, Toro, Kubota, and John Deere. Mowers were used in the field mowing parks and ROW and evaluated by the operators. Toro mowers proved to be the best in both operation, quality, and value. Toro pricing through both the Illinois State Contract** (contract #4017552) and National IPA*** Contract are referenced for this purchase. The following is summary of mowers to be purchased. Efforts were made to maximize local purchases through participating vendors.

Make	Model	Year	Cut Size	Cost
Toro	GM 4000-D**	2016	11'	\$53,908.00
Toro	GM 5900***	2016	16'	\$76,000.00
Toro	3280-D***	2016	6'	\$18,866.04

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City of Bloomington staff, Toro MTI, Jacobsen Corporation, John Deere Corporation, Kubota Corporation, Martin Equipment, Nord Outdoor Power, Burkes Landscaping, Mathis Kelly Equipment.

FINANCIAL IMPACT: Funding is included in the FY 2017 Budget in the amount of \$165,000 for Parks mower replacements. Stakeholders can locate this in the FY 2017 Budget Book titled “Other Funds & Capital Improvement Fund” under the Capital Lease-Capital Outlay Equipment Other than Office Account (40110135-72140) on pages 92 and 94.

Respectfully submitted for Council consideration for approval.

Prepared by: David Lamb, Assistant Superintendent of Parks

Reviewed and Concur: Robert Moews, Superintendent of Parks

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Attachments:

- MTI Distributing Quote
- Purchase Toro 3280-D4WD
- Purchase Toro 4000 D
- Purchase Toro GM5900
- Trade Unit 781
- Trade Unit 782
- Trade Unit 783
- Trade Unit 784

Motion: Council approves the purchase of three (3) Toro mowers from MTI Toro Distributing for \$139,774.04 be approved and the Procurement Manager be authorized to issue a Purchase Order for the same.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			



MTI Distributing
Equipment Proposal
August 18, 2016



Expiration Date: 9/17/2016

Bloomington Parks & Recreation Department
1813 Springfield Road
Bloomington, IL 61701

PACKAGE PRICING

Qty	Model Number	Description	Unit Price	Extension
ILLINOIS STATE CONTRACT PRICING (CONTRACT #4017552):				
1	30609	Groundsmaster 4000-D (Tier 4 Final Compliant)	\$53,908.00	\$53,908.00
NATIONAL IPA PRICING (CITY OF BLOOMINGTON IPA MEMBER #6838)				
1	31698	GM5900 (Tier 4 Final Compliant)	\$76,000.00	\$76,000.00
1	30345	Groundsmaster 3280-D 4WD	\$18,866.04	\$18,866.04
1	31336	72" Side Discharge deck with 4 castor wheels		
2	24-5790-01	Rear Weight		
4	325-8	Screw		
4	3253-7	Washer		
1	30313	Air Ride Seat Suspension		
1	30398	Milsco Seat		
1	30382	12V Power Port/Electrical Accessory Kit		
TRADES:				
1	XX-UE	John Deere 1445 s/n TC1445D041423	(\$1,750.00)	(\$1,750.00)
1	XX-UE	John Deere 1445 s/n TC1445D041422	(\$1,250.00)	(\$1,250.00)
1	XX-UE	Kubota F3680 - s/n 13154	(\$2,000.00)	(\$2,000.00)
1	XX-UE	Jacobsen HR5111 - s/n 69116000006764	(\$4,000.00)	(\$4,000.00)
All 3 pieces must be purchased to receive the above quoted package pricing.			TOTALS Equipment Total \$148,774.04 Toro Protection Plus \$0.00 Trade Ins (\$9,000.00) Estimated Sales/Use Tax \$0.00 Total \$139,774.04	

Quote is valid for 30 days

New Toro commercial equipment comes with a two-year manufacturer warranty

Equipment delivery at no additional charge

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us.

Pete Tebbe
Outside Sales Representative
888-538-3608

Karen Wangenstein
Inside Sales Representative
763-592-5643

MTI Distributing, Inc. • 8901 Springdale Avenue • Berkeley, MO 63134

TORO

Groundsmaster® 3280-D

SMALL AREA ROTARY MOWER

FEATURES

- *Kubota® 24.8 hp (18.5 kW) Diesel Engine*
- *2 and 4-Wheel Drive Models Available*
- *Guardian® Recycler[®], Side or Rear Discharge Cutting Decks*
- *Width of Cut Options - 52 inch (132cm) to 72 inch (183 cm)*
- *Safety Cab (seat only optional)*

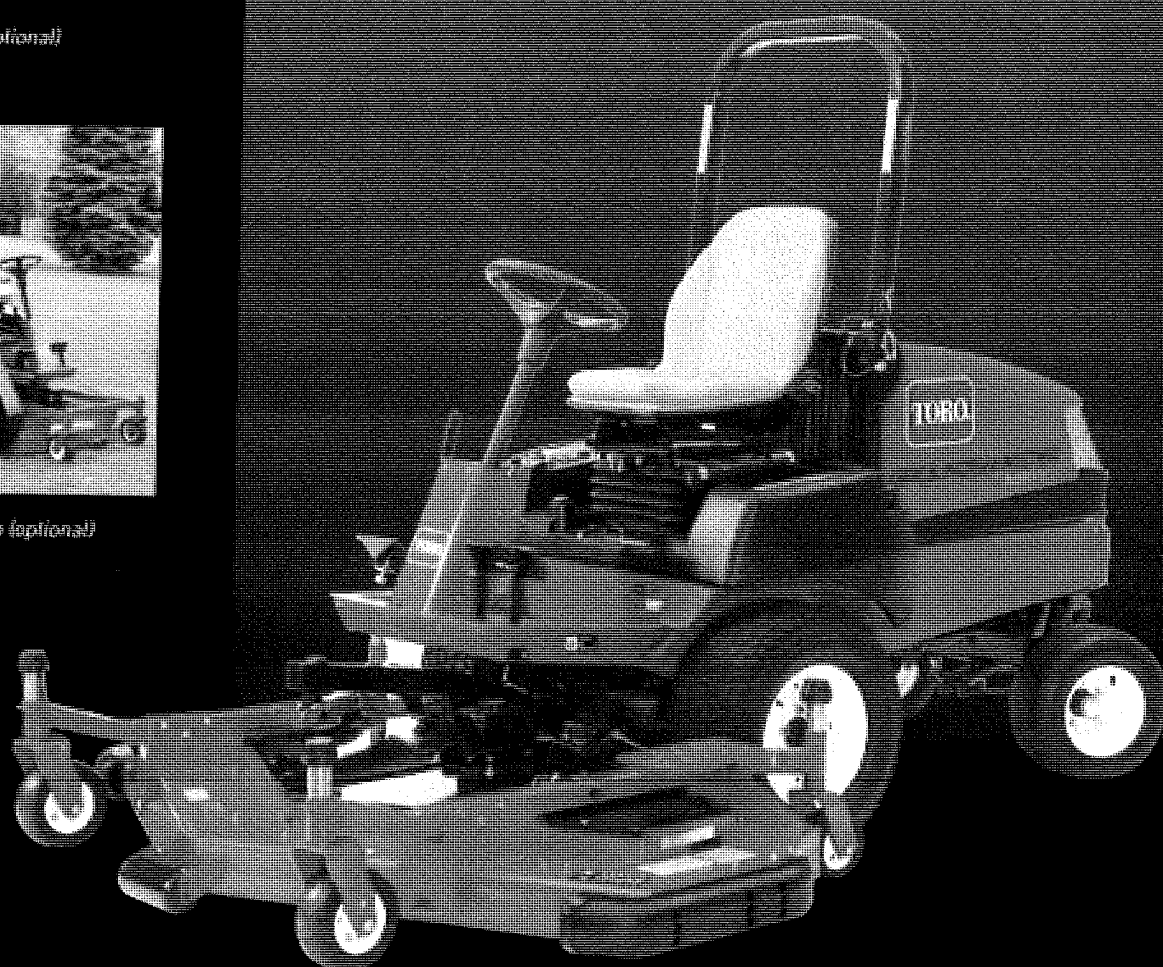
Power to perform.

The Groundsmaster 3280-D is everything an all-purpose mower should be. The 3280-D packs a 24.8 hp (18.5 kW) Kubota® diesel engine that tackles the toughest jobs with power to spare. The proven PTO drive system delivers power to the cutting deck and optional attachments smoothly and efficiently for long life. Available 4WD plus an innovative counter balance system provide secure footing on any terrain.

toro.com



High-Lift Collection System (optional)



**4
TIER**



	GROUNDMASTER 3280-D, 2WD - MODEL 30344 GROUNDMASTER 3280-D, 4WD - MODEL 30345								
ENGINE	Kubota, 3-cylinder, liquid-cooled diesel. Power: 24.8 hp (18.5 kW) gross, at rated speed of 3000 rpm. Torque peak: 71.5 (52.7) Nm (lbs-ft) @ 2200 rpm. Displacement: 1123cc. High idle: 3200 rpm no load (uninstalled) 3100-3200 installed. Remote-mounted 5" Donaldson air cleaner. Fuel filter/water separator. EPA Tier IV Final Compliant.								
FUEL CAPACITY	11.3 gallon (42.8 liter), diesel fuel. 2008 and newer models Biodiesel-Ready for use up to B-20 (20% biodiesel and 80% petroleum blend).								
GAUGES & PROTECTION SYSTEMS	Hour meter, fuel gauge, 4 light warning cluster gauge: oil pressure, water temperature, amps and glow plug. High water temperature shut-down. Hood lock, foldable ROPS.								
RADIATOR	Mid-mounted industrial radiator construction, 8.5 fins per inch. Approx. 7 quart (6.6 liter) capacity. Remote mounted 1 quart (.95 liter) expansion tank.								
TRACTION DRIVE	Hydrostatic U-type transmission with single pedal control of forward/reverse ground speed. 25 micron replaceable filter. Axle serves as reservoir for hydrostatic transmission; also serves the power steering and lift valve. Approx. lubrication capacity: 6 quarts (5.7 liters). 4WD: Rear axle is mechanically driven from front axle by a universal shaft. An on-demand, bi-directional overrunning clutch prevents rear tire scuffing in turns and maintains turning radius, same as in 2-wheel drive mode. Approx. 3.1 quart (2.9 liter) gear lubricant capacity.								
	SPECIFICATIONS COMMON TO GROUNDMASTER 3280-D & 3320 SERIES								
GROUND SPEED	0-10 mph (0-16.1 km/h), infinitely variable.								
MAIN FRAME	All welded formed steel.								
TIRES/WHEELS/ PRESSURE	Two front traction drive tires-23 x 9.5-12 with demountable rims. Two rear steering tires: 2WD: 16 x 6.5-8; 4WD: 18 x 6.5-8. All tires are tubeless and 4-ply rated. Recommended tire pressure: 20 psi (138 kPa). Optional Wide Tire w/ Rim, 23 x 10.5-12, Part No. 119-2864, 4-ply, or 69-9880, 6-ply.								
BRAKES	Individual 7" x 1.75" (17.8 cm x 4.4 cm) drum type wheel brakes and parking brakes on front traction wheels. Dynamic braking through traction drive.								
SEAT & SUSPENSION	Deluxe seat with adjustable fore/aft travel, Model 30398. Requires air ride, Model 30313, or mechanical seat suspensions, Model 30312. Adjustable for height and weight. Available armrests model 30707: required Part No. 108-9687 Armrest adapter kit. 12V Power Port/Electrical Accessory Kit, Model 30382, required for use of air ride seat suspension.								
STEERING	Hydraulic power steering. 14" (36 cm) tilt steering wheel, released and locked by a single lever control.								
OPERATOR AREA	Multi-tiered beverage holder, storage box, retractable seatbelt, and available 12V power port Model 30382.								
IMPLEMENT DRIVE	1" (2.5 cm) diameter PTO shaft clutched by a torque-teamed "HA" section V-belt. PTO engaged by electric clutch/brake. Connection to implement is with a universal joint and telescoping shaft assembly.								
IMPLEMENT LIFT	Twin 2.75" hydraulic cylinders operate lift arms. Hydraulic counter balance for greater stability and traction.								
CONTROLS	Foot-operated traction and brake pedals. Hand-operated throttle, PTO switch, brake lock, implement lift switch, ignition switch and glow plugs.								
ELECTRICAL FEATURES	12-volt maintenance free battery with 530 cold cranking amps at 0° F (-18° C), 80 minute reserve capacity at 80° F (27° C). 40 amp alternator with I.C. regulator/rectifier. 2 amp standard control module log circuit. Seat switch, PTO, traction and parking brake interlock switches. Easy access to fuse panel. Available 12V Power Port/Electrical Accessory Kit, Model 30382.								
DIMENSIONS & WEIGHT		Width	Length	Height w/ROPS Down	Height w/ROPS Up	Height w/Winter Only Cab	Dry Weight	Wheelbase	
	GM3280-D 2WD	47" (119 cm) ^[1]	83.5" (212 cm)	56" (142 cm)	77" (195 cm)	89.5" (227.3 cm)	1,340 lbs. (608 kg)	46" (117 cm)	
	GM3280-D 4WD	47" (119 cm) ^[2]	85" (216 cm)	56" (142 cm)	77" (195 cm)	89.5" (227.3 cm)	1,520 lbs. (690 kg)	47.5" (121 cm)	
CLEARANCE	Front ground clearance: 6" (15.2 cm). 4WD: rear ground clearance of 4.25" (10.8 cm).								
WARRANTY	Two-year limited warranty. Refer to the Operator's Manual for further details.								
CERTIFICATION	Certified to meet the American National Standard Institute's (ANSI) specifications, B71.4-2004 and applicable Federal and State regulations based thereon.								

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only.
Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.

[1] Measured from outside of front tires.

[2] Measured from outside of rear tires.



Groundsmaster® 3280-D Accessories Specifications

	FULL FLOTATION CUTTING UNITS		
	72" SIDE DISCHARGE MODEL 31336	72" BASE DECK CONFIGURATION MODEL 30404, WITH 72" REAR DISCHARGE COMPLETION KIT (30303)	72" GUARDIAN® RECYCLER® (31335)
TYPE	72" (183 cm) width of cut, three blade, front mounted rotary. Adjustable front baffle. Side discharge.	72" (183 cm) width of cut, three blade, baffle. front mounted rotary. Rear discharge.	72" (183 cm) width of cut, three blade, front mounted rotary. Recycling with vertical discharge.
TRIMABILITY	Offset 7.1" (18 cm) to the left; 37.9 (96 cm) uncut circle left. Deck overhang: 19.7" (50 cm) from outside of wheel to left trim side. Uncut circle with use of wheel brakes: 0".	Deck offset to the left from centerline: 5.50" (14 cm). Deck trim width from outside of standard traction tire to trim side - left: 17.4" (44 cm). Uncut circle with use of wheel brakes: 0".	Deck offset to left from centerline: 7" (18 cm). Deck trim width from outside of standard tire to trim side - left: 17.4" (44 cm). Uncut circle with use of wheel brakes: 0".
CONSTRUCTION	Welded 7-gauge steel, 5.5" (14 cm) deep, 5/16" (8 mm) rubber discharge chute (30368 model only).		
HEIGHT OF CUT	1.0-5" (2.5-12.7 cm) adjustable front and rear in .5" (12.7 mm) increments with spacers on the front caster shafts.		
MOWING RATE¹	Mows up to 3.6 acres/h (1.46 hectares/h) at 5 mph (8 km/h).		
SPINDLE ASSEMBLY	Ductile cast iron 9" (23 cm) diameter conical spindle housing; Dual greaseable tapered roller bearings; Spindle shaft is 1.25" (3.2 cm) diameter, solid cold finished steel, and splined connection between spindle shaft and pulley; Welded blade retainer plus anti-scalp cups.		
CUTTER DRIVE	Isolation mounted, splined PTO-driven gearbox transfers power to three separate spindles via two separate "B" section belts.		
BLADES	Three 24.5" (62 cm) long, .25" (6 mm) thick, 2.5" (6 cm) wide heat-treated steel blades.	Three 25.18" (64 cm) long, .25" (6 mm) thick, 2.5" (6 cm) wide heat-treated steel blades.	Three 25.18" (64 cm) long, .25" (6 mm) thick, 2.5" (6 cm) wide heat-treated steel blades.
OPTIONAL BLADES	High Flow and Atomic		
SUSPENSION	Independent, 2.5" (6.4 cm) square tubing, lift/push arms each attached to separate castor arms.		
CASTER WHEELS	Two rear 6" (15.2 cm) diameter castor tires. Two front 8.0 x 3.5 pneumatic tires (foam filled optional) with tubes and maintenance free bearings. Tensioning caps, made from impact modified thermoplastic alloy, are used to hold the castor wheels on the castor arms.	Two front 8.0 x 3.5 pneumatic tires (foam filled optional) with tubes and maintenance free bearings. Tensioning caps, made from impact modified thermoplastic alloy, are used to hold the castor wheels on the castor arms.	Two rear 6" (15.2 cm) diameter castor tires. Two front 8.0 x 3.5 pneumatic tires (foam filled optional) with tubes and maintenance free bearings. Tensioning caps, made from impact modified thermoplastic alloy, are used to hold the castor wheels on the castor arms.
ANTI-SCALP FEATURES	Six anti-scalp rollers. Anti-scalp cup located on each blade. Plastic replaceable skid on trim side.	Five anti-scalp rollers. Anti-scalp cup located on each blade. Plastic replaceable skid on each side.	Anti-scalp cup located on each blade. Six anti-scalp rollers. Plastic replaceable skid on each side.
DECK COVERS	Quick-release type latches. (Tools required for EU)		
LIFT ARMS	Independent lift arms and hydraulic weight transfer provide deck flotation.		
WEIGHT	530 lbs. (240 kg)	441 lbs. (200 kg)	491 lbs. (223 kg)
OPTIONAL EQUIPMENT	Rear Weight Kit, High Tip Speed Kit, Recycler Kit, Leaf Mulcher Kit.	Rear Weight Kit, Bahia Tall Grass Kit.	Fine Recycler Completion Kit (30346). Rear Weight Kit, Bahia Tall Grass Kit.
CERTIFICATION	Cutting unit meets specification of American National Standard ANSI B71.4-2004, Safety Specifications for commercial turf care equipment. Cutting unit meets specifications of European standard EN836, CE approved.		

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in design, required attachments and safety features. Consult your local Toro Distributor.

[1] Mowing rate is dependent on conditions.



Groundsmaster® 3280-D Accessories Specifications (continued)

	FULL FLOTATION CUTTING UNITS		
	60" SIDE DISCHARGE MODEL 30366	62" BASE DECK CONFIGURATION GUARDIAN® RECYCLER® OR REAR DISCHARGE, MODEL 30403	52" SIDE DISCHARGE MODEL 30555
TYPE	60" (152 cm) width of cut, 3-blade, front mounted rotary. Adjustable front baffle. Side discharge.	62" (157 cm) width of cut, 3-blade, front mounted rotary. Recycling with vertical discharge or rear discharge.	52" (132 cm) width of cut, 3-blade, front mounted rotary. Side discharge.
TRIMABILITY	Offset 4.33" (10.9 cm) to the left; 42.6" (108.2 cm) uncut circle left. Deck overhang: 11.17" (28.4 cm) from outside of wheel to left trim side.	Offset 2.75" (6.9 cm) to the left; 44.5" (113 cm) uncut circle left. Deck overhang: 10.43" (26.5 cm) from outside of wheel to left trim side.	Deck offset from outside of wheel to left trim side: 10.25" (26 cm). Uncut circle left: 26" (66 cm). Uncut circle with use of individual wheel brakes: 0".
CONSTRUCTION	7-gauge steel 5.5" (13.97 cm) deep; welded construction. 5/16" (8 mm) rubber discharge chute.	7-gauge steel 4.25" (10.8 cm) deep, welded construction.	12-gauge formed steel construction with integral structural ribs, 7-gauge welded support brackets 5" (12.7 cm) deep. Wind-Tunnel® housing. Steel discharge chute.
HEIGHT OF CUT	1" to 5" (2.5 cm to 12.7 cm) adjustable. .5" (12.7 mm) increments with spacers on the front and rear castor shafts. Adjustable HOC links for rear of deck.		Adjustable in .5" (12.7 mm) increments by repositioning 4 clevis pins holding the deck suspended from carrier frame hanger brackets. Height of cut range: 1" to 4" (2.5 to 10.2 cm)
MOWING RATE*	Mows up to 3.0 acres/h (1.22 hectares/h) at 5 mph (8 km/h).	Mows up to 3.1 acres/h (1.25 hectares/h) at 5 mph (8 km/h).	Mows up to 2.6 acres/h (1.1 hectares/h) at 5 mph (8 km/h).
SPINDLE ASSEMBLY	Ductile cast iron 9" (23 cm) diameter conical spindle housing; Dual greaseable tapered roller bearings; Spindle shaft is 1.25" (3.2 cm) diameter, solid cold finished steel, and splined connection between spindle shaft and pulley; Welded blade retainer plus anti-scalp cups.		
CUTTER DRIVE	Isolation mounted, splined PTO-driven gearbox transfers power to three separate spindles via two separate "B" section belts.		PTO shaft driven, isolation mounted gearbox with 1.25:1 spiral bevel gears. Gearbox pulley drives a single "AA" section belt to 3 spindles, self-tensioned with a rubber torsion idler arm and riveted steel idler pulley with ag-type wiper seal and bearing.
BLADES	Three 20.5" (52 cm) long, .25" (6 mm) thick, 2.5" (6.35 cm) wide, heat-treated steel blades. Optional Atomic™ Mulching Blade (110-4703).	Three 21.75" (55 cm) long, .25" (6 mm) thick, 2.5" (6.35 cm) wide, heat-treated steel blades. Optional Atomic Mulching Blade (107-0214).	Three 18" (46 cm) long, 2.5" (6.3 cm) wide, .19" (5 mm) thick, heat-treated steel blades. Optional Atomic Mulching Blade, P/N 104-1301.
CARRIER FRAME SUSPENSION	Independent, 2.5" square tubing, lift/push arms each attached to separate castor arms.		Mower freely suspended in carrier frame. Height of cut bracket design and flexible carrier frame enhance cutting unit flotation and ground following capability.
CASTER WHEELS	Front: Two 8.0" x 3.5" (20.3 cm x 8.9 cm) pneumatic tires (foam filled optional) with tubes and maintenance-free bearings. Tensioning caps made from impact modified thermoplastic alloy – are used to hold the castor wheels on the castor arms.		Pneumatic, 8" turf tread tires, 8 x 3-4 regreaseable roller bearings and heavy duty bushings rotating on a replaceable spanner. (Optional Phenolic Caster Wheel Assembly, P/N 27-1050; two required.)
ANTI-SCALP FEATURES	6 rollers. Anti-scalp cup located on each blade spindle. Plastic skid on trim side.	5 rollers on Rear Discharge Deck, 6 rollers on Guardian Deck. Anti-scalp cup located on each blade spindle. Plastic skid on each side.	4 anti-scalp roller. Anti-scalp cup located on each blade spindle.
DECK COVERS	Quick-release type latches; no tools required. (Tools required for E.U.)		
LIFT ARMS	Independent lift arms and hydraulic weight transfer provide deck flotation.		High strength lift arms with mounting provision for quick attach-detach of mower carrier frame or other attachments.
OPTIONAL EQUIPMENT	Rear Weight Kit, Collection System, High Tip Speed Kit, Striping Kit, Leaf Mulcher Kit, High Flow Blade (110-4702).	Required Equipment: 62" Rear Discharge Deck Completion Kit (30305) or 62" Recycler Deck Completion Kit (30306)	
		Rear Discharge Conversion Kit, Guardian Recycler Conversion Kit, Rear Weight Kit, Bahia Tall Grass Kit.	Rear Weight Kit, Collection System, High Sail Blades (44-5480, 56-2390-03)
CERTIFICATION	Cutting unit meets specification of American National Standard ANSI B71.4-2004, Safety Specifications for commercial turf care equipment. Cutting unit meets specifications of European standard EN836, CE approved, except some blades and the High Tip Speed Kit.	Cutting unit meets specification of American National Standard ANSI B71.4-2004, Safety Specifications for commercial turf care. Cutting unit meets specifications of European standard EN836, CE approved.	Certified to meet the American National Standard Institute's (ANSI) specifications, B71.4-2004 and applicable Federal and State regulations based equipment thereon.

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only.
Actual products offered for sale may vary in design, required attachments and safety features. Consult your local Toro Distributor.

[1] Mowing rate is dependent on conditions.



Groundsmaster® 3280-D Attachments Specifications* (continued)

GM300 DEBRIS BLOWER RETROFIT KITS

Converts model 30855 for the GM3280-D/ 3320. Required kits are the following: PN 110-8539: Blower Adapter Kit, and PN 110-8540: Attachment Frame Kit.

DEBRIS BLOWER, MODEL 30823	
POWER SOURCE	Groundsmaster 3280 tractor's-PTO drive. Belt drive.
HITCH/MOUNT	Out-front design for Groundsmaster tractors (requires Attachment Frame Kit, PN 110-8540).
FRAME	All welded steel construction.
BEARINGS	2 self-sealed, self-aligning.
IMPELLER	12 blades, reversed curve, 21" (53.3 cm) diameter, sandcast aluminum.
AIR MOVEMENT	130 mph (209 km/h)@ 2700 rpm, 3650 cfm
DIRECTIONAL CHUTE	All steel, over-center locking, spring tension control, operated from tractor seat.
DIMENSIONS	Length Width Height 44" (117 cm) 35.6" (90 cm) 34.9" (89 cm)
SHIPPING WEIGHT	300 lbs. (136 kg)

ROTARY BROOM M-B MODEL MCT**	
TYPE	MECHANICAL Windrow type, front mounted mechanical drive broom. Hydraulic angling, 30 degrees left and right.
SWING	Swing pivot point inline with 50 degree CV joint
BROOM SIZE	25" (63.5 cm) diameter brush, 60" (152 cm) width.
BRUSH	Sectional brush with choice of polypropylene, wire or combination radial segments.
SHIPPING WEIGHT	60" Broom: 500 lbs., (227 kg).
OPTIONS	Hydraulic Swing Cylinder, Dirt Deflector, Storage Stands.

SUNSHADE	
UNIVERSAL MOUNT	Model 30349
BIMINI CANVAS	Model 30358

V-PLOW, MODEL 30750	
CUTTING WIDTH	48" (121.9 cm)
HITCH/MOUNT	Out-front design for Groundsmaster tractors. Required kits are the following: V-Plow Mounting Kit, PN 115-4917 and Attachment Frame Kit, PN 110-8540.
CONSTRUCTION	All welded steel.

CAB, MODEL 30298 (Available June 2015)	
BODY/FRAME	ROPS certified cab (ISO 21299); rubber sound isolator cab mounts; fold away exterior side mirrors. (Optional road light kit and rotating beacon kit available.)
GLASS	Full glass rear window and both doors, tinted (50%); front and rear windows open and act as an emergency exit using quick release latch. Heavy-duty pantograph front windshield wiper and washer.
INTERIOR	Interior mirror, upholstered panels, textured TPE ripple rubber floor mat, dome light.
HVAC	Pressurized heater/fan.
SAFETY CERTIFICATIONS	American National Standards Institute (ANSI B71.4-2012) and applicable ISO EN 5395 (CE) (machine directive 89/392, 91/368, 93/44, 84/538, 89/336) requirements; Optional lights. Meets ANSI/ASAE 5279.12 (Lighting and Marking of Agricultural Equipment on Highways).

SNOWTHROWER ERSKINE MODEL 1600***	
STAGE	2
WIDTH OF CUT	53" (135 cm)
CUTTING HEIGHT	22" (56 cm)
CUTTING EDGE	51" (130 cm) bolt-on
SKID SHOES	Adjustable/Hardened
AUGER DIAMETER	12" (30 cm) open flight
FAN DIAMETER	16" (41 cm)
CHUTE ROTATION	Hydraulic
SHEAR PROTECTION	Pressure relief
CASTING DISTANCE	Up to 25' (7.62 m)
APPROXIMATE SHIPPING WEIGHT	418 lbs. (190 kg)
HOSES	Included

15 CU. FT. HI-LIFT HOPPER COLLECTION SYSTEM, MODEL 30356	
CONFIGURATION	A turf collection system consisting of a pivoting three-point, quick detach mounting structure that supports the lift linkage and hydraulically raises to dump collected clippings.
WHEEL WEIGHT	75 lb. (34 kg) wheel weight mounts to the left front wheel to offset RH hopper weight.
HOPPER CAPACITY	15 cu. ft. (440 liters)

52" BLOWER KIT, MODEL 30502 60" BLOWER KIT, MODEL 30357	
BLOWER ASSEMBLY	Blower assembly housing is 16" (41 cm) diameter; welded construction. The blower assembly attaches to the cutting unit's discharge port and is belt driven from the cutting unit. Impeller speed is 1800 rpm at 3200 rpm engine speed. Impeller shaft bearing is outboard mounted.
DECK BAFFLES	Steel baffles mount under deck housing to direct clippings into blower.
BUMPER	Bumper of steel tubing is bolted to deck suspension frame to protect blower housing.

Note: Use with high lift collection system

* Information regarding non-Toro (Allied Vendor) products is included in the Toro Golf and Grounds Equipment Guide as a convenience to Toro customers. Toro does not warrant, endorse or support any products purchased from Allied vendors. Additionally, Toro shall not be responsible for any personal injury or property damage, whether direct or consequential, caused by such Allied products. Toro does not certify fit up, compatibility or functionality of Allied products.

**Manufactured by M-B Companies, Inc.

***Manufactured by Erskine. Depending on mower configuration, an auxiliary valve kit (Toro model 110-5670) must be added to the tractor. Additional wheel weights may be required. The Toro Company does not manufacture or sell the snowthrower, nor does Toro guarantee these accessories in any manner whatsoever.



TORO

Groundsmaster® 4000-D/4010-D

WIDE AREA ROTARY MOWERS

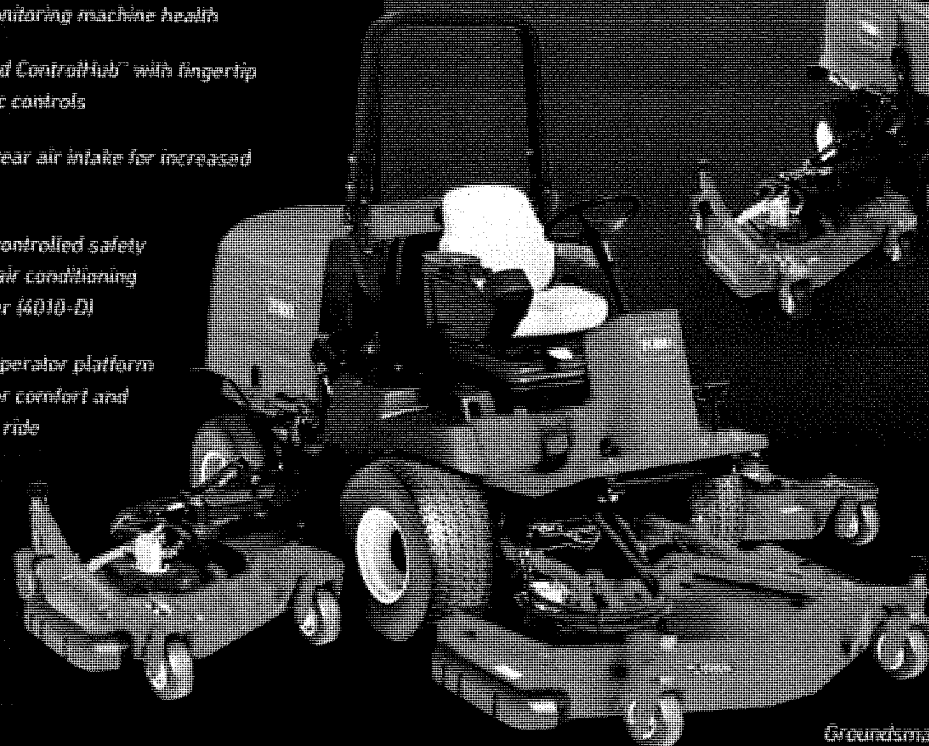
FEATURES

- 55 hp (41 kW) Yanmar® engine, Tier 4 Final Compliant, turbo-diesel engine
- Smart Power™ - optimized mowing in all conditions
- Foldable ROPS
- 11' (3.4 m) width of cut
- Full-time 4WD forward and reverse
- All-time traction assist assures full-time 4WD
- 8" uncut circle in turns
- SmartCool™ auto-reversing cooling fan
- HybridDrive™ cutting deck system delivers unmatched reliability
- 4-way adjustable seat and Air Ride Suspension
- InfoCenter™ displays simple operating info while monitoring machine health
- Integrated ControlHub™ with fingertip electronic controls
- Top and rear air intake for increased cooling
- Climate-controlled safety cab with air conditioning and heater (4010-D)
- Isolated operator platform for greater comfort and smoother ride

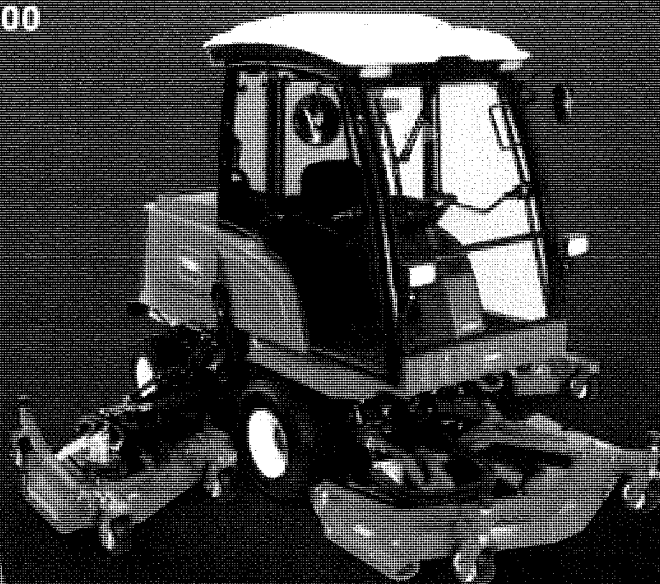
Operator-friendly and smart by design.

With Smart Power™ technology, high engine torque and patented, HybridDrive™ cutting deck system, the Groundsmaster 4000-D and 4010-D deliver power where you need it most - to cut grass, no matter how tough the conditions. With their excellent trimming capability, you'll maneuver around obstacles with ease. Both mowers can mow a 0" uncut circle, allowing you to mow back and forth patterns without leaving any uncut grass. The patented, parallel hydraulic traction system maintains consistent hydraulic flow between the front and rear wheels to assure full-time 4-wheel drive. This allows you to mow with confidence, even on hills and wet grass.

toro.com/4000



Groundsmaster® 4000-D



Groundsmaster® 4010-D

4
TIER**SMART POWER**

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Call your Toro distributor at 800-803-8676



Groundsmaster® 4000-D/4010-D Specifications*



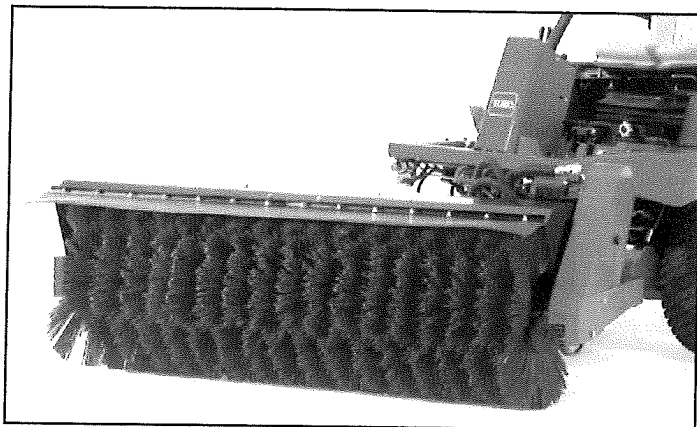
	GROUNDMASTER 4000-D, TIER 4 DIESEL, MODEL 30609 GROUNDMASTER 4010-D, TIER 4 DIESEL, MODEL 30636, Model 30607				
ENGINE	Yanmar® 4-cylinder, liquid-cooled, turbo-charged diesel. 127 cu. in. (2.1 liter) displacement. Engine rated at 55 hp (41 kW) net and 125 ft.-lbs. (169 Nm) torque at 2,000 rpm. 8 quart (7.6 liter) oil capacity. EPA Tier IV Final Compliant				
AIR CLEANER	Dry, replaceable primary and safety elements.				
RADIATOR	Rear-mount, cross-flow, 7-row, 6.3 fins per inch, 9 quart (8.5 liter) capacity.				
FUEL CAPACITY	21 gallons (79.5 liters) diesel fuel. Biodiesel-Ready for use up to 8-20(20% biodiesel and 80% petroleum blend)				
TRACTION DRIVE	Parallel hydrostatic, closed loop system with full-time 4WD. Forward/reverse in low (mow) and high (transport) range with full-time, automatic traction assist (forward only) standard on Groundsmaster 4000-D models. Variable displacement piston pump with electronic servo control powers dual speed displacement piston motor drive into double reduction planetary in front, and mechanical axle in rear. SmartPower™ feature controls traction speed to maintain optimal cutting blade speed.				
HYDRAULICS/COOLING	8.75 gallon (33.1 liter) capacity with 10 micron remote spin-on filter. 9 row, single pass cooler, 6.3 fins per inch, that tilts out for cleaning. Variable speed radiator cooling fan with automatic (based on coolant and oil temps) and manual reversing capabilities.				
DIAGNOSTICS	Diagnostic pressure test ports: forward and reverse traction, left, center and right decks, reverse 4WD, lift, steering, charge and deck counterbalance circuits.				
GROUND SPEED	Transport: 0-16.2 mph (0-26.1 km/h) forward, 0-8.1 mph (0-13 km/h) reverse. Mow: 0-8.3 mph (0-13.4 km/h) forward, 0-4 mph (0-6.4 km/h) reverse.				
TIRES	Front: 26 x 12-12, 6-ply tubeless Multi-Trac. Rear: 20 x 10-10, 6-ply tubeless Multi-Trac.				
MAIN FRAME	All welded formed-steel frame with integral tie-down anchors.				
BRAKES	Mechanically actuated, internal wet disc brakes on input to each planetary drive. Individual foot-operated steering brake control of left and right wheel. Lock pedals together and latch to engage parking brake.				
SEAT	4-way adjustable, right armrest travels with seat and suspension.				
STEERING	Power steering with dedicated power source. Steering wheel tilts to desired operator position. Uncut circle: 0° diameter.				
INTSTRUMENTATION	InfoCenter™: Onboard LCD display shows gauges, alerts/fauls, service reminders, electrical system diagnostics. Indicates fuel level, coolant temp, intake temperature, low oil pressure, alternator, engine hours, engine rpm, hydraulic oil temperature, voltage				
CONTROLS	Tilt steering, ignition switch, throttle switch, foot-operated traction pedal, lockable individual brake pedals, parking brake lock, mow/transport speed selector switch, 3-two position switches for individual deck lift/lower, counterbalance adjustment, tow valves, cup holder, toolbox, radio holder, fan switch and 12-volt power outlet.				
ELECTRICAL	12-volt, 690 cold cranking amps battery, 80 amp alternator (4010-D). Overload protection with automotive type fuses.				
INTERLOCKS	Prevents engine from starting unless traction pedal is in neutral and deck is disengaged. If operator leaves seat while moving or deck is engaged, traction and / or deck stops, info center alarms and gives message. Mowing only permitted in low range. Traction not allowed if parking brake engaged and pedal moved out of neutral, info center alarms and gives message. Deck transport latches.				
GROUND CLEARANCE	6.5" (16.5 cm)				
OVERALL DIMENSIONS	Height 85" (216 cm) w/ROPS up 93.9" (237 cm) w/ cab	Length 135" (343 cm) w/decks down	Width 136" (346 cm) w/decks down	Transport Width 71" (180 cm) @ 2" (5 cm) HOC	Wheelbase 55.5" (140 cm)
WEIGHT	4205 lbs. (1907 kg) w/ full fluids (GM4000). 4759 lbs. (2159 kg) w/ full fluids (GM4010).				
SAFETY CAB (4010)	MODEL 30636: ROPS certified cab with heat, AC and the following standard features: climate system pressurized cab, heavy-duty pantograph front windshield wiper and washer, front windshield has 38" of visibility, interior mirror, fold away exterior side mirrors, molded front fenders, right and left doors and rear window have tinted (50%) glass, front and rear windows open, quick release window latches act as emergency exit, rubber sound isolator cab mounts and upholstered interior panels and headliner, textured neoprene floor mat, interior dome light. MODEL 30607: Factory installed, ROPS certified, climate controls (AC & heating), opening rear window, front wiper/washer, interior mirror, exterior side mirrors.				
SAFETY	Complies with American National Standards Institute (ANSI B71.4-2012) and applicable ISO EN 5395 (CE) (machine directive 89/392, 91/368, 93/44, 84/538, 89/336) requirements; Optional lights. Meets ANSI/SAE 5279.12 (Lighting and Marking of Agricultural Equipment on Highways). Foldable ROPS, ISO 21299 certified.				
WARRANTY	Two-year limited warranty. Refer to operator's manual for further details.				
ACCESSORIES	Work light, Road lights consisting of dual taillights, dual headlights, slow moving vehicle sign, turn signal, flasher and lights; Sunshade Beacon				
CUTTING DECKS					
WIDTH OF CUT	Overall: 132" (335 cm), Front: 62" (157.5 cm), Wings: 42" (106.7 cm), Overlap: 7" (12.8 cm).				
MOWING RATE	Mows up to 11.0 acres/h (4.5 hectares/h) at 8.5 mph (13.4 km/h) (assumes no overlap or stops).				
CONSTRUCTION	Welded .100" (25 mm) steel with 7 and 10-gauge steel channel and plate reinforcements, bullnose bumpers.				
DECK DRIVE	Direct mounted hydraulic motor into spindle. Remaining spindle(s) driven by individual 8 section kevlar belt. Quick release belt covers.				
HEIGHT-OF-CUT	1"-5" (25-127 mm) in .5" (13 mm) increments.				
SPINDLES	1.25" (3.17 cm) diameter spindle shafts, 9" (22.9 cm) diameter conical ductile iron housing, and 2 greaseable tapered roller bearings.				
BLADES	21.75" (55.2 cm) long, 2.5" (6.4 cm) wide, .25" (.64 cm) thick.				
CASTER WHEELS	8 x 3.50-4, 4-ply, smooth, pneumatic, sealed precision ball bearings.				
GROUND FOLLOWING	6" anti-scalp cups on each blade, adjustable skids on each deck, 4 anti-scalp rollers on front deck and 1 on each wing.				
WING PROTECTION	Bi-directional, impact absorption device on each wing deck.				
RECYCLER® KIT	Model 30420 will convert decks into Guardian® Recycler® decks.				
MULCHING KIT	Model 30422.				
SKIDS	Reversible polymetric.				

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.

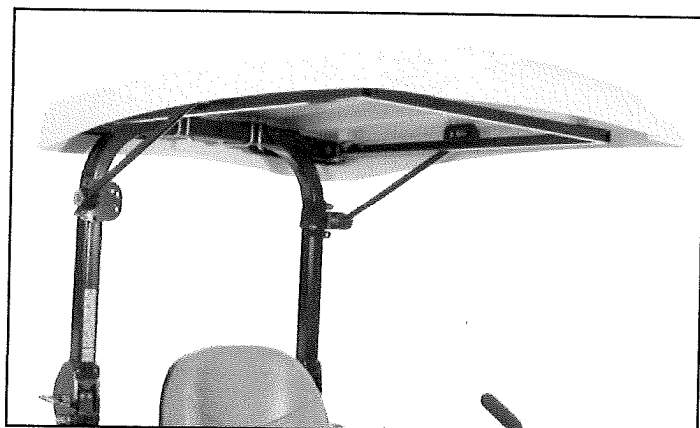




Groundsmaster® 4000-D Attachment Specifications



ROTARY BROOM, MB MODEL HCT**	
TYPE	Windrow type, front mounted hydraulic broom with dual motors. Electric/hydraulic angling, 30° left and right.
BROOM SIZE	32" (81 cm) diameter x 60" (153 cm) wide.
BRUSH	Sectional brush with combination polypropylene/wire radial segments.
WEIGHT	460 lbs. (209 kg)
OPTIONS	Dirt Deflector, Storage Stands.



SUNSHADE	
UNIVERSAL MOUNT SUNSHADE	White, Model 30349
UNIVERSAL MOUNT SUNSHADE	Red, Model 30552



SNOWTHROWER ERSKINE MODEL 2000***	
STAGE	2
WIDTH OF CUT	61" (155 cm)
CUTTING HEIGHT	29" (74 cm)
CUTTING EDGE	3/8" x 3" (9.5 mm x 7.6 cm) bolt-on
SKID SHOES	Adjustable
AUGER DIAMETER	16" (41 cm) open flight
FAN DIAMETER	20" (51 cm) 4-blade
CHUTE ROTATION	Hydraulic 270°
SHEAR PROTECTION	Pressure relief
CASTING DISTANCE	Up to 30' (9.14 m)
APPROXIMATE SHIPPING WEIGHT	850 lbs. (386 kg)
HOSES	Included

*Specifications and design subject to change without notice.

** Manufactured by M-B Companies Inc.

*** Manufactured by Erskine Attachments.

Note: The Toro Company does not manufacture or sell the snowthrower or rotary broom, nor does Toro guarantee these accessories in any manner whatsoever.





Groundsmaster® 5900/5910

LARGE AREA ROTARY MOWER

FEATURES

- 192 in. (488 cm) width of cut, mows 700+ acres per day
- 3.3 L Yanmar® EPA Tier 4 Final and EU Stage IV emissions compliant turbo-diesel engine
- Full-time, bi-directional 4WD
- SmartPower™ optimized mowing in all conditions
- CrossTrax® all-wheel drive system offers increased cross wheel traction control
- 0° uncut circle in turns
- Onboard InfoCenter™ with advisories and diagnostics for maximum uptime
- SmartCool™ auto-reversing cooling fans
- 24-volt electrical system powers cooling system
- HybridDrive™ cutting deck system delivers unmatched reliability
- 4-way adjustable seat and Air Ride Suspension
- Integrated ControlArm™ with fingertip electronic controls
- All-season safety cab with air conditioning and heater (5910)

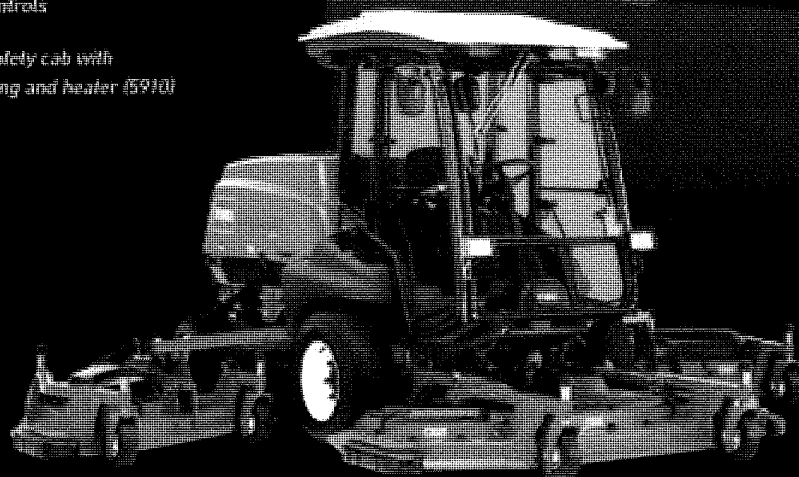
More Parks & More Rec.

Tasked with maintaining more parks and sports fields with no additional workers or budget? Is it possible to do more with less? The Groundsmaster™ 5900 Series mowers can mow over 17 acres/hour (6.87 hectares/hour) using only one operator! And to match the 16' (4.87 m) wide mowing brawn and a more fuel-efficient EPA Tier 4 Final and EU Stage IV emissions compliant Yanmar® 3.3 L engine, the Groundsmaster 5900 series is loaded with intelligence. SmartPower™ allows the operator to effortlessly maintain the correct speed for optimal cutting, while the SmartCool™ system prevents over-heating with auto-reversing the cooling fans. An onboard InfoCenter™ gives the operator a quick read on all systems and even provides assistance at the right moment. When the comfort and safety of an all-season cab, the incredibly nimble handling, and tough Toro durability are added in, the new Groundsmaster 5900 series proves beyond doubt that increased efficiency and ease of operation lead to higher productivity.

toro.com/5900



Groundsmaster® 5900



Groundsmaster® 5910

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TIER

SMART-POWER

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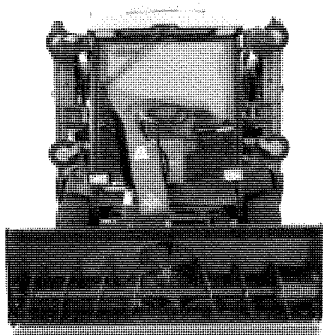
Groundsmaster® 5900/5910 Specifications*

GROUNDMASTER 5900, MODEL 31698 / GROUNDMASTER 5910, MODEL 31699	
ENGINE	Yanmar 3.3L, EPA Tier 4 Final and EU Stage IV emissions compliant, turbocharged diesel with direct injection and electronic high-pressure common rail. 72 HP (53.7 kW) @ 2500 rpm, Torque: 206 lb.-ft. (279 N•m) @ 1625 rpm Displacement: 202 cu. in. (3.3 L).
COOLING SYSTEM	24V dual electric fan banks for separate engine radiator and hydraulic oil cooling; fan banks are variable speed, with auto-reverse feature (SmartCool™, based on coolant and oil temps), radiator is cross flow, 3 rows, 9 fins per in. (FPI). Hydraulic oil cooler is crossflow, 6 FPI. Cooling fan banks tilt away for fast, easy cleaning.
FUEL SYSTEM	Uses ultra-low sulfur diesel fuel only. Biodiesel compatible up to B20.
CAPACITIES	Fuel: 35 gal. (132L) Hydraulic: 19 gal (71.9 L). Engine Oil w/filter: 11 qt. (10.4 L). Coolant: 13.5 qt. (12.7 L) (Model 31698), 18 qt. (17 L) (Model 31699)
HYDRAULIC SYSTEM	Capacity: 19 gal (71.9 L) reservoir, Remote spin-on charge filter, Oil: Toro premium all season hydraulic fluid
TIRES/WHEELS	Front: 29x12.00-15, 6 ply rating, 32 psi; Rear: 23x10.50-12, 6 ply rating, 30 psi;
INSTRUMENTATION	Onboard LCD (InfoCenter™) display shows customizable gauges, service reminders, advisories/faults and troubleshooting assistance. Indicates fuel level, coolant temp, hydraulic oil temp, engine glow plug, low oil pressure, air cleaner restriction, 12 and 24 volt alternator voltage output, engine hours and rpm, and engine DPF regeneration.
POWERTRAIN	Full time automatic forward and reverse 4WD in low (mow) range. Front wheel drive in transport. Parallel hydrostatic, closed loop with cross wheel traction (CrossTrax™) design; traction drive pump: variable displacement piston, servo control. Front drive: 2-speed, fixed displacement high torque, low speed radial piston motors. Rear drive: single speed, fixed displacement, high torque, low speed radial piston motors. SmartPower™ feature controls traction speed to maintain optimal cutting blade speed.
ELECTRICAL SYSTEM	Main: 12 volt system; Alternator: 12v, 80 amp, supplied w/ engine Battery: 1380 CCA (2x 690 CCA). Cooling Fans, Engine/Hydraulic cooling: 24 volt system; Alternator: 24v, 105 amp w/ remote sense; Battery: 350 CCA; Disconnect ON/OFF switch for 12 & 24volt service safety.
PRODUCTIVITY	Service: Dynamic, hydrostatic 4WD in low range. Front wheel drive braking in high range.
	Parking: Electro-hydraulic controlled via double-motion rocker switch. Spring applied, hydraulic released. Internal to front wheel motors. Automatically applies with engine OFF or key OFF Manual override from operator platform for servicing
CONTROLS	Infinitely variable speed. Forward speeds: mow: 0-10.8 mph (17.4 km/h) Transport: 0-20 mph (0-32.2 km/h). Reverse speeds: mow 0-5.7 mph (0-9.2 km/h), transport: 0-10.5 mph (0-16.9 km/h) transport. Speed control: Electronic, limits max speed. Maximum mow rate: 20.77 acres/hr. (8.4 ha)* Typical mow rate: 9.6 acres/hr. (3.9 ha)**
OPERATOR STATION	Control arm, right armrest, travels with seat and suspension. Deck (lift/lower, electrohydraulic switches. Throttle; electronic, variable. Traction pedal, electronic. Park brakes: double-motion switch. Steering: hydrostatic load sensing. Other: High/Low range, PTO, cruise control, lights (31698 only), horn, key switch, wing deck transport latches (manual).
STEERING	Operator platform: isolated rubber mounted. Seat: 4 way adjustable with vinyl (31698) or cloth (31699) cushions standard. Suspension: air-ride with 3 in. (7.6 cm) of adjustability. Steering: power and adjustable tilt. Traction Pedal: adjustable angle uses position sensor. Storage box, cup holder, and 12 volt power outlet standard.
CAB (5910)	Uncut circle - 0" diameter. Turning radius - 86" (218 cm)
SAFETY AND LIGHTING	ROPS certified cab with heat, AC and the following standard features: climate system pressurized cab, heavy-duty pantograph front windshield wiper and washer, front windshield has 38" of visibility, interior mirror, fold away exterior side mirrors, molded front fenders, right and left doors and rear window have tinted (50%) glass, front and rear windows open, quick release window latches act as emergency exit, rubber sound isolator cab mounts and upholstered interior panels and headliner, textured neoprene floor mat, interior dome light. Power provided for optional aftermarket audio accessories. Optional road lights, rotating beacon and work lights available.
CERTIFICATION	Standard (31698 & 31699): SMV sign rear mounted; LED brake, tail lights and flashers mounted in rear bumper; horn. ROPS Unit (31698) headlights, red and amber flashers, turn signals. Cab Unit (31699): Optional light kits, North American Road Light Kit (30706), Rotating Beacon Kit (31509), Work Light Kit (114-5610). Disconnect ON/OFF switch for 12 & 24volt service safety.
WARRANTY	Meets or exceeds EU Machinery Directive (2006/42/EC); ISO 5395-2013 and ANSI B71.4-2012; ISO 21299 and SAE J1194; OSHA 29CFR1910.95 (SAE J1175, European Directive 2000/14/EC, ISO 5395-2013); EN 55012:2007 and CISPR12. Model 31698 meets or exceeds ANSI/ASAE S279.12 (Lighting and Marking of Agricultural Equipment on Highways). Model 31699 air conditioning system meets SAE J1503, Section 8.
VEHICLE WEIGHT (W/ FULL FLUIDS)	Two year limited warranty.
GROUND CLEARANCE	6,710 lbs. (3043 kg) (31698), 7,304 lbs. (3313 kg) (31699)
DIMENSIONS	10.3 in. (26.1 cm)
	WIDTH: Transport: 99 in. (251 cm), Mow: 199 in. (505 cm) LENGTH: 174 in. (442 cm) HEIGHT: 85 in. (216 cm) (31698), 95 in. (241 cm) (31699) WHEELBASE: 77 in. (196 cm)
CUTTING DECKS	
TYPE	Three rear discharge rotary decks
CUTTING WIDTH	192 in. (488 cm), 57 in. (145 cm), 92 in. (234 cm), 144 in. (366 cm).
HEIGHT OF CUT	1-6" in (2.5 - 15 cm) in 0.5 in. (1.3 cm) increments.
CONSTRUCTION	11/12 gauge high strength steel. 7-gauge, reinforcements, bullnose bumpers.
PROTECTION	Wing decks: 2 way shock absorption.
DECK DRIVE	HybridDrive™ - Hydraulic motor to spindle, remaining spindle(s), driven by "B" section v-belts.
TENSIONING	Automatic, spring loaded idlers.
SPINDLES	Shaft: 1.25" (3.2 cm) hardened steel. Housing: 9" (22.9 cm) ductile iron. Bearings: Greasable tapered roller.
STANDARD BLADES	20" (50.8 cm), heat-treated steel blades.
OPTIONAL BLADES	Atomic™ mulching blades, flat blades.
SKIDS	4 reversible polymeric, 2 reversible steel

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only.
Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.

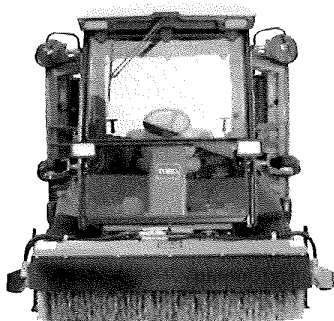


TORO ACCESSORIES AND PARTS	
MODEL/PART NUMBER	Description
30349	Universal Mount Sunshade – White
30552	Universal Mount Sunshade –Red
31324	Thermoplastic Windscreen Kit (GM5900). Abrasion-resistant polycarbonate windscreen (mounts to 2-post ROPS extension)
31325	Tempered Glass Windshield (mounts to 2-post ROPS extension)
31311	Wiper Kit for Tempered Glass Windshield
119-7719	Backrest Extension Kit – Fabric (GM5910)
119-7718	Backrest Extension Kit – Vinyl (GM5900)
114-5610	Work Light Kit (GM5910)
117-9430	2-Post ROPS Extension (GM5900) (includes sunshade)



SNOWTHROWER ERSKINE MODEL 2000**	
STAGE	2
WIDTH OF CUT	85" (216 cm)
CUTTING HEIGHT	29" (74 cm)
CUTTING EDGE	3/8" x 3" (9.5 mm x 7.62 cm) bolt-on
SKID SHOES	Adjustable
AUGER DIAMETER	16" (41 cm) open flight
FAN DIAMETER	20" (51 cm) 4-blade
CHUTE ROTATION	Hydraulic, 270°
SHEAR PROTECTION	Pressure relief
CASTING DISTANCE	Up to 30' (9.4 m)
APPROXIMATE SHIPPING WEIGHT	850 lbs. (386 kg)
HOSES	Included

TORO ACCESSORIES AND PARTS	
Model/Part #	Description
31604	Leaf Mulching Kit
93-5973	10" Foam Filled Caster Tire Assembly
31609	MVP Maintenance Kit (oil/fuel)
31512	Back-up Alarm Kit
30706	North American Road Light Kit for GM5910
30509	Rotating Beacon Kit for GM5910



ROTARY BROOM M-B MODEL SHL***	
TYPE	Windrow type, front mounted hydraulic broom with dual motors. Electric/hydraulic angling, 30° left and right.
BROOM SIZE	32" (81 cm) diameter x 60" (153 cm) wide.
BRUSH	Sectional brush with combination polypropylene/wire radial segments.
OPTIONS	Dirt Deflector, Storage Stands.

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in design, required attachments and safety features. Consult your local Toro Distributor. Information regarding non-Toro (Allied Vendor) products is included in the Toro Golf and Grounds Equipment Guide as a convenience to Toro customers. Toro does not warrant, endorse or support any products purchased from Allied vendors. Additionally, Toro shall not be responsible for any personal injury or property damage, whether direct or consequential, caused by such Allied products. Toro does not certify fit up, compatibility or functionality of Allied products.

**Manufactured by Erskine.

***Manufactured by M-B Companies, Inc. The Toro Company does not manufacture or sell the snow thrower, rotary broom, nor does Toro guarantee these accessories in any manner whatsoever.













CONSENT AGENDA ITEM NO. 7E

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of Analysis of a Proposal and Approval of a Contract with Corrective Asphalt Materials, LLC in the amount of \$100,000 for FY 2017 Pavement Preservation.

RECOMMENDATION/MOTION: That the unit prices and contract with Corrective Asphalt Materials, LLC for the FY 2017 Pavement Preservation Program in the amount of \$100,000 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities; Goal 4. Strong neighborhoods; and Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a - Better quality roads and sidewalks; Objective 4d - Improved neighborhood infrastructure; Objective 5a - Well-planned City with necessary services and infrastructure.

BACKGROUND: Corrective Asphalt Materials, LLC is a Sole Source provider of Reclamite and C85. The Pavement Preservation program was bid in 2011. The sole bidder in 2011 was Corrective Asphalt Materials, LLC. Prior to widespread utilization of Reclamite, City staff researched pavement preservation products and performed field testing to compare Reclamite and a promising competitor. The field test locations are still monitored periodically by staff. This research and the test location results have been used to determine that Reclamite is the recommended rejuvenator. In addition, Reclamite cures clear and does not obstruct existing pavement markings. Other products cure black and require pavement marking maintenance.

At the January 28, 2013 meeting, Council directed the Public Works Department to negotiate the 2013 Pavement Preservation Program. As has been done since 2011, the City's FY 2017 Pavement Preservation program was negotiated with Corrective Asphalt Materials, LLC. The Reclamite Preservation Seal materials are proprietary and Corrective Asphalt Materials, LLC is the sole source distributor / applicator for our region.

Reclamite is an emulsion made up of specific petroleum oils and resins. It penetrates into the top layer of asphalt pavement and brings the Maltene and Asphaltene ratio back to a proper balance. The rejuvenating process keeps the pavement flexible, so both cracking and road fatigue are reduced. It also seals the pavement from air and water, slowing the oxidation process and reducing the loss of small aggregate.

This type of treatment is designed to keep the good streets good. To get the maximum benefit from the Reclamite, streets are treated with Reclamite within a year after they are resurfaced and then again approximately five years after resurfacing.

The FY 2017 negotiated prices are as follows –

Rejuvenator – Reclamite	\$ 64,203.30
C85 Preservative Treatment	\$ 22,299.90
Street Sweeping and Cleaning – Before Treatment	\$ 2,900.00
Street Sweeping and Cleaning – Final Cleaning	\$ 4,300.00
Resident Notification	\$ 1,600.00
Total	\$ 95,303.20

The recommended funding level for Pavement Preservation for FY 2017 is \$100,000.

The FY 2017 sidewalk, street and ramp program funding has been allocated as follows:

<u>Budgets</u>	
Street & Alley Resurface Program FY 2017	\$3,524,619.00
ADA Sidewalk Ramp Replacement Program FY2017	\$336,930.00
Sidewalk Repair Program FY 2017	\$463,070.00
Sidewalk Replacement 50-50 program FY 2017	\$100,000.00
Remaining portion of FY 2014 Bond Resurfacing	\$271,715.00
Total City Budgets	\$4,696,334

<u>Programs</u>		subtotals
Streets		\$3,796,334.00
- General resurfacing	\$2,395,990.71	
- Street and Alley Repair	\$1,300,343.29	
- Pavement Preservation	\$100,000.00	
Sidewalks		\$900,000
Total City Programs		\$4,696,334

Since the bid documents allow for the addition and removal of repair locations, a contract for the entire budgeted amount of \$100,000 will be awarded.

The timeframe for application of the treatment materials will be weather dependent with the C85 Preservative Treatment scheduled for application this fall and spring 2017.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Corrective Asphalt Materials, LLC.

FINANCIAL IMPACT: Funds are included in the FY 2017 Budget under the Capital Improvement-Street Construction & Improvement account (40100100-72530). Stakeholders can locate this in the FY 2017 Budget Book titled “Other Funds & Capital Improvement Program” on pages 87, 273, 300 and 320.

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, PE, Assistant City Engineer
Reviewed by: Jim Karch, PE CFM, Director of Public Works
Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Legal review by: Jeffrey R. Jurgens, Corporation Counsel
Recommended by:



David A. Hales
City Manager

Attachments:

- Contract with CAM Midwest LLC
- Sole Source Justification Form
- TRICOR Refining Sole Source Letter
- Pavement Preservation Reclamite Treatment Location Map
- Pavement Preservation C85 Treatment Location Map
- Asphalt Rejuvenators Fact Sheet
- Rejuvenator Seals Excerpt Fall 2008 Utah LTAP Magazine
- Travis County, TX Reclamite Information

Motion: That the unit prices and contract with Corrective Asphalt Materials, LLC for the FY 2017 Pavement Preservation Program in the amount of \$100,000 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

AGREEMENT

THIS AGREEMENT, Made and entered into this **10th day of October, 2016**, by and between **Corrective Asphalt Materials, LLC**, first party, also hereinafter referred to as "Contractor", and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did call for proposals for furnishing all labor and material for the construction of **FY 2017 Pavement Preservation** project for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on September 26, 2016, submit this proposal to said City of Bloomington for furnishing all of the labor and materials for the construction of said **FY 2017 Pavement Preservation** on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

THEREFORE, it is covenanted and agreed upon the part of said first party that in consideration of the amounts to be paid by said City, he will furnish all labor, tools, machinery and materials for the construction of said improvement complete, in accordance with the said plans, profiles and specifications, call for bids, and said contractor's bid, each herein set out and made a part hereof.

And it is also understood and agreed that the Proposal Package, Specifications, Special Provisions, Contractor's Proposal, Contract Bond and Project Addenda hereto attached, and the Plans for **FY 2017 Pavement Preservation** are all essential documents of this contract and are a part hereof.

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of **\$100,000.00** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

Said bond shall be conditioned to save and keep harmless said City from any and all claims, demands, loss, suits, costs, expenses and damages which may be brought, sustained or recovered against said City by reason of any negligence, default or failure of the said contractor in building, constructing or completing said improvement and its appurtenances, or any part thereof, and that said improvement when constructed shall be free from all defects and remain in good order and condition for one year from its completion and acceptance by the City of Bloomington, ordinary wear and tear, and damage resulting from accident or willful destruction excepted; which bond is attached hereto and made a part hereof.

IT IS FURTHER AGREED that said Contractor shall complete all work by April 15, 2017.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that whenever the said City may deem necessary, additional or new bond shall be furnished by said Contractor with such sureties as will be satisfactory to the said City Council, as a guarantee that said Contractor will faithfully perform the work in accordance with the terms of this agreement.

IT IS FURTHER AGREED that should said Contractor fail to complete the work within the time herein specified for doing the same, then he shall pay the expense of the City Inspector or Inspectors from the date specified for completion until said work is completed and shall pay to the City all other expenses created by reason of such failure to complete said work in the specified time or by reason of such time being extended.

This agreement shall not be assigned, nor any part of the work subcontracted without the written consent of the City of Bloomington endorsed hereon, and in no case shall such consent relieve the party of the first part from the obligations herein entered into by said party, or change the terms of this agreement.

IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that all ordinances now in force in the City of Bloomington respecting and regulating public improvement, not in conflict with the terms of this contract, shall be a part and parcel of this contract.

The number of inspectors to be placed on said work shall be determined by the City of Bloomington, but if at any time on account of a disregard of any of the provisions of this contract by the said first party, or on account of the failure

of said first party to faithfully perform the work in accordance with this contract, additional inspectors shall be deemed necessary by said City, the pay of such additional inspectors shall be charged to said Contractor and be deducted from the amount due said Contractor on final settlement under this contract.

The Contractor and all persons employed on the work shall obey the instruction of the City Engineer or the inspector on said work. Any person who shall refuse or neglect to so obey, or who shall be deemed incompetent by said City Engineer or said Inspector shall at once be removed from the work by the Contractor when so required by said Engineer or Inspector.

The City of Bloomington hereby covenants and agrees, in consideration of the faithful performance of the covenants and agreements in this contract specified to be kept and performed by first party, to pay party of the first part, when this contract shall be wholly carried out and completed upon the part of the said Contractor, and when said work shall have been finally accepted by said City of Bloomington, the amounts set forth in first party's bid in manner as herein and in said call for bids provided.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website at <http://labor.illinois.gov/>. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties.

IT IS FURTHER AGREED AND UNDERSTOOD that the work to be done pursuant to this contract shall be done under the direction and to the satisfaction of the City of Bloomington, and that, except as otherwise provided in the said ordinance or the judgment of the court, said City, except as by law provided, or any officer thereof, shall not be liable for any portion of the expense of said work, nor for any delinquency or persons or property assessed.

This contract and the bond herein provided, shall be signed in triplicate and be subject to the approval of the City of Bloomington.

IN TESTIMONY WHEREOF the said first party has hereunto set his hand and seal, and the City of Bloomington has caused this agreement to be signed by its Mayor, its corporate seal to be attached, and said signing and sealing to be attested by its City Clerk on the day and year first above written.

(Seal)

ATTEST;

City Clerk

CITY OF BLOOMINGTON

By: _____
City Manager

WITNESS:

CONTRACTOR (Seal)

LIMITED SOURCE JUSTIFICATION

(Requester completes Section A and B)

SECTION A - LIMITED SOURCE PURCHASE:

Complete if a purchase is \$3,000 or over and due to reasons of previous capital investment, improved public service, long-term operational need, security, patents, copyrights, critical need for responsiveness, proximity, Federal, State or other regulations, necessary replacement parts and/or compatibility, warranty, this procurement justifies a limited source exemption.

Vendor Name & #: - Corrective Asphalt Materials, LLC. Vendor #2157 Amount: \$ 100,000.00 Date: 9/25/2016

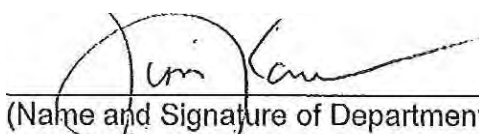
Description of item/service: Application of Reclamite Preservation Seal to City streets recently resurfaced and C85 to select locations. In addition, associated street cleaning will be performed by the contractor. The amount noted above reflects the FY 2017 funding budgeted and available for this work. The proposal package for this work is being finalized at this time. Upon finalization, the package will be provided to Corrective Asphalt Materials, LLC for proposal submission to the City.

Justification- Explain why this vendor is the only vendor that can perform this work:

Prior to widespread utilization of Reclamite & C85, City staff researched pavement preservation products and performed field testing to compare them to a promising competitor. The field test locations are still monitored periodically by staff. This research and the test location results have been used to determine that the product is the recommended rejuvenator. In addition, Reclamite cures clear and does not obstruct existing pavement markings. Other products cure black and require pavement marking maintenance.

Reclamite Preservation Seal materials are proprietary and Corrective Asphalt Materials, LLC is the sole source distributor / applicator for our region. Please see the attached sole distributor letter from Corrective Asphalt Materials, LLC.

SECTION B - REQUESTER CERTIFICATION: By submitting this request, I attest that the above justification/information is accurate and complete to the best of my knowledge and that I have no personal or business interests relative to this request.

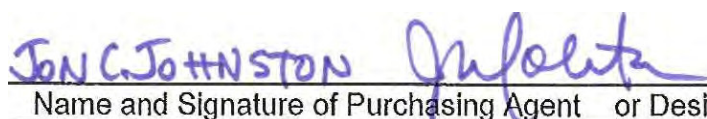

(Name and Signature of Department Head)

9/26/16

Date SECTION - TO BE COMPLETED BY PROCUREMENT OFFICE:

Based on the information provided in Section A and attached supporting documents, I concur ☒ I do not concur ☐ (see below) with purchase to be a Limited Source.

Do not concur for the following reason(s):


Name and Signature of Purchasing Agent or Designee

9/30/16
Date



1134 Manor St. • Oildale, CA 93308 / P.O. Box 5877 • Bakersfield, CA 93388
Phone 661.393.7110 – www.tricorrefining.com

September 26, 2016

City of Bloomington, IL
Attention: Ryan Otto, P.E.
Assistant City Engineer
Phone: (309)-434-2225

Dear Ryan,

RE: Sole Source Applicator for Reclamite Preservative Seal & C-85 2016

Corrective Asphalt Materials, LLC
P.O. BOX 87129
South Roxana, IL 62087

This letter confirms that TRICOR Refining, LLC has appointed Corrective Asphalt Materials, South Roxana, Illinois to market and apply Reclamite Preservative Seal and C-85 as the sole source supplier/applicator in the states of Illinois. Corrective Asphalt Materials has the necessary equipment and product familiarity to provide a successful application. Corrective Asphalt Materials has a very successful track record in the state of Illinois with applying the applications.

TRICOR Refining, LLC – Reclamite Preservative Seal is the only Maltene based asphalt rejuvenator marketed nationally with a 50 plus year history of product use. Reclamite has been proven in various testing by state, county and government agencies to decrease viscosity and increase penetration value of the asphalt.

Please feel free to contact me if you have any questions.

Yours truly,

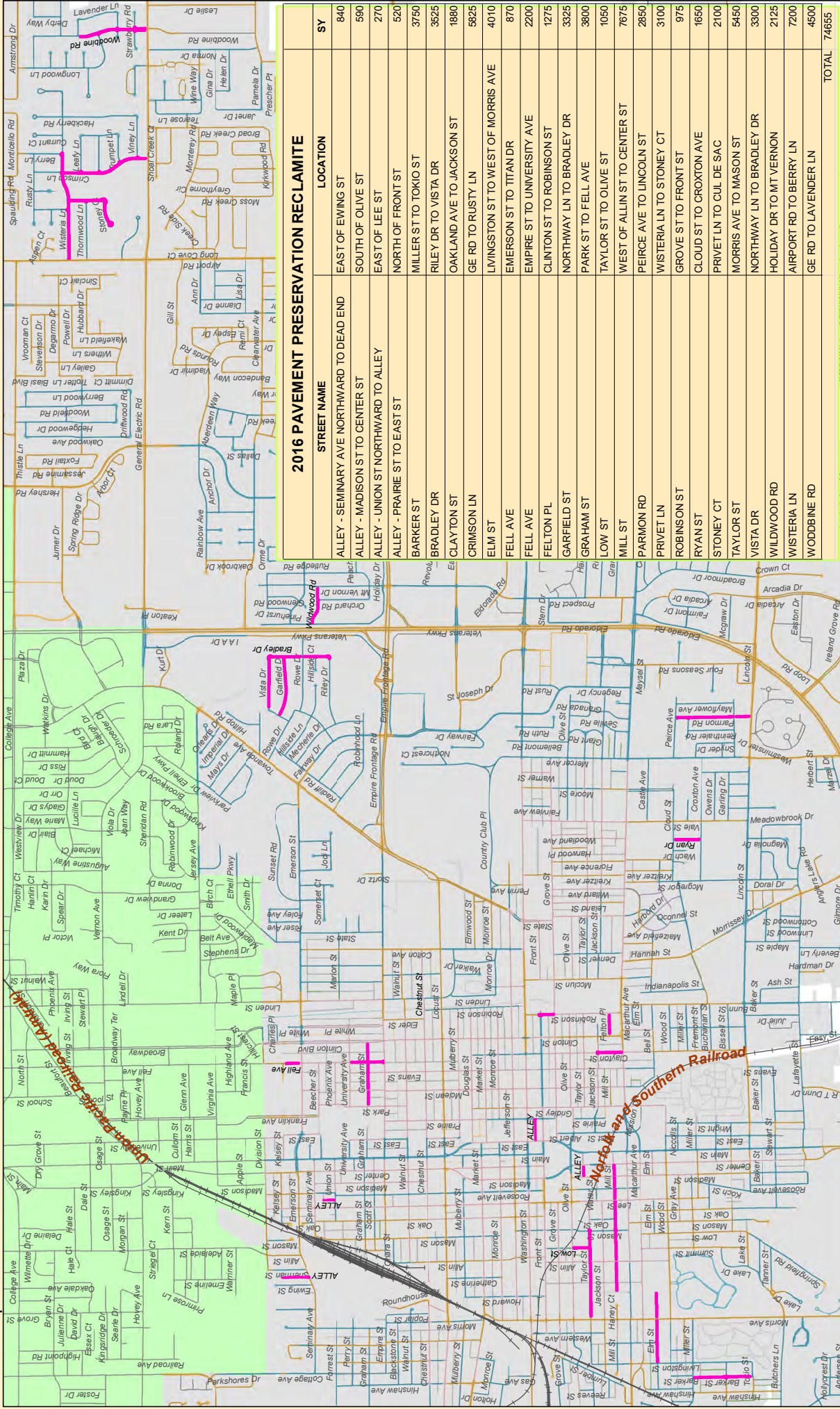
Jim Brownridge

Jim Brownridge
Marketing Manager
Tricor Refining, LLC
Cell: 661.337.9979

RECLAMITE TREATMENT



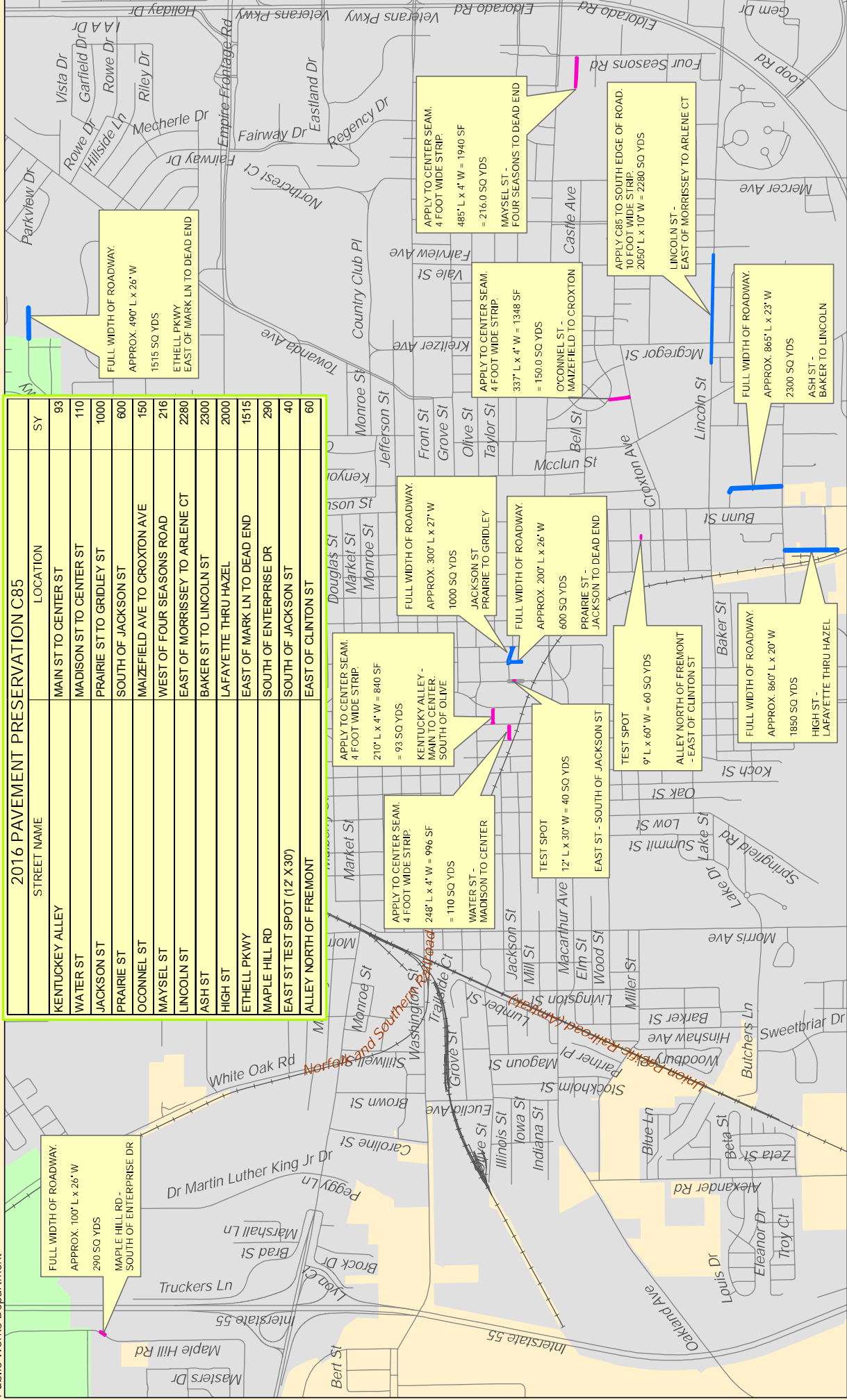
DATE 08/03/2016



2016 PAVEMENT PRESERVATION RECLAMITE			
STREET NAME	LOCATION	SY	
ALLEY - SEMINARY AVE NORTHWARD TO DEAD END	EAST OF EWING ST	840	
ALLEY - MADISON ST TO CENTER ST	SOUTH OF OLIVE ST	590	
ALLEY - UNION ST NORTHWARD TO ALLEY	EAST OF LEE ST	270	
ALLEY - PRAIRIE ST TO EAST ST	NORTH OF FRONT ST	520	
BARKER ST	MILLER ST TO TOKIO ST	3750	
BRADLEY DR	RILEY DR TO VISTA DR	3525	
CLAYTON ST	OAKLAND AVE TO JACKSON ST	1880	
CRIMSON LN	GE RD TO RUSTY LN	5825	
ELM ST	LIVINGSTON ST TO WEST OF MORRIS AVE	4010	
FELL AVE	EMERSON ST TO TITAN DR	870	
FELL AVE	EMPIRE ST TO UNIVERSITY AVE	2200	
FELTON PL	CLINTON ST TO ROBINSON ST	1275	
GARFIELD ST	NORTHWAY LN TO BRADLEY DR	3325	
GRAHAM ST	PARK ST TO FELL AVE	3800	
LOW ST	TAYLOR ST TO OLIVE ST	1050	
MILL ST	WEST OF ALLIN ST TO CENTER ST	7675	
PARMON RD	PERICE AVE TO LINCOLN ST	2850	
PRIVET LN	WISTERIA LN TO STONEY CT	3100	
ROBINSON ST	GROVE ST TO FRONT ST	975	
RYAN ST	CLOUD ST TO CROXTON AVE	1650	
STONEY CT	PRIVET LN TO CUL DE SAC	2100	
TAYLOR ST	MORRIS AVE TO MASON ST	5450	
VISTA DR	NORTHWAY LN TO BRADLEY DR	3300	
WILDWOOD RD	HOLIDAY DR TO MT VERNON	2125	
WISTERIA LN	AIRPORT RD TO BERRY LN	7200	
WOODBINE RD	GE RD TO LAVENDER LN	4500	
TOTAL		74855	



2016 PAVEMENT PRESERVATION C85		
STREET NAME	LOCATION	SY
KENTUCKY ALLEY	MAIN ST TO CENTER ST	93
WATER ST	MADISON ST TO CENTER ST	110
JACKSON ST	PRAIRIE ST TO GRIDLEY ST	1000
PRAIRIE ST	SOUTH OF JACKSON ST	600
OCONNEL ST	MAIZEFIELD AVE TO CROXTON AVE	150
MAYSEL ST	WEST OF FOUR SEASONS ROAD	216
LINCOLN ST	EAST OF MORRISSEY TO ARLENE CT	2280
ASH ST	BAKER ST TO LINCOLN ST	2300
HIGH ST	LAFAYETTE THRU HAZEL	2000
ETHELL PKWY	EAST OF MARK LN TO DEAD END	1515
MAPLE HILL RD	SOUTH OF ENTERPRISE DR	290
EAST ST TEST SPOT (12' X 30')	SOUTH OF JACKSON ST	40
ALLEY NORTH OF FREMONT	EAST OF CLINTON ST	60



Robert E. Boyer

Asphalt Rejuvenators “Fact, or Fable”

**Robert E. Boyer, Ph.D., P.E.
Senior District Engineer
Asphalt Institute**



ASPHALT INSTITUTE

**2639-B Lisenby Avenue
Panama City, FL 32405
PH: 850-763-3363
FAX: 850-763-253**

**Prepared for Presentation at the
Transportation Systems 2000 (TS2K) Workshop
San Antonio, Texas
February 28 – March 3, 2000**

Robert E. Boyer

ASPHALT REJUVENATORS – “Fact, or Fable”

By: Robert E. Boyer. Ph.D., P.E.

There are numerous methods being employed for asphalt pavement preservation, including rejuvenator emulsions, asphalt emulsion fog seals, a variety of surface treatments (including slurry and micro surfacing technologies), and emerging asphalt thin overlay technologies. These methods range in cost from approximately \$0.50 to \$2.50 per square yard. To make the most of maintenance budgets, many agencies have resorted to the use of asphalt rejuvenators as an alternative to revive aging and brittle asphalt pavements. With the proven performance of asphalt rejuvenators to revive an aging pavement, the pavement engineer has an economical method to extend pavement life. This type asphalt pavement treatment has the potential to extend the life of an asphalt pavement for several years beyond the point where rehabilitation, or major reconstruction would normally be required; thus significantly decreasing the pavements annual maintenance costs.

The objective of this discussion is to establish criteria necessary to ascertain the performance of a rejuvenator; i.e., the material parameters and a method of measuring its performance. Subsequently, the results of research programs and construction projects are reviewed. Lastly, recommendations are advanced concerning the use of rejuvenators.

CRITERIA FOR A REJUVENATOR

Asphalt binders cannot be represented by a single chemical formula. The American Society of Testing and Materials (ASTM) defines it as "a dark brown to black cementitious material in which the predominating constituents are bitumens which occur in nature or are obtained in petroleum processing."

Asphalt binders are, however, fractionated into two subdivisions, i.e., asphaltenes and maltenes as depicted in Figure 1. Asphaltenes (A) are defined as that fraction of the asphalt insoluble in n-pentane. The function of the asphaltenes is to serve as a bodying agent. Maltenes is the collective name for the remainder of the asphalt material left after precipitation of the asphaltenes. Four principle bodies of maltenes have been identified and each has a specific function. These four bodies are:

- Polar compounds or Nitrogen bases (N) - components of highly reactive resins, which act as a peptizer for the asphaltenes.
- First acidifins (A_1) - components of resinous hydrocarbons which function as a solvent for the peptized asphaltenes.
- Second acidifins (A_2) - components of slightly unsaturated hydrocarbons that also serve as a solvent for the peptized asphaltenes.

- Saturated hydrocarbons or paraffins (P) – components of hydrocarbons, which function as a jelling agent for the asphalt components.

The cementing agent in an asphalt pavement, the asphalt binder (normally 4-7% by weight) represents the component that experiences premature hardening as a result of oxidation. Asphalt pavements, which are structurally sound, deteriorate as a result of oxidation and occasionally as a result of incorrect design or improper construction practice. The first phenomena, that of oxidation, is prevalent in all asphalt pavements, and is the subject addressed in this discussion.

In tests conducted by Rostler and White (1), it was reported that the "A" and "P" asphalt components were the most stable; and the "N", "A₁", and "A₂" components were more subject to oxidation in descending order, respectively. Consequently, during oxidation the "N" components convert to "A" components rapidly while the conversion process for the "A₁" and "A₂" components proceed at a slower rate. This process results in an increase in the "A" fraction of asphalt with time, and decreases the "N", "A₁", and "A₂" components. It was also reported the "the maltenes parameter $(N+A_1)/(P+A_2)$, the ratio of chemically more active to less reactive components present in the asphalt binder, is a measure of predictable durability."

During the process of weathering or oxidation, the ratio of maltenes to asphaltenes is reduced with the result being a dry and brittle pavement. Therefore, if a rejuvenator is to successfully resurrect an aged facility, it must be able to penetrate the pavement and to a

limited depth improve or restore the maltenes to asphaltenes balance. A reasonable measure of the ability of a rejuvenator to improve a pavement's durability can be had:

- By comparing the penetration at 25°C (77°F) of the asphalt binder extracted from untreated and treated cores.
- By comparing the viscosity at 60°C (140°F) of the asphalt binder extracted from untreated and treated cores.
- By comparing the percentage loss of aggregate when untreated and treated samples are subjected to a pellet abrasion test.

The latter two methods were employed by Rostler and White (1) in laboratory tests performed on prototype asphalt rejuvenators. The use of asphalt viscosity and penetration values has been incorporated into the contract specifications for Federal and Public Works rejuvenation contracts.

In summary, the criteria for a rejuvenator must involve two phenomena:

- First, the product must contain maltenes fractions of asphalt in order to improve and balance the maltenes to asphaltenes ratio.
- Secondly, a test method must be employed to measure improved durability of a pavement; e.g., an asphalt penetration, viscosity, or abrasion loss test.

TEST PROGRAMS

Billions of square yards of asphalt pavements make up more than 93 percent of the U.S. pavement infrastructure, and there is a growing interest to employ rejuvenators as an economic pavement preservation technique. Documentation regarding asphalt pavement rejuvenator practice and performance is needed to support Agency Pavement Preservation Programs. Several research efforts have been conducted in an effort to document application of the asphalt rejuvenators. They include:

- A study sponsored by the Air Force Weapons Laboratory, dated May 1970, entitled "Rejuvenation of Asphalt Pavement" (1) which consisted of a laboratory investigation of five products. The method of investigation entailed preparation of sand/asphalt briquettes composed of graded Ottawa sand, Portland cement and asphalt of specified penetration values. Test briquettes were subjected to equal application rates of five rejuvenator products, aged until one-half of the volatile constituents of the rejuvenating agent was lost, and subsequently, subjected to various tests, including permeability, depth of penetration, viscosity, and pellet abrasion. The conclusion of this study revealed that Reclamite and Koppers Bituminous Pavement Rejuvenator (BPR) performed as asphalt rejuvenators in that the viscosity of the asphalt binder was improved and the loss of aggregate from the pellet abrasion test was substantially reduced by application of both products. This conclusion was based on comparisons with untreated control samples and the other products.

- Technical Report R690 (2), dated August 1970, sponsored by the Naval Facilities Engineering Command and conducted by the Naval Civil Engineering Laboratory at Port Hueneme, California, which consisted of a study of the claims of the proprietary product called Reclamite. The report approached the subject in a neutral manner and balanced the claims of the manufacturer against actual field use by several agencies, including several Federal users, the California State Division of Highways and several city and county governments. The conclusion was that the manufacturer's claims for the performance of Reclamite were essentially correct and no further investigations were required to determine the effectiveness of the product.
- Evaluation of Reclamite by the U.S. Navy as reported in their publication "Value Engineering," dated August 1973 (3). This report concerned the application of Reclamite on three roads at the Naval Weapons Center, China Lake, California. The project involved treating the three roads with Reclamite and retaining an untreated test section at each test site. At periodic intervals, judgements, photographs, and core samples for asphalt penetration measurements were taken to assess the effectiveness of the product. The test covered a period of almost two years. The conclusion of this evaluation revealed that field tests and laboratory reports "show conclusively that Reclamite does prolong the life of asphalt concrete pavements."
- A study, sponsored by the Air Force Civil Engineering Center and accomplished by the U.S. Army Corps of Engineers, Waterways Experiment Station, Vicksburg,

Mississippi, February 1976 (4), involved treating adjacent pavement areas at three Air Force bases with four proprietary rejuvenator products and an asphalt emulsion seal. The tests were conducted at a base in the dry, hot southwestern part of the United States, a base in the humid, hot southeastern part of the country, and a third base located in the cold north-central part of the country. The study covered a period of four years and reached the conclusion that Koppers BPR, Reclamite, and Petroset do rejuvenate the old asphalt binder while Gilsabind and SS-1 Asphalt Emulsion have a hardening effect. Other conclusions were reported, including an indication that the viscosity of treated asphalt is a better indicator of the rejuvenating effect of the materials tested than was the penetration test. There have been no comprehensive independent tests comparing the performance of asphalt rejuvenators since this study was completed (6). Since 1995, at least two rejuvenator products have been introduced into the market; however, the FAA continues to rely on the data presented in the Air Force study.

CASE EXPERIENCE

Asphalt rejuvenators have been used extensively by Federal, State, County and Municipal Agencies over the past 15 years, and predicated on past performance results, it is noted that there are clear-cut opinions regarding success of a rejuvenator product. Once a rejuvenator product has been used, a pavement engineer's opinion appears to be that the project was either totally successful, or completely ineffective. It is hypothesized that these diverse

attitudes stem from proper and improper application of a product, rather than the performance of a product itself.

As rejuvenators increase in popularity, proprietary specifications are being given widespread use. Initially, this situation did not create any major problems, as the manufacture of rejuvenators was regional with competitive products separated by the distance across the United States. Typical examples of projects accomplished under method type specifications were US395, North of Carson City, Nevada, which was treated with Reclamite at a rate of .12 gallons per square yard in 1965, and an airfield pavement at Wright-Patterson AFB, Ohio, treated with Koppers BP at a rate of .15 gallons per square yard in 1972. As use of the products increased and competition intensified, proprietary specifications were challenged. Specifications were then written to permit competitive products. A specified rate was included in the contractual documents. This practice is common in current specifications. However, the rejuvenator products perform differently among themselves in a given environment, and differently within themselves in changing environments. Therefore, a given application rate, in most projects, does not insure a desired end product. In a project at Kincheloe AFB, Michigan, in the summer of 1974, a performance specification was used. The specification called for a 30 percent increase in the penetration of the asphalt in the top 1/4 inch of the pavement 60 days subsequent to application. Cores were required prior to treatment and 60 days subsequent to application. The contractor used Reclamite and achieved an average increase in the asphalt penetration of approximately 120 percent.

Further restrictions are suggested to govern application rates to avoid unacceptable anti-skid, softness and/or performance characteristics. These were:

"The contractor shall be responsible for conducting preliminary testing to determine the proper application rate for the rejuvenator so as to achieve the required end results specified above. This shall be accomplished without causing the pavement to become unstable to 90 degree turns of an automobile at 5 MPH, or exhibit more than a 25 percent loss in measured friction resistance values at 12 hour periods subsequent to application of the rejuvenator," and

"Should the required increase in penetration value not be achieved, additional applications of the rejuvenator and mineral aggregate shall be made at application rates not to exceed 50 percent of the initial application rate. Retreatment and retesting shall be at the expense of the contractor. The Contracting Officer shall hold the contractor's performance bond in full force and effect until final test data indicates the work was completed in accordance with the specifications."

A contract was awarded in June 1976. The rejuvenator product Reclamite was used and the contract was accomplished and successfully completed with the above specification requirements in November 1976. This was the first documented case of using a rejuvenator emulsion performance specification on an asphalt pavement. Satisfactory performance guidelines or targets should be based on the capability of the material to decrease the viscosity and increase the penetration value of the asphalt binder. In the case of asphalt pavements less than 2 years old, the viscosity shall be reduced by a minimum of 20 percent and the penetration shall be increased by a minimum of 10 percent. For asphalt

pavements more than 2 years old, the viscosity shall be reduced by a minimum of 40 percent and the penetration value shall be increased by a minimum of 20 percent. Testing shall be performed on recovered asphalt binder from the pavement to a depth of three-eighths (3/8") inch. Standard ASTM Test methods to measure the viscosity @ 60°C (140°F) and penetration @ 25°C (77°F) on the recovered asphalt binder should be specified. Treated test cores will be extracted no sooner than 60 days following rejuvenation of pavement, or as approved by the Contracting Agency.

USING REJUVENATORS - GUIDE

All rejuvenators are applied in the same way--by spraying the chemical onto the pavement surface with an asphalt distributor. However, from this point the procedures vary because of the different products and because of the different end results desired. Discussion of the use of rejuvenators can be considered in three separate categories; new construction, maintenance, and re-construction.

Using a rejuvenator on new construction does not seem to be logical at first glance. However, it has been established that the greatest change in composition of an asphalt binder takes place during the manufacture of the hot mix asphalt (HMA). Applying a rejuvenator to a new surface a few weeks after it has been laid does several things to the pavement. Besides restoring the original asphalt properties that were lost in the HMA manufacture, the chemical assists in sealing the pavement as well as in improving the durability of the surface course.

Maintenance can be subdivided into preventive and corrective maintenance. Preventive maintenance should be applied to pavements at the first signs of aging of the surface course, pitting, raveling, shrinkage, and cracking. Some pavement experts maintain that preventive maintenance should begin before any of these described signs occur. However, to do this, there must be a certain amount of clairvoyance involved in determining the right time before these conditions show up. Starting a maintenance program too early can become a costly item. Nonetheless, applying the rejuvenator at periodic intervals can restore the asphaltene-maltene balance so essential to maintain a ductile, pliable pavement. This type of preventive maintenance is particularly applicable to pavements in the hot, dry southwestern section of the country.

Corrective maintenance involves reworking and salvaging existing road mixes. Using a rejuvenator in this type of maintenance can facilitate scarifying and mixing. It will aid in replasticizing old asphalt and improve its durability. This form of maintenance should be considered when the road mix surface appears weathered and crusted and cannot be restored by applying only a rejuvenator.

The third category of rejuvenator use is that of re-construction. This involves more than applying a rejuvenator emulsion onto the surface and rolling the treated pavement. Work in the category is undertaken when the pavement has outlived its life; when preventive maintenance has failed to stop the pavement deterioration; or when a HMA overlay is to be placed over the existing pavement. The overlayment may be due to a need for increased

structural strength, or it may be necessitated by failure of the old surface to respond to normal maintenance.

If the existing pavement possesses good structural qualities and the overlay is being placed to increase its strength, a rejuvenator can be applied to the old surface several days before the overlay is constructed. This application will cause the existing surface to soften, regain some of its original ductility, and will promote a good bond between the old and new surfaces.

Where the existing surface has progressed to a condition where cracking, pitting, and raveling has occurred, and it is feared that these structural deformations will reflect through the new pavement, different procedures are being advanced. Cracks as much as two inches deep in the airfield pavements at the civilian airport at Augusta, Georgia were repaired by a treatment with Koppers BPR and a lengthy follow-on program of constant rolling (5). Reclamite, on the other hand, has had excellent success with heater planing and heater mixing of old pavements. One of the most successful projects of this nature was completed at the El Paso International Airport. The heater-planer process involves heating the surface of the existing pavement with a traveling infrared heat source. Once the old asphalt is heated, it becomes very pliable for a short period of time. During this time of pliability, a sharp blade following the application of heat peels off the oxidized or deteriorated asphalt to the desired depth. The applicator truck follows immediately behind the heater-planer. Once the old asphalt is removed, the process is similar to that described previously, i.e., the rejuvenator helps to rejuvenate the old surface and promotes a good bond between the old

and new pavements. The heater-scarified method is very much like the heater-planer method. The difference is that instead of planing off the old surface, the pavement is scarified to the desired depth, usually less than an inch, then treated with the rejuvenator. The new asphalt, if an overlay is to follow, is laid directly over the treated and scarified material. The thickness of the overlay lift may be as small as three-fourths to one inch.

An advantage of the heater-planer or heater-scarified method is readily evident when one considers grades and drainage when several overlays are applied to city streets. By continuing to use the existing material, restoring and balancing the asphaltene-maltene ratio through rejuvenators, expensive hot mix is no longer needed and design drainage elevations between curbs can be maintained for longer periods.

RECOMMENDATIONS

- Rejuvenators should be applied before raveling and other serious deterioration begins. A final conclusion reached is that problems may be experience with of improper rates
- The Using Agency should adopt a performance type specification.
- Develop a periodic maintenance program using rejuvenators in three to five year cycles will extend the life of existing pavements.
- The secret to proper rejuvenation application procedures is CAUTION. It is better to apply two or more low-rate applications of the emulsion to achieve the proper rate of application than to make only on pass and have it be too heavy. The

project engineer must be wary of areas that might contain free oil, grease, petroleum, or asphalt when applying the chemical. The engineer must also take care not to apply the rejuvenator to a densely graded pavement or to a surface that has been treated in a manner that will prevent penetration by the rejuvenator.

CONCLUSIONS

An asphalt rejuvenator emulsion offers three beneficial reactions:

- Increases penetration values and lowers the viscosity of the asphalt binder in the top portion of the pavement, which extends the pavement's life cycle.
- Seals the pavement against intrusion of air and water, thereby slowing oxidation, preventing stripping and raveling and protects the pavement in-depth.
- Increases the durability of the asphalt binder in the top portion of the pavement by improving the balance of chemical fractions of the asphalt binder.

As in most engineering projects, the project specifications are as important as the project design. The specifications should require a given measure of results rather than payment for quantity of emulsion. The reason for using a rejuvenator is to improve or restore the viscous properties of the asphalt; therefore, requiring the rejuvenator to achieve a given measure of standard penetration or measure of viscosity will insure a more satisfactory result than simply specifying a given rate of application.

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Figure 1. Asphalt Binder Fractions, Asphaltenes and Maltenes.

ON THE MOVE

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Sharing Knowledge. Improving Communities.



A Useful Tool in the Pavement Preservation Toolbox— Rejuvenator Seals

by Doyt Y. Bolling, Director, Utah LTAP Center with excerpts
from the Pavement Preservation Journal by Jim Brownridge

With the current short supply of many of the asphalt pavement preservation materials, there still remains the tool of rejuvenating seals. While this tool has been around for many years, it is not always used to its maximum benefit.

Rejuvenating seals serve to extend the life of asphalt pavements and when used properly can be highly beneficial. Determining when and where to use them to achieve good results is the key. Applied when the asphalt pavement begins to show signs of oxidation, and even low severity cracking, such seals serve to add service life to the pavement. It is highly advisable to test the pavement before application to determine the proper application rate and avoid having a slick surface after application. Rejuvenating seals are often used as both routine maintenance and preventative maintenance treatment.

The following excerpt from the Pavement Preservation Journal by Jim Brownridge (in italics) documents benefits realized on sections of rural roads and moderately to



highly traveled residential roads in Austin, Texas, and surrounding counties:

In 2005, Travis County looked at the use of a maltene-based rejuvenator to address the deterioration and oxidation taking place in the their dense graded asphalt pavements. Such rejuvenators have been used in North America for more than forty years. This rejuvenation process [was used] with an eye to extending pavement life an additional five to eight years, and hopefully beyond with subsequent applications.

The county placed several full road width test sections of the rejuvenating agent. They saw excellent absorption and penetration into the

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binder. Testing done by APART, Inc. (Asphalt Pavement and Recycling Technologies, Inc., Shafter, Calif.) revealed that the rejuvenator was fluxing with the binder, and results showed a decrease in micro-viscosity of the binder in the range of 60 to 300 percent, along with a corresponding increase in penetration values. It became evident that the rejuvenator could work in Travis County. The use of a rejuvenator was of most interest as product cost was one-third to one-half the cost of the closest alternate, which would be a wearing course seal. Using such an alternative to treat the current condition of the dense graded asphalt pavement and the many miles of road inventory—would have deeply impacted the county budget. Chip or Type 1 and 2 Slurry Seals are typically placed on more severely distressed pavements in the county.

Starting in 2006, Ward and Travis Counties went forward with a program of rejuvenating 35 to 50 miles per year. The project was bid with a tight set of specifications. Any remedial hot pour rubber crack filling work was done 4-8 weeks ahead of the application. In 2008 the program was in its third year. Work is performed during June to August, when ambient temperatures are 65 to 85 deg F (18 to 30 deg C). The rejuvenating emulsion is applied at application rates of 0.07 to 0.08 gallons per square yard, diluted to 2 parts product to 1 part water (0.32 to 0.36 liters/sq. meter). A washed concrete sand is used as a blotter at a rate of 1 to 2 lbs. per sq. yard

(0.45 to 0.90 kg/sq. meter). The sand blots any rejuvenator that has not fully penetrated the surface. The rejuvenating emulsion breaks or cures in about 40 minutes. Typically one half of the road is done at a time to allow the material to break and not impede traffic. Traffic control is provided by the contractor. Door leaflets are used to advise residents several days ahead of the application. To-date there has been a 95 percent success rate in clearing the streets of vehicles prior to application. The subdivision streets are vacuum-swept 24 to 48 hours after application. Because the rejuvenator does not contain asphalt, coal tar base or gilsonite, which can be tracked into homes and businesses, there were little to no citizen complaints.

On Travis County pavements, the top 3/8ths inch of each core was removed for testing as prescribed by California Test Method 365 and

348 (CTM 365 & 348). Factual examples of core data testing indicate that in all locations of the treated roads the pavement will be more resistant to moisture infiltration and have less potential for the pavement to crack.

Travis County and Pavement Restoration, Inc. are showing other agencies their method of extending pavement life at a low cost.

Further information on Travis County's experience can be obtained from the Fall 2008 Pavement Preservation Journal No. 17, along with other useful information on pavement preservation.

In Utah, the City of Cottonwood Heights is currently placing rejuvenating seals on a number of their roads. This work will be monitored closely with respect to the benefits achieved.

GO GREEN...LTAP Customers Invited to Receive E-mail Notification of On-line Newsletter & MORE!!!

You are invited to ["GO GREEN" and](#) start receiving our quarterly newsletter electronically! To do so, simply send an e-mail to [utahltap@usu.edu] asking to be put on our electronic mailing list. You will be sent an e-mail notice (with a hot link) that the quarterly newsletter is available to download from our Web site in .pdf format. You'll get important information sooner than the print version, save a few trees and help us stretch the dollars we have to serve you!

Also available are notices of new materials in our lending library! They are a great way to spice up your next safety meeting, learn more about a new product or process, and for only the cost of mailing the material back to us when you are done! You can see a complete list of available materials for you to utilize on-line at our Web site: www.utahltap.org!



Rejuvenator Seal Extends Life of Austin, Travis County, Tex. Roads

By Jim Brownridge

Marketing Manager

Tricor Refining, LLC, Bakersfield, Calif.

Texas' dynamic capital of Austin is located within Travis County, and a great majority of the road network encompasses Austin.

This road system is a blend of moderate and highly traveled residential curb and gutter and lower volume rural areas. Texas uses a gradation numbering system consisting of Type A and B, which are coarse and fine base course mixes; Type C and D being coarse and fine hot mix; and Type F being a fine-graded, high asphalted hot mix used for thin overlays.

Travis County Director of Road Maintenance and Fleet Services Don Ward inherited the maintenance challenge of how to preserve 125 two-lane miles of F mix roadway. Originally F mix was used in residential curb and gutter subdivisions to provide a smooth, appealing surface. But it became evident within four to five years that this mix was prone to weathering and intrusion of moisture, while the high asphalt percent was causing premature oxidation and brittleness in the binder as the lighter oils oxidized from the binder. The county needed a solution to prolong the life of a considerable F mix inventory.

MALTENE-BASED REJUVENATOR STUDIED

In 2005, Travis County looked at the use of a maltene-based rejuvenator that has had over 40 years of use in North America.

Rob Wiggins, president of Pavement Restoration, Inc., Boerne,



Pavement Restoration, Inc., Boerne, Tex., applies Reclamite rejuvenator to pavement in Travis County, Tex.

Tex., reviewed the road inventory with Don Ward and along with Tricor, the manufacturer, provided factual data incorporating many years of experience of how a rejuvenator could extend the county's pavement life cycles.

About that time Travis County executives realized that they needed to be proactive regarding road maintenance. The county Commissioners Court approved this rejuvenation process with an eye to extending pavement life an additional five to eight

years, and hopefully beyond with subsequent applications.

The county placed several full road-width test sections of the rejuvenating agent. They saw excellent absorption and penetration into the binder. Testing done by APART, Inc. (Asphalt Pavement and Recycling Technologies, Inc., Shafter, Calif.) revealed to Travis County that the rejuvenator was fluxing with the binder, and results showed a decrease in microviscosity of the binder in the range of 60 to 300

percent, along with a corresponding increase in penetration values.

It became evident that the rejuvenator could work in Travis County. The use of a rejuvenator was of most interest as product cost was one-third to one-half the cost of the closest alternate, which would be a wear course seal. Using that alternative, the condition of the F mix—along with the many miles of inventory—would have deeply impacted the county budget (wear course seals being chip or Type 1 and 2 slurry are placed on more severely distressed pavements in the county).

PROGRAM COMMENCES

Starting in 2006, Ward and Travis County went forward with a program of rejuvenating 35 to 50 miles per year. The project was let to bid with a tight set of specifications, as the county knew what it wanted to achieve.

Any remedial hot pour rubber crackfilling work was to be done four to eight weeks ahead of the application. In 2008 the program was in its third year. Work is performed during June to August, when ambient temperatures are 65 to 85 deg F (18 to 30 deg C).

The rejuvenating emulsion is applied at application rates of 0.07 to 0.08 gallons per square yard, diluted 2 parts product to 1 part water (0.32 to 0.36 liters/sq. meter). A washed concrete sand is used as a blotter at a rate of 1 to 2 lbs. per sq. yard (0.45 to 0.90 kg/sq. meter). The sand blots any rejuvenator that has not fully penetrated the surface. The rejuvenating emulsion breaks or cures in about 40 minutes.

Typically two to three streets are done at the same time, half of the road per application. Traffic control is maintained by the contractor. Door knockers are used to advise residents

several days ahead of the application, and to-date there has been a 95 percent success rate in clearing the streets of vehicles prior to application.

The subdivision streets are vacuum-swept in 24 to 48 hours after application. A bonus is that because the rejuvenator does not contain asphalt, coal tar base or gilsonite, any tracking

is kept to a minimum with little or no residential complaints.

Factual examples of core data testing are shown in the accompanying table.

Travis County and Pavement Restoration, Inc. have led by example and are showing other Texas municipal agencies their method of extending pavement life at a low cost. 

Travis County, Texas
Top 3/8-inch of Core Samples

Sample Identification	Microviscosity, 25°C, MP		Equivalent Penetration
	0.05 sec ¹	0.001 sec ¹	
Barton Point Drive			
Before	16.0	17.3	24
After	13.0	14.1	27
Bent Bow Drive			
Before	89.0	128	11
After	46.0	78.5	15
Crystal Mountain			
Before	21.0	35.9	21
After	8.98	10.5	31
Green Emerald			
Before	298	355	6
After	16.5	22.6	24
Grimes Ranch Road			
Before	44.0	60.0	15
After	12.4	42.0	28
Kratzman Drive			
Before	28.0	54.0	19
After	9.60	13.2	32
Scul Creek Drive			
Before	37.5	50.0	17
After	9.89	14.3	32
Summer Court			
Before	97.5	106	10
After	55.5	76.0	14
Wavecrest Blvd			
Before	82.0	137	11
After	13.9	15.0	27
Westminister Glen			
Before	54.2	86.4	14
After	37.8	79.9	17
Winchester Road			
Before	118	164	10
After	14.3	19.9	26
Yarrow Court			
Before	68.0	85.2	12
After	19.0	22.0	23

On Travis County, Tex., pavements, the top three-eighths inch of each core was removed for testing. The asphalt was extracted and recovered as prescribed by California Test Method 365 (CTM 365). Viscosities were determined on the recovered asphalt binder using a sliding plate microviscometer (CTM 348). Penetrations were calculated from a nomograph.



CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving a Professional Services Contract with BLDD Architects, Inc. for Professional Architectural Services for Fire Station Alerting, (RFQ 2016-04).

RECOMMENDATION/MOTION: That the Professional Services Contract with BLDD Architects, Inc. for Professional Architectural Services for Fire Station Alerting in the amount of \$26,750.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2. Upgrade City Infrastructure & Facilities.

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

BACKGROUND: In 2012, Five Bugles Design completed a Feasibility and Programming Study of the Bloomington Fire Stations. The final report from this study was adopted as the Fire Department Facility Master Plan at the November 9, 2015 City Council. The full report is available at, <http://www.cityblm.org/Modules/ShowDocument.aspx?documentid=9108>. The study evaluated the Fire Station locations, facility conditions and space utilization. In addition the study also evaluated systems which improve the health and safety of the firemen. One of these is the Station Alerting and Communication system, which provides alerts to emergency responders. Currently, the station alerting systems are a loud audible tone followed by verbal information from dispatch regarding the emergency. Some of the equipment is outdated and communications can be difficult to comprehend. Confirmation of the emergency information is necessary and delays response to the incident.

The Five Bugles report recommends that anything which is being done manually and thereby taking time from an emergency response can be done electronically in less time and without conscience thought of responding firefighters whose minds are already on how they will handle the emergency event. The report also suggests that station alerting tones can be segregated by the communications center to a group of specific firefighters such as ambulance personnel, a single fire station, multiple alarm response, administration personnel, etc.

Fire alerting tones can also be programmed to make a variety of tones for different parts of the day, such as an accelerated audio alarm that starts from a subtle tone alert and increases in loudness as it is broadcast. Firefighters are awakened to a response in a way that reduces cardiac stress of going from a deep sleep to immediate action. Another recommendation was use of relay systems that shutoff gas appliances in the cooking areas, lock doors to the station and close apparatus bay doors. The report also suggests the use of television systems which display

emergency incident information, street closures and emergency medical conditions in their response area.

The proposal from BLDD includes evaluation of the existing alerting systems at the City's five operational fire stations, assessment of potential alerting improvements, final system improvement recommendations, project schedule and budget preparation and full evaluation documentation. This evaluation will enable City staff to review options and select the alerting system improvements that work best for the fire stations. A contract amendment to complete the design and prepare construction plans and specifications for the selected improvements will be necessary.

At the March 14, 2016 Meeting, Council adopted resolution 2016-10 (A Resolution Establishing the Firms in General Architectural, Engineering and Land Surveying that are Deemed to be the Most Qualified to Perform Services to the City for a Three-Year Period, with the Option for Requalification for Two Additional One-Year Periods). BLDD Architects, Inc. was listed as one of the most qualified firms for the Architectural category, which are key services of the project.

Based on BLDD Architects selection under RFQ 2016-04 and their previous architectural design services for the Cities Fire Stations, BLDD Architects was asked to submit a proposal for assistance with these improvements. For this specific project, as outlined above, BLDD Architects was deemed to be the most qualified and best fit for the work out of the pre-qualified architectural firms.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Qualifications was advertised in The Pantagraph on December 4, 2015. Interviews were held in the Public Works Conference Room on February 10, 12 & 17, 2016.

FINANCIAL IMPACT: Funding for this project is included in the FY 2017 Budget in the amount of \$300,000 under Capital Improvement-Capital Outlay Equipment Other than Office account (40100100-72140). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Program" on pages 87, 273, 298, 305 and 306.

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, Facilities Manager

Reviewed by: Brian M. Mohr, Fire Chief
Steve Rasmussen, Assistant City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- BLDD Architects, Inc. Proposal
- Professional Services Agreement with BLDD Architects, Inc.

Motion: That the Professional Services Contract with BLDD Architects, Inc. for Professional Architectural Services for Fire Station Alerting in the amount of \$26,750.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			



September 26, 2016

Russel C. Waller, P.E.
Facility Manager
City of Bloomington
115 E. Washington
P.O. Box 3157
Bloomington, IL 61702-3157

Re: City of Bloomington Fire Station Alerting System
BLDD Project Number 152CX03.400

Dear Mr. Waller,

Thank you very much for considering BLDD Architects for the alerting and communications systems for the City of Bloomington Fire Department. We are pleased to be working with you.

The purpose of this letter is to provide proposal for services to complete a study to determine the scope of the project, establish a budget, and confirm the type of alerting system desired by the City.

UNDERSTANDING OF THE PROJECT

As we understand the project, the City of Bloomington would like to replace the alerting and communication system in five (5) fire stations within the City. The project includes the review and selection of an appropriate system with the features that would best serve the Fire Department and a phased implementation of the system into the five fire stations.

The scope of study includes evaluation of equipment currently installed within the dispatch area of the City Police Department, evaluation of the alerting and communications devices at the five stations and specific equipment for the Headquarters station.

The existing system shall remain operational throughout the replacement process or alternate means acceptable to the owner shall be included.

All work shall meet NFPA 1221.

SERVICES INCLUDED

BLDD Architects will work in conjunction with Five Bugles and KJWW Engineering to complete the study.

- Five Bugles will provide input regarding system features and selection of system(s) and they will provide limited review of design documents. They will be available for up to two local meetings. Other meetings will be via conference call.
- KJWW Engineering will serve as electrical /communications engineer for the project and evaluate the impact of various alerting system criteria.
- BLDD Architects will coordinate the study, verify field conditions, and serve as the City's point of contact.

(844) 784-4440



201 E. Grove St., Suite 300
Bloomington, IL 61701

17 E. Taylor St.
Champaign, IL 61820

833 W. Jackson, Suite 100
Chicago, IL 60607

5183 Utica Ridge Rd.
Davenport, IA 52807

100 Merchant St.
Decatur, IL 62523



The design team will provide a completed study (digital format) that includes system recommendation, project budget, anticipated design and construction schedule, and documenting any other assumptions made.

PROJECT SCHEDULE

We understand that this project has been funded in the current fiscal year which ends in April 2017. We propose that the work be completed to the following schedule:

Week of October 10, 2016 - Contract approval
Week of October 24, 2016 - Kickoff meeting (BLDD & Five Bugles on site)
Week of November 28, 2016 - Recommendation review meeting.
December 15, 2015 - submit final report.

FEE PROPOSAL

We proposed to complete the work identified above for a fixed fee of \$26,750.

Fixed Fee for services shall be billed as indicated in schedule below:

1. Kick off meeting: \$6000
2. Initial recommendation / review meeting: \$14,000
3. Final Report: \$6750

Payments shall be made within 30 days of receipt of invoice.

The above fee includes anticipated expenses for travel and field investigation.

Please feel free to contact me if this proposal does not meet your expectations or if you have any questions regarding the scope of services.

Thank you again for your consideration and we look forward to working with you on this project.

Sincerely,
BLDD Architects, Inc.


Bruce L. Maxey
Principal

Cc: file

CITY OF BLOOMINGTON CONTRACT WITH
BLDD Architects, Inc.
FOR PROFESSIONAL SERVICES FOR
FIRE STATION ALERTING DESIGN

THIS AGREEMENT, dated this 10th day of October_____, 2016, is between the City of Bloomington (hereinafter "CITY") and BLDD Architects, Inc. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. Description of Services. CONTRACTOR shall provide the services/work identified on Exhibit A.

Section 3. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$_____ as set forth in the payment terms attached as Exhibit B.
- ☒ Fees as set forth in the Payment Terms attached as Exhibit B.

Section 4. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 5. Reuse of Documents. All documents including reports, drawings, specifications, and electronic media furnished by CONTRACTOR pursuant to this Contract are instruments of CONTRACTOR'S services. Nothing herein, however, shall limit the CITY'S right to use the documents for municipal purposes, including but not limited to the CITY'S right to use the documents in an unencumbered manner for purposes of remediation, remodeling and/or construction. CONTRACTOR further acknowledges any such documents may be subject to release under the Illinois Freedom of Information Act. See Exhibit B for additional terms.

Section 6. Standard of Care. Services performed by CONTRACTOR under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

Section 7. Indemnification. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, its officers, officials, ~~agents~~ and employees from and against liability arising out of CONTRACTOR'S negligent acts, errors, or omissions in performance of services under this Contract. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force.

Section 8. Insurance Requirements. CONTRACTOR shall maintain an errors and omissions policy in the amount of \$2,000,000.00 per claim / aggregate and shall further maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with general limits not less than \$2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy.

Section 9. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 10. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 11. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 12. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 13. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 14. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing its terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall be construed in a neutral manner.

Section 15. Attorney Fees. In the event that any action is filed by a party in relation to this contract and the party prevails in court and obtains a court order or judgment as a result of said litigation, the non-prevailing party in the action shall pay to the prevailing party, in addition to the sums that either party may be called on to pay, a reasonable sum for the prevailing party's attorneys' fees and court costs (including expert witness fees).

Section 16. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 17. Term. The term of this Contract shall be:

- ☒ Until all of the services and/or deliverables required to provided within this Contract are completed.
- ☐ From one (1) year from the date of execution.
- ☐ From two (2) years from the date of execution.
- ☐ Other: _____

The Contract shall also be subject to the following renewal terms, if any: _____

Notwithstanding anything herein, the provisions in Sections 7 and 12 shall survive termination.

Section 18. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

BLDD Architects, Inc.

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

EXHIBIT A SCOPE OF SERVICES / WORK PROVIDED

UNDERSTANDING OF THE PROJECT

As we understand the project, the City of Bloomington would like to replace the alerting and communication system in five (5) fire stations within the City. The project includes the review and selection of an appropriate system with the features that would best serve the Fire Department and a phased implementation of the system into the five fire stations.

The scope of study includes evaluation of equipment currently installed within the dispatch area of the City Police Department, evaluation of the alerting and communications devices at the five stations and specific equipment for the Headquarters station.

The existing system shall remain operational throughout the replacement process or alternate means acceptable to the owner shall be included.

All work shall meet NFPA 1221.

SERVICES INCLUDED

BLDD Architects will work in conjunction with Five Bugles and KJWW Engineering to complete the study.

- Five Bugles will provide input regarding system features and selection of system(s) and they will provide limited review of design documents. They will be available for up to two local meetings. Other meetings will be via conference call.
- KJWW Engineering will serve as electrical /communications engineer for the project and evaluate the impact of various alerting system criteria.
- BLDD Architects will coordinate the study, verify field conditions, and serve as the City's point of contact.

The design team will provide a completed study (digital format) that includes system recommendation, project budget, anticipated design and construction schedule, and documenting any other assumptions made.

It is assumed that the City has floor plans of the existing fire stations and that extensive on-site measuring of the buildings will not be necessary.

PROJECT SCHEDULE

We understand that this project has been funded in the current fiscal year which ends in April 2017. We propose that the work be completed to the following schedule:

Week of October 10, 2016 Contract approval

Week of October 24, 2016 Kickoff meeting (BLDD & Five Bugles on site)

Week of November 28, 2016 Recommendation review meeting.

December 15, 2015 - submit final report.

EXHIBIT B
PAYMENT TERMS

Fixed Fee for services: \$26,750 shall be billed as indicated in schedule below:

1. Kick off meeting: \$6000
2. Initial recommendation / review meeting: \$14,000
3. Final Report: \$6750

Payments shall be made within 30 days of receipt of invoice.

Add to Article 5: In the event the Owner uses the Instruments of Service for another project without retaining the author of the Instruments of Service, the Owner releases the Architect and Architect's consultant(s) from all claims and causes of action arising from such uses. The Owner, to the extent permitted by law, further agrees to indemnify and hold harmless the Architect and its consultants from all costs and expenses, including the cost of defense, related to claims and causes of action asserted by any third person or entity to the extent such costs and expenses arise from the Owner's use of the Instruments of Service for any other project.



BLDDA-3

OP ID: KA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/26/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Dansig, Inc P. O. Box 678 111 E. Decatur Decatur, IL 62525 Daniel D. Reynolds		CONTACT NAME: Kay Jacobs PHONE (A/C, No, Ext): 217-423-3311 E-MAIL ADDRESS: Kayj@Dansig.com FAX (A/C, No): 217-428-8767	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A : Cincinnati Insurance Company	
		INSURER B : The Hartford	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

INSURED BLDD Architects Inc 100 Merchant Street Decatur, IL 62523	NAIC # 10677 38288
---	---------------------------------

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☐ ☐ GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:	X		ECP0317047	06/01/2016	06/01/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 2,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS			EBA0317047	06/01/2016	06/01/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 0			ECP0317047	06/01/2016	06/01/2017	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
B	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	83WECBO8364	01/19/2016	01/19/2017	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The certificate holder is included as Additional Insured in regards to General Liability coverage subject to written agreement.

CERTIFICATE HOLDER**CANCELLATION**

City of Bloomington 109 East Olive Street Bloomington, IL 61702	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Daniel D. Reynolds

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/26/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Holmes Murphy and Associates - Peoria 311 S.W. Water Street Suite 211 Peoria, IL 61602-4108	1-800-527-9049	CONTACT NAME: Linda Bomarito PHONE (A/C, No, Ext): 309-282-3903 E-MAIL ADDRESS: lbomarito@holmesmurphy.com	FAX (A/C, No):
INSURED BLDD Architects, Inc. 100 Merchant St., Suite 200 Decatur, IL 62526-1217		INSURER(S) AFFORDING COVERAGE INSURER A: XL SPECIALTY INS CO INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 37885	

COVERAGES

CERTIFICATE NUMBER: 47945790

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:						EACH OCCURRENCE	\$
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$
							GENERAL AGGREGATE	\$
							PRODUCTS - COMP/OP AGG	\$
								\$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB ☐ EXCESS LIAB ☐ DED ☐ RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	☐ Y ☐ N	N/A				PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	Professional Liability (Claims Made)			DPR9803358	04/06/16	04/06/17	Each claim	3,000,000
							Aggregate	3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

City of Bloomington 109 East Olive Street Bloomington, IL 61702 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of review and approval of funding a shoreline stabilization installation at Comlara Park Campsite, Evergreen Lake through the City's Intergovernmental Agreement with McLean County, The Town of Normal, and the McLean County Soil and Water Conservation District.

RECOMMENDATION/MOTION: Council approves that the expenditure of \$113,125 be authorized for stabilizing 800 feet of shoreline on Evergreen Lake through the Watershed Conservation intergovernmental agreement and the Procurement Manager be authorized to issue a purchase order.

STRATEGIC PLAN LINK: Goal 1: Financially Sound City Providing Quality Basic Services, Goal 2: Upgrade City Infrastructure and Facilities, Goal 5: Great Place to Live-Livable

STRATEGIC PLAN SIGNIFICANCE: Objective 1e: Partnering with others for the most cost-effective service delivery; Objective 2: Quality Water for the Long Term; Objective 5a; Well-planned City with necessary services and infrastructure.

BACKGROUND: Staff respectfully requests that Council authorize the funding of a shoreline erosion control project at the Evergreen Lake reservoir. This cooperative effort would entail the funding of an \$113,125 project from the City of Bloomington Water Improvement Fund.

This project will utilize a proven mitigation effort (shoreline protection) that is part of the IEPA's strategy to reduce phosphorous in the City's drinking water reservoirs. Please see attached map showing previously completed shoreline stabilization projects. The project funds are budgeted for FY2017. The project will diminish the problems of sedimentation and nutrients that have been determined to impair water quality in the reservoirs.

The shoreline stabilization along a segment of the Comlara Park campsite is a continuation of many years of work on improving the quality of the City's drinking water reservoirs. Starting in 2003, the Illinois Environmental Protection Agency conducted a Source Water Assessment and a Total Maximum Daily Load ("TMDL") analysis of the Evergreen Lake reservoir. A TMDL is the greatest amount of a given contaminant that a reservoir can receive without violating water quality standards and designated uses.

The water quality in Evergreen Lake is impaired by phosphorous, which can stimulate the growth of algae within the reservoir eventually resulting in low dissolved oxygen levels and the proliferation of nuisance organisms. Phosphorous can come from many sources but one known source is completely natural in that phosphorous can be released into the reservoir from soil that has eroded from the shoreline. To minimize the phosphorous load into the reservoir, shoreline erosion must be reduced. Shoreline stabilization is specified as a mitigation technique in our

watershed management plans. In addition to lowering the amount of phosphorus entering the lake, the project will also reduce the sediment load to the reservoir. The watershed plan and TMDL report for Evergreen Lake can be found at: <http://mcleancountyswcd.com/lake-evergreen-plans/> and <http://www.epa.state.il.us/water/tmdl/report/evergreen/approved-report.pdf>. The watershed plan and TMDL report for Lake Bloomington can be found at: <http://mcleancountyswcd.com/lake-bloomington-plans/> and <http://www.epa.state.il.us/water/tmdl/report/bloomington/lake-bloomington.pdf>.

This proposed project is different from previous shoreline stabilization projects in several ways. The stabilizing rock in previous projects was placed along the shoreline from the top of the banks. This was possible because the banks were short enough and tree growth was relatively sparse, which allowed the equipment free access to place the rock at the toe of the eroding shoreline. Most of the remaining segments of shoreline in both reservoirs that still need stabilization are more difficult to access from the top of the bank.

The alternatives for stabilizing the steep and/or wooded stretches that were evaluated included excavation of a “bench” along the shoreline to allow the equipment access, applying the material from a barge and an pilot approach of constructing a narrow “roadway” of smaller rock along the shoreline to allow bigger machines to place the hundred plus pound boulders along the shore.

Excavating a bench was deemed undesirable, due to the need for removing mature native trees, the extra cost of excavation and the problem of dealing with the material that would be excavated to form the bench. Placement by barge requires an extensive staging area and is generally best suited for a large scale project to absorb the high mobilization/demobilization costs. The roadway method has been successfully used in riverbank stabilization, and should work in a reservoir. The cost for all the alternatives is higher than the projects at the more easily accessible sites. The roadway method allows for shorter stretches of shoreline to be stabilized than would be the case for using a barge to place the material.

Another difference from previous shoreline projects is that this proposed stabilization work will include the McLean County Highway Department and McLean County Park Department as partners with the City and the McLean County SWCD for access road and staging area preparation, rock acquisition and hauling through their intergovernmental agreement with the SWCD. The contractor is responsible for clearing the base of the shoreline, installing filter fabric, constructing the roadway and placing the large rock.

This project was competitively bid and will be administered by the McLean County Soil and Water Conservation Office utilizing the Water Conservationist that the City funds the majority of that position through our Intergovernmental Agreement with McLean County, the Town of Normal and the McLean County Soil and Water Conservation Office.

Staff therefore respectfully requests that the Council authorize the expenditure of \$113,125 for this project.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: McLean County Soil and Water Conservation District, McLean County Highway Department, McLean County Parks Department

FINANCIAL IMPACT: Funding in the amount of \$200,000 is included in the FY 2017 Budget under the Water Purification-Capital Outlay Other Capital Improvement account (50100130-72620). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Program on pages 125, 274, 346, 353 and 354.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION N/A

Respectfully submitted for Council consideration.

Prepared by: Richard Twait, Superintendent of Water Purification

Reviewed by: Robert D. Yehl, PE, Water Director
Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Previously Completed Shoreline Stabilization Projects
- Project Location Maps
- Existing Conditions Photos
- Evergreen Lake Shoreline Protection Plan for Campsite Area
- McLean County Soil and Water Conservation District Cost Summary
- Watershed Conservation Intergovernmental Agreement

Motion: Staff recommends that the expenditure of \$113,125 be authorized for stabilizing 800 feet of shoreline on Evergreen Lake through the Watershed Conservation intergovernmental agreement and the Procurement Manager be authorized to issue a purchase order.

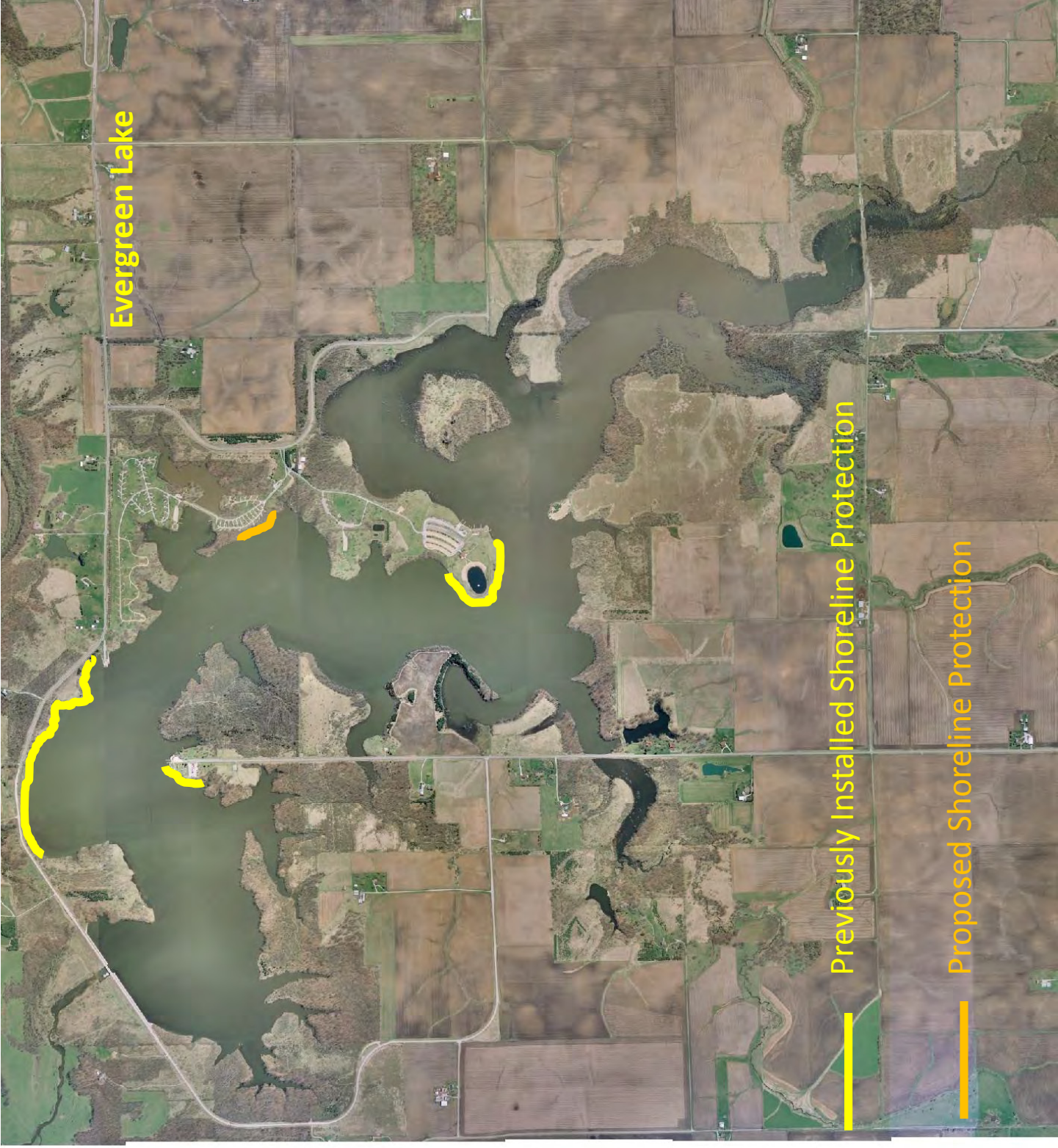
Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

Evergreen Lake

Previously Installed Shoreline Protection

Proposed Shoreline Protection





Lake Bloomington

Previously Installed
Shoreline Protection

McLean County Parks Department

Comlara Park: Lake Evergreen

McLean Co. Illinois

Shoreline Protection



McLean County Parks Department

Comlara Park: Lake Evergreen

McLean Co. Illinois

Shoreline Protection





MIDWEST STREAMS, INC

STREAM
TECHNICAL
RESOURCE
EVALUATION
AND
MANAGEMENT
SERVICE

Wayne Kinney, Stream Specialist
6324 Wilson Road
Oakdale, IL 62268
Phone 618-830-6318 (mobile)
Email: streamdoc1@gmail.com

Sept. 1, 2016

Rick Twait, Water Treatment Supervisor

25515 Waterside Way

Hudson, IL 61748

15 years
experience
in analysis
design and
construction
specialties in
stream bank
stabilization

over 500
completed
projects
in Illinois

low cost
solutions

fast service

innovative
designs

proven
results

RE: Evergreen Lake Shoreline Protection

Shoreline erosion on Evergreen Lake has been a long standing concern and this project will protect 800 ft. of severely eroding shoreline from continued shoreline erosion. The City of Bloomington completed an "Evergreen Lake erosion control Study" in Nov. 1997 concluding that the primary cause of shoreline instability was wind generated wave action. The study also concluded that 96.8 percent of the waves generated were 1.0 ft. tall or less.

In December 2007, Midwest Streams, Inc. completed a survey of the total shoreline erosion on the 17.37 miles of Lake Evergreen shoreline. The purpose of the study was to quantify the severity of the problem, identify priority treatment areas and recommend treatment solutions. The total volume of shoreline erosion over the period from 1995 to 2007 was estimated at 126,479 cu. yds.

On August 31, 2016 we visited this reach of shoreline adjacent to six (6) developed campsites that are being threatened by shoreline erosion and presenting a potential safety hazard to campers. The eroded bank in this area is nearly vertical and unvegetated, varying in height from 4 ft. to 15 ft. high and very unstable.

The method of treatment is to install Stone Toe Protection (STP) using RR-4 stone placed along the shore and having a crest elevation of 722 MSL which will be 2.0 ft. above normal pool elevation.

Placement of the STP will be made from within the lake bed to preserve the maximum amount of riparian vegetation. In order to allow construction from within the lake the first step is to construct a 12 ft. wide roadbed of 3" stone along the edge of the lake underlain by filter fabric. The roadway will have a surface elevation of 720 ft. MSL (normal pool elevation). After the roadway is constructed then RR-4 stone can be placed on top of the

roadway and along the lake side of the roadway to a thickness of 2 ft. as shown on the attached typical cross sectional view.

The roadway will be constructed by using an endloader to "end dump" the stone in front of the machine as the roadway is constructed in order that equipment will not need to be in contact with the water. The RR-4 will then be placed in a similar manner so that no equipment will be in contact with the water.

Additionally, equipment will be fueled and serviced well away from the lake at a location near the existing dumpster location approx. 175 ft. from the lake. Equipment will also be inspected daily to insure there are no fuel or hydraulic oil leaks on the machinery.

The proposed shoreline protection will have a total length of 800 ft. and will require the placement of approx. 665 tons of 3" limestone to from the roadway. The RR-4 stone required to "cap" the roadway will be approx. 730 tons.

A contingency and safety factor of 25% should be added to these figures as this is a prototype design and the amount of material loss that may be experienced operating equipment in the soft bottom material of the lake is an uncertain. Any excess material not used can be stockpiled for future projects and or repairs.

The total quantities to be purchased for this project are then:

3" Stone -----831 tons

RR-4 Riprap -----912 tons

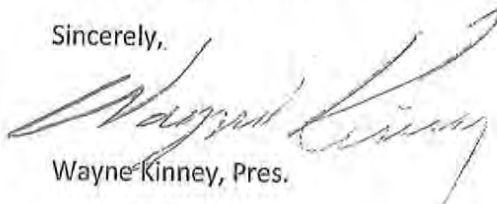
6 oz. non woven Filter Fabric -----15 ft. x 800 ft. = 1350 sq. yds.

In addition to these quantities an access road approx. 200 ft. long will be needed from the staging area to the lake. An estimated 175 tons of 3" stone will be required to complete this access road.

I have attached aerals of the site and the proposed "typical" cross sectional area of the proposed shoreline protection. Also attached for your signature is a completed application for the required 404 permit from the Corps of Engineers.

Call if you have questions.

Sincerely,



Wayne Kinney, Pres.

Midwest Streams, Inc,

McLean County Parks Department

Comlara Park: Lake Evergreen

McLean Co. Illinois

Shoreline Protection



McLean County Parks Department

Comlara Park: Lake Evergreen

McLean Co. Illinois

Shoreline Protection

This is a Google Earth satellite image of Lake Evergreen, located in Comlara Park, McLean County, Illinois. The map shows the lake's shoreline with a red line indicating a protection boundary. A blue line with arrows at both ends, labeled "800 ft.", spans the width of the lake. A yellow line marks the shoreline. The surrounding area includes a road labeled "Campground Ln" and a "creation area". The map includes standard Google Earth interface elements: a compass and scale bar in the top right, a "© 2016 Google" copyright notice, and a data bar at the bottom showing the imagery date as 4/10/2015 and coordinates as 40°38'40.33" N, 89°01'45.56" W, with an elevation of 753 ft and an eye altitude of 2006 ft.

Evergreen Lake

800 ft.

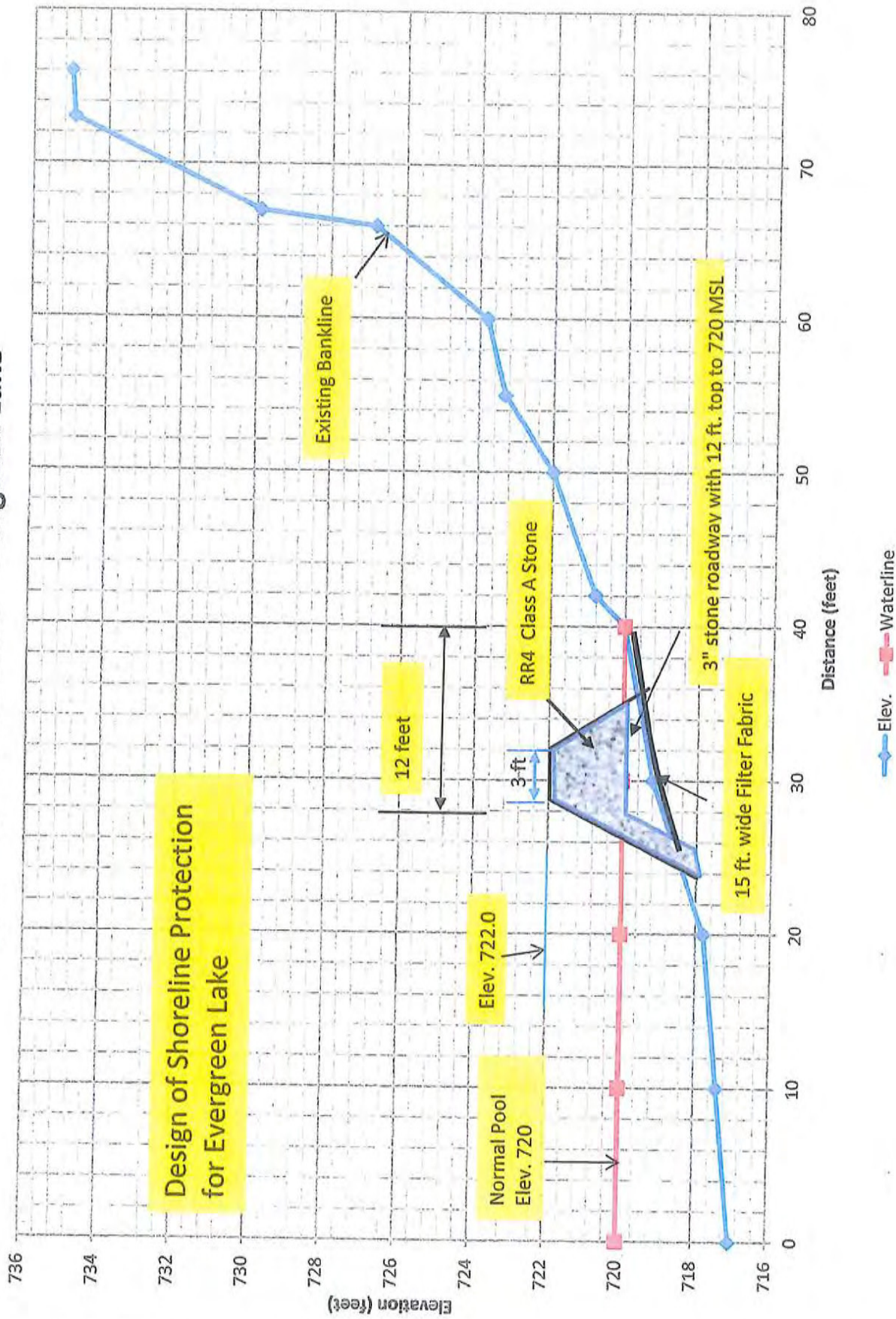
Campground Ln

creation area

© 2016 Google

Imagery Date: 4/10/2015 40°38'40.33" N 89°01'45.56" W elev 753 ft eye alt 2006 ft

Typical Shoreline Profile --Evergreen Lake



Quantity Calculation -- 3" Stone

Xsec	End Area sq. ft.
1	15
2	18.5
3	29.8
4	17.5
5	10.2
6	9.8
7	6.7
8	7.1
9	16.4
Total	131

Divided by 9 = 14.56 sq. ft. ave. end area

Distance between xsec approx. 100 ft. , but exact distances in field not possible

Total length measured at 800 ft. from aerial photos.

area to be 14.56 sq. ft. x 800 ft. = 11,648 cu. ft.

Divided by 27 cu. ft/ cu. yd. = 431.7 cu. yds,

Multiply by 1.4 tons/ cu. yds = 604 tons 3 " stone to construct 12" wide roadway to normal pool of 720 MSL

Add 10% for loss in soft lake bottom = 665 tons 3 " Stone

Add 25% for contingencies = **831 tons 3" stone**

Quantity Calculation RR-4 Stone

X sec	Depth at end
1	3.5
2	2.4
3	4
4	3.5
5	2.3
6	2.5
7	2
8	1.5
9	3
Total	24.7

Divided by 9 = 2.75 ave. depth (use 3.0)

3 ft. x 2 ft. thickness = 6 cu. ft./ft. x 800 ft. = 4800 cu. ft. below 720 MSL

Above 720 is windrow RR-4 with 3 ft. top to 722 MSL

End are of windrow is 10 sq. ft. x 800 ft. = 8000 cu. ft. above 720 MSL

Total RR-4 = 4800 cu. ft. + 8000 cu. ft. = 12,800 cu. ft.

Divided by 27 cu; ft. /cu. yd = 474 cu. yds RR-4

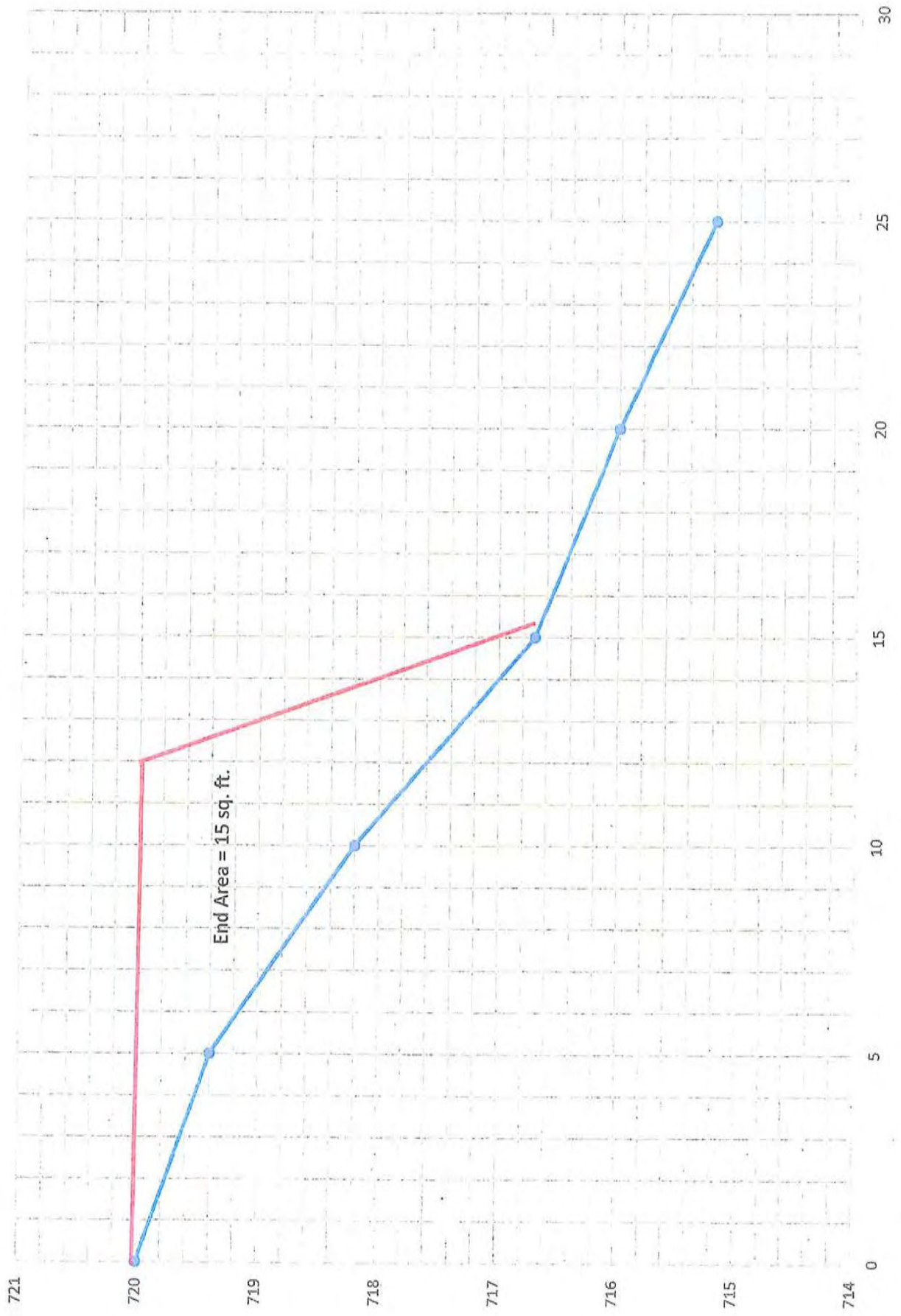
Multiply by 1.4 tons/cu. yd. = 664 tons RR-4 to cap roadway with 2 ft. thickness of RR-4

Add 10% for loss in soft lake bottom = 730 tons RR-4

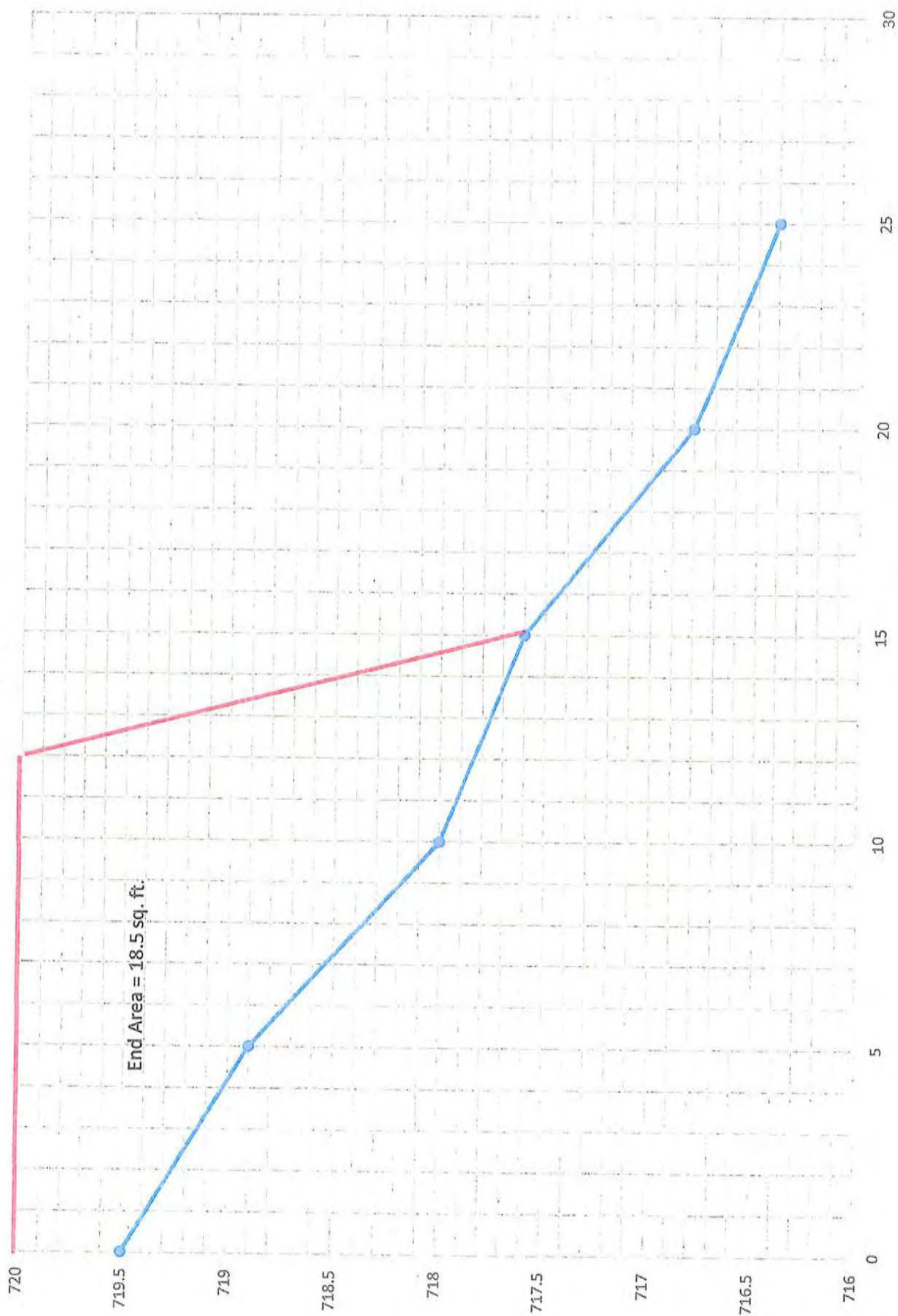
Add 25% for contingencies = **912 tons RR-4**

R

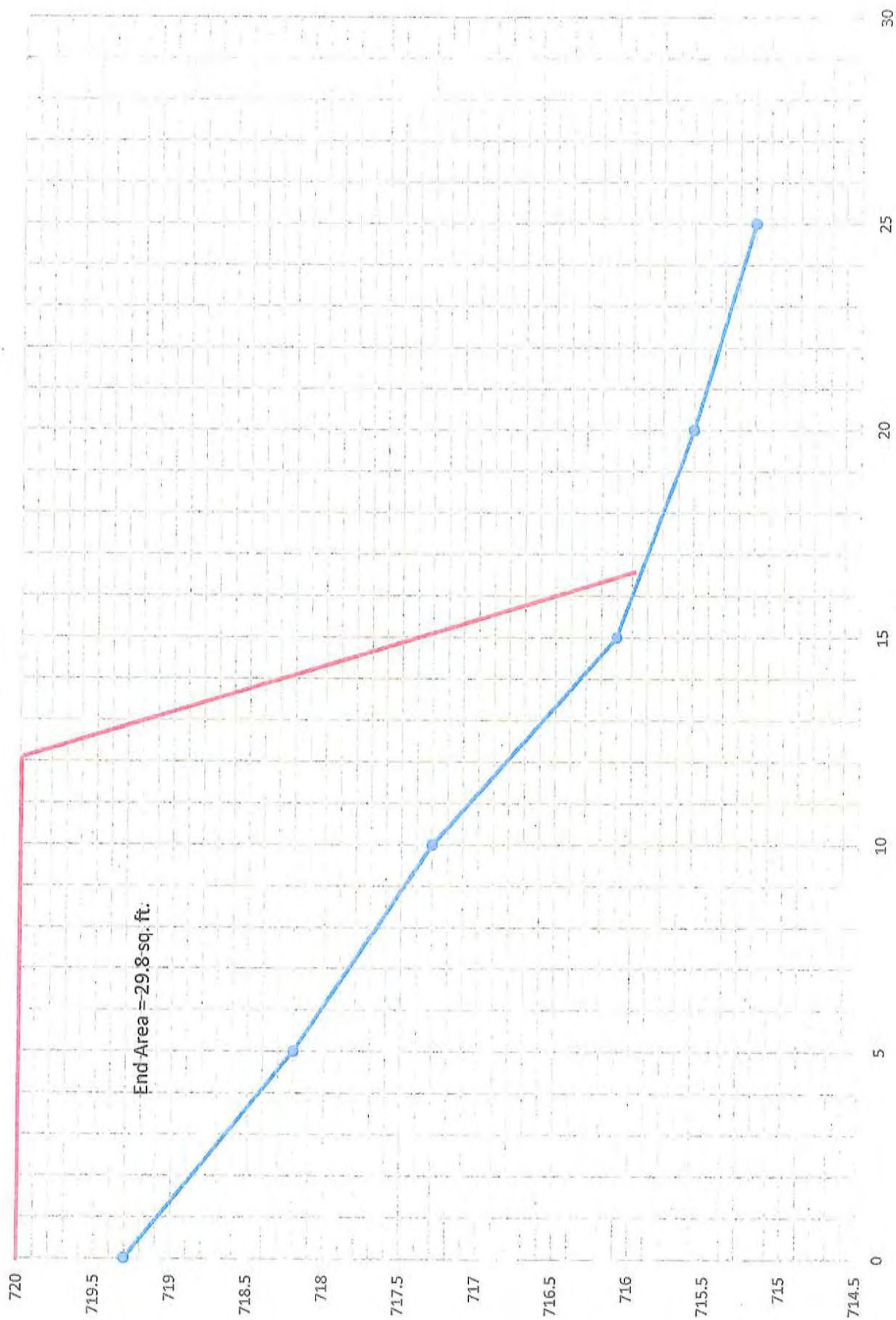
X-sec. 1



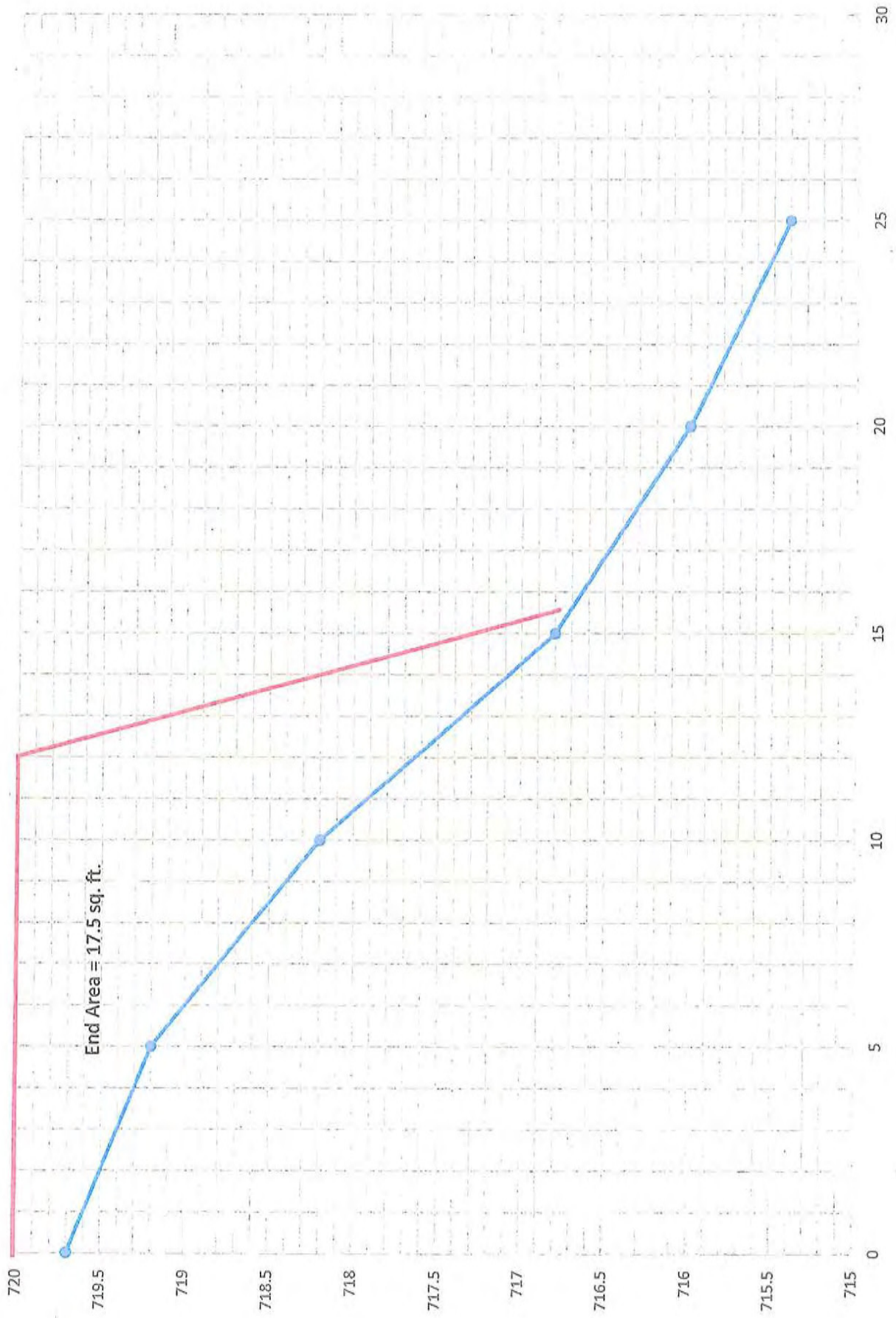
X-sec 2



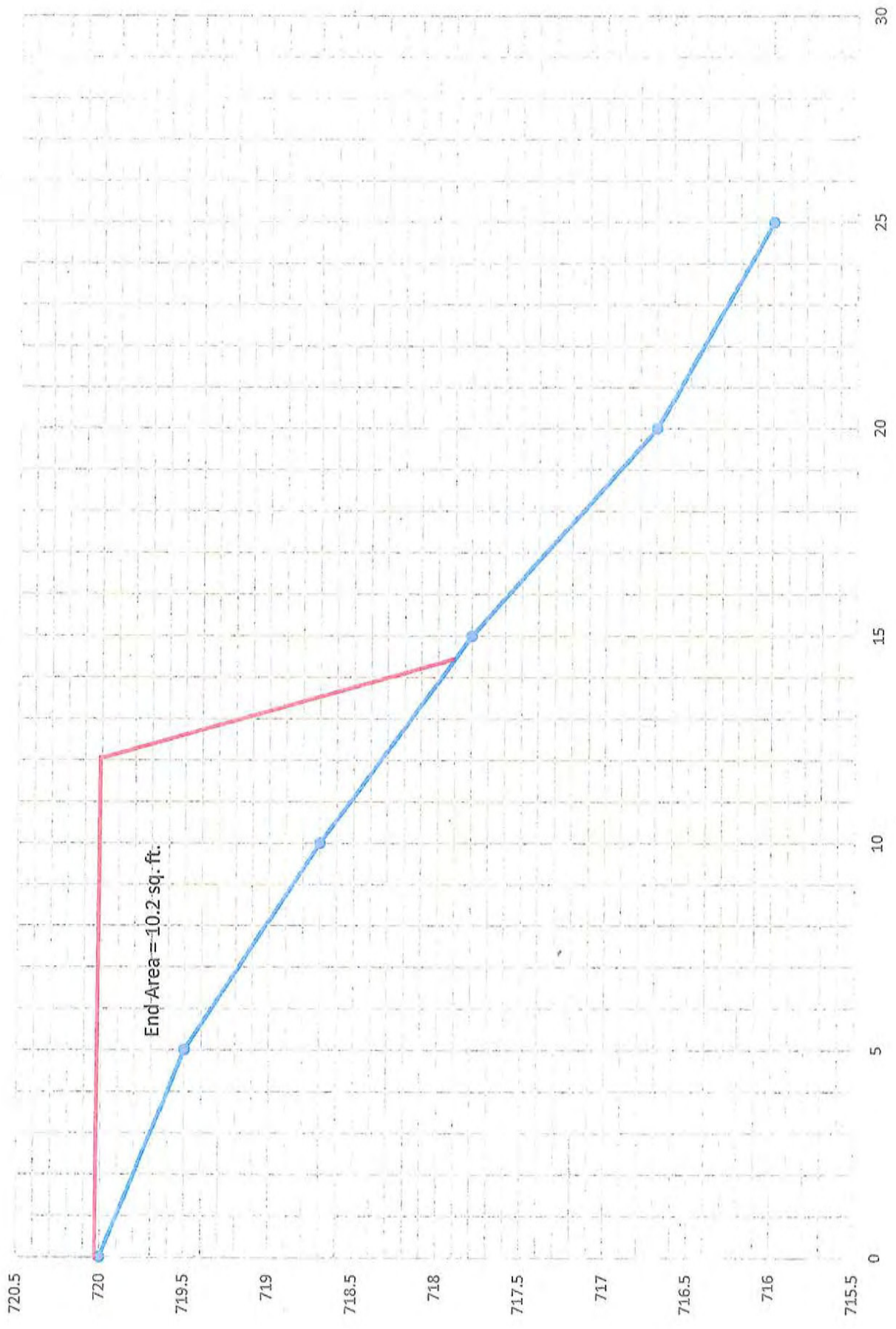
Xsec 3



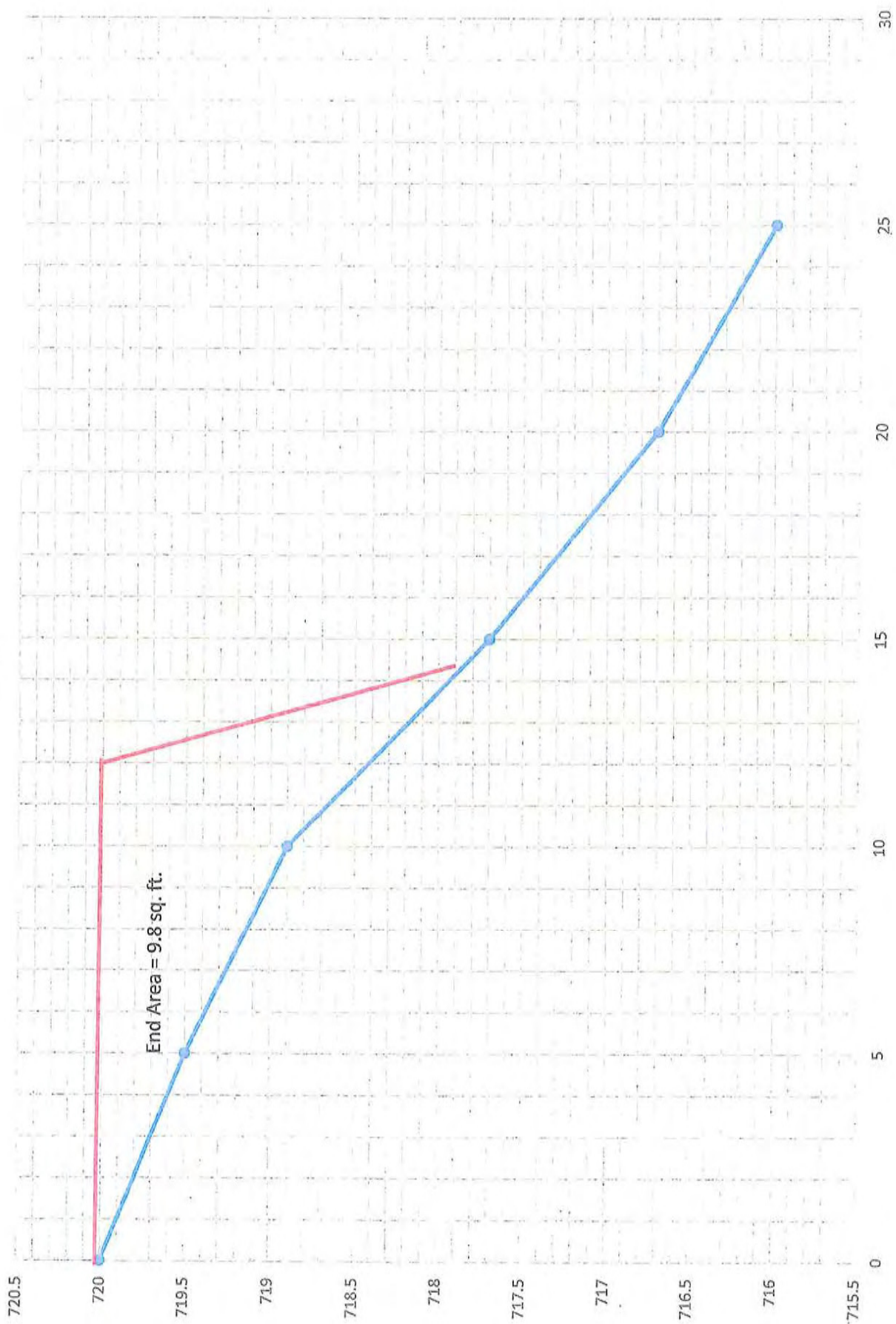
Xsec 4



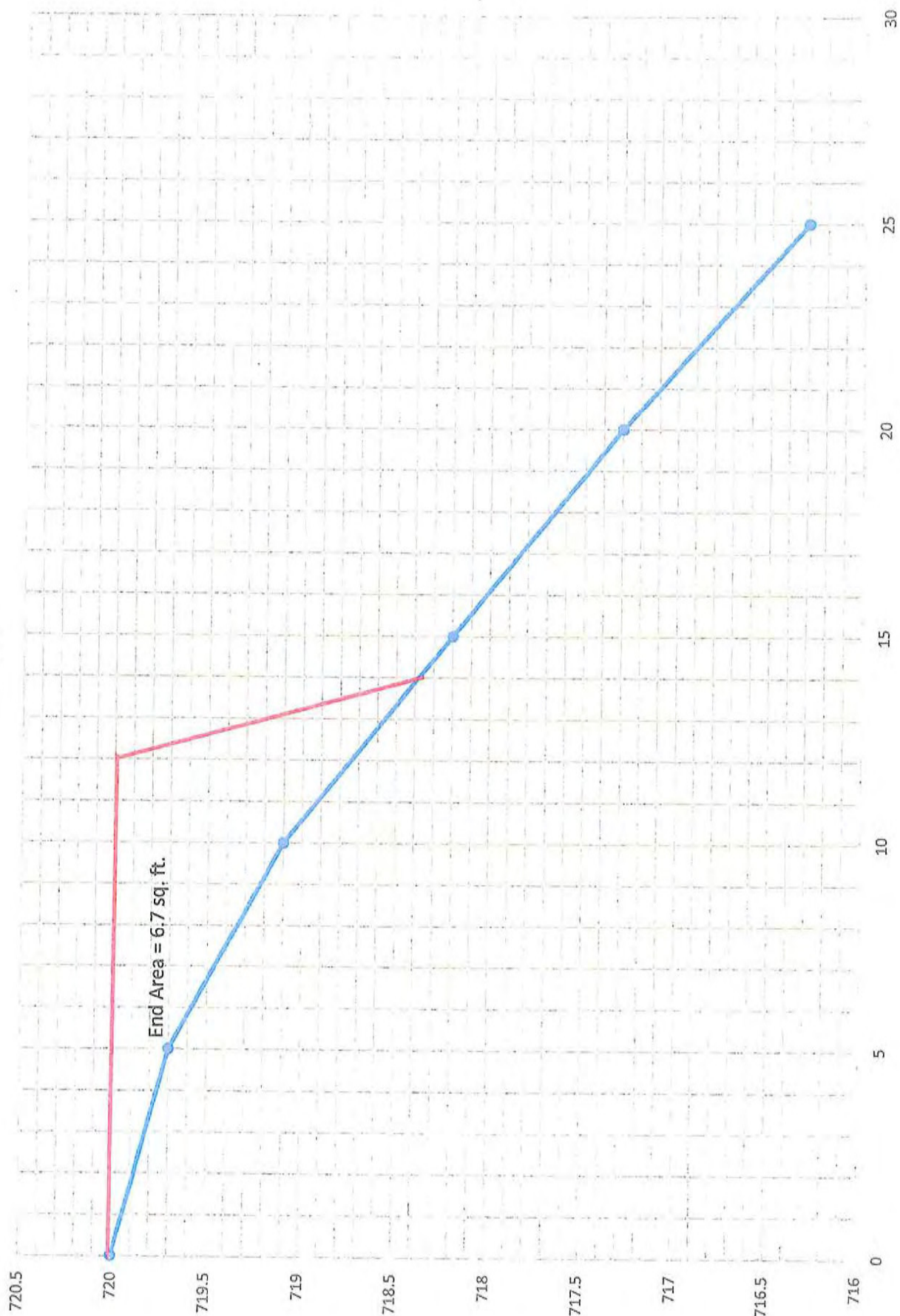
Xsec 5



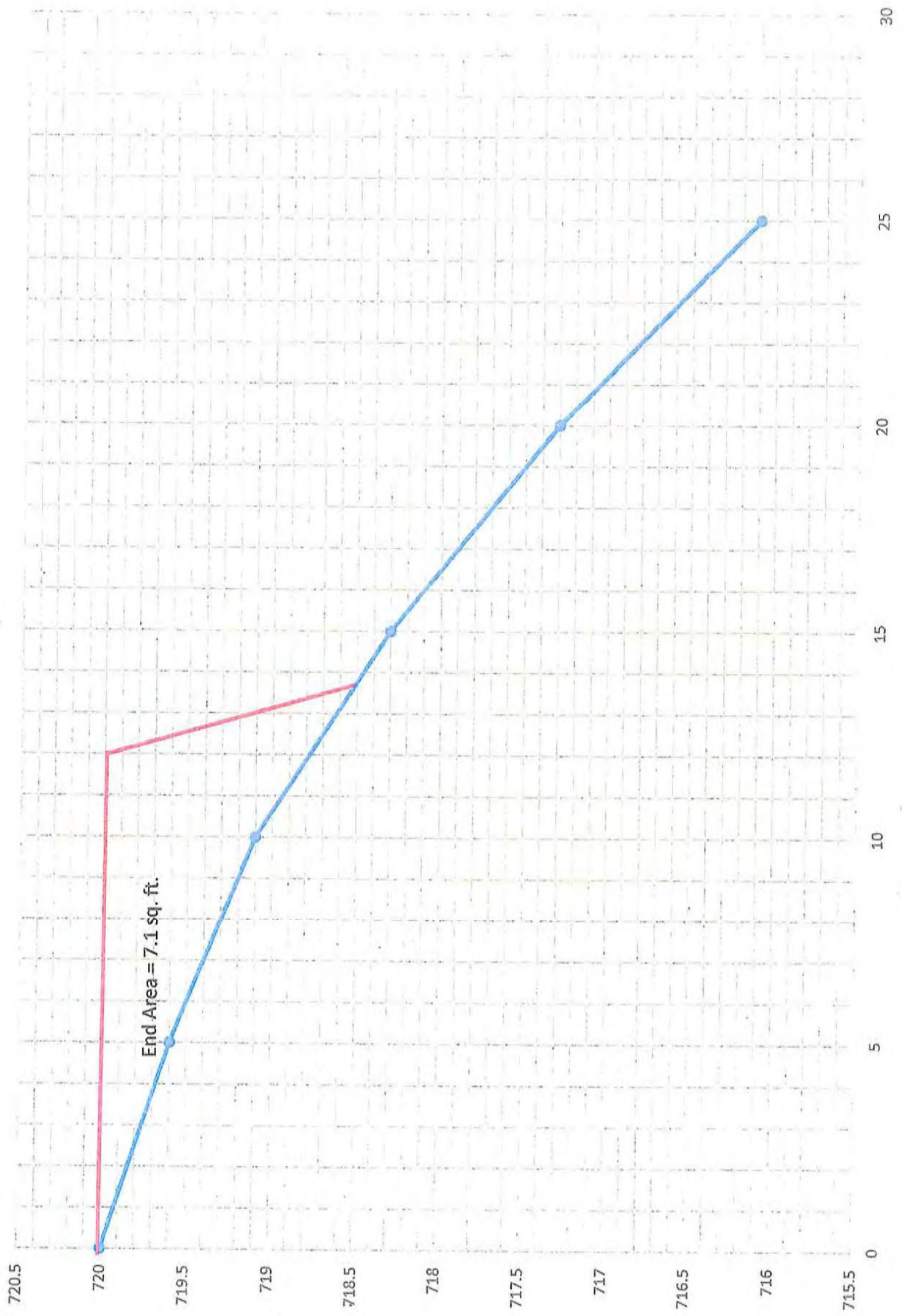
X sec 6



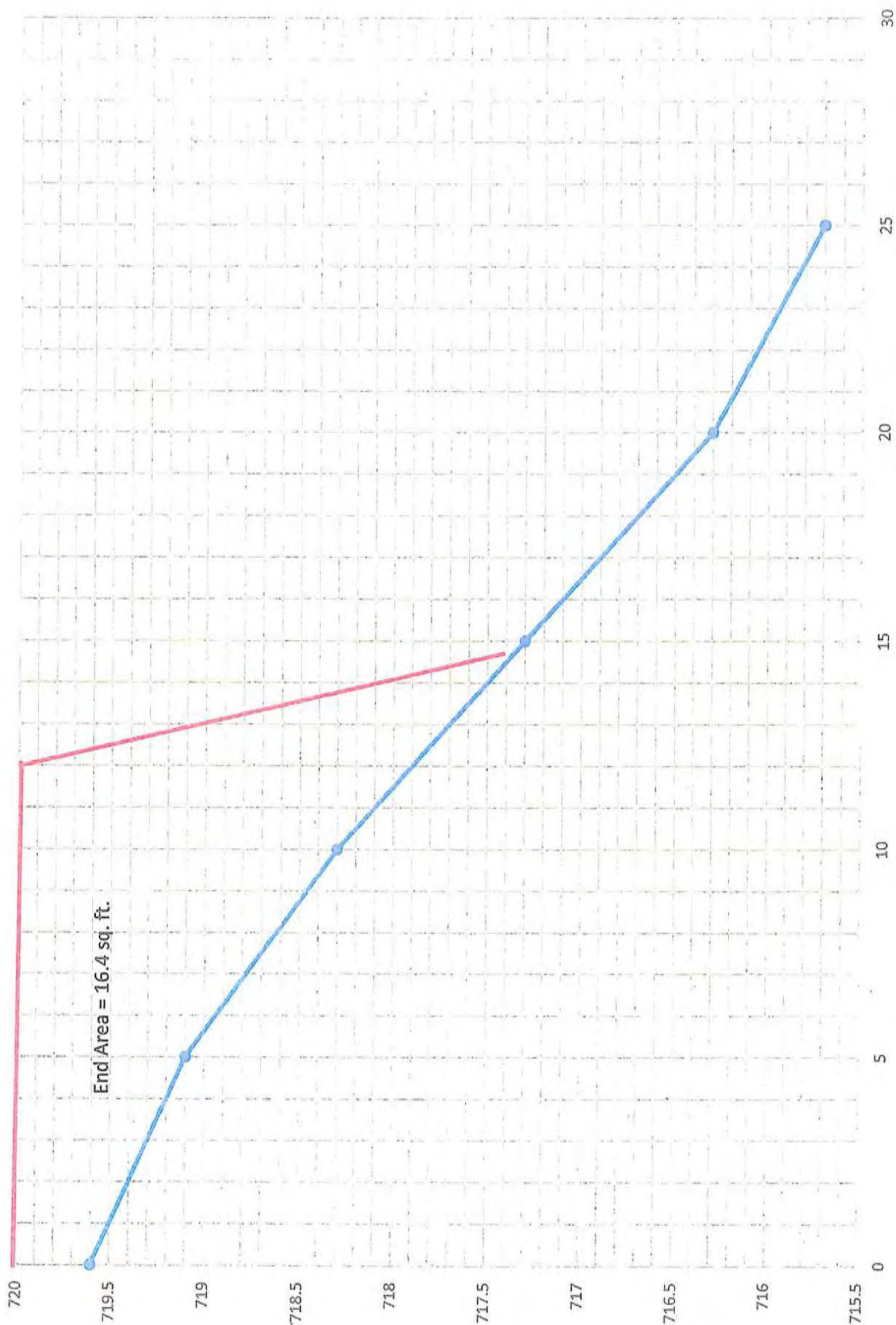
X sec 7



X sec 8



X sec 9





McLean County SWCD

402 N. Kays Drive Normal, IL 61761

Phone: 309-452-0830 ext. 3

Evergreen Lake Shoreline Campground Protection Project Cost
9/23/2016

Construction Supervision

(Site investigation, Survey, Staking, Designs,
Construction oversight, etc)

\$6930.00

Construction

Installation(private contractor)

Materials(McLean Co. SWCD & Highway Dept)

Site Prep(McLean Co. Parks & Highway Dept)

\$106,195.00

(\$37,800.00)

(\$58,117.00)

(\$10,278.00)

Overall Project Management by McLean Co. SWCD

Covered by the Intergovernmental Watershed Conservationist Agreement

\$0.00

Total Project Cost

\$113,125.00

INTERGOVERNMENTAL AGREEMENT 2015-2018

This Intergovernmental Agreement is entered into as of this 1st day of October 2015, by and between the City of Bloomington, Town of Normal and County of McLean (hereinafter referred to as the "City", "Town" and "County") and the McLean County Soil and Water Conservation district (hereinafter referred to as the "District").

A. Purpose of This Agreement:

The purpose of this agreement is to establish a framework for the continuing administration and implementation of the McLean County Watersheds Management Program, hereafter referred to as the "Program" prepared by the District, and include 1) maintenance and improvement of Lake Bloomington and Evergreen Lake water quality through implementation of the watershed management plans; 2) the performance of a watershed conservation education program for the City, Town and County; 3) assistance to the City, Town and County in obtaining grant funding for watershed management projects; and 4) facilitate the review, updates and modifications of the watershed plans.

B. Period of Agreement:

The period of this agreement commences October 1, 2015 and ends October 1, 2018.

C. Payment:

The City, Town and County shall pay the District the following amounts for services:

- a. The first year of the agreement (2015) payments of \$70,000 shall be made by the City, \$10,000 by the Town and \$10,000 by the County, by the first (1st) week of October, pending the receipt of invoices from the District by the 20th day of the preceding month.
- b. The second (2nd) year of the agreement (2016), payments of \$70,000 shall be made by the City, \$10,000 by the Town and \$10,000 by the County by the first (1st) week of October, pending the receipt of invoices from the District by the 20th day of the preceding month.
- c. The third (3rd) year of the agreement (2017), payments of \$70,000 shall be made by the City, \$10,000 by the Town and \$10,000 by the County by the first (1st) week of October, pending the receipt of invoices from the District by the 20th day of the preceding month.

D. Description of Services:

The District shall:

- Promote agricultural practices in the Lake Bloomington and Evergreen Lake watersheds via newsletters, news releases and social media.
- Work with producers in the Lake Bloomington and Evergreen Lake watersheds to continue nutrient management and conservation practices.
- Promote Best Management Practices (BMP) such as waterways, filter strips, nutrient management, conservation tillage, grade stabilization structures, stream bank stabilization, wetlands and cover crops, through available federal and state cost share programs to producers in the Lake Bloomington and Evergreen Lake watersheds.
- Act as a liaison between conservation groups and funding agencies such as, The Nature Conservancy, Association of Illinois Soil & Water Conservation Districts, Illinois Environmental Protection Agency, Natural Resource Conservation Service, U of I Extension, Illinois Department of Natural Resources, Ecology Action Center, Parklands and Friends of EverBloom.
- Provide quarterly status reports and an annual summary of the implementation of the Watershed Plans to Bloomington, Normal and the McLean County. The annual reports are submitted in October. Information is also regularly disseminated in the biannual SWCD newsletter and periodic watershed newsletters. The McLean County SWCD website contains this information, as well <http://mcleancountyswcd.com>.
- Prepare five year updates to the Evergreen Lake and Lake Bloomington Watershed Plans. The Watershed Oversight Committee is currently working on updates to the Evergreen Lake plan. Information gathering to update the urban section of Lake Bloomington's plan is underway with an IEPA section 319 grant.

E. Indemnification and Hold Harmless:

The District shall save and hold the City, Town and County, (including its officials, agents and employees) free and harmless from all liability, public or private penalties, contractual or otherwise, losses, damages, costs, attorney's fees, expenses, causes of action, claims and judgments, resulting from claimed injury, damage, loss or loss of use to for any person, including natural persons and any other legal entity or property of any kind (including, but not limited to choices in action) arising out of or in any way connected with the performance under this agreement, for any costs, expenses, judgments, and attorney's fee paid or incurred or paid for on behalf of the City, Town and/or County, and/or its agents and employees, by insurance provided by the aforementioned government bodies.

F. Additional Agreements:

This agreement may be modified by mutual consent of the parties hereto and agreed to in writing and does not preclude separate agreements between the District and individual units of government for additional services.

City of Bloomington, IL

Attest

Karen Schmidt, Mayor Pro Tem
Karen Schmidt, Mayor Date 7/14/15

T. Renee Gooderham
T. Renee Gooderham, Deputy Clerk

Town of Normal, IL

Attest

Chris Koos
Chris Koos, Mayor Date 8/3/15

Wendellyn Briggs
Wendellyn Briggs, Town Clerk

McLean County, IL

Attest

Mark Sorensen
Mark Sorensen County Board Chair

Kathy Michael
Kathy Michael, County Clerk

8-18-2015
Date

McLean County Soil and Water
Conservation District

Attest

Mike Kelly 8/27/15
Mike Kelly, Chairman Date

D. V. C. J. C.
Clerk/Secretary



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving an extension of Fuel Contract with Evergreen FS for Fleet Vehicles and Equipment.

RECOMMENDATION/MOTION: That the Fuel Purchasing Agreement with Evergreen FS be extended for one (1) year and the Purchasing Agent authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE: Objective 1a. Budget with adequate resources to support defined services and level of services

BACKGROUND: On October 14, 2014 a bid was released to supply Fuel for the City's vehicle and equipment needs. On November 10, 2014 the contract was awarded to Evergreen FS for one (1) year with four (4), one (1) year renewal options. The cost per gallon markup over terminal cost are as follows: Unleaded Gasoline with 10% ethanol, No. 1 diesel Fuel, No. 2 Diesel Fuel with up to 20% Bio added is \$.02 for transport loads and \$.18 for Tank Wagons. LP and Kerosene will be discounted 3% from retail at the time of purchase. These costs remain the same with each yearly renewal until October 31, 2019 when the contract will be rebid. Evergreen FS has met all of the current contract specifications.

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

The local tank farm insures the ability to deliver fuel from the tank farm to the City in the event of disaster. The City has used this service in winters during the big snow events when bulk fuel transports could not deliver fuel from out of town locations. Evergreen FS offers a fuel risk management program (hedging) that allows school and municipalities to pool their fuel purchases for volume discounts and guaranteed fuel costs. Evergreen FS provides fuel storage tank sampling and testing with storage tank maintenance recommendations at no charge to the City on an annual basis.

The timely approval of this Bid is important for the City to have the ability to purchase fuel on contract or hedging fuel costs starting November 2016, as there is historicity that at this time, fuel is at its lowest price.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Previously bid in October 2014.

FINANCIAL IMPACT: In FY 2016, the City Purchased 350,376 gallons of transport fuel, 71,222 gallons of tank wagon fuel, and 18,535 gallons from local retailer. The City purchased 440,133 total gallons of fuel at a cost of \$1,280,182.73. The current year budget for FY 2017 is \$1,175,000.00 in the Fleet – Fuel account (10016310-71070). The City's Fiscal Year 2018 Proposed Budget for fuel is \$997,379.90. Stakeholders can locate the FY 2017 in the Budget Book titled "Budget Overview & General Fund" on page 390.

Respectfully submitted for Council consideration.

Prepared by: Rob Krones, Superintendent of Fleet Maintenance

Reviewed by: Jim Karch, PE CFM, Director of Public Works

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

1. Council memo dated, 11/10/2014
2. Record of Motions and Votes of the 11/10/2014 Council Meeting
3. Purchase Order #20170067 for Fuel
4. Chart of Tank Sizes, Type and Locations
5. Fiscal Years Fuel Cost

Motion: That the Fuel Purchasing Agreement with Evergreen FS be extended for one (1) year and the Purchasing Agent authorized to issue a Purchase Order for same.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			

Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

**RECORD OF MOTIONS AND VOTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, November 10, 2014.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of silent prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

Aldermen: Judy Stearns, Kevin Lower, David Sage, Diana Hauman, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin, Mboka Mwilambwe and Mayor Tari Renner.

City Manager David Hales, Chief Deputy City Clerk Renee Gooderham, and Corporate Counsel Jeff Jurgens were also present.

Staff absent: City Clerk Tracey Covert.

The following was presented:

Item 7A. Council Proceedings of October 27, 2014.

Motion by Alderman Painter, seconded by Alderman Black that the reading of the minutes of the previous Council Proceedings of October 27, 2014, be dispensed with and the minutes approved as printed.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7B. Bills and Payroll.

Motion by Alderman Painter, seconded by Alderman Black that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7C. Appointments to the Bloomington-Normal Sister City Committee (Japan) and Board of Library Trustees.

Motion by Alderman Painter, seconded by Alderman Black Appointments be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7D. Analysis of Bids and Approval for Gasoline and Diesel Fuel.

Motion by Alderman Painter, seconded by Alderman Black that the Bid from Evergreen FS to purchase Fuel for one (1) year with the option of four (4) one year renewals be approved, and the Procurement Manager shall be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7E. Analysis of RFQ for Professional Engineering Services Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project.

Motion by Alderman Painter, seconded by Alderman Black that the Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project be approved, in the amount of \$170,881.79, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7F. Purchase of GovDelivery Software Licenses.

Motion by Alderman Painter, seconded by Alderman Black that the two (2) year agreement with GovDelivery, for a license and subscription of an Email and Digital Subscription Management environment, in the amount of \$24,000, be approved, the Mayor and City Clerk authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7G. Waive Formal the Bid Process and Authorize Payment to Stark Excavating, Inc., for installation of an additional fire hydrant and water main for replacement on State St.

Motion by Alderman Painter, seconded by Alderman Black that the Formal Bid Process be waived, payment to Stark Excavating, Inc., for installation of a fire hydrant and water main be approved, in the amount of \$28,543.42, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7H. Purchase One (1) Ford Transit Connect for the Engineering Division from Curry Motors of Frankfort IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139.

Motion by Alderman Painter, seconded by Alderman Black that the Purchase One (1) Ford Transit Connect from Curry Motors of Frankfort IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139 in the amount of \$22,195, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7I. Purchase Three (3) Ford Transit Connects for the Water Department from Curry Motors of Frankfort IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139.

Motion by Alderman Painter, seconded by Alderman Black that the Purchase One (1) Ford Transit Connect from Curry Motors of Frankfort IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139 in the amount of \$66,585, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7J. Analysis of Bids for the Police Department Uniform and Equipment Purchase (Bid #2015-18).

Motion by Alderman Painter, seconded by Alderman Black that the bid be awarded to Sam Harris Uniforms to provide Police Officer uniforms on an “as needed” basis, for the amount not to exceed the annual police uniform budget, with the terms of said bid being until April 30, 2015, with the option for five (5) one-(1) year renewals, and the Procurement Manager be authorized to issue a blanket Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7K. Professional Engineering Services Agreement with Lewis, Yockey & Brown, Inc. for the Ft. Jesse Rd. Reconstruction project.

Motion by Alderman Painter, seconded by Alderman Black that the Agreement with Lewis, Yockey & Brown, Inc. for the Ft. Jesse Rd. Reconstruction project be approved, in the amount of \$125,000.00, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7L. Application of Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week.

Motion by Alderman Painter, seconded by Alderman Black that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7M. Application of Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week.

Motion by Alderman Painter, seconded by Alderman Black that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7O. Amended Prevailing Wage Resolution for Apprenticeship Requirements for Public Contracts in Excess of \$100,000.

Motion by Alderman Painter, seconded by Alderman Black that the Amended Resolution Ascertaining the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works be adopted to include language requiring apprenticeship participation requirements for public contracts in excess of \$100,000.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7P. Text Amendment to Chapter 29, Section 194B Clarifying When Vehicles May Be Impounded by the Police.

Motion by Alderman Painter, seconded by Alderman Black that the Text Amendment be approved and the Ordinance passed.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7Q. Petition from Fox Creek Village, LLC Requesting Approval of a Final Plat for Fox Creek Village, 4th Addition, Located South of Fox Creek Road and West of Union Pacific railroad.

Motion by Alderman Painter, seconded by Alderman Black that the Final Plat be approved and the Ordinance passed.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8A. Application of BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S Main St., requesting a PAS liquor license which would allow the sale of all types of packaged for consumption off the premises seven (7) days a week.

Motion by Alderman Lower, seconded by Alderman Schmidt that a PAS liquor license for BNN Enterprises LLC, d/b/a BNN Enterprises LLC, located at 1414 S Main St., be denied.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8A. 2015 Employee Health Benefits Program Renewal.

The following was presented:

Item 8 B. Purchase of Lots 47 and 48 of Empire Business Park Preliminary Plat utilizing a \$750,000 state legislative grant from Senator Bill Brady and to enter into an Agreements with Central Catholic High School.

Motion by Alderman Fruin, seconded by Alderman Black that the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved, adopted and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: Alderman Schmidt, Lower, Mwilambwe and Stearns.

Motion carried.

The following was presented:

Item 8C. Text Amendment to Chapter 1. Adoption of Administrative Adjudication System.

Motion by Alderman Stearns, seconded by Alderman Fruin that the Text Amendment to Chapter 1 of the City Code Relating to Ordinance Enforcement through Administrative Adjudication be postponed for a public hearing to be held on December 8, 2014.

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

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

Nays: None.

Motion carried.

Motion by Alderman Black, seconded by Alderman Hauman, that the meeting be adjourned. Time: 9:17 p.m.

Motion carried.

**Renee Gooderham
Chief Deputy City Clerk**



FOR COUNCIL: November 24, 2014

SUBJECT: Council Proceedings of November 10, 2014 and Special Meeting Minutes of November 5, 2014

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of November 10, 2014 and the Special Meeting Minutes of November 5, 2014 be dispensed with and the minutes approved as printed.

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 Council Proceedings of November 10, 2014 and the Special Meeting Minutes of November 5, 2014 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 within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales".

David A. Hales
City Manager

Attachments: Attachment 1. Draft Council Proceedings for November 10, 2014
Attachment 2. Draft Special Meeting Minutes of November 5, 2014

Motion: That the reading of the minutes of the previous Council Proceedings of November 10, 2014 and the Special Meeting Minutes of November 5, 2014 be dispensed with and the minutes approved as printed.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

**COUNCIL PROCEEDINGS
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, November 10, 2014.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of silent prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

Aldermen: Judy Stearns, Kevin Lower, David Sage, Diana Hauman, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin, Mboka Mwilambwe and Mayor Tari Renner.

City Manager David Hales, Chief Deputy City Clerk Renee Gooderham, and Corporate Counsel Jeff Jurgens were also present.

Staff absent: City Clerk Tracey Covert.

PUBLIC COMMENT: Mayor Renner opened the Public Comment section of the meeting. He added that there would not be a response from the City under the Public Comment portion of the meeting.

Gary Lambert, 3018 E. Oakland Ave., addressed the Council. He cited concerns with Purchase of Lot 47 and 48 of Empire Business Park Preliminary Plan utilizing a \$750,000 state legislative grant from Senator Bill Brady and entering into an Agreement with Central Catholic High School.

Mike Whelan, 2614 Rainbow, Unit #1, addressed the Council. He cited support for the Text Amendment to Chapter 1, Adoption of Administrative Adjudication System. He had practiced law for thirty-seven (37) years. The last seven (7), he was a certified arbitrator in the 11th Judicial Circuit in the mandatory arbitration program. He believed same would free court system time.

Alton Franklin, 508 Patterson Dr., addressed the Council. He had attended the Council Retreat held on November 7 & 8, 2014. He believed the exercise on values should have focused on courage, honor and commitment.

Josh Schmidgall, Bloomington, address the Council. He was from Cities Talk FM 92.9 radio station. He welcomed Stephen Rasmussen, Asst. City Manager.

Dale Mills, 3008 Clearwater, addressed the Council. He believed the sign at Miller Park was too small. Children would still climb on same.

The following was presented:

Meritorious Service Award for Shawn Albert, presented by Brendan Heffner, Police Chief.

Brendan Heffner, Police Chief presented same. He noted that Officer Albert's level of commitment was unparalleled.

The following was presented:

Presentation to former Alderman Rob Fazzini.

The following was presented:

Introduction Austin Grammer, Economic Development (ED) Coordinator.

David Hales, City Manager, addressed the Council. He noted that Mr. Grammer previously was employed at Heartland Community College, in the Workforce Development Center as the Customized Training Coordinator. He holds a Bachelor's Degree in Communications and was currently working on a Masters in Business Administration.

Austin Grammer, ED Coordinator, addressed the Council. He was looking forward to working with Bloomington Normal Economic Development Center, Downtown Business Association and on other special projects.

The following was presented:

National Education Award for Miller Park Zoo, presented to Jay Tetzloff, Miller Park Superintendent.

The following was presented:

Community Development Participation in Community Development Block Grant Program 40th Year, presented to Tom Dabareiner, Director of Community Development and Sharon Walker, Code Enforcement Division Manager.

Sharon Walker, addressed the Council. Ms. Walker introduced Jennifer Toney, Grants Coordinator.

David Hales, City Manager, addressed the Council. He stated Ms. Walker was the epitome of customer service.

The following was presented:

Proclamation Declaring November 2014 American Diabetes Month, presented to Lori Schlosser, Chair ADA Greater Illinois Area Community Leadership Board.

The following was presented:

Introduction of Stephen Rasmussen, Asst. City Manager.

David Hales, City Manager, addressed the Council. Mr. Rasmussen was a retired Army Colonel who received the Bronze Star. He held a Bachelor's Degree in Engineering and Masters in English and International Affairs. He would oversee the following departments: Public Works, Water, Community Development and Parks, Recreation and Cultural Arts.

Stephen Rasmussen, Asst. City Manager, addressed the Council. He was excited to begin working with same on various projects.

The following was presented:

SUBJECT: Council Proceedings of October 27, 2014

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of DATE be dispensed with and the minutes approved as printed.

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 Council Proceedings of October 27, 2014 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 within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the reading of the minutes of the previous Council Proceedings of October 27, 2014, be dispensed with and the minutes approved as printed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Bills and Payroll

RECOMMENDATION/MOTION: That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

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 list of bills and payrolls will be posted on the City's website on November 6, 2014.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Total disbursements information will be provided via addendum.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy City Clerk

Financial & budgetary review by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointment to the Bloomington-Normal Japan Sister City Committee and Board of Library Trustees

RECOMMENDATION/MOTION: That the Appointments be approved.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 4e. Strong partnership with residents and neighborhood associations.

BACKGROUND: I ask your concurrence in the appointment of Catrina Lee Murphy 1219 South Mason, Bloomington, IL 61701, to the Bloomington-Normal Sister City Committee (Japan). Her three (3) year term will expire April 30, 2017. Ms. Murphy is replacing Rich Strle.

I ask your concurrence in the appointment of Jared Allen Brown 18 Chatsford Court, Bloomington, IL 61704, to the Board of Library Trustees. His three (3) year term will expire April 30, 2017. Mr. Brown is replacing Peggy Burton.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

M. Beth Oakley, Executive Asst.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Black Appointments be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Citywide Fuel Purchase for Fleet Vehicles and Equipment. (Bid #2015-19 Re Bid)

RECOMMENDATION/MOTION: That the Bid from Evergreen FS to purchase Fuel for one (1) year with the option of four (4) one year renewals based upon overall performance by Evergreen FS and mutual agreement of both parties be approved and the Procurement Manager authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

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

BACKGROUND: On October 14, 2014, a bid was released to supply fuel for the City's vehicle and equipment needs. On October 24, 2014, the bids were opened and the results are as follows. The prices are per gallon markup over Terminal cost:

Bidders Name	Unleaded Gasoline Transport	Unleaded Gasoline Tank Wagon	No.1 Diesel Transport	No.1 Diesel Tank Wagon	No.2 Diesel Transport	No.2 Diesel Tank Wagon	PL	Kerosene
Evergreen FS	\$.02	\$.18	\$.02	\$.18	\$.02	\$.18	3%	3%
Heritage Petroleum	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid

Staff recommends awarding the Bid to Evergreen FS as they meet all of the requirements of the bid. The bid evaluations have shown this to be in the best interest of the City.

These specifications are important to the City's ability to respond to its citizens needs in a natural or man-made disaster. These services include, bulk fuel transport to the bulk tank at the Public Works fuel station, deliveries to various smaller fuel tanks at the parks, golf courses, emergency generators for the Water Department, Fire Stations, US Cellular Coliseum, sewer lift pump stations, and to fire apparatus at working fires. The fuel cards are used to purchase fuel from local stores when the Public Works Department fuel station is out of service for maintenance. The local tank farm insures the ability to deliver fuel from the tank farm to the City in the event of disaster. The City has used this service in recent winters during the big snow events when bulk fuel transports could not deliver fuel. Evergreen FS offers a fuel risk management program (hedging) that allows school and municipalities to pool their fuel purchases for volume discounts and guaranteed fuel costs. Evergreen FS provides fuel storage tank sampling and testing with storage tank maintenance recommendations at no charge to the City on an annual basis.

The timely approval of this bid is important for the City to have the ability to purchase fuel on contract or (hedge fuel) starting November 12, 2014 as this is the time historicity that fuel is at its lowest.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice of the bid was published in the Pantagraph on October 14, 2014. One (1) bid and one (1) no bid was received by the October 24, 2014 deadline.

FINANCIAL IMPACT: In Fiscal Year 2014, the City Purchased 375,191 gallons of transport fuel, 72,459 gallons of tank wagon fuel, and 17,966 gallons from a local retailer for a total of 465,616 gallons of fuel at a cost of \$1,510,696. It is projected that in FY 2015, the City will spend approximately \$1,572,000 for fuel. FY 2016 is expected to be relatively unchanged. Fleet will propose for approval \$1,495,202 for the purchase of fuel for the City from the Fleet Management-Fuel account (10016310-71070).

Respectfully submitted for Council consideration.

Prepared by: Rob Krones, Superintendent of Fleet Maintenance

Reviewed by: Jim Karch, PE CFM, Public Works Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the Bid from Evergreen FS to purchase Fuel for one (1) year with the option of four (4) one year renewals be approved, and the Procurement Manager shall be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of RFQ for Professional Engineering Services Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project (RFQ #2015-16)

RECOMMENDATION/MOTION: Recommend that the Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project be approved, in the amount of \$170,881.79, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks, 2c. Functional, well-maintained sewer collection system; and 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

BACKGROUND: The Briarwood Subdivision was constructed in 1921. Minimal improvements to the sewers, water mains and streets have been performed since its construction. A few residents have experienced sewer backup problems and several residents have expressed

concern about flooding during rain events and the poor condition of the streets. This project involves the complete rehabilitation of the sewers, water mains and streets in the subdivision. Staff recommended and Council approved including provisions in the FY 2015 budget to engage the services of a consultant for the Briarwood Subdivision Infrastructure Rehabilitation project.

Midwest Engineering Associates, Inc. was selected using the Professional Services Quality Based Selection Process. This process involved: 1) sending out Request for Qualifications (RFQ) specific to the project; 2) reviewing the submitted Statement of Qualifications based on the criteria outlined in the RFQ and narrowing the list to three consultants; 3) interviewing the consultants; and 4) selecting a top consultant and negotiating a fee with them.

These four (4) tasks are often referred to as a two-step professional services selection process. The City's Procurement Manager reviewed this process relative to the subject contract and confirmed that the procedure was performed in accordance with applicable standards. A list of the engineering firms that submitted Statements of Qualifications and the three (3) engineering firms that were selected for interviews were selected.

In accordance with The Brooks Act - Federal Government Selection of Architects and Engineers (Public Law 92-582), the Illinois Local Government Professional Services Selection Act (50 ILCS 510) and the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act (30 ILCS 535), the Quality Based Selection Process must be followed if federal or state grants, loans or any other federal or state monies are used to fund any portion of the project.

Under the proposed professional engineering services contract, the selected engineering firm will be performing surveys, design and preparing construction documents. The contract amount included in the Professional Engineering Services Contract will be a not to exceed amount. The final overall rates and fee proposed by Midwest Engineering Associates, Inc. is fair, appropriate and competitive for the scope of work included. The anticipated design completion date is May 10, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Qualifications (RFQ #2015-16) was posted on the City website and advertised in The Pantagraph on August 1 and August 8, 2014.

FINANCIAL IMPACT: This project is budgeted for \$150,000 in the FY 2015 Budget under Motor Fuel Tax-Engineering Services (20300300-70050). Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 11, 279, 292 and 293. The \$20,881.79 difference in funding will come from the construction portion of the Linden Street Bridge Deck replacement budgeted in FY 2015 for \$660,000. This project will only use approximately \$60,000 for the design portion and Public Works will rebudget the \$600,000 in a future fiscal year allowing the budgeted funds to be available in the Motor Fuel Tax Fund for the Briarwood project.

Respectfully submitted for Council consideration.

Prepared by: Kevin Kothe, City Engineer

Reviewed by: Jim Karch, PE CFM, Public Works Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project be approved, in the amount of \$170,881.79, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Purchase of GovDelivery Software Licenses

RECOMMENDATION/MOTION: That the two (2) year agreement with GovDelivery, for a license and subscription of an Email and Digital Subscription Management environment, be approved and that the Procurement Manager be authorized to issue a Purchase Order for same. The license is sold through the General Services Administration (GSA GS-35F-0256K) contract by FedResults, Inc. of Herndon, VA for a total of \$24,000.00, billed annually in two \$12,000 payments.

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: Police and Information Services Departments staff have identified a need for the E911 Call Center dispatchers to be able to post messages on the various social networks that

the City uses to enhance communication delivery to its citizens. The dispatchers do not need full access to social media sites that would allow replying to incoming messages. Rather, they simply need to be able to post messages that could often be of a high priority. Staff has been researching how best to provide this access to a relatively large number of internal users.

Today, staff uses a software solution called HootSuite to efficiently deliver a single message to multiple social networks at once. HootSuite is an enterprise solution that allows staff to provide access for multiple City users to the City's various social network accounts without having to share the administrative level credentials for those sites. HootSuite also logs all activity to provide auditing capabilities for the social networking sites. This system works very well for the power users throughout multiple City departments, providing them the full access they need while also tracking and managing all account activity.

HootSuite, however, is a relatively expensive solution when a larger number of users need to be given relatively limited access to those social networking sites. For the Call Center dispatchers, staff needs to provide only the capability to send simple but high priority messages out through the social networks. The HootSuite system is overkill for this relatively simple need, and becomes expensive when that larger number of users needs to be accommodated.

Information Services staff has also identified the need to upgrade or replace the current email list serve solution. The City is currently using an aging list manager solution from Lyrus. Staff researched the features, functionality and cost to upgrade our current version of the Lyrus product. Through the upgrade, its functionality would be greatly improved. It would also provide more than simple email list management as the current version does, adding the ability to send messages through the multiple social sites the City now uses.

Although the Lyrus product has performed well for what it was designed for, staff believes there might be an opportunity to find a single solution that could provide both email list management and the limited "send only" capability needed for the larger number of City users. With the popularity of social media forms of communication, staff believes it critical to be able to provide access to this form of communication in an easy and safe way. This access will allow City departments to communicate more effectively to a wider citizen audience.

Through its research, staff has identified a solution from GovDelivery as being able to both replace the Lyrus List Manager and to also augment the HootSuite social media management environment. GovDelivery will provide social media access at a lower cost for City staff, (such as the Call Center dispatchers), that need only a basic ability to send out messages to multiple social networks at one time.

Although there are other solutions on the market that provide certain subsets of the features of the GovDelivery solution, staff believes GovDelivery to be a very complete solution at an extremely competitive cost. GovDelivery is also created specifically with the needs of governmental agencies in mind. Below are a list of features/functions that staff believes help set the GovDelivery solution apart from any competitors.

Unlimited Contacts
Unlimited Storage
Unlimited messages to subscribers
Self-subscribe to specific lists/topics
99% guaranteed deliverability to subscribers
24/7 technical support
Email bounce back management
Website message archive available at no extra cost
Single message to many platforms at once (email, text, Twitter, Facebook, RSS feeds)
All-in-one electronic communications platform
Page notification when web pages are updated
Sign-up available by both topics and sub-topics
Work flow settings to limit access by staff
Ability to export data and reports from system
Cross promotion between other agencies also using the GovDelivery system. Listings on other agencies registration pages.
Users can choose instant, daily, weekly or monthly alerts
Citizens can opt in to receive updates from agency via personalized RSS feed
Target a specific audience by filtering subscriber data
Tailored to meet the needs of government; only available to, and used by, governmental agencies
Section 508 compliance; accessibility standards for users that require screen readers to obtain information

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable.

FINANCIAL IMPACT: Staff has identified the following cost comparisons in support of the GovDelivery solution.

\$57,500 – HootSuite yearly cost to provide limited “post only” social media site access to thirty (30) users, by purchasing additional licenses.

\$12,000 – Lyris yearly cost to provide current email list management functionality, while also providing social media integration.

\$12,000 – GovDelivery yearly cost to provide current email list management with social media integration and also providing limited “post only” access to an unlimited number of users within the City.

Funds for the license subscription of the GovDelivery Email and Digital Subscription Management environment are included in the FY 2015 Budget under Information Services-Repair and Maintenance Office and Computer Equipment account (10011610-70530). Stakeholders can locate this in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 164.

Respectfully submitted for Council consideration.

Prepared by:

Scott Sprouls, Director of Information Services

Reviewed by: Alexander S. McElroy, Asst. to the City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2014 - 54

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF SOFTWARE LICENSES FOR THE E911 CALL CENTER FROM GOVDELIVERY AT A PURCHASE PRICE OF \$24,000

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Procurement Manager be authorized to issue a Purchase Order for software licenses for the E911 Call Center from GovDelivery at a Purchase Price of \$24,000.

ADOPTED this 10th day of November, 2014.

APPROVED this 12th day of November, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Black that the two (2) year agreement with GovDelivery, for a license and subscription of an Email and Digital

Subscription Management environment, in the amount of \$24,000, be approved, the Mayor and City Clerk authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Waive Formal Bid Process and Authorize Payment to Stark Excavating, Inc., for Installation of an Additional Fire Hydrant and Water Main for Replacement on State St.

RECOMMENDATION: That the Formal Bid Process be waived, payment to Stark Excavating, Inc., for installation of a fire hydrant and water main be approved, in the amount of \$28,543.42, and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 2: Upgrade City infrastructure and utilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2: Quality water for the long term.

BACKGROUND: Stark Excavation was the contractor performing water main and sewer replacement work for the Locust Colton CSO project. Work was performed during the Locust Colton CSO project. During the time Stark was performing water main work on E. Washington St., the former Director of Water instructed Stark Excavation to install an additional fire hydrant and water main at Washington St. and State St. The additional fire hydrant was installed to provide fire protection to Washington Grade School. The closest fire hydrant to the school was located on the north side of Washington Street. The water main was extended on Washington to State; this will prevent future excavation that would have to close Washington St. when infrastructure needs to be replaced. The work was performed by Stark, was not IEPA eligible.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable.

FINANCIAL IMPACT: This was not appropriated in the FY 2015 Budget but there are budgeted funds available in the Water Transmission & Distribution-Water Main Construction & Improvement (50100120-72540). Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on page 138.

Respectfully submitted for Council consideration.

Prepared by:

Brett Lueschen, Interim Director of Water

Reviewed by: Sue McLaughlin, Interim Asst. City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2014 - 55

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PAYMENT TO STARK EXCAVATING, INC., FOR INSTALLATION OF A FIRE HYDRANT AND WATER MAIN IN THE AMOUNT OF \$28,543.42

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Payment be authorized to Stark Excavating, Inc., in the amount of \$28,543.42 for fire hydrant and water main installation.

ADOPTED this 10th day of November, 2014.

APPROVED this 12th day of November, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Black that the Formal Bid Process be waived, payment to Stark Excavating, Inc., for installation of a fire hydrant and water main be approved, in the amount of \$28,543.42, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Scheduled Vehicle Replacement for the Public Works Engineering Division Departments

RECOMMENDATION/MOTION: Purchase One (1) Ford Transit Connect from Curry Motors Frankfort, IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139, in the amount of \$22,195, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: The Engineering Division has a Mitsubishi IMEV that is on a two (2) year lease. The lease ends this January. The IMEV is a very dependable unit that has not had any major problems during the lease period. The IMEV is an electric vehicle with limited range capabilities. It has not proved to be a good fit for inspections in the Engineering Division because of the small size and limited cargo space. In addition, the small size makes it difficult to go over curbs and on construction sites hard to see when parked along the side of the road at inspection sites. The cargo area is not sufficient to transport the needed testing and inspection equipment. Staff will continue to explore areas where electric vehicles can be utilized by the City. The Transit Connects that are in service at the City have proven to be very useful. They provide secure storage and keep expensive tools and equipment out of the weather. The IMEV will be returned at the end of the lease.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The \$22,281 budgeted for the replacement of this vehicle is in the FY 2015 Budget under the FY 2015 Capital Lease-Capital Outlay Licensed Vehicles (40110131-72130). The replacement unit will cost \$22,195. Stakeholders can find this information in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 114 and 265.

Respectfully submitted for Council consideration.

Prepared by:

Rob Krones, Superintendent of Fleet Maintenance

Reviewed by: Jim Karch, PE CFM, Public Works Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the Purchase One (1) Ford Transit Connect from Curry Motors Frankfort, IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139, in the amount of \$22,195, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Scheduled Vehicle Replacements for the Water Department

RECOMMENDATION/MOTION: Purchase three (3) Ford Transit Connects from Curry Motors Frankfort, IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139, in the amount of \$66,585, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: Water Transmission and Distribution Division has a 2006 Dodge Dakota that currently has over 112,000 miles. It is scheduled for replacement this Fiscal Year (FY). This unit

has had front end, brake, drive line, and transmission problems. The maintenance cost to date for this unit is \$13,295.87.

The Water Meter Service Division has a 2006 Dodge Dakota that will have about 84,000 miles on it when the replacement arrives and has a total maintenance cost to date of \$9,452.21. This unit has had brake, suspension, transmission, and electrical issues. The Water Meter Service Division also have a 2007 Dodge Dakota that will have over 93,000 miles on it when the replacement arrives and has a total maintenance cost of \$11,769.67 to date. This unit has had engine and body electrical, steering, brake, and transmission issues.

There is currently a Transit Connect in service at the Water Department and it has proven to be very useful. It provides secure storage and keeps expensive tools and equipment out of the weather. Staff request that the replaced units be declared surplus and sold at public auction on Public Surplus.com. The units are expected to bring a total of \$15,000 at auction.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The Water Transmission and Distribution 2006 Dodge Dakota replacement will be paid out of the FY 2015 Capital Lease-Capital Outlay Licensed Vehicles (40110131-72130) and has \$22,281 in the FY 2015 Budget. The replacement unit will cost \$22,195.

The Water Meter Service Division 2006 and 2007 Dodge Dakotas replacements will be paid out of the FY 2015 Capital Lease-Capital Outlay Licensed Vehicles (40110131-72130) and have \$46,154 budgeted respectively. The replacement units will cost \$44,390 in total. Stakeholders can find this information in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 114 and 266.

Respectfully submitted for Council consideration.

Prepared by: Rob Krones, Superintendent of Fleet Maintenance

Reviewed by: Brett Lueschen, Interim Director of Water

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the Purchase three (3) Ford Transit Connects from Curry Motors Frankfort, IL utilizing the Northwest

Suburban Purchasing Cooperative Contract Number 139, in the amount of \$66,585, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids for the Police Department Uniform and Equipment Purchase (Bid #2015-18)

RECOMMENDATION/MOTION: That the bid be awarded to Sam Harris Uniforms to provide Police Officer uniforms on an “as needed” basis, for the amount not to exceed the annual police uniform budget, with the terms of said bid being until April 30, 2015, with the option for five (5) one-(1) year renewals, and the Procurement Manager be authorized to issue a blanket Purchase Order for same.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: The City last signed an equipment purchase contract for police uniforms and equipment in March 2008. In order to assure the City is receiving competitive pricing on specified uniform and equipment with a high level of service, the bid was published in September 24, 2014. Only two (2) companies, Ray O’Heron Company and Sam Harris Uniforms, submitted complete bids for this contract. A third company submitted a bid, but was not responsive to all items, only footwear. An analysis of the bids submitted showed that Sam Harris Uniforms bid was lower on a majority of the individual items. The cumulative cost of initially outfitting an officer indicated that Sam Harris Uniforms was \$353.39 less than Ray O’Heron. More in depth analysis indicated that the items of clothing most often replaced were on average twenty-three percent (23%) less expensive through Sam Harris Uniforms.

Below is a line by line cost of items included in this bid:

Item	Sam Harris Uniforms	Ray O'Heron
Short Sleeve Shirt	\$49.95	\$61.00
Long Sleeve Shirt	\$53.95	\$67.50
Pants	\$68.50	\$80.50
Dress Pants	\$57.95	\$74.50
Coat	\$245.00	\$300.00
Summer Hat	\$43.00	\$59.00
Winter Hat	\$46.50	\$64.00
Garrison Belt	\$19.95	\$21.00
Duty Belt	\$39.95	\$41.00
Tie	\$6.95	\$4.99
Holster	\$140.00	\$176.00
Glove Pouch	\$15.95	\$16.00
Baton Holder	\$27.50	\$25.95
OC Holder	\$27.50	\$25.95
Handcuff Holder	\$27.50	\$25.95
Magazine Pouch	\$32.75	\$32.50
Raincoat	\$56.50	\$59.00
Boots	\$142.95	\$184.00
Outer Shirt Vest Carrier	\$64.95	\$72.00

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable.

FINANCIAL IMPACT: In FY 2015 Budget, \$131,000 is budgeted under Police-Uniforms (10015110-62190). Stakeholders can locate this in the FY 2015 Budget Book titled "Budget Overview & General Fund" on page 250. As of the date of this memo, \$99,958.47 remains available in the FY 2015 Budget.

Respectfully submitted for Council consideration.

Prepared by: Timothy Stanesa, Lt.

Reviewed by: Kenneth Bays, Asst. Police Chief

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the bid be awarded to Sam Harris Uniforms to provide Police Officer uniforms on an “as needed” basis, for the amount not to exceed the annual police uniform budget, with the terms of said bid being until April 30, 2015, with the option for five (5) one (1) year renewals, and the Procurement Manager be authorized to issue a blanket Purchase Order for same.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Professional Engineering Services Agreement with Lewis, Yockey & Brown, Inc. (LYB) for the Ft. Jesse Rd. Reconstruction project

RECOMMENDATION/MOTION: That the Agreement with LYB for the Ft. Jesse Rd. Reconstruction project be approved, in the amount of \$125,000, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities.

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

BACKGROUND: Staff recommended and Council approved including provisions in the FY 2015 budget to engage the services of a consultant for the Ft. Jesse Rd. Reconstruction project.

LYB completed the design, construction plans and specifications for the previous Ft. Jesse Rd. Reconstruction project between Airport Rd. and Kaisner Dr. Since the current project is a direct extension of this prior project, LYB has survey data and other records which will allow them to perform the work quickly and more efficiently. This is particularly important since the Mclean County Highway Department recently awarded a contract to reconstruct Towanda Barnes Rd. from Ft. Jesse Rd. to the Towanda Village limits. The contiguous or sequential construction of these two (2) projects will have less impact on the adjacent residents and commuters which utilize the subject roads.

Under the proposed professional engineering services contract, the selected engineering firm will be performing surveys, completing designs and preparing construction documents. The contract amount included in the Professional Engineering Services Contract will be a not to exceed

amount. The final overall rates and fee proposed by LYB is fair, appropriate and competitive for the scope of work included.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This project is budgeted for \$80,000 in the FY 2015 Budget under Motor Fuel Tax-Engineering Services (20300300-70050). Stakeholders can locate this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on pages 11, 279, 288 and 289. To compensate for the \$45,000 gap in funding, the construction portion of the Linden St. Bridge Deck replacement budgeted in FY 2015 for \$660,000 will use approximately \$60,000 for the design portion and Public Works will re budget the \$600,000 in a future fiscal year allowing the budgeted funds to be available in the Motor Fuel Tax Fund for the Ft. Jesse Rd. Reconstruction project.

Respectfully submitted for Council consideration.

Prepared by: Kevin Kothe, City Engineer

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Black that the Agreement with Lewis, Yockey & Brown, Inc. for the Ft. Jesse Rd. Reconstruction project be approved, in the amount of \$125,000, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week

RECOMMENDATION/MOTION: Recommend that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

STRATEGIC PLAN LINK: Goal 4. Grow the local economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. Retention and growth of current local business.

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the application of Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Ed Van Etten, District Manager and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant's representatives address this request. Ed Van Etten, District Manager and Applicant's representative, addressed the Commission. Mac's Convenience Stores, LLC was acquiring the two (2) Super Pantries located in the City. This store was located at 2412 S. Main St. This application was filed due to the change of ownership.

Commissioner Renner questioned Mr. Van Etten's liquor sales experience. Mr. Van Etten cited his fourteen (14) years of experience in the convenience store industry.

Commissioner Tompkins questioned the Emergency Contact sheet that had been filed as part of the application. Mr. Van Etten noted the Mac's corporate office had established a security call center. Local contacts would be either the Store Manager or himself.

Commissioner Tompkins cited the violation summary which had been included with the application. These violations involved sales to minors.

Mr. Van Etten informed the Commission that Mac's had adopted CBT, (Computer Based Training), for the stores' staffs. Store staff was instructed to check identification for anyone who appeared to be under the age of forty (40). Stores received evening telephone reminders to check identification. There was a sales log for restricted sales items, (alcohol and tobacco products). If store staff was found to have not checked identification, it was grounds for termination.

Commissioner Tompkins noted the total dollar value of the fines paid in the last three (3) years. He added that the City required BASSET, (Beverage Alcohol Sellers and Servers Education and Training), training for store managers.

Mr. Van Etten informed the Commission that all store staff would be BASSET certified. Commissioner Renner questioned if Mac's application was a leap of faith.

Commissioner Jordan questioned employee longevity. Mr. Van Etten noted that in the past employee tenure had been two to three (2 – 3) years. Due to company restraints regarding full/part time employees, employee tenure had been reduced to twelve to eighteen (12 - 18) months.

Commissioner Jordan questioned management presence at the store. Mr. Van Etten noted that the store manager generally worked first shift and the assistant store manager worked either second or third shift. Mac's currently held four (4) liquor licenses in the City.

George Boyle, Asst. Corporation Counsel, noted that Mac's application did not list any violations that occurred in the City.

Mr. Van Etten informed the Commission that he had been promoted to District Manager in October 2012. There had not been a violation at the stores in his district during his tenure as District Manager.

Mr. Boyle referred to the listing that had been included in Mac's application. There were five (5) violations listed in Normal. He acknowledged that there had not been a violation for Mac's since October 2012.

Commissioner Renner stated that there had been some issues with Mac's but there had not been a single violation since Mr. Van Etten became District Manager.

Commissioner Jordan added that this application involved a change of ownership.

Commissioner Renner restated that all store staff would be BASSET certified. He recommended that this occur within sixty (60) days after the liquor license is issued. Mr. Van Etten stated that he would contact Heartland Community College regarding the next class.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to recommend to the Council that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be approved contingent upon compliance with all health safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

Motion carried, (unanimously).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on October 6, 2014 in accordance with City Code. In accordance

with City Code, approximately three (3) courtesy copies of the Public Notice were mailed on October 3, 2014. In addition, the Agenda for the October 14, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None. Request is for a change of ownership. Annual fee for a GPBS liquor license is \$1,180.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Black that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week

RECOMMENDATION/MOTION: Recommend that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

STRATEGIC PLAN LINK: Goal 4. Grow the local economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. Retention and growth of current local business.

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the application of Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Ed Van Etten, District Manager and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that requested that the Applicant's representatives address this request. Ed Van Etten, District Manager and Applicant's representative, addressed the Commission. Mac's Convenience Stores, LLC was acquiring the two (2) Super Pantries located in the City. This store was located at 1206 N. Towanda Barnes Rd. This application was filed due to the change of ownership.

Commissioner Renner questioned Mr. Van Etten's liquor sales experience. Mr. Van Etten cited his fourteen (14) years of experience in the convenience store industry.

Commissioner Tompkins questioned the Emergency Contact sheet that had been filed as part of the application. Mr. Van Etten noted the Mac's corporate office had established a security call center. Local contacts would be either the Store Manager or himself.

Commissioner Tompkins cited the violation summary which had been included with the application. These violations involved sales to minors.

Mr. Van Etten informed the Commission that Mac's had adopted CBT, (Computer Based Training), for the stores' staffs. Store staff was instructed to check identification for anyone who appeared to be under the age of forty (40). Stores received evening telephone reminders to check identification. There was a sales log for restricted sales items, (alcohol and tobacco products). If store staff was found to have not checked identification, it was grounds for termination.

Commissioner Tompkins noted the total dollar value of the fines paid in the last three (3) years. He added that the City required BASSET, (Beverage Alcohol Sellers and Servers Education and Training), training for store managers.

Mr. Van Etten informed the Commission that all store staff would be BASSET certified.

Commissioner Renner questioned if Mac's application was a leap of faith.

Commissioner Jordan questioned employee longevity. Mr. Van Etten noted that in the past employee tenure had been two to three (2 – 3) years. Due to company restraints regarding full/part time employees, employee tenure had been reduced to twelve to eighteen (12 - 18) months.

Commissioner Jordan questioned management presence at the store. Mr. Van Etten noted that the store manager generally worked first shift and the assistant store manager worked either second or third shift. Mac's currently held four (4) liquor licenses in the City.

George Boyle, Asst. Corporation Counsel, noted that Mac's application did not list any violations that occurred in the City.

Mr. Van Etten informed the Commission that he had been promoted to District Manager in October 2012. There had not been a violation at the stores in his district during his tenure as District Manager.

Mr. Boyle referred to the listing that had been included in Mac's application. There were five (5) violations listed in Normal. He acknowledged that there had not been a violation for Mac's since October 2012.

Commissioner Renner stated that there had been some issues with Mac's but there had not been a single violation since Mr. Van Etten became District Manager. He encouraged Mr. Van Etten to continue his efforts to keep Mac's record clean.

Commissioner Jordan added that this application involved a change of ownership. He questioned the lot size at this location. Mr. Van Etten responded that he did not know. Commissioner Jordan questioned if diesel fuel was available for sale at this location. Mr. Van Etten responded affirmatively.

Commissioner Renner restated that all store staff would be BASSET certified. He recommended that this occur within sixty (60) days after the liquor license is issued. Mr. Van Etten stated that he would contact Heartland Community College regarding the next class.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to recommend to recommend to the Council that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be approved contingent upon compliance with all health safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

Motion carried, (unanimously).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on October 6, 2014 in accordance with City Code. In addition, the Agenda for the October 14, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None. Request is for a change of ownership. Annual fee for a GBPS liquor license is \$1,180.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Black that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Amendment to Prevailing Wage Resolution regarding Apprenticeship Requirements for Public Contracts in Excess of \$100,000

RECOMMENDATION/MOTION: Recommend that the Amended Resolution Ascertain the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works be adopted to include language requiring apprenticeship participation requirements for public contracts in excess of \$100,000.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: The Prevailing Wage Act (820 ILCS 130/1 *et seq.*) requires that public bodies such as the City, which awards any construction contract for public work or doing such work by day labor, shall ascertain the general prevailing hourly rates of wages for employees engaged in such work, and shall require that all contractors of the City pay those wages to their workers. This Act requires public bodies to adopt a resolution or ordinance ascertaining the wages by the end of July each year.

On July 14, 2014, the City adopted a Resolution Ascertain the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works with the City of Bloomington.

Although not required by law, the Resolution, as proposed, contained language requiring contractors to provide proof of participation in an apprenticeship program if the contract is in excess of \$100,000. This had been a past practice of the City and was believed to have originally been added at the request of the Trades and Labor Council.

When the Resolution was discussed by the Council at the July 14, 2014 meeting, there were questions on whether the apprenticeship threshold had been lower in the past and this language was removed from the Resolution to allow the Council time to ascertain the correct number. The \$100,000 threshold has now been confirmed as the past practice of the City and accordingly this amended resolution is provided to incorporate and include the apprenticeship language.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Review by: Tracey Covert, City Clerk

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2014 – 56

AMENDED RESOLUTION OF THE CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS ASCERTAINING THE PREVAILING RATES OF WAGES FOR LABORERS, WORKERS AND MECHANICS ENGAGED IN PUBLIC WORKS WITH THE CITY OF BLOOMINGTON

WHEREAS, the Prevailing Wage Laws, 820 ILCS 130/1 et seq., as amended, require that each public body awarding any construction contract for public work or doing such work by day labor shall ascertain the general prevailing hourly rates of wages for employees engaged on such work; and

WHEREAS, “public work”, as defined in the Prevailing Wage Law, includes commercial or industrial projects financed in whole or in part through the issuance of revenue bonds by the City of Bloomington under authority of the Industrial Project Bond Act or Home Rule Ordinance or financed in whole or in part through other public funds, without regard to what person or entity formally contracts for such work; and

WHEREAS, the statutes further provide that said rates be published, publicly posted and/or kept available for inspection by any interested party in the Office of the Secretary of State and Labor Department; and

WHEREAS, the City of Bloomington believes Prevailing Wage Law should apply to private commercial economic development projects directly supported by public funds, including projects supported by Tax Increment Financing or tax incentives of any kind; and

WHEREAS, when the City of Bloomington timely adopted its resolution ascertaining the prevailing rates of wages on July 14, 2014, it was adopted without language requiring participation in apprenticeship programs for construction contracts in excess of \$100,000 as there had been debate as to the previous dollar amount threshold for this requirement; and

WHEREAS, City officials and staff have reviewed previous records and the City has historically set the apprenticeship requirement for those construction contracts in excess of \$100,000 and would like to continue said requirement and make such a part of the City's requirements on the award of construction contracts; and

WHEREAS, the City of Bloomington believes that contractors awarded contracts for public work as defined by state statute and this Resolution should, as a prerequisite to such contract, provide proof of participation in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for all construction contracts in excess of \$100,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bloomington, County of McLean, State of Illinois that the prevailing wages as established and regularly updated by the Illinois Department of Labor are incorporated herein by reference as the prevailing rates of hourly wages in the City of Bloomington, Illinois for the laborers, workers and mechanics specified therein who are engaged in the construction of public works within the jurisdiction of this municipality; and

BE IT RESOLVED that the prevailing wages as established and regularly updated by the Illinois Department of Labor, as show on the attached McLean County Prevailing Wage for June 2014, shall be paid to laborers, workers and mechanics specified therein when such persons perform work on private commercial economic development projects directly supported by public funds, including projects supported by Tax Increment Financing or tax incentives of any kind; and

BE IT RESOLVED that contractors shall submit to the City on a monthly basis all certified payroll records for prevailing wage work performed by contractor **employees and subcontractors**. The certified payroll records must include the following for each employee employed on the project: Name, Address, Telephone Number, Social Security Number, Job Classification, hourly wages paid in each pay period, number of hours worked each day and starting and ending time of work each day. The contractor shall submit these records with a signed statement that the records are true and accurate, that the wages paid to each worker are

not less than the prevailing rate and that the contractor is aware that filing records known to be false is a Class B misdemeanor offense; and

BE IT RESOLVED that contractors awarded contracts for public work as defined by state statute and this Resolution should, as a prerequisite to such contract, provide proof of participation in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for all construction contracts in excess of \$100,000; and

BE IT RESOLVED that nothing herein contained shall be construed to apply said prevailing hourly rates of wages in the locality to any work or employment other than public works or private commercial economic development projects directly supported by public funds as defined in the Act and this Resolution; and

BE IT RESOLVED that contractors awarded contracts for public work as defined by state statute and this Resolution should, as a prerequisite to such contract, obtain the current prevailing wage rates from the Illinois Department of Labor and regularly check for updated prevailing wage rates during the entire duration of said contract for the locality; and

BE IT RESOLVED that the City Clerk shall mail a copy of this Resolution to any employer, any association of employers, and to any person or association of employees who have filed or do file their names and addresses with the Clerk requesting copies of any determination under said law of the particular rates and of the particular classes of persons whose wages will be affected by such rates; and

BE IT RESOLVED that this Resolution shall supersede and take effect over Resolution 2014-29 and shall be considered the City's governing resolution on prevailing wages until further amendment and/or adoption of a new resolution setting for the prevailing wages in July of 2015; and

BE IT RESOLVED that the City Clerk shall promptly file a certified copy of this Resolution with the Department of Labor of the State of Illinois; and

BE IT RESOLVED that the City Clerk, as required by law, shall cause to be published in a newspaper of general circulation within the area of this municipality a notice of this Resolution and that it is the effective prevailing wage determination of this public body.

ADOPTED this 10th day of November, 2014.

APPROVED this 12th day of November, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Black that the Amended Resolution Ascertaining the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works be adopted to include language requiring apprenticeship participation requirements for public contracts in excess of \$100,000.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Text Amendment to Chapter 29, Section 194B Clarifying When Vehicles May Be Impounded by the Police

RECOMMENDATION/MOTION: Recommend that the Text Amendment be approved and the Ordinance passed.

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: In June, Chapter 29, Section 194B of the City Code was updated to reference the state statute providing for impoundment of motor vehicles by municipalities. That statute enumerates several offenses for which vehicles may be impounded. The statute also contains a catch-all provision that provides vehicles may be impounded when operated or used “in the commission of, or the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012, when so provided by local ordinance.” The proposed text amendment adds the catch-all language from the state statute to the City’s impoundment ordinance and thereby clarifies that vehicles may be impounded when used in the commission of, or in the attempt to commit, a felony or misdemeanor in the referenced criminal codes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: George D. Boyle, Asst. Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2014 - 107

AN ORDINANCE AMENDING THE BLOOMINGTON CITY CODE CHAPTER 29, SECTION 194B – VEHICLE SEIZURE AND IMPOUNDMENT

SECTION 1. That the Bloomington City Code Chapter 29 Section 194B shall be and is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

SEC. 194B VEHICLE SEIZURE AND IMPOUNDMENT.

(a) Fee, Seizure and Impoundment. Vehicles used in the offenses listed in Section 11-208.7(b) of the Illinois Vehicle Code, 625 ILCS 5/11-208.7(b) or in any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012 are hereby declared contraband and subject to seizure and impoundment. The impoundment of any vehicle used in the commission of any of the foregoing offenses shall subject the owner to an administrative fee of \$400.00 plus costs of towing and storage.

(b) Removal and Seizure. Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this Section, the police officer may cause the vehicle to be removed and relocated to a secure location. The officer shall inform any person in control of the vehicle of the seizure and the right to a prompt probable cause hearing and an administrative impoundment hearing as provided in this Section.

At the time the vehicle is towed, the officer shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure and of the right of the vehicle owner or lessee to an administrative hearing. The police officer shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle, or a lienholder, posts with the municipality a bond equal to the administrative fee as provided by this Section and pays for all towing and storage charges.

(c) Notice. The City will provide the registered owner or lessee of the vehicle and any lienholder of record with a notice of hearing. The notice shall:

1. be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;
2. be served upon interested parties within 10 days after a vehicle is impounded by the City; and

3. contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(d) Prompt Probable Cause Hearing. At any time prior to an administrative impoundment hearing, at the request of the owner of a vehicle or a person with authority from an owner, the Police Chief or his designee shall hold a prompt probable cause hearing. Said hearing shall occur within 24 hours of the request, excluding Saturdays, Sundays and holidays. At the hearing, any interested person shall be given a reasonable opportunity to be heard and present evidence. Formal rules of evidence shall not apply, and hearsay evidence shall be admissible. At the prompt probable cause hearing, the Police Chief or his designee shall determine whether probable cause exists for the seizure and impoundment of the vehicle pursuant to this Section and, if asserted by the owner, whether the vehicle was stolen from the owner. If the Police Chief or his designee determines that probable cause exists for the continued impoundment of the vehicle, the Police Chief or his designee shall order the vehicle held pending an impoundment hearing or payment of the bond and any towing and storage fees due. If the Police chief or his designee determines that probable cause for impoundment does not exist or that the vehicle was stolen from the owner, the Police Chief or his designee shall order the immediate release of the vehicle without payment of any penalties, fees or costs.

(e) Administrative Impoundment Hearing. A hearing officer designated by the City Manager shall hold an administrative impoundment hearing within 45 days of the notice of impoundment hearing sent pursuant to subsection (c) of this Section. A person seeking the hearing may waive the foregoing time restraint. At the impoundment hearing, any interested person shall be given a reasonable opportunity to be heard. Formal rules of evidence shall not apply, and hearsay evidence shall be admissible. The impoundment hearing shall comply with the requirements set forth in Section 11-208.7 of the Illinois Vehicle Code, 625 ILCS 5/11-208.7. At the impoundment hearing, the hearing officer shall determine by a preponderance of the evidence whether the vehicle was used in violation of a listed offense or whether the vehicle was stolen from the owner. If the hearing officer determines that the vehicle was not utilized in violation of any offense listed in Section 11-208.7(b) of the Illinois Vehicle Code, 625 ILCS 5/11-208.7(b), or that the vehicle was stolen from the owner, the hearing officer shall order the immediate release of the vehicle without payment of any administrative fee and the expeditious return of any bond or fee already paid by the vehicle owner or his agent. Any bond or fee returned shall be to the person who paid the bond or fee, unless directed otherwise by that person. Any person claiming a vehicle ordered released under this subsection shall have seven days from the date of the order of release within which to claim the vehicle without accruing additional storage charges; thereafter, the person claiming the vehicle shall be responsible for paying any and all storage charges that accrue. If the hearing officer determines the vehicle was used in the commission of a listed offense, the hearing officer shall order the vehicle held pending payment of the fee and any towing and storage fees which may be due.

(f) Innocent Defendant. In the event that a person is acquitted of all charges stemming from the incident for which the vehicle was impounded or is not charged within six months for any offense stemming from the incident for which the vehicle was impounded, that person may apply to the Police Chief for a full refund of any bond or administrative fee paid to release the vehicle.

A disposition of court supervision will be considered as a conviction and not an acquittal. Participation in a diversion program or similar program to avoid judicial consequences shall not be considered an acquittal for purposes of this Section. A plea agreement which calls for the dismissal of the charge for which the vehicle was impounded in exchange for a guilty plea to any other charge shall not be considered an acquittal for purposes of this Section. The Police Chief shall refund any bond or administrative fee paid, if an acquittal occurs or if charges are not likely to be brought within 6 months. Any fee or bond returned shall be to the person who paid the bond or fee, unless directed otherwise by that person. Any person claiming a vehicle ordered released under this subsection shall have seven days from the date of the order of release within which to claim the vehicle without accruing additional storage charges; thereafter, the person claiming the vehicle shall be responsible for paying any and all storage charges that accrue.

(g) Release of Vehicle. A vehicle seized and impounded under this Section shall be released to the owner or the owner's agent upon payment of the bond or administrative fee and all towing and storage fees accrued. Payment of the bond or administrative fee and towing and storage fees does not waive an owner's right to an impoundment hearing.

(h) Unclaimed Vehicle. Any vehicle not claimed by its owner or other interested party within thirty-five days after the impoundment hearing shall be considered abandoned and sold pursuant to State law. An owner or interested party may claim his/her vehicle by paying the administrative fee, towing and storage fees any time prior to sale of the vehicle.

(i) Nothing in this section shall be construed to prohibit the holding, forfeiture or impoundment of any vehicle pursuant to any other law or statute.

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

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

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

SECTION 5. This Ordinance shall be effective ten (10) days after the date of its publication.

PASSED this 10th day of November, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Black that the Text Amendment be approved and the Ordinance passed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Petition from Fox Creek Village, LLC Requesting Approval of a Final Plat for Fox Creek Village, 4th Addition, Located South of Fox Creek Rd. and West of Union Pacific Railroad

RECOMMENDATION/MOTION: That the Final Plat be approved and the Ordinance passed.

STRATEGIC PLAN SIGNIFICANCE: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: The original preliminary plan for the Fox Creek Village Planned Unit Development was passed by Council on May 23, 2003. The last approved final plat for this area was passed by council on July 22, 2013. The subject final plat conforms to the amended Preliminary Plan passed by Council on September 9, 2013.

Public improvements for this subdivision are ongoing; as a result, a punchlist for this subdivision does not exist at this time.

In accordance with the Annexation Agreement approved by Council April 25, 1994, there are no tap on fees required to be paid for this development before final platting. However, a revolving commercial surety bond for performance guarantee has been posted by the developer in the amount of \$150,000.00

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Fox Creek Village, LLC.

FINANCIAL IMPACT: The cost of all public improvements, platting, and recording will be borne by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Anthony J Meizelis, PE, Civil Engineer I

Reviewed by: Jim Karch, PE, CFM, Director of Public Works

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

State of Illinois)
)ss.
County of McLean)

Now comes Fox Creek Village, LLC, an Illinois limited liability company hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

- WHEREFORE, your petitioner respectfully prays that said Final Plat for the Fourth Addition to Fox Creek Village Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

FOX CREEK VILLAGE, LLC,
By Snyder Properties Trust, Member

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ORDINANCE NO. 2014 - 108

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE
FOURTH ADDITION TO FOX CREEK VILLAGE SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Fourth Addition to Fox Creek Village Subdivision, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: None other than permitted by the Preliminary Plan and/or Annexation Agreement; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

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

1. That the Final Plat of the Fourth Addition to Fox Creek Village Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 10th day of November, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Exhibit A – Legal Description

Tract 1:

A part of Outlot 46 in the Second Addition to Fox Creek Village Subdivision in the City of Bloomington, McLean County, Illinois, according to the plat recorded as Document No. 2008-26743 in the McLean County Recorder's Office, a part of Lot 2 in Fox Creek Country Club in the City of Bloomington, McLean County, Illinois, according to the plat recorded as Document No. 95-26592 in said Recorder's Office and a part of Lot 4 in Capen's Subdivision of Part of Sections 13 and 24, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Southernmost Corner of Lot 58 in the Third Addition to Fox Creek Village Subdivision Planned Unit Development in the City of Bloomington, Illinois, according to the plat recorded as Document No. 2013-21601 in the McLean County Recorder's Office. From said Point of Beginning, thence northwest 135.95 feet along the Southwesterly Line of said Lot 58 and the Southwesterly Line of Winding Way; thence northeast 19.97 feet along the West Line of Winding Way which forms an angle to the right of 270°-00'-00" with the last described course to the Southeast Corner of Lot 55 in said Third Addition; thence northwest 81.55 feet along the South Line of said Lot 55 and the South Line of Lot 54 in said Third Addition which forms an angle to the right of 90°-00'-00" with the last described course; thence west 475.44 feet along the South Line of said Third Addition and the westerly extension thereof which forms an angle to the right of 153°-58'-53" with the last described course; thence south 250.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course to the Westerly Extension of the North Line of Outlot 26 in Fox Creek Village Subdivision according to the plat recorded as Document No. 2003-46554 in said Recorder's Office; thence east 623.28 feet along said Westerly Extension and the North Line of said Outlot 26 which forms an angle to the right of 90°-00'-00" with the last described course to the Northeast Corner of said Outlot 26 being on the Northwestern Right-of-Way Line of the former Chicago and Alton Railroad, said Right-of-Way Line also being the Southeasterly Line of Lot 4 in said Capen's Subdivision; thence northeast 5.50 feet along said Right-of-Way Line which forms an angle to the right of 116°-00'-45" with the last described course; thence northwest 25.00 feet along said Right-of-Way Line which forms an angle to the right of 90°-00'-00" with the last described course; thence northeast 134.35 feet along said Right-of-Way Line which forms an angle to the right of 270°-00'-00" with the last described course to the Point of Beginning.

Tract 2:

A part of Lot 4 in Capen's Subdivision of Part of Sections 13 and 24, Township 23 North, Range 1 East of the Third Principal Meridian, and a part of Sections 18 and 19, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Southeast Corner of Outlot 26 in Fox Creek Village Subdivision Planned Unit Development in the City of Bloomington, Illinois, according to the plat recorded as Document No. 2003-46554 in the said McLean County Recorder's Office. From said Point of Beginning, thence southwest 183.38 feet along the Northwestern Right-of-Way Line of the former Chicago and Alton Railroad, said Right-of-Way Line also being the Southeasterly Line of said Lot 4 to the Southeast Corner thereof; thence west 687.80 feet along

the South Line of said Lot 4 which forms an angle to the left of 115°-15'-08" with the last described course to the Southwest Corner of said Lot 4; thence north 590.34 feet along the West Line of said Lot 4 which forms an angle to the left of 90°-45'-37" with the last described course to the intersection of said West Line and the Westerly Extension of the North Line of said Outlot 26; thence east 361.31 feet along said Westerly Extension which forms an angle to the left of 90°-00'-00" with the last described course to a corner of said Outlot 26 lying 618.97 feet east of the Northeast Corner thereof; thence south 30.00 feet along a North-South Line of said Outlot 26 which forms an angle to the left of 90°-00'-00" with the last described course; thence west 75.81 feet along an East-West Line of said Outlot 26 which forms an angle to the left of 90°-00'-00" with the last described course; thence south 404.66 feet along the West Line of said Outlot 26 which forms an angle to the left of 270°-00'-00" with the last described course to the Southwest Corner of said Outlot 26; thence east 482.66 feet along the South Line of said Outlot 26 which forms an angle to the left of 270°-00'-00" with the last described course to the Point of Beginning.

PIN: Part of 21-19-176-036

Part of 21-19-176-037

Motion by Alderman Painter, seconded by Alderman Black that the Final Plat be approved and the Ordinance passed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S. Main St., requesting a PAS liquor license which would allow the sale of all types of packaged for consumption off the premises seven (7) days a week

RECOMMENDATION/MOTION: Recommend that a PAS liquor license for BNN Enterprises LLC, d/b/a BNN Enterprises LLC, located at 1414 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) no single serve sales and 2.) no liquor sales on Sunday until 12 noon.

STRATEGIC PLAN LINK: Goal 4. Grow the local economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. Retention and growth of current local business.

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the application of BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S. Main St., requesting a PAS liquor license which would allow the sale of all types of packaged for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Brian Haskins, owner/operator and Applicant's representative.

Commissioner Renner opened the liquor hearing and stated that this Application had been laid over by the Commission at their September 9, 2014 meeting to allow City staff to address the separation distance between Smoke Rings and two (2) nearby churches, (Integrity Deliverance Ministries Integrity Church located at 1409 S. Main St. and Pilgrim Holiness Church located at 1409 S. East St.). It was noted that the City Code stated that the distance must be more than 100'.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He reference state statute which also contained the 100' provision. He stated his understanding of this statute which addressed nearest part of the building not the property line boundaries.

Commissioner Tompkins questioned Mr. Boyle's interpretation. Mr. Boyle restated that there was no prohibition.

Commissioner Renner reminded the Commission that the Applicant had agreed to no single serve sale items.

Commissioner Jordan expressed his concerns. He cited the location of the two (2) churches and the impact of Pastor Brown's testimony at the Commission's September 9, 2014 meeting. He also cited neighborhood opposition. He recalled concerns raised regarding truck loading and unloading at this business. He questioned if the applicant planned to request a "T", Tavern, license after obtaining a "P", Packaged liquor license.

Commissioner Renner also stated that liquor sales would not be allowed until after 12 noon on Sundays.

Commissioner Renner questioned if there was anyone present who which to address this application either in support of or in opposition to.

Brian Haskins, owner/operator and Applicant representative, addressed the Commission. He thanked City staff for their efforts regarding the distances between his business and the two (2) churches. He had also taken measurements.

Commissioner Renner acknowledged that the distances were over 100', (i.e. Integrity Deliverance Ministries Integrity Church located at 1409 S. Main St. – 132' and Pilgrim Holiness Church located at 1409 S. East St. - 108').

Mr. Haskins addressed delivery concerns. Deliveries would be made in the morning. He agreed to the two (2) conditions, (no single serve sales and no Sunday sales until after 12 noon).

Commissioner Jordan questioned video gaming. Mr. Haskins stated that his business was not eligible. He would need a license to sell by the glass to be eligible.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the Council that a PAS liquor license for BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S. Main St., be approved contingent upon compliance with all health safety codes with the following conditions: 1.) no single serve sales and 2.) no liquor sales on Sunday until 12 noon.

Motion carried, (unanimously).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on September 2, 2014 in accordance with City Code. In accordance with City Code, approximately 121 courtesy copies of the Public Notice were mailed on August 29, 2014. In addition, the Agenda for the October 14, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This application represents a new liquor license. Annual fee for a PAS liquor license is \$1,410.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Alderman Lower stated he had spoken with business owners and Pastor Joseph Brown, Integrity Deliverance Ministries Integrity Church, located at 1409 S. Main St. They had concerns with a liquor license at this location. He stated citizens and business owners worked hard to make the area vibrant.

Mayor Renner noted that this item had been heard twice by the Liquor Commission. The neighborhood had not expressed opposition. Rev. Brown had indicated support with the condition of no liquor sales on Sunday until 12 noon.

Motion by Alderman Lower, seconded by Alderman Schmidt that a PAS liquor license for BNN Enterprises LLC, d/b/a BNN Enterprises LLC, located at 1414 S Main St., be denied.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: 2015 Employee Benefit Renewal Summary

RECOMMENDATION/MOTION: Informational. Provider contracts are under legal review and will be provided for Council approval.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: In August of this year, the Council approved a contract with Arthur J. Gallagher & Co. (AJG) to act as consultant and insurance broker for employee benefits. Since then, AJG has been meeting regularly with staff and has proceeded to act on the City's behalf in negotiating 2015 insurance rates with the City's employee benefit providers for health, dental, and life insurance. AJG also shopped the market through an RFP for stop loss coverage for the City's self-insured health plan, (Preferred Provider Organization or PPO plan) medical claims and undertook an analysis to determine whether the City should purchase stop loss coverage for the PPO prescription drug plan.

AJG has provided the attached summaries on their stop loss market analysis and 2015 renewal activities. The overall renewal results are positive and the graph provided by AJG provides comparative information on health care pricing and increases. Table 1 provides each plans increase. Table 2 indicates the total increase in calendar 2015 versus 2014 for health, dental and vision coverage. Full-time City employees have a choice in health plans between the self-insured PPO plan administered by Blue Cross and the fully-insured Health Alliance HMO plan. Sworn police also have access to a union plan which is under their control. All full-time employees also have the option of electing dental and vision coverage. The City covers the cost basic life insurance coverage for all full-time employees.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The citizens and employees of the City.

FINANCIAL IMPACT: Not applicable.

Table 1: Summary of Increases for Plans

	Total 2014 Monthly Premium	Total 2015 Monthly Premium	Monthly Increase for Employee
PPO Health Plan*			
Single	\$566	\$609.69	\$10.92
Employee + One	\$1,148	\$1,294.16	\$20.79
Family	\$1,923	\$2,066.44	\$35.86
Health Alliance HMO			
Single	\$661	\$736	\$18.62
Employee + One	\$1,069	\$1,447	\$36.63
Family	\$1,798	\$2,001	\$50.66
	Total 2014 Monthly Premium	Total 2015 Monthly Premium	Monthly Increase for Employee
Dental			
Single	\$30.08	\$30.30	\$0.11
Employee + One	\$60.55	\$61.00	\$0.23
Family	\$91.67	\$92.36	\$0.34
Vision**			
Single	\$8.21	\$8.21	\$0
Employee + One	\$13.06	\$13.06	\$0
Family	\$17.89	\$17.89	\$0
Group Life/AD&D			

Table 2: Employees' total monthly increase in calendar 2015 versus 2014.

	PPO	HMO
Single Health, Dental, Vision	\$11.03	\$18.73
Family Health, Dental, Vision	\$36.21	\$51.00

*PPO Health plan increase includes expected increase to both medical and pharmacy plan costs. The medical claims are administered by Blue Cross/Blue Shield and the pharmacy by Catamaran under separate contracts.

**Vision coverage is under contract to VSP and renews in 2017.

Respectfully submitted for Council consideration.

Prepared by: Laurie Wollrab, MBA, PHR, Comp& Benefit Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

David Hales, City Manager, addressed the Council. He noted that Council had approved a contract with Arthur J. Gallagher & Co. (AJG) to act as consultant and insurance broker for employee benefits. AJG proactively reviewed employee benefits, identified best practices going forward and assists employees with healthy life style choices.

Erin N. Duffy, AJG's Area Vice President Public Sector Practice Health & Welfare Consulting, addressed the Council. AJG was the City's advocate. The goal was to manage costs, viewing the City holistically.

She noted that Blue Cross Blue Shield (BCBS), Preferred Provider Organization (PPO), renewal was a 3.9% increase. The average was 7.5%. Health Alliance, Health Maintenance Organization (HMO), had 11.27% renewal increase. BCBS' dental plan renewal increase was .7%. Life insurance costs remained the same. Prescription drug purchasing group, Catamaran Pharmacy Benefit Manager, had a projected savings of - 6.5%. Discounts and rebates assisted with the savings.

AJG was asked to contact other stop loss carriers for competitive rates. Those contacted denied coverage due several claims running outside the stop loss. It was expected that premiums would double due to same. The renewal was negotiated from 13.3% to 7.6%.

Ms. Duffy noted table 1: Summary of Increases for Plans. Medical benchmarking information was provided. The Municipal Cooperative, known as IPBC, was a group of seventy-five (75) cities and villages who share in the cost of benefits. AJG compared the City's information to that of IPBC and all of AJG's customers across the country.

Mr. Hales questioned the HMO increase factors. Ms. Duffy stated the HMO was fully insured product. Limited data was provided due to same. There were large claims.

Mr. Hales questioned the Cadillac tax. Ms. Duffy explained it was an excise tax that begins 2018. It was a forty percent (40%) tax on plan values in excess of \$10,200 single employees and \$27,500 family. AJG goal was to begin planning now.

Ms. Duffy noted one of the initiatives was to establish an insurance committee. The committee would have employees from the unions and departments. The committee would address the renewal process, health care reform, wellness and how to engage employees with their benefits. The average employee tenure was 9.4 years. AJG's goal was to extend same.

Alderman Black cited concern with the Cadillac tax. Ms. Duffy stated the tax begins January 1, 2018. She believed it was critical to current union negotiations. The underwriters were currently trending all renewals at 9.3%. The federal government had not provided any more information since the establishment of same.

Mr. Hales reminded Council that the Police Union's had negotiated control over designing their health plan. Employees costs was twenty-five percent (25%).

Alderman Fruin cited encouragement with the establishment of employee committees. He questioned AJG's measurements with reference to the Cadillac tax. Ms. Duffy responded that every group was different. She noted that groups who have fifty percent (50%) employees in unions have a higher threshold.

Alderman Fruin questioned norms and/or averages of other municipalities. Ms. Duffy referred to the Medical Benchmarking chart that had been provided to the Council.

The following was presented:

SUBJECT: Purchase of Lots 47 and 48 of Empire Business Park Preliminary Plat Utilizing a \$750,000 State Legislative Grant from Senator Bill Brady and to Enter into an Agreement with Central Catholic High School for Use of said Land as a Practice Field

RECOMMENDATION/MOTION: That the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved, and the Resolution adopted.

STRATEGIC PLAN SIGNIFICANCE: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: Sen. Brady has offered a \$750,000 state legislative grant to allow the City to purchase property next to McGraw Park, in the Empire Business Park, that Central Catholic High School is interested in for a practice football field. There are several moving parts to this transaction, which include a purchase agreement with the seller of the property, an Agreement with Central Catholic High School and a grant agreement with the Department of Commerce and Economic Opportunity, (DECEO) (CCHS).

A draft Purchase Agreement has been created, which lists the purchase price as \$750,000. An appraisal of the property was completed which valued the property at \$766,000.

Proposed in this purchase agreement, seller pays three percent (3%) but the Buyer's three percent (3%) is waived. The seller and buyer split the remaining closing costs. Also, the seller/developer is required to complete road improvements, which include Halls Ferry Rd.

connection to the south at the intersection with Cornelius Dr. and the extension of Cornelius Dr. east through the intersection with Halls Ferry within eighteen (18) months.

A draft agreement with CCHS is also proposed. In this agreement, the CCHS will enter into a fifteen (15) year agreement, with three (3) five (5) year renewals. They will have the ability to withdraw from the agreement, with a ninety (90) days notice, after each five (5) year increment. However, they are willing to continue to pay the \$1,700 per year for the remaining term of the agreement, if they opt out.

CCHS will take on the primary responsibilities for creating the practice field and maintaining, mowing and cleaning it at their own cost on a regular basis. CCHS will pay the City \$1,700 annually in rent for use of the field after it's created. This annual amount will increase, at a rate of the cost of living in the 6th and 11th years. CCHS expects work to begin immediately to create the practice field in time for the start of the 2015 practice season. Finally, CCHS will provide liability insurance coverage and list the City as an additional insured.

The City will take responsibility for annual turf management at a cost of \$2,500 per year. The City will also be allowed to open up the field for third party use with proper notice.

The \$750,000 allocated by Sen. Brady will be distributed through DCEO. Interim Bobbie Herakovich, Director of Parks, Recreation and Cultural Arts contacted DCEO and has completed a grant survey. This survey provides information for a forthcoming legal contract for the grant award which will be scheduled for Council consideration. Staff received official notification from DCEO that the \$750,000 legislative grant is allocated in the state's bond fund.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: CCHS.

FINANCIAL IMPACT: It is estimated that there will be approximately \$433 for title charges (buyer) and recording fees. These fees will be paid from the Economic Development – Other Professional & Technical Services account (10019170-70220). The City will provide annual turf management that is estimated to be approximately \$2,500 per year and will not start until FY 2016. This expense will be proposed in the Parks Maintenance – Other Repair & Maintenance account (10014110-70590). The Stakeholder may locate the closing costs in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 386.

Respectfully submitted for Council consideration.

Prepared by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

David Hales, City Manager, addressed the Council. He noted that discussion to acquire land for the expansion of McGraw Park originated in 2009 and with a \$31 billion State of Illinois Capitol Bill. He had spoken with Senator Brady who stated each legislator was given an allocation. There was short timeframe to make recommendations. They receive numerous requests. Central Catholic High School (CCHS) requested in 2009 to expand McGraw Park. CCHS stated that expansion would be non exclusive and used for football practice. Mr. Hales noted that they currently lease land at the Central Illinois Regional Airport. The lease expires 2015.

The bill provided the opportunity to acquire approximately four (4) acres. It would allow CCHS to have a practice football field, and allow for provide soccer fields. The public would have use of same after the football season. CCHS would enter into \$1,700 yearly lease agreement. CCHS would also spend \$20,000 to improve and develop the land.

Alderman Black was conflicted. He noted that the expansion was not part of the Parks Master Plan. He questioned rejection. Mr. Hales believed the money would go to another municipality. Senator Brady would make the determination.

Alderman Black believed accepting the grant benefited the community.

Alderman Mwilambwe questioned land use for soccer fields. Mr. Hales responded affirmative. He noted that the agreement required CCHS to develop a concept plan. The plan would be subject to approval.

Alderman Mwilambwe questioned cost. Mr. Hales stated \$2500 for turf management.

Alderman Hauman questioned current tax rate. She questioned tax dollars received from same. Mr. Hales believed the rate was farm land and dollars received were low.

Alderman Hauman questioned other land for CCHS' use. Mr. Hales stated none close to the school.

Alderman Stearns noted that once the City was owner the land would be tax exempt. She believed this was not a proper way to spend public money.

Alderman Fruin believed there was minimal cost to the City. He noted that there were a lot of organizations using City parks.

Alderman Lower was uncertain. He acknowledged Alderman Stearns' concerns. He believed support of the agreement could bring in revenue.

Alderman Painter questioned lighting and practice times. Football practices would end by 6:30 p.m. She questioned edification language. Jeff Jurgens, Corporation Counsel, addressed the Council. The contract had mirror language.

Motion by Alderman Fruin, seconded by Alderman Black that the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: Alderman Schmidt, Lower, Mwilambwe and Stearns.

Motion carried.

The following was presented:

SUBJECT: Text Amendment to Chapter 1. Adoption of Administrative Adjudication System

RECOMMENDATION/MOTION: Recommend that the Text Amendment to Chapter 1 City Code Relating to Ordinance Enforcement through Administrative Adjudication be approved and the Ordinance passed.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective1d. City Services delivered in the most cost-effective, efficient manner.

BACKGROUND: For several months, staff from several departments have been working on the establishment of an administrative adjudication system to adjudicate City ordinance Violations, (OV). To establish an administrative court, the City need only pass an ordinance creating a hearing unit. A hearing officer will also need to be appointed who must be an attorney licensed to practice law in the State of Illinois for at least three (3) years. Upon approval of the ordinance establishing the administrative adjudication system, staff will issue a Request for Qualifications (RFQ) to obtain the necessary hearing officers. Under administrative adjudication, fines cannot exceed \$50,000 and the hearing officer's decision can be enforced, after the appeal period, in the same manner as a court judgment. To ensure due process, decisions of the hearing officer are appealable under the Administrative Review Law.

As an overview of the process, complaints will be brought before the hearing officer by the filing of a written pleading by an authorized City official. Service of the pleading/complaint can

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **20170067-00**

Delivery must be made within doors of specified destination.

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CITY OF BLOOMINGTON
ACCOUNTS PAYABLE
PO BOX 3157
BLOOMINGTON, IL 61702-3157
(309) 434-2334

**V
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R**

EVERGREEN FS INC
PO BOX 1367
BLOOMINGTON IL 61702-1367
UNITED STATES

**S
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O**

FLEET MANAGEMENT GARAGE
PUBLIC WORKS DEPARTMENT
336 SOUTH MAIN STREET
BLOOMINGTON IL 61701

309-434-2340

Vendor Phone Number		Vendor Fax Number	Requisition Number	Delivery Reference		
			45			
Date Ordered	Vendor Number	Date Required	Freight Method/Terms		Department/Location	
06/16/2016	93				PUBLIC WORKS ADMINISTRATION	
Item#	Description/Part No.		Qty	UOM	Unit Price	Extended Price
1	FUEL & OIL Fuel & Gasoline		1.0	each	\$1,175,000.000	\$1,175,000.00
<i>THIS BLANKET PO IS FOR INTERNAL/ADMINISTRATIVE PURPOSES ONLY. TERMS OF THE PO ARE 5/1/16 TO 4/30/17. THIS PO IN NO WAY LIMITS OR GUARANTEES QUANTITIES OR DOLLARS TO BE SPENT. THE FUEL CONTRAT WITH EVERGREEN FS WAS APPROVED AT COUNCIL ON 11/10/14. PER BID #2015-19.</i>						
***** GL SUMMARY *****						
10016310 - 71070			1,175,000.00			

Packing slip must accompany all shipments. ALL TERMS & CONDITIONS LISTED ON THE CITY OF BLOOMINGTON WEBSITE APPLY (www.cityblm.org/terms). The City reserves the right to cancel this order if delivery is not made by agreed-upon delivery date. Ship F.O.B. Bloomington, IL, or preapproved best value.

The City of Bloomington is exempt by statute from payment of all federal, state, and municipal excise, sales, and other taxes. Federal ID and tax exemption number is 37-6001563. State of Illinois tax exemption number is E9994-9903.

THE CITY OF BLOOMINGTON IS AN EQUAL OPPORTUNITY EMPLOYER.


Procurement Manager

PO Total \$1,175,000.00

CHART OF TANK SIZES, TYPE AND LOCATIONS

Current January 1, 2014

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

Public Service Department - 401 S. East St.

One - Diesel 10,000 gal. UST

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

Fleet Management Department places the orders for these two tanks

Bloomington Water Department at Lake Bloomington

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

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

These two tanks are normally on a keep filled basis

Parks and Golf Courses

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

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

Emergency Generators

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

Renewal Options

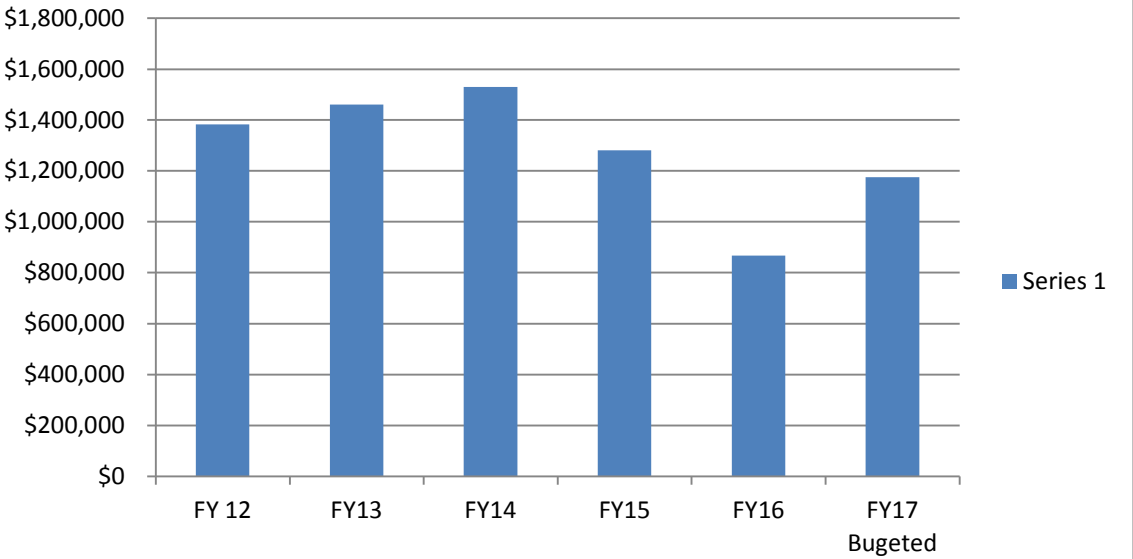
1st Renewal: November 1, 2015 through October 31, 2016

2nd Renewal: November 1, 2016 through October 31, 2017

3rd Renewal: November 1, 2017 through October 31, 2018

4th Renewal: November 1, 2018 through October 31, 2019

Fiscal Year Fuel Costs



CITY OF
Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of adopting a Resolution waiving the bidding requirements, and approving the purchase of five (5) portable beverage carts for the U.S. Cellular Coliseum.

RECOMMENDATION/MOTION: That a Resolution waiving the bidding requirements to approve the purchase of five (5) portable beverage carts from Iowa Rotocast Plastics, Inc. in the amount of \$72,810.00, be approved, the City Manager authorized to execute any necessary documents to effectuate the purchase, and the Mayor and City Clerk be authorized to execute the Resolution.

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

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

BACKGROUND: The U.S. Cellular Coliseum congestion in the concourse, or main thoroughway, as well as, slow customer service at food/beverage stands. Slow food/beverage sales are important to business; however, congestion in main areas of traffic flow is most concerning to the City.

Congestion involves life safety risks and must be addressed promptly and effectively. The US Cellular Coliseum needs to purchase five (5) portable beverage carts for use in the concourse and suite level at the Coliseum. The carts that are currently being used are functionally not acceptable to serve the high number of guests that attend large events. The carts being used now are bulky and causes patron “traffic flow” problems in the concourse and other areas of use. Congestion is negatively impacting fire safety, event attendance and product sales.

By purchasing new, more efficiently designed carts patron congestion will improve tremendously. The new carts are designed for use in smaller spaces while still ensuring functionality. The new carts will open up the concourse for increased traffic flow helping with fire safety issues. The carts will also improve customer service and overall increase revenue. The new portable beverage carts are sole-source, custom items from Iowa Rotocast Plastics, Inc. Iowa Rotocast Plastics, Inc. is the leading producer of portable beverage carts and is believed to be the only vendor that can produce what is needed in the time frame we need it. That said, due to the time constraints, a resolution waiving the formal bidding requirements has been recommended.

The success of the upcoming Keith Urban concert on November 12, 2016 relies significantly upon being able to equip Coliseum staff with portable carts that can address the flow and function of the Coliseum concourse. It is very important that the carts are ordered in time to

have them manufactured and delivered prior to the Keith Urban concert. Keith Urban is the largest event the Coliseum will host this year. This purchase is very important to the success and safety of the event.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The total cost of all five (5) portable carts is \$72,810. The Coliseum would like to move forward in purchasing the portable beverage carts from Iowa Rotocast Plastics, Inc. as a sole source provider. This item will be purchased from the City Coliseum-Capital Outlay Equipment Other account (57107110-72140).

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

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, Special Projects

Reviewed by: Curtis Webb, Executive Director, US Cellular Coliseum

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Resolution
- Quote for portable beverage cart style 1.
- Quote for portable beverage cart style 2.
- Quote for portable beverage cart style 3.
- Quote for portable beverage cart style 4.
- Quote for portable beverage cart style 5.

Motion: That a Resolution waiving the bidding requirements to approve the purchase of five (5) portable beverage carts from Iowa Rotocast Plastics, Inc. in the amount of \$72,810.00, be approved, the City Manager authorized to execute any necessary documents to effectuate the purchase, and the Mayor and City Clerk be authorized to execute the Resolution.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

RESOLUTION NO. 2016 – ____

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE PURCHASE OF FIVE PORTABLE BEVERAGE CARTS FROM IOWA ROTOCAST PLASTICS, INC.

WHEREAS, to address congestion and safety issues associated with concourse, or main thoroughway, at the U.S. Cellular Coliseum during large events, it is necessary to acquire new, more efficiently designed beverage carts; and

WHEREAS, Iowa Rotocast Plastics, Inc., is able to manufacture the beverage carts needed in time for the Coliseum's next big event on November 12, 2016; and

WHEREAS, due to the time constraints and the specialized services, the City Council hereby waives the formal bidding requirements and authorizes the purchase of the beverage carts from Iowa Rotocast Plastics, Inc.

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

That the recitals set forth above are incorporated herein and City Manager, or designated representatives, are authorized to secure the purchase of five (5) beverage carts from Iowa Rotocast Plastics, Inc., in the amount of \$72,810.00, and are authorized to execute any necessary documents to effectuate the purchase.

PASSED this ____ day of October 2016.

APPROVED this ____ day of October 2016

CITY OF BLOOMINGTON

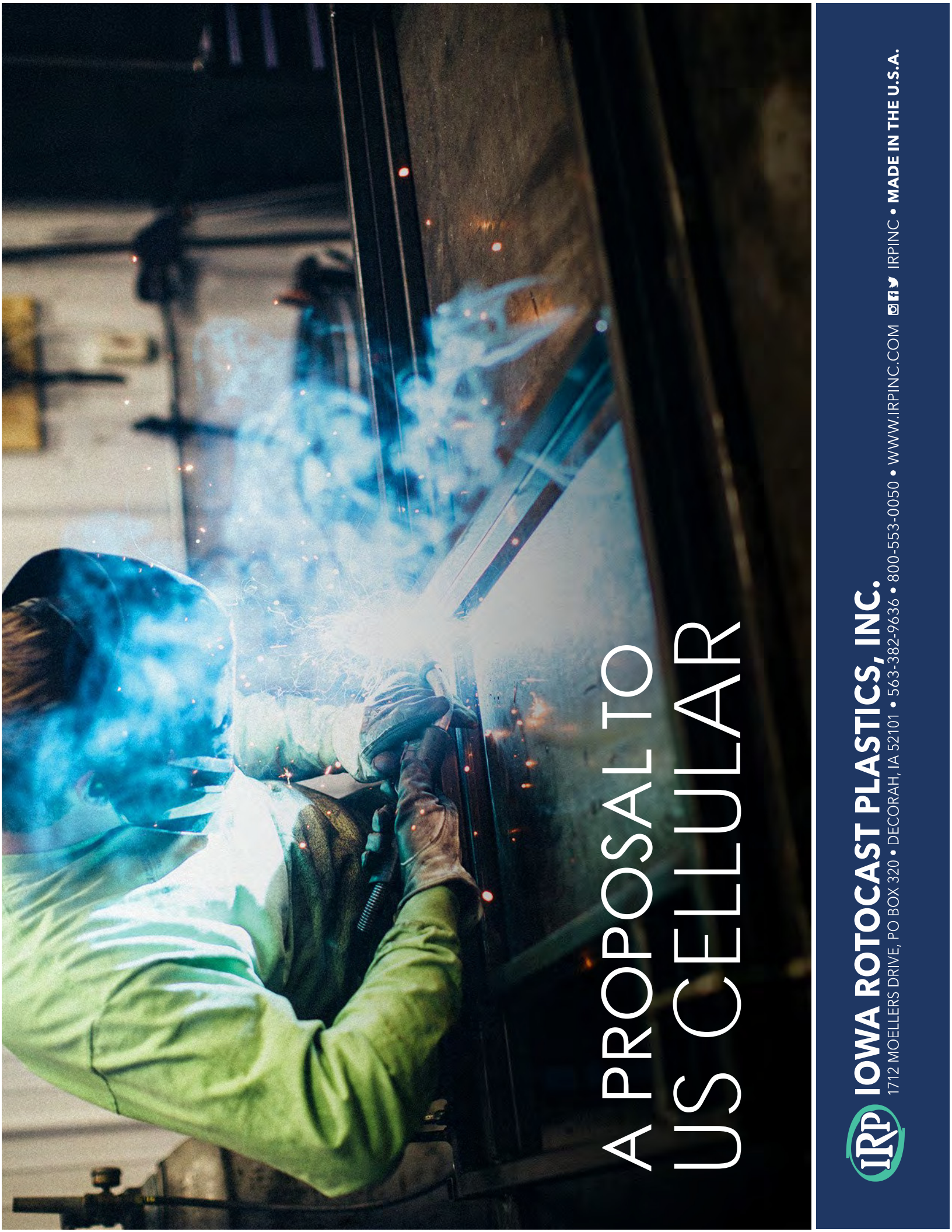
ATTEST:

Tari Renner, Mayor

Cherry L. Lawson, C.M.C., City

Clerk APPROVED AS TO FORM:

Jeffrey R. Jurgens, Corporation Counsel



A PROPOSAL TO US CELLULAR



IOWA ROTOCAST PLASTICS, INC.

1712 MOELLERS DRIVE, PO BOX 320 • DECORAH, IA 52101 • 563-382-9636 • 800-553-0050 • WWW.IRPINC.COM    IRPINC • **MADE IN THE U.S.A.**



A proposal to

US CELLULAR/VENUWORKS-RUSS FERGUSON

PREPARED FOR

US CELLULAR/VENUWORKS-RUSS FERGUSON

PROJECT DESCRIPTION

- HALF MOON PACKAGE KIOSK

PRESENTED BY

•Mike Waldron
(563) 380-3541

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QUOTE DETAIL

- FOB Decorah, IA 52101
- Price subject to review 60 days after quote.
- Price subject to review upon graphic layouts.
- Set-Up and Installation are not included in the price unless otherwise noted.
- Customer must sign and return a copy of attached **Customer Acceptance Form**.
- Production time is calculated from the receipt of your order and approval of drawings.

- Please check with your sales representative for current lead times at the time of your order.
- Additional fees will be charged to expedite orders.
- IRP warrants manufactured products to be free of significant defects in material and workmanship.
- Third party equipment will be warranted as specified by the supplier; including but not limited to refrigeration equipment and food equipment.
- Please inspect shipment upon receipt.
- Customer is responsible for material upon signing for delivery.

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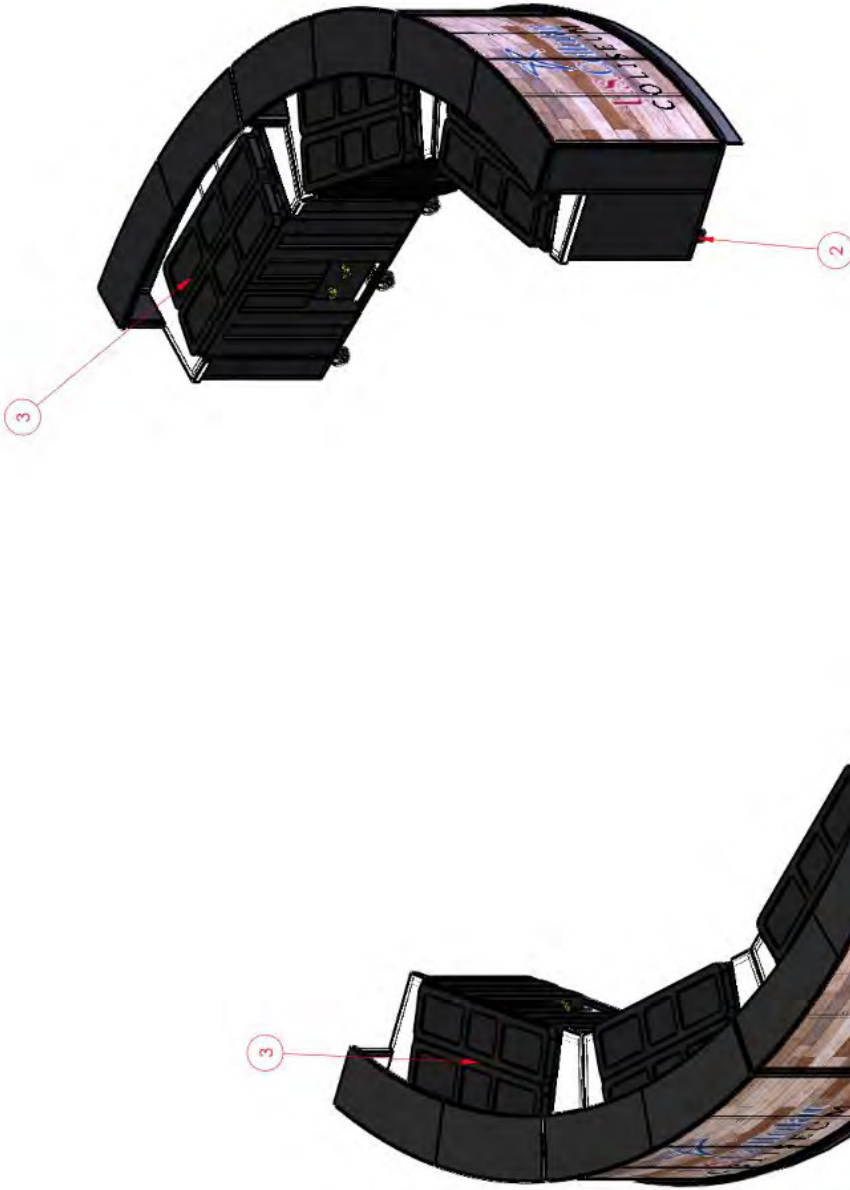
ITEM NO.	QTY	DESCRIPTION
1	3	FABRICATED CART
2	18	4 INCH TRANS-FORMA HD SWIVEL NON-LOCKING CASTER
3	3	Arctic



Iowa Rotocast Plastics, Inc.
 1100 Highway 160, Des Moines, IA 50319
 Phone: (515) 281-1100
 Fax: (515) 281-1101
 Email: sales@iowarotocast.com
 Website: www.iowarotocast.com

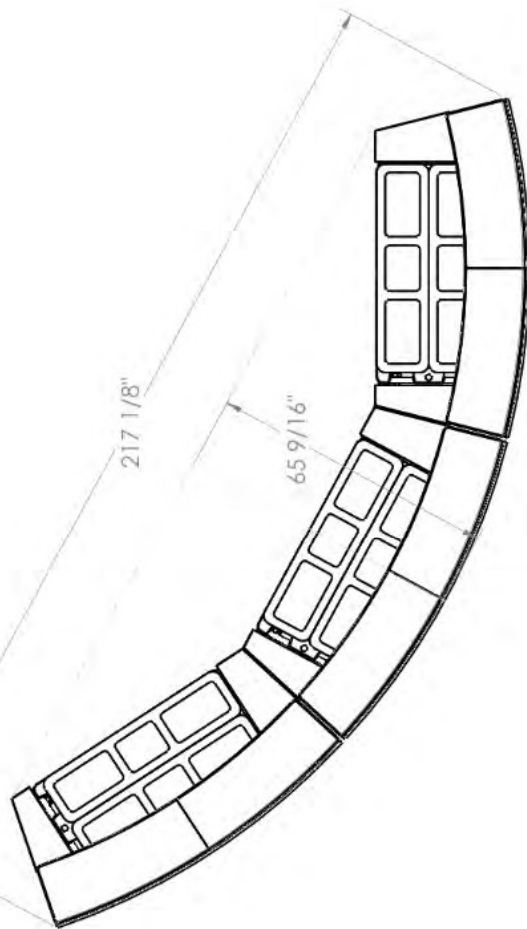
UNLESS OTHERWISE SPECIFIED:		NAME	DATE
DIMENSIONS ARE IN INCHES	DRAWN	JED	9/23/2016
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ANGULAR TACH	ENG APPR		
THREE PLACE DECIMAL	MFG APPR		
ROUNDER GEOMETRIC	D.A.		
TOLERANCING PER	COMMENTS		
MATERIAL	NOTED		
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USED ON			
APPLICATION			
DO NOT SCALE DRAWING			

IOWA ROTOCAST PLASTICS	
TITLE:	
5.REVA-ASSY	
SIZE	DWG. NO.
C	2907
SCALE: 1/24	WEIGHT:
SHEET 1 OF 3	



\\SWSERVER\SWData\Projects\2907\Engineering\Pricing\REV A\5.REVA.ASSY\

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FRAC TIONAL				5.REVA.ASSY	
ANGULAR FRAC TION				SIZE DWG. NO.	
THREE PLACE DECIMAL				C 2907	
INTERPRET DIMENSIONS				SCALE: 1/24 WEIGHT:	
TOLERANCING PER:				SHEET 2 OF 3	
MATERIAL				REV	
NOTES					
DO NOT SCALE DRAWING					



IOWA ROTOCAST PLASTICS	
TITLE: 5 REVA ASSY	
NAME	DATE
JED	9/23/2016
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DESIGNING ARE INCHES	REACTIONAL
ANGULAR MATCH	BEND
WELD	WELD
THREE PLACE DECIMAL	WPC APPR
REINFT GEOMETRIC	D.A.
TOLERANCING FIN	CONSULT
MATERIAL	NOTED
NOT	NOTED
REVISION	USED ON
APPLICATION	DO NOT SCALE DRAWING
SCALE: 1/2"=1' WEIGHT: SHEET 3 OF 3	



IRP
Iowa Rotocast Plastics, Inc.



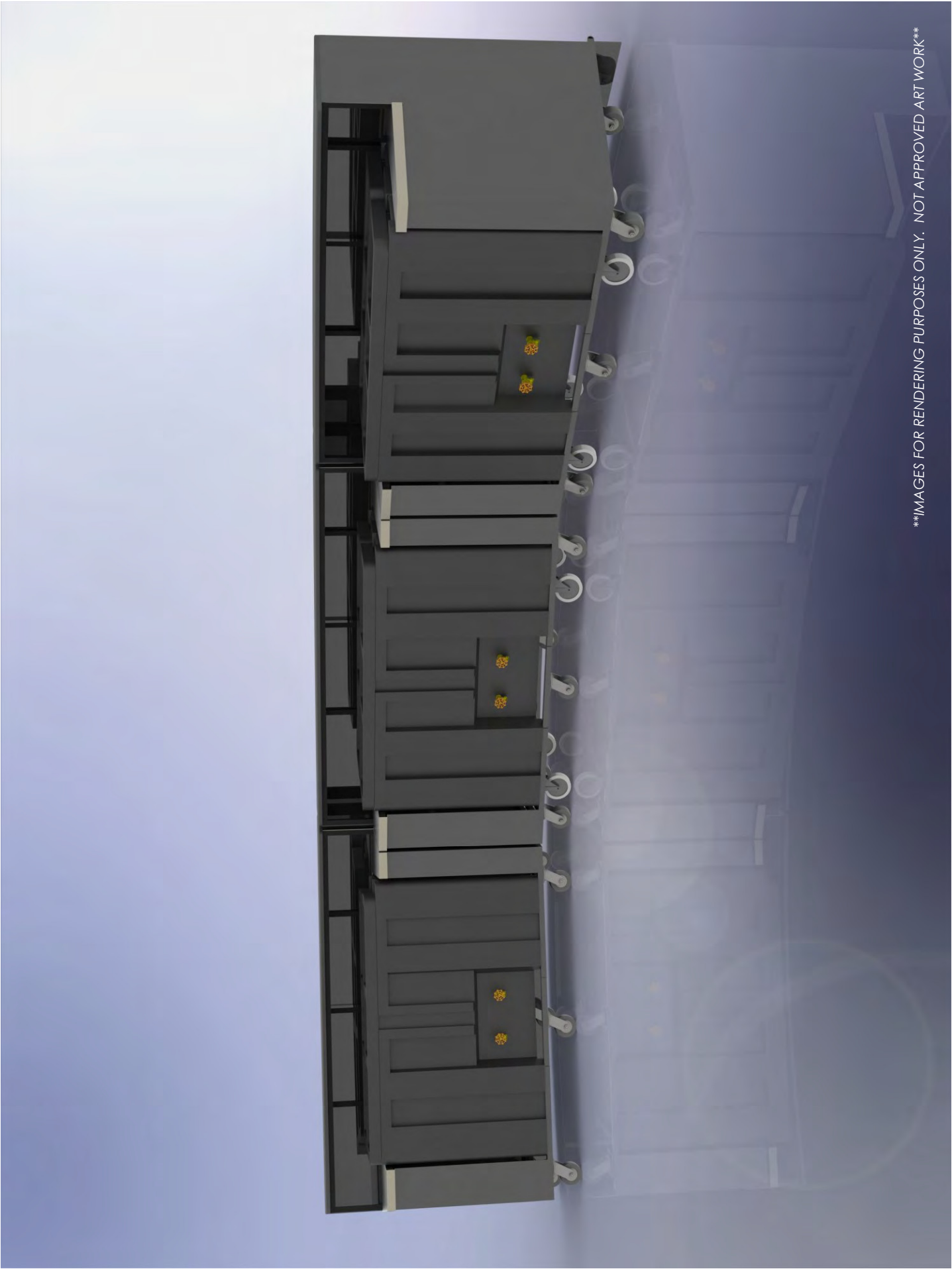
IMAGES FOR RENDERING PURPOSES ONLY. NOT APPROVED ART WORK

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ELECTRICAL REPORT

CART/KIOSK DESCRIPTION: 2 POS OUTLETS PLUG TYPE: #2907

CIRCUIT 1			
VOLTAGE	120V	PLUG TYPE	5-15P
AMPERAGE	15	EQUIPMENT	POS WITH POWER SUPPLY 120V/5A
PHASE	1		POS WITH POWER SUPPLY 120V/5A
CIRCUIT 2			
VOLTAGE		PLUG TYPE	
AMPERAGE		EQUIPMENT	
PHASE			

CUSTOMER ACCEPTANCE FORM

PLEASE INITIAL

ITEMS APPROVED AS SPECIFIED ON CUT SHEETS

- ☐
1. CART OR KIOSK DIMENSIONS: LENGTH, WIDTH, HEIGHT
- ☐
2. ORDER QUANTITY
- ☐
3. GRAPHICS MATERIAL AND LOCATIONS AT TIME OF ORDER, ART WITHIN 10 BUSINESS DAYS OF ORDER
- ☐
4. APPROVED APPLIANCES: MANUFACTURER, MODEL NUMBER AND SPECIFICATIONS
- ☐
5. ELECTRICAL AND LIGHTING: VOLTAGE, AMPS, PLUG TYPE, POS LOCATIONS, AND LOAD CENTER LOCATIONS
- ☐
6. COUNTERTOP MATERIAL
- ☐
7. PAINT COLORS AND LOCATIONS
- ☐
8. APPROVAL OF RENDERINGS AS SHOWN
- ☐
9. INSTALLATION AS QUOTED (IF APPLICABLE)

DISCLAIMER:

- Customer is allowed to make changes within 2 business days of Purchase Order (charges for additional time and material may apply).
- Changes within 2-7 business days from PO will incur a \$250 service fee plus time and material as required.
- Changes after 7 business days are typically not allowed, but will be reviewed on an individual basis to determine cost and schedule impacts.
- Customer is responsible for local code and permit requirements for the site installation and operation of purchased equipment described in this document.
- Images included are for rendering purposes only and not approved artwork.

I have reviewed the entire quote and by signing below, I am confirming that all details listed within this quote are correct and I agree to the terms and conditions as listed.

NAME: _____
SIGNATURE: _____
COMPANY: _____
TITLE: _____

PLEASE RETURN TO YOUR SALES REPRESENTATIVE:

DATE: _____

EMAIL: mike@irpinc.com
FAX: (563) 382-3016

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IOWA ROTOCAST PLASTICS, INC.

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IOWA ROTOCAST PLASTICS, INC. WARRANTY POLICY AND LIMITATION OF LIABILITY

Effective Date: 5-2-16

Iowa Rotocast Plastics, Inc., hereinafter referred to as "the Seller", takes great pride in delivering supreme quality products and equipment in the marketplace. The Seller manufactures goods in accordance with plan specifications, design criteria, and/or proposals approved by the customer, hereinafter referred to as "the User". The seller warrants to the first-end-user purchaser (the "User") that Iowa Rotocast Plastics, (IRP) branded equipment and products of its manufacture to be free from defects in material or workmanship, under normal and regular service, for the applicable Warranty Period (define below). This Warranty is not transferable. Some equipment and products which are not made by the seller are warranted by their respective manufacturer; therefore, this Limited Warranty does not apply to such products. Finished materials and accessories purchased from other manufacturers are warranted only to the extent of the manufacturers' warranty to "the Seller". Warranties for items built wholly or partially to buyer's design or specifications are limited to dimensional conformity to engineering drawings supplied by the Buyer.

"The Seller" makes no warranty of any kind whatsoever, expressed or implied, other than as specifically stated herein; and there are no warranties of merchantability and/or fitness for a particular purpose which exceed the obligations and warranties specifically state herein.

Unless otherwise specified, the Warranty Period is one full year from the date of delivery of goods. During the warranty period "the Seller's" sole obligation is to either repair or replace a defective product as may be elected at "the Seller's" sole discretion. All transportation costs are at the buyer's expense. The seller will have no responsibility to honor claims received after the date the applicable Warranty.

Any alteration or repair of the goods by a party not specifically authorized in writing by "The Seller" shall automatically void the warranty.

Adjustments such as calibrations, leveling, tightening of fasteners or utility connections normally associated with the original installation and are not done by the seller are solely the responsibility of the buyer. Improper installation includes, but is not limited to, use of inadequate electrical wiring and/or insufficient or improper voltage.

In no event shall "the Seller" be liable for any incidental, consequential or special damages of any kind or nature whatsoever, including but not limited to lost profits arising from or in any way connected with agreement or items sold hereunder, whether alleged to arise from breach of contract, express or implied warranty, or in tort, including without limitation, negligence, failure to warn or strict liability.

This warranty shall be rendered null and void when, in the judgment of the seller, if the equipment has been subject to abnormal or abusive use or lack of proper care and maintenance by the buyer, or when it has been determined that environmental or application conditions have exceeded those specified for normal use of a specific product.

The seller has no responsibility to honor claims received after the date the applicable Warranty Period expires. Under all claims within this Warranty, the seller will have the right, at its own expense, to have their representatives inspect the equipment at the user's premises and to request all of User's records pertaining to the Equipment to determine whether a defect exists, whether the conditions set forth in this Warranty have been satisfied, and whether or not the applicable Warranty is in effect.

HOW DO I RECEIVE WARRANTY

After receipt of a product that the seller determines is defective, Iowa Rotocast Plastics, Inc. will, at its discretion; either repair (or authorize the repair of) the product, or replace the product. The seller's determination of defects is final. Failure by user to give notice of claims of breach of warranty within the Warranty Period shall be deemed an absolute and unconditional waiver of purchaser's claim for such defects.

If any defect is discovered in the product during the Warranty Period, the purchaser must notify Iowa Rotocast Plastics customer service department to obtain a return authorization number, and further instructions on how to return the product for service. Purchaser must follow the seller's instruction.

All defective parts must be returned to Iowa Rotocast Plastics, 1712 Moellers Drive, Decorah, Iowa, within the warranty period. Written authorization for such returns must first be obtained. Parts furnished without charge as replacements for original parts under warranty are warranted for the remainder of the original warranty period.

Iowa Rotocast Plastics Customer Service:

Toll Free: 1-800-553-0050

Email: IRP@IRPINC.COM

ADDITIONAL EXCLUSIONS FROM WARRANTY COVERAGE

The IRP Warranty does not cover parts or accessories, which (a) carry the warranty of a supplier of a product or equipment not manufactured by IRP or (b) are abused. Application of this Warranty is further conditioned upon the following:

- Installation. The Equipment must be properly installed in accordance with Iowa Rotocast Plastic's installation procedures and instructions and reviewed and tested by IRP's authorized representative.
 - No Alteration. The Equipment must not have been modified or altered from its condition at the date of original installation.
 - Proper Maintenance and Operation. The Equipment must be properly maintained and operated in accordance with IRP's or other used supplier maintenance and operating procedures. Improper operation due to voltage variances, inadequate wiring and physical damage is the responsibility of the User. They are not manufacturing defects.
 - This warranty is void if failure is a direct result of handling &/or transportation, fire, water, accident, misuse, acts of nature/disaster, attempted repair by unauthorized persons, improper installation, if serial number has been removed or altered, or if unit is used for purpose other than it was originally intended.
- Failure to comply with any of these conditions will void this Warranty. In addition, this Warranty does not cover defects due to apparent abuse, misuse or accident. Iowa Rotocast Plastics, Inc. accepts no responsibility for normal wear and tear of products and/or equipment. The responsibility of Iowa Rotocast Plastics Corporation ceases upon acceptance of its products by the carrier. Any damage or loss sustained in shipment is the carrier's responsibility.

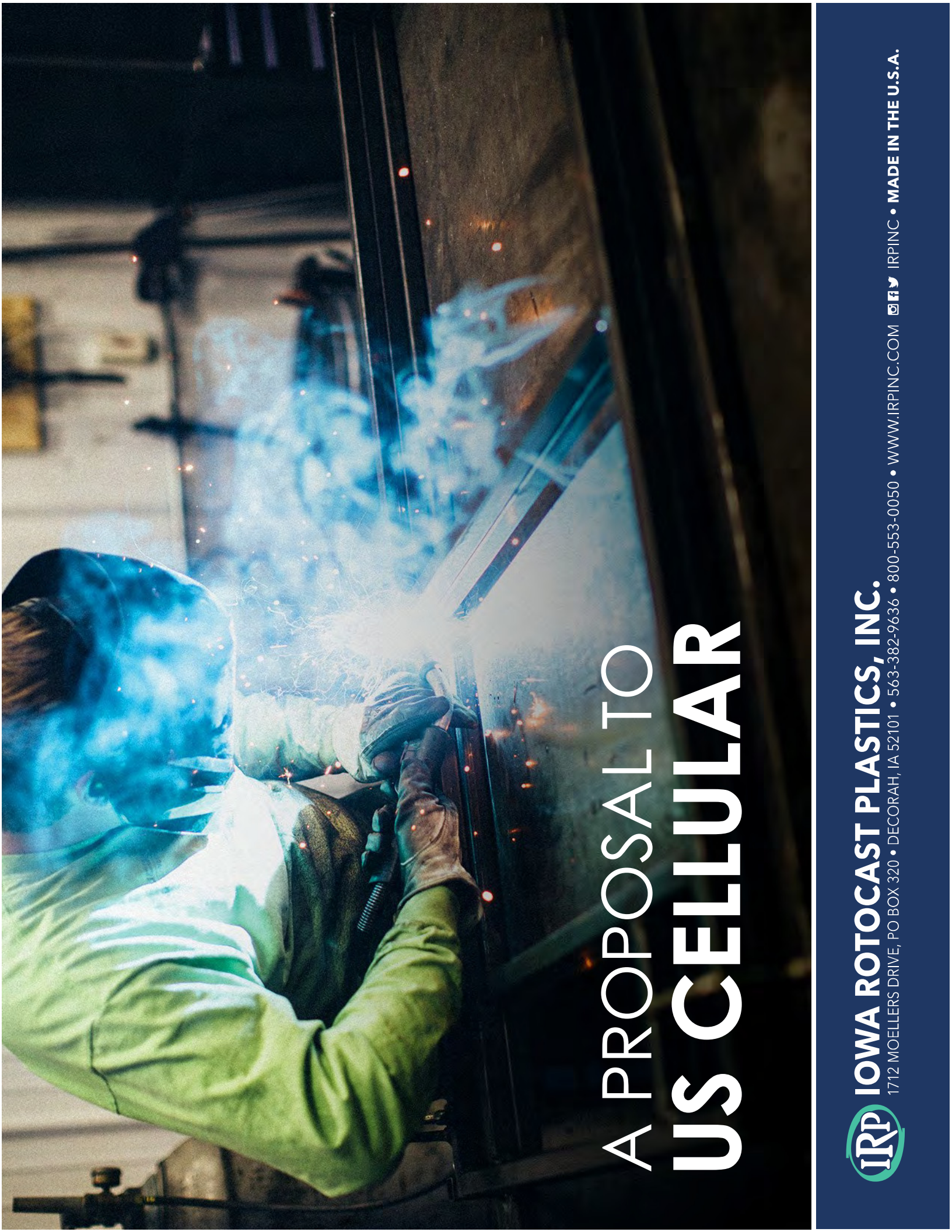


MADE IN THE U.S.A.



IOWA ROTOCAST PLASTICS, INC.

1712 MOELLERS DRIVE, PO BOX 320 • DECORAH, IA 52101 • 563-382-9636 • 800-553-0050 • WWW.IRPINC.COM    IRPINC • **MADE IN THE U.S.A.**



A PROPOSAL TO US CELLULAR



IOWA ROTOCAST PLASTICS, INC.

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A proposal to

US CELLULAR/VENUWORKS-RUSS FERGUSON

PREPARED FOR

US CELLULAR/VENUWORKS-RUSS FERGUSON

PROJECT DESCRIPTION

- PACKAGE/LIQUOR KIOSK

PRESENTED BY

•Mike Waldron
(563) 380-3541

The contents contained in this quote package are confidential and may not be reproduced or distributed in any form or by any means to any third party, without the prior written permission of Iowa Rotocast Plastics, Inc.

QUOTE DETAIL

- FOB Decorah, IA 52101
- Price subject to review 60 days after quote.
- Price subject to review upon graphic layouts.
- Set-Up and Installation are not included in the price unless otherwise noted.
- **Customer must sign and return a copy of attached Customer Acceptance Form.**
- Production time is calculated from the receipt of your order and approval of drawings.

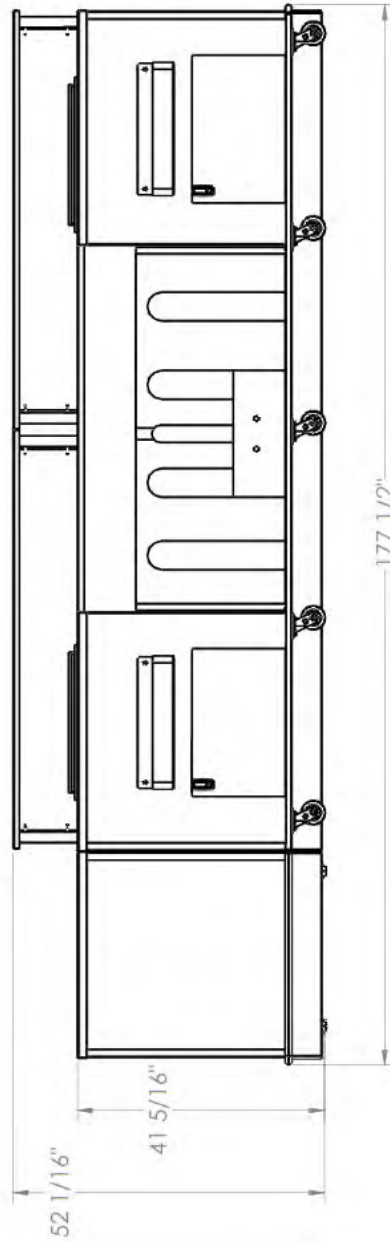
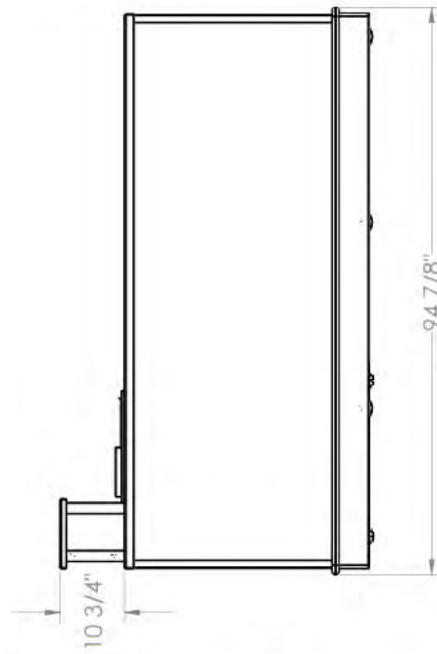
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- IRP warrants manufactured products to be free of significant defects in material and workmanship.
- Third party equipment will be warranted as specified by the supplier; including but not limited to refrigeration equipment and food equipment.
- Please inspect shipment upon receipt.
- Customer is responsible for material upon signing for delivery.

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UNLESS OTHERWISE SPECIFIED:		NAME	DATE	IOWA ROTOCAST PLASTICS	
DIMENSIONS ARE IN INCHES	DRAWN	JED	9/22/2018	TITLE	
ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE	CHECKED			4 REVA-ASSY	
ANGULAR TAPES - 90° BEND	ENG APPR			SIZE DWG. NO. 2907	
THREE PLACE DECIMAL	MPG APPR			C	
INTERIOR GEOMETRIC	Q.A.			SCALE 1/24 WEIGHT: SHEET 3 OF 3	
TOLERANCING (FIB)	CONSTRUCT				
MATERIAL	NOTED				
FINISH	NOTED				
APPLICATION	DO NOT SCALE DRAWING				



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ELECTRICAL REPORT

CART/KIOSK DESCRIPTION: 2 POS OUTLETS PLUG TYPE: #2907

CIRCUIT 1			
VOLTAGE	120V	PLUG TYPE	5-15P
AMPERAGE	15	EQUIPMENT	POS WITH POWER SUPPLY 120V/5A
PHASE	1		POS WITH POWER SUPPLY 120V/5A

CIRCUIT 2			
VOLTAGE		PLUG TYPE	
AMPERAGE		EQUIPMENT	
PHASE			

CUSTOMER ACCEPTANCE FORM

PLEASE INITIAL

ITEMS APPROVED AS SPECIFIED ON CUT SHEETS

- ☐
1. CART OR KIOSK DIMENSIONS: LENGTH, WIDTH, HEIGHT
- ☐
2. ORDER QUANTITY
- ☐
3. GRAPHICS MATERIAL AND LOCATIONS AT TIME OF ORDER, ART WITHIN 10 BUSINESS DAYS OF ORDER
- ☐
4. APPROVED APPLIANCES: MANUFACTURER, MODEL NUMBER AND SPECIFICATIONS
- ☐
5. ELECTRICAL AND LIGHTING: VOLTAGE, AMPS, PLUG TYPE, POS LOCATIONS, AND LOAD CENTER LOCATIONS
- ☐
6. COUNTERTOP MATERIAL
- ☐
7. PAINT COLORS AND LOCATIONS
- ☐
8. APPROVAL OF RENDERINGS AS SHOWN
- ☐
9. INSTALLATION AS QUOTED (IF APPLICABLE)

DISCLAIMER:

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- Changes after 7 business days are typically not allowed, but will be reviewed on an individual basis to determine cost and schedule impacts.
- Customer is responsible for local code and permit requirements for the site installation and operation of purchased equipment described in this document.
- Images included are for rendering purposes only and not approved artwork.

I have reviewed the entire quote and by signing below, I am confirming that all details listed within this quote are correct and I agree to the terms and conditions as listed.

NAME:

SIGNATURE:

COMPANY:

TITLE:

PLEASE RETURN TO YOUR SALES REPRESENTATIVE:

DATE:

EMAIL:

FAX:

mike@irpinc.com

(563) 382-3016

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IOWA ROTOCAST PLASTICS, INC. WARRANTY POLICY AND LIMITATION OF LIABILITY

Effective Date: 5-2-16

Iowa Rotocast Plastics, Inc., hereinafter referred to as "the Seller", takes great pride in delivering supreme quality products and equipment in the marketplace. The Seller manufactures goods in accordance with plan specifications, design criteria, and/or proposals approved by the customer, hereinafter referred to as "the User". The seller warrants to the first-end-user purchaser (the "User") that Iowa Rotocast Plastics, (IRP) branded equipment and products of its manufacture to be free from defects in material or workmanship, under normal and regular service, for the applicable Warranty Period (define below). This Warranty is not transferable. Some equipment and products which are not made by the seller are warranted by their respective manufacturer; therefore, this Limited Warranty does not apply to such products. Finished materials and accessories purchased from other manufacturers are warranted only to the extent of the manufacturers' warranty to "the Seller". Warranties for items built wholly or partially to buyer's design or specifications are limited to dimensional conformity to engineering drawings supplied by the Buyer.

"The Seller" makes no warranty of any kind whatsoever, expressed or implied, other than as specifically stated herein; and there are no warranties of merchantability and/or fitness for a particular purpose which exceed the obligations and warranties specifically state herein.

Unless otherwise specified, the Warranty Period is one full year from the date of delivery of goods. During the warranty period "the Seller's" sole obligation is to either repair or replace a defective product as may be elected at "the Seller's" sole discretion. All transportation costs are at the buyer's expense. The seller will have no responsibility to honor claims received after the date the applicable Warranty.

Any alteration or repair of the goods by a party not specifically authorized in writing by "The Seller" shall automatically void the warranty.

Adjustments such as calibrations, leveling, tightening of fasteners or utility connections normally associated with the original installation and are not done by the seller are solely the responsibility of the buyer. Improper installation includes, but is not limited to, use of inadequate electrical wiring and/or insufficient or improper voltage.

In no event shall "the Seller" be liable for any incidental, consequential or special damages of any kind or nature whatsoever, including but not limited to lost profits arising from or in any way connected with agreement or items sold hereunder, whether alleged to arise from breach of contract, express or implied warranty, or in tort, including without limitation, negligence, failure to warn or strict liability.

This warranty shall be rendered null and void when, in the judgment of the seller, if the equipment has been subject to abnormal or abusive use or lack of proper care and maintenance by the buyer, or when it has been determined that environmental or application conditions have exceeded those specified for normal use of a specific product.

The seller has no responsibility to honor claims received after the date the applicable Warranty Period expires. Under all claims within this Warranty, the seller will have the right, at its own expense, to have their representatives inspect the equipment at the user's premises and to request all of User's records pertaining to the Equipment to determine whether a defect exists, whether the conditions set forth in this Warranty have been satisfied, and whether or not the applicable Warranty is in effect.

HOW DO I RECEIVE WARRANTY

After receipt of a product that the seller determines is defective, Iowa Rotocast Plastics, Inc. will, at its discretion; either repair (or authorize the repair of) the product, or replace the product. The seller's determination of defects is final. Failure by user to give notice of claims of breach of warranty within the Warranty Period shall be deemed an absolute and unconditional waiver of purchaser's claim for such defects.

If any defect is discovered in the product during the Warranty Period, the purchaser must notify Iowa Rotocast Plastics customer service department to obtain a return authorization number, and further instructions on how to return the product for service. Purchaser must follow the seller's instruction.

All defective parts must be returned to Iowa Rotocast Plastics, 1712 Moellers Drive, Decorah, Iowa, within the warranty period. Written authorization for such returns must first be obtained. Parts furnished without charge as replacements for original parts under warranty are warranted for the remainder of the original warranty period.

Iowa Rotocast Plastics Customer Service:

Toll Free: 1-800-553-0050

Email: IRP@IRPINC.COM

ADDITIONAL EXCLUSIONS FROM WARRANTY COVERAGE

The IRP Warranty does not cover parts or accessories, which (a) carry the warranty of a supplier of a product or equipment not manufactured by IRP or (b) are abused. Application of this Warranty is further conditioned upon the following:

- Installation. The Equipment must be properly installed in accordance with Iowa Rotocast Plastic's installation procedures and instructions and reviewed and tested by IRP's authorized representative.
 - No Alteration. The Equipment must not have been modified or altered from its condition at the date of original installation.
 - Proper Maintenance and Operation. The Equipment must be properly maintained and operated in accordance with IRP's or other used supplier maintenance and operating procedures. Improper operation due to voltage variances, inadequate wiring and physical damage is the responsibility of the User. They are not manufacturing defects.
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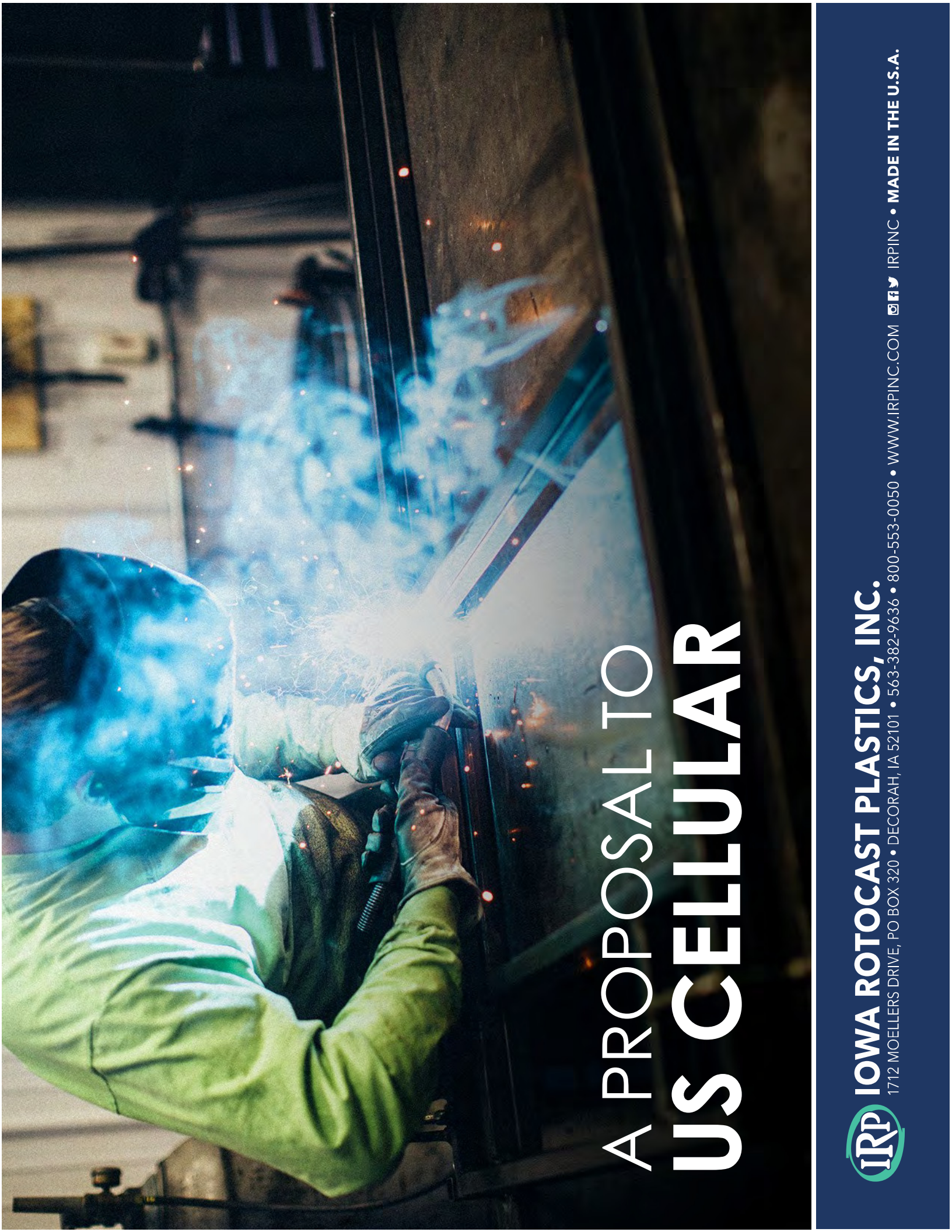


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A PROPOSAL TO US CELLULAR



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A proposal to

US CELLULAR/VENUWORKS-RUSS FERGUSON

PREPARED FOR

US CELLULAR/VENUWORKS-RUSS FERGUSON

PROJECT DESCRIPTION

- PACKAGE/LIQUOR CART

PRESENTED BY

•Mike Waldron
(563) 380-3541

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QUOTE DETAIL

- FOB Decorah, IA 52101
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- **Customer must sign and return a copy of attached Customer Acceptance Form.**
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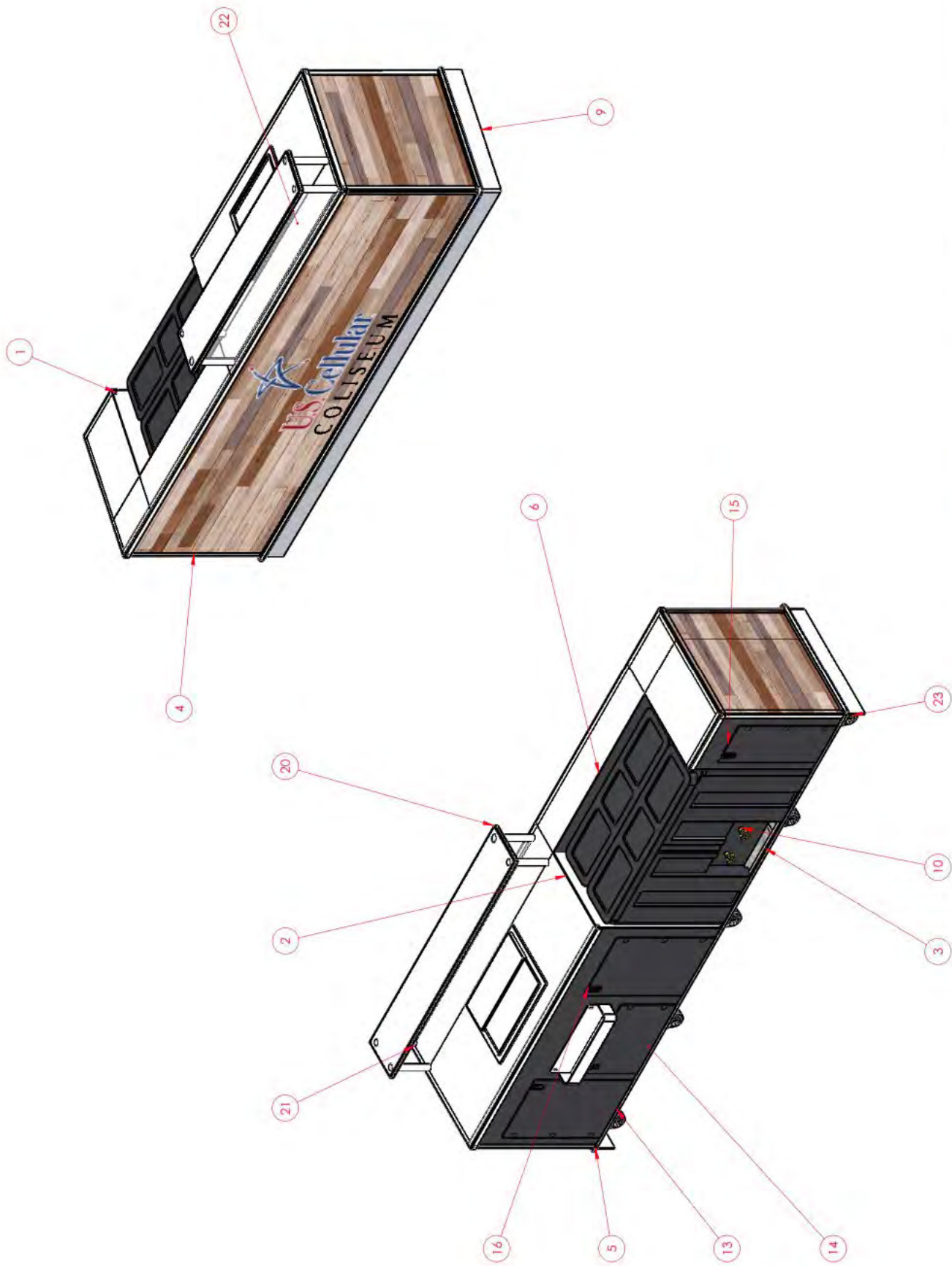


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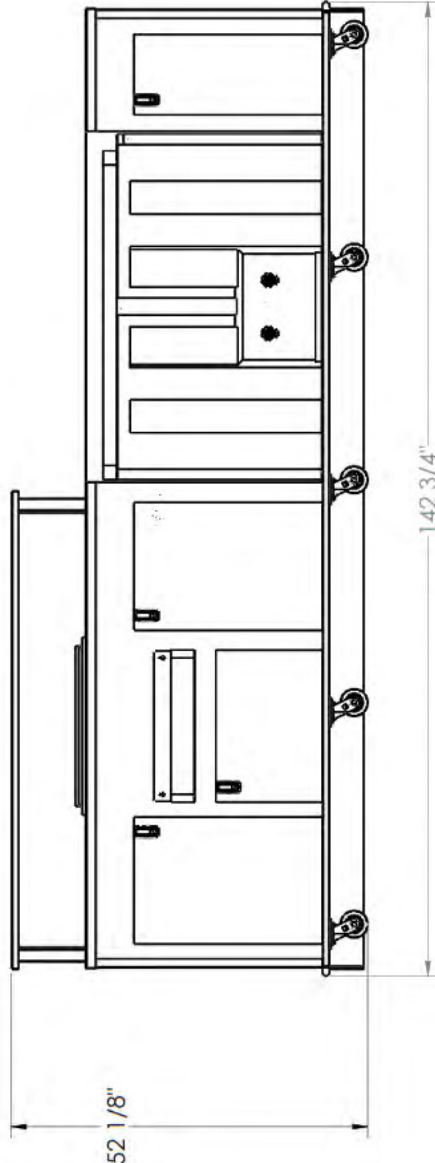
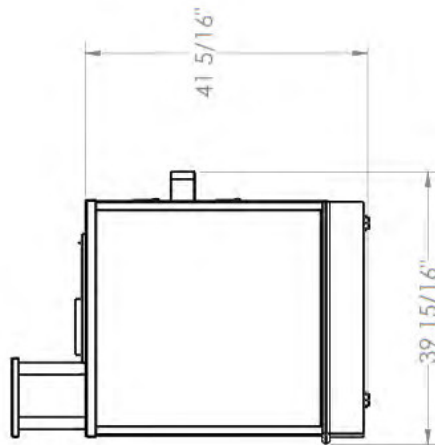


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UNLESS OTHERWISE SPECIFIED:		NAME	DATE	IOWA ROTOCAST PLASTICS	
DIMENSIONS ARE IN INCHES		JFD	9/22/2016	TITLE:	
ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE				3.REVA-ASSY	
ANGULAR MATCH	BRAD			SIZE DWG. NO. 2907	
THREE PLACE DECIMAL				SCALE 1:16 WEIGHT: SHEET 2 OF 3	
ROUNDER GEOMETRY				REV	
TOE RADIUSING PER				C	
MATERIAL				NOTED	
FINISH				NOTED	
DO NOT SCALE DRAWING					





IRP
Iowa Rotocast Plastics, Inc.
ROTOMOLDING AND COMPOUNDING
DRAWINGS ARE THE PROPERTY OF
IOWA ROTOCAST PLASTICS, INC. AND
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REUSE OF THIS DRAWING IS
PERMITTED.

UNLESS OTHERWISE SPECIFIED:		NAME	DATE	IOWA ROTOCAST PLASTICS	
DIMENSIONS ARE IN INCHES	DRAWN	JED	9/22/2018	TITLE:	
ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE	CHECKED			3.REVA-ASSY	
ANGULAR TAPES	ENG APPR.			SIZE DWG. NO. 2907	
THREE PLACE DECIMAL	MFG APPR.			SCALE 1:16 WEIGHT: SHEET 3 OF 3	
INTEREST GEOMETRIC	Q.A.			REV	
TOLERANCING (RIB)	CONSTRUCT			C	
MATERIAL	NOTED				
FINISH	NOTED				
USE/ON					
APPLICATION					



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1712 MOELLERS DRIVE, PO BOX 320 • DECORAH, IA 52101 • 563-382-9636 • 800-553-0050 • WWW.IRPINC.COM

ELECTRICAL REPORT

CART/KIOSK DESCRIPTION: 2 POS OUTLETS PLUG TYPE: #2907

CIRCUIT 1			
VOLTAGE	120V	PLUG TYPE	5-15P
AMPERAGE	15	EQUIPMENT	POS WITH POWER SUPPLY 120V/5A
PHASE	1		POS WITH POWER SUPPLY 120V/5A
CIRCUIT 2			
VOLTAGE		PLUG TYPE	
AMPERAGE		EQUIPMENT	
PHASE			

CUSTOMER ACCEPTANCE FORM

PLEASE INITIAL

ITEMS APPROVED AS SPECIFIED ON CUT SHEETS

- ☐
1. CART OR KIOSK DIMENSIONS: LENGTH, WIDTH, HEIGHT
- ☐
2. ORDER QUANTITY
- ☐
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- Images included are for rendering purposes only and not approved artwork.

I have reviewed the entire quote and by signing below, I am confirming that all details listed within this quote are correct and I agree to the terms and conditions as listed.

NAME:

SIGNATURE:

COMPANY:

TITLE:

PLEASE RETURN TO YOUR SALES REPRESENTATIVE:

DATE:

EMAIL:

FAX:

mike@irpinc.com

(563) 382-3016

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IOWA ROTOCAST PLASTICS, INC. WARRANTY POLICY AND LIMITATION OF LIABILITY

Effective Date: 5-2-16

Iowa Rotocast Plastics, Inc., hereinafter referred to as "the Seller", takes great pride in delivering supreme quality products and equipment in the marketplace. The Seller manufactures goods in accordance with plan specifications, design criteria, and/or proposals approved by the customer, hereinafter referred to as "the User". The seller warrants to the first-end-user purchaser (the "User") that Iowa Rotocast Plastics, (IRP) branded equipment and products of its manufacture to be free from defects in material or workmanship, under normal and regular service, for the applicable Warranty Period (define below). This Warranty is not transferable. Some equipment and products which are not made by the seller are warranted by their respective manufacturer; therefore, this Limited Warranty does not apply to such products. Finished materials and accessories purchased from other manufacturers are warranted only to the extent of the manufacturers' warranty to "the Seller". Warranties for items built wholly or partially to buyer's design or specifications are limited to dimensional conformity to engineering drawings supplied by the Buyer.

"The Seller" makes no warranty of any kind whatsoever, expressed or implied, other than as specifically stated herein; and there are no warranties of merchantability and/or fitness for a particular purpose which exceed the obligations and warranties specifically state herein.

Unless otherwise specified, the Warranty Period is one full year from the date of delivery of goods. During the warranty period "the Seller's" sole obligation is to either repair or replace a defective product as may be elected at "the Seller's" sole discretion. All transportation costs are at the buyer's expense. The seller will have no responsibility to honor claims received after the date the applicable Warranty.

Any alteration or repair of the goods by a party not specifically authorized in writing by "The Seller" shall automatically void the warranty.

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In no event shall "the Seller" be liable for any incidental, consequential or special damages of any kind or nature whatsoever, including but not limited to lost profits arising from or in any way connected with agreement or items sold hereunder, whether alleged to arise from breach of contract, express or implied warranty, or in tort, including without limitation, negligence, failure to warn or strict liability.

This warranty shall be rendered null and void when, in the judgment of the seller, if the equipment has been subject to abnormal or abusive use or lack of proper care and maintenance by the buyer, or when it has been determined that environmental or application conditions have exceeded those specified for normal use of a specific product.

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Iowa Rotocast Plastics Customer Service:

Toll Free: 1-800-553-0050

Email: IRP@IRPINC.COM

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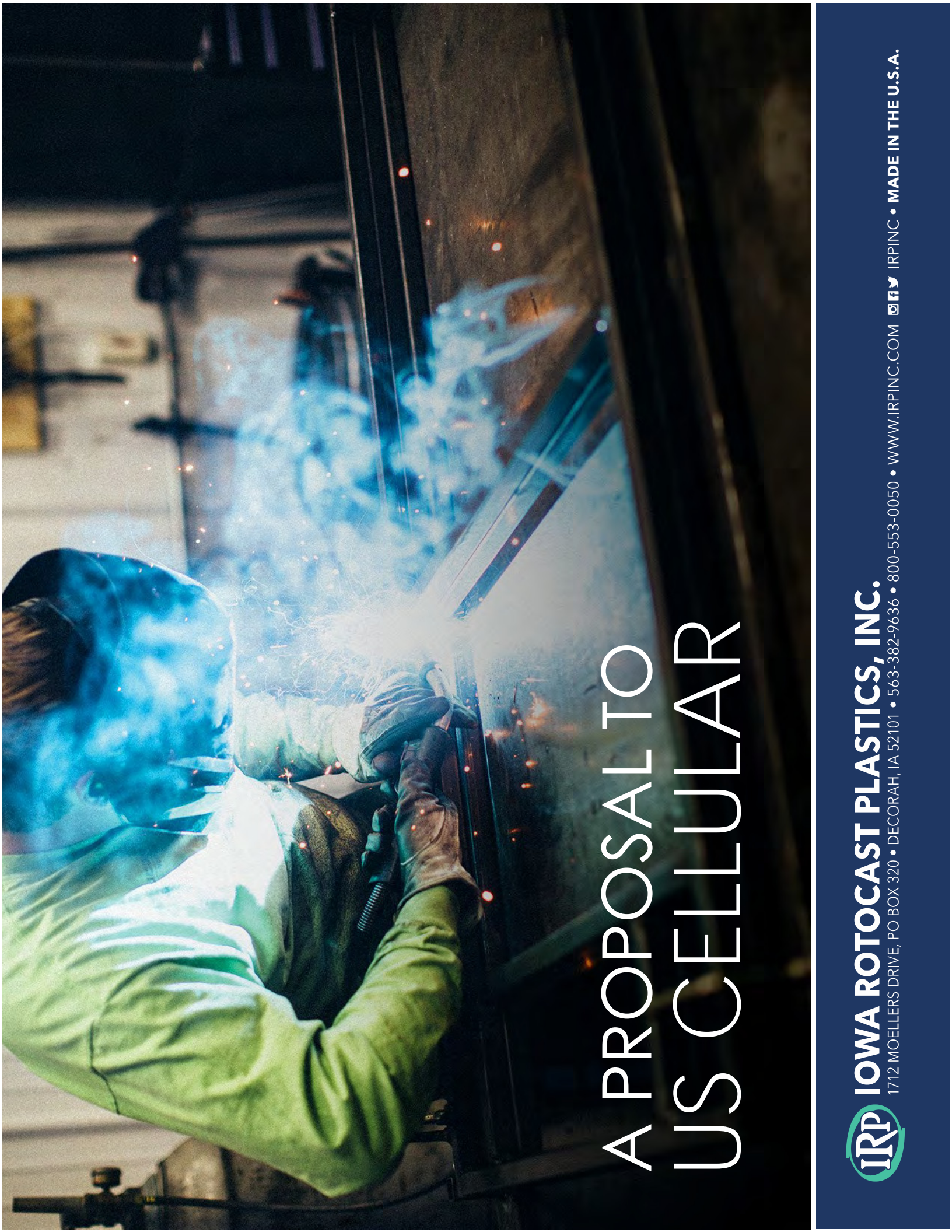


MADE IN THE U.S.A.



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A PROPOSAL TO US CELLULAR



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A proposal to

US CELLULAR/VENUWORKS-RUSS FERGUSON

PREPARED FOR

US CELLULAR/VENUWORKS-RUSS FERGUSON

PROJECT DESCRIPTION

- PACKAGE/LIQUOR KIOSK

PRESENTED BY

•Mike Waldron
(563) 380-3541

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QUOTE DETAIL

- FOB Decorah, IA 52101
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IOWA ROTOCAST PLASTICS, INC.

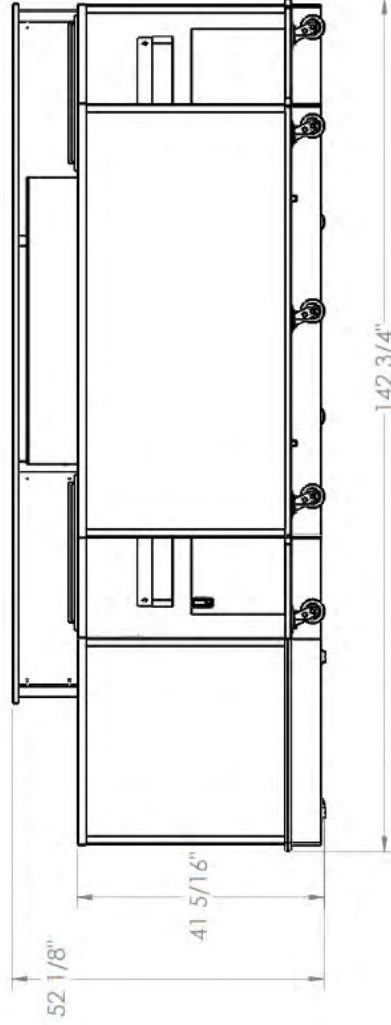
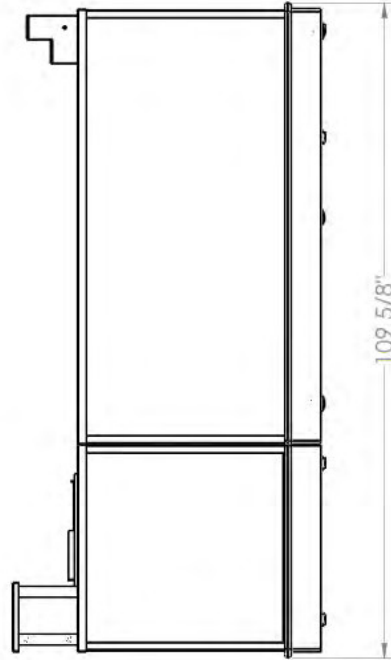
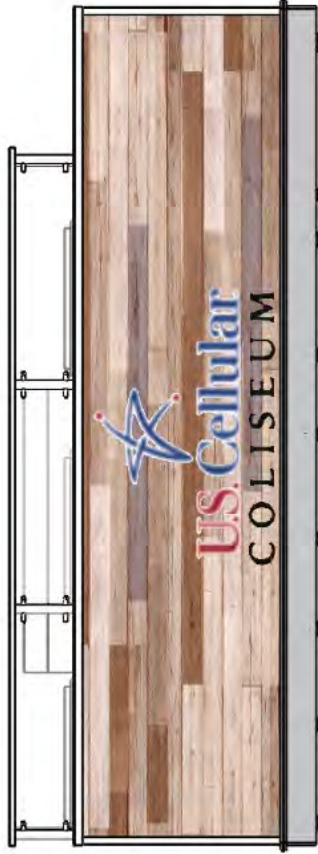
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ITEM NO.	QTY	DESCRIPTION	ITEM NO.	QTY	DESCRIPTION
1	1	FABRICATED CART	10	1	MARINE BOARD SERVING SHELF
2	1	FABRICATED CART	11	2	THEFT GUARD
3	22	4 INCH TRANS-FORMA HD SWIVEL NON-LOCKING CASTER	12	8	GLASS POSTS
4	2	PVC DOOR	13	1	SS SERVING SHELF - OVER SEABOARD
5	3	PVC DOOR	14	12	GLASS CLAMP
6	2	PVC DOOR	15	1	FABRICATED CART
7	5	LOCKING LATCH	16	3	16 GA RESERVOIR TANK
8	3	SPEED RAIL - 22"	17	18	BILUMOTION 100 DEGREE SOFT CLOSING HINGE
9	3	CONSUMABLE ICE BIN - GLASSTENDER DIH824	18	1	LIGHTED LIQUOR DISPLAY - PERLUCK LMD2-48



IOWA ROTOCAST PLASTICS, INC.
 2907 ENGINEERING \Pricing\REV A\

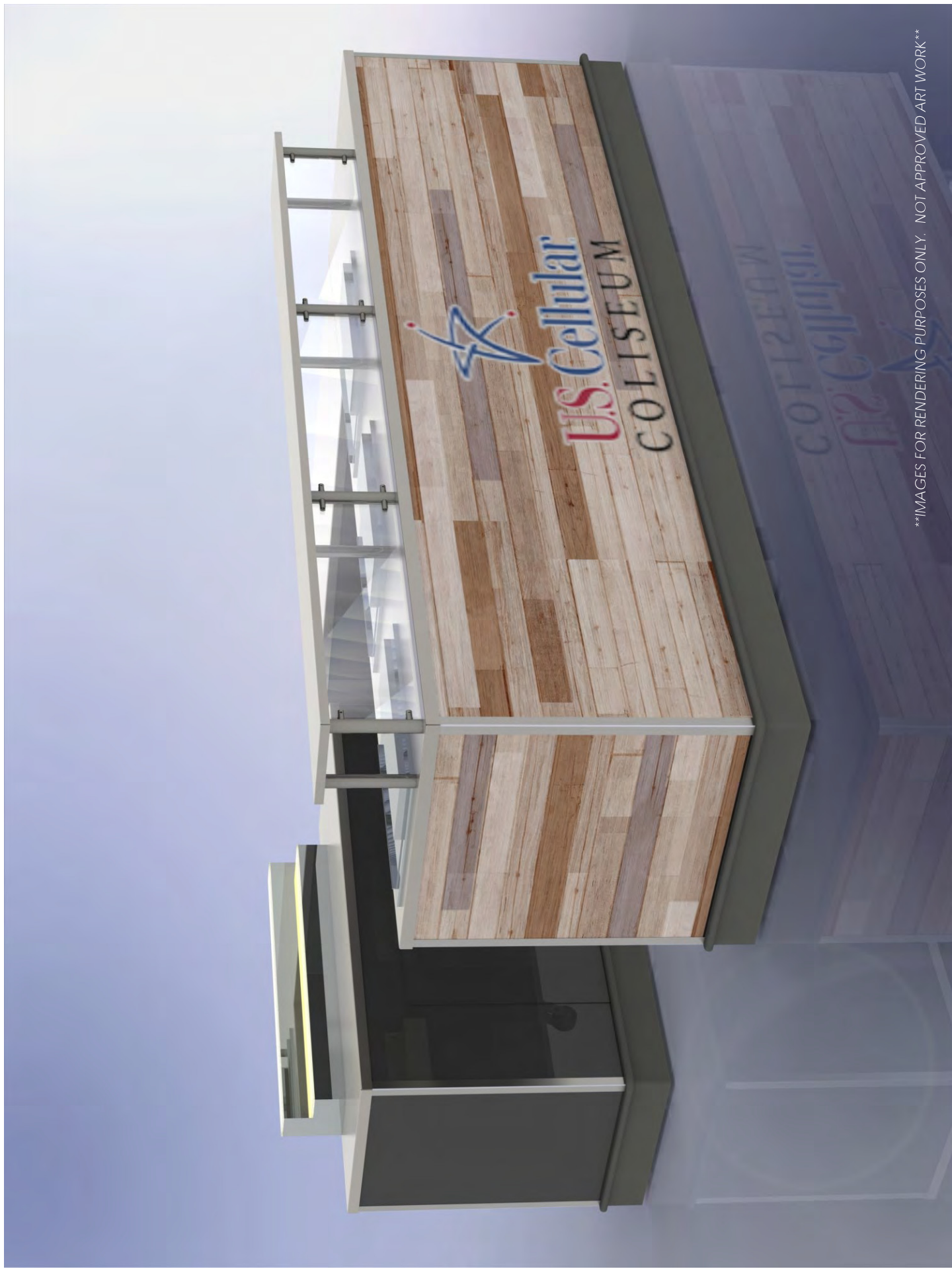
UNLESS OTHERWISE SPECIFIED:		DATE		IOWA ROTOCAST PLASTICS	
DIMENSIONS ARE IN INCHES	DATE	9/22/2018	TITLE:		
ALL DIMENSIONS ARE IN INCHES	DATE	9/22/2018	2.REVA-ASSY		
ALL DIMENSIONS ARE IN INCHES	DATE	9/22/2018	SIZE DWG. NO. 2907		
ALL DIMENSIONS ARE IN INCHES	DATE	9/22/2018	SCALE 1:16 WEIGHT: SHEET 1 OF 3		
ALL DIMENSIONS ARE IN INCHES	DATE	9/22/2018	REV		



IRP
IOWA ROTOCAST PLASTICS, INC.
 2907 E. 14TH AVE. SUITE 100
 IOWA CITY, IOWA 52242
 PHONE: 319.335.1111
 FAX: 319.335.1112
 WWW.IOWAROTOCASTPLASTICS.COM

UNLESS OTHERWISE SPECIFIED:				NAME	DATE	IOWA ROTOCAST PLASTICS	
DIMENSIONS ARE IN INCHES	DRAWN	JED	9/22/2018			TITLE:	
ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE	CHECKED					2.REVA-ASSY	
ANGULAR TAPCH & BEND	ENG APPR.					SIZE DWG. NO. 2907	
THREE PLACE DECIMAL	MFG APPR.					C	
INTERPRET GEOMETRIC TOLERANCING PER ASME Y14.5-2009	Q.A.					SCALE 1:16 WEIGHT: SHEET 3 OF 3	
TOLERANCING PER ASME Y14.5-2009	CONTRACT					REV	
MATERIAL	NOTED						
FINISH	NOTED						
USE ON							
APPLICATION							
DO NOT SCALE DRAWING							





IMAGES FOR RENDERING PURPOSES ONLY. NOT APPROVED ART WORK

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1712 MOELLERS DRIVE, PO BOX 320 • DECORAH, IA 52101 • 563-382-9636 • 800-553-0050 • WWW.IRPINC.COM

ELECTRICAL REPORT

CART/KIOSK DESCRIPTION: BACK BAR RECEPTACLE W/ 2 POS OUTLETS PLUG TYPE: #2907

CIRCUIT 1

• VOLTAGE	120V	• PLUG TYPE	5-15P
• AMPERAGE	15	• EQUIPMENT	POS WITH POWER SUPPLY 120V/5A
• PHASE	1		POS WITH POWER SUPPLY 120V/5A

CIRCUIT 2

• VOLTAGE	120V	• PLUG TYPE	5-15P
• AMPERAGE	15	• EQUIPMENT	BACK BAR RECEPTACLE
• PHASE	1		

CUSTOMER ACCEPTANCE FORM

PLEASE INITIAL

ITEMS APPROVED AS SPECIFIED ON CUT SHEETS

- ☐
1. CART OR KIOSK DIMENSIONS: LENGTH, WIDTH, HEIGHT
- ☐
2. ORDER QUANTITY
- ☐
3. GRAPHICS MATERIAL AND LOCATIONS AT TIME OF ORDER, ART WITHIN 10 BUSINESS DAYS OF ORDER
- ☐
4. APPROVED APPLIANCES: MANUFACTURER, MODEL NUMBER AND SPECIFICATIONS
- ☐
5. ELECTRICAL AND LIGHTING: VOLTAGE, AMPS, PLUG TYPE, POS LOCATIONS, AND LOAD CENTER LOCATIONS
- ☐
6. COUNTERTOP MATERIAL
- ☐
7. PAINT COLORS AND LOCATIONS
- ☐
8. APPROVAL OF RENDERINGS AS SHOWN
- ☐
9. INSTALLATION AS QUOTED (IF APPLICABLE)

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- Images included are for rendering purposes only and not approved artwork.

I have reviewed the entire quote and by signing below, I am confirming that all details listed within this quote are correct and I agree to the terms and conditions as listed.

NAME: _____

SIGNATURE: _____

COMPANY: _____

TITLE: _____

PLEASE RETURN TO YOUR SALES REPRESENTATIVE:

DATE: _____

EMAIL: _____

FAX: _____

mike@irpinc.com

(563) 382-3016

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IOWA ROTOCAST PLASTICS, INC. WARRANTY POLICY AND LIMITATION OF LIABILITY

Effective Date: 5-2-16

Iowa Rotocast Plastics, Inc., hereinafter referred to as "the Seller", takes great pride in delivering supreme quality products and equipment in the marketplace. The Seller manufactures goods in accordance with plan specifications, design criteria, and/or proposals approved by the customer, hereinafter referred to as "the User". The seller warrants to the first-end-user purchaser (the "User") that Iowa Rotocast Plastics, (IRP) branded equipment and products of its manufacture to be free from defects in material or workmanship, under normal and regular service, for the applicable Warranty Period (define below). This Warranty is not transferable. Some equipment and products which are not made by the seller are warranted by their respective manufacturer; therefore, this Limited Warranty does not apply to such products. Finished materials and accessories purchased from other manufacturers are warranted only to the extent of the manufacturers' warranty to "the Seller". Warranties for items built wholly or partially to buyer's design or specifications are limited to dimensional conformity to engineering drawings supplied by the Buyer.

"The Seller" makes no warranty of any kind whatsoever, expressed or implied, other than as specifically stated herein; and there are no warranties of merchantability and/or fitness for a particular purpose which exceed the obligations and warranties specifically state herein.

Unless otherwise specified, the Warranty Period is one full year from the date of delivery of goods. During the warranty period "the Seller's" sole obligation is to either repair or replace a defective product as may be elected at "the Seller's" sole discretion. All transportation costs are at the buyer's expense. The seller will have no responsibility to honor claims received after the date the applicable Warranty.

Any alteration or repair of the goods by a party not specifically authorized in writing by "The Seller" shall automatically void the warranty.

Adjustments such as calibrations, leveling, tightening of fasteners or utility connections normally associated with the original installation and are not done by the seller are solely the responsibility of the buyer. Improper installation includes, but is not limited to, use of inadequate electrical wiring and/or insufficient or improper voltage.

In no event shall "the Seller" be liable for any incidental, consequential or special damages of any kind or nature whatsoever, including but not limited to lost profits arising from or in any way connected with agreement or items sold hereunder, whether alleged to arise from breach of contract, express or implied warranty, or in tort, including without limitation, negligence, failure to warn or strict liability.

This warranty shall be rendered null and void when, in the judgment of the seller, if the equipment has been subject to abnormal or abusive use or lack of proper care and maintenance by the buyer, or when it has been determined that environmental or application conditions have exceeded those specified for normal use of a specific product.

The seller has no responsibility to honor claims received after the date the applicable Warranty Period expires. Under all claims within this Warranty, the seller will have the right, at its own expense, to have their representatives inspect the equipment at the user's premises and to request all of User's records pertaining to the Equipment to determine whether a defect exists, whether the conditions set forth in this Warranty have been satisfied, and whether or not the applicable Warranty is in effect.

HOW DO I RECEIVE WARRANTY

After receipt of a product that the seller determines is defective, Iowa Rotocast Plastics, Inc. will, at its discretion; either repair (or authorize the repair of) the product, or replace the product. The seller's determination of defects is final. Failure by user to give notice of claims of breach of warranty within the Warranty Period shall be deemed an absolute and unconditional waiver of purchaser's claim for such defects.

If any defect is discovered in the product during the Warranty Period, the purchaser must notify Iowa Rotocast Plastics customer service department to obtain a return authorization number, and further instructions on how to return the product for service. Purchaser must follow the seller's instruction.

All defective parts must be returned to Iowa Rotocast Plastics, 1712 Moellers Drive, Decorah, Iowa, within the warranty period. Written authorization for such returns must first be obtained. Parts furnished without charge as replacements for original parts under warranty are warranted for the remainder of the original warranty period.

Iowa Rotocast Plastics Customer Service:

Toll Free: 1-800-553-0050

Email: IRP@IRPINC.COM

ADDITIONAL EXCLUSIONS FROM WARRANTY COVERAGE

The IRP Warranty does not cover parts or accessories, which (a) carry the warranty of a supplier of a product or equipment not manufactured by IRP or (b) are abused. Application of this Warranty is further conditioned upon the following:

- Installation. The Equipment must be properly installed in accordance with Iowa Rotocast Plastic's installation procedures and instructions and reviewed and tested by IRP's authorized representative.
 - No Alteration. The Equipment must not have been modified or altered from its condition at the date of original installation.
 - Proper Maintenance and Operation. The Equipment must be properly maintained and operated in accordance with IRP's or other used supplier maintenance and operating procedures. Improper operation due to voltage variances, inadequate wiring and physical damage is the responsibility of the User. They are not manufacturing defects.
 - This warranty is void if failure is a direct result of handling &/or transportation, fire, water, accident, misuse, acts of nature/disaster, attempted repair by unauthorized persons, improper installation, if serial number has been removed or altered, or if unit is used for purpose other than it was originally intended.
- Failure to comply with any of these conditions will void this Warranty. In addition, this Warranty does not cover defects due to apparent abuse, misuse or accident. Iowa Rotocast Plastics, Inc. accepts no responsibility for normal wear and tear of products and/or equipment. The responsibility of Iowa Rotocast Plastics Corporation ceases upon acceptance of its products by the carrier. Any damage or loss sustained in shipment is the carrier's responsibility.

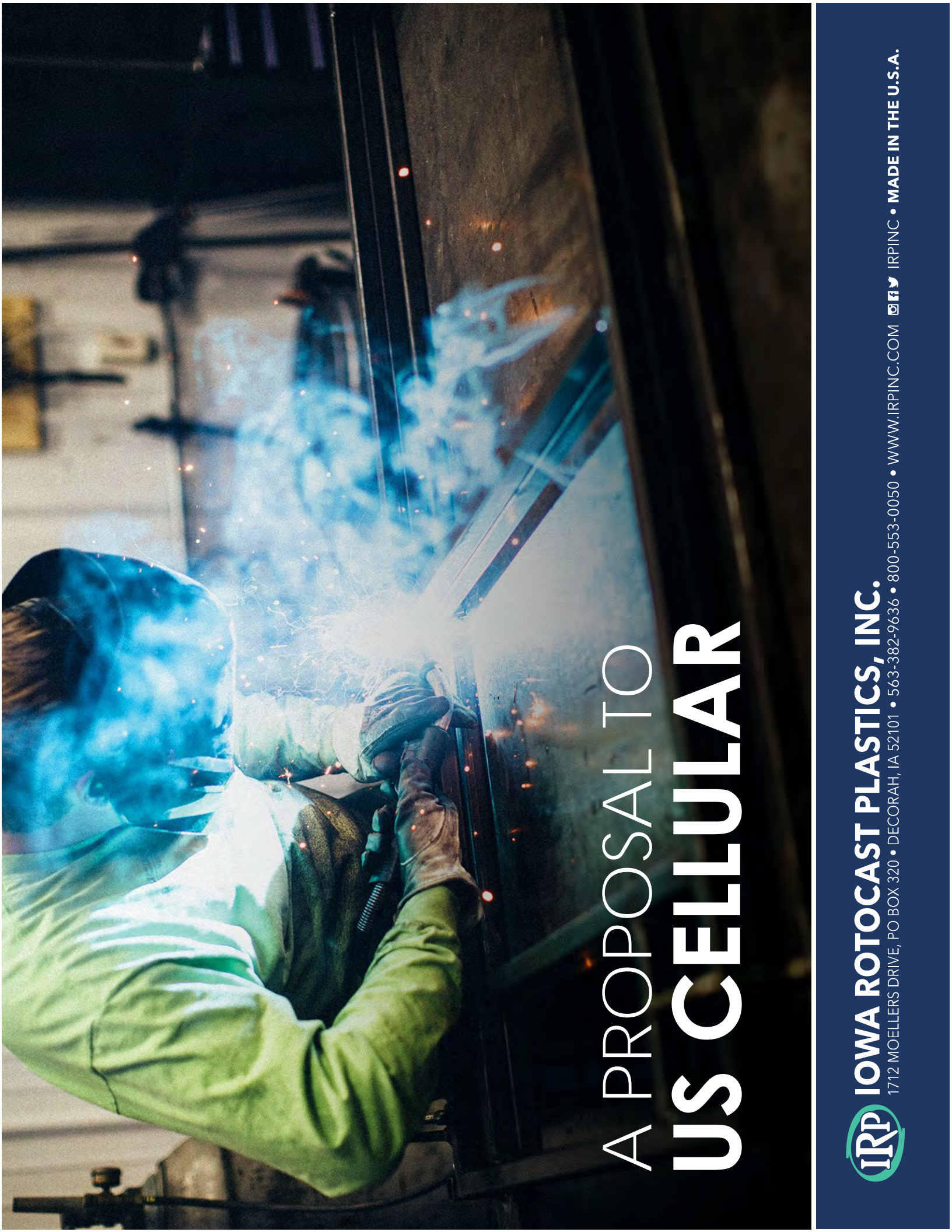


MADE IN THE U.S.A.



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A PROPOSAL TO US CELLULAR



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A proposal to

US CELLULAR/VENUWORKS-RUSS FERGUSON

PREPARED FOR

US CELLULAR/VENUWORKS-RUSS FERGUSON

PROJECT DESCRIPTION

- PACKAGE KIOSK

PRESENTED BY

•Mike Waldron
(563) 380-3541

***The contents contained in this quote package are confidential and may not be reproduced or distributed in any form or by any means to any third party, without the prior written permission of Iowa Rotocast Plastics, Inc. ***

QUOTE DETAIL

- FOB Decorah, IA 52101
- Price subject to review 60 days after quote.
- Price subject to review upon graphic layouts.
- Set-Up and Installation are not included in the price unless otherwise noted.
- **Customer must sign and return a copy of attached Customer Acceptance Form.**
- Production time is calculated from the receipt of your order and approval of drawings.

- Please check with your sales representative for current lead times at the time of your order.
- Additional fees will be charged to expedite orders.
- IRP warrants manufactured products to be free of significant defects in material and workmanship.
- Third party equipment will be warranted as specified by the supplier; including but not limited to refrigeration equipment and food equipment.
- Please inspect shipment upon receipt.
- Customer is responsible for material upon signing for delivery.

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ITEM NO.	QTY	DESCRIPTION	ITEM NO.	QTY	DESCRIPTION
1	1	FABRICATED CART	9	1	MARINE BOARD SERVING SHELF
2	1	FABRICATED CART	10	1	MARINE BOARD SERVING SHELF
3	16	4 INCH TRANS-FORMA HD SWIVEL NON-LOCKING CASTER	11	8	GLASS POSTS
4	4	ACM	12	1	THEFT GUARD
5	1	ACM	13	1	THEFT GUARD
6	1	ACM	14	8	GLASS CLAMP
7	1	SS SERVING SHELF - OVER SEABOARD	15	2	PVC DOOR
8	1	SS SERVING SHELF - OVER SEABOARD	16	2	LOCKING LATCH



IRP
IOWA ROTOCAST PLASTICS, INC.

NOTES:

1. DRAWING IS THE PROPERTY OF IOWA ROTOCAST PLASTICS, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF IOWA ROTOCAST PLASTICS, INC.

UNLESS OTHERWISE SPECIFIED:

DIMENSIONS ARE IN INCHES

FINISHES ARE AS SHOWN

ANGULAR RADIUS

THREE PLACE DECIMAL

TOLERANCES:

MATERIAL

FINISH

DO NOT SCALE DRAWING

DATE

9/22/2018

DESIGNED

ENG APPR

MFG APPR

CONTRACT

NOTED

NOTED

NAME

JRD

DATE

9/22/2018

DESIGNED

ENG APPR

MFG APPR

CONTRACT

NOTED

NOTED

ITEM NO.

1

DESCRIPTION

1. REVA-ASSY

SIZE

2907

DWG. NO.

2907

REV

1

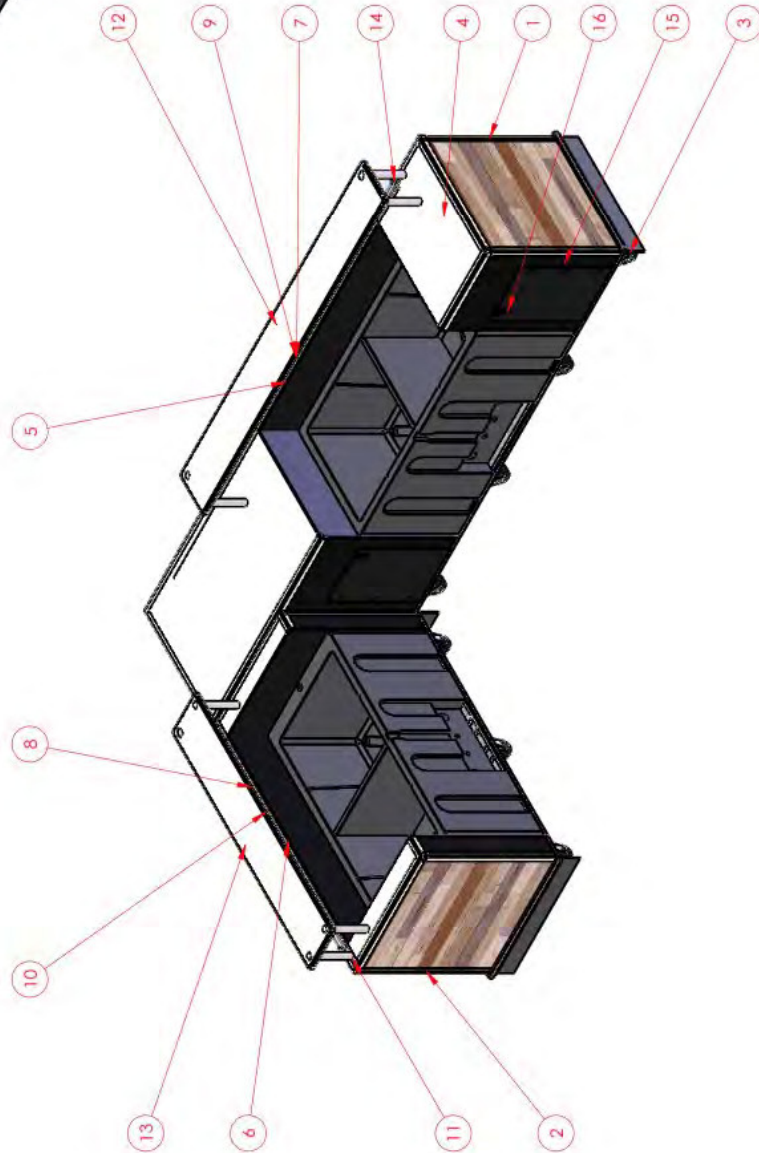
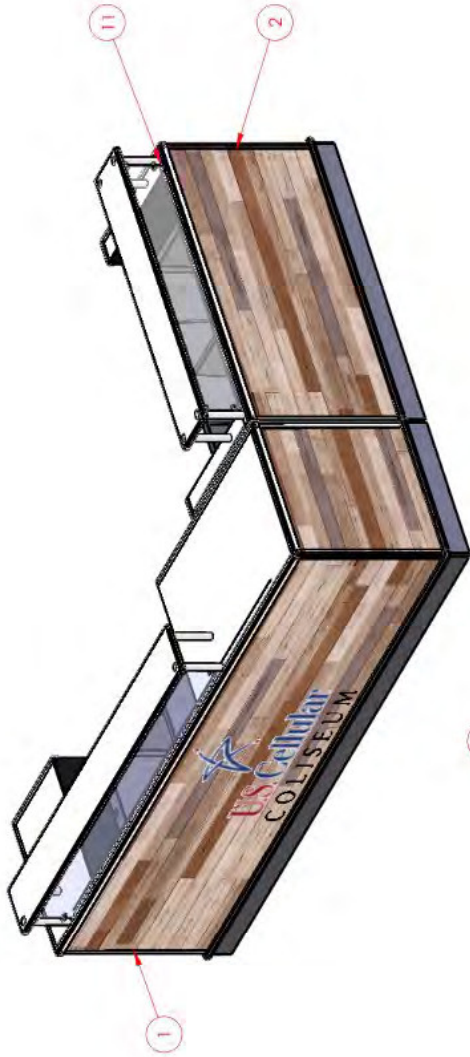
SCALE

1:16

WEIGHT

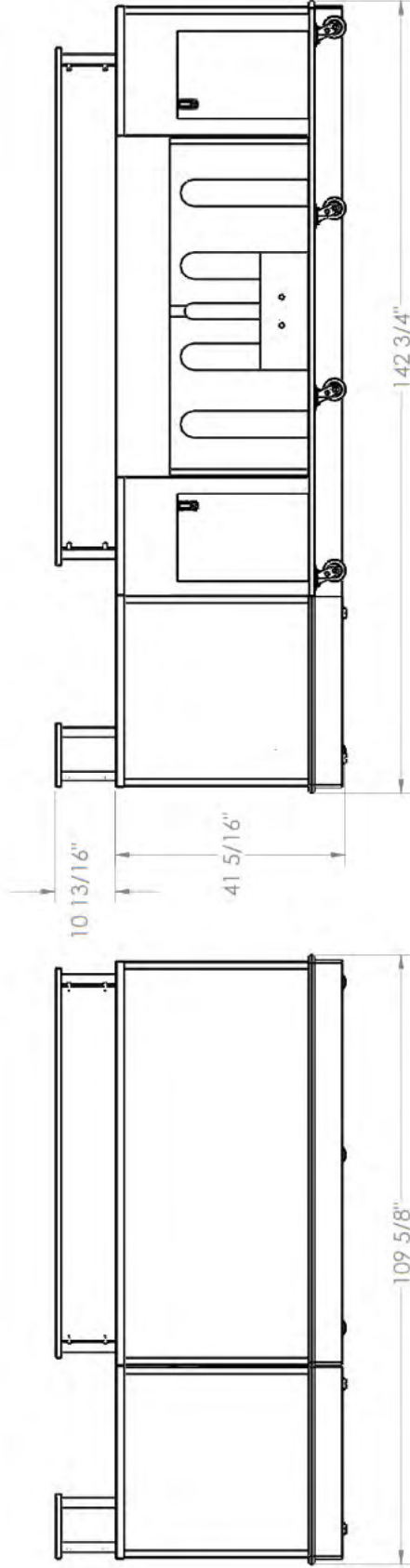
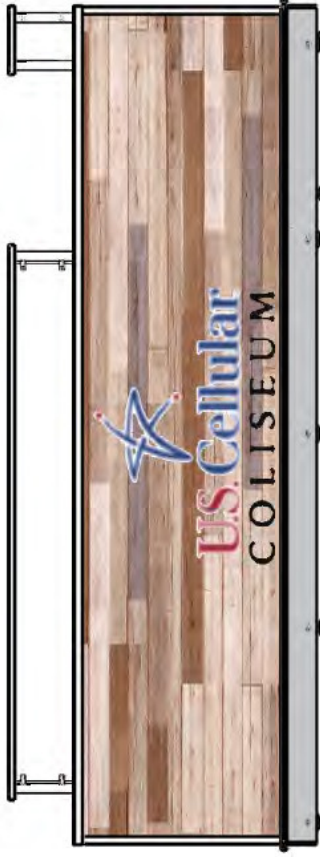
1

SHEET 1 OF 3



IOWA ROTOCAST PLASTICS		NAME	DATE
TITLE:		JFD	9/22/2016
1.REVA-ASSY		DRAWN	CHECKED
SIZE DWG. NO. 2907		ENG APPR.	ENG APPR.
SCALE: 1/24 WEIGHT: SHEET 2 OF 3		D.A.	CONTRACT
UNLESS OTHERWISE SPECIFIED:		INTERPRET GEOMETRIC TOLERANCING PER:	NOTED
DIMENSIONS ARE IN INCHES		MATERIAL	NOTED
FRACTIONAL		FINISH	NOTED
ANGULAR TOLERANCE		DO NOT SCALE DRAWING	
THREE PLACE DECIMAL			
MFG APPR.			
D.A.			
CONTRACT			
IOWA ROTOCAST PLASTICS, INC.			
1000 WEST 10TH AVENUE			
DES MOINES, IOWA 50319			
IOWA ROTOCAST PLASTICS, INC.			
ROTOMOLDING AND CONSTRUCTION			
DRAWINGS ARE THE PROPERTY OF			
IOWA ROTOCAST PLASTICS, INC.			
AND NO PARTS OR MATERIALS MAY BE			
REPRODUCED OR TRANSMITTED IN ANY			
FORM OR BY ANY MEANS, WITHOUT THE			
WRITTEN PERMISSION OF			
IOWA ROTOCAST PLASTICS, INC.			
ROTOMOLDING			





UNLESS OTHERWISE SPECIFIED:		NAME	DATE	IOWA ROTOCAST PLASTICS	
DIMENSIONS ARE IN INCHES	DRAWN	JED	9/22/2018	TITLE:	
ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE	CHECKED			1.REVA-ASSY	
ANGULAR MATCH	ENG APPR.			SIZE	DWG. NO.
THREE PLACE DECIMAL	ENG APPR.			C	2907
INTEREST GEOMETRIC	Q.A.			SCALE	1:16 WEIGHT:
TOLERANCING (RIB)	CONTRACTS				SHEET 3 OF 3
MATERIAL	NOTED				
FINISH	NOTED				
USE ON					
APPLICATION					





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ELECTRICAL REPORT

CART/KIOSK DESCRIPTION: 2 POS OUTLETS PLUG TYPE: #2907

CIRCUIT 1			
VOLTAGE	120V	PLUG TYPE	5-15P
AMPERAGE	15	EQUIPMENT	POS WITH POWER SUPPLY 120V/5A
PHASE	1		POS WITH POWER SUPPLY 120V/5A
CIRCUIT 2			
VOLTAGE		PLUG TYPE	
AMPERAGE		EQUIPMENT	
PHASE			

CUSTOMER ACCEPTANCE FORM

PLEASE INITIAL

ITEMS APPROVED AS SPECIFIED ON CUT SHEETS

- ☐
1. CART OR KIOSK DIMENSIONS: LENGTH, WIDTH, HEIGHT
- ☐
2. ORDER QUANTITY
- ☐
3. GRAPHICS MATERIAL AND LOCATIONS AT TIME OF ORDER, ART WITHIN 10 BUSINESS DAYS OF ORDER
- ☐
4. APPROVED APPLIANCES: MANUFACTURER, MODEL NUMBER AND SPECIFICATIONS
- ☐
5. ELECTRICAL AND LIGHTING: VOLTAGE, AMPS, PLUG TYPE, POS LOCATIONS, AND LOAD CENTER LOCATIONS
- ☐
6. COUNTERTOP MATERIAL
- ☐
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- ☐
8. APPROVAL OF RENDERINGS AS SHOWN
- ☐
9. INSTALLATION AS QUOTED (IF APPLICABLE)

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I have reviewed the entire quote and by signing below, I am confirming that all details listed within this quote are correct and I agree to the terms and conditions as listed.

NAME: _____

SIGNATURE: _____

COMPANY: _____

TITLE: _____

PLEASE RETURN TO YOUR SALES REPRESENTATIVE:

DATE: _____

EMAIL: _____

FAX: _____

mike@irpinc.com
(563) 382-3016



IOWA ROTOCAST PLASTICS, INC. WARRANTY POLICY AND LIMITATION OF LIABILITY

Effective Date: 5-2-16

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Toll Free: 1-800-553-0050

Email: IRP@IRPINC.COM

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CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7J

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of adopting an Ordinance approving a Petition from Various Petitioners, for a final plat for Meadow Ridge Subdivision, located South of Veterans Parkway and West of Morris Avenue.

RECOMMENDATION/MOTION: That the Ordinance be passed approving the final plat for Meadow Ridge Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents.

STRATEGIC PLAN LINK: Goal 4: Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

BACKGROUND: This final plat consists of twenty two (22) lots and one outlot located South of Veterans Parkway and West of Morris Avenue. The zoning in this area is R-2 Mixed Residence District.

The petitioner is requesting the title of their development be changed from “Meadow Ridge Condominium Homeowners’ Association” to “Meadow Ridge Subdivision”. This would remove them from the Illinois Property Condominium Act, allowing them to operate as a Zero Lot Line Homeowners’ Association. They have never operated completely as a condominium property, which has caused some problems for some homeowners who have been trying to sell their units.

The homeowners have voted unanimously to rename their subdivision.

As stated in the Petition, the petitioners have requested a waiver of the Preliminary Plan “since the property is fully developed and no changes are proposed.”

This is a previously existing private development with private streets; City staff has no objections to the plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Meadow Ridge Condominium Homeowners Association

FINANCIAL IMPACT: None. All survey and plat costs were paid by Meadow Ridge Condominium Homeowners Association

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis P.E., Civil Engineer I

Reviewed by: Jim Karch, PE CFM, Director of Public Works

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments:

- Attachment 1 - Petition
- Attachment 2 - Ordinance
- Attachment 3 - Exhibit A: Legal Description
- Attachment 4 - School District Certificate
- Attachment 5 - County Clerk's Certificate
- Attachment 6 - Owner's Certificate
- Attachment 7 - Drainage Statement
- Attachment 8 - Final Plat Checklist
- Attachment 9 - Council Map and Final Plat
- Attachment 10 – Surveyor's Certificate

Motion: That the Ordinance be passed approving the final plat for Meadow Ridge Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois

)

)ss.

County of McLean

)

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

Now come(s)

See Attachment 1

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

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s) A which is attached hereto and made a part hereof by this reference, of is are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner (s) seek (s) approval of the Final Plat for the subdivision of said premises to be known and described as
Meadow Ridge Subdivision
3. That your petitioner (s) also seek (s) approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: See Attachment 1 -

3

WHEREFORE, your petitioner(s) respectfully pray(s) that said Final Plat for the Meadow Ridge subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

By Rebecca Gray, President

9-6-2016

PETITION FOR APPROVAL OF FINAL PLAT

(Attachment 1)

Now comes(s)

We, the Petitioners (owners) authorize the Association to submit the following documents that are attached on our behalf:

Purpose of Petition – we the homeowners are requesting that the title (Meadow Ridge Condominium Homeowners' Association) of our development be retitled Meadow Ridge Subdivision. Thus removing us from the Illinois Property Condominium Act and allowing us to operate as a Zero Lot Line Homeowners' Association. Our original documents do not indicate we are 100% condominium, so therefore we have never operated in that manner. Instead, we operated like a homeowners' association, individually owning, insuring and maintaining, the inside and outside of our units. The fact that we have 'condominium' in our title, has created problems for some homeowners that have attempted to sell their units. Reason being, we have been told, is because we do not function 100% as a condominium property, so therefore some of the lending institutions will not approve a loan.

We, the homeowners, have voted unanimously on pursuing this renaming of our subdivision.

Attached Documents

- Petitioners - List of Meadow Ridge Drive Homeowners' address, name, PIN and signature
- County Clerk's Certificate (with seal) and Homeowners' PIN
- Owner's Certificate (Notarized) with PIN
- School District Certificate (Notarized) with List of Meadow Ridge Drive Homeowners' address, name, PIN and signature

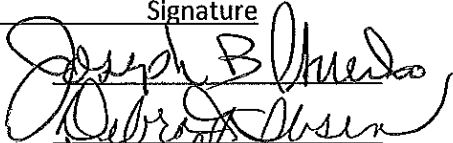
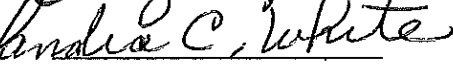
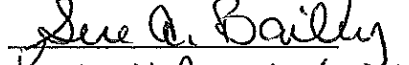
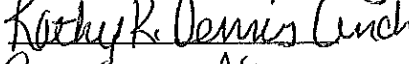
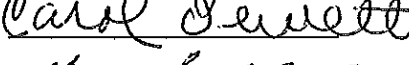
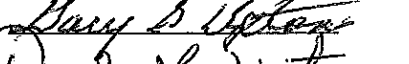
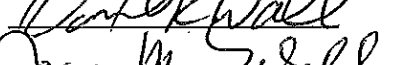
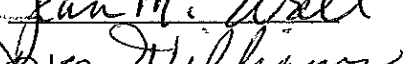
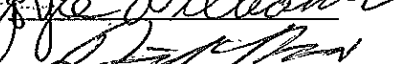
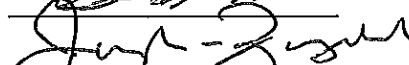
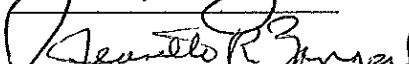
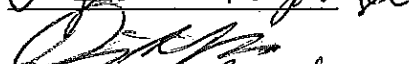
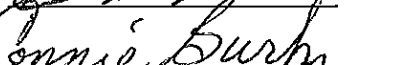
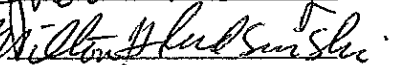
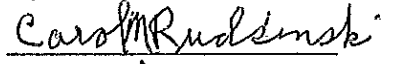
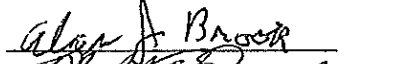
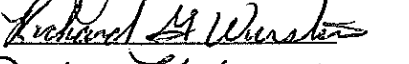
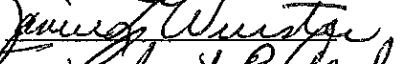
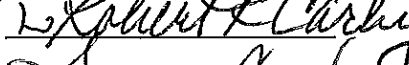
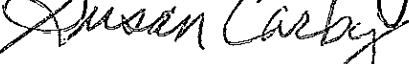
#1. Exhibit A – Legal Description & Plat Map

#3. We, the Petitioners, wish to petition for waiver of the Preliminary Plan since the property is fully developed and no changes are proposed.

9/6/2016

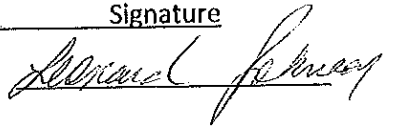
Petitioners

Meadow Ridge Drive Homeowners

Address	Name	PIN	Signature
101A	Joseph Chiedo	21-17-257-022	
101B	Debra Ibsen	21-17-257-021	
102A	Tammy L Koopman	21-17-257-001	
102B	Sandra C White	21-17-257-002	
103A	Rebecca Ann Gray	21-17-257-020	
103B	William E Bailey	21-17-257-019	
	Sue A Bailey		
105A	Kathy A Dennis Andrews	21-17-257-018	
105B	Catherine J Thomas	21-17-257-017	
107A	Carol Jewett	21-17-257-016	
107B	Gary S Upton	21-17-257-015	
	Darla J Upton		
109A	David R Wall	21-17-257-014	
	Jean M Wall		
109B	Joyce Williams	21-17-257-013	
111A	Dimitri Kapsalis	21-17-257-012	
111B	Joseph M Zangerle	21-17-257-011	
	Jeanette R Zangerle		
113A	Dimitri Kapsalis	21-17-257-010	
113B	Connie M Burks	21-17-257-009	
114A	Judith L Berry	21-17-257-005	
114B	Milton G Rudsinski	21-17-257-006	
	Carol M Rudsinski		
115A	Alan J Brook	21-17-257-008	
	Madalyn B Brook		
115B	Richard G Wurster	21-17-257-007	
	Janice L Wurster		
2007 S Morris Ave	Robert R Carby	21-17-257-004	
	Susan Carby		

Petitioners

Meadow Ridge Drive Homeowners

<u>Address</u>	<u>Name</u>	<u>PIN</u>	<u>Signature</u>
2005 S Morris Ave	Leonard Johnson	21-17-257-003	

ORDINANCE NO. 2016 - _____

AN ORDINANCE APPROVING THE FINAL PLAT OF MEADOW RIDGE SUBDIVISION

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Meadow Ridge Subdivision, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended: waiver of preliminary plan; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code, 1960, as amended:

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

1. That the Final Plat of the Meadow Ridge Subdivision, dated September 6, 2016, is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED THIS 26th DAY OF SEPTEMBER 2016.

APPROVED THIS ___ DAY OF SEPTEMBER 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporate Counsel

Exhibit A

Legal Description

A part of Lot 59 in First Addition to The Meadows Subdivision in the NE1/4 of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Beginning at the southeast corner of said Lot 59; thence N. 65degrees-30'-52"W. 454.40 feet to the southwest corner of said Lot 59; thence N. 18degrees-16'-08"E. 511.46 feet on the westerly line of said Lot 59; thence S. 90degrees-00'-00"E. 262.30 feet to the east line of said Lot 59; thence S. 00degrees-00'-00"E. 678.16 feet to the Point of Beginning containing 4.75 acres, more or less, with assumed bearings given for description purposes only.

SCHOOL DISTRICT CERTIFICATE

Meadow Ridge Condominium Unit Owners Association, owner of the property described in the Surveyor's Certificate of the tract of land platted as Meadow Ridge Subdivision to the City of Bloomington, certify that to the best of its knowledge and belief that said platted land is located within the boundaries of Community Unit School District #5 in McLean County and Woodford County, Illinois.

OWNER: Meadow Ridge Condominium Unit Owners Association

By:

Rebecca A. Gray
Rebecca A. Gray
President

Attest

Tammy E. Koopman
Tammy E. Koopman
Secretary

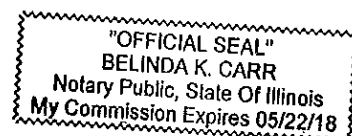
STATE OF ILLINOIS)
)
COUNTY OF MCLEAN)

SS

I, the undersigned, a Notary Public in and for said County, in the state aforesaid, do hereby certify that Rebecca A. Gray, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her own free and voluntary act.

Given under my hand and Notarial Seal this 3RD day of August, 2016.

Belinda K. Carr
Notary Public



COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF MCLEAN)

I, Kathy Michael, County Clerk of McLean County, State of Illinois, do hereby certify that on the 16 day of August, 2016, there were no delinquent general taxes unpaid, special assessments or delinquent special assessments against the tracts of land shown on the plat of the Meadow Ridge Subdivision to the City of Bloomington attached to this certificate and described in the Certificate of the Surveyor attached hereto and to said plat.

Kathy Michael
County Clerk, McLean County, Illinois

(SEAL OF SAID COUNTY)

PIN # Parcel ID# 21-17-257-001	21-17-257-012
21-17-257-002	21-17-257-013
21-17-257-003	21-17-257-014
21-17-257-004	21-17-257-015
21-17-257-005	21-17-257-016
21-17-257-006	21-17-257-017
21-17-257-007	21-17-257-018
21-17-257-008	21-17-257-019
21-17-257-009	21-17-257-020
21-17-257-010	21-17-257-021
21-17-257-011	21-17-257-022

: **21-17-257-023**

Owner's Certificate

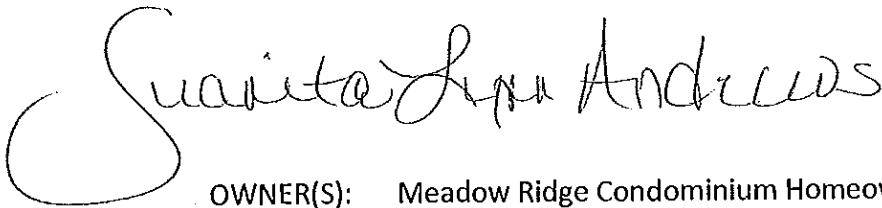
State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
1st day of Sept., 2016.

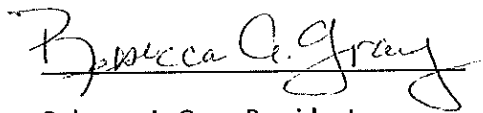




OWNER(S): Meadow Ridge Condominium Homeowners Association

Common Area

PIN# 21-17-257-023


Rebecca A. Gray, President


Tammy L. Koopman, Secretary

Owner's Certificate

State of Illinois)

)ss.

County of McLean)

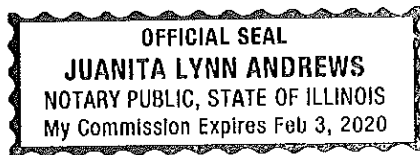
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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this

2nd day of August, 2016.

OWNER(S): Tammy L. Koopman -- 102A -- PIN 46-21-17-257-001

Tammy Koop
Juanita Lynn Andrews



Owner's Certificate

State of Illinois)

)ss.

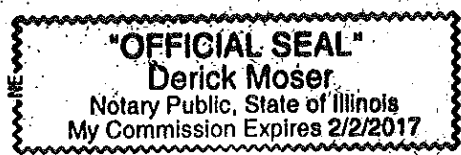
County of McLean)

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1st IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this day day of Aug, 2016.

OWNER(S): Sandra White -- 102B -- PIN 46-21-17-257-002

Sandra White



Derick Moser

Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this

1 day of August, 2016.

OWNER(S): Joseph Chiedo-- 101A -- PIN 46-21-17-257-022

Joseph B Chiedo



Owner's Certificate

State of Illinois)

)ss.

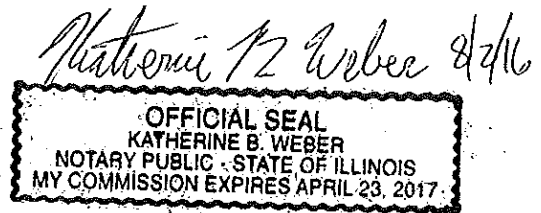
County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
2nd day of August, 2016.

OWNER(S): Debra Ibsen -- 101B -- PIN 46-21-17-257-021

Debra Ibsen



Owner's Certificate

State of Illinois)

)ss.

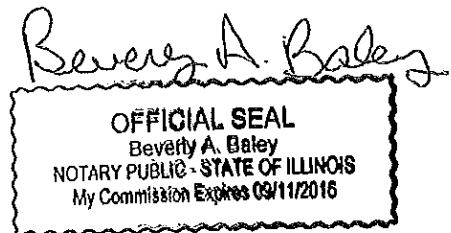
County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
3rd day of August, 2016.

OWNER(S): Rebecca Ann Gray -- 103A -- PIN 46-21-17-257-020

Rebecca Ann Gray



Owner's Certificate

State of Illinois)

)ss.

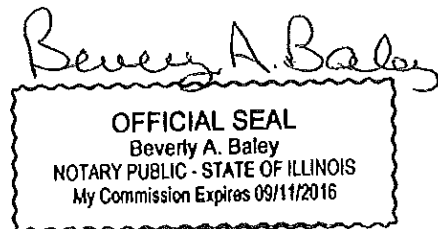
County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
3rd day of August 2016.

OWNER(S): William E & Sue ^A Bailey -- 103B -- PIN 46-21-17-257-019

Sue A. Bailey
William E Bailey



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this

2nd day of Aug, 2016.

OWNER(S): Kathy K Dennis Andrews -- 105A -- PIN 46-21-17-257-018

Kathy K Dennis Andrews

Timothy L. Kmetz



Owner's Certificate

State of Illinois)

)ss.

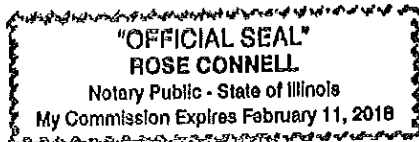
County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
2nd day of August, 2016.

OWNER(S): Catherine J Thomas -- 105B -- PIN 46-21-17-257-017

Catherine J Thomas



Rose Connell
8-2-16

Owner's Certificate

State of Illinois)

)ss.

County of McLean)

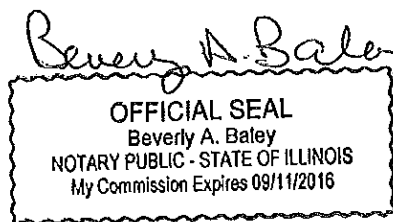
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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this

3rd day of August, 2016.

OWNER(S): Carol Jewett -- 107A -- PIN 46-21-17-257-016

Carol Jewett



County of Illinois
County of McLean

Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
Thirsd day of August, 2016.

OWNER(S): Gary S & Darla J Upton -- 107B -- PIN 46-21-17-257-015

Gary S. Upton
Darla J. Upton

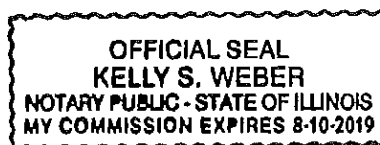
State of Illinois

County of McLean

Signed and attested before me on 8/3/16 (date) by
Gary and Darla Upton (name/s) of person/s)

(SEAL)

Kelly S. Weber
(Signature of Notary Public)



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
3rd day of August, 2016.

OWNER(S): Dave R & Jean Wall -- 109A -- PIN 46-21-17-257-014

Dave R Wall Jean Wall

STATE OF ILLINOIS)
)
COUNTY OF McLEAN) SS

I, a Notary Public in and for and residing in the said County and State aforesaid, DO
HEREBY CERTIFY that , personally known to me to be the same person whose name is subscribed
to the foregoing instrument appeared before me this day in persons and acknowledged that they
signed, sealed and delivered the said instrument as their free and voluntary act for the uses and
purposes therein set forth.

GIVEN under my hand and notarial seal this 3rd day of August, 2016.

Peggy Lenz
Notary Public



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this 2nd day of August 2016.

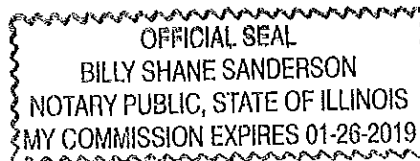
OWNER(S): Joyce Williams -- 109B -- PIN 46-21-17-257-013

Joyce Williams

State of Illinois
County of McLean
This instrument was acknowledged before me on
8-2-16 by Joyce Williams
(date) (name/s of person/s)

(Seal)

[Signature]
(Signature of Notary Public)



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

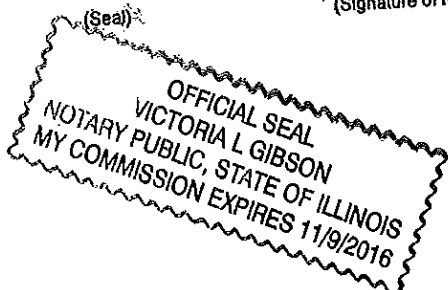
KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
4th day of August, 2016.

OWNER(S): Dimitri Kapsalis -- 111A -- PIN 46-21-17-257-012

Dimitri Kapsalis

State of Illinois
County of McLean
This instrument was acknowledged before me on
8/4/2016 by Dimitri Kapsalis
(date) (name/s of person/s)
Victoria L Gibson
(Signature of Notary Public)



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
2nd day of August, 2016.

OWNER(S): Joseph M & Jeanette R Zangerle -- 111B -- PIN 46-21-17-257-011

Joseph M. Zangerle Jeanette R. Zangerle



Faith J. Hart

Owner's Certificate

State of Illinois)

)ss.

County of McLean)

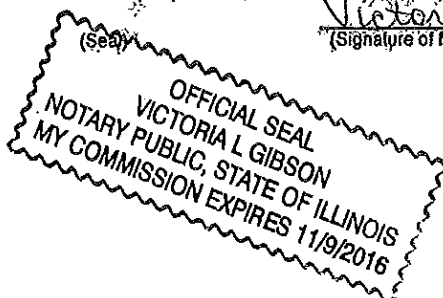
KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this 4th day of August, 2016.

OWNER(S): Dimitri Kapsalis -- 113A -- PIN 46-21-17-257-010

Dimitri Kapsalis

State of Illinois
County of McLean
This instrument was acknowledged before me on 8/4/2016 by Dimitri Kapsalis.
(date) (names of person/s)
Victoria L Gibson
(Signature of Notary Public)



Owner's Certificate

State of Illinois)

)ss.

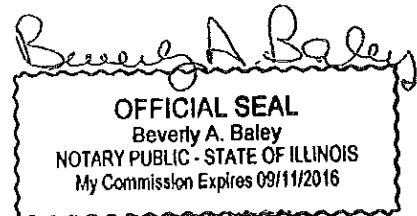
County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
3rd day of August, 2016.

OWNER(S): Connie Burks -- 113B-- PIN 46-21-17-257-009

Connie Burks



Owner's Certificate

State of Illinois)

)ss.

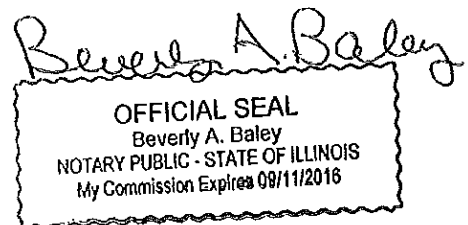
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this 3rd day of August, 2016.

OWNER(S): Alan J & Madalyn B Brook -- 115A – PIN 46-21-17-257-008

Alan J Brook
Madalyn B Brook



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
Aug 2 day of _____, 2016.

OWNER(S): Richard G & Janice L Wurster -- 115B -- PIN 46-21-17-257-007

Richard G Wurster

Janice L Wurster

Dawn Welborn
August 2, 2016



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
3rd day of August, 2016.

OWNER(S): Judith L Berry -- 114A -- PIN 46-21-17-257-005

Judith L Berry



Owner's Certificate

State of Illinois)

)ss.

County of McLean)

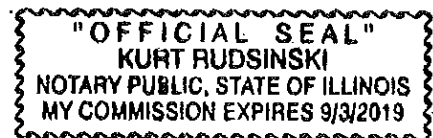
KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of "Meadow Ridge Subdivision", to the City of Bloomington, McLean County, Illinois as laid off in lots by David P. Brown Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the easements specified therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this

2ND day of August, 2016.

OWNER(S): Milton G & Carol M Rudsinski -- 114B -- PIN 46-21-17-257-006

Milton G Rudsinski
Carol M. Rudsinski



Kurt Rudsinski

Owner's Certificate

State of Illinois)

)ss.

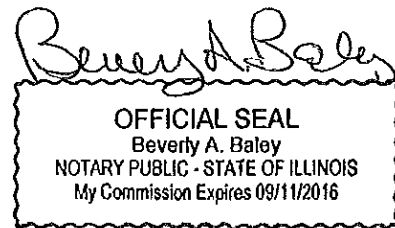
County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
3rd day of August 2016.

OWNER(S): Robert R & Susan Carby-- 2007 S Morris – PIN 46-21-17-257-004

Susan Carby
Robert R Carby



County of McLean
State of Illinois

Owner's Certificate

State of Illinois)

)ss.

County of McLean)

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IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
8 day of August, 2016.

OWNER(S): Leonard Johnson -- 2005 S Morris -- PIN 46-21-17-257-003

Leonard Johnson

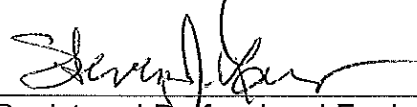
Jessie King
notary public

06-26-21
my commission expires

DRAINAGE ACKNOWLEDGEMENT

Steven J. Law, Registered Professional Engineer, and Meadow Ridge Condominium Unit Owners Association being the owner(s) of the premises heretofore platted by David P. Brown, Illinois Professional Land Surveyor No. 2725 to be and become Meadow Ridge Subdivision to the City of Bloomington, McLean County, Illinois, do hereby acknowledge that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or planned unit development or any part thereof; or that if such surface water drainage will be changed, reasonable provisions have been made for collection and diversion of such surface waters into public areas or drains which the owner has a right to use and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision or planned unit development.

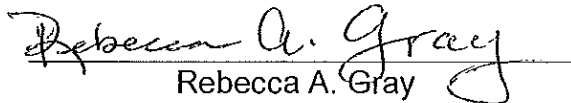
I further acknowledge that no portions of the Lots are within the Special Flood Hazard Area, as defined by the Federal Emergency Management Agency.



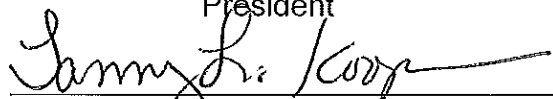
Registered Professional Engineer

OWNER(S): Meadow Ridge Condominium Unit Owners Association

By:



Rebecca A. Gray
President



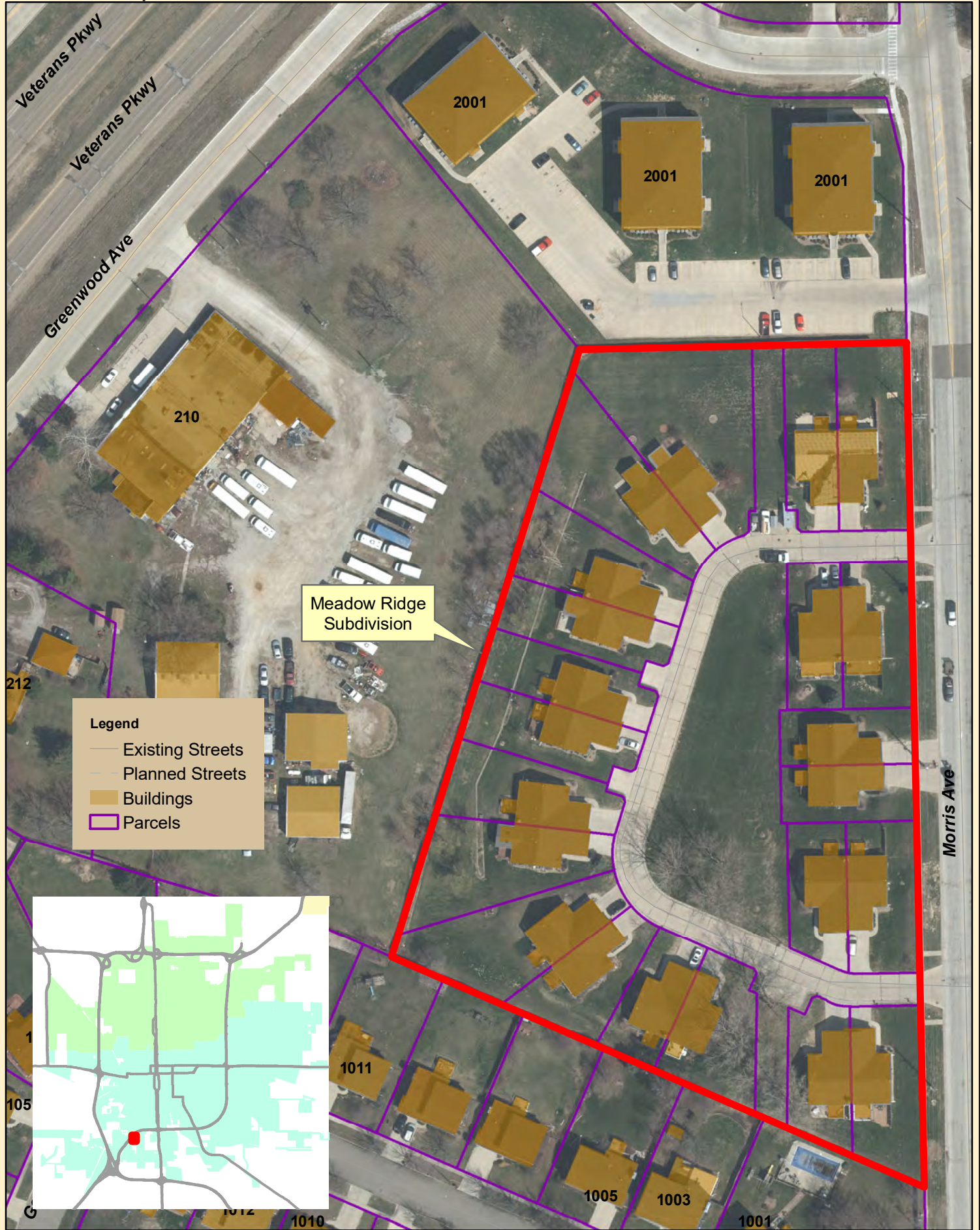
Tammy L. Koopman
Secretary



Airport Park 17th Addition Final Plat

Date Prepared: 11/23/2015

Shown on Final Plat:		Initial
	Easements shown for all public improvements	TJM
	City Engineer's Signature Block	TJM
	Clerk's Signature Block	TJM
	Areas or facilities to be dedicated to the public	N/A
	Railroad Right of Ways	N/A
	Subdivision Boundaries	TJM
	References to nearest street lines, Township, Sections lines, or monuments.	TJM
	Name of Subdivision	TJM
	Legal Description	TJM
	Existing Parcel Id Number (PIN)	TJM
	Surveyor's statement regarding any Special Flood Hazard Areas.	TJM
	Total Acreage	TJM
	Street Names	TJM
	Proposed Lot numbers (consecutively numbered)	TJM
	Front Yard Setbacks	TJM
The following shall be provided:		
	School District Certificate	TJM
	County Clerk's Certificate	TJM
	Owner's Certificate	CHECKING
	Drainage Statement	TJM
	Owner's Petition	TJM
	Ordinance	TJM
	Utility Company Signoffs	N/A
	Digital PDF Submittal provided to Public Works	REQUESTED
	Digital CAD format submittal provided to Public Works	REQUESTED
	2 Mylar Copies	
	12 Paper Copies	
The following requirements shall be met:		
	Final plat retains the design characteristics of a valid Preliminary Plan that has not expired	
	Retains the design characteristics of approved public improvement engineering plans and specifications.	TJM
	Final Plat is signed by IL licensed surveyor	TJM
	Plans for all public improvements approved by Public Works	N/A



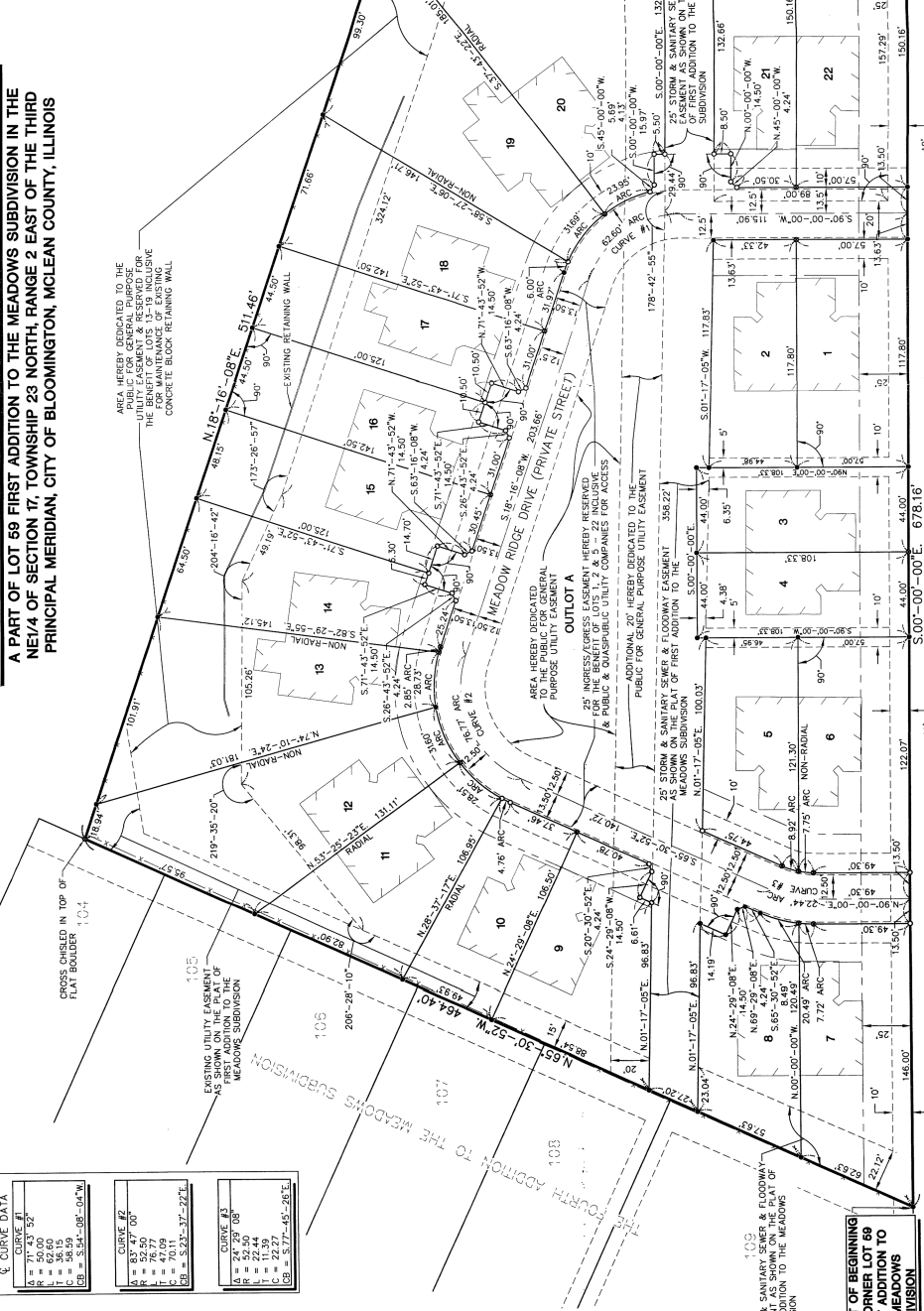
MEADOW RIDGE SUBDIVISION

A PART OF LOT 69 FIRST ADDITION TO THE MEADOWS SUBDIVISION IN THE
NE1/4 OF SECTION 17, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD
PRINCIPAL MERIDIAN, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

MEADOW RIDGE DRIVE	
Curve #1	
R = 71.43' 52"	
Δ = 50.00'	
L = 76.77'	
P = 36.15'	
CB = 33.84'-08"-04"	

EXISTING UTILITY EASEMENT	
Curve #2	
R = 24.29' 08"	
Δ = 52.50'	
L = 76.77'	
P = 36.15'	
CB = 33.84'-08"-04"	

EXISTING UTILITY EASEMENT	
Curve #3	
R = 24.29' 08"	
Δ = 52.50'	
L = 76.77'	
P = 36.15'	
CB = 33.84'-08"-04"	



- LEGEND**
- BOUNDARY OF SUBJECT PREMISES
 - EASEMENT LIMIT
 - SET BACK LINE (20' UNLESS NOTED OTHERWISE)
 - CENTER LINE
 - 5/8" IRON ROD FOUND
 - 5/8" IRON ROD SET
 - CONCRETE BLOCK RETAINING WALL
 - CONCRETE
 - UNLESS OTHERWISE NOTED

THE MEADOWS SUBDIVISION
FIRST ADDITION TO
THE MEADOWS SUBDIVISION

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF MCLEAN)

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that the attached plat of subdivision was surveyed and prepared under my direction, in accordance with the laws of the State of Illinois, and with the Ordinances of the County of McLean, Illinois, and that the same is a true and correct representation of the following described property to wit:

A part of Lot 69 in First Addition to The Meadows Subdivision in the NE1/4 of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly bounded and described as follows:

Beginning at the southeast corner of said Lot 59, thence N 65° 30' 52" W, 454.40 feet to the line of said Lot 59; thence S 90° 00' 00" E, 282.20 feet to the line of said Lot 59; thence S 00° 00' 00" E, 678.16 feet to the Point of Beginning containing 4.75 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same in to twenty-two (22) lots and Outlets A as shown on the attached plat.

Monuments identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All easements designated on said plat are dedicated for the specified private use and/or public utility use designated, or general public utility use, and for the use of community antenna television systems.

Said subdivision is to be known as Meadow Ridge Subdivision, Bloomington, Illinois.

I further certify that the foregoing plat accompanying this certificate accurately represents the above described property as subdivided.

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency as identified on FEMA Map Number 17113C0404E, Community Panel Number 17040404E dated July 16, 2006.

- SURVEYOR'S NOTES**
- Outlet A functions as accommodation for Meadow Ridge Drive which is a paved private area with several adjoining improved private parking areas reserved for the use of lot owners and residential occupants of this lot.
 - Outlet A in its entirety accommodates the function of providing right of easement open recreational space in general for all of the lots, serves as direct access to Morris Avenue for Lots 1, 2 and 5-22 inclusive, and benefits public and quasi-public use of the lots. The easement is to be known as Meadow Ridge Drive.
 - Maintenance of Outlet A is the responsibility of the lot owners.

CITY ENGINEERS CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF MCLEAN)

I, Kevin Kohn, City Engineer for the City of Bloomington, Illinois, hereby certify that the foregoing plat of subdivision was surveyed and prepared under my direction, in accordance with the laws of the State of Illinois, and with the Ordinances of the County of McLean, Illinois, and that the same is a true and correct representation of the following described property to wit:

A part of Lot 69 in First Addition to The Meadows Subdivision in the NE1/4 of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly bounded and described as follows:

Beginning at the southeast corner of said Lot 59, thence N 65° 30' 52" W, 454.40 feet to the line of said Lot 59; thence S 90° 00' 00" E, 282.20 feet to the line of said Lot 59; thence S 00° 00' 00" E, 678.16 feet to the Point of Beginning containing 4.75 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same in to twenty-two (22) lots and Outlets A as shown on the attached plat.

Monuments identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All easements designated on said plat are dedicated for the specified private use and/or public utility use designated, or general public utility use, and for the use of community antenna television systems.

Said subdivision is to be known as Meadow Ridge Subdivision, Bloomington, Illinois.

I further certify that the foregoing plat accompanying this certificate accurately represents the above described property as subdivided.

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency as identified on FEMA Map Number 17113C0404E, Community Panel Number 17040404E dated July 16, 2006.

CITY CLERKS CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF MCLEAN)

I, Cheryl L. Lawson, City Clerk of said City, do hereby certify that the foregoing is a true and complete copy of an original true plat of subdivision as presented, prepared and approved on _____ day of _____, 2016, by an affirmative vote of the majority of all members selected to said Council, the vote having been taken by yeas and nays and entered on the record of the proceedings of said Council.

Witness my hand and seal of said City of Bloomington, this _____ day of _____, A.D. 2016.

City Engineer
Bloomington, Illinois

City Clerk



Rev.	899	ALL	DPB
DATE	9/6/2016		
Lewis, Yockey & Brown, Inc. Consulting Engineers & Land Surveyors Professional Design Firm Registration #94000806 505 North Main Street, 222 East Center Street, 155 South Elm Street Bloomington, IL 61701 Ph. (309) 532-2552 Ph. (309) 952-8151			
David P. Brown Illinois Professional Land Surveyor No. 2725 (License Expires 11/30/2016)			

FINAL PLAT MEADOW RIDGE SUBDIVISION CITY OF BLOOMINGTON MCLEAN COUNTY, ILLINOIS	
1	1

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN)

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that the attached plat of subdivision was surveyed and prepared under my direction, in accordance with the laws of the State of Illinois, and with the Ordinances of the City of Bloomington, for Meadow Ridge Condominium Unit Owners Association and represents the following described property to wit:

A part of Lot 59 in First Addition to The Meadows Subdivision in the NE¼ of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows:

Beginning at the southeast corner of said Lot 59; thence N.65°-30'-52"W. 454.40 feet to the southwest corner of said Lot 59; thence N.18°-16'-08"E. 511.46 feet on the westerly line of said Lot 59; thence S.90°-00'-00"E. 262.30 feet to the east line of said Lot 59; thence S.00°-00'-00"E. 678.16 feet to the Point of Beginning containing 4.75 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same in to twenty-two (22) lots and Outlot A as shown on the attached plat.

Monuments identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All easements designated on said plat are dedicated for the specified private use and/or public utility use designated, or general public utility use, and for the use of community antenna television systems.

Said subdivision is to be known as Meadow Ridge Subdivision, Bloomington, Illinois.

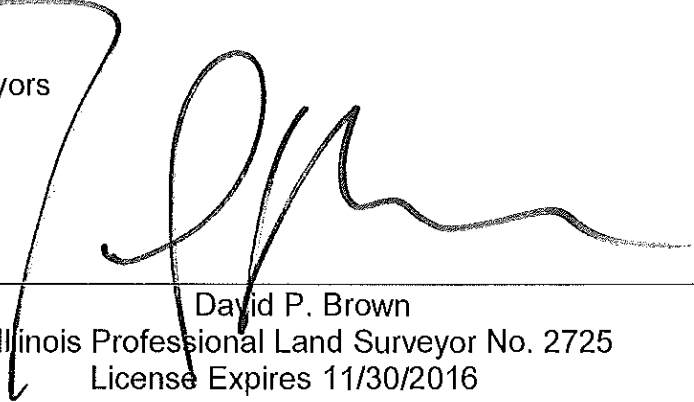
I further certify that the foregoing plat accompanying this certificate accurately

represents the above described property as subdivided.

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency as identified on FIRM Map Number 17113C0484E, Community Panel Number 170490 0484 E dated July 16, 2008.

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 N. Main St.
Bloomington, IL 61701

9/6/2016
Date



David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expires 11/30/2016

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7K

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of adoption an ordinance approving the petition to rezone 901 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay.

RECOMMENDATION/MOTION: That an ordinance approving the petition to rezone 901 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 4: Strong Neighborhoods; Goal 6: Great Place—Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: Objective 4b—Upgraded quality of older housing stock; Objective 4c—Preservation of property/home valuations; Objective 4e—Strong partnerships with residents and neighborhood associations; Objective 4f—Residents increasingly sharing/taking responsibility for their homes and neighborhoods; Objective 6e—more attractive city: commercial areas and neighborhoods.

BACKGROUND: Three (3) property owners on W. MacArthur Ave. are petitioning to have their properties recognized as historic preservation sites. The house at 901 W. MacArthur is seeking this status by rezoning to S-4. If the rezoning is granted the S-4 designation would apply only to those specific properties and not to the entire neighborhood. The S-4 designation qualifies property owners for grant monies to help rehabilitate the exteriors of their homes.

The house at 901 W. MacArthur Ave, constructed around 1888 by Frederick Garling, is located on Bloomington's Westside near the Forty Acres and Spring Hill Neighborhoods. Both neighborhoods are recognized in the Historic Preservation Plan (available online at <http://www.cityblm.org/modules/showdocument.aspx?documentid=4939>) as future preservation areas. Additionally the Bloomington Comprehensive Plan recognizes this region as a regeneration area. Historic Preservation is a tool for safeguarding property values and fostering neighborhood pride. 901 W. MacArthur Ave. is Victorian style home that maintains many original features including the original wood siding and fish scales shingling, transom windows, and decorative pediments. The property maintains an overall visual character and close range appeal; the overall historic character has been preserved.

The Bloomington Historic Preservation Commission and the Bloomington Planning Commission determined the property at 901 W. MacArthur Ave. is eligible for historic preservation designation because it is of significant value to the development and cultural heritage of the City, it embodies distinguishing architectural styles for a specific period, identifies with the work of a

master builder and identifies with a person of significance that contributed to the development of Bloomington. 901 W. MacArthur Ave. was the home of master builder Frederick Garling. Frederick Garling completed a number of other homes in our historic preservation program including a number of the mansions on Bloomington's eastside.

PLANNING COMMISSION: This petition went before the Historic Preservation Commission for a public hearing on Thursday, August 18, 2016. No Citizens spoke in favor of the case outside of the petitioner; no one spoke in opposition. The Historic Preservation Commission passed a resolution recommending the recognition of 901 W. MacArthur as part of the Historic Preservation District by unanimous vote (5-0). This petitioner went before the Planning Commission for a public hearing on Wednesday, September 14, 2016. No citizens other than the Petitioner spoke in favor of the case; no one spoke in opposition. The Planning Commission recommended approval by unanimous vote (7-0) that council approve the rezoning of 901 W. MacArthur.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on August 30, 2016 in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 189 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: No immediate nor significant change in financial impact is expected.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner AICP, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Historic Preservation Petition
- All referenced zoning uses list in S-4 Overlay District
- Zoning map

- Resolution passed by the Historic Preservation Commission
- Historic Preservation Minutes for 8.18.16
- Staff Report to Historic Preservation Commission for 8.18.16
- Planning Commission Minutes for 9.14.16 (Draft)
- Staff Report to Planning Commission for 9.14.16

Motion: That an ordinance approving the petition to rezone 901 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

ORDINANCE NO. 2016 - _____

AN ORDINANCE REZONING 901 W MACARTHUR AVE FROM R-1C, SINGLE FAMILY RESIDENTIAL to R-1C, SINGLE FAMILY RESIDENTIAL WITH THE S-4 HISTORIC PRESERVATION DISTRICT OVERLAY

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

WHEREAS, the Bloomington Historic Preservation Commission, after proper notice was given, conducted a public hearing on said Petition and determined the premises described in Exhibit A meet the criteria for Historic designation outlined in Section 44.11-2 of the Bloomington City Code 1960, as amended; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition and recommended by unanimous vote that the City Council pass an ordinance to rezone the premises described in Exhibit A with the S-4 Historic Preservation District Overlay; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises commonly referred to as 901 W. MacArthur Ave., hereinafter described in Exhibit(s) "A", shall be and the same are hereby rezoned from "R-1C", Single Family Residential District to "R-1C", Single Family Residential District with the S-4, Historic Preservation District Overlay.
2. That the Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeff Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

KINGS ADD E8' LOT 7 & ALL LOT 8

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Matthew and Rebecca Spears, herein-
after referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of R1-C under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R1-C with S-4 Historic Preservation District Zoning Overlay zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from RI-C.

Respectfully submitted,

By: Rebecca Spears

Exhibit A
Legal Description

King's Addition E 8' 7 and All 8

Pin: 2608-226-048

Historic Preservation S-4 Designation -Section 44.11-2

1. Property Information

Parcel Identification Number 21-08-226-048 Size (Acreage) 58 x 116 ft., 6,728 square feet

Address 901 W. MacArthur Ave. (Formerly 901 S. Grove and 901 W. Moulton St.)

Current Zoning R-2

Current Use residential

2. Applicant Information

Full Name Matthew and Rebecca Spears

Address 901 W. MacArthur Ave. City, State, ZIP Bloomington, IL 61701

Phone (309)242-7526 Email rebecca.nicoles@gmail.com

3. Owner Information (Check x if same as Applicant)

Full Name _____

Address _____ City, State, ZIP _____

Phone _____ Email _____

4. Attorney/Consultant Information (if applicable)

Full Name _____

Company _____

Address _____ City, State, ZIP _____

Phone _____ Email _____

Please include photographs and any other supporting documents referencing the historic value of the subject property.

Applicant Signature

I certify that I have reviewed the relevant sections of the Bloomington Zoning Code, that the information above is true, and that I have provided all required documentation listed in the Application Checklist.

Rebecca Spears
Signature

7/19/16
Date

Rebecca Spears
Printed Name

Historic Name of Building _____ (none) _____ Year Built 1888

Architectural Style Victorian

Architect (if known) Frederick (Fred) Garling (Formerly Gerling)

Is this property in a Historic District? Yes No. Which one? _____

Criteria for Consideration of Nomination. The Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria, please explain if one (1) or more of the following criteria are met:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);
2. Its location as a site of a significant local, county, state, or national event;
3. Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
7. Its embodiment of design elements that make it structurally or architecturally innovative;
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or
10. Its suitability for preservation or restoration.

Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration.
(Ordinance No. 2006-137)

In 1887, Fred Garling purchased the land at 901 S. Grove to begin building a home for his new bride. The family lived in the home for 10 years, then began renting it out. Garling was a builder and as his business grew, he built spec homes that the family would live in until they were sold. The home originally built at 901 S. Grove later changed to 901 W. Moulton and eventually to its current address 901 W. MacArthur.

Fred Garling became a prominent general contractor, building many of the finest homes on E. Grove, E. Washington, White's Place, West side, and the South Hill area. He was also involved in construction of the heating plant for Illinois Wesleyan University, the Animal House at Miller Park Zoo (where you can still find his name listed as a contractor on the outside of the building's entrance), and many other fine buildings all over the city.

After Fred passed away, his wife Elizabeth moved from their massive E. Grove home back to the family's original home on Moulton St. The Garlings owned rental properties throughout the city, and in 1929 when Elizabeth died, each of their 5 children received a home. Fred and Elizabeth's daughter, Marguerite, and her husband, Louis Koehler, received 901 W. Moulton. Marguerite was a homemaker and her husband worked for the Alton Railroad. To supplement their income, they turned

The south and part of the west sides of the home into a "mother-in-law" apartment.

The same family owned the property from 1887 until 1977. In 1977, Louis Koehler passed away and the home was sold to a man that bought it as an investment property. He made a few minor improvements, and then sold the home. Since then, the home has been sold 4 times, most recently in 2008 to Matthew and Rebecca Spears.

Rental and Ownership History

1887-1928: Property owned by Fred and Elizabeth Garling

1897: Property rented by Fred L. Lang, 7th Ward Alderman and clerk at My Store

1899: Property rented by Fred L. and Lena M. Lang, Fred was then Chief of Police

1905: Property rented by Elbert E. and Nellie P. Searl, Elbert was a salesman and advertiser for C.W. Klemm

1913: Property rented by George W. and Alice Piper of Piper and Lott Farm Implements

1917: Property rented by Myron J. and Helen Perry, Myron worked as a ticket agent for C & A

1920: Property rented by Ralph E. and Ruby Kauffold of Stone's Tea Store

1923: Property rented by Frank L. and Julia Bramwell, farmers. Also on the rental record was one Miss Bernadine Bramwell, student/nurse.

1929-1977: Property owned by Louis F. and Marguerite Koehler. The Koehlers had many tenants throughout the years who occupied the one bedroom mother-in-law suite. The tenants' occupations from machinists and linemen to firemen, drivers, clerks, Caterpillar plant workers, musicians, salesmen, and students.

Other Bloomington Properties Built by Garling (listed by street name and house numbers, year in parentheses) (*Not all properties are currently in existence with their original house numbers/addresses)

W. MacArthur:

901 (1888)

903 (1887 and again in 1903)

810 (1890)

1107 (1890)

1106 (1892)

1104 (1892)

707 (1893)

705 (1895)

1101 (1901)

937 (1904)

934 (1904)

827 (1904)

E./W. Oakland

832 (1892)

622 (1896)

1898 (1898)

620 (1899)

630 (1903)

N. Allin

605 (1909)

603 (1911)

601 (1911)

S. Allin

805 (1903)

808 (1897)

803 (1912)

S. Morris

307 (1890)

802 (1904)

S. Wood

508 (1893)

White's Place

11 (1915)

17 (1904)

30 (1909)

31 (1919)

51 (1919)

W. Washington

809 (1894)

705 (1898)

213

1020

602 (apartment 1917)

604 (remodel 1920)

E. Washington

1009 (1901)
803 (1904)
1508 (1909)
1228 (1926)
1303 ½ (1911)

E. Lincoln

706 (1894)
714 (1896)
710 (1889)
702 (remodel)

E. Grove

1402 (1909)
1323 (Fred and Elizabeth's home after 901 W. Moulton, 1909)
803 (1910)
803 ½ (1911)
805 (1911)
805 ½ (1911)
402 (remodel, apartment 1925)
1017 (1914)

N. Clinton

105 (1907)
1204 (1911)
1010 (1925)
1303 (remodel 1918)

S. Clinton

1002 (1889)
203 (1906)

The home at 901 W. MacArthur has original redwood siding. There have been no additions made to the house since the mother-in-law apartment was added in 1930.



The house earned a Gift to the Street Award on May 15, 1996, thanks to former owners Rick and Julie Scogin.

1996 "Gift to the Street" Committee

Ernst Nemeth
Martin Wyckoff
Marty Seigel
Craig Drone
Jan Prillaman, Chairman
Allene Gregory, President
Old House Society

Special Thank You

Ken Kashian - Photographing the homes
and creating all the slides today

Ken Lewis - Attaching the plaques to the
homes for the owners

Normal Theatre and Town of Normal -
Reciprocity accommodations, Old House
Society funded the ticket booth with
proceeds from the 1992 Old House Tour

P NUT Catering and Delivery - Provided
today's refreshments

1996 "Gift to the Street" Award Recipients

118 West Washington, Bloomington
1856
Russell Francois, owner

901 West MacArthur, Bloomington
1888
Rick and Julie Scogin, owners

401 East Grove, Bloomington
1874
James and Lucy Koehler, owners

1603 East Washington, Bloomington
1911
James and Anne Waldorf, owners

615 Normal Avenue, Normal
1914
Ralph and Carol Weisheit, owners



1996

"Gift To The Street"
Award Presentation

Wednesday, May 15, 1996
Normal Theatre
5:30 p.m.

Tuning in Tonight.

A complete list of broadcasting stations with their locations and wave lengths, appears in this column every Saturday

6:00 p. m.—WLS (844.6) Chicago, De Cordes Opera company.
7:00 p. m.—KPR (299) Shenandoah. Harmonica contest.
7:30 p. m.—KPRO (290.9) Houston, D. O. K. K. Fraternal band.
8:00 p. m.—WOOO (416.4) Minneapolis-St. Paul. Minnesota U. program.
8:00 p. m.—WHAZ (379.5) Troy, N. Y. Rensselaer Poly. Institute students' night.
8:00 p. m.—WTAM (389.4) Cleveland. Willard Symphony and assisting artists in excerpts from "Pagliacci."
8:30 p. m.—KPRO (290.9) Houston. Kiwanis club.
9:00 p. m.—WEAF (491.5) New York. Operatic concert, also WOAE, WJAR, WTAB, WOO, WCAP.
10:00 p. m.—KFI (467) Los Angeles. Pasadena Artists' Students' club.
11:00 p. m.—KQW (491.5) Portland. Order of Lake Merritt Ducks, guest night, Knights of Pythias.

5:00.
KGO, studio program. WAAM, entertainment, music. WCX, concert. WCAP, Post hour. WEAF, dinner program. WGBS, Uncle George, orchestra. WREO, concert. WGN, organ. WMCA, ensemble. WTAM, music. WWJ, music.

5:05.
WIP, Franklin orchestra.
5:15.
EDEA, music. WOR, talks, orchestra.

5:30.
KPRC, kiddies' hour. WBZ, theater organ. WOAE, concert. WOOO, children's hour. WGR, orchestra. WGY, orchestra. WGBU, orchestra. WJZ, N. Y. U. course. WMCA, Golden orchestra. WOR, dinner music. WSOE, children's stories. WTIC, Bone trio.
5:45.
WPG, organ recital. WOC, chimes concert.

6:00.
KMA, music. WAMD, concert. WDAF, School of the Air. WEAF, hotel orchestra. WBBM, orchestra, solos. WEAF, pianist. WEAF, theater orchestra. WEEI, Big Brother. WGBS, orchestra. WGY, program. WHAD, orchestra. WILLAM, theater orchestra. WIP, Uncle Wip. WJR, orchestra, soloists. WJZ, Commodore orchestra. WLS, opera company. WNYC, varied program. WOAW, organ. WOK, orchestra, musical program. WPG, trio.

6:05.
WBZ, psychology lecture.
6:15.
WIBC, Roeb's orchestra.
6:25.
WIAF, baritons, instrumental trio.

6:30.
KDKA, stories. WBZ, theater orchestra. WCAE, Uncle Kaybee, orchestra. WCOO, ensemble. WFAA, orchestra. WHAR, review. WHN, dance orchestra. WLIT, Dream Daddy. WLW, theater review. WOAW, songs. WOO, orchestra. WOR, recital. WSM, orchestra. WSMB, dinner concert.

6:45.
WHG, Harmony Kings. WEEI, Santa Claus. WGT, music. WSOE, "Hog Raising." WMAK, musicale. WTIC, "Earthquakes."

6:50.
WOAW, Fontenelle orchestra.

7:00.
KXNF, harmonica contest. KFRU, educational hour. KDKA, Light Opera hour. KSD, "Fur Hour," xylophonist. WAAM, instrumental and vocal. WBZ, Plaza orchestra. WCAU, music. WBBM, news, flute. WCX, musical program. WEAF, trio, entertainers. WGHF, soloists. WHAR, hotel trio. WHN, talk, orchestra. WJZ, revelers. WJAR, spring time. WLW, concert. WMAK, serenaders. WMCA, Family Circle. WNYC, instrumental and vocal. WRNY, orchestra. WTAB, serenaders. WTAM, excerpts from Pagliacci. WWJ, News orchestra.

7:10.
WLIT, "Current Events."
7:15.
WEEI, Anonymous orchestra.

7:30.

DEATH SUMMONS FRED GARLING

Veteran Building Contractor
Passed Away Sunday After
Long Illness.

WAS NATIVE OF GERMANY

Fred Garling, 1323 East Grove street, for 43 years a prominent general contractor of this city, died at the home of his daughter, Mrs. Marguerite Koehler, 903 West Moulton street, yesterday afternoon at 3:45 o'clock, following an illness of three years' duration from heart trouble.

Mr. Garling was one of the old school of craftsmen, having learned his carver's trade at the old Evans planing mill on North Center street, and was designer of many of the old Bloomington stove patterns. He later went into the contracting business with his brother, forming the firm of Garling Brothers, which, in the course of time, dissolved, to be reformed as the firm of Fred Garling & Son. He was the builder of many of the finest homes on East Grove and East Washington streets, the heating plant for the Illinois Wesleyan university, the animal house at Miller park and many other fine buildings over the city. He retired from business two years ago, leaving his son, Rudolph, in charge.

Fred Garling, son of Jacob and Johanna Garling, was born in Mecklenburg, Germany, in 1863. He came to America with his parents in 1874, and resided in New York until January, 1875, when they came to Bloomington to spend the remainder of their lives. His father died here in 1898 and his mother in 1894. He attended the old German school, Main street at Lincoln, for a number of years.

Mr. Garling was united in marriage with Elizabeth Haugh, of Bloomington, in 1887. They were the parents of the following children: Rudolph, 604 West Washington street; Walter H., of Detroit, Mich.; Mrs. Marguerite Koehler, 903 West Moulton street; Raymond E., Croxton avenue, and Robert, at home, and three children who preceded their father in death. He also leaves four grandchildren and the following brothers and sisters: Herman Garling, 1002 South Clayton street; Ritchie Schultz, of Pumroy, Ia., and Sophia Lenike, of Minnesota. Four brothers and a sister, Jucon, Carl, Minie, John and Theodore, preceded him in death.

Close Operations on Route 39.

Bloomington Elks to Stage Banquet About December 1

Arrangements are being perfected by the entertainment committee, Bloomington lodge, No. 281, B. P. Elks, for a big banquet and entertainment, which is expected to be the largest one in many years at the lodge, to be staged about the middle of December. This affair planned as the first of a series to be given during the winter, and entertainment will be limited to 10 members, at least 300 of whom are expected to be in attendance.

Notices of the banquet will be sent out to members within the next few weeks. Roast goose, roast duck and suckling pig will be some of the features of the menu for the banquet. Following the banquet there will be made by some of the officials from out of the city, at which a number of notes, representing the floating indebtedness against the lodge, which have recently been paid, will be burned, and a financial report will be made. Orchestral music and other forms of entertainment will follow the banquet.

Funeral Rites Held for Luther Beasley

Funeral services for Luther Beasley were held from the Baptist church in Lexington at 2 o'clock yesterday afternoon, with the pastor, Rev. Edwin Erickson, in charge. A quartet composed of Mesdames Gilbert Jenkins and Estelle Mowdy and Messrs. Joe Leach and Ira Whiteman, sang.

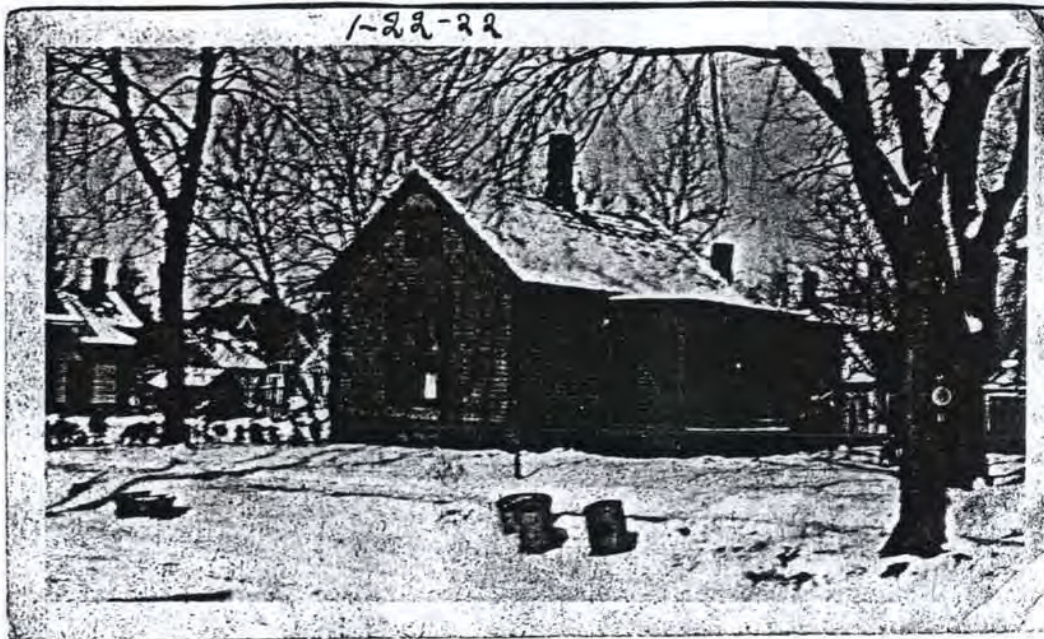
The pallbearers were: William Anderson, Clayton Ballinger, Ma Wick, Edward Murphy, Tilden Patton and H. E. Fleisher. Interment was made in the Lexington cemetery.

Those from a distance in attendance were: Lillian Taylor and Mrs. Bessie Corbin of Reva, Va. All of the children were present except Felix of Detroit.

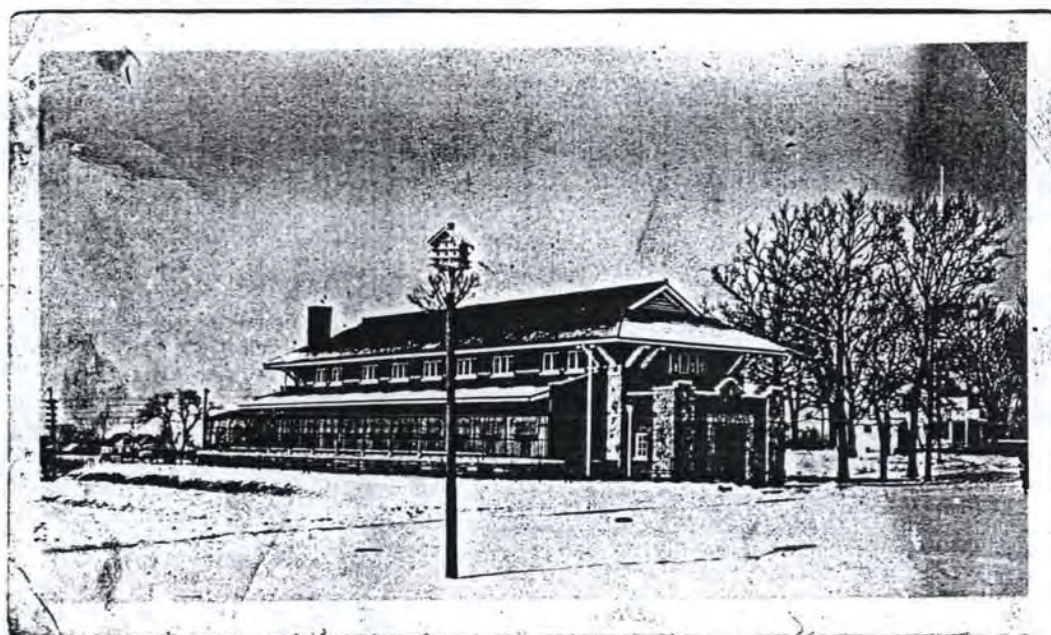
GEORGE W. BURNETT OF HOLDER DIED SUNDAY

George W. Burnett of Holder died yesterday afternoon at 4:15 o'clock at the home of his brother-in-law Lyle Moran in Leroy, from a sudden attack of heart trouble.

He is survived by his wife, formerly Miss Hattie Fogle of Leroy, a son, Elmer, 1024 East Front street; two sisters, Mrs. James Creel, of Holder, and Mrs. Lou Bradbury of Bellflower, and three brothers, Harry of Downs; Eddie Saybrook, and Charles in Montana. Funeral services will be held Wednesday.



903 W.
Moulton



Miller
Park
Zoo



Family photo
and Harding left (tall man)









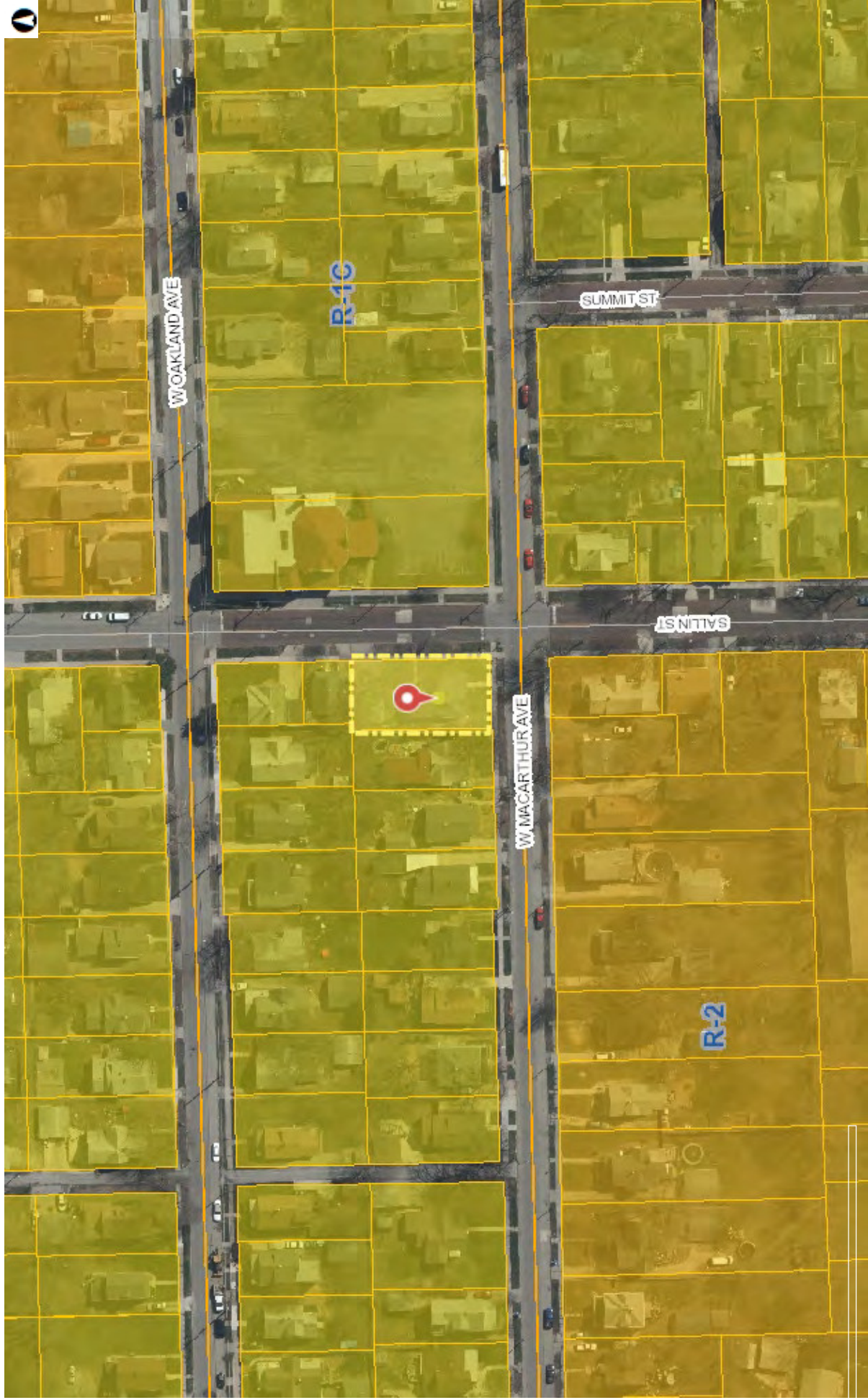
Section 44.6-30

Permitted Uses in the S-4 District

Agriculture	P
Bed & Breakfast Establishments	S
Community Reception Establishments	S
Flammable Liquid Pipelines	P
Forestry	P
Historic Area	P
Irrigation Channels	P
Parking Lot, Noncommercial	S
Parks, Playgrounds, Arboreta	P
Utility Conduits, Lines, Pipelines	P



Zoning view-901 W MacArthur Ave



0 0.03 0.1 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

1: 1,801

Printed: 9/7/2016 12:44:59 PM

Notes

RESOLUTION NO. 2016-02

**A RESOLUTION RECOMMENDING THAT THE PROPERTY LOCATED AT
901 WEST MACARTHUR AVENUE BE REZONED WITH THE S-4 HISTORIC
PRESERVATION DISTRICT ZONING OVERLAY**

WHEREAS, a nomination was submitted to the City of Bloomington Historic Preservation Commission by Matthew and Rebecca Spears requesting that the property at 901 W. MacArthur Avenue, legally described in Exhibit "A", attached hereto, be recognized for its historic and cultural significance with the S-4 Historic Preservation District Zoning Overlay;

WHEREAS, the Historic Preservation Commission determined that the nominated property meets at least one (1) of the criteria for consideration in Section 44.11-2 of the Bloomington City Code, 1960, as amended;

WHEREAS, the Historic Preservation Commission has also determined that the nominated property has significant integrity of location, design, materials and workmanship and is therefore worthy of preservation or restoration;

WHEREAS, the Historic Preservation Commission has the power to adopt this resolution and make a recommendation to the Bloomington Planning Commission:

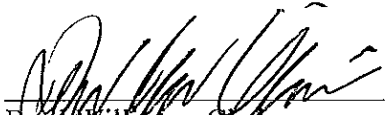
NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Bloomington, McLean County, Illinois:

SECTION ONE: That it is recommended to the Bloomington Planning Commission that the premises located at 901 W. MacArthur Avenue, legally described in Exhibit "A" be rezoned to have the historic designation of the S-4, Historic Preservation District Zoning Overlay.

ADOPTED this 18 day of August, 2016.

APPROVED this 18 day of August, 2016.

CITY OF BLOOMINGTON, ILLINOIS


Brad Williams, Chair

ATTEST

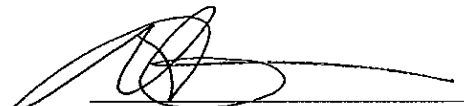

Tom Dabareiner, Secretary

Exhibit A
Legal Description

KINGS ADD E8' LOT7 & ALL LOT 8

DRAFT MINUTES
BLOOMINGTON HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY, AUGUST 18, 2016, 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 E. OLIVE ST., BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Chairman Williams, Mr. Elterich , Ms. Graehling, Mr. Sturgeon, Ms. Cline

MEMBERS ABSENT: Mr. Cawley, Ms. Bailen

OTHERS PRESENT: Ms. Katie Simpson, City Planner
Mr. Tom Dabareiner, Community Development Director

CALL TO ORDER: Chairman Williams called the meeting to order at 5:04 P.M.

ROLL CALL: Ms. Simpson called the roll and with five members present there was a quorum.

PUBLIC COMMENT: No public comment.

BHP-26-16 Consideration, review and adoption of a recommendation by resolution for the nomination submitted by Rebecca Spears requesting that the property located at 901 W MacArthur Ave, c. 1888, *Victorian*, Contractor: Frederick Garling, receive a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay. Planning Commission: 9/14/2016 (submission deadline 8.23.16) City Council: 10/10/2016

Chairman Williams introduced the case. Ms. Simpson presented the staff report with a positive recommendation to add the S-4 overlay to the petitioner's property. She stated the property had several prior street names and was built around 1888. It is surrounded by single family zoning and mixed residential zoning, she stated. The builder had built many local residences, she added. Ms. Simpson noted that the house is a corner lot and directionally accommodates the corner. She reviewed the many architectural characteristics of the house. She referred to the zoning standards again, and noted that this house meets several including the builder's contribution to the community, that he was a local builder, and contains many unique and period design elements.

Matthew Spears, 901 W. MacArthur, credited his wife with completing the petition. He stated that the house has been recognized for its contributing character and that he put a lot of work into preserving the house. Ms. Cline asked if the original siding was redwood; Mr. Spears confirmed it is. He stated the north south of the house was maintained in a piecemeal fashion but the rest of the structure has seen minimal changes.

Mr. Sturgeon motioned to approve recommendation for an S-4 overlay on the property; seconded by Mr. Elterich. The motion was **approved** by a vote of 4-0 with the following votes cast in favor on roll call: Mr. Sturgeon—yes; Mr. Elterich—yes; Ms. Cline—yes; Ms. Graehling—yes; Chairman Williams—yes.

CITY OF BLOOMINGTON
REPORT FOR THE HISTORIC PRESERVATION COMMISSION
August 18, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
BHP-26-16	A nomination for historic designation for the property at 901 W. MacArthur Ave and a rezoning with the S-4 Historic Preservation Zoning District Overlay	Katie Simpson City Planner

REQUEST: A nomination submitted by Matthew and Rebecca Spears for the historic designation and rezoning of the property located at **901 W MacArthur**, c. 1888, *Victorian* from R-1C, Single Family Residential to R-1C with the S-4 Historic Preservation District Zoning Overlay.

GENERAL INFORMATION

Owner and Applicant: Matthew and Rebecca Spears

PROPERTY INFORMATION

Existing Zoning: R-1C, Single family residential

Existing Land Use: Single Family Home

Property Size: 58 x 116

PIN: 21-08-226-048

Historic District: None

Year Built: c. 1888

Architectural Style: Victorian

Architect: Unknown

SURROUNDING ZONING AND LAND USES

Zoning

North: R-1C, Single family residential

South: R-2, Mixed Residential

East: R-1C, Single family residential

West: R-1C, Single family residential

Land Uses

North: Single and two family homes

South: Single and two family homes

East: Church

West: Single and two family home

Analysis:

Submittals

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

1. Application for the S-4 Historic Zoning
2. Site Photos

PROJECT DESCRIPTION:

The petitioner is proposing to have their property rezoned with the S-4 Historic Preservation Zoning Overlay. The property is located on 901 W. MacArthur Ave (formerly W. Moulton) on Bloomington's Westside, near the South Hill and Forty Acres Neighborhoods. This neighborhood, currently part of the Miller Park Neighbors Association, was developed around the mid to late 19th Century. Both the South Hill and Forty Acres Neighborhoods are identified in the Historic Preservation Plan as areas for potential historic preservation sites due their diverse

cultural roots and the important role residents played in the social and economic development of the City of Bloomington. This area was originally settled by Bloomington's middle and working class German, Hungarian and Irish families, many of whom worked with the railroad.

901 W. MacArthur Ave was originally built at 901 S. Grove Street and later relocated to W. Moulton Street which was changed to W. MacArthur. The house was constructed around 1888 by Fred Garling, a prominent local general contractor. Many of the houses on Bloomington's Westside, E. Grove, White Place and South Hill area were constructed by Garling (see the petitioner's nomination form for a more complete list of properties constructed by Garling). The property stayed within the Garling family for a number of years. Around 1930 it was improved upon with a "mother-in-law" apartment on the south and west side of the property.

901 W. MacArthur Ave has a directional expression compatible for the area. Its symmetrical L-shape complements its corner lot location. The home is relatively simple in layout but with ornate details such as the shingling and wood siding, the projecting bay window on the east side of the property, the projecting front porch with Tudor arched openings, and the detailed pediments located on the front and side gables. The detail of the pediments parallels the detail on the house's transom windows. The property maintains many of the original features: wood siding, detailed front porch and window reveals. The windows and roof are newer. Staff believes that, overall, the character of the house is unchanged. The house also continues to have an appealing and original close range visual character as seen in the detailed balusters on the side entrance, the contrast between the wooden shingles and siding, and the decorative brackets on the pediments and under the bay window. Although the original character of the property was altered in 1930, the "mother-in-law" addition adds to the historic character and story of this particular dwelling.

The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

Analysis

Action by Historic Preservation Commission:

The Preservation Commission, shall upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria and also has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration (2006-137):

FINDINGS OF FACT:

1. ***Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);*** There are few houses similar to this property in our historic preservation program. This property is significant because of the contractor who built it and lived here as well as the style of architecture and its relationship to the residents of this area in the early 20th century. Like the workman's cottage, changes in technology allowed many Victorian style houses to be easily constructed (some ordered from catalogs) and then personalized with intricate details.
2. *Its location as a site of a significant local, county, state, or national event;*
3. ***Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;*** Fred Garling was responsible for the construction of a number of Bloomington Normal homes and landmarks. His contributes were significant to the development of Bloomington.
4. ***Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*** The house represents a number of techniques and methods relevant to late 19th Century and early 20th Century construction and architecture.
5. ***Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;*** This house was constructed by Fred Garling, a prominent local general contractor for Bloomington.
6. *Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;*
7. *Its embodiment of design elements that make it structurally or architecturally innovative;*
8. *Its unique location or singular physical characteristics that make it an established or familiar visual feature;*
9. *Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or*
10. *Its suitability for preservation or restoration.*

Staff finds that in addition to meeting at least one (1) of the above mentioned criteria, the property also complies with the Design Guidelines expressed in Section 44.11-2D for height, proportions of windows and doors, relationships or building masses and spaces, roof shape, landscaping, scale, directional expression, and architectural details. Although the subject

property has been improved with new windows and roof, the property is compatible with its original architectural character and enhances the architectural style of the period and neighborhood.

STAFF RECOMMENDATION: Staff recommends that the Historic Preservation Commission adopt a resolution recommending to the Bloomington Planning Commission that the property at 901 W. MacArthur Ave be recognized with a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay.

Respectfully Submitted,
Katie Simpson
City Planner

Attachments:
S-4 application
Site photos
Zoning map for S-4 petitions (see item 5D)

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 14, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Boyd, Mr. Pearson, Mr. Penn, Mr. Suess, Mr. Scritchlow, Chairman Stanczak

MEMBERS ABSENT: Mr. Protzman, Ms. Schubert

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Mr. Tom Dabareiner, Director of Community Development. Mr. George Boyle, City Attorney, Kevin Kothe, City Engineer.

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. With seven in attendance, a quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the August 24, 2016 minutes. Mr. Scritchlow moved to approve the August 24, 2016 minutes; Mr. Pearson seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

Z-35-16 Public hearing, review and action on the petition submitted by Matthew and Rebecca Spears requesting that the property located at 901 W MacArthur Ave, c. 1888, *Victorian*, Contractor: Frederick Garling, receive a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay (case BHP-26-16). (Ward 6)

Chairman Stanczak introduced the case. Ms. Simpson provided the staff report for this case and recommended in favor of the petition. She explained the property was built in 1888 by Frederick Garling, a local contractor and master builder, as a Victorian style home. Ms. Simpson explained that this property was the Gift to the Street and is good condition. She noted that the property's overall historic character is preserved and outlined the four (4) criteria for preservation that this property meets. She discussed the architectural characteristics of the home and historic significance of Frederic Garling, who lived in the house.

Rebecca Spears, 901 W. MacArthur, the petitioner was sworn in. Ms. Spears explained her experience researching the home.

There were no further comments or questions. Chairman Stanczak closed the public hearing.

Mr. Balmer motioned to approve the rezoning case; seconded by Mr. Boyd. The following votes were cast: Mr. Balmer—yes; Mr. Boyd—yes; Mr. Pearson—yes; Mr. Scritchlow—yes; Mr. Suess—yes; Mr. Penn—yes; Chairman Stanczak—yes. Motion **approved** 7-0.

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
September 14, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
Z-35-16 901 W. MacArthur Street	Rezoning from R-1C Single Family Residential to R-1C with the S-4, Historic Preservation District Overlay	Katie Simpson City Planner

REQUEST

The petitioner is seeking a rezoning from R-1C, High Density Single Family Residential District, to R-1C, High Density Single Family Residential District with the S-4 Historic District Zoning Overlay, for the property located at 901 W. MacArthur Street

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Public notice was published in *The Pantagraph* on August 30, 2016.

GENERAL INFORMATION

Owner and Applicant: Matthew and Rebecca Spears

LEGAL DESCRIPTION: KINGS ADD E8' LOT7 & ALL LOT 8

PROPERTY INFORMATION

Existing Zoning: R-1C, Single Family Residential District
Existing Land Use: Single Family Home
Property Size: approximately 58 X 116
PIN: 21-08-226-048

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single-Family Residential District
South: R-2, Mixed Residential District
East: R-1C, Single-Family Residential District
West: R-1C, Single-Family Residential District

Land Uses

Single and two family homes
Single and two family homes
Single and two family homes
Single and two family homes

ANALYSIS

Submittals

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites
5. Historic Preservation Commission minutes

Background and Nomination Criteria:

A public hearing was held by the Bloomington Historic Preservation Commission on August 18, 2016 to discuss a nomination for historic designation for the property at 901 W. MacArthur Street with the S-4 Historic Preservation Zoning Overlay. The Preservation Commission passed, by a vote of 5-0 with two commissioners absent, a resolution recommending to the Planning Commission that this property be designated as a local historic preservation site. No citizens, outside of the applicant, spoke in favor of the petition. No citizens spoke against the petition.

FINDINGS OF FACT:**EXPLANATION OF THE SIGNIFICANCE OF THE NOMINATED HISTORIC DISTRICT AS IT RELATES TO THE DESIGN CRITERIA**

The property is located on 901 W. MacArthur Ave (formerly W. Moulton Street) on Bloomington's Westside, near the South Hill and Forty Acres Neighborhoods. This neighborhood was developed around the mid to late 19th Century. This area was originally settled by Bloomington's middle and working class German, Hungarian and Irish families, many of whom worked with the railroad. Both the South Hill and Forty Acres Neighborhoods are identified in the Historic Preservation Plan as areas for potential historic preservation sites due their diverse cultural roots and the important role residents played in the social and economic development of the City of Bloomington.

901 W. MacArthur Ave was originally built around 1888 at 901 S. Grove Street. Later the street was changed to W. Moulton Street and eventually to W. MacArthur. The house was constructed by Fred Garling, a prominent local general contractor. Many of the houses on Bloomington's Westside, E. Grove, White Place and South Hill area were also constructed by Garling (see the petitioner's nomination form for a more complete list of properties constructed by Garling). The property stayed within the Garling family for a number of years. Around 1930 it was improved upon with a "mother-in-law" apartment on the south and west side of the property.

The subject property meets the following criteria making it eligible for designation (44.11-2B):

- *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);*
- *Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;*
- *Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*
- *Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;*

EXPLANATION OF THE INTEGRITY OF THE HISTORIC DISTRICT

901 W. MacArthur Avenue is a Victorian style house, noted by the symmetrical L-shape. The subject property meets the design guidelines explained in 44.11-2D. The property's directional expression is compatible with the area and its position on the corner lot. The home is relatively simple in layout but with ornate details such as the shingling and wood siding, the projecting bay window on the east side of the property, the projecting front porch with Tudor arched openings, and the detailed pediments located on the front and side gables. The detail of the pediments parallels the detail on the house's transom windows. The property maintains many of the original features: wood siding, detailed front porch and window reveals. The windows and roof are newer. Staff believes that, overall, the character of the house is unchanged. The house also continues to have an appealing and original close range visual character as seen in the detailed balusters on the side entrance, the contrast between the wooden shingles and siding, and the decorative brackets on the pediments and under the bay window. Although the original character of the property was altered in 1930, the "mother-in-law" addition adds to the historic character and story of this particular dwelling.

Compliance with the Comprehensive Plan

This property is located within the City's Regeneration Area identified in the Neighborhoods Chapter of the Bloomington Comprehensive Plan. Historic preservation is a tool for community development. The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission **approve a recommendation** to City Council to **pass** an ordinance to rezone the property located at 901 W. MacArthur Ave, R-1C Single Family Residential District to R-1C Single Family Residential with the S-4 Historic Preservation District Zoning Overlay for the petition submitted by Matthew and Rebecca Spears.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

1. Petition
2. Draft Ordinance
3. Historic Preservation Commission Resolution 2016-02

4. Historic Preservation Commission Staff Report
5. Historic Preservation Commission Minutes
6. Aerial View
7. Zoning Map
8. Newspaper notice (see attachments from 931 W MacArthur Ave)
9. Neighborhood Notice List (see attachments from 931 W MacArthur Ave)
10. Neighborhood Notice Location and Buffer Map (see attachments from 931 W MacArthur Ave)

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7L

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of adopting an Ordinance approving Petition to Rezone 913 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay.

RECOMMENDATION/MOTION: That an Ordinance approving the Petition to Rezone 913 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 4: Strong Neighborhoods; Goal 6: Great Place—Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: Objective 4b—Upgraded quality of older housing stock; Objective 4c—Preservation of property/home valuations; Objective 4e—Strong partnerships with residents and neighborhood associations; Objective 4f—Residents increasingly sharing/taking responsibility for their homes and neighborhoods; Objective 6e—more attractive city: commercial areas and neighborhoods.

BACKGROUND: Three (3) property owners on W. MacArthur Ave are petitioning to have their properties recognized as historic preservation sites. The house at 913 W. MacArthur is seeking this status by rezoning to S-4. If the rezoning is granted the S-4 designation would apply only to those specific properties and not to the entire neighborhood. The S-4 designation qualifies property owners for grant monies to help rehabilitate the exteriors of their homes.

The house at 913 W. MacArthur Ave, constructed around 1906, in the American Four-square style. The property has maintained many of its original features including the wooden siding, hipped roof, decorative belt and picture window. The overall historic character of this property has been preserved. 913 W. MacArthur Ave is located on Bloomington's Westside near the South Hill and Forty Acres Neighborhood. Both neighborhoods are recognized as future preservation areas in the Historic Preservation Plan (available online at <http://www.cityblm.org/modules/showdocument.aspx?documentid=4939>). The City of Bloomington's Comprehensive Plan also recognizes this neighborhood as part of the regeneration area. Historic Preservation can be used as a tool to safeguard property values and foster neighborhood pride. 913 W. MacArthur Ave is representative of the homes occupied by Bloomington's working class residents at the beginning of the twentieth century. This area was settled by German, Irish and Hungarian railroad and coal mine workers who played a significant role in Bloomington's Industrial Era.

The Historic Preservation Commission and the Planning Commission determined the home at 913 W. MacArthur Ave is eligible for the historic preservation designation because it embodies distinguishing characteristics and architectural styles of the period and it possesses heritage and cultural characteristics of the City. 913 W. MacArthur also meets the design guidelines outline in the City's zoning code and retains multiple visual aspects and close-range architectural qualities. By designating 913 W. MacArthur Ave with the S-4 historic preservation district overlay, the City of Bloomington is able to preserve the story of its working class.

PLANNING COMMISSION: This petition went before the Historic Preservation Commission for a public hearing on Thursday, August 18, 2016. No Citizens, other than the Petitioner, spoke in favor of the case; no one spoke in opposition. The Historic Preservation Commission passed a resolution recommending the recognition of 913 W. MacArthur as part of the Historic Preservation District by vote (5-0). This petitioner went before the Planning Commission for a public hearing on Wednesday, September 14, 2016. No citizens, other than the Petitioner, spoke in favor of the case; no one spoke in opposition. The Planning Commission recommended approval by unanimous vote (7-0) that council approve the rezoning of 913 W. MacArthur.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on August 30, 2016 in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 189 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: No immediate nor significant change in financial impact is expected.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner AICP, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Historic Preservation Petition

- All referenced zoning uses list in S-4 Overlay District
- Zoning map
- Resolution passed by the Historic Preservation Commission
- Historic Preservation Minutes for 8.18.16
- Staff Report to Historic Preservation Commission for 8.18.16
- Planning Commission Minutes for 9.14.16 (Draft)
- Staff Report to Planning Commission for 9.14.16

Motion: That an ordinance approving the Petition to Rezone 913 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

ORDINANCE NO. 2016 - _____

AN ORDINANCE REZONING 913 W. MACARTHUR AVE. FROM R-1C, SINGLE FAMILY RESIDENTIAL to R-1C, SINGLE FAMILY RESIDENTIAL WITH THE S-4 HISTORIC PRESERVATION DISTRICT OVERLAY

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

WHEREAS, the Bloomington Historic Preservation Commission, after proper notice was given, conducted a public hearing on said Petition and determined the premises described in Exhibit A meet the criteria for Historic designation outlined in Section 44.11-2 of the Bloomington City Code 1960, as amended; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition and recommended by unanimous vote that the City Council pass an ordinance to rezone the premises described in Exhibit A with the S-4 Historic Preservation District Overlay; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises commonly referred to as 913 W. MacArthur Ave., hereinafter described in Exhibit(s) "A", shall be and the same are hereby rezoned from "R-1C", Single Family Residential District to "R-1C", Single Family Residential District with the S-4, Historic Preservation District Overlay.
2. That the Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeff Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

LANGES ADDITION E5' LOT 5 AND ALL LOT 6 BLOCK 7

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes DEAN CARLSON & DANELL DVORAK At 913 W. MACARTHUR AVE herein-after referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of R - 1 C under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R-1C WITH S4 HISTORIC PRESERVATION DISTRICT zoning district classification;
ZONING OVERLAY
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from R - 1 C.

Respectfully submitted,

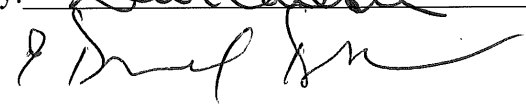
By: 


Exhibit A
Legal Description

913 WEST MACARTHUR AVENUE

PARCEL NUMBER: 21-08-226-042

LANGES ADDITION E 5' LOT 5 AND ALL LOT 6 BLOCK 7

Historic Preservation S-4 Designation –Section 44.11-2

1. Property Information

Parcel Identification Number 45-21-08-226-042 Size (Acreage) 55x110 (5999 sq ft)

Address 913 W. MacArthur Avenue (previously 913 W. Moulton)

Current Zoning R-1C (High Density Single-Family Residence District)

Current Use residential

2. Applicant Information

Full Name Dean Carlson and Danell Dvorak

Address 913 W. MacArthur Avenue City, State, ZIP Bloomington, IL 61701

Phone 309.828.2363 Email danelldvorak@gmail.com

3. Owner Information (Check ☒ if same as Applicant)

Full Name _____

Address _____ City, State, ZIP _____

Phone _____ Email _____

4. Attorney/Consultant Information (if applicable)

Full Name _____

Company _____

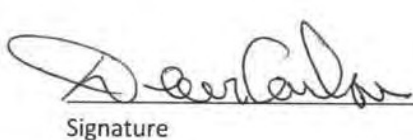
Address _____ City, State, ZIP _____

Phone _____ Email _____

Please include photographs and any other supporting documents referencing the historic value of the subject property.

Applicant Signature

I certify that I have reviewed the relevant sections of the Bloomington Zoning Code, that the information above is true, and that I have provided all required documentation listed in the Application Checklist.

Signature

7-20-16 7-20-16
Date

Dean Carlson Danell Dvorak
Printed Name

Historic Name of Building _____ (none) _____ Year Built _____ c. 1907 _____

Architectural Style _____ Four Square (Foursquare) _____

Architect (if known) _____

Is this property in a Historic District? ☐ Yes ☒ No. Which one? _____

Criteria for Consideration of Nomination. The Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria, please explain if one (1) or more of the following criteria are met:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);
2. Its location as a site of a significant local, county, state, or national event;
3. Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
7. Its embodiment of design elements that make it structurally or architecturally innovative;
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or
10. Its suitability for preservation or restoration.

Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ordinance No. 2006-137)

The Four Square at 913 W. MacArthur Avenue retains most of the residences' original exterior characteristics and is located on a busy street and designated snow route near Miller Park, a vital city landmark. Many homes in this west side neighborhood have been altered to a point where most architectural significance is lost.

The architectural style of this house is American Four Square (Foursquare), built between 1890 to the mid-nineteen thirties. This style is found throughout the nation and was among the most popular, economical styles for both urban and rural communities. Variations in this style are often regional in the choice of cladding and foundation materials, and incorporate design details from other architectural styles.

Four Squares characteristically include: a box-like shape, a full-width front porch with columnar supports and wide steps, two and one-half stories, a low-hipped roof with wide eaves and hipped dormers. In addition to the above, 913 W. MacArthur features these typical Four Square characteristics: a raised brick foundation, wood siding on all but the three dormers, and large windows on all sides.

Other 913 W. MacArthur Foursquare exterior design details include: a centered, two-panel wood and glass front door with transom window above; a defined, hipped belt course; a south-facing, second story, wood medallion; a south-facing picture window with leaded glass; and three, west-facing, windows with diamond-patterned leaded glass, all with original storm windows. The detached garage features three, hinged, sliding wooden doors with centered glass windows.



July 2016



1993

Date

We were not able to find the exact construction date for Lot Six (6) and the East Five (5 feet) of Lot Five (5) all in Block Seven (7) in Lange's Addition to the City of Bloomington, due to the lack of building plans and permits in this time period.

Using deeds of sale and City of Bloomington Registry, we were able to determine that the Four Square at 913 W. Moulton (MacArthur) was built c. 1907. *Copies of these deeds are enclosed.

Warranty Deed #10537, September 25, 1882. The lot was sold by Mary Olinger and William Olinger, her husband for the sum of \$400 to Fannie Hoffman, "about one half acre".

1884 Registry: J.H. Hoffman, blacksmith with Hoffman and Chapman, address listed as "r. w. end S. Grove", (residence west end S. Grove)

1893 Registry: Mrs. Fannie Hoffman, widow of John H., and son Jesse (now listed as lawyer, formerly listed as student at IWU).

1904 Registry: same as above, but with addition of Clara I. Hoffman (wife of Jesse).

1907 Registry: Indicates that the 913 address has been parceled. Prior to this, there is no listing of a 915 address. 913 residents are James A. and Emma O. Keeran. 915 residents are Fannie Hoffman, James and Clara Hoffman.

Deed #17252, February 26, 1907. Land was purchased to facilitate building a residence and garage. Fannie Hoffman for the sum of \$550 to James A. Keeran of Bloomington: Lot 6 and the East five feet of Lot 5 in Block 7 Lange's Addition to the City of Bloomington. "The intention of this deed is to convey fifty-five feet (50+feet of ground being the East fifty five feet of lots 6 and 5 taken together."

Deed #9250, March 3, 1914. James A. Keeran and Emma O. Keeran convey and warrant for \$4,000 to Terrance McDonald. "Lot 6 and the east five feet all in block 7 in Lange's Addition to the City of Bloomington."

*The large increase in sales price reflects the sale of a residence, not an undeveloped lot.

No. 10537 WARRANTY DEED.

*THIS INDENTURE WITNESSETH, That the Grantee:

Mary Olinger and William Olinger her husband

of the County of McLean and State of Illinois
for and in consideration of the sum of Four Hundred DOLLARS,
in hand paid, CONVEY AND WARRANT to

Ranny Hoffman
of the County of McLean and State of Illinois

the following described real estate, to-wit:

The West half of the South one fourth or quarter
of the following tract of land to-wit all of that part of lot six (6) of the
Assessors Subdivision of the South half of Section five (5) Town Twenty
three (23) Range Two (2) East of the third P.M. lying South of the South line of South
Water Street in the City of Bloomington and State of Illinois also lot eighteen
(18) of the Assessors Subdivision of Section eight (8) Town Twenty three (23)
North Range two (2) East of the third P.M. all in the land here conveyed being
about one half acre

situated in the County of McLean, in the State of Illinois, hereby releasing and waiving all right and by virtue of the Homestead Ex-
emption Laws of this State.

With the appurtenances, and all the estate, title and interest of the said party of the first part therein. And the said party of the first
part doth hereby covenant and agree with the said party of the second part, that at the time of the delivery hereof, the said party of the first
part is the lawful owner of the premises above granted, and seized thereof in fee simple absolute, that he will warrant and defend the above
granted premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns forever, and that they are free
from all incumbrances whatsoever.

Dated this 25th day of September A.D. 1882

WITNESS:

Mary Olinger
William Olinger

STATE OF ILLINOIS,
County of McLean SS.

I, C. D. Myers
a Notary Public in and for the City of Bloomington
said County, in the state aforesaid, do hereby certify that
Mary Olinger and William Olinger her husband
personally known to me to be the same person whose names are subscribed to the foregoing in-
strument, appeared before me this day in person, and acknowledged that they signed, sealed, and de-
livered the said instrument as their free and voluntary act, for the uses and purposes therein
set forth, including the release and waiver of the right of Homestead.

Given under my hand and Notarial seal, this 25th day of September A.D. 1882

C. D. Myers
Notary Public

Filed Oct 19th 1882 4²⁰ o'clock P.M.

No. 10553

*THIS I
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Dated this

STATE OF
County of Mc

Filed

This Indenture Witnesseth, That the Grantor, Fannie Hoffman
(a widow)

of the Bloomington County of McLean and State of Illinois for and in
consideration of the sum of Five Hundred Fifty (\$500.00) DOLLARS,
in hand paid, CONVEY AND WARRANT TO James A. Kieran
of the Bloomington County of McLean and State of Illinois
the following described real estate, to-wit:

Lot Six (6) and the East Five (5) feet of Lot Five (5)
in Block Seven (7) Langer's Addition to the City of
Bloomington,

situated in the County of McLean, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the homestead Exemption
laws of this State.

The intention of this deed is to convey fifty five (55) feet
of ground being the East fifty five (55) feet of the
two lots 6 x 5 taken together,

Dated this 20th day of February A. D. 1927

WITNESS:

Fannie Hoffman



STATE OF ILLINOIS.

County of McLean:

SS.

I, Jesse E. Hoffman a Notary Public

in and for the McLean said County, in the State aforesaid, do hereby
certify that Fannie Hoffman (a widow)

Jesse E. Hoffman
Notary at Law and
Notary Public
Bloomington
McLean Co. Ill.

personally known to me to be the same person whose name ss subscribed to the foregoing
instrument, appeared before me this day in person, and acknowledged that she signed, sealed, and delivered
said instrument as her free and voluntary act, for the uses and
purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial seal, this 20th day
of February A. D. 1927

Jesse E. Hoffman
Notary Public

Filed Feb 26th A. D. 1927 at 4:30 o'clock P. M.

This Indenture Witnesseth, That the Grantor, (a widow)

of the Illinois County of McLean and State of Illinois for and in
consideration of the sum of Five Hundred Fifty (\$500.00) DOLLARS,
in hand paid, CONVEY AND WARRANT TO James A. Kieran
of the Bloomington County of McLean and State of Illinois
the following described real estate, to-wit:

Lot Six (6) and the East Five (5) feet of Lot Five (5)
in Block Seven (7) Langer's Addition to the City of
Bloomington,

situated in the County of McLean, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the homestead Exemption
laws of this State.

The intention of this deed is to convey fifty five (55) feet
of ground being the East fifty five (55) feet of the
two lots 6 x 5 taken together,

Dated this 20th day of February A. D. 1927

STATE OF ILLINOIS.

County of McLean:

Jesse E. Hoffman
Notary at Law and
Notary Public
Bloomington
McLean Co. Ill.

Filed Feb 26th A. D. 1927 at 4:30 o'clock P. M.

No. 9250

This Indenture Witnesseth, That the Grantor James A. Kieran and Emma A. Kieran
his wife

of the Bloomington County of McLean and State of Illinois
for and in consideration of the sum of Four Thousand (\$4,000.00)
in hand paid, Convey and Warrant to Therence M. Donald DOLLARS,

of the Bloomington County of McLean and State of Illinois
the following described Real Estate, to-wit:

Lot Six (6) and the East five (5) feet of Lot five (5) all in Block
Seven (7) in Lange's Addition to the City of Bloomington

situated in the County of McLean, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

Subject to a 1300 mortgage now on the premises which grantor
assumes & agrees to pay with interest at 6% from Jan. 7th 1914.

Dated this 2nd day of March A. D. 1914

WITNESS:

James A. Kieran
Emma A. Kieran



STATE OF ILLINOIS, }
COUNTY OF McLEAN, }



I, Jesse E. Hoffman a Notary Public
in and for the said County, in the State aforesaid, DO HEREBY
CERTIFY that James A. Kieran and Emma A. Kieran
his wife

personally known to me to be the same persons whose names are subscribed to the foregoing
Instrument, appeared before me this day in person and acknowledged that they signed, sealed,
and delivered said instrument as their free and voluntary act, for the uses and
purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 2nd day of February
A. D. 1914.

Jesse E. Hoffman
Notary Public

Filed March 3rd A. D. 1914, at 2 o'clock A. M.

No. 9267

This Indenture Witne:

of the Town of Bloomington
for and in consideration of the \$
in hand paid, Convey and W:

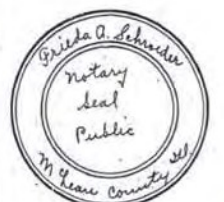
of the Town of Bloomington
the following described Real Est

The west 1
Eight 1/2 Sec. 8
(R. 9) East of T

situated in the County of McLean
Exemption Laws of this State.

Dated this 28th
WITNES:

STATE OF ILLINOIS, }
COUNTY OF McLEAN, }



Given under my hand on
A. D. 1914.

Filed March 3





Section 44.6-30

Permitted Uses in the S-4 District

Agriculture	P
Bed & Breakfast Establishments	S
Community Reception Establishments	S
Flammable Liquid Pipelines	P
Forestry	P
Historic Area	P
Irrigation Channels	P
Parking Lot, Noncommercial	S
Parks, Playgrounds, Arboreta	P
Utility Conduits, Lines, Pipelines	P



Zoning View-913 W MacArthur Ave



0 0.03 0.1 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

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Notes

RESOLUTION NO. 2016-03

**A RESOLUTION RECOMMENDING THAT THE PROPERTY LOCATED AT
913 WEST MACARTHUR AVENUE BE REZONED WITH THE S-4 HISTORIC
PRESERVATION DISTRICT ZONING OVERLAY**

WHEREAS, a nomination was submitted to the City of Bloomington Historic Preservation Commission by Dean Carlson and Danell Dvorak requesting that the property at 913 W. MacArthur Avenue, legally described in Exhibit "A", attached hereto, be recognized for its historic and cultural significance with the S-4 Historic Preservation District Zoning Overlay;

WHEREAS, the Historic Preservation Commission determined that the nominated property meets at least one (1) of the criteria for consideration in Section 44.11-2 of the Bloomington City Code, 1960, as amended;

WHEREAS, the Historic Preservation Commission has also determined that the nominated property has significant integrity of location, design, materials and workmanship and is therefore worthy of preservation or restoration;

WHEREAS, the Historic Preservation Commission has the power to adopt this resolution and make a recommendation to the Bloomington Planning Commission:

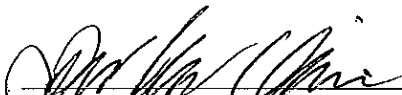
NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Bloomington, McLean County, Illinois:

SECTION ONE: That it is recommended to the Bloomington Planning Commission that the premises located at 913 W. MacArthur Avenue, legally described in Exhibit "A" be rezoned to have the historic designation of the S-4, Historic Preservation District Zoning Overlay.

ADOPTED this 18 day of August, 20 16.

APPROVED this 18 day of August, 20 16.

CITY OF BLOOMINGTON, ILLINOIS


Brad Williams, Chair

ATTEST


Tom Dabareiner, Secretary

Exhibit A
Legal Description

LANGES ADD E5' LOT 5 & ALL LOT 6 BLK 7

DRAFT MINUTES
BLOOMINGTON HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY, AUGUST 18, 2016, 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 E. OLIVE ST., BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Chairman Williams, Mr. Elterich , Ms. Graehling, Mr. Sturgeon, Ms. Cline

MEMBERS ABSENT: Mr. Cawley, Ms. Bailen

OTHERS PRESENT: Ms. Katie Simpson, City Planner
Mr. Tom Dabareiner, Community Development Director

CALL TO ORDER: Chairman Williams called the meeting to order at 5:04 P.M.

ROLL CALL: Ms. Simpson called the roll and with five members present there was a quorum.

PUBLIC COMMENT: No public comment.

BHP-27-16 Consideration, review and adoption of a recommendation by resolution for the nomination submitted by Dean Carlson and Danell Dvorak requesting that the property located at 913 W MacArthur Ave, c. 1907, *American four-square*, receive historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay. Planning Commission: 9/14/2016 (submission deadline 8.23.16) City Council: 10/10/2016.

Chairman Williams introduced the case. Ms. Simpson presented the staff report with a positive recommendation to add the S-4 overlay to the petitioner's property. She provided background on the property, the base zoning which is R-1C, noted it platted in 1896, and described some of the unique architectural features of the house. The house retains a lot of original features, she added. She stated that the detached garage carried over some the historical features, but is itself not historic. In reviewing the standards for the zoning request, Ms. Simpson stated that it fits the historical and cultural category, noting in particular the original siding and other original features; it is a good example of the construction style of the area and period.

Danell Dvorak, 913 West MacArthur, spoke on behalf of the petition. She stated that ignoring a lot of bad advice has helped to maintain this house, adding that the dining room windows are original. A few commissioners provided encouraging advice and mentioned what they liked about the house. There was discussion on the need for a railing and how to achieve it, while preserving the columns.

Mr. Sturgeon motioned to approve recommendation for an S-4 overlay on the property; seconded by Mr. Elterich. The motion was **approved** by a vote of 4-0 with the following votes cast in favor on roll call: Mr. Sturgeon—yes; Mr. Elterich—yes; Ms. Cline—yes; Ms. Graehling—yes; Chairman Williams—yes.

Chairman Williams noted that this recommendation will go to the Planning Commission on September 12. Ms. Simpson described the next steps to make the September 12 Planning Commission meeting, then the cases will proceed to the City Council about one month later.

ADJOURNMENT: Ms. Graehling made a motion to adjourn; Ms. Cline seconded the motion, which passed unanimously. The meeting adjourned at 6:07PM.

Respectfully submitted,

Tom Dabareiner AICP
Community Development Director

CITY OF BLOOMINGTON
REPORT FOR THE HISTORIC PRESERVATION COMMISSION
August 18, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
BHP-27-16	A nomination for historic designation for the property at 913 W. MacArthur Ave and a rezoning with the S-4 Historic Preservation Zoning District Overlay	Katie Simpson City Planner

REQUEST: A nomination submitted by Dean Carlson and Danell Dvorak for the historic designation and rezoning of the property located at **913 W MacArthur**, c. 1907, *American four-square* from R-1C, Single Family Residential to R-1C with the S-4 Historic Preservation District Zoning Overlay.

GENERAL INFORMATION

Owner and Applicant: Dean Carlson and Danell Dvorak

PROPERTY INFORMATION

Existing Zoning: R-1C, Single family residential

Existing Land Use: Single Family Home

Property Size: 55 x 110 (5999 sqft)

PIN: 21-08-226-042

Historic District: None

Year Built: c. 1907

Architectural Style: American four-square

Architect: Unknown

SURROUNDING ZONING AND LAND USES

Zoning

North: R-1C, Single family residential

South: R-2, Mixed Residential

East: R-1C, Single family residential

West: R-1C, Single family residential

Land Uses

North: Single and two family homes

South: Single and two family homes

East: Single and two family homes

West: Single and two family home

Analysis:

Submittals

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

1. Application for the S-4 Historic Zoning
2. Site Photos

PROJECT DESCRIPTION:

The petitioner is proposing to have their property rezoned with the S-4 Historic Preservation Zoning Overlay. The property is located on 913 W. MacArthur Ave (formerly W. Moulton) on Bloomington's westside, near the South Hill and Forty Acres Neighborhoods. This neighborhood, currently part of the Miller Park Neighbors Association, was developed around the mid to late 19th Century. Both the South Hill and Forty Acres Neighborhoods are identified in the Historic Preservation Plan as areas for potential historic preservation sites due their diverse cultural roots and the important role residents played in the social and economic development of

the City of Bloomington. This area was originally settled by Bloomington's middle and working class German, Hungarian and Irish families, many of whom worked with the railroad.

931 W. MacArthur Ave was platted in 1896 and the house was constructed around 1906. It is a classic American four-square home recognizable by its square shape, hipped roof-line and matching projecting dormers, and front porch that stretches the entire width of the house. Many homes in this area lost their historic character because repairs have been made with modern materials. Although the siding on the dormers has been replaced, the property at 913 W. MacArthur has maintained many of its traditional materials and original features: wood siding, decorative pillars, the hipped belt course, and original storm windows. Additionally, the house has many intricate details that enhance its close range visual character such as the second story wood medallion, a south facing picture window with leaded glass, and three west facing diamond patterned leaded glass windows. The house also has an attached garage which complements the house. Staff is unsure of the historic quality of the garage.

The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

Analysis

Action by Historic Preservation Commission:

The Preservation Commission, shall upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria and also has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration (2006-137):

FINDINGS OF FACT:

1. *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);* The American four-square is a classic architectural style found throughout Bloomington's historic districts. This style of house was easily produced and replicated, and relatively in-expensive. While 913 W. MacArthur has had some non-historic repairs, the majority of the original features have been maintained. Since a number of houses have also lost their historic character, preserving this structure creates an educational reference point for the neighborhood and contributes to the preservation of the cultural heritage of one of Bloomington's middle and working class neighborhood.
2. *Its location as a site of a significant local, county, state, or national event;*

3. *Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;*
4. ***Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*** This property maintains many of the distinct architectural features of the four-square house. Historic designation would help ensure that those that may have been removed can eventually be added again in the property style and material for the period.
5. *Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;*
6. *Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;*
7. *Its embodiment of design elements that make it structurally or architecturally innovative;*
8. *Its unique location or singular physical characteristics that make it an established or familiar visual feature;*
9. *Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or*
10. *Its suitability for preservation or restoration.*

Staff finds that in addition to meeting at least one (1) of the above mentioned criteria, the property also complies with the Design Guidelines expressed in Section 44.11-2D for height, proportions of windows and doors, relationships of building masses and spaces, roof shape, landscaping, scale, directional expression, and architectural details. Although the subject property has been improved with new roof, new siding on the dormers and the balusters have been removed the property is compatible with its original architectural character and enhances the architectural style of the period and neighborhood.

STAFF RECOMMENDATION: Staff recommends that the Historic Preservation Commission adopt a resolution recommending to the Bloomington Planning Commission that the property at 913 W. MacArthur Ave be recognized with a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay.

Respectfully Submitted,
Katie Simpson
City Planner

Attachments:
S-4 application
Site photos
Zoning map for S-4 petitions (see item 5D)

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 14, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Boyd, Mr. Pearson, Mr. Penn, Mr. Suess, Mr. Scritchlow, Chairman Stanczak

MEMBERS ABSENT: Mr. Protzman, Ms. Schubert

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Mr. Tom Dabareiner, Director of Community Development. Mr. George Boyle, City Attorney, Kevin Kothe, City Engineer.

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. With seven in attendance, a quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the August 24, 2016 minutes. Mr. Scritchlow moved to approve the August 24, 2016 minutes; Mr. Pearson seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

Z-36-16 Public hearing, review and action on the petition submitted by Dean Carlson and Danell Dvorak requesting that the property located at 913 W MacArthur Ave, c. 1907, *American four-square*, receive historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay (case BHP-27-16). (Ward 6)

Chairman Stanczak introduced the case. Ms. Simpson presented the staff report and recommended in favor of the petition. She explained the property located at 913 W. MacArthur Street was platted in 1896 and constructed around 1906 as an American four-square house. She explained the two (2) criteria for historic designation met by this property. She described the architectural features of the house and noted the architectural style and construction contribute to the historic value of the neighborhood. She pointed out that this property maintains its overall historic character.

The petitioner, Dean Carlson, 901 W. MacArthur, was sworn in. He explained that he moved into the property in 1993. He and his wife completed the majority restoration themselves. He commented that he and his wife are hopeful to be able to maintain the integrity of the house.

Chairman Stanczak declared the public hearing closed. Mr. Suess motioned to approve the rezoning case; seconded by Mr. Scritchlow. The following votes were cast: Mr. Suess—yes; Mr. Scritchlow—yes; Mr. Balmer—yes; Mr. Pearson—yes; Mr. Boyd—yes; Mr. Penn—yes; Chairman Stanczak—yes. Motion **approved** 7-0.

OLD BUSINESS

None

NEW BUSINESS

Chairman Stanczak introduced Commissioner Mr. Eric Penn. Mr. Penn introduced himself and expressed gratitude to be a part of the Commission.

Mr. Pearson inquired as to why the packets included so much legal paper in the packets. Chairman Stanczak explained a number of documents are involved with the annexation case. Mr. Dabareiner explained the purpose was to have thorough records. Mr. Boyle added that the City is focusing on being as thorough as possible and maintaining a good record. Mr. Pearson commented on the importance of legal documents drawing from experience with a property on McClun Street.

ADJOURNMENT

Mr. Balmer motioned to adjourn; seconded by Mr. Scritchlow, which passed unanimously by voice vote. The meeting was adjourned at 4:49 PM.

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
September 14, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
Z-36-16 913 W. MacArthur Street	Rezoning from R-1C Single Family Residential to R-1C with the S-4, Historic Preservation District Overlay	Katie Simpson City Planner

REQUEST

The petitioner is seeking a rezoning from R-1C, High Density Single Family Residential District, to R-1C, High Density Single Family Residential District with the S-4 Historic District Zoning Overlay, for the property located at 913 W. MacArthur Street

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Public notice was published in *The Pantagraph* on August 30, 2016.

GENERAL INFORMATION

Owner and Applicant: Dean Carlson and Danell Dvorak

LEGAL DESCRIPTION: LANGES ADDITION E5' LOT 5 AND ALL LOT 6 BLOCK 7

PROPERTY INFORMATION

Existing Zoning: R-1C, Single Family Residential District
Existing Land Use: Single Family Home
Property Size: approximately 55 X 110
PIN: 21-08-226-042

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single-Family Residential District
South: R-2, Mixed Residential District
East: R-1C, Single-Family Residential District
West: R-1C, Single-Family Residential District

Land Uses

Single and two family homes
Single and two family homes
Single and two family homes
Single and two family homes

ANALYSIS

Submittals

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites
5. Historic Preservation Commission minutes

Background and Nomination Criteria:

A public hearing was held by the Bloomington Historic Preservation Commission on August 18, 2016 to discuss a nomination for historic designation for the property at 913 W. MacArthur Street with the S-4 Historic Preservation Zoning Overlay. The Preservation Commission passed, by a vote of 5-0 with two commissioners absent, a resolution recommending to the Planning Commission that this property be designated as a local historic preservation site. No citizens, outside of the applicant, spoke in favor of the petition. No citizens spoke against the petition.

FINDINGS OF FACT:**EXPLANATION OF THE SIGNIFICANCE OF THE NOMINATED HISTORIC DISTRICT AS IT RELATES TO THE DESIGN CRITERIA**

The subject property is located on 913 W. MacArthur Ave (formerly W. Moulton) on Bloomington's westside, near the South Hill and Forty Acres Neighborhoods. This neighborhood, currently part of the Miller Park Neighbors Association, was developed around the mid to late 19th Century. Both the South Hill and Forty Acres Neighborhoods are identified in the Historic Preservation Plan as areas for potential historic preservation sites due their diverse cultural roots and the important role residents played in the social and economic development of the City of Bloomington. This area was originally settled by Bloomington's middle and working class German, Hungarian and Irish families, many of whom worked with the railroad.

901 W. MacArthur Ave was originally built around 1888 at 901 S. Grove Street. Later the street was changed to W. Moulton Street and eventually to W. MacArthur. The house was constructed by Fred Garling, a prominent local general contractor. Many of the houses on Bloomington's Westside, E. Grove, White Place and South Hill area were also constructed by Garling (see the petitioner's nomination form for a more complete list of properties constructed by Garling). The property stayed within the Garling family for a number of years. Around 1930 it was improved upon with a "mother-in-law" apartment on the south and west side of the property.

The subject property meets the following criteria making it eligible for designation (44.11-2B):

- *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);*
- *Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*

EXPLANATION OF THE INTEGRITY OF THE HISTORIC DISTRICT

The property at 931 W. MacArthur Avenue meets the design criteria outlined in 44.11-2D. 931 W. MacArthur Ave was platted in 1896 and the house was constructed around 1906. It is a classic American four-square home recognizable by its square shape, hipped roof-line and matching projecting dormers, and front porch that stretches the entire width of the house. Many homes in this area lost their historic character because repairs have been made with modern materials. Although the siding on the dormers has been replaced, the property at 913 W.

MacArthur has maintained many of its traditional materials and original features: wood siding, decorative pillars, the hipped belt course, and original storm windows. Additionally, the house has many intricate details that enhance its close range visual character such as the second story wood medallion, a south facing picture window with leaded glass, and three west facing diamond patterned leaded glass windows. The house also has an attached garage which complements the house. Staff is unsure of the historic quality of the garage.

Compliance with the Comprehensive Plan

This property is located within the City's Regeneration Area identified in the Neighborhoods Chapter of the Bloomington Comprehensive Plan. Historic preservation is a tool for community development. The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission **approve a recommendation** to City Council to **pass** an ordinance to rezone the property located at 913 W. MacArthur Ave, R-1C Single Family Residential District to R-1C Single Family Residential with the S-4 Historic Preservation District Zoning Overlay for the petition submitted by Dean Carlson and Danell Dvorak

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

1. Petition
2. Draft Ordinance
3. Historic Preservation Commission Resolution 2016-03
4. Historic Preservation Commission Staff Report
5. Historic Preservation Commission Minutes
6. Aerial View
7. Zoning Map
8. Newspaper notice (see attachments from 931 W MacArthur Ave)
9. Neighborhood Notice List (see attachments from 931 W MacArthur Ave)
10. Neighborhood Notice Location and Buffer Map (see attachments from 931 W MacArthur Ave)

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7M

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of adoption an ordinance approving the petition to rezone 931 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay.

RECOMMENDATION/MOTION: That an ordinance approving the petition to rezone 931 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 4: Strong Neighborhoods; Goal 6: Great Place—Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: Objective 4b—Upgraded quality of older housing stock; Objective 4c—Preservation of property/home valuations; Objective 4e—Strong partnerships with residents and neighborhood associations; Objective 4f—Residents increasingly sharing/taking responsibility for their homes and neighborhoods; Objective 6e—more attractive city: commercial areas and neighborhoods.

BACKGROUND: Three property owners on W. MacArthur Ave. are petitioning to have their properties recognized as historic preservation sites. The house at 931 W. MacArthur is seeking this status by rezoning to S-4. If the rezoning is granted the S-4 designation would apply only to those specific properties and not to the entire neighborhood. The S-4 designation qualifies property owners for grant monies to help rehabilitate the exteriors of their homes.

The house at 931 W. MacArthur Ave. was built around 1907, is a variant of the Illinois Workman's Cottage with Queen Anne Influences. The property maintains many of its original features and the overall historic quality of the house has been preserved. Bloomington currently has six (6) local historic preservation neighborhoods, the majority of which are located on the Eastside. 931 W. MacArthur Ave. is located near Bloomington's South Hill and Forty Acres Neighborhoods on the Westside of the City. Both neighborhoods are recognized in the Historic Preservation Plan (available online at <http://www.cityblm.org/modules/showdocument.aspx?documentid=4939>) as areas for future preservation. Additionally, the Bloomington Comprehensive Plan recognizes this area as a regeneration area and Historic Preservation can be used as a tool to safeguard property values as well as foster neighborhood pride.

The homes on MacArthur Avenue were originally housed by German, Irish and Hungarian railroad and coal mine workers and represent a significant period of social and economic development for Bloomington's working class neighborhoods and residents. Many of the homes

are built in the Workman's Cottage style or as less elaborate versions of other popular 20th century styles, such as the American Four Square. Nonetheless, as seen on many of the existing homes with original materials, these houses were personalized with custom details. By designating 931 W. MacArthur Ave. with the S-4 historic preservation district overlay, the City of Bloomington is able to preserve the story of its working class.

The Historic Preservation Commission and the Planning Commission determined the home at 931 W. MacArthur Ave. is eligible for the historic preservation designation because it embodies distinguishing characteristics and architectural styles of the period and it possesses heritage and cultural characteristics of the City. 931 W. MacArthur also meets the design guidelines outline in our zoning code and retains multiple visual aspects and close-range architectural qualities.

PLANNING COMMISSION: This petition went before the Historic Preservation Commission for a public hearing on Thursday, August 18, 2016. No Citizens, other than the Petitioner, spoke in favor of the case; no one spoke in opposition. The Historic Preservation Commission passed a resolution recommending the recognition of 931 W. MacArthur as part of the Historic Preservation District by vote (4-0-1) with one member abstaining. This petitioner went before the Planning Commission for a public hearing on Wednesday, September 14, 2016. No citizens, other than the Petitioner, spoke in favor of the case; no one spoke in opposition. The Planning Commission recommended approval by unanimous vote (7-0) that council approve the rezoning of 931 W. MacArthur.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on August 30, 2016 in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 189 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: No immediate nor significant change in financial impact is expected.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner AICP, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales

City Manager

Attachments:

- Ordinance
- Historic Preservation Petition
- All referenced zoning uses list in S-4 Overlay District
- Zoning map
- Resolution passed by the Historic Preservation Commission
- Historic Preservation Minutes for 8.18.16
- Staff Report to Historic Preservation Commission for 8.18.16
- Planning Commission Minutes for 9.14.16 (Draft)
- Staff Report to Planning Commission for 9.14.16

Motion: That an ordinance approving the petition to rezone 931 W. MacArthur Ave. from R-1C, Single Family Residential District to R-1C with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

ORDINANCE NO. 2016 - _____

AN ORDINANCE REZONING 931 W MACARTHUR AVE FROM R-1C, SINGLE FAMILY RESIDENTIAL to R-1C, SINGLE FAMILY RESIDENTIAL WITH THE S-4 HISTORIC PRESERVATION DISTRICT OVERLAY

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

WHEREAS, the Bloomington Historic Preservation Commission, after proper notice was given, conducted a public hearing on said Petition and determined the premises described in Exhibit A meet the criteria for Historic designation outlined in Section 44.11-2 of the Bloomington City Code 1960, as amended; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition and recommended by unanimous vote that the City Council pass an ordinance to rezone the premises described in Exhibit A with the S-4 Historic Preservation District Overlay; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises commonly referred to as 931 W. MacArthur Ave., hereinafter described in Exhibit(s) "A", shall be and the same are hereby rezoned from "R-1C", Single Family Residential District to "R-1C", Single Family Residential District with the S-4, Historic Preservation District Overlay.
2. That the Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeff Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

KLEINE'S PLACE ADDN 14

PIN:45-21-08-226-035

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Lea Cline at 931 W MacArthur Ave, herein-
after referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of R-1C under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R-1C with S4 Historic Preservation Zoning District Overlay zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from R-1C.

Respectfully submitted,

By: Lea Oline

Exhibit A
Legal Description

931 W MacArthur Avenue
"Kleine's Place Addn. 14"

45-21-08-226-035

Historic Preservation S-4 Designation -Section 44.11-2

1. Property Information

Parcel Identification Number 45-21-08-226-035 Size (Acreage) 50 x 110 (5535 sq ft)Address 931 W MacArthur Ave (previously 931 W Moulton)Current Zoning R-1C (High Density Single-Family Residence District)Current Use residential

2. Applicant Information

Full Name Dr. Lea Kimberly ClineAddress 931 W MacArthur Ave City, State, ZIP Bloomington, IL 61701Phone 512-203-6552 Email lea.cline@gmail.com3. Owner Information (Check ☐ if same as Applicant)

Full Name _____

Address _____ City, State, ZIP _____

Phone _____ Email _____

4. Attorney/Consultant Information (if applicable)

Full Name _____

Company _____

Address _____ City, State, ZIP _____

Phone _____ Email _____

Please include photographs and any other supporting documents referencing the historic value of the subject property.

Applicant Signature

I certify that I have reviewed the relevant sections of the Bloomington Zoning Code, that the information above is true, and that I have provided all required documentation listed in the Application Checklist.



Signature

7-8-2016
Date

Lea K. Cline

Printed Name

Historic Name of Building _____ (none) _____ Year Built c.1907

Architectural Style Illinois Workman's Cottage (variant)

Architect (if known) _____

Is this property in a Historic District? ☐ Yes ☒ No. Which one? _____

Criteria for Consideration of Nomination. The Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria, please explain if one (1) or more of the following criteria are met:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);
2. Its location as a site of a significant local, county, state, or national event;
3. Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
7. Its embodiment of design elements that make it structurally or architecturally innovative;
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or
10. Its suitability for preservation or restoration.

Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ordinance No. 2006-137)

Kleine's Place Addn. 14

The plot appears in an August 1896 plat made on behalf of Henry Klein, owner, by George P. Ela, civil engineer and it was approved by the city engineer, W. P. Butler on September 9 that year. The notes on this plat include an explanation for the creation of this plat: "I, George P. Ela a civil engineer and surveyor...do hereby certify that I have surveyed for Henry Klein the east end of lot number seventeen in the subdivision of the north east quarter of section eight in township twenty three north range two east of the 3rd P.M. and have subdivided the same into sixteen lots as shown in the annexed plat. Iron harrow teeth ten inches long were used to mark the corners of all lots and are hereby referred to as monuments from which to make future surveys."

Therefore, this is a revision or extension of the original subdivision of Klein's place. This is the only plat that the City of Bloomington has for this block (i.e. they do not have the original plat, laying out the terms of the original addition). I could not find, having searched back to 1831, any record of Henry Klein buying the property or its official incorporation into the City of Bloomington.

Date

Determining the exact construction date of this house has proven impossible given that the City has not kept records of plans or permits for construction dating back to the early 1900s. Therefore, the approximate date of construction must be estimated based on the following:

Deeds for the sale of property

- Henry and Margarethe Klein (St. Louis, MO) sell the land to Willis and Ina Shireman for \$800 on February 16, 1900 (no. 18701, book 213, page 190)
- Willis and Ina Shireman (Bloomington) sell to Elmer and Nellie Murray (Bloomington) for \$1200 on February 16, 1905 (no. 1363, book 241, page 114)
- Elmer and Nellie Murray (Bloomington) sell to Michael Judge (Bloomington) for \$2,255 on October 21, 1908 (no. 28295, book 265, page 575)

Sanborn Maps

- The house appears for the first time on the 1907 Sanborn map.
 - Sanborn maps were made of Bloomington in 1886, 1892, 1896, 1901, 1907, 1922, 1940, and 1941.
 - The footprint of the house is the same, save for the addition (estimated to have been added in the 1940s) that extended the then-porch off the kitchen into a pantry and half bath, and further extension of the porch around the back of the house. This plan also includes an outbuilding (marked as a stable in 1907, later updated as a car garage) in the extreme northwest corner of the plot, where the current shed is.

City of Bloomington Registry

- First mention of 931 W Moulton Street in city directories is 1907; years prior list other numbers on the street (not many) but not 931.
- The city registry of 1907 lists Elmer Murray (and wife Nellie) as the owners of this house.

Therefore, given the escalation in price between the sale of the land in 1905 and in 1908, I think it is reasonable to assume that the house was under construction (or recently finished) in 1907 when the Sanborn map was produced and entry made in the city registry. By the end of 1908, the house was sold to Michael Judge and he and his family appear in the city registry as owners of the house until the early 1940s.

Architectural Style

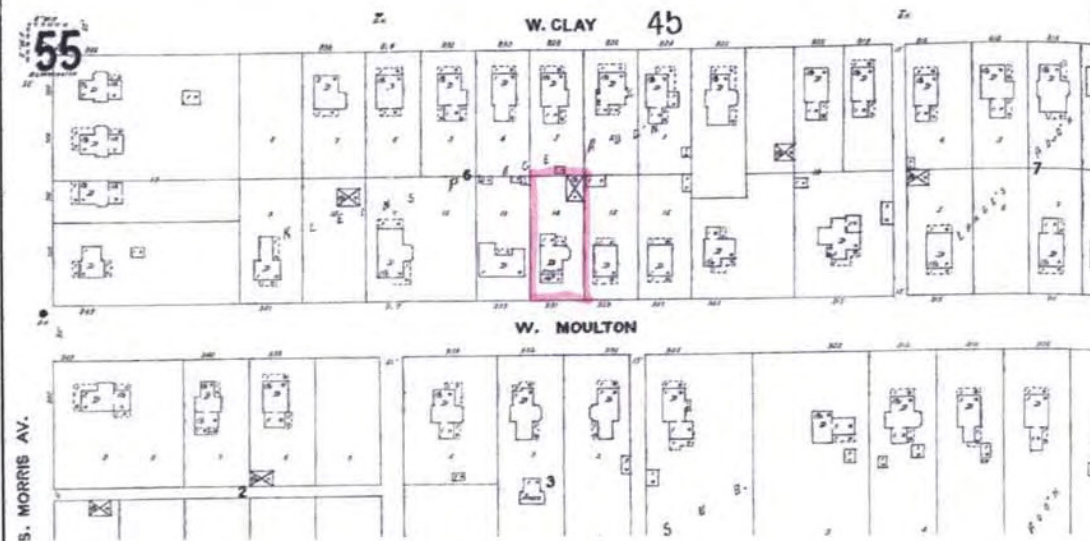
The architectural style of this house is a hybrid of an Illinois Workman's Cottage and a modest Queen Anne. The most common house type on the west side of Bloomington in the early 1900s, as well as most working class neighborhoods across Illinois, is the Workman's Cottage. Workman's Cottages are typically larger than a traditional cottage, generally 1.5 stories with a pointed roof, and are distinguished by their simple construction (making them inexpensive and quick to build) and easily customizable façades (i.e. with small differences in porch articulation or window placement). This house, though, is larger and has more ornate detailing than the typical Workman's Cottage; that detailing is indicative of the Queen Anne style of house, popular in Bloomington between 1890 and 1910, much more opulent examples of which can be found on E. Grove Street. The asymmetry and the intricacy of the façade (with an inverted pedimental roof, sculpted porch railings, and fish scale shingles on the upper story) are indicative of Queen Anne style homes.

So, the home at 931 W Moulton Street appears to be a hybrid of these two styles—either a very elaborate Workman's Cottage or a very modest Queen Anne made in emulation of the grander homes on the East side. Although the windows have been replaced in this house, the wood siding remains uncovered, the front porch is intact, and the overall character of the house unchanged.

931 W MacArthur (2016)



Sanborn Map (1907)



[illegible][illegible]

Deed of Sale between the Shiremans and Murrys, February 1905 (\$1200)

114

241

This Indenture Witnesseth, that the grantor, *Willie Shireman and Ann Shireman* (Husband and Wife) of the County of *McLean* and State of *Illinois*, for and in consideration of the sum of *Twelve hundred (\$1200)* Dollars, to them in hand paid, CONVEY and WARRANT unto *Ellen Murray and Nellie Murray* his wife, legal heirs and next of kin of the said *Willie Shireman* County of *McLean* and State of *Illinois* the following described real estate to-wit:

Lot fourteen, 1/4 sec 14, 1/4 sec 14, 1/4 sec 14, addition to the City of Bloomington

situated in the County of *McLean* in the State of *Illinois*, hereby releasing and conveying all rights under and by virtue of the Broomfield Plat of this State.

Subject to the taxes now due.

Dated this *16th* day of *February* A.D. 1905.

Willie Shireman
Ann Shireman

STATE OF ILLINOIS.
County of *McLean*.

I, *John E. Hoffman* a Notary Public in and for the County of *McLean* in the State of *Illinois*, do hereby certify that *Willie Shireman and Ann Shireman* personally known to me to be the grantors herein named, and subscribed to the foregoing instrument, executed before me this day in person, and acknowledged that they acted, acted, and delivered the same as their own act and deed, and for the uses and purposes therein set forth, including the release and waiver of the right of redemption.

Witness my hand and Notarial Seal this *16th* day of *February* A.D. 1905.

John E. Hoffman
Notary Public.

WIT. *City 16th* A.D. 1905 at 5:57 P.M.

Deed of Sale between the Murrys and Michael Judge, October 1907 (\$2255)

265

265

575

This Indenture Witnesseth, that the grantor, *Ellen Murray and Nellie Murray* his wife, each in their own right and as husband and wife, of the County of *McLean* and State of *Illinois*, for and in consideration of the sum of *Two thousand two hundred fifty five (\$2255)* Dollars, to them in hand paid, CONVEY and WARRANT unto *Michael Judge* of the County of *McLean* and State of *Illinois* the following described real estate to-wit:

Lot fourteen, 1/4 sec 14, 1/4 sec 14, 1/4 sec 14, addition to the City of Bloomington

situated in the County of *McLean* in the State of *Illinois*, hereby releasing and conveying all rights under and by virtue of the Broomfield Plat of this State.

Subject to the taxes for the year 1907.

Dated this *22nd* day of *October* A.D. 1907.

Ellen Murray
Nellie Murray

STATE OF ILLINOIS.
County of *McLean*.

I, *John E. Hoffman* a Notary Public in and for the County of *McLean* in the State of *Illinois*, do hereby certify that *Ellen Murray and Nellie Murray* personally known to me to be the grantors herein named, and subscribed to the foregoing instrument, executed before me this day in person, and acknowledged that they acted, acted, and delivered the same as their own act and deed, and for the uses and purposes therein set forth, including the release and waiver of the right of redemption.

Witness my hand and Notarial Seal this *22nd* day of *October* A.D. 1907.

John E. Hoffman
Notary Public.

WIT. *City 22nd* A.D. 1907 at 5:57 P.M.







20833189
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on Wednesday, September 14, 2016 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive St., Bloomington, IL.

The Petition submitted by Lea Cline, requesting approval to Rezone property located 931 W. MacArthur Ave. from a R-1C Single Family Residence District to R - 1C Single Family

The Pantagraph - Tuesday, August 30, 2016 **C5**

Public Notices

Residence District with S -
Historic Preservation District.

Legal Description: Exhibit A
Kleine's Place 14th Addition.
PIN: 45-21-08-226-035

And

The Petition submitted by Dear Carlson and Danell Dvorak, requesting approval to Rezone property located 913 W. MacArthur, from a R-1C Single Family Residence District to R - 1C Single Family Residence District with S - 4 Historic Preservation District.

Legal Description: Exhibit A
Langes Addition E5' Lot 5 and
all Lot 6 and 7.
PIN: 45-21-08-226-042

And

The Petition submitted by Matthew & Rebecca Spears, requesting approval to Rezone property located 901 W. MacArthur, from a R-1C Single Family Residence District to R - 1C Single Family Residence District with S - 4 Historic Preservation District.

Legal Description: Exhibit A
King's Addition E8' Lot 7 and
all Lot 8.
PIN: 21-08-226-048

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk at 109 E. Olive St., Bloomington, IL.

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

Section 44.6-30

Permitted Uses in the S-4 District

Agriculture	P
Bed & Breakfast Establishments	S
Community Reception Establishments	S
Flammable Liquid Pipelines	P
Forestry	P
Historic Area	P
Irrigation Channels	P
Parking Lot, Noncommercial	S
Parks, Playgrounds, Arboreta	P
Utility Conduits, Lines, Pipelines	P



Zoning view-931 W MacArthur Ave



RESOLUTION NO. 2016-01

**A RESOLUTION RECOMMENDING THAT THE PROPERTY LOCATED AT
931 WEST MACARTHUR AVENUE BE REZONED WITH THE S-4 HISTORIC
PRESERVATION DISTRICT ZONING OVERLAY**

WHEREAS, a nomination was submitted to the City of Bloomington Historic Preservation Commission by Dr. Lea Kimberly Cline requesting that the property at 931 W. MacArthur Avenue, legally described in Exhibit "A", attached hereto, be recognized for its historic and cultural significance with the S-4 Historic Preservation District Zoning Overlay;

WHEREAS, the Historic Preservation Commission determined that the nominated property meets at least one (1) of the criteria for consideration in Section 44.11-2 of the Bloomington City Code, 1960, as amended;

WHEREAS, the Historic Preservation Commission has also determined that the nominated property has significant integrity of location, design, materials and workmanship and is therefore worthy of preservation or restoration;

WHEREAS, the Historic Preservation Commission has the power to adopt this resolution and make a recommendation to the Bloomington Planning Commission;

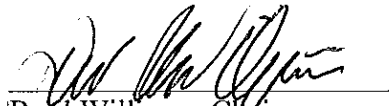
NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Bloomington, McLean County, Illinois:

SECTION ONE: That it is recommended to the Bloomington Planning Commission that the premises located at 931 W. MacArthur Avenue, legally described in Exhibit "A" be rezoned to have the historic designation of the S-4, Historic Preservation District Zoning Overlay.

ADOPTED this 18 day of August, 2016.

APPROVED this 18 day of August, 2016.

CITY OF BLOOMINGTON, ILLINOIS


Brad Williams, Chair

ATTEST


Tom Dabareiner, Secretary

Exhibit A
Legal Description

KLEINES PLACE ADD LOT 14

DRAFT MINUTES
BLOOMINGTON HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY, AUGUST 18, 2016, 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 E. OLIVE ST., BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Chairman Williams, Mr. Elterich , Ms. Graehling, Mr. Sturgeon, Ms. Cline

MEMBERS ABSENT: Mr. Cawley, Ms. Bailen

OTHERS PRESENT: Ms. Katie Simpson, City Planner
Mr. Tom Dabareiner, Community Development Director

CALL TO ORDER: Chairman Williams called the meeting to order at 5:04 P.M.

ROLL CALL: Ms. Simpson called the roll and with five members present there was a quorum.

PUBLIC COMMENT: No public comment.

MINUTES: The Commission reviewed the minutes from the July 16, 2016 meeting. Ms. Graehling asked for a correct reference to her name on several of the pages. There being no further changes, Ms. Graehling moved for approval of the minutes as amended; seconded by Mr. El. The motion was **approved** by a vote of 5-0 with the following votes cast in favor on roll call: Ms. Graehling—yes; Ms. Cline—yes; Mr. Elterich—yes; Mr. Sturgeon—yes; Chairman Williams—yes.

REGULAR AGENDA:

BHP-25-16 Consideration, review and adoption of a recommendation by resolution for the nomination submitted by Dr. Lea Kimberly Cline requesting that the property located at 931 W MacArthur Ave, c. 1907, *Illinois Workman's Cottage (variant)*, receive a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay. Planning Commission: 9/14/2016 (submission deadline 8.23.16) City Council: 10/10/2016.

Chairman Williams introduced the case. Ms. Cline recused herself and left the chambers. Ms. Simpson stated that staff supports the proposal to add the S-4 overlay zoning to the petitioner's property. She noted the house was built around 1907 and described the area as a potential target area for historic preservation from the City's plan. The property was platted in 1896. She reviewed the architectural features of the house and the unique elements of the Illinois workman's cottage style. Ms. Simpson reviewed the zoning standards associated with adding the S-4 designation. She mentioned this property meets the standards related to heritage and culture, its role in Bloomington's history, and that it is a good example of this style house built in the period. The house maintains many of the original elements, she stated.

Mr. Sturgeon stated he is pleased with the expansion of the S-4 designation into the west side of Bloomington and he would like to see more of it. Chairman Williams concurred and stated that there are many homes with preservation potential on the west side.

Mr. Sturgeon motioned to approve recommendation for an S-4 overlay on the property; seconded by Mr. Elterich. The motion was **approved** by a vote of 4-0 with the following votes cast in favor on roll call: Mr. Sturgeon—yes; Mr. Elterich—yes; Ms. Graehling—yes; Chairman Williams—yes.

Ms. Cline returned to the chambers.

CITY OF BLOOMINGTON
REPORT FOR THE HISTORIC PRESERVATION COMMISSION
August 18, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
BHP-25-16	A nomination for historic designation for the property at 931 W. MacArthur Ave and a rezoning with the S-4 Historic Preservation Zoning District Overlay	Katie Simpson City Planner

REQUEST: A nomination submitted by Dr. Lea Kimberly Cline for the historic designation and rezoning of the property located at **931 W MacArthur**, c. 1907, *Illinois Workman's Cottage (variant)* from R-1C, Single Family Residential to R-1C with the S-4 Historic Preservation District Zoning Overlay.

GENERAL INFORMATION

Owner and Applicant: Dr. Lea Kimberly Cline

PROPERTY INFORMATION

Existing Zoning: R-1C, Single family residential

Existing Land Use: Single Family Home

Property Size: 50 x 110

PIN: 21-08-226-035

Historic District: None

Year Built: c. 1907

Architectural Style: Illinois Workman's Cottage (variant)

Architect: Unknown

SURROUNDING ZONING AND LAND USES

Zoning

North: R-1C, Single family residential

South: R-2, Mixed Residential

East: R-1C, Single family residential

West: R-1C, Single family residential

Land Uses

North: Single and two family homes

South: Single and two family homes

East: Single and two family homes

West: Single and two family home

Analysis:

Submittals

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

1. Application for the S-4 Historic Zoning
2. Site Photos

PROJECT DESCRIPTION:

The petitioner is proposing to have their property rezoned with the S-4 Historic Preservation Zoning Overlay. The property is located on W. MacArthur Ave (formerly W. Moulton) on Bloomington's westside, near the South Hill and Forty Acres Neighborhoods. This neighborhood, currently part of the Miller Park Neighbors Association, was developed around the mid to late 19th Century. Both the South Hill and Forty Acres Neighborhoods are identified in

the Historic Preservation Plan as areas for potential historic preservation sites due their diverse cultural roots and the important role residents played in the social and economic development of the City of Bloomington. This area was originally settled by Bloomington's middle and working class German, Hungarian and Irish families, many of whom worked with the railroad. Many of the homes on this street were constructed in the Workman's Cottage style with gable roofs and projecting porches.

931 W. MacArthur Ave was platted in 1896 and the house was constructed around 1906. It is a variant of the Illinois Workman's Cottage with Queen Anne influences seen in the projecting turret on the property's east side, the assertive chimney, and varied shingle and wall surface patterns. The property maintains many of the original features: wood siding, detailed front porch. The windows and roof are newer. Staff agrees with the petitioner that, overall, the character of the house is unchanged. Additionally, the house maintains an appealing and original close range visual character as seen in the juxtaposition between the heavy brick porch and the detailed wooden balusters, the varying textures of belting, wood siding and shingles, and the detailed window and door frames.

The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

Analysis

Action by Historic Preservation Commission:

The Preservation Commission, shall upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria and also has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration (2006-137):

FINDINGS OF FACT:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation); There are few houses similar to this property in our historic preservation program. This property is significant because of the role the neighborhood and the workman's cottage style architecture have played in the history of Bloomington's growth and prosperity and to the cultural heritage of the neighborhood.

2. Its location as a site of a significant local, county, state, or national event;

3. *Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;*
4. ***Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*** The Workman's Cottage was a common house during the mid to late 19th Century and beginning of the early 20th Century. Changes in technology made it easy to produce, construct and customize this style of house, the Queen Anne detailing makes this particular cottage unique.
5. *Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;*
6. *Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;*
7. *Its embodiment of design elements that make it structurally or architecturally innovative;*
8. *Its unique location or singular physical characteristics that make it an established or familiar visual feature;*
9. *Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or*
10. *Its suitability for preservation or restoration.*

Staff finds that in addition to meeting at least one (1) of the above mentioned criteria, the property also complies with the Design Guidelines expressed in Section 44.11-2D for height, proportions of windows and doors, relationships or building masses and spaces, roof shape, landscaping, scale, directional expression, and architectural details. Although the subject property has been improved with new windows and roof, the property is compatible with its original architectural character and enhances the architectural style of the period and neighborhood.

STAFF RECOMMENDATION: Staff recommends that the Historic Preservation Commission adopt a resolution recommending to the Bloomington Planning Commission that the property at 931 W. MacArthur Ave be recognized with a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay.

Respectfully Submitted,
Katie Simpson
City Planner

Attachments:
S-4 application
Site photos
Zoning map for S-4 petitions

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 14, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Boyd, Mr. Pearson, Mr. Penn, Mr. Suess, Mr. Scritchlow, Chairman Stanczak

MEMBERS ABSENT: Mr. Protzman, Ms. Schubert

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Mr. Tom Dabareiner, Director of Community Development. Mr. George Boyle, City Attorney, Kevin Kothe, City Engineer.

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. With seven in attendance, a quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the August 24, 2016 minutes. Mr. Scritchlow moved to approve the August 24, 2016 minutes; Mr. Pearson seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

Z-34-16 Public hearing, review and action on the petition submitted by Dr. Lea Kimberly Cline requesting that the property located at 931 W MacArthur Ave, c. 1907, *Illinois Workman's Cottage (variant)*, receive a historic designation and be rezoned to have the S-4 Historic Preservation District Zoning Overlay (case BHP-25-16). (Ward 6)

Chairman Stanczak introduced the case. Ms. Simpson presented the staff report. Ms. Simpson provided a general background of the neighborhood and the historic preservation zoning overlay. She confirmed the three subject properties were not contiguous but were located along the same street block. She showed a map of the existing six (6) historic preservation neighborhoods. She also identified a few individual properties with the S-4 designation not located within a specific neighborhood. She pointed out that, with the exception of the North Roosevelt Ave District located on Bloomington's northwest side, the majority of the historic neighborhoods are located on the east side of the City. Ms. Simpson showed an aerial view of the three subject properties and pictures of surrounding to provide context and to identify common architectural themes in the neighborhood. She explained the historic context of the neighborhood noting its social, economic and cultural contribution as a working class neighborhood originally settled by German, Irish and Hungarian railroad workers and coal miners and their families. Ms. Simpson

explained this is an opportunity to recognize a part of Bloomington's cultural heritage that is not currently commemorated by our program. She briefly explained the community, social and economic purposes and functions behind historic preservation.

Ms. Simpson provided the staff report for 931 W. MacArthur and recommended in favor of the rezoning. She noted the subject property was platted around 1896 and constructed as a variant of the Illinois Workman's Cottage Style with Queen Anne Influences around 1907. Ms. Simpson explained the Bloomington Historic Preservation Commission passed a resolution at the August meeting recommending to the Planning Commission that this property be rezoned with the S-4 designation and zoning overlay. The Commission found the property met two (2) of the requirements for designation. Ms. Simpson explained a few of the unique architectural elements of the house. She repeated that the City does not currently have many historically designated properties on Bloomington's Westside, specifically in this area. Mr. Suess inquired about the last time a property applied for the S-4 designation. Ms. Simpson and Mr. Dabareiner confirmed it was at least two and a half years ago, prior to their arrival at the City. Mr. Scritchlow clarified if the designation was for the entire block or just the three properties. Ms. Simpson explained that these petitions were initiated by the home owners who approached the City. She clarified that the designation would strictly pertain to these three properties but that other homeowners in the area would be welcome to apply if they too were interested in a designation. She explained the neighborhoods were identified in the Historic Preservation Plan as areas for future designation. Chairman Stanczak confirmed the incentive is on the property owners to seek designation and the City is not obliging people to sign up. Mr. Pearson asked about the condition of these homes and Ms. Simpson explained they are in good condition. Mr. Pearson commented that in the past the Commission had been asked to lift the S-4 designation on a property with structural damages

Dr. Lea Kimberly Cline, 931 W. MacArthur Ave, the petitioner was sworn in. She confirmed she submitted the petition and provided the full history on her house, as far as she was able to research. She explained her research process. Chairman Stanczak commented that he is happy to see that this petition is specifically reflective of a particular period in our history rather than a monument. Ms. Kline emphasized this is a trend in historic preservation, called vernacular architecture, over the past twenty years. She explained this trend is focused on recognizing and honoring different classes of the city by preserving the buildings which they occupied. Mr. Pearson asked the petitioner why she wanted to pursue this designation. Ms. Kline replied that she is a member of the Historic Preservation Commission and chose to take the initiative because she wanted to open up the opportunity to homes on the Westside.

Chairman Stanczak closed the public hearing. Mr. Pearson motioned to approve the rezoning case; seconded by Mr. Balmer. The following votes were cast: Mr. Pearson—yes; Mr. Balmer—yes; Mr. Scritchlow—yes; Mr. Suess—yes; Mr. Boyd—yes; Mr. Penn—yes; Chairman Stanczak—yes. Motion **approved** 7-0.

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
September 14, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
Z-34-16 931 W. MacArthur Street	Rezoning from R-1C Single Family Residential to R-1C with the S-4, Historic Preservation District Overlay	Katie Simpson City Planner

REQUEST

The petitioner is seeking a rezoning from R-1C, High Density Single Family Residential District, to R-1C, High Density Single Family Residential District with the S-4 Historic District Zoning Overlay, for the property located at 931 W. MacArthur Street

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Public notice was published in *The Pantagraph* on August 30, 2016.

GENERAL INFORMATION

Owner and Applicant: Dr. Lea Kimberly Cline

LEGAL DESCRIPTION: KLEINES PLACE ADD LOT 14

PROPERTY INFORMATION

Existing Zoning: R-1C, Single Family Residential District
Existing Land Use: Single Family Home
Property Size: approximately 50 X 110
PIN: 21-08-226-035

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single-Family Residential District
South: R-2, Mixed Residential District
East: R-1C, Single-Family Residential District
West: R-1C, Single-Family Residential District

Land Uses

Single and two family homes
Single and two family homes
Single and two family homes
Single and two family homes

ANALYSIS

Submittals

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites
5. Historic Preservation Commission minutes

Background and Nomination Criteria:

A public hearing was held by the Bloomington Historic Preservation Commission on August 18, 2016 to discuss a nomination for historic designation for the property at 931 W. MacArthur Street with the S-4 Historic Preservation Zoning Overlay. The Preservation Commission passed, by a vote of 4-0 with two commissioners absent and one commissioner abstaining, a resolution recommending to the Planning Commission that this property be designated as a local historic preservation site. No citizens, outside of the applicant, spoke in favor of the petition. No citizens spoke against the petition.

FINDINGS OF FACT:**EXPLANATION OF THE SIGNIFICANCE OF THE NOMINATED HISTORIC DISTRICT AS IT RELATES TO THE DESIGN CRITERIA**

The property is located on W. MacArthur Ave (formerly W. Moulton Street) on Bloomington's Westside, near the South Hill and Forty Acres Neighborhoods. This neighborhood was developed around the mid to late 19th Century. This area was originally settled by Bloomington's middle and working class German, Hungarian and Irish families, many of whom worked with the railroad. Both the South Hill and Forty Acres Neighborhoods are identified in the Historic Preservation Plan as areas for potential historic preservation sites due their diverse cultural roots and the important role residents played in the social and economic development of the City of Bloomington.

Although many of the homes on this street were constructed in the Workman's Cottage style with gable roofs and projecting porches, we do not have many houses in our Historic Preservation Program that represent the Workman's Cottage. The Workman's Cottage was a common house during the mid to late 19th Century and beginning of the early 20th Century. Changes in technology made it easy to produce, construct and customize this style of house. The subject property is a variant of the Illinois Workman's Cottage with Queen Anne influences. The Queen Anne influences and detailing makes this particular cottage unique. The combination of the architectural styles and features are worth preserving. Additionally, this property is significant to Bloomington's cultural heritage and history due to role of the neighborhood as a primarily working class neighborhood and the workman's cottage style architecture have played in the history of Bloomington's growth and prosperity and to the cultural heritage of the neighborhood.

The subject property meets the following criteria making it eligible for designation (44.11-2B):

- *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);*
- *Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*

EXPLANATION OF THE INTEGRITY OF THE HISTORIC DISTRICT

931 W. MacArthur Ave was platted in 1896 and the house was constructed around 1906. It is a variant of the Illinois Workman's Cottage with Queen Anne influences. The property meets the design guidelines explained in 44.11-2D and has a number of contributing visual aspects and close range visual character. *Height:* The property is 1.5 stories typical of the Workman's Cottage. *Relationship of Building Masses and Spaces:* The property has a rectangular shape of the Workman's Cottage with asymmetrical Queen Anne details (projecting bay window and dormer). The home's shape is conducive and compatible to the grid street pattern found on the Westside of Bloomington. The grid pattern facilitated (and continues to facilitate) multimodal transportation common of working class and affordable housing areas. *Roof Shape:* The gable roof is a distinguishing characteristic of the Workman's Cottage. This house has cross gable roofs and dormers which create variety distinctive of the Queen Anne style. *Architectural Detail:* Queen Anne influences are seen in the projecting turret on the property's east side, the assertive chimney, and varied shingle and wall surface patterns. The property maintains many of the original features: wood siding, detailed front porch. Although the house has new windows and doors, overall, the character of the house is unchanged. Additionally, the house maintains an appealing and original close range visual character as seen in the juxtaposition between the heavy brick porch and the detailed wooden balusters, the varying textures of belting, wood siding and shingles, and the detailed window and door frames.

Compliance with the Comprehensive Plan

This property is located within the City's Regeneration Area identified in the Neighborhoods Chapter of the Bloomington Comprehensive Plan. Historic preservation is a tool for community development. The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission **approve a recommendation** to City Council to **pass** an ordinance to rezone the property located at 931 W. MacArthur Ave, R-1C Single Family Residential District to R-1C Single Family Residential with the S-4 Historic Preservation District Zoning Overlay for the petition submitted by Dr. Lea Kimberly Cline.

Respectfully submitted,

Katie Simpson

City Planner

Attachments:

1. Petition
2. Draft Ordinance
3. Historic Preservation Commission Resolution 2016-01
4. Historic Preservation Commission Staff Report
5. Historic Preservation Commission Minutes
6. Aerial View
7. Zoning Map
8. Newspaper notice
9. Neighborhood Notice List
10. Neighborhood Notice Location and Buffer Map

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7N

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 15, Block 5 of Camp Kickapoo, from the Elizabeth A. Weir estate to Ruth A. Trower and Susan R. Trower.

RECOMMENDATION/MOTION: That the Lake Lease Transfer be approved, subject to the septic system conditions included in the McLean County Health Department's September 12, 2016 letter, and contingent upon the transferee providing documentation of the sale of the house located on the property, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: The sewage disposal system inspection was completed by Zeschke Septic Cleaning Inc. in September 2016. The inspection report indicates that the tank is undersized and the seepage field consists of two distribution boxes as shown on the original permit documents.

In addition, the September 12, 2016 McLean County Health Department letter indicates:

- The septic tank is a minimum of 250 gallons too small. This may remain as is until the septic system is repaired or replaced.
- The seepage field is a minimum of 80 square feet too small. This may remain as is until the septic system is repaired or replaced.
- The property has been vacant and has been used seasonally. The property may evaluate differently under normal use conditions.

The age of the sewage disposal system is sixty-two (62) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance. Though useful life of a sewage disposal system can extend past the average life span noted by the McLean County Health Department, Staff cannot accurately estimate the useful life remaining in the existing system.

If the system were to fail, the resident would be responsible for costs associated with repair of the system and there is a possibility, based on the size of the leased lot, the resident would not have any viable repair / replacement options. Currently a City owned sanitary sewage collection system does not exist at Lake Bloomington and therefore the City is not in a position to assist the resident in the event of sewage disposal system failure.

Staff recommends approval of the lease transfer subject to the septic conditions included in the McLean County Health Department's September 12, 2016 letter.

A review of the McLean County Property Tax Online Inquiry website indicates the property taxes for this property are being paid by Ruth A. Trower and not the estate of Elizabeth A. Weir.

The lake lease transfer, following approval by Council, will be contingent upon buyer providing proper documentation of the closing on the sale of the house located on this property prior to execution of the lease transfer.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable.

FINANCIAL IMPACT: This petition will have a positive finance impact in that the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$314.28 per year in lease income compared to the prior lease amount of \$117.86. This lake lease income will be posted to Lake Maintenance-Lease Income account (50100140-57590). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Fund" on page 129.

On December 21, 2015 the City Council approved a modification to the lease language and therefore the lease packet. These changes went into effect January 1, 2016. This lease transfer was submitted to the City for consideration after January 1, 2016, and therefore the lease transfer is subject to the modifications approved by City Council on December 21, 2015.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not Applicable

Respectfully submitted for Council consideration.

Prepared by: Robert D. Yehl, PE, Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Existing Lake Lease
- Lake Lease Transfer Petition
- Lake Lease Agreement
- McLean County Health Department Letter & Zeschke Septic Inspection Report
- Letter of Office – Decedent’s Estate
- Pantagraph Obituary – Elizabeth Weir
- Location Map
- Aerial Map

Motion: That the Lake Lease Transfer be approved, subject to the septic system conditions included in the McLean County Health Department’s July 27, 2016 letter, and contingent upon the transferee providing documentation of the sale of the house located on the property, and that the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the 19th day of December, 1991, between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called "City," and Elizabeth A. Weir

(if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (as tenants in common) (as tenants by the entirety) of Hudson, County of McLean, State of Illinois, hereinafter called "Lessee."

WITNESSETH

In consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following described real estate owned by the City in the vicinity of Lake Bloomington, Illinois as follows:

Lot 15 in Block 05 in Camp Kickapoo, according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.

2. TERM OF LEASE. The term of this Lease shall be for a term commencing (cross out the one that does not apply) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.

3. RENT.

A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each year, the amount designated hereafter:

1) If this Lease is executed prior to January 1, 1993, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, including land and improvements, as determined by the Supervisor of Assessments of McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee

who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.

~~2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will remain in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.~~

~~3) If the Lessee is not eligible for the 15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV rental rate, the rent shall be charged at the rate of _____¢ (\$._____) per \$100 EAV.~~

SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.

B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.

5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.

6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.

7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.

8. GARBAGE. City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.

9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.

10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.

11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.

12. **TREE CUTTING.** No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.

13. **DEFAULT.** If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely be cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.

14. **TERMINATION BY LESSEE.** Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.

15. **EMINENT DOMAIN.** If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between City and Lessee as follows:

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.

16. **PRIOR LEASE TERMINATED.** If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.

17. **NOTICE.** Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City

Lessee Name and Mailing Address

City of Bloomington
City Hall
109 E. Olive Street
Bloomington, IL 61701

Elizabeth A Weir
RR #2 BOX 44A
Hudson, IL 61748

18. BINDING EFFECT. This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

-Lessee-

CITY OF BLOOMINGTON

By: Judy Markberry
Is Mayor

Attest:

Tracey Convent

Elizabeth A Weir

LAKE BLOOMINGTON LEASE TRANSFER PETITION

That the purchase price and rentals having been paid to the City of Bloomington for:

Lot 15 Block 5 of Camp KICKAPOO

I respectfully petition the City Council of the City of Bloomington, Illinois to approve the transfer of the Lease on the above property:

From: ELIZABETH A. WEIR (Sellers Name)

To: RUTH A TROWER AND SUSAN R TROWER (Buyers Name)

ELIZABETH A. WEIR ESTATE

Ruth A Trower EXECUTOR

(Signatures of Seller)

To the Honorable Mayor and City Council of the City of Bloomington, Illinois:

Now comes RUTH A. TROWER & SUSAN R. TROWER (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of ELIZABETH A. WEIR (Seller) In and

to the Lease made on the (Date) 2/10/2015 upon the above property, all located in McLean County, Illinois, together with all the improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said (Seller)

ELIZABETH A. WEIR has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore your petitioner.

Petitioner further shows that in and by the terms of said Leases it was provided that the Lessee shall not sell, assign or transfer said premises without the written consent of the Lessor.

Petitioner therefore prays that the written consent to said transfer may be forthwith provided by the said Lessor, the City of Bloomington, Illinois and your petitioner has submitted herewith a form of said written consent.

Respectfully submitted,

Susan R. Trower
Ruth A. Trower

(Signature of Buyer(s))

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT _____
BLOCK _____ CAMP _____, OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title and interest of (seller) _____ in and to the premises known as Lot _____ Block _____ in Camp _____, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

Said consent to said assignment and transfer however, is with the express understanding that the said Lessor retains all right in said leases provided, and particularly its right to the payment of any unpaid rental thereon with all legal remedies incidental thereto.

Executed this _____ day of _____, _____.

Mayor

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the _____ day of _____,

between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called CITY and

RUTH A. TROWER

AND

SUSAN R. TROWER

(if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (~~as tenants in common~~) (~~as tenants by the entirety~~) of , Bloomington, Norman County of McLean, State of Illinois, hereinafter called "Lessee,"

WITNESSETH

In consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following described real estate owned by the City in the vicinity of Lake Bloomington, Illinois as follows:

Lot 15 in Block 5 in Camp KICKAPOO according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois. Pin 08-07-127-013

2. TERM OF LEASE. The term of this Lease shall be for a term commencing (**cross out the one that does not apply**) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.

3. RENT.

(SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.)

- A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each year, the amount designated hereafter:

- 1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, including land and improvements, as determined by the Supervisor of Assessments of McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.

2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will remain in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

3) If the Lessee is not eligible for the 15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV rental rate, the rent shall be charged at the rate of _____¢ (\$._____) per \$100 EAV.

SELECT THE RENT TO BE PAID BY CORSSING OUT 2 OF THE 3 RENT OPTIONS.

B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the. United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.
6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.
7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the

8. GARBAGE. City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
12. TREE CUTTING. No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
13. DEFAULT. If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.
14. TERMINATION BY LESSEE. Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.

15. EMINENT DOMAIN. If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between City and Lessee as follows:

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.

16. PRIOR LEASE TERMINATED. If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.
17. NOTICE. Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City

City of Bloomington
City Hall
109 E. Olive Street
Bloomington, IL 61701

Lessee Name and Mailing Address

RUTH A. TROWER
3 SCENIC PT BLOOMINGTON, IL 61701
SUSAN R. TROWER
1434 DILLON DR Normal IL 61761

Lessee Billing Address

RUTH A. TROWER
3 SCENIC PT
BLOOMINGTON, IL 61701

18. BINDING EFFECT. This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

CITY OF BLOOMINGTON

-Lessee-

RUTH A. TROWER
SUSAN R. TROWER

By: _____

Its Mayor

Ruth A. Trower

Attest: _____

Susan R. Trower

City Clerk

September 12, 2016

Estate of Ruth and Susan Trower
3 Scenic Point
Bloomington, IL 61701

Re: Septic Permit #54-7290
Parcel #08-07-127-013
Lot 203, Lake Bloomington - Kickapoo Subdivision

To Whom It May Concern:

On September 7, 2016, this department received a septic system evaluation report from Ms. Chelsea Zeschke, a McLean County licensed private sewage system installer, regarding the above-referenced property. The septic system evaluation was performed on September 6, 2016 and the following deficiencies were noted:

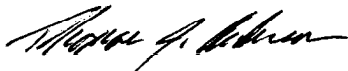
- The septic tank is a minimum of 250 gallons too small. This may remain as is until the septic system is repaired or replaced.
- The seepage field is a minimum of 80 square feet too small. This may remain as is until the septic system is repaired or replaced.

In summary, the septic system was installed in 1954 and is now approximately 62 years old. This office considers the average life expectancy of a septic system to be 20 to 25 years. The property has been vacant and has been used seasonally. The property may evaluate differently under normal use conditions.

For information on routine operation and maintenance of your septic system, please visit our website at www.health.mcleancountyil.gov.

If you have any questions, please contact Mr. Scott Cook with this department at (309) 888-5482.

Respectfully,



Thomas J. Anderson
Director of Environmental Health

cc: Ms. Chelsea Zeschke, Zeschke Septic Cleaning
Mr. Rick Twait, City of Bloomington

TJA:AC:du

AC-0601-16-172

EVALUATION REPORT FOR A MCLEAN COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM

For Office Use Only

Log #: _____
Date Received: _____

This form is to be used for all inspections or evaluations of existing septic systems in McLean County. It is essential that the inspection be as complete as possible to determine the condition of the entire system. This includes interviewing the person who resides at or uses the building the septic system serves. Please complete all sections of the form that apply to the septic system you are evaluating. The tank must be uncovered with the baffles, liquid and sludge depths checked. At a minimum, the field must be probed to determine if there is water standing in the trenches. Upon probing, if it is determined there is water standing in the trenches, the Health Department highly recommends a minimum of two locations in the trenches be exposed to determine the condition of the rock and pipe. Any sign the system is failing or has not functioned properly must be thoroughly documented on this report. Place all comments in the comment section on the last page.

*This evaluation is **NOT FINAL** until the McLean County Health Department has reviewed the information in this evaluation and issued a letter regarding the information to the parties listed in the evaluation.*

1. Current Owner Information:

Name: Estate of Ruth & Susan Trower

Address: See Requestor Info.

Phone #: Day: _____ Home: _____

2. Requestor Information:

Name: Ruth & Susan Trower

Address: 3 Senic Point

Bloomington

Phone #: Day: (309)531-2225 Home: _____

3. Property Information:

Parcel Number (Tax ID): 08-07-127-031 Date Evaluation Performed: 9/8/16

Address of property evaluated: 24807 Cherokee Ln. Hudson Sub. & Lot: Lot 15

Permit available from Health Dept.: Yes ☒ No ☐ Permit Number: 54-7290

4. Interview Information:

Person interviewed: Susan Trower

Age of home (years): 59

Date last occupied: 10/2015

Has tank ever been pumped: Yes ☒ No ☐

Original owner: Yes ☐ No ☒

Intended for seasonal use: Yes ☒ No ☐

Number of occupants: 2

If yes, how often: 2015

5. Interior Evaluation:

Number of bedrooms: 1

Toilet tanks and other fixtures have evidence of leakage or overflow: Yes ☐ No ☒

Water softener discharges to: N/A

Dishwasher discharges to: N/A

Basement plumbing fixtures:

a. N/A

b. _____

c. _____

d. _____

Garbage disposal: Yes ☐ No ☒

Clothes washer discharges to: N/A

Hot tub discharges to: N/A

Discharge locations:

a. _____

b. _____

c. _____

d. _____

Basement floor drains discharge to: N/A

Sump pit/pump discharges to: N/A

Garage floor drains discharge to: N/A

Downspouts discharge to: Surface

6. Exterior Evaluation Points:

A. SEPTIC TANK(s) -- This Section N/A ☐

All tanks must not be pumped before the inspection, but should be pumped after the inspection, if needed.

Tank One: N/A ☐	Yes	No	Tank Two: N/A ☒	Yes	No
Depth of soil to top of tank: <u>6</u> inches			Depth of soil to top of tank: _____ inches		
Tank has access within 12" of ground surface: ☒ ☐	☒	☐	Tank has access within 12" of ground surface: ☐ ☐	☐	☐
Size: <u>500</u> gallons Type: <u>Concrete</u>			Size: _____ gallons Type: _____		
Meets current code: ☐ ☒	☐	☒	Meets current code: ☐ ☐	☐	☐
Tank lids in good condition: ☒ ☐	☒	☐	Tank lids in good condition: ☐ ☐	☐	☐
Inlet baffle in good condition: ☒ ☐	☒	☐	Inlet baffle in good condition: ☐ ☐	☐	☐
Evidence of solids on inlet baffle: ☐ ☒	☐	☒	Evidence of solids on inlet baffle: ☐ ☐	☐	☐
Outlet baffle in good condition: ☒ ☐	☒	☐	Outlet baffle in good condition: ☐ ☐	☐	☐
Evidence of solids on outlet baffle: ☐ ☒	☐	☒	Evidence of solids on outlet baffle: ☐ ☐	☐	☐
Water standing in outlet: ☐ ☒	☐	☒	Water standing in outlet: ☐ ☐	☐	☐
Water level below outlet: ☐ ☒	☐	☒	Water level below outlet: ☐ ☐	☐	☐
Tank needs to be pumped: ☐ ☒	☐	☒	Tank needs to be pumped: ☐ ☐	☐	☐
Outlet device/filter on tank: ☐ ☒	☐	☒	Outlet device/filter on tank: ☐ ☐	☐	☐
Type: _____			Type: _____		
Back flow into tank from system after pumping: Yes ☐ No ☐ N/A ☒			Back flow into tank from system after pumping: Yes ☐ No ☐ N/A ☐		

B. SEEPAGE FIELD -- This Section N/A ☐

Depth to top of field: 18 inches to 24 inches

Square feet of field: 220 square feet

Meets current code sizing requirements: ☒ ☐

Seepage standing on ground surface: ☐ ☒

Lush vegetation or saturated soil on or near seepage field area: ☐ ☒

Evidence that water has ponded over seepage field or the soil is saturated: ☐ ☒

Solids or "carry over" material present in the rock or bedding material: ☐ ☒

Depth of water in trench: 0 inches

C. SERIAL DISTRIBUTION/STEP-DOWN -- This Section N/A ☒

Are the serial distribution relief or "step-down" pipes in compliance with Section 905.60 (d) of the code? ☐ ☐

D. SEEPAGE BED -- This Section N/A ☒

Depth to top of bed: _____ inches to _____ inches

Square feet of bed: _____ square feet

Meets current code sizing requirements: ☐ ☐

Seepage standing on ground surface: ☐ ☐

Lush vegetation or saturated soil on or near seepage bed area: ☐ ☐

Evidence water has ponded over seepage bed or is soil saturated: ☐ ☐

Solids or "carry over" material present in the rock or bedding material: ☐ ☐

Depth of water in the bed: _____ inches

E. SAND FILTER -- This Section N/A ☒

Minimum soil cover depth to top of sand filter: _____ inches

Square feet of sand filter: _____ square feet

	Yes	No
Is water standing in the distribution pipes or in the rock that surrounds the pipe:	☐	☐
Meets current code sizing requirements:	☐	☐
Seepage standing on ground surface over filter:	☐	☐
Lush vegetation on or near sand filter:	☐	☐
Evidence if water has ponded over sand filter:	☐	☐
Sand filter vented as required:	☐	☐
Vent in good repair:	☐	☐
Chlorinator with screw on cap present:	☐	☐
Chlorinator tube with corrosion resistant handle present:	☐	☐
Evidence of chlorination:	☐	☐
Evidence of restricted flow in chlorinator:	☐	☐
Sample port with screw on cap present:	☐	☐

Where does the contact tank discharge to: *(Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.)* _____

F. PUMP OR LIFT STATION -- This Section N/A ☒

	Yes	No
Pump chamber an approved design:	☐	☐
Chamber volume 1.5 times the daily flow:	☐	☐
Is there a dual pump:	☐	☐
Alarm present:	☐	☐
Alarm location: _____		
Alarm properly working with audio and visual functions:	☐	☐

G. AEROBIC UNIT -- This Section N/A ☒

Manufacturer: _____ Model number: _____

Size of unit: _____ gallons

	Yes	No
Pump running at time of inspection:	☐	☐
Current maintenance contract in place:	☐	☐
Who is maintenance contract with: _____		
Alarm present:	☐	☐
Alarm location: _____		
Alarm properly working with audio and visual functions:	☐	☐
Unit discharges to: Seepage field ☐ Seepage bed ☐ Sand filter ☐ Other: _____		
If other, what method of chlorination is used: _____		
Chlorinator with screw on cap present:	☐	☐
Chlorinator tube with corrosion resistant handle present:	☐	☐
Evidence of chlorination:	☐	☐

Where does the contact tank discharge to: *(Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.)* _____

Include all distances as described below.

NOTE: Be sure to attach drawing to this report.

The following distances must be verified to ensure all the information is correct and available in the future.		
*Well or cistern to: N/A ☐	*Geothermal unit to: N/A ☐	*Building to:
Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Geothermal unit: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Geothermal unit: _____ feet Aerobic unit: _____ feet
*Water line to:	*Body of water to: N/A ☐	
Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	

Comments:

This section is to include any maintenance (pumping) repairs or problems in the history of the septic system. Write any observations and/or conclusions made by probing or excavating the seepage field or sand filter. A serial distribution system must include the condition of each level of field or trench.

Tank is undersized. Seepage field consists of two distribution boxes as seen on permit.

This is the condition I found the septic system on this day. This evaluation is not and should not be considered a guarantee of how the sewage disposal system may function at any time in the future.

Chelsea M. Zeschke
Inspector Name (print)

Signature

9/7/16
Date

Based on Faith, Honesty and Customer Satisfaction

Invoice # 17366

Zeschke Septic Cleaning INC.

DATE 9/7/16

2408 Greyhound Rd.

PO #

Bloomington, IL 61704

Office 309-808-2776 Cell 309-530-4282

Email zeschkeseptic@comcast.net Web www.zeschkesepticcleaning.com

Customer Ruth & Susan Tromer Phone (309) 531-2225

Address _____ City/Zip _____

Start _____ Finish _____ Total _____ Previous Customer _____

Description/Price

Residential ☒ Commercial _____ Grease _____ Septic _____ Gallons _____ Price _____

Job description Inspection: 21807 Cherokee Lane 250

Weekend/After Hours _____ \$ _____

Disposal Fee _____ \$ _____

Extra Charges/Description _____ \$ _____

TOTAL \$ 250

Signature _____

SEPTIC EVALUATION

Septic Depth _____ Riser _____ Tank Size _____ gal # people _____ Last Cleaned _____ Yrs.

Scum Depth (top) _____ Inches Sludge Depth (bottom) _____ Inches

Combined scum + sludge = _____ % RECOMMEND 25% OR LESS

Overall condition of tank Good _____ Fair _____ Poor _____

Next scheduled recommended cleaning _____ Year Cleaned _____

Comments _____

Signature _____

Disposal Site _____

58-7290

Office copy

5531

Application No. _____ Application for (Construction)
(Operation) Permit for Sewage
Permit No. _____ Disposal at Lake Bloomington
(Privy) (Septic Tank) (Absorption
Field) (Other)

Name Mrs. Jean H. Brown Camp Kickapoo

Mailing Address 718 N. School - Normal Lot No. 15 Block No. 5

Date System Installed: _____

Total Number: Residential Units 1 Persons 4

Bedrooms 1 Bathrooms 1

Other _____

08-07-127.013

1. DESCRIPTION OF SYSTEM

Water supply from () Public Utility () Community System () Individual well on site.

Is there a basement: () Yes () No Basement drains to _____

Fixtures in basement: () Laundry tray () Toilet () Bath tub () Shower

() Floor Drain () Sump pump () None

Is footing drain provided? () Yes () No Drain to: () Surface () Dry well

() Sump in basement: () Other _____

Downspout or areaway drain to: () Surface discharge () Dry well: () Other _____

Depth of house sewer below finish grade at foundation _____

Privy: Distance to nearest well _____ feet, located on () subject () Adjacent property.

Distance to nearest residence _____ feet, located on () subject () adjacent property.

Size of vault: Length _____ feet; width _____ feet, depth _____ feet

Number of seats _____

Primary Treatment - Septic Tank

Distance to nearest: well _____ feet; foundation wall _____ ft; Lot line 50 ft.

Material concrete thickness 3 Number of compartments 1

Total liquid capacity 500 gallons. Inlet compartment capacity 250 gallons.

Secondary Treatment

() Disposal Field

Distance to nearest: well _____ ft; Foundation wall 17 ft; Lot line 5 ft.

Total length of tile lines 110 feet

Total effective absorption area in bottom of trench 220 square feet

Type of filter material: () Gravel () Broken Stone () Cinders () other

Depth of filter material: Beneath tile 6 inches; over top of tile 2 inches.

Width of trench 24 inches; Depth of trench 42 inches; spacing of adjacent trenches 12 feet.

Size of distribution box: length 18 inches width _____ inches depth 2 inches

Number of outlets 4

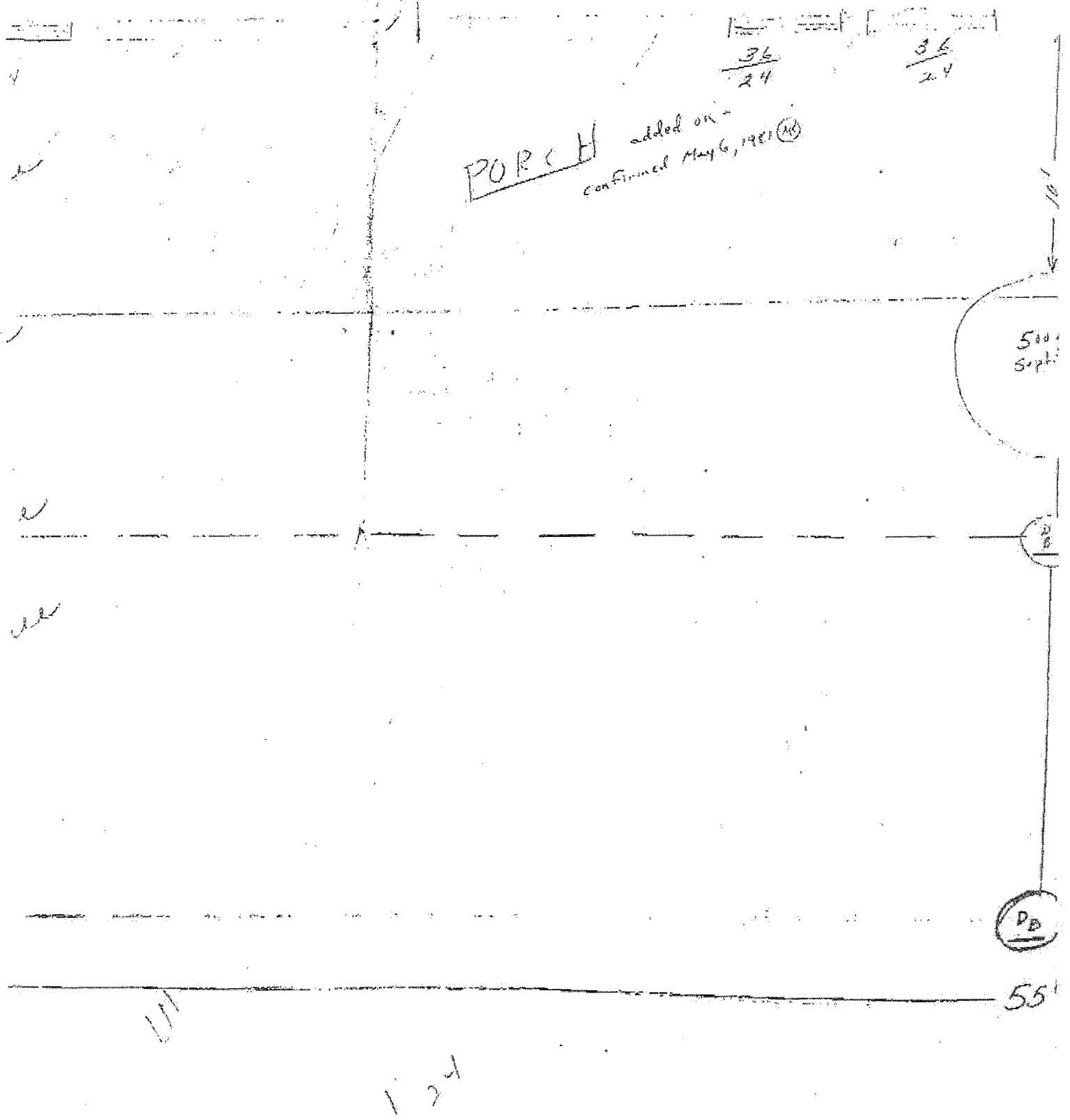
() Seepage pits

Distance to nearest: wall _____ ft. Foundation wall _____ ft. Lot line _____ ft.

Number of pits _____ Outside diameter _____ ft. Depth _____ ft.

Lining material _____

(OVER)



PORCH added on -
confirmed May 6, 1981 (AK)

$\frac{36}{24}$

$\frac{36}{24}$

500
Spt.

P.B.

P.B.

55

124

11

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
MCLEAN COUNTY - IN PROBATE

Estate of)
)
)
)
)
)

ELIZABETH ANN WEIR

No. 15 P 33

FILED
FEB 20 2015
CIRCUIT CLERK
MCLEAN COUNTY

LETTERS OF OFFICE - DECEDENT'S ESTATE

RUTH A. TROWER has been appointed EXECUTOR of the
estate of ELIZABETH ANN WEIR, deceased, who died FEBRUARY 7TH, 2015 and is authorized to take
possession of and collect the estate of the decedent, and to do all acts required of her by law.

Witness, FEBRUARY 20TH, 2015

SEAL

DON R. EVERHART JR.

By SANDRA RUSSELL

CERTIFICATE

I certify that this is a copy of the letters of office now in force in this estate.

SEAL

February 20th, 2015
Don R. Everhart Jr.
By Sandra Russell

Name: CATHERINE A. PRATT

Attorney for: EXECUTOR

Address: 415 N. CENTER ST.

City: BLOOMINGTON, IL 61701

Telephone: (309)828-2302

Id 7446
ruth trower
S r trower

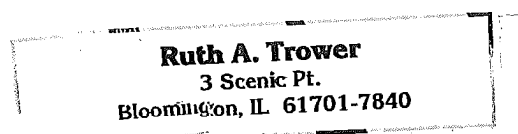
Home / News / Local News / Obituaries

http://www.pantagraph.com/news/local/obituaries/elizabeth-weir/article_fda7bb10-95a1-5fc2-af7a-3638ae346fef.html

Elizabeth Weir

Feb 15, 2015

Elizabeth Weir



1434 Dillon Dr

61761

3 Scenic Pt
61701

Elizabeth Weir

BLOOMINGTON — Elizabeth Ann Weir, 87, of Lake Bloomington, formerly of Pleasant Plains, died at 3:40 p.m. Feb. 7, 2015, at her home.

A celebration of life service will be at 11 a.m. Feb. 28 at First Presbyterian Church of Normal with visitation one hour before the service. The Rev. Larry Gaylord will officiate. Inurnment will be at Pleasant Plains Cemetery in the spring with a graveside service. In lieu of flowers, memorial contributions may be made to the First Presbyterian Church of Normal, Western Avenue Community Center or the Humane Society of Central Illinois.

Elizabeth was born in Springfield on June 17, 1927, to Felix M. and Jane Jones Weir. She was raised on a centennial family farm in rural Pleasant Plains. She was a graduate of Tallula High School and she went on to study at Blackburn College and Illinois Wesleyan University, graduating with a degree in sociology.

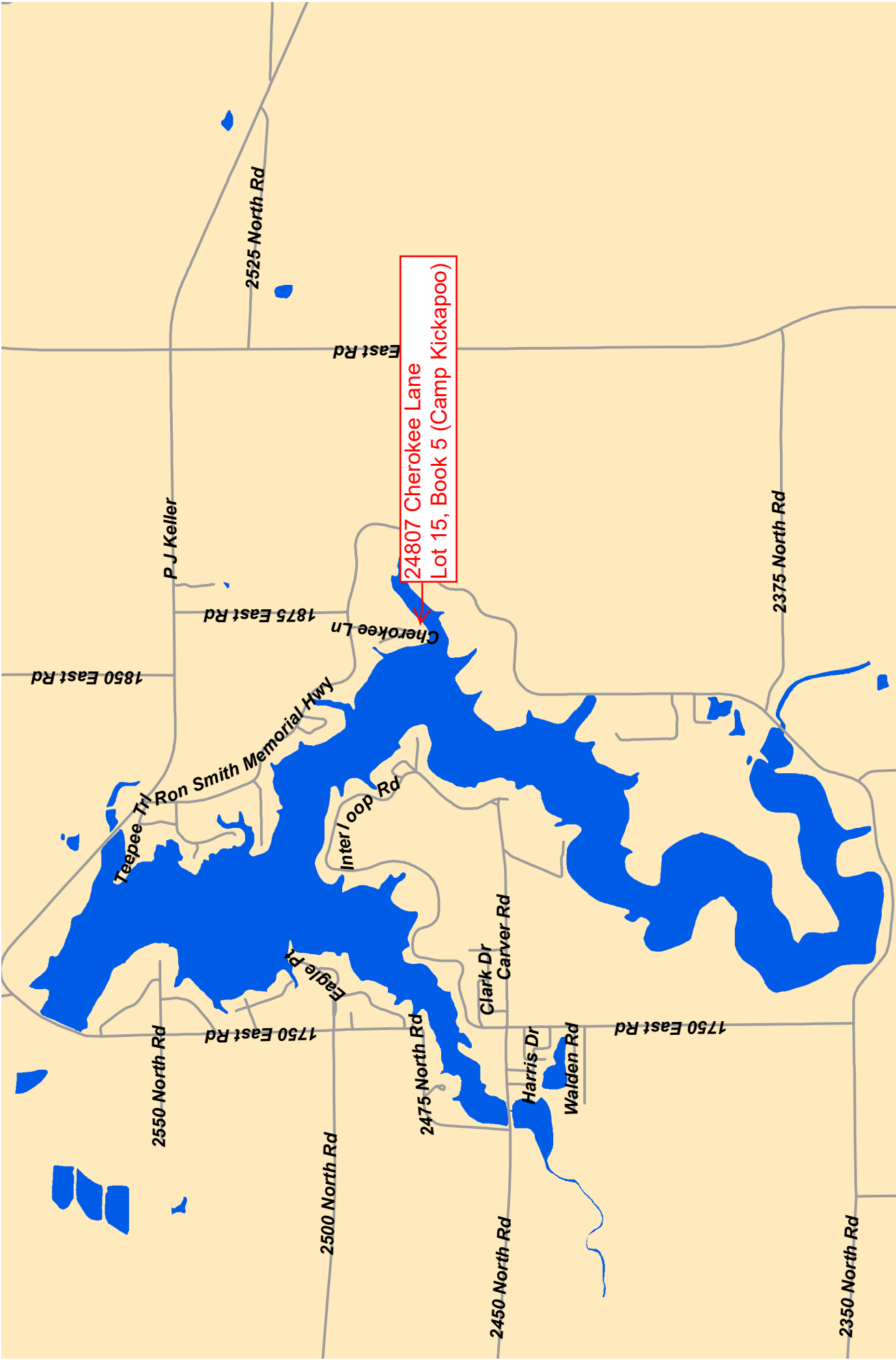
After college, she worked at Western Avenue Community Center in Bloomington. In the mid-1950s, she worked as the business manager at East Bay Camp, Lake Bloomington. In the mid-1970s, she returned to Pleasant Plains, where she earned her master's degree in living history from Sangamon State University. She then worked at Clayville Rural Life Center until her retirement in 1992.

Her retirement years were spent between her two homes at Lake Bloomington and Brimley, Mich. She enjoyed nature, travel, local history, writing and receiving letters, and social activism. Volunteering for various organizations gave her great satisfaction. Elizabeth was a lifelong member of Rock Creek Presbyterian Church in Tallula and attended First Presbyterian Church in Normal. In 2011, she began The Weir Fellowship at IWU through the Action Research Center to benefit students with their community service projects.

She is survived by her brother, David E. Weir; and sister-in-law, Jane Weir, both of New Berlin; nieces and nephews, David (Beverly), Ruth, Brian (Darlene) and Steven (Penny) Trower, all of Bloomington; Susan Trower and Lloyd (Brenda) Weir, both of Normal; Jane (Rick) Novotny, Lombard; Barbara (Mark) Boehmer, Overland Park, Kan.; and Jennifer Hampsten, Millstadt; in addition to many great- and great-great-nieces and -nephews.

She was preceded in death by her parents; her sister and brother-in-law, Mary Jane and Vernon Trower; and her beloved four-legged companion, Rex.

Please view and leave condolences at www.calvertmemorial.com.



24807 Cherokee Lane
Lot 15, Book 5 (Camp Kickapoo)

2525 North Rd

East Rd

P J Keller

1875 East Rd

1850 East Rd

Teepee Trl
Ron Smith Memorial Hwy

Interloop Rd

Eagle Pt

1750 East Rd

2550 North Rd

2500 North Rd

2475 North Rd

2450 North Rd

Clark Dr
Carver Rd

Harris Dr

Walden Rd

1750 East Rd

2375 North Rd

2350 North Rd





CONSENT AGENDA ITEM: 70

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of the application of 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E. Front St. Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That the application of 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E. Front St. Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all health and safety codes.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On September 13, 2016, The Bloomington Liquor Commission met in Regular Session to hear the application submitted by 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E. Front St. Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present were: Tari Renner, Jim Jordan and Sue Feldkamp Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Jason Pacey, owner/applicant, addressed the Commission. Mr. Pacey noted that he operated a tavern in Peoria, IL with the same business model. This was a tavern with retro arcade machines.

Commissioner Renner questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training. Mr. Pacey responded that he and the manager had BASSETT training certification.

Commissioner Feldkamp questioned available seating. Mr. Pacey responded that the occupancy had not been determined. Commissioner Renner questioned the square footage. Mr. Pacey responded 3000 square feet. Commissioner Feldkamp questioned video gaming terminals. Mr. Pacey responded negatively.

George Boyle, Asst. Corporation Counsel, questioned operation hours. Mr. Pacey responded 4:00 p.m. to 1:00 a.m. Monday through Friday and 12:00 p.m. to 1:00 a.m. Saturday and Sunday.

Commissioner Renner opened the meeting to public comment. The following citizens provided comment.

Harry Pratt spoke in favor of the applicant.

Tricia Stiller spoke in favor of the applicant.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp that the application of 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E. Front St. Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with all health and safety codes.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

Tom Dabareiner, Community Development Director, has reviewed the request and finds that under the adopted Downtown Bloomington Strategy (as incorporated into the comprehensive plan), new taverns are recommended to stay within Area 4. The business is located in Area 3 which does not abut either of the two (2) Area 4 locations in the downtown. Given the age of the data used to develop the market demand for Area 3, the plan may need to be revisited and updated. The basic criteria for determining the Area 3 uses; that it may include larger destinations, produce more traffic and require some parking are not inconsistent with the proposed use.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on September 5, 2016 in accordance with City Code. In accordance with City Code, approximately 106 courtesy copies of the Public Notice were mailed on September 1, 2016. In addition, the Agenda for the September 13, 2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This is a new liquor license. The current annual license fee is \$2,210 and will be recorded to the Non-Departmental- Liquor Licenses account (10010010-51010).

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

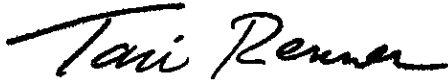
Reviewed by: Cherry Lawson, City Clerk
Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by:

George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink that reads "Tari Renner". The signature is fluid and cursive, with the first name "Tari" and last name "Renner" clearly distinguishable.

Tari Renner
Mayor

Attachments:

- Chapter 6: Section 4B Creation of New License - Findings
- Liquor License Questionnaire
- License Application for the Sale of Alcoholic Beverages
- License Application for Sunday Sales of Alcoholic Beverages
- Downtown Bloomington Strategy Map

Motion: That the application of 8 Bit II, Inc., d/b/a 8 Bit Beercade located at 236 E. Front St. Suite 1, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all health and safety codes.

Chapter 6: Section 4B: Creation of New License – Findings

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- (a) Have you attained the age of 21 years? yes
- (b) Have you been a resident of the City of Bloomington for one year? no
- (c) Are you a citizen of the United States? yes
- (d) Are you a person of good character and reputation? yes
- (e) Have you ever been convicted of a felony under the laws of the United States or any state? no
- (f) Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? no
- (g) Have you ever been convicted of pandering or any other crime opposed to decency and morality? no
- (h) Have you ever had a Bloomington liquor license revoked for any cause? no
- (i) (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? no
- (j) Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? no

- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? no
- (l) Do you own or have a valid lease to the premises for which the license is sought? yes, on condition of obtaining liquor license.
- (m) Are you eligible for a state retail liquor dealer's license? yes
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? no

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? TAS
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop). Tavern
- (c) State the significance of a liquor license to your establishment, present or future. There would be no business without a tavern license.
- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? We are unlike any other establishment in the city of Bloomington, our Peoria location is a big draw in the Warehouse District.
- (e) Upon what facts do you base your answers to the previous question? There is currently not a beercade in the Bloomington area and our experience over the last year at the Peoria location has been successful. We are a big draw.
- (f) Do you intend to furnish live entertainment in the establishment to be licensed? no
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. _____
- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? no

(i) If you answered "YES" to the previous question, from what sources will such revenue be derived? _____

(j) Do you intend to obtain and use a dance license? no

(k) If establishment is not in operation, attach a drawing showing:

(1) General design of establishment;

(2) Where alcohol is to be distributed and/or served.

3. IMPACT OF ESTABLISHMENT:

(a) State the location of the establishment. 236 E. Front St

(b) What hours will the establishment be open? Monday-Friday 4pm-1AM
Saturday & Sunday 11AM-1AM

(c) What type or types of building(s) adjoin the establishment? Commercial/Office

(d) If any adjoining buildings are office or commercial, approximately what hours are they open for business? 8AM - 5PM

(e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area? Law Office,
Architect, and Tavern

(f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.) two way street
on-B parking

(g) How much additional traffic do you expect the establishment with a liquor license to generate? 20-50 cars per day

(h) Describe on and off street parking facilities to handle traffic anticipated. Parking Deck one block away, Street Parking

(i) How many establishments with liquor licenses are located within the immediate area of your establishment? 3

(j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? High

(k) Upon what facts do you base your answer to the previous question? our Peoria location

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? no
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? _____

DATED this 21 day of August, 2016.

SIGNED: 

(Name)

(Address)

Peoria
(City)

IL
(State)

(Name)

(Address)

(City)

(State)

(Name)

(Address)

(City)

(State)

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS TAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is ___ an individual; ___ a partnership; ☒ a corporation; (Check one)

A. If an individual: Name _____ Age _____

Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes ___ No ☒

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ___ No ___

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ___ No ___

C. If a corporation, state whether same is organized for profit ☒ or nonprofit ___, under laws of the State of Illinois

Date of incorporation 7-2-16

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: Jason Pacey Title or position: President/Treasurer/Secretary

Address: _____ City/State/Zip Peoria, IL 61604

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application ☒ (Check one)

4. Location and description of the premises or place of business to be operated under this license

236 E. Front St. - Tavern

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No ☒

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No ☒

7. Is it proposed to sell food in this place of business? Yes _____ No ☒

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No ☒

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No ☒ If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No ☒ If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No ☒

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes _____ No ☒

13. If no, the name of the building owner: Name Workbench Collaborative
Address Bloomington, IL 61702

Term of written lease, from (date) _____ to _____

(Copy of Lease attached) Lease will start roughly 1.5 months after obtaining license. 3 year lease

14. 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 1960 in connection with the proposed sale of alcoholic beverages? Yes _____ No ☒

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 27 day of August, 2016.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

(All Partners of applicant)

C. (Corporation) 3 Bit ~~Bar~~ II Inc
(Corporate Name)

(President or Corporation)

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 30th day of August, 2016.

Jo Anna Ramsay

(Notary Public)

My commission expires on May 15, 2019.



LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT 8 Bit Beercade II
Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS ~~AB~~ LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) above shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 27 day of August, 2016.

A. (Individual)

(Name)

B. (Partnership)

8 Bit Beercade II Inc
(Business Name)

All partners of applicant:





CONSENT AGENDA ITEM: 7P

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of the application of Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E. Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That the application of Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E. Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all health and safety codes.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On September 13, 2016, the Bloomington Liquor Commission met in Regular Session to hear the application submitted by Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E. Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present were: Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Hani Alsagri, owner/applicant, addressed the Commission. There was a previous liquor license at the location for twenty-five (25) years. Mr. Alsagri had been associated with that licensee for most of that time.

Commissioner Jordan questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training. Mr. Alsagri responded that a number of employees have had BASSETT training, the new managers would attend the training.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan that the application of Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E. Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with all health and safety codes.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

Tom Dabareiner, Community Development Director, has reviewed the this request and finds the B – 1 , Highway Business District consistent with the comprehensive plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on September 5, 2016 in accordance with City Code. In accordance with City Code, approximately eighty-four (84) courtesy copies of the Public Notice were mailed on September 1, 2016. In addition, the Agenda for the September 13, 2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This is a new liquor license. The current annual license fee is \$2,210 and will be recorded to the Non-Departmental- Liquor Licenses account (10010010-51010).

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk
Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Chapter 6: Section 4B Creation of New License - Findings
 - Liquor License Questionnaire
 - License Application for the Sale of Alcoholic Beverages
 - License Application for Sunday Sales of Alcoholic Beverages
 - Map
-

Motion: That the application of Al Sagri Group LLC, d/b/a Garden of Paradise Restaurant, located at 1412 E. Empire, requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all health and safety codes.

Chapter 6: Section 4B: Creation of New License – Findings

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- (a) Have you attained the age of 21 years? Yes
- (b) Have you been a resident of the City of Bloomington for one year? Yes
- (c) Are you a citizen of the United States? Yes
- (d) Are you a person of good character and reputation? Yes
- (e) Have you ever been convicted of a felony under the laws of the United States or any state? No
- (f) Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? No
- (g) Have you ever been convicted of pandering or any other crime opposed to decency and morality? No
- (h) Have you ever had a Bloomington liquor license revoked for any cause? No
- (i) (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? No
- (j) Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? No

- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? NO
- (l) Do you own or have a valid lease to the premises for which the license is sought? YES
- (m) Are you eligible for a state retail liquor dealer's license? NO
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? NO

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? RAS
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop). Restaurant
- (c) State the significance of a liquor license to your establishment, present or future. Beverage served with food-
limited beverage only service
- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? Increase Employment and
Sales tax Revenue
- (e) Upon what facts do you base your answers to the previous question?
Past experience in restaurant business
- (f) Do you intend to furnish live entertainment in the establishment to be licensed? NO
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. _____

- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? yes

- (i) If you answered "YES" to the previous question, from what sources will such revenue be derived? Food sale
- (j) Do you intend to obtain and use a dance license? NO
- (k) If establishment is not in operation, attach a drawing showing:
- (1) General design of establishment;
 - (2) Where alcohol is to be distributed and/or served.

3. **IMPACT OF ESTABLISHMENT:**

- (a) State the location of the establishment. 1412 E. Empire St.
Bloomington IL 61701
- (b) What hours will the establishment be open? Mon - Sat. 6am - 10pm Sun 6am - 3pm
- (c) What type or types of building(s) adjoin the establishment? NONE
- (d) If any adjoining buildings are office or commercial, approximately what hours are they open for business?
- (e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area?
- (f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.) 1 lane each way.
- (g) How much additional traffic do you expect the establishment with a liquor license to generate? most traffic will turn from existing route
- (h) Describe on and off street parking facilities to handle traffic anticipated. building has it's own large private parking lot
- (i) How many establishments with liquor licenses are located within the immediate area of your establishment? 1 or 2
- (j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? Very high

(k) Upon what facts do you base your answer to the previous question? based on 25 years of being in business in current location

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year. N/A
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? Yes
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? none

DATED this 30 day of August, 2016.

SIGNED:

Al Sagari Group LLC
(Name)
BLM IL
(Address)
BLM IL
(City) (State)

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS RAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is ☒ an individual; ☐ a partnership; ☒ a corporation; (Check one)

Al Sagei Group LLC

A. If an individual: Name Hani AlSagari Age 44

Address BLM IL 61704

Legal resident of City of Bloomington for more than One (1) year? Yes ☒ No ☐

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ☒ No ☐

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ☐ No ☐

C. If a corporation, state whether same is organized for profit ☐ or nonprofit ☐, under laws of the State of _____

Date of incorporation 3.29.2016

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: Mike O. Sagen Title or position: Partner

Address: Bloomington IL City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application ☒ (Check one)

4. Location and description of the premises or place of business to be operated under this license

1412 E. Empire St. Bloomington IL 61701

A. Trade Name Garden of Paradise Restaurant

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No ☒

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No ☒

7. Is it proposed to sell food in this place of business? Yes ☒ No _____

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No ☒

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No ☒ If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No ☒ If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No ☒

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes _____ No ☒

13. If no, the name of the building owner: Name John G. Nottoli Land Trust
Address Normal, IL 61761

Term of written lease, from (date) 20 years to _____
(Copy of Lease attached)

14. 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 1960 in connection with the proposed sale of alcoholic beverages?

Yes _____ No ☒

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 31 day of Aug, 2016.

A. (Individual)

[Signature]
Individual's signature

B. (Partnership)

Garden of Paradise

Business Name

(All Partners of applicant)

Al Sagri Group LLC

1412 E. Empire
Bloom IL 61701

C. (Corporation) _____

(Corporate Name)

(President of Corporation)

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 31st day of August, 2016

Betsy Huffman

My commission expires on 1-21, 2019.



LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT Alsagei Group LLC d.b.a. Garden of Paradise Rest.
Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS ~~RAS~~ LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) above shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 30 day of August, 2016.

A. (Individual)

ALSAGRI GROUP LLC
Hani Alsagei
(Name)

B. (Partnership)

Garden of Paradise
(Business Name)
1412 E. Empire St.

All partners of applicant:

Al Sagri Group LLC
1412 E. Empire St.

By:

Hani Alsaqwi
(Name of Officer: President)

Secretary

_____	_____
_____	_____
_____	_____

Subscribed and sworn to before me this 31 day of August, 2014



Notary Public



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CONSENT AGENDA ITEM: 7Q

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of the application of Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That the application of Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved contingent upon: 1.) all employees that serve receive BASSET certification within sixty (60) days, 2.) serving liquor ceases at 8:30 p.m. on weekdays and 10:00 p.m. on weekends, and 3.) compliance with all health and safety codes.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On September 13, 2016, The Bloomington Liquor Commission met in Regular Session to hear the application submitted by Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Present were: Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Police Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Fernando Martinez, owner/applicant, addressed the Commission. Commissioner Renner questioned whether that applicant had held a previous liquor license. Mr. Martinez responded negatively. Commissioner Renner questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training. Mr. Martinez responded negatively. Commissioner Renner questioned familiarity with Chapter 6, Alcoholic Beverages. Mr. Martinez responded probably.

Commissioner Feldkamp questioned about adding video gaming terminals. Mr. Martinez responded negatively. Commissioner Jordan questioned the question marks next to several questions on the application form. Mr. Martinez responded that he was unsure how to answer them at the time.

George Boyle, Asst. Corporation Counsel, questioned how a liquor license would fit into the applicant's business. The applicant stated that he had a restaurant and patrons could have a drink with their meal if they has a license. Mr. Boyle questioned how long the applicant had been operating the restaurant. Mr. Martinez responded six (6) months. Mr. Boyle questioned current closing time. Mr. Martinez responded 9:30 p.m. weekdays and 11:00 p.m. weekends.

Commissioner Renner questioned packaged liquor sales. Mr. Martinez responded negatively.

Mr. Boyle questioned if the applicant had spoken to the neighborhood about adding alcoholic beverages to the business plan. Mr. Martinez responded negatively.

Commissioner Renner opened the meeting to public comment. The following citizens provided comment.

John Redd was concerned with over serving customers who then would possibly remain in the parking lot creating issues.

Sylvia Ventura was concerned with the current noise and trash issues.

Rick Heiser, Vice President of West Bloomington Revitalization Project, believed the area was improving but still fragile.

Commissioner Jordan questioned police calls to the area. Asst. Chief Ken Bays responded that the area had a heightened amount of calls. Commissioner Jordan questioned the parking lot as a possible concern. Mr. Bays responded that it was an ongoing issue and had been for some time. Mr. Boyle questioned if the parking lot issues was linked to the applicant. Mr. Bays responded negatively.

Mr. Martinez stated that police had not been called to the restaurant since it opened. Mr. Martinez said that trash was everywhere. They would check the parking lot picking up trash as needed. Commissioner Jordan suggested that the applicant reach out to his neighbors.

Commissioner Jordan questioned available seating. Mr. Martinez responded thirty to fifty (30-50).

Commissioner Renner noted that this item would appear on the City Council agenda the first (1st) meeting in October.

Commissioner Renner questioned whether the applicant would agree to stop serving one hour before present closing time and have all his employees who serve receive BASSET training. Mr. Martinez agreed to those conditions.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan that the application of Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week be approved contingent upon 1.) all employees that serve receive BASSET certification within sixty (60) days, 2.) serving liquor ceases at 8:30 p.m. on weekdays and 10:00 p.m. on weekends, and 3.) compliance with all health and safety codes.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

Tom Dabareiner, Community Development Director, has reviewed this request. He noted that the business is located in the Gap 5 Zoning District and is consistent with the comprehensive plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on September 5, 2016 in accordance with City Code. In accordance with City Code, approximately 108 courtesy copies of the Public Notice were mailed on September 1, 2016. In addition, the Agenda for the September 13, 2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This is a new liquor license. The current annual license fee is \$1,110 and will be recorded to the Non-Departmental- Liquor Licenses account (10010010-51010).

Respectfully submitted for Council consideration.

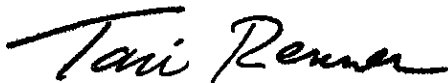
Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk
Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Chapter 6: Section 4B Creation of New License - Findings
- Liquor License Questionnaire
- License Application for the Sale of Alcoholic Beverages
- License Application for Sunday Sales of Alcoholic Beverages
- Map

- Gap 5 Zoning District

Motion: That the application of Rosy's Grill Restaurant, Inc., d/b/a Rosy's Grill, located at 912 W. Market St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved contingent upon: 1.) all employees that serve receive BASSET certification within sixty (60) days, 2.) serving liquor ceases at 8:30 p.m. on weekdays and 10:00 p.m. on weekends, and 3.) compliance with all health and safety codes.

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(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

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- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
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(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- | | | |
|-----|--|------------|
| (a) | Have you attained the age of 21 years? | <u>Yes</u> |
| (b) | Have you been a resident of the City of Bloomington for one year? | <u>Yes</u> |
| (c) | Are you a citizen of the United States? | <u>Yes</u> |
| (d) | Are you a person of good character and reputation? | <u>Yes</u> |
| (e) | Have you ever been convicted of a felony under the laws of the United States or any state? | <u>No</u> |
| (f) | Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? | <u>No</u> |
| (g) | Have you ever been convicted of pandering or any other crime opposed to decency and morality? | <u>No</u> |
| (h) | Have you ever had a Bloomington liquor license revoked for any cause? | <u>No</u> |
| (i) | (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>No</u> |
| (j) | Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>No</u> |

- 7
- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? No
- (l) Do you own or have a valid lease to the premises for which the license is sought? Yes
- (m) Are you eligible for a state retail liquor dealer's license? Yes
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? No

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? RBS ?
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop). R
- (c) State the significance of a liquor license to your establishment, present or future. _____

- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? I think we can get more money tax revenue ?
- (e) Upon what facts do you base your answers to the previous question? On According other business with liquor license they have more customers. ?
- (f) Do you intend to furnish live entertainment in the establishment to be licensed? No
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. _____

- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? Yes

- (i) If you answered "YES" to the previous question, from what sources will such revenue be derived? food
- (j) Do you intend to obtain and use a dance license? No
- (k) If establishment is not in operation, attach a drawing showing:
(1) General design of establishment;
(2) Where alcohol is to be distributed and/or served.

3. **IMPACT OF ESTABLISHMENT:**

- (a) State the location of the establishment. 912 W Market ?
Bloomington, IL 61701
- (b) What hours will the establishment be open? Mon-Thur 7am - 9:30pm
Fri-Sat-Sun 7am - 11pm
- (c) What type or types of building(s) adjoin the establishment?
Grocery Store (Pop's) & T-mobile Cell-phone Store
- (d) If any adjoining buildings are office or commercial, approximately what hours are they open for business? 10am - 7pm
- (e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area?
Business establishments
- (f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.)
two-way Market street
- (g) How much additional traffic do you expect the establishment with a liquor license to generate? I expect the same traffic
- (h) Describe on and off street parking facilities to handle traffic anticipated.
There are a lot parking in the establishment
- (i) How many establishments with liquor licenses are located within the immediate area of your establishment? None
- (j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? I estimate a little more people coming to the restaurant and it is good for us.

(k) Upon what facts do you base your answer to the previous question? People asking about having liquor license

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? No
- (d) If your answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? _____

DATED this 29 day of July, 2016.

SIGNED:

Fernando Martinez
(Name)

(Address)
Bloomington IL
(City) (State)

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

7

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS 2BS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is ____ an individual; ____ a partnership; X a corporation; (Check one)

A. If an individual: Name _____ Age _____

Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

C. If a corporation, state whether same is organized for profit X or nonprofit ____, under laws of the State of Illinois

Date of incorporation 7-17-2015

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: Fernando Martinez Title or position: Owner

Address: _____ City/State/Zip Bloomington, IL 61701

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: Fernando Martinez Title or position: Owner
Address: _____ City/State/Zip Bloomington, IL 61701

3. This application is for renewal of license now held _____ or an original application ☒ (Check one)

4. Location and description of the premises or place of business to be operated under this license

912 W Market Bloomington, IL 61701

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No ☒

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No _____

7. Is it proposed to sell food in this place of business? Yes ☒ No _____

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No ☒

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No ☒ If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No ☒ If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No ☒

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes ☒ No ☒

13. If no, the name of the building owner: _____ Name Rajesh Kumar
Address Salinas, CA 93906

Term of written lease, from (date) 07/01/2015 to 07/01/2020
(Copy of Lease attached)

14. 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 1960 in connection with the proposed sale of alcoholic beverages? Yes _____ No ☒

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this _____ day of _____, _____.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

(All Partners of applicant)

C. (Corporation) Rosy's Grill Restaurant inc
(Corporate Name)

Fernando Martinez
(President of Corporation)

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)

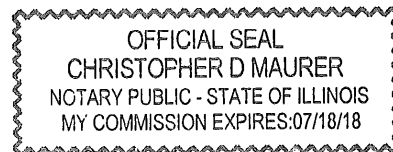
being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 29th day of July, 2016.

Christopher D Maurer

(Notary Public)

My commission expires on 7/18/18.



LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT Fernando Martinez

Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS ~~BS~~ LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this _____ day of _____, 20__.

A. (Individual)

(Name)

B. (Partnership)

(Business Name)

All partners of applicant:

Rosy's Grill
Restaurant Inc

By: Fernando Martinez
(Name of Officer: President)

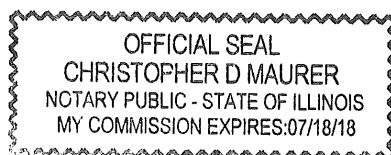
Ernando Martinez

Secretary

_____	_____
_____	_____
_____	_____

Subscribed and sworn to before me this 29th day of July, 2026

Christine E. Weaver
Notary Public



44.6-26. GAP Form-Based Code

B. GAP Districts & Regulating Plans

- (u) Story. A habitable level within a building measured from finished floor to finished floor.

1. GAP Neighborhood Districts.

The following details the districts mapped throughout the GAP Neighborhood.

- (a) GAP 1. This district allows for the development of Estate and Manor MultiFamily Buildings. These buildings are set back from the front property line, more so than the other districts. The lots on which these buildings are constructed are typically larger than the other residential districts.
- (b) GAP 2. This district allows for the development of House, Estate, and Manor MultiFamily Buildings. GAP 2 is similar to the first, except that it also permits the House Building.
- (c) GAP 3. This district allows for the development of House, Manor MultiFamily, and Iconic Buildings. Apartment Buildings are permitted on corner lots. This district also allows a select list of special uses to occur on Market Street. Refer to Section 44.6-26C.
- (d) GAP 4. This district allows for the development of House, Manor MultiFamily, Rowhouse, and Iconic Buildings. Apartment Buildings are permitted on corner lots. This district includes residential building types that are more dense than the previous districts.
- (e) GAP 5. This district allows for the construction of mixed use neighborhood commercial centers to serve those residents within walking distance. The Commercial, Cottage Commercial, Apartment, and Iconic Buildings are permitted.

- (f) GAP 6. The Warehouse Building is the only permitted building type within this district. This district allows for the development of limited industrial uses with an absence of objectionable external effects in a manner that is appropriate given the proximity to residential uses. This includes small-scale industrial uses up to 12,000 square feet in size.

2. GAP Regulating Plan.

GAP Districts 1-6 are mapped throughout the Neighborhood as detailed in Table B-1 and Figure B-2.

Building Types	Districts					
	GAP 1	GAP 2	GAP 3	GAP 4	GAP 5	GAP 6
Commercial Building					X	
Cottage Commercial					X	
Warehouse Building						X
Iconic Building			X	X	X	
House		X	X	X		
Estate House	X	X				
Manor MF	X	X	X	X		
Rowhouse				X		
Apartment Building			C	C	X	

"X" Denotes Buildings Permitted within a District

"C" Denotes Buildings Permitted only on Corner Lots within a District

Table B-1 Summary of Districts by Building Types.



Figure B-2 GAP District Regulating Plan.



CONSENT AGENDA ITEM: 7R

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week or subject to the conditions set forth in the Recommendation/Motion.

RECOMMENDATION/MOTION: From two of the Commissioners serving at the time that the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon: 1. that alcohol sales cease at 12:00 a.m. (Midnight); 2. that the establishment shall close at 1:00 a.m.; 3. that the establishment will be open only Friday through Sunday; 4. that the maximum occupancy allowed in the establishment shall be the lesser of 200 persons or the occupancy load determined by the Fire Inspector. Note the Liquor Commissioner has not made a recommendation on this item.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND:

Hearings were held on the application before the Bloomington Liquor Commission on July 12, 2016 and August 9, 2016. Minutes of those meetings follow. On July 12, Liquor Commissioner, Tari Renner convened a hearing on the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present were Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners; George Boyle, Asst. Corporation Counsel; Asst. Police Chief Clay Wheeler; Bob Coombs, Building Official, and Renee Gooderham, Chief Deputy Clerk.

Rich Marvel, attorney, and Cesar Castaneda, manager, for Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, addressed the Commission. Mr. Marvel stated the request was for an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week for Extravaganza Ballroom (Ballroom). The Ballroom's primary function would be a banquet hall for weddings, birthday parties and other private events. It was anticipated that revenue from alcohol would be approximately forty percent (40%) with the income from renting the facility at approximately sixty percent (60%). The license scope desired would allow the facility to be open seven (7) days a week until 2:00

a.m. Ninety to ninety-five percent (90% - 95%) of the events would close prior to midnight (12:00 a.m.).

Commissioner Renner stated no alcohol could be served after midnight. Council and the Police Department had concerns with an additional Downtown establishment staying open until 2:00 a.m. on Thursday, Friday and Saturday nights.

Assistant Chief Wheeler stated there were concerns for the number of people leaving the Downtown area at the same time. Police officers must deal with fights occurring and traffic concerns with the Downtown Shuttles.

Commissioner Renner questioned the effect on the officers should the Ballroom would have to close at 1:00 a.m. on Thursday, Friday and Saturday nights. Assistant Chief Wheeler stated all taverns close at 1:00 a.m. on Thursdays. It would depend on the number of participants in the Downtown area. Hundreds more would be a big concern.

Commissioner Renner questioned the capacity of the building. Mr. Castaneda stated that same had not been determined. Mr. Boyle suggested Mr. Coombs address same.

Mr. Coombs stated the project was brought to Building Safety as a Community Hall, which the Building Code listed as an A3 use, without food or drink service. If the square footage was over 12,000 and/or occupancy was over 300, sprinklers were required.

A Banquet Hall was an A2 use. The building was approximately 3000 square feet. The occupant load was 100. If the square footage was over 5000 square feet and/or occupancy was over 100, sprinklers were required.

Commissioner Renner stated that capacity would be 100 or less otherwise sprinklers would be required. Mr. Coombs answered affirmatively.

Mr. Boyle noted that the building was under construction, occupancy load could not be determined. Mr. Coombs stated the Fire Inspector was waiting on a floor plan with net square footage based on placement of tables and chairs.

Commissioner Jordan stated the applicants would need to make a decision on the type of facility desired for the building. Once determined, hours, capacity, building codes, etc. could be specified. No decision could be made now as there was not enough information. Commissioner Feldkamp agreed.

Mr. Marvel clarified the EAS license required sixty percent (60%) revenue to be generated from non-alcohol sales. Mr. Boyle stated EA licenses shall be issued and renewed only at premises where gross sales of admissions to entertainment events, or admission fees and/or rental of recreational sports equipment, constitute at least sixty percent (60%).

Mr. Boyle stated he would work with Mr. Marvel to clarify concerns. Mr. Marvel stated he would work with Mr. Boyle to address concerns so the Liquor Commission would feel comfortable with the plans for the building.

Commissioner Jordan stated the building's purpose must be set and not changed. It would have to be a Banquet Hall that must have reservations, with occupancy pre-determined rather than becoming a building open to the Public and serving alcohol with no banquet. Mr. Marvel acknowledged his understanding.

Commissioner Feldkamp questioned the opening date. Mr. Castaneda stated it would depend on obtaining the liquor license.

Commissioner Renner stated the next Liquor Commission meeting would be August 9, 2016. Recommendation for approval could be brought to Council on August 22, 2016. That would be the earliest to obtain the license. Mr. Castaneda agreed with the time table.

Mr. Boyle had spoken with Mr. Coombs who believed the issues could be clarified by the next meeting, in terms of the permits, building safety issues and license issues. He suggested a motion to lay the license request over to August 9, 2016 Liquor Commission meeting.

Commissioner Renner stated he would not agree with staying open to 2:00 a.m. They must stop serving liquor by midnight (12:00 a.m.) and close by 1:00 a.m. He believed same would alleviate some Downtown concerns.

Commissioner Feldkamp thanked Mr. Castaneda for resubmitting an application. She questioned the BASSET (Beverage Alcohol Sellers and Servers Education) training. Mr. Castaneda stated he had taken the training and should receive the certificate soon. All employees would take the training before the opening of the Ballroom.

Commissioner Renner opened the meeting to receive public comments.

Jan Lancaster questioned parking and/or valet parking issues. She voiced concern for another establishment Downtown with a liquor license. There was concern for using the venue for karaoke or a band open to the public rather than a reserved party. Commissioner Renner questioned using the Market Street garage. Mr. Castaneda stated there have been no concerns with the valet or garage parking with potential clients.

Mr. Marvel stated the issues on parking and occupancy would be addressed at the next Liquor Commission meeting.

Assistant Chief Wheeler requested valet parking process details. Traffic could not be blocked while customers were dropping off their vehicles.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp, to lay over the consideration of the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week to August 9, 2016 Liquor Commission meeting.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

On August 9, 2016, the Liquor Commissioner, James Jordan, convened a hearing on the application submitted by Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present were: Jim Jordan and Sue Feldkamp, Commissioners; George Boyle, Asst. Corporation Counsel; Asst. Police Chief Clay Wheeler; and Cherry Lawson, City Clerk.

Rich Marvel, attorney for the applicant, and Cesar Castaneda, applicant representative, addressed the Commission. Mr. Marvel summarized concerns raised at the Liquor Commission meeting held on July 12, 2016. The goal was to obtain clarification. He noted that a meeting was held with Bob Coombs, Building Official and George Boyle, Assistant Corporation Counsel, to address concerns with the building. It was determined at that time that the purpose of the business was a banquet hall. He noted that without sprinklers the occupancy was 100 or less. Discussions with the building owner and applicant had occurred. The building owner has decided to add sprinklers to the space. Once the sprinkler system is completed, the space would allow occupancy over 100. He was not aware of the maximum capacity. George Boyle stated that until construction was complete maximum occupancy could not be established. Mr. Marvel noted that the applicant's intent was to begin the sprinkler project immediately, pending approval.

He stated that the facility would be available for rental for private events but would not be open to the public for public events or general admission. He believed the facility was needed in the community. Banquet halls had been researched in the Bloomington-Normal area. Same was very limited, approximately five or six (5-6) were found. Two (2) of which allow for the renter to bring their own food, those being Bloomington Center for the Performing Arts and the Miller Park Pavilion. The facilities found were for large gatherings. This facility was for smaller events. The applicant was ready to begin renting the space for birthdays and weddings.

Mr. Marvel addressed parking and traffic pattern concerns. The facility was surrounded by many one-way streets. It is located one to one and a half (1-1 ½) blocks south of the main bar area. They believed the majority of traffic would head west to the Market St. Garage on Monroe St.; south to the Lincoln Parking Garage on Front St. or east to find parking in the neighborhood. They believed that the City of Bloomington parking garages would be useful to address parking. Valet parking was not necessary, it would be an option if allowed.

Commissioner Jordan questioned staying open until 2:00 a.m. Mr. Marvel responded that the applicant would like to have the ability to remain open until 1:00 a.m. There could be a handful of events that would continue until 1:00 a.m. This would not be consistent with the type of events expected. Mr. Boyle stated his understanding, from previous discussion, that alcohol sales would cease at 12:00 a.m. (Midnight) and the facility would remain open until 1:00 a.m. Mr. Marvel stated that if that was the Commission's desire, the applicant was agreeable.

Commissioner Jordan questioned submittal of the outlined proposal for evaluation. He believed the application should be laid over so as to afford Commissioner Renner an opportunity to evaluate the proposal prior to consideration before the City Council.

Mr. Marvel responded that the applicant had already invested in construction improvements. There was a commitment to begin sprinkler work. They were open to conditions and capacity restrictions. The goal was to move forward. Mr. Marvel requested that the applicant be allowed, with appropriate restrictions, to begin operation.

Commissioner Feldkamp questioned sprinkler installation prior to opening. Mr. Marvel responded affirmatively. Commissioner Feldkamp questioned timeframe.

Cesar Castaneda addressed the Commission. He stated that they were waiting for the liquor application approval.

Commissioner Jordan questioned city inspections and recommendations. Mr. Boyle stated that liquor licenses were approved contingent upon compliance with all health and safety codes. He noted health and safety and occupancy compliance could not be determined as construction was not complete. The application approval lasts for six (6) months. The applicant could request a six (6) month extension with good cause. It was not unusual to have an application before the Commission in which construction was ongoing. Commissioner Jordan believed the Commission was being asked to approve applications when there were unknowns. Mr. Marvel echoed Mr. Boyle's comments.

Commissioner Jordan stated concern that the space could be rented for a party every Friday/Saturday night consistently as opposed to a banquet or wedding reception. Mr. Marvel acknowledged that the space was a banquet/party space. The applicant's intent was to rent the space for private events, not open to the general public. The facility would be rented in advance. This was the same as someone renting the Country Club.

Commissioner Jordan stated that there was an occupancy concern due to the impact on the Downtown. Council had concerns with the 400 – 600 block of north Main St. The Police Department had indicated concern with an event ending at the same time as taverns closing creating an additional 100 – 200 people in the area. He questioned creating a new issue.

Commissioner Jordan opened the meeting for public support of this application. No one came forward.

Commissioner Jordan opened the meeting for public opposition to this application.

Frank Hoffman, 401 N. Main St., addressed the Commission. He owns a business across the street from the proposed facility. He had experienced problems with vandalism and sick patrons from the Downtown taverns. He believed patrons from the facility, if the closing time was different than those of the taverns, would go to the open taverns. He noted that there were eight (8) parking spots on Monroe St. The sidewalk was narrow, East St. had a lot of traffic and north Main St. was congested. He wanted people to come Downtown because it was a family place,

not a place to drink alcohol. He questioned food being served. His impression was this was a place to drink.

Surena Fish, 909 W. Wood St., addressed the Commission. She stated that she had experienced when an establishment was given a liquor license that should not have been. She noted that the Castle Theater, located at 209 E. Washington St., had a wedding. The parking spaces on the street, PNC Bank, located at 202 E. Washington St., parking lot and City lot were full. The parking spaces on Monroe included handicap, the parking lots were either private or attached to a business such as Lucca Grill, located at 116 E. Market St. She believed patrons would not walk from the city parking decks to the event facility. The area was congested without the facility.

Commissioner Feldkamp noted that this was the applicant's third attempt to obtain a liquor license. She believed they were complying and addressing concerns. She believed the applicant would have day events. Those would assist the Downtown businesses. The applicant had agreed to stop serving alcohol at 12:00 a.m. (Midnight) and close at 1:00 a.m. They could not control patrons who left the events and chose to go to another establishment in the Downtown area. She believed that as long as the facility was utilized as presented then it should be allowed to continue.

Clay Wheeler, Asst. Chief of Police addressed the Commission. He noted his previous request to see a valet parking plan (given that at a previous hearing, the applicant had stated that valet parking may be provided to patrons of the establishment). He believed that same should not prevent the Commission from considering the application. He acknowledged on-street parking as competitive. The parking garages were underutilized. He believed the multi-use of the Downtown upset the other living due to limited street parking; residents want peace and comfort knowing there would not be more intoxicated people and criminal damage. The Police Department (PD) wanted to decrease the number of people in the Downtown whenever possible. He believed 175 – 200 people was not a huge number. PD has concerns with anyone who presents to the Commission that their authority would be given up. He suggested the applicant establish policies to check that the purpose the facility was rented for remains the same through the whole event.

Commissioner Jordan questioned operation hours. Mr. Castaneda stated that the renters would be allowed to come in prior to the event to set up. The earliest time an event could begin was 1:00 p.m. Commissioner Jordan questioned renter guidelines. Mr. Castaneda responded there would be a contract. Same would have a clause to stop an event. There would be at least one (1) person employed by the facility to maintain control. There would be bouncers and security. Mr. Castaneda clarified that the event end time would depend upon the event and the time started. An example provided was a children's birthday party. They do not usually continue until 1:00 a.m.

Commissioner Jordan requested that an example contract be provided to Corporation Counsel.

Motion by Commissioner Jordan that the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week: 1.) submit all paperwork associated with opening/closing; 2.) building capacity

and 3.) sprinkler recommendations from the Community Development Department to Corporation Counsel.

Mr. Marvel stated that the applicant anticipated sprinklers for the building as there could be over 100 people at an event. Commissioner Jordan questioned the building capacity. Mr. Marvel responded that after sprinklers are installed the Fire Inspector would establish same. Mr. Castaneda stated that he had spoken with the Inspectors. They had indicated that capacity could not be set until all construction was completed. Inspections would be conducted after same.

Mr. Boyle noted that the applicant had agreed to a condition on the license ceasing alcohol sales on the premises at 12:00 a.m. and providing for a closing of the premises at 1:00 p.m. The capacity cannot be fixed until construction was completed. He recommended setting the maximum number of persons that could be in the establishment to 175-200 persons, or the occupancy load established by the Fire Department, whichever is less. Mr. Boyle stated a willingness to review the contract but not to be overly involved in same.

Mr. Marvel stated a willingness to work with PD to establish appropriate traffic patterns and possible valet. The contract would be provided Corporation Counsel to review in regards to what the clients can/cannot do at any given time. He believed that it was his client's desire to be a good community member and good neighbor Downtown, similar to the Bistro's and Realty Bite establishments. He questioned the distinction between a good place and a bad place. He believed his client wanted to offer a good place with a good service in a respectable and legal way. The client did not want 400 – 500 people in an event. They wanted to comply with City Code relative to health and safety. He noted the desire to add a sprinkler system. He noted that the Downtown was a twenty four (24) hour living event. The goal was to add to and accent same.

Commissioner Jordan questioned entertainment. Mr. Castaneda stated that the renters would provide their own entertainment. He did not anticipate big bands. Same would be addressed in the contract. Mr. Marvel agreed to a condition on the license setting the maximum number of persons allowed on the premises to be the lesser of 200 persons or the occupancy load set by the Fire Inspector.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan that the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be recommended to Council for approval contingent upon compliance with all health and safety codes, with the following conditions: 1. that alcohol sales cease at 12:00 a.m. (Midnight); 2. that the establishment shall close at 1:00 a.m.; 3. that the establishment will be open only Friday through Sunday; 4. that the maximum occupancy allowed in the establishment shall be the lesser of 200 persons or the occupancy load determined by the Fire Chief.

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

Ayes: Commissioners Jordan and Feldkamp.

Nays: None.

Motion carried.

On August 9, 2016, an addendum to the application titled "Supplement to Liquor License Application and Liquor License Questionnaire" was sent to the Legal Department by the Applicant. This document was not considered by the Liquor Commission at the August 9 meeting. It has been added to the packet for your information.

A copy of a form contract was sent to the Corporation Counsel's office on October 3, 2016. A copy of that contract has been added to the packet for your information.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on July 26, 2016 in accordance with City Code. In accordance with City Code, approximately 147 courtesy copies of the Public Notice were mailed on July 26, 2016. In addition, the Agenda for the August 9, 2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This would create a new liquor license. The annual license fee for an EAS is \$2,210.

Respectfully submitted for Council consideration.

Prepared by:	Renee Gooderham, Chief Deputy Clerk
Reviewed by:	Cherry Lawson, City Clerk
Financial & budgetary review by:	Chris Tomerlin, Budget Analyst Carla A. Murillo, Budget Manager
Legal review by:	George D. Boyle, Assistant Corporation Counsel
Recommended by:	



Tari Renner
Mayor

Attachments:

- Chapter 6: Section 4B Creation of New License - Findings
- Liquor License Questionnaire
- License Application for the Sale of Alcoholic Beverages
- License Application for Sunday Sales of Alcoholic Beverages
- Aerial Map
- Supplement to Liquor License Application and Liquor License Questionnaire

- Form Contract
- Illustrative Master Plan
- Correspondence from Richard Marvel, Attorney for License Applicant

Motion: From two of the Commissioners serving at the time that the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E. Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon: 1. that alcohol sales cease at 12:00 a.m. (Midnight); 2. that the establishment shall close at 1:00 a.m.; 3. that the establishment will be open only Friday through Sunday; 4. that the maximum occupancy allowed in the establishment shall be the lesser of 200 persons or the occupancy load determined by the Fire Inspector. Note the Liquor Commissioner has not made a recommendation on this item.

Chapter 6: Section 4B: Creation of New License – Findings

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

(6) The probable demand for the proposed liquor establishment in the City;

- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)



MARVEL LAW

405 West Front Street | Bloomington, IL 61701

RICHARD T. MARVEL
p: 309.807.2885
e: rtm@richmarvel.com
businesslawIL.com

October 6, 2016

Mr. George Boyle
109 E. Olive St.
Bloomington, IL 61701

Email: gboyle@cityblm.org

RE: Extravaganza Ballroom Inc. - Liquor License

Dear George:

Extravaganza Ballroom Inc. has recently obtained approval for a liquor license from the City of Bloomington Liquor Commission. As part of the requirements to take the matter to the City Council the Liquor Commission requested a copy of the service agreement Extravaganza Ballroom Inc., intends to implement with its customers. I have recently directed a copy of that document to your attention. Please advise if you have any questions regarding the service agreement.

Upon your receipt of the service agreement you were planning on including the liquor license request in the City Council meeting agenda for October 10, 2016. Please advise if the hearing is on the 10th or will be the next meeting date, which I believe is the 22nd. In preparing for the meeting a question has arose regarding the age of Cesar, the purported manger. Cesar Castaneda is nineteen years of age and he the son of one of the owners. Your recollection is correct in that Cesar has been the spoke man for the ownership group based on his ability to communicate with the appropriate individuals regarding the project.

The Bloomington City Liquor Code section 18, list the limitations upon those under the age of 21 and their ability to pour and service alcohol. Mr. Castaneda is aware of this section and is mindful that due to his age, 19, his not able to individually pour and mix cocktails, but rather can serve so long as there is an employee 21 years of age or older on the premises. Mr. Castaneda does not intend to serve any alcohol at the premises, he will reply upon all of those individuals that are 21 years of age or in excess, consistent with the City of Bloomington Liquor Code.

Please advise me if you have any additional questions or concerns. I appreciate your insight and will continue to respond to you as information arises that you need. Best regards.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R.T. Marvel". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

RICHARD T. MARVEL

RTM:tl

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- | | | |
|-----|--|------------|
| (a) | Have you attained the age of 21 years? | <u>Yes</u> |
| (b) | Have you been a resident of the City of Bloomington for one year? | <u>Yes</u> |
| (c) | Are you a citizen of the United States? | <u>Yes</u> |
| (d) | Are you a person of good character and reputation? | <u>Yes</u> |
| (e) | Have you ever been convicted of a felony under the laws of the United States or any state? | <u>NO</u> |
| (f) | Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? | <u>NO</u> |
| (g) | Have you ever been convicted of pandering or any other crime opposed to decency and morality? | <u>NO</u> |
| (h) | Have you ever had a Bloomington liquor license revoked for any cause? | <u>NO</u> |
| (i) | (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>N/A</u> |
| (j) | Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>NO</u> |

- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? No
- (l) Do you own or have a valid lease to the premises for which the license is sought? Yes
- (m) Are you eligible for a state retail liquor dealer's license? Yes
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? No

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? EAS
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop). Ballroom/ Banquet hall
- (c) State the significance of a liquor license to your establishment, present or future. So we ~~pk~~ can have control on the liquor being sold at our place.
- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? It will generate jobs here in town.
- (e) Upon what facts do you base your answers to the previous question? The fact that we will need Bartenders. Waiters, cashier, security and maintenance
- (f) Do you intend to furnish live entertainment in the establishment to be licensed? Yes
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. Live music-DJ's
- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? Yes

- (i) If you answered "YES" to the previous question, from what sources will such revenue be derived? Booking events, such as weddings, Birthday Partys, Conference, Baby Shower, Graduation, Babtisms
- (j) Do you intend to obtain and use a dance license? yes
- (k) If establishment is not in operation, attach a drawing showing:
- (1) General design of establishment;
 - (2) Where alcohol is to be distributed and/or served.

3. **IMPACT OF ESTABLISHMENT:**

- (a) State the location of the establishment. 113. E Monroe st.
Bloomington IL
- (b) What hours will the establishment be open? 3:00 PM - 2:00 AM
Liquor stops at midnight.
- (c) What type or types of building(s) adjoin the establishment? Lucca Grill,
Downtown Shops.
- (d) If any adjoining buildings are office or commercial, approximately what hours are they open for business? 11:00 AM - 8:00 PM
- (e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area? Single,
Hockey Shop.
- (f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.) one-way st. use
parking garage up the st.
- (g) How much additional traffic do you expect the establishment with a liquor license to generate? No change
- (h) Describe on and off street parking facilities to handle traffic anticipated. Will use parking Garage on Main st & Market
- (i) How many establishments with liquor licenses are located within the immediate area of your establishment? None
- (j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? The demand for this
establishment will be very high

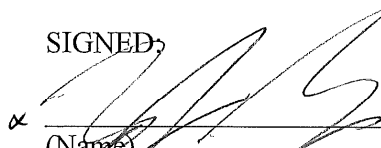
(k) Upon what facts do you base your answer to the previous question? People approaching asking for a new venue

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? NO
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? _____

DATED this 13 day of June, 2016

SIGNED:


(Name)
914 W. Monroe

(Address)
Bloomington IL
(City) (State)

Julio Castaneda
(Name)
330 Blackberry Dr.

(Address)
Bloomington IL
(City) (State)

(Name)

(Address)

(City) (State)

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS EAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is _____ an individual; _____ a partnership; ☒ a corporation; (Check one)

A. If an individual: Name _____ Age _____

Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes _____ No _____

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes _____ No _____

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes _____ No _____

C. If a corporation, state whether same is organized for profit ☒ or nonprofit _____, under laws of the State of IL

Date of incorporation _____

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: Julio Castaneda Title or position: President
Address: 330 Blackberry Dr. City/State/Zip Bloomington, IL, 61705

Name: Zackary Scogin Title or position: Vice - President
Address: 914 W. Monroe City/State/Zip Bloomington, IL, 61704

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application ☒ (Check one)

4. Location and description of the premises or place of business to be operated under this license

113. E Monroe st., Bloomington, ballroom

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No ☒

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No ☒

7. Is it proposed to sell food in this place of business? Yes _____ No ☒

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No ☒

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No ☒ If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No ☒ If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No ☒

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes _____ No ☒

13. If no, the name of the building owner: Name Roberto Varicela

Address 113. E Monroe st. Bloomington IL

Term of written lease, from (date) Negotiating to _____
(Copy of Lease attached)

14. 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 1960 in connection with the proposed sale of alcoholic beverages?
Yes _____ No ☒

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this _____ day of _____, _____.

A. (Individual)

Individual's signature

B. (Partnership)

Extravaganza Ballroom
Business Name

(All Partners of applicant)

C. (Corporation)

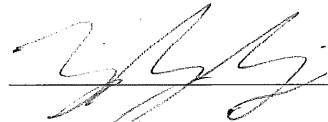
Extravaganza Ballroom
(Corporate Name)

Julio Castaneda
(President of Corporation)

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

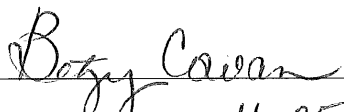
STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)



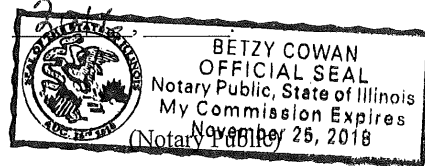
Julio Castaneda

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 14 day of June



My commission expires on 11-25, 2018.



LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT Zachary R. Scogin
Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS E LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 13 day of June, 2016.

A. (Individual)

Zachary Scogin
(Name)

B. (Partnership)

Extravaganza Ballroom
(Business Name)

All partners of applicant:

Extravaganza Ballroom.

C. (Corporation)

(Corporate Name)

By:

(Name of Officer: President)

Attest:

Secretary

And the following officers, directors, or majority stockholders:

STATE OF ILLINOIS,)

) ss.

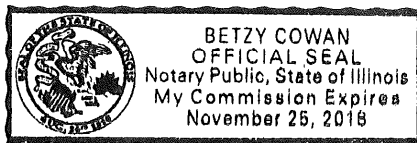
County of McLean,)

Julio Castaneda

being first sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code 1960; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and sworn to before me this 14th day of June, 2016

Betsy Cowan
Notary Public





Supplement to Liquor License Application and Liquor License Questionnaire

This Supplement is made and entered into this 9th day of August, 2016 by Extravaganza Ballroom, Inc. for the purposes of supplementing and clarifying the Liquor Application packet submitted on or about June 13, 2016 and presently pending Liquor Commission consideration for the August 9, 2016 meeting.

Whereas, Applicant has completed and submitted all necessary documentation for the liquor commission to consider its application for a EAS License for the Extravaganza Ballroom, located at 113 East Monroe, Bloomington, Illinois 61701: and

Whereas, said applicant desires to supplement the Liquor License Application to provide clarity for the license sought and the operational details of Extravaganza Ballroom.

Now, Therefore, the applicant amends and supplements as follows:

1. The Applicant supplements Liquor License Questionnaire 2(b) as follows:
 - a. The applicant intends to operate a Banquet Hall, as defined by the 2012 International Building Code, Section 303.3 Assembly A-2.
 - b. The facility shall only be available for private events, not open to the general public.
 - c. As a banquet hall, under the International Building Code, the applicant can operate the facility without a sprinkler system so long as the occupancy is less than 100 people.
2. The applicant applies for an EAS license for a Banquet Facility with an occupancy of less than 100 people, which facility is available only for rental and will not be generally open to the public. The applicant is evaluating the viability of sprinkler installation and in the event the building has City approved sprinklers installed the applicant requests the occupancy allowed under the liquor license to be increased to the capacity of the facility as determined by the Bloomington Fire Chief. The occupancy increase is requested to be effective as of the date the City of Bloomington approves the installation of the sprinkler system.

In witness whereof, the undersigned have set their hands and seals on the dates indicated.

APPLICANT

Extravaganza Ballroom, Inc.

A handwritten signature in black ink, appearing to read "R.T. Marvel", is written over a solid horizontal line.

By: Richard T. Marvel

Its: Attorney

113 E. Monroe
Bloomington IL, 61705
(309)533-6227
(309)433-5220

Contract by common agreement on the Day _____ Month _____ Year _____
this agreement has been done between the client/applicant _____
and Extravaganza Ballroom for the rental of the party room/event space and the services it
provides. The points and details of the event are already established and detailed in the bottom.
The client acknowledges and understands that the information on this contract for this event will
be used or shared with the partner, manager and staff technical of Extravaganza Ballroom.

Type of Event:

Wedding _____ Sweet 16 _____ Baptism _____ Birthday _____
Baby Shower _____ Graduation _____ Other _____

Date Of Event:

Month _____ Day _____ Year _____

Duration Of the Event:

Starts _____ AM/PM Ends _____ AM/PM

Capacity:

Number of people in the event: _____

Required Package for This Event:

Package #1 _____ Package #2 _____ Package #3 _____ Package #4 _____

Notes: _____

Price:

total Price of the event _____ Deposit _____ Remaining _____
which should be settled 30 days prior to the event.

Client's Information:

Name: _____

Address: _____ City _____ State _____ Zip Code. _____

Phone: _____ Emergency: _____

e-Mail: _____

Signature: _____ Date: _____

Terms & Conditions

1. This is a contract of mutual agreement between the client/applicant and Extravaganza Ballroom. _____

2. In the case of breaking and/or violating the terms as set forth in this agreement or, cancellation of the event by the customer/applicant. The customer/applicant will forfeit their deposit in its entirety. _____
3. The client/applicant must pay Extravaganza Ballroom \$300 to the signing of this contract in concept of the deposit to cover any damage to the property that may occur during the event to be held on the date already agreed on. (cash or check) _____
4. The client/applicant is responsible for any damage to the property or equipment. _____
5. The ballroom will be reserved with a minimum deposit of \$500 and you will need to pay the total amount in full 30 days prior to the event at the agreed date between Extravaganza Ballroom and the client/applicant. _____
6. In case of any violent actions from the guests or client/applicant. The event will be immediately terminated. _____
7. In the event of a blackout of light that is not within our reach to fix immediately. For example rain, thunderstorms, fall of light post, or electrical failures that is out of our reach, Extravaganza Ballroom is not responsible. _____
8. The parking lot is located 2 blocks away, completely free for our customers. Extravaganza Ballroom is not responsible for any accident or incident occurring in the parking lot, or damages to any vehicles. _____
9. No child may leave the ballroom alone for their own safety and therefore our safety. _____
10. Strictly forbidden to bring in any type of drinks into the ballroom by the customer/applicant and guests. _____
11. The manager has the right to be present during the event for any problem or issue that may occur. _____
12. The customer or applicant has the responsibility to treat with respect and kindness to the staff working during the event. _____
13. Extravaganza Ballroom is not responsible for any type of accident or incident that occurs to the people invited, including the customer or applicant during the event. _____
14. I have read and understood the terms and conditions of this agreement between Extravaganza Ballroom and I the client/applicant and I agree with the terms and conditions that are established. _____

Signature of Client/Applicant: _____ Date: _____

Signature of Extravaganza Ballroom _____ Date: _____

II. Illustrative Master Plan

Existing Retail

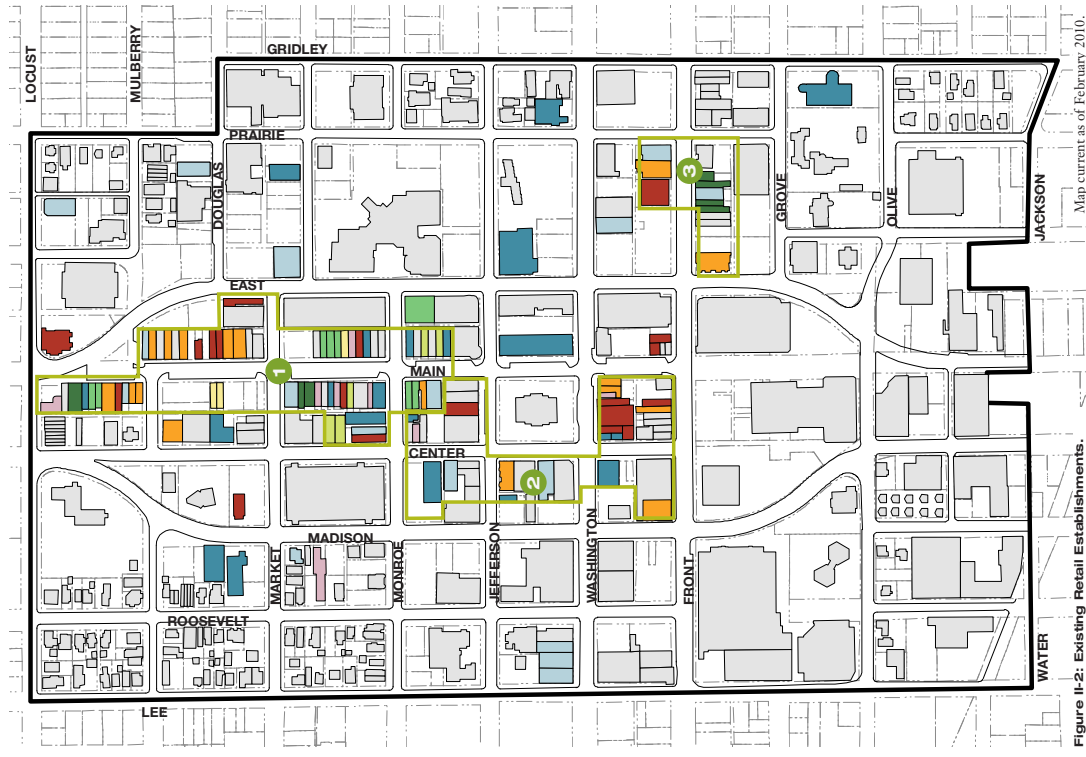


Figure II-2: Existing Retail Establishments.

This section examines existing retail areas within Downtown, which are scattered around the study area and are almost exclusively comprised of independent specialty businesses. These businesses include approximately 40 stores, 16

restaurants, 13 bars, 20 service businesses, and 6 art studios. The 40 stores consist of a wide range of uses, but larger categories include approximately 7 clothing and accessory stores (mostly resale), 6 hobby and crafts stores, 4 home furnishings stores, and 3 food stores. The retail in Downtown is organized loosely into 3 nodes, which are described below.

For the purposes of this study, "retail" is defined as the small-scale (<7,500 square feet) selling of goods, wares, or merchandise directly to the ultimate consumer. Service uses, including bars and restaurants, are also included in the retail category for purposes of this discussion, as they also contribute to a pedestrian-friendly, vibrant environment.

1 Main Street Mixed Use

Main Street's mixed use area extends from Locust Street south almost to Jefferson Street. There are a wide range of uses in this area, including a couple of tailors, hobby and crafts stores, furniture stores, art galleries, and a coffee shop. This is the strongest base of retail businesses in Downtown, and the most likely to draw people from across the region.

Main Street Bar & Restaurant Node

The cluster of businesses along north Main Street between Market and Locust Streets represent one of two restaurant and bar districts within Downtown. There are several bars along this stretch of street, as well as a few restaurants and two food stores, including a candy store and an organic grocer.

2 Museum of History & Square Mixed Use

The Museum of History and Square mixed use node consists of a pharmacy, clothing boutique, and two banks, in addition to the second cluster of bars and restaurants in the study area.

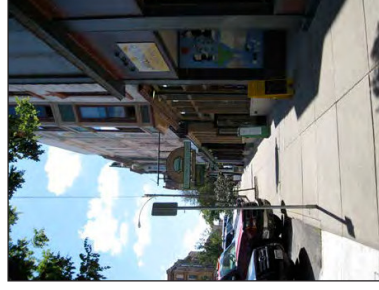
Museum of History & Square Bar & Restaurant Node

Directly to the south of the McLean County Museum of History and Square is the second restaurant and bar district within Downtown. The high number of restaurants and cafes suggest that these businesses are

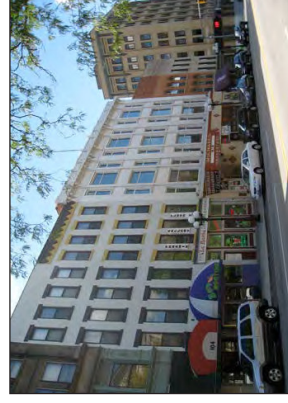
frequented by daytime workers in the surrounding office and governmental buildings.

3 Front Street Mixed Use

This area includes a small cluster of businesses along Front Street between East and Prairie Streets. Though limited in number, these businesses are housed in beautiful historic buildings that provide a strong foundation for future adjacent development. Current businesses include a restaurant, a couple bars, book store, and high end antique shop and oriental rug store.



Main Street mixed-use buildings at Market Street.



Museum of History & Square mixed-use buildings along Washington Street.

II. Illustrative Master Plan

Proposed Retail Plan

The following recommendations relate to the proposed retail plan - how and where to locate retail uses within Downtown. This is of critical importance to the economic success of Downtown, due to the limited amount of retail that the market study found could be supported in the area. Figure II-3 illustrates the proposed retail plan, and each recommendation is explained further below.

Recommendation: Focus retail into 3 major nodes

The market study conducted as part of this plan found that a limited amount of new retail, approximately 74,000 square feet, could be accommodated within the study area. In order to make the existing retail nodes more vibrant, it is recommended that future new retail businesses be located within the three core existing retail nodes outlined in the previous section. The three retail nodes create synergies between the tightly-clustered businesses, resulting in increased foot traffic, visibility, and opportunities for visitors to shop and dine.

Figure II-3: Proposed Retail Plan shows specifically where retail development should be focused in Downtown. The pink and purple areas designate retail areas, while gray or uncolored buildings or parcels will consist of other land uses (see Section III: Proposed Land Use). These uses will be regulated through the zoning code overlay produced as part of this project.

Recommendation: Permit appropriate uses within each retail area

The retail areas in Downtown have been broken up into three different mixes of land uses to suit the context of the different areas of Downtown and to provide flexibility to respond to market changes. These three retail mixes are discussed below and examples of appropriate uses for each retail mix are shown in Table II-1: Appropriate Uses for Each Retail Mix. The lists in Table II-1 are not exhaustive and will be expounded upon further in the zoning code overlay; they are meant to provide examples of the types of retail that should be permitted in each area.

1 Retail Mix 1

Retail Mix 1 is shown for the majority of Main Street's mixed use area north of Jefferson Street. Only small-scale retail and service uses are recommended, since this retail mix is meant to embody the retail core of Downtown (see Table II-1). This retail area is the strongest in Downtown and is most likely to successfully integrate new retail

businesses.

2 Retail Mix 2

Retail Mix 2 is the proposed retail category applied for the parcels surrounding the McLean County Museum of History and Square. It includes all of the uses permitted in Retail Mix 1, but provides a bit more flexibility by including additional service and office uses. Typically, in the retail core of a Downtown, office uses would not be found on the ground floors of buildings because such uses do not provide as interesting an environment for pedestrians. However, in order to concentrate retail and provide flexibility, as well as accommodate existing uses, it is recommended that this area allow limited office uses (see Table II-1).

3 Retail Mix 3

Retail Mix 3 is mapped along Front Street in the southeastern quadrant of the study area. This retail mix includes all of the uses permitted in Retail Mix 1 but also would permit limited larger footprint, "destination retail" users, such as a grocery store, furniture store, or appliance and electronics store, all of which are in demand in the region. These destination retail uses should be limited to a maximum of 15,000 square feet to keep in scale with the surrounding area.

There are several reasons to include larger users in this area. First, there are larger redevelopment parcels available in this area, which would be essential for businesses with a bigger footprint. Also, the trips generated by the retail mix proposed for this area are more likely to involve automobiles, particularly uses such as a grocery store, furniture store, or appliance and electronics store. Some amount of off-street parking may be necessary for these types of businesses, making larger parcels vital. Lastly, a few destination retailers, such as an antiques dealer and rug merchant, already exist in this area and could benefit from the clustering of other such businesses.

4 Recommendation: Liquor Commission should restrict new taverns to designated Tavern Districts

Two Tavern Districts, outlined in orange on Figure II-3, are designated to concentrate the drinking establishments within Downtown. New nightclubs, bars,



Figure II-3: Proposed Retail Plan.

II. Illustrative Master Plan

Proposed Retail Plan

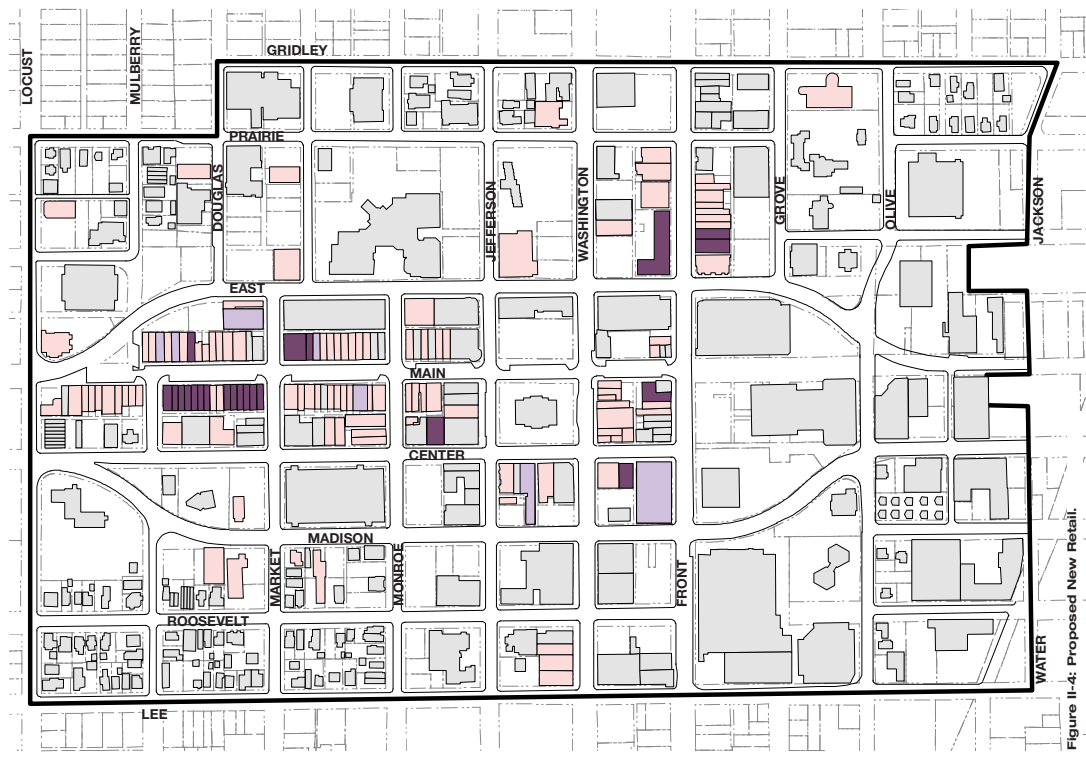


Figure II-4: Proposed New Retail.

and other drinking establishments should be concentrated in these two areas to minimize potential negative impacts, such as noise, litter, and crime, on the surrounding neighborhoods. These negative impacts were frequently cited as an issue during the public input process of this project. This recommendation should not be read to suggest that additional taverns are needed or desired, or as an invitation for the expansion of such establishments.

The two New Tavern District areas were chosen due to their existing concentrations of drinking establishments and the two locations' distance from existing residential neighborhoods. The taverns are an important asset within Downtown that attract visitors and help move Downtown toward becoming a 24-hour destination. It must be understood that, while many negative impacts from the taverns can be mitigated, some, especially noise, will likely remain to a certain extent.

It is recommended that the Bloomington Liquor Commission adopt a policy to restrict new Class "TA" and "TB" liquor licenses issued in the Downtown study area to those approximate locations indicated on Figure II-3. It is critical that this restriction apply only to *new* taverns, such that existing taverns with valid liquor licenses located outside the designated New Tavern District boundary are able to operate in perpetuity (barring a change in location). The restriction should not include liquor licenses related to the sale of liquor at restaurants, convenience stores, specialty shops, wholesalers, etc.

Proposed Retail Areas: Constraints

Ideally, there would be an inexhaustible market for retail uses within Downtown that would allow for the development of retail space over the majority of the study area. While that is not the case in Downtown Bloomington, the market study conducted as a part of this report did find that Downtown has the capability to accommodate an estimated additional 74,000 square feet of retail between now and 2030.

The map to the left shows where existing retail (shown in pink), proposed retail in vacant storefronts in existing buildings (shown in light purple), and proposed new construction retail (shown in dark purple) are located in Downtown. Existing retail includes the bars, restaurants, art studios, service businesses, and stores

outlined in the previous section. Proposed retail in vacant storefronts would involve filling in already existing storefronts, while proposed new construction retail would entail the creation of new mixed use buildings.

The total proposed new retail area shown in Figure II-4: Proposed New Retail is approximately 119,000 square feet, with approximately 50,000 square feet of infill retail in existing buildings and approximately 69,000 square feet of new retail in new construction mixed use buildings. This is significantly higher than the market study's finding that the Downtown area can accommodate up to 74,000 square feet of retail in the next 20 or so years. However, since the retail mixes discussed above are combined with service and office uses, the total amount of retail area will likely be far less than 119,000 square feet. By providing flexibility, the area will be better equipped to deal with market shifts in the future as more (or less) retail area is desired.

Retail Mix 1	Retail Mix 2
RETAIL USES	Retail Mix 1 plus:
Antique Shop	SERVICE USES
Apparel & Accessory Store	Bank
Beer, Wine, & Liquor Shop	Theater
Book, Magazine, & Newspapers	OFFICE USES
Camera & Photo Supply Store	Computer Programming
Convenience Store	Educational Services
Drug Store/Pharmacy	Employment Agency
Flower Shop	Professional Offices
Gift, Novelty, & Souvenir Shop	Property Development
Hardware Store	Radio & TV Studio
Hobby, Toy, or Craft Shop	Research Agency
Jewelry Sales & Repair	Veterinarian
Luggage & Leather Goods	
Office Supply	
Pet Shop	
Specialty Food Market	Retail Mix 3
Sporting Goods Sales & Rental	Retail Mix 1 plus:
	SERVICE USES
	Barber Shop, Beauty Salon, & Spa
	Dry Cleaning & Laundry
	Eating & Drinking Establishments
	Fitness, Dance Studio, & Gym
	Locksmith
	Mailing Services
	Music or Video Sales/Rental
	Photocopying & Printing
	Tailor, Seamstress, Shoe Repair
	Travel Agency & Tour Operator
	DESTINATION RETAIL USES
	Appliance/Electronics Sales
	Computer & Software Sales
	Furniture Store or Repair
	Home Furnishings Sales/Rentals
	Medical Supply Store & Rental

*Items bolded within this list represent uses that this study has found to be in demand regionally in the Bloomington-Normal area and are compatible with the space limitations and character of the study area. See Section VII: Appendix (Market Study) for more details.

Table II-1: Appropriate Uses for Each Retail Mix.



MARVEL LAW

405 West Front Street | Bloomington, IL 61701

RICHARD T. MARVEL
p: 309.807.2885
e: rtm@richmarvel.com
businesslawIL.com

October 6, 2016

Mr. George Boyle
109 E. Olive St.
Bloomington, IL 61701

Email: gboyle@cityblm.org

RE: Extravaganza Ballroom Inc. - Liquor License

Dear George:

Extravaganza Ballroom Inc. has recently obtained approval for a liquor license from the City of Bloomington Liquor Commission. As part of the requirements to take the matter to the City Council the Liquor Commission requested a copy of the service agreement Extravaganza Ballroom Inc., intends to implement with its customers. I have recently directed a copy of that document to your attention. Please advise if you have any questions regarding the service agreement.

Upon your receipt of the service agreement you were planning on including the liquor license request in the City Council meeting agenda for October 10, 2016. Please advise if the hearing is on the 10th or will be the next meeting date, which I believe is the 22nd. In preparing for the meeting a question has arose regarding the age of Cesar, the purported manger. Cesar Castaneda is nineteen years of age and he the son of one of the owners. Your recollection is correct in that Cesar has been the spoke man for the ownership group based on his ability to communicate with the appropriate individuals regarding the project.

The Bloomington City Liquor Code section 18, list the limitations upon those under the age of 21 and their ability to pour and service alcohol. Mr. Castaneda is aware of this section and is mindful that due to his age, 19, his not able to individually pour and mix cocktails, but rather can serve so long as there is an employee 21 years of age or older on the premises. Mr. Castaneda does not intend to serve any alcohol at the premises, he will reply upon all of those individuals that are 21 years of age or in excess, consistent with the City of Bloomington Liquor Code.

Please advise me if you have any additional questions or concerns. I appreciate your insight and will continue to respond to you as information arises that you need. Best regards.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R.T. Marvel", written in a cursive style.

RICHARD T. MARVEL

RTM:tl



CONSENT AGENDA ITEM: 7S

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of an Ordinance Suspending Portions of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of downtown Bloomington during the “A Noble Run” event on October 22, 2016.

RECOMMENDATION/MOTION: That an Ordinance be adopted Suspending Portions of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of downtown Bloomington during the “A Noble Run” event on October 22, 2016.

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

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

BACKGROUND: On September 13, 2016, the Bloomington Liquor Commission met to hear the request from Nick Hurley of Drifter’s Pub and Josh Maubach to suspend portions of Chapter 6 of the Bloomington City Code prohibiting open alcohol in public on October 22, 2016 from 4:00 p.m. to 9:00 p.m. for the special event “A Noble Run”.

Present were: Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners; George Boyle, Asst. Corporation Counsel, Asst. Police Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Josh Maubach, organizer, addressed the Commission. Mr. Maubach stated that the event was a 5k run fundraiser to be held in the downtown area for the benefit of Stop Solider Suicide.

Commissioner Renner questioned if the Downtown Business Association (DBA) had been contacted. Mr. Maubach responded negatively.

Commissioner Jordan questioned notification of all the businesses and residents impacted by the event. Mr. Maubach responded negatively. Mr. Maubach stated that the event time was chosen to be later in the day to lessen the impact on businesses. Commissioner Jordan questioned fencing to enclose the open liquor area. Mr. Maubach responded that they were open to suggestions, including fencing. Commissioner Jordan questioned security. Mr. Maubach stated that wristbands would be used along with a full security staff and volunteers.

Commissioner Feldkamp questioned crowd size. Mr. Maubach responded 300-500. Commissioner Jordan requested police input. Asst. Chief Ken Bays responded that fencing along East St would be preferred and that Officers would not be staffed for the event.

Commissioner Renner questioned the importance of the event date being on October 22. Mr. Maubach explained that on average twenty-two veterans a day commit suicide.

Commissioner Renner opened the meeting to public comment. The following citizens provided comment.

Jan Lancaster believed that the businesses with the proposed event area were not notified. She questioned notification procedures similar to liquor applications. Andrew Coffey, Deputy Clerk, responded that there is not a City ordinance for special events involving liquor. George Boyle, Asst. Corporation Counsel, stated that when liquor licenses were created, City ordinance requires notices to be sent.

Tricia Stiller questioned turning in an application sixty (60) days prior to an event in the Downtown. Mr. Coffey responded that staff asks for same but there is not a City ordinance references same.

Commissioner Renner stated that a Special Liquor Commission meeting would be held on September 27, 2016 at 4:00 p.m. to allow the organizers the opportunity to contact businesses within the event area and work with the DBA.

Commissioner Jordan questioned the entrance and exit for the open liquor area. Mr. Maubach responded affirmatively. Mr. Boyle questioned if Mr. Maubach would provide the fencing. Nick Hurley, organizer, responded affirmatively. Mr. Boyle questioned if the organizer was aware that they will be in charge of trash. Mr. Maubach responded affirmatively. Commissioner Jordan questioned location of the beer truck within the open liquor area. Mr. Hurley responded affirmatively. Commissioner Jordan questioned food vendors in the open liquor area. Mr. Hurley responded that food vendors were invited, same would be placed in the run area.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan, that the item be tabled to the Special Liquor Commission meeting of September 27, 2016.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

On September 21, 2016, the Special Events Committee met with the organizers, Trisha Stiller, Executive Director, Downtown Business Association and Jan Lancaster, President, Downtown Bar Association.

Staff present: Steve Rasmussen, Asst. City Manager; Kevin Kothe, City Engineer; Asst. Police Chief Greg Scott, Colleen Winterland, Supt. Streets, Andrew Coffey, Support Staff IV and Renee Gooderham, Chief Deputy Clerk.

Mr. Rasmussen introduced the event. Josh Maubach, event organizer, explained that the event was to raise money for the nonprofit organization Stop Solider Suicide. He noted that an open container area would be located in the Main St. area beginning at Pub America and including the street and parking area. The area would be fenced, beer would be served in plastic cups, identification would be checked and writstbands given to those authorized to drink alcohol. They would have volunteers and their own security staff on hand. A silent auction would be held at Drifters, 612 N. Main St. The 5K run route was west on Mulberry St., south on Center St., east on Jefferson St., and north on Main St.

Ms. Stiller acknowledged the organizers willingness to notify businesses. She noted that the owner of Hobby Land, located at 616 N. Main St., was objecting to this event. His concerns were loss of Saturday business and open containers in the public right of way.

Ms. Lancaster stated that she had had various businesses contact her with concerns about the route.

Mr. Rasmussen noted that the 5K would begin at 4:00 p.m. The organizers requested the open container area remain open from the start of the race until 9:00 p.m.

Mr. Maubach agreed to reduce the race route to: west on Mulberry St., south on Center St., east on Market St., and north on Main St.

Staff suggested that Mr. Maubach contact Penelope's to request that Hobby Land patrons be authorized to park in their lot.

It was suggested that the streets close at 3:00 p.m. Asst. Chief Scott stated that closing streets close to the event begin time could mean that more vehicles would require towing and could possibly delay the event start time.

Ms. Gooderham noted that a Secondary Liquor license (SB), would possibly be required for the event. She explained that a SB, Secondary Premises – Beer and Wine Only, authorizes the retail sale of beer and wine by the current holder of a tavern license at nonresidential public premises other than the premises covered by the existing license at locations and days approved by the Liquor Commissioner.

On September 27, 2016, the Bloomington Liquor Commission met in Special Session to hear the the request from Nick Hurley of Drifter's Pub and Josh Maubach to suspend portions of Chapter 6, Alcoholic Beverages, prohibiting open alcohol, on October 22, 2016 from 4:00 p.m. to 9:00 p.m. for the special event "A Noble Run".

Present were: Tari Renner, Jim Jordan and Sue Feldkamp Commissioners; George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Commissioner Renner noted that today's meeting continued the discussion from the September 13, 2016 Liquor Commission meeting. The organizers had been instructed to reach out to the neighbors within the race area and alcohol area.

Josh Maubach, event organizer, addressed the Commission. He noted that after discussions with the Special Events Committee on September 21, 2016, the race area had been reduced to: west on Mulberry St., south on Center St., east on Market St., and north on Main St. The event proceeds would assist the organization Stop Soldier Suicides. The event day, October 22, 2016, was significant as there were an average of twenty-two (22) veteran suicides a day.

Commissioner Jordan questioned the area on Main St. where there would be open beer and wine. Asst. Chief Scott noted that the organizers had agreed to have snow fencing on the west side of the sidewalk.

Commissioner Jordan questioned security. Mr. Maubach stated that Hurley Consolidated Enterprises, LLC, d/b/a Drifters, located at 612 N. Main St. would assist with security; also, there would be volunteers and wrist bands would be utilized to identify individuals who were able to purchase alcoholic beverages.

Commissioner Jordan questioned neighborhood notification. Mr. Maubach stated that he was working with Trisha Stiller, Executive Director, Downtown Business Association. Nick Hurley, Drifters Pub owner and event organizer, addressed the Commission. He noted that positive and negative feedback was received.

Commissioner Feldkamp questioned barriers surrounding the alcohol area. Mr. Maubach responded that there would be fences. Commissioner Feldkamp questioned alcohol location. Mr. Maubach stated there would be a keg truck located fifteen to twenty (15 – 20) feet from East St.

Mr. Boyle questioned alcohol providers. Mr. Hurley stated that he was obtaining the keg truck from Lake Shore Beverage. He would submit an application for a secondary liquor license. Mr. Boyle noted that there were conditions to suspend the Ordinance, those being beer and wine only, paper and plastic cups and use of wrist bands for persons over 21. Mr. Hurley stated he was aware of those conditions and agreed with them.

Commissioner Feldkamp questioned refuse pick up. Mr. Maubach stated that they had ordered another dumpster from Area Disposal which would be located behind Drifters.

Commissioner Renner opened the hearing for public comment.

Bruce Meeks, 1402 Wright St., spoke in favor of the event. He noted that the race area would only have barricades for the 5K run.

Jerry Martin, owner/operator of Hobby Land, 616 N. Main St., spoke in opposition. He stated that he was speaking on behalf of Brian Miller Salon, Paul's Upholstery and Live Centered. Saturday was the largest customer day. There was concern with open containers on the public right of way. Races held on Sundays were preferred.

Commissioner Renner questioned Hobby Land's closing time. Mr. Martin stated 5:00 p.m.

Commissioner Renner questioned compromise. He suggested that the alcohol area could be closed at 2:00 p.m. versus the 1:00 p.m. Asst. Chief Scott believed that did not provide adequate time to remove vehicles from the area. Mr. Hurley suggested blocking off a smaller area. Renee Gooderham, Chief Deputy Clerk, addressed the Commission. She reminded the Commission that the second drive north on East St. was an exit only and had a Do Not Enter sign posted.

Commissioner Jordan suggested that security direct patrons to the other businesses located in the area. Signs could be posted making patrons aware that those businesses remained open. Commissioner Renner suggested patrons use the Bloomington Center for the Performing Arts parking lot, located on Douglas St.

Mr. Meeks noted that CVS, located at 210 N. Center St., was within the area that is closed during Farmers Market season.

Patricia Stiller addressed the Commission. She noted that events within the Downtown require sensitivity to business owners. She noted the short timeframe for this event's approval. The organizers had met with the Special Events committee.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend to the City Council on October 10, 2016 to suspend portions of Chapter 6 Alcoholic Beverages, Section 22 Open Containers – Not to Be Removed from Premises.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Downtown Business Association, Downtown Bar Association and various businesses within the event area.

FINANCIAL IMPACT: None.

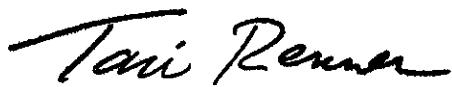
Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk

Legal Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Ordinance
- Map, labeled exhibit A
- A Noble Run Special Events Application and Organizer Letter
- Draft Special Events Permit

Motion: That an Ordinance be adopted Suspending Portions of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of downtown Bloomington during the “A Noble Run” event on October 22, 2016.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

ORDINANCE NO. 2016 -

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE TO ALLOW POSSESSION OF OPEN ALCOHOL ON PUBLIC PROPERTY IN A PORTION OF DOWNTOWN BLOOMINGTON DURING THE “A NOBLE RUN” EVENT.

WHEREAS, the “A Noble Run” event will be held in downtown Bloomington on October 22, 2016; and

WHEREAS, the organizers of the event requested permission to allow sales and consumption of beer and wine during the event in a portion of Downtown Bloomington indicated on the attached map, incorporated into this Ordinance and labeled Exhibit A between the hours of 4:00 p.m. and 9:00 p.m. on said date; and

WHEREAS, to allow possession of an open container of alcohol on a public street, Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits the possession of open containers of alcohol on public streets, must be suspended; and

WHEREAS, after public hearing before the Liquor Commission of the City of Bloomington, the Commission recommended by unanimous vote that the Council suspend the ordinance during the hours requested by the event organizers:

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

Section 1: That Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, is suspended on October 22, 2016, between 4:00 p.m. and 9:00 p.m. for the areas specified in the attached Exhibit A, which is hereby incorporated into and made a part of this Ordinance. The following conditions apply to this suspension:

(a) the suspension shall be effective only as to persons inside the designated area wearing event-related wristbands;

(b) the suspension shall be effective only as to persons having in their possession beer or wine in plastic or paper cups purchased from the event vendor.

Section 2: Except for the date, times, location and conditions set forth in Section 1 of this Ordinance, Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this ordinance shall be interpreted as repealing said Section 26(d).

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 10th of October, 2016

APPROVED this XX day of October, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

(Please return to the City Clerk a minimum of 30 days prior to event)
** 60 days if event is planned for the Downtown area **

DATE: 7 / 14 / 16

**CITY OF BLOOMINGTON
SPECIAL EVENTS APPLICATION FORM**

EVENT INFORMATION

EVENT NAME: A Noble Run

SPONSORING ORGANIZATION(S): Drifters Pub & Stop Soldier Suicide

CONTACT PERSON: Nick Hurley PHONE 309-533-8306

EMAIL: _____

ADDRESS: 612 N. Main Bloomington, IL 61701

EVENT DATE(S) and Time: October 22nd, 2016

EVENT LOCATION: Downtown Bloomington

NATURE OF EVENT: 5K Fun Run to raise money for Stop Soldier Suicide

EVENT SCOPE: (Include anticipated parking restrictions, street closings, detours and other types of pedestrian and traffic control)

See Attached

(IF YOU NEED MORE SPACE, PLEASE USE THE BACK SIDE OF THIS FORM)

WILL THERE BE ANY TENTS OR OTHER TEMPORARY STRUCTURES? Yes

WILL THERE BE FOOD PREPARED/SERVED? No

WILL THERE BE ANYTHING SOLD? Yes IF SO WHAT? Beer/Bottle Tickets/Race Entry

WILL THERE BE AN ADMISSION CHARGE? Yes

WILL THERE BE ANY TEMPORARY SEATING? No

(PLEASE attach a CERTIFICATE OF INSURANCE naming the CITY OF BLOOMINGTON as Additional Insured. Minimum of \$1,000,000.)

DO NOT WRITE BELOW THIS LINE



Hurley Consolidated Enterprises DBA: Drifters Pub
612 N Main Bloomington, IL 61701
309-533-8306

7-15-16

City of Bloomington

Pursuant to our conversation with Mayor Renner.

We are in the process of planning a charity event in coordination with "Stop Soldier Suicide" www.stopsoldiersuicide.org, an organization set up to aid in suicide awareness and prevention by providing veterans with the tools they need to reintegrate into society after serving in the military. Some statistics show that there are 22 veteran suicides a day in this country. "Buddy Check 22", a Facebook Page, was created solely for the purpose for veterans to check on each other the 22nd of every month, will be assisting with the promotion of the event. Additionally, Neuhoff Media has graciously offered to advertise the event for no charge.

The event consists of a 5k run throughout the downtown area, as shown on the provided map, as well as a post run gathering. It is our aim to involve 500-1000 participants, both military and civilian, and raise a minimum of \$10,000.00 for the charity. We are planning on a registration at noon to be held at Drifters Pub, 612 N Main, followed by the 5k run at 4pm. We anticipate the last runners completing the course no later than 7pm. At the conclusion of the run there will be a few speakers and general gathering of the participants on the 600 block of North Main. Lake Shore Beverage will provide a draft beer style truck and trailer for participants over the age of 21 in the marked off area, and we will contact local food vending trucks to park in and around the area.

We would like to block the area for the 5k run from the hours of 4pm-7pm, with the 600 block reserved from 2pm-9pm. Our volunteers can assist with any trash removal or tear down as directed. We are actively seeking involvement from the community for charitable donations, water, baskets for a silent auction, and personnel to operate the event. We are confident that this will be a great event for the charity and the City, and one that we would enjoy hosting in the years to come. Thank you for your consideration

Josh Maubach

Nick Hurley
309-533-8306

SPECIAL EVENT PERMIT
A NOBLE RUN
DATE: SATURDAY, OCTOBER 22, 2016
TIME: 4:00 PM - 9:00 PM

Date Prepared: September 7, 2016

Distribution: Kevin Kothe – Public Works
David Hales, City Manager
Asst. Chief Greg Scott – Police
Asst. Chief Ken Bays – Police
Paige Williams – Connect Transit
Deputy Chief Eric West – Fire
Robert Henson – Public Works
Steve Rasmussen – Asst. City Manager
Brett Lueschen – Water Department
Melissa Chrisman – Connect Transit
Linda Foutch – McLean Co Health Dept

Bob Moews - Parks & Recreation
Bob Coombs - PACE
Jim Karch - Public Works
Colleen Winterland - Public Works
Bill Givens – Traffic Engineer
George Kutz – Public Works
Scott Fortney – Public Works
Jason Harden – Public Works
Troy Olson – Public Works
George Boyle – Corp Counsel

SPONSORING ORGANIZATION(S): Drifter's Pub and Stop Soldier Suicide

CONTACT PERSON: Josh Maubach and Nick Hurley

PHONE: 309-824-1499 Josh, 309-533-8306 Nick

EMAIL: josh.maubach@yahoo.com, Nickhur@hotmail.com

APPLICATION RECEIVED: Yes

CERTIFICATE OF INSURANCE RECEIVED:

HOLD HARMLESS:

NATURE OF EVENT: A 5k fun run to raise money for Stop Soldier Suicide with open containers of beer and wine allowed within the blue shaded area on the map.

EVENT LOCATION/PARADE ROUTE: Downtown Bloomington

TRAFFIC CONTROL ARRANGEMENTS: “No Parking” signs will be installed on Thursday October 20 on the streets to be closed.

PUBLIC WORKS WILL PROVIDE: Public Works will close the streets at 1:00 pm on Saturday, October 22, and will pick up the equipment at 7:00 pm except for the blue shaded area. Blue shaded area equipment to be picked up at 9:00 pm. For the non-blue shaded area install “No Parking on October 22, 2016 from 1:00 pm until 7:00 pm.” on Thursday October 20 by 1:00 pm. For the blue shaded area install “No Parking on October 22, 2016 from 1:00 pm until 9:00 pm.” on Thursday October 20 by 1:00 pm. Run the street sweeper at 1:00 pm on October 22.

POLICE DEPARTMENT: Begin towing vehicles parked in the area location on Saturday, October 22 at 1:00 pm. Towing will be done by Joe's Towing and any towed vehicle will be at their lot.

SPECIAL EVENT PERMIT

A NOBLE RUN

ORGANIZER RESPONSIBILITIES:

1. Collaborate with the Downtown Business Association Director to notify businesses and residents in the race area of the event. Copy of same will be provided to the City Clerk's office email cityclerk@cityblm.org.
2. Provide at least two porta-potties in the blue shaded area.
3. Schedule enough volunteers throughout the day for course correction and/or crowd control.
4. Obtain appropriate tent permit for any larger than 10x10 from Bob Coombs of the PACE department.
5. At no time can the sidewalks be blocked.
6. No pets or coolers allowed in the blue shaded area.
7. Ensure that no open containers of beer or wine leave the permitted area, use fencing to create a barrier where needed to show the boundary.
8. Ensure that anyone with an open container has a wrist band.
9. Ensure that all food trucks and vendors have proper permit from the McLean County Health Department and license from the City of Bloomington.
10. Submit a list of all food trucks and vendors to the City Clerk's office.
11. Obtain a Secondary Liquor License for the cash bar located in the blue shaded area.

* Media set up is not allowed on sidewalks or streets along the course.

FOR OFFICE USE ONLY

Notes: _____

A Noble Run



Legend

- Open Beer and Wine
- Barricade
- Road Closed
- Road Closed Ahead
- Road Closed to Thru Traffic
- Noble Run Route





CONSENT AGENDA ITEM: 7T

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 5, 2016.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 5, 2016, be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On September 13, 2016, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Nicholas Blakey and Peyton McAtee to allow moderate consumption of alcohol at their November 5, 2016, wedding reception to be held at Miller Park Pavilion.

Tari Renner, Jim Jordan and Sue Feldkamp Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Nicholas Blakey, prospective groom, addressed the Commission. Mr. Blakey stated that Nelson's Catering would cater the reception. Beer and wine only would be served. Approximately 180 guests were anticipated.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the October 10, 2016, City Council meeting approval of the request from Nicholas Blakey & Peyton McAtee to allow moderate consumption of alcohol at their November 5, 2016, wedding reception to be held at Miller Park Pavilion.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the September 13, 2016, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:	Renee Gooderham, Chief Deputy Clerk
Reviewed by:	Jay Tetzloff, Parks, Recreation and Cultural Arts Director
Reviewed by:	Cherry Lawson, City Clerk
Reviewed by:	George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION AT MILLER PARK PAVILION ON NOVEMBER 5, 2016

WHEREAS, Nicholas Blakey and Peyton McAtee are planning to hold their wedding reception at Miller Park Pavilion from 4:00 p.m. to 10:00 p.m. on November 5, 2016; and

WHEREAS, Nicholas Blakey and Peyton McAtee have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property, must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, for the duration of the wedding reception at Miller Park Pavilion on November 5, 2016, from 4:00 pm to 10:00 pm.

Section 2: Except for the date and times set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 10th of October, 2016.

APPROVED this ____ day of October, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

From: Andrew Coffey/Cityblm
To: Laurie McAtee <

Date: Thursday, August 11, 2016 01:25PM
Subject: Re: liquor license

Hello,

This will appear on the September 13 Liquor Commission agenda. It meets at 4pm at City Hall 109 E Olive St, someone must attend to speak before the commission.

Thanks,

Andrew Coffey
Support Staff IV
City Clerk's Office
(309) 434-2240

CityBLM.org - [Facebook](#) - [Twitter](#) - [YouTube](#)

-----Laurie McAtee < > wrote: -----

To: "acoffey@cityblm.org" <acoffey@cityblm.org>
From: Laurie McAtee < >
Date: 08/10/2016 03:28PM
Subject: liquor license

We are applying for a liquor license

Bride and Groom name: Nicholas Blakey and Peyton McAtee

Phone# :

Guest: Approx 180

When: Saturday November 5th 2016

Where: Miller Park Pavillion Bloomington Il.

Caterer: Nelson's Catering

To and From time for Caterer 4-10PM

Websense: Click [here](#) to report this email as spam.



CONSENT AGENDA ITEM: 7U

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 19, 2016.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 19, 2016, be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On September 13, 2016, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Cole Larimore and Ashley Kennedy to allow moderate consumption of alcohol at their November 19, 2016, wedding reception to be held at Miller Park Pavilion.

Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Ashley Kennedy, prospective bride, addressed the Commission. Ms. Kennedy stated that Redbird Catering would cater the reception. Beer and wine only would be served. Approximately 150 guests were anticipated.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the October 10, 2016, City Council meeting approval of the request from Cole Larimore & Ashley Kennedy to allow moderate consumption of alcohol at their November 19, 2016, wedding reception to be held at Miller Park Pavilion.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the September 13, 2016, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:	Renee Gooderham, Chief Deputy Clerk
Reviewed by:	Jay Tetzloff, Parks, Recreation and Cultural Arts Director
Reviewed by:	Cherry Lawson, City Clerk
Reviewed by:	George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION AT MILLER PARK PAVILION ON NOVEMBER 19, 2016

WHEREAS, Cole Larimore and Ashley Kennedy are planning to hold their wedding reception at Miller Park Pavilion from 4:00 p.m. to 11:00 p.m. on November 19, 2016; and

WHEREAS, Cole Larimore and Ashley Kennedy have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property, must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, for the duration of the wedding reception at Miller Park Pavilion on November 19, 2016, from 4:00 pm to 11:00 pm.

Section 2: Except for the date and times set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 10th of October, 2016.

APPROVED this ____ day of October, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

From: John Kennedy < >
To: acoffey@cityblm.org
Cc: Ashley Kennedy < >

Date: Monday, August 08, 2016 04:13PM
Subject: Miller Park Pavilion Rental

History: This message has been replied to.

Hi Andrew,

We would like to request that alcohol be allowed to be served by a licensed caterer at the Ashley Kennedy & Cole Larimore wedding reception in the Miller Park Pavilion. Below is the information requested:

Bride: Ashley Kennedy
Groom: Cole Larimore
Date: November 19, 2016
Time Alcohol to be served: 4:00pm - 11:00pm
Caterer: Redbird Catering
Guests: Approximately 150 guests

As you mentioned, this will go on the September 13, 2016 Liquor Commission Meeting at 4:00pm. We will have someone in attendance for this meeting. After the Liquor Commission this would then go on the October 10, 2016 City Council Consent Agenda.

Please let us know if you need any further information.

Thanks!

John Kennedy

Websense: Click [here](#) to report this email as spam.



CONSENT AGENDA ITEM: 7V

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 25, 2017.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 25, 2017, be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On September 13, 2016, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Caleb Cox and Chelsea Troll to allow moderate consumption of alcohol at their March 25, 2017, wedding reception to be held at Miller Park Pavilion.

Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Chief Ken Bays, and Andrew Coffey, Deputy Clerk.

Toni Troll, mother of the prospective bride, addressed the Commission. Ms. Troll stated that Hy-Vee would cater the reception. Beer and wine only would be served. Approximately 175 guests were anticipated.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp to recommend at the October 10, 2016, City Council meeting approval of the request from Caleb Cox & Chelsea Troll to allow moderate consumption of alcohol at their March 25, 2017, wedding reception to be held at Miller Park Pavilion.

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

Ayes: Commissioners Jordan, Feldkamp, and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the September 13, 2016, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:	Renee Gooderham, Chief Deputy Clerk
Reviewed by:	Jay Tetzloff, Parks, Recreation and Cultural Arts Director
Reviewed by:	Cherry Lawson, City Clerk
Reviewed by:	George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION AT MILLER PARK PAVILION ON MARCH 25, 2017

WHEREAS, Caleb Cox and Chelsea Troll are planning to hold their wedding reception at Miller Park Pavilion from 4:00 p.m. to 10:00 p.m. on March 25, 2017; and

WHEREAS, Caleb Cox and Chelsea Troll have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property, must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, for the duration of the wedding reception at Miller Park Pavilion on March 25, 2017, from 4:00 pm to 10:00 pm.

Section 2: Except for the date and times set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 10th of October, 2016.

APPROVED this ____ day of October, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

From: Andrew Coffey/Cityblm
To: -

Date: Wednesday, August 10, 2016 01:30PM
Subject: Re: Troll - Cox wedding

Hello,

This will appear on the September 13 Liquor Commission agenda. It will meet at 4pm at City Hall, 109 E Olive St. Someone must attend to speak before the commission.

Thanks,

Andrew Coffey
Support Staff IV
City Clerk's Office
(309) 434-2240

CityBLM.org - [Facebook](#) - [Twitter](#) - [YouTube](#)

----- wrote: -----

To: Andrew Coffey <acoffey@cityblm.org>
From: ([redacted])
Date: 08/09/2016 01:41PM
Subject: Troll - Cox wedding

Mr. Coffey,

Thank you for sending the list of catering options. We have decided to go with Hyvee to cater our food and alcohol for our March 25, 2017 wedding at Miller Park Pavilion. Attached is the invoice from Hyvee for the 175 guests that will be attending the wedding. The alcohol will be served from 4-10 pm on the day of the wedding.

If you have any questions or concerns please contact either myself (bride) Chelsea Troll at [redacted] or the groom Caleb Cox at [redacted]

Thank you for your time.

-Chelsea Troll

Sent from my iPhone

[attachment "Chelsea & Caleb Wedding, 03-25-17.xlsx" removed by Andrew Coffey/Cityblm]

CITY OF
Bloomington ILLINOIS
PUBLIC HEARING ITEM NO. 8A

FOR COUNCIL: October 10, 2016

SUBJECT: Public Hearing for the proposed Downtown-Southwest Redevelopment Project Area.

RECOMMENDATION/MOTION: That the public hearing be convened for the proposed Downtown-Southwest Redevelopment Project Area.

STRATEGIC PLAN LINK: Goal 3: Grow the Local Economy; Goal 4: Strong Neighborhoods; Goal 5: Great Place – Livable, Sustainable City; Goal 6: Prosperous Downtown Bloomington.

STRATEGIC PLAN SIGNIFICANCE: Objective 3a. Retention and growth of current local businesses; 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; 3c. Revitalization of older commercial homes; 3d. Expanded retail businesses; 3e. Strong working relationship among the City, businesses, economic development organizations. Objective 4c. Preservation of property/home valuations; 4d. Improved neighborhood infrastructure; Objective 5b. City decisions consistent with plans and policies; 5c. Incorporation of “Green Sustainable” concepts into City’s development and plans; 5e. More attractive city: commercial areas and neighborhoods. Objective 6a. More beautiful, clean Downtown area; 6b. Downtown Vision and Plan used to guide development, redevelopment and investments; 6c. Downtown becoming a community and regional destination; 6e. Preservation of historic buildings.

BACKGROUND & OVERVIEW: On May 9, 2016, by adoption of Ordinance #2016-43, the City Council directed Tax Increment Finance (TIF) consultant Peckham Guyton Albers & Viets (PGAV) to complete a Feasibility Study and Redevelopment Plan for the proposed Downtown-Southwest TIF District. The Feasibility Study and Redevelopment Plan was presented to the City Council on August 22, 2016 by Economic Development Coordinator Austin Grammer.

The TIF Act calls for the City to hold a public hearing so that all interested persons or affected taxing districts may provide verbal or written feedback in support or objection with respect to any issues regarding the approval of the proposed Redevelopment Plan, designation of the Project Area, and adoption of tax increment allocation financing. The TIF Act requires the public hearing to be scheduled at least 45 days after the adoption of an ordinance setting a date and time for the public hearing. At the May 9th meeting, the City Council adopted Ordinance #2016-86 establishing that the required public hearing would be held on October 10, 2016 at 7pm.

It would be appropriate for the Council to convene a public hearing and to accept public comment on the proposed Downtown-Southwest Redevelopment Project Area. Once all public comment has been received, it would be in order for the Council to adjourn the public hearing.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A copy of the Redevelopment Plan was placed on file in the City Clerk's Office on August 10, 2016. A notice of the availability to review the Redevelopment Plan in the Clerk's Office was mailed to all parties registered on the Interested Parties Registry and to all residential addresses within 750 feet of the boundaries of the proposed TIF District. Additionally, a notice of the public hearing was sent via certified mail to the owners of property included within the boundary the proposed TIF District.

In compliance with the TIF Act, staff has mailed a notice of this public hearing to all of the affected taxing districts and to the Illinois Department of Commerce and Economic Opportunity. The taxing districts were also provided with a copy of the Redevelopment Plan. Representatives from Bloomington School District #87, McLean County, Heartland Community College, the City of Bloomington Township, and the City of Bloomington were invited to attend a meeting of the Joint Review Board on September 8, 2016. The members of the Joint Review Board voted unanimously to recommend that the City Council approve the Redevelopment Plan and Project and adopt the three ordinances that would establish of the proposed Redevelopment Project Area.

The Redevelopment Plan can be viewed at www.cityblm.org/TIF

FINANCIAL IMPACT: None at this time.

Respectfully submitted for Council consideration.

Prepared by: Austin Grammer, Economic Development Coordinator

Reviewed by: Tom Dabareiner AICP, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance #2016-86
- Power Point Presentation for the Public Hearing Reviewing the Redevelopment Plan

Motion: That the public hearing be convened for the proposed Downtown-Southwest Redevelopment Project Area.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

**AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS,
TO SET A DATE FOR, AND TO APPROVE A PUBLIC NOTICE OF
A PUBLIC HEARING FOR THE DOWNTOWN-SOUTHWEST
REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Bloomington, McLean County, Illinois (the “City”), is a home rule municipal corporation and political subdivision of the State of Illinois and as such is reviewing the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (the “Act”) for the purpose of proposing the designation of the Downtown-Southwest Redevelopment Project Area; and

WHEREAS, pursuant to the Act, the City is required to adopt an ordinance fixing the time and place for a public hearing on the proposed Downtown-Southwest Redevelopment Project Area; and

WHEREAS, the City desires to adopt this Ordinance in order to comply with the requirements of the Act.

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

Section 1. The above recitals are incorporated herein and made a part hereof.

Section 2. It is necessary and in the best interests of the City that a public hearing be held prior to the consideration of the adoption by the Mayor and City Council of the City (the “Corporate Authorities”) of an ordinance or ordinances approving the Tax Increment Financing Redevelopment Plan (the “Plan”) for the Downtown-Southwest Redevelopment Project Area, designating the Downtown-Southwest Redevelopment Project Area (the “Project Area”), and adopting tax increment allocation financing, and accordingly, it is necessary that a date for such public hearing be established and notice thereof be given, all in accordance with the provisions of the Act.

Section 3. It is hereby determined that a public hearing (the "*Hearing*") on the proposed Downtown-Southwest Redevelopment Plan for the proposed Project Area, as legally described in *Exhibit A*, attached hereto and made a part of this Ordinance, shall be held on the 10th day of October, 2016, at 7:00 p.m., at Bloomington City Hall, 109 East Olive Street, Bloomington, Illinois.

Section 4. Within a reasonable time after the adoption of this Ordinance, the Redevelopment Plan along with the name of the contact person at the City shall be sent to the affected taxing districts by certified mail.

Section 5. Notice of the Hearing is hereby authorized to be given by publication and mailing, said notice by publication to be given at least twice, the first publication to be not more than thirty (30) nor less than ten (10) days prior to the Hearing in the *Pantagraph*, being a newspaper of general circulation within the taxing districts in the Project Area, and notice by mailing to be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Project Area. In the event taxes for the last preceding year were not paid, notice shall also be sent to the persons last listed on the tax rolls within the preceding three (3) years as owner(s) of such property.

Section 6. Notice of the Hearing is hereby directed to be in substantially the following form:

NOTICE OF PUBLIC HEARING
CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS,
PROPOSED APPROVAL OF THE DOWNTOWN-SOUTHWEST
REDEVELOPMENT PROJECT AREA

Notice is hereby given that on the 10th day of October, 2016 at 7:00 p.m., at the Bloomington City Hall, 109 East Olive Street, Bloomington, Illinois, a public hearing (the "*Hearing*") will be held to consider the approval of the proposed Downtown-Southwest Redevelopment Plan (the "*Plan*"), the designation of the

Downtown-Southwest Redevelopment Project Area (the “*Project Area*”) and the adoption of tax increment financing therefore. The Project Area consists of the territory legally described on *Exhibit A* and generally described as follows:

The proposed Downtown-Southwest Redevelopment Project Area consists of approximately 6.4 acres and is generally bounded by W. Washington Street on the North; N. Center Street on the East; W. Front Street on the South and N. Lee Street on the West.

The Plan objectives are to reduce or eliminate blighting factors or detrimental factors which may lead to blight; to enhance the real estate and sales tax base of the City and other affected taxing districts by encouraging private investment in commercial, industrial, and recreational development within the Project Area, and to preserve and enhance the value of properties therein, all in accordance with the provisions of the “Tax Increment Allocation Redevelopment Act,” effective January 10, 1977, as from time to time amended (the “*Act*”). The City may issue obligations to finance project costs in accordance with the Plan, which obligations may also be secured by the special tax allocation fund and other available funds, if any, as now or hereafter permitted by law, and which also may be secured by the full faith and credit of the municipality.

At the Hearing, approval of the Plan, designation of the Project Area, and the adoption of tax increment allocation financing for the Project Area will be considered. The Plan is on file and available for public inspection at the office of the City Clerk at the Bloomington City Hall, 109 East Olive Street, Bloomington, Illinois.

Pursuant to the proposed Plan, the City proposes to facilitate the redevelopment of the Project Area by incurring or reimbursing eligible redevelopment project costs, which may include, but shall not be limited to, studies, surveys, professional fees, property assembly costs, construction of public improvements and facilities, building and fixture rehabilitation, reconstruction, renovation and repair, financing costs, relocation costs and interest costs, all as authorized under the Act. The Plan proposes to provide assistance by paying or reimbursing costs related to site assembly, analysis, professional services and administrative activities, public improvements and facilities, including new streets, water, sewer, street lighting, and landscaping improvements, the execution of one or more redevelopment agreements, and the payment of financing and interest costs.

Tax increment financing is a public financing tool that does not raise property taxes but is used to assist economic development projects by capturing the increase in the property tax revenue stream created by the increase of the assessed value of the development or development area and investing those funds in improvements associated with the project.

At the Hearing, all interested persons or affected taxing districts may file written letters of support or objection with the City Clerk and may be heard orally with respect to any issues regarding the approval of the proposed Plan, designation of the Project Area, and adoption of tax increment allocation financing therefore.

The Hearing may be adjourned by the Mayor and City Council of the City without further notice other than a motion to be entered upon the minutes of the Hearing fixing the time and place of the subsequent hearing.

For additional information about the proposed Plan and to file comments or suggestions prior to the hearing contact Austin Grammer, Economic Development Coordinator, City of Bloomington, 109 East Olive Street, Bloomington Illinois 61702 309-434-2611.

By Order of the Mayor and City Council of the City of Bloomington this 22nd day of August, 2016.

City Clerk

Section 7. The above notice is hereby directed to be given by mail, not less than forty-five (45) days prior to the date set for the Hearing, to all taxing districts of which taxable property is included in the proposed Project Area and to the Illinois Department of Commerce and Economic Opportunity (“DCEO”). Notice shall include an invitation to each taxing district and DCEO to submit written comments to the City, in care of the City Clerk of the Bloomington City Hall, 109 East Olive Street, Bloomington, Illinois 61702, concerning the subject matter of the Hearing prior to the date of the Hearing.

Section 8. It is hereby ordered that a Joint Review Board (the “Board”) shall be convened on the 8th of September, at 10:30 a.m., at the Bloomington City Hall, 109 East Olive Street, Bloomington, Illinois which is not sooner than fourteen (14) days nor later than twenty-eight (28) days following the notice to be given to all taxing districts, as provided in Section 7 above, to review the public record, planning documents and the proposed ordinances approving the Redevelopment Plan, designating the Project Area and adopting the Act as applicable to the Project Area. The Joint Review Board shall consist of a representative selected by the City, the community college district, the local school districts, the township, and the county that has authority to directly levy taxes on the property in the proposed Project Area, and a public

member to be selected by a majority of other Board members, and shall act in accordance with the applicable provisions of the Act.

Section 9. The document entitled *Tax Increment Financing Redevelopment Plan Downtown-Southwest Redevelopment Project Area* has been available for inspection and review at the office of the City Clerk at City Hall, 109 East Olive Street, Bloomington, Illinois, during regular office hours, commencing the 10th day of August, 2016, which is more than 10 days prior to the adoption of this Ordinance.

Section 10. Notice of the establishment of an interested parties' registry which entitles all registrants to receive information on activities related to the proposed designation of a redevelopment project area and the preparation of a redevelopment plan and project is hereby authorized.

Section 11. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

Section 12. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 13. This Ordinance shall be in full force and effect immediately upon its passage.

(Intentionally Left Blank)

Passed this 22nd day of August, 2016, pursuant to a roll call vote as follows:

AYES: 8

NAYS: 1 (Lower)

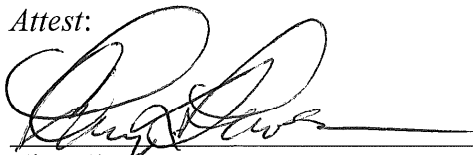
ABSENT:

Approved this 22nd day of August, 2016.



Mayor

Attest:



City Clerk

Exhibit A

Legal Description

Downtown-Southwest Redevelopment Project Area

A part of the SW¼ of Section 4, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the north right of way line of West Washington Street and the east right of way line of North Center Street, being the southwest corner of Lot 40 in the Original Town of Bloomington; thence South on the east right of way line of said North Center Street and the southerly extension thereof to the south right of way line of West Front Street; thence West on the south right of way line of said West Front Street to the point of intersection with the southerly extension of the west line of Parcel 3 as described in a Trustee's Deed recorded as Document No. 2015-15491 in the McLean County Recorder of Deeds Office; thence North on said southerly extension, the west line of said Parcel 3 and the northerly extension thereof to the north right of way line of said West Washington Street; thence East on said north right of way line to the Point of Beginning.



Office of Economic Development

**Downtown-Southwest
Redevelopment Project Area
Public Hearing**

October 10, 2016

Downtown-Southwest Redevelopment Project Area

Timeline:

- **March 14, 2016:**

Council approved the BDRP Inducement Resolution for the Redevelopment of the Front N Center / Commerce Bank / Elks Lodge / Major Butler blocks.

- **May 9, 2016:**

Council approved Ordinance for PGAV to conduct a Feasibility Study and draft a Redevelopment Plan for the Study Area.

- **July 21, 2016:**

Notice of the Interested Parties Registry published in the Pantagraph.

- **August 10, 2016:**

A copy of the Redevelopment Plan was placed on file in the City Clerk's Office.

- **August 22, 2016:**

Council to consider an ordinance setting a time and place for the required Public Hearing and establishing a date for the meeting of the Joint Review Board (JRB).

Downtown-Southwest Redevelopment Project Area

Timeline (continued):

- **September 8, 2016:** Joint Review Board Meeting @ City Hall.
(at least 14 days but not more than 28 days from the adoption of the ordinance setting the date of the public hearing).
- **October 10, 2016:** Public Hearing @ City Hall
(not less than 45 days from the adoption of the ordinance setting the date of the public hearing).
- **Late October – Early November 2016:**

Council to consider three Ordinances:

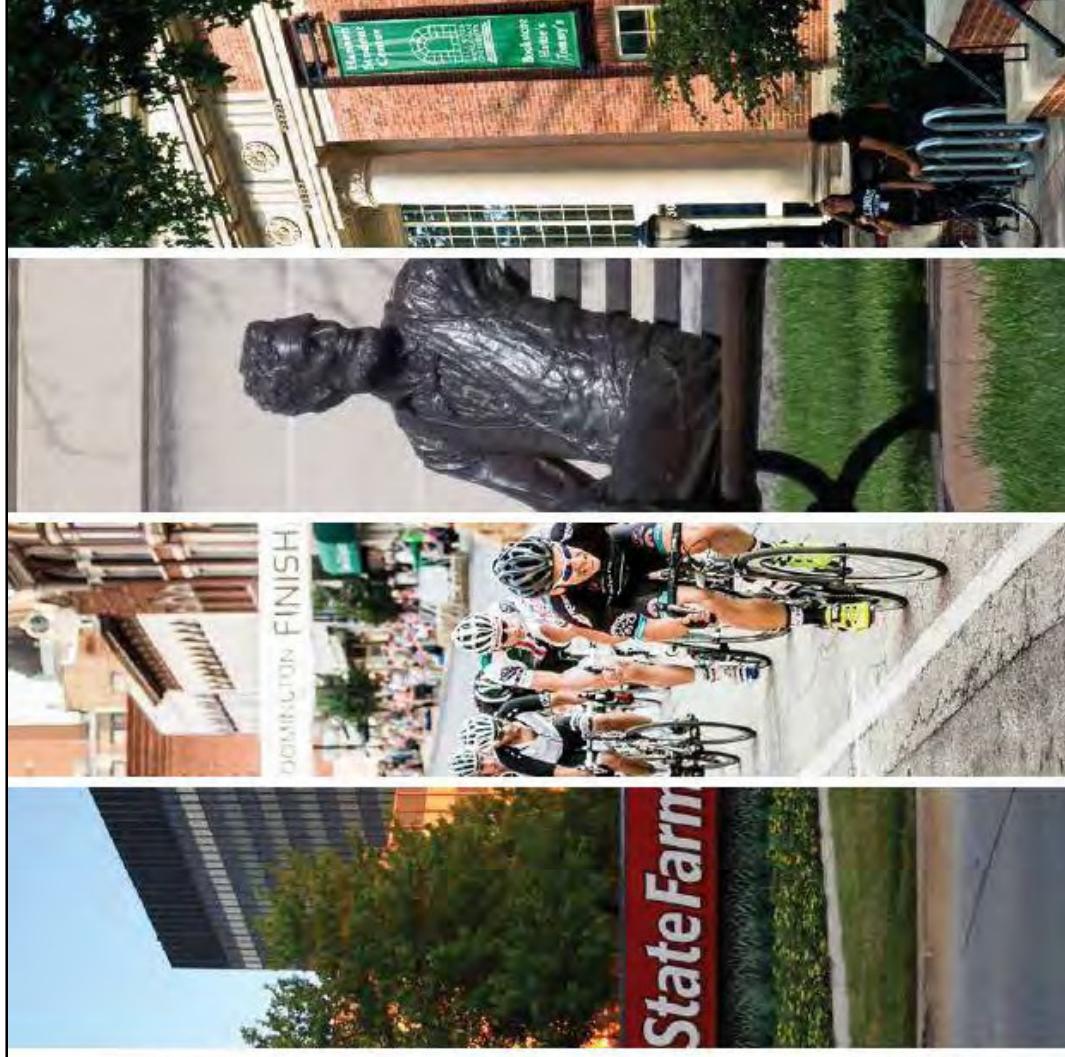
- 1. Adopt TIF Plan & Redevelopment Project**
- 2. Designate TIF Area**
- 3. Adopt Tax Increment Financing for the Area**
(not less than 14 days nor more than 90 days from the close of the public hearing)

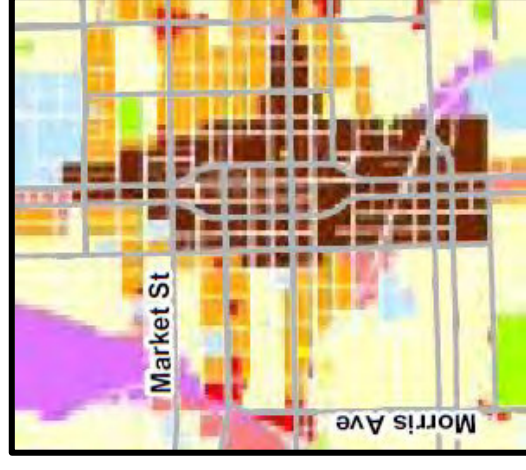
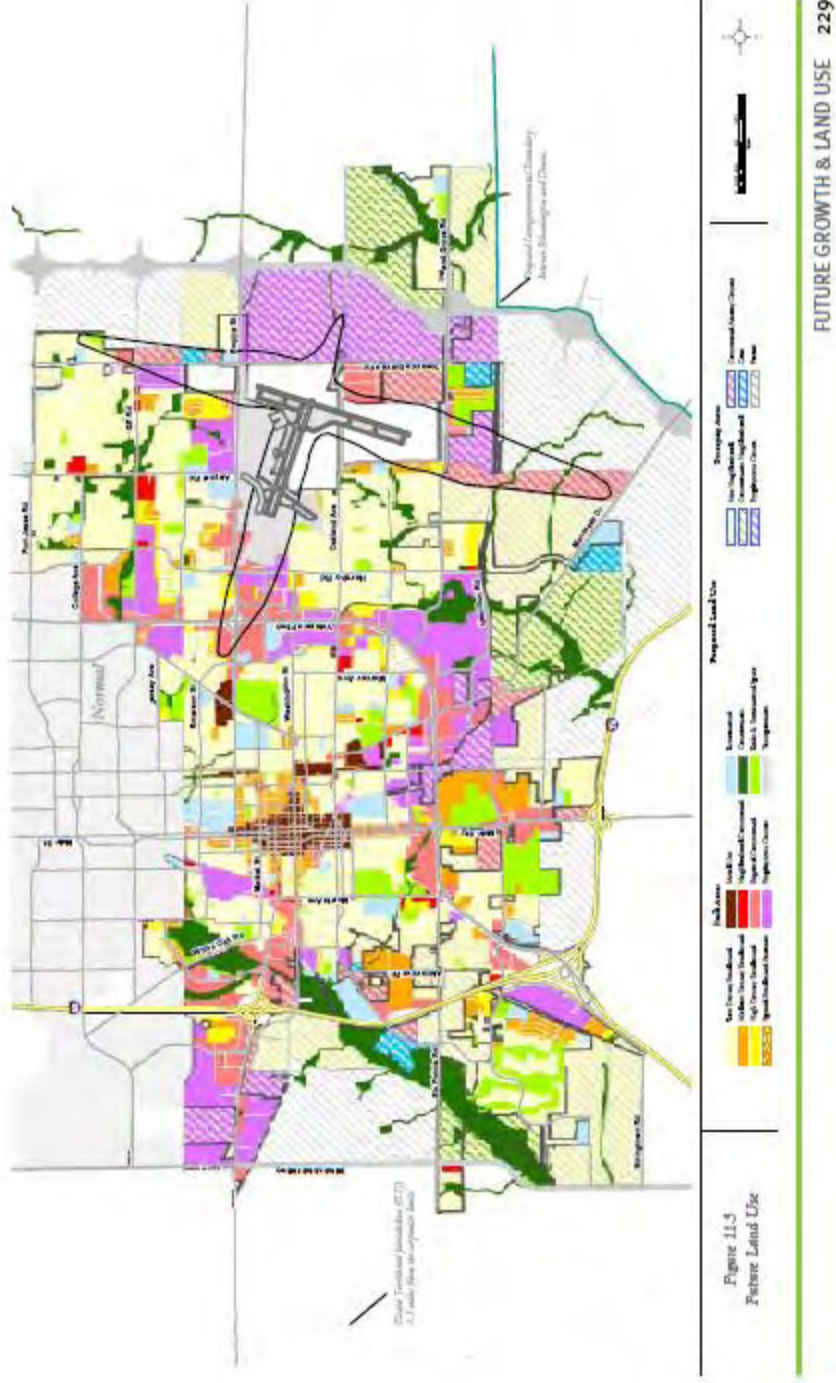
CITY OF BLOOMINGTON
COMPREHENSIVE PLAN
2035

BRING IT!
BLOOMINGTON!
PLAN IT. SEE IT. LIVE IT.

The report was prepared by the
McLean County Regional Planning Commission
as Phase 3 of the City of Bloomington's
Comprehensive Plan.

Adopted August 24, 2015





Comprehensive Plan 2035

Future Growth & Land Use:

Downtown = Mixed-Use

Comprehensive Plan: Economic Development - Downtown

“This plan emphasizes that the function of the Downtown as the core attraction for employment, specialty retail, innovative mixed uses, and cultural and entertainment should be preserved and expanded.”

D-1.1 Strengthen business recruitment and retention activities.

****D-1.1g** Prioritize mixed-use development/redevelopment projects for the Downtown area. *(City of Bloomington, ongoing)*

****D-1.1h** Continue to develop, promote and provide incentives for property owners or developers to reinvest in Downtown. *(City of Bloomington, ongoing)*

D-1.2 Pursue catalyst projects that can serve as additional Downtown anchors.

D-1.2d Leverage Downtown assets, such as the Route 66 Visitors Center, to attract other catalyst projects. *(City of Bloomington, ongoing)*

Comprehensive Plan: Economic Development - Downtown

D-1.4 Develop a wide variety of Downtown housing options.

****D-1.4a** Encourage the inclusion of residential units in mixed-use redevelopment.
(City of Bloomington, ongoing)

D-1.4e Improve parking access/facilities for Downtown residents.
(City of Bloomington, ongoing)

D-2. Market and promote the unique brand and image of Downtown Bloomington.

D-2.6 Encourage commercial and corporate uses along the U.S. 51 corridor surrounding the Downtown core. *(City of Bloomington, ongoing)*

D-2.6b Coordinate parking deck access points and side street parking to support longer-term parking along couplet. *(City of Bloomington, ongoing)*

Comprehensive Plan: Economic Development

METRICS

- Equalized assessed value (EAV) of the identified infill and redevelopment sites/areas
- EAV along the key corridors identified for revitalization
- Gateways enhanced

ECONOMIC DEVELOPMENT INCENTIVES TOOLKIT

- Tax Increment Financing (TIF)
- Sales Tax Rebates / Development Agreements

Tax Increment Financing Redevelopment Plan

Downtown-Southwest Redevelopment Project Area

Prepared for

City of Bloomington, Illinois

Prepared by

PGAV PLANNERS

August 8, 2016



Office of Economic Development

Tax Increment Financing Redevelopment Plan

.....
Downtown-Southwest
Redevelopment Project Area
.....

www.cityblm.org/TIF

Exhibit A: Downtown – Southwest TIF Study Area



Downtown-Southwest Redevelopment Project Area

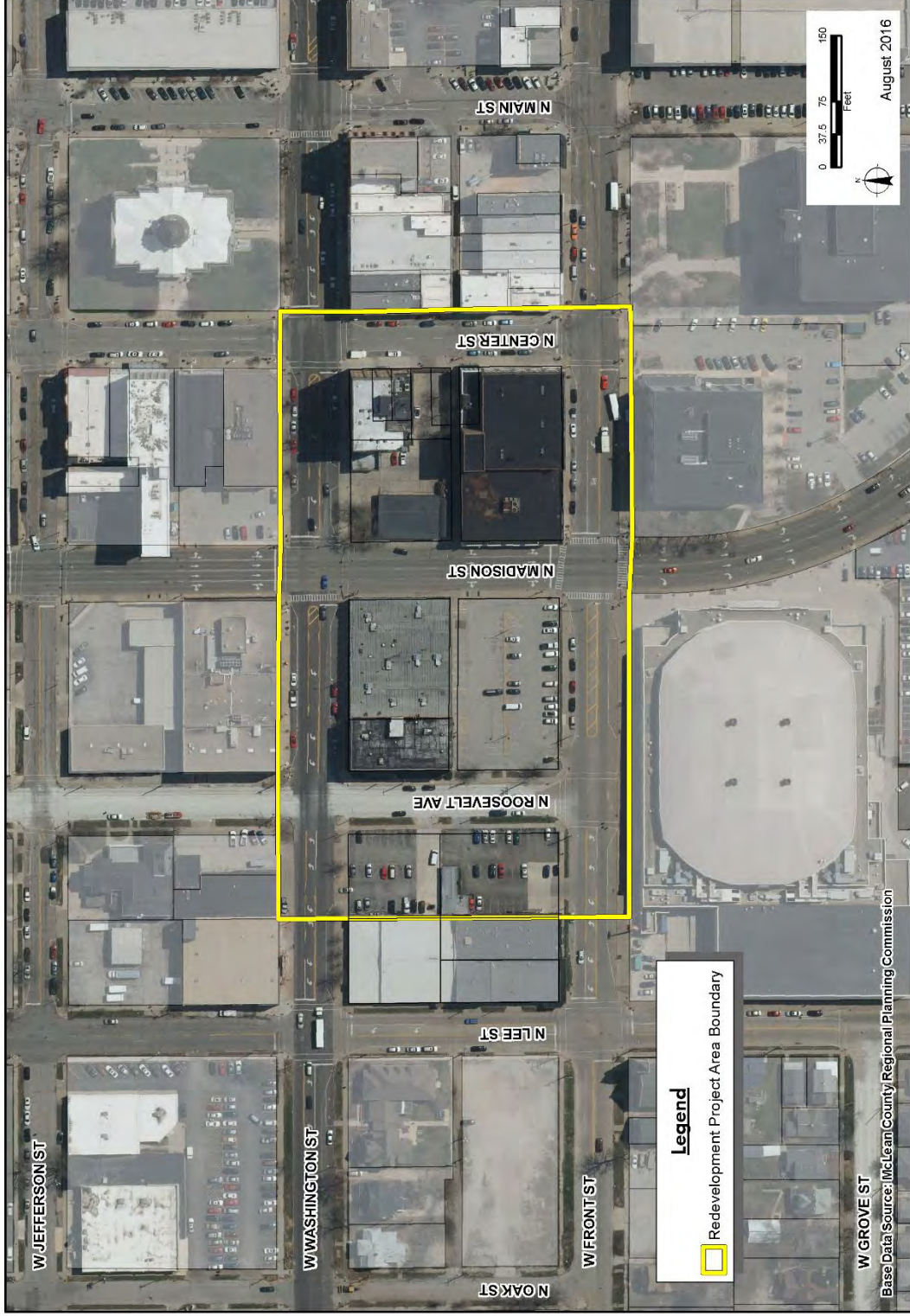


Exhibit A - Redevelopment Project Area Boundary
Downtown-Southwest Redevelopment Project Area

Downtown-Southwest Redevelopment Project Area

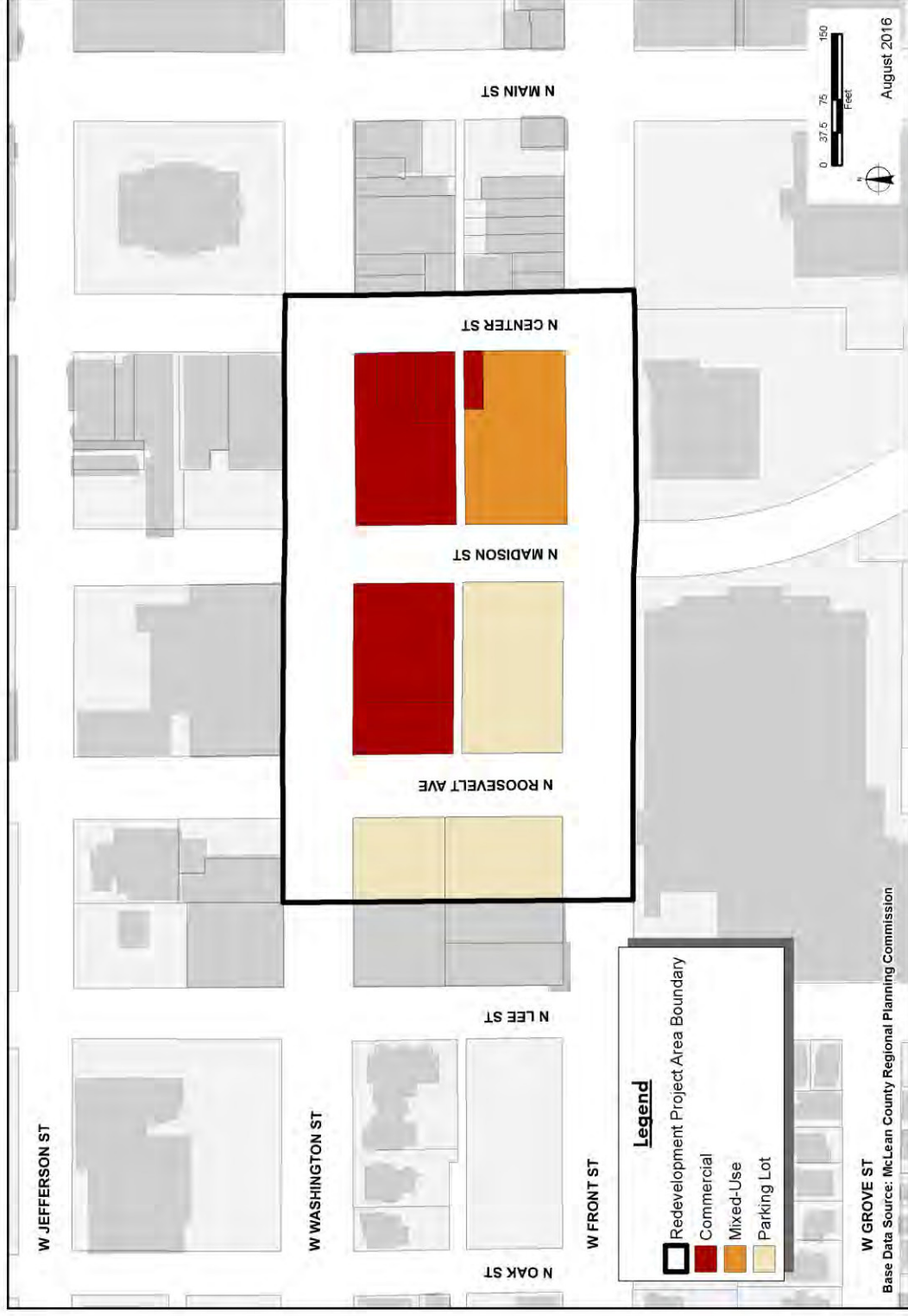


Exhibit B - Existing Land Use

Downtown-Southwest Redevelopment Project Area

TIF Act Eligibility

“Blighted Area” - In this finding, five (5) or more of the eligibility factors listed below must be found to be present to a meaningful extent and reasonably distributed throughout the area:

- Dilapidation
- **Obsolescence**
- **Deterioration**
- **Excessive Vacancy**
- **Presence of structures below minimum code standards**
- Illegal use of structures
- Lack of ventilation, light or sanitary facilities
- **Inadequate utilities**
- **Excessive land coverage and overcrowding of structures and community facilities**
- **Deleterious land use or layout**
- **Environmental clean-up**
- **Lack of community planning**
- **Lack of growth in EAV**

Downtown-Southwest Redevelopment Project Area

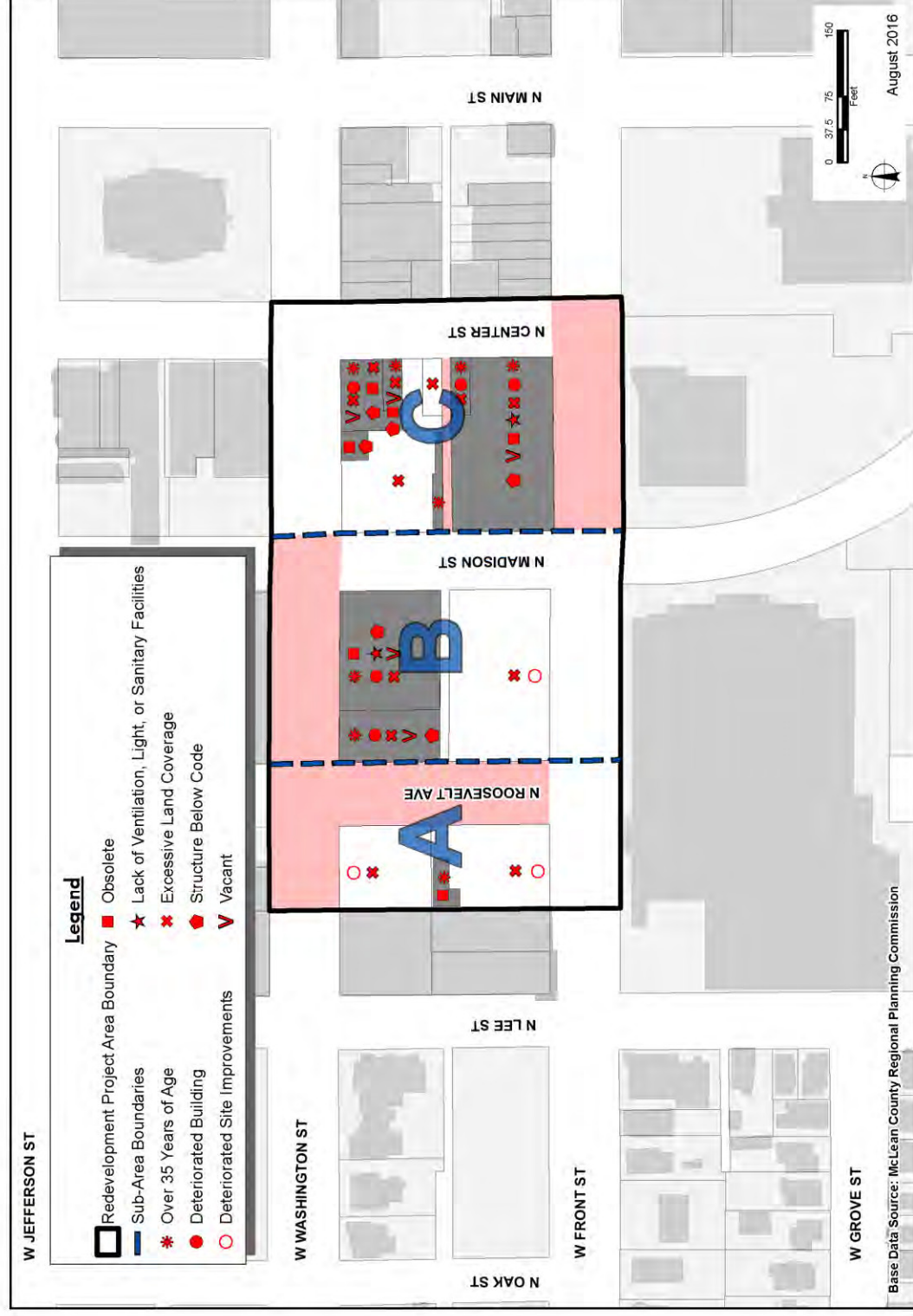


Exhibit D - Existing Conditions

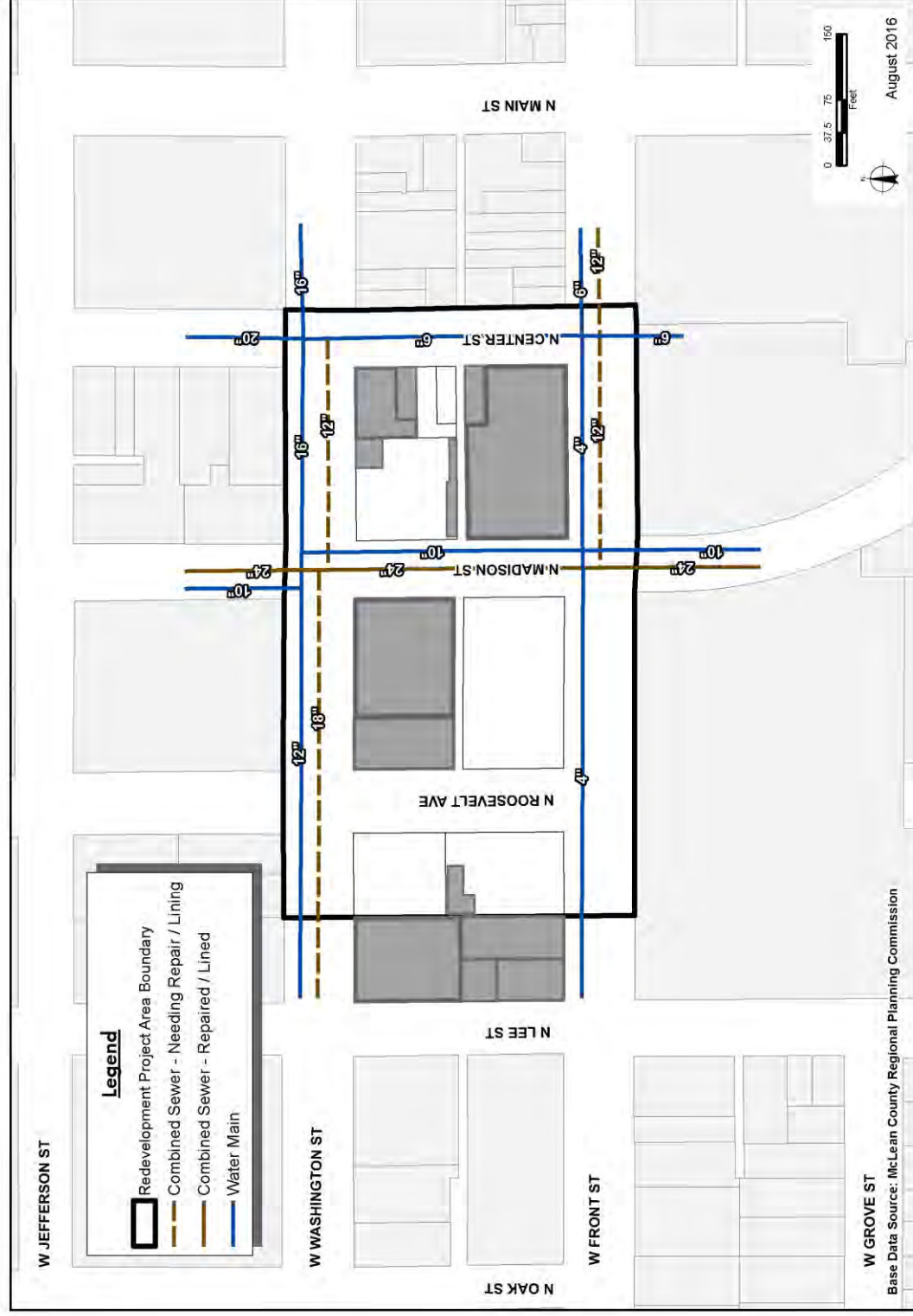
Downtown-Southwest Redevelopment Project Area

Exhibit C
SUMMARY OF BLIGHTING AND
CONSERVATION AREA FACTORS
Downtown-Southwest Redevelopment Project Area
City of Bloomington, Illinois

	Total	%
No. of improved parcels	13	100%
No. of vacant parcels	0	0%
Total parcels	13	100%
No. of buildings	9	100%
No. of buildings 35 years or older	8	89%
No. housing units	18	
No. housing units occupied	0	
Sub-Area Count	3	100%
IMPROVED LAND FACTORS:		
No. of parcels with building and/or site improvements that are deteriorated	11	85%
Deteriorated street and/or sidewalk pavement (by Sub-Area)	3	100%
No. of dilapidated buildings	0	0%
No. of obsolete buildings	6	67%
No. of structures below minimum code	6	67%
No. of buildings lacking ventilation, light or sanitation facilities	2	22%
No. of building with illegal uses	nd ¹	
Approximate total building square footage	160,174	
Approximate vacant building square footage	135,731	85%
No. of parcels with excessive land coverage or overcrowding of structures	13	100%
Inadequate utilities (by Sub-Area)	3	100%
Deleterious land use or layout (by Sub-Area)	0	0%
Lack of community planning	0	0%
Declining and/or Sub-par EAV Growth	YES	

¹ Not determined.

Downtown-Southwest Redevelopment Project Area



Downtown-Southwest Redevelopment Project Area

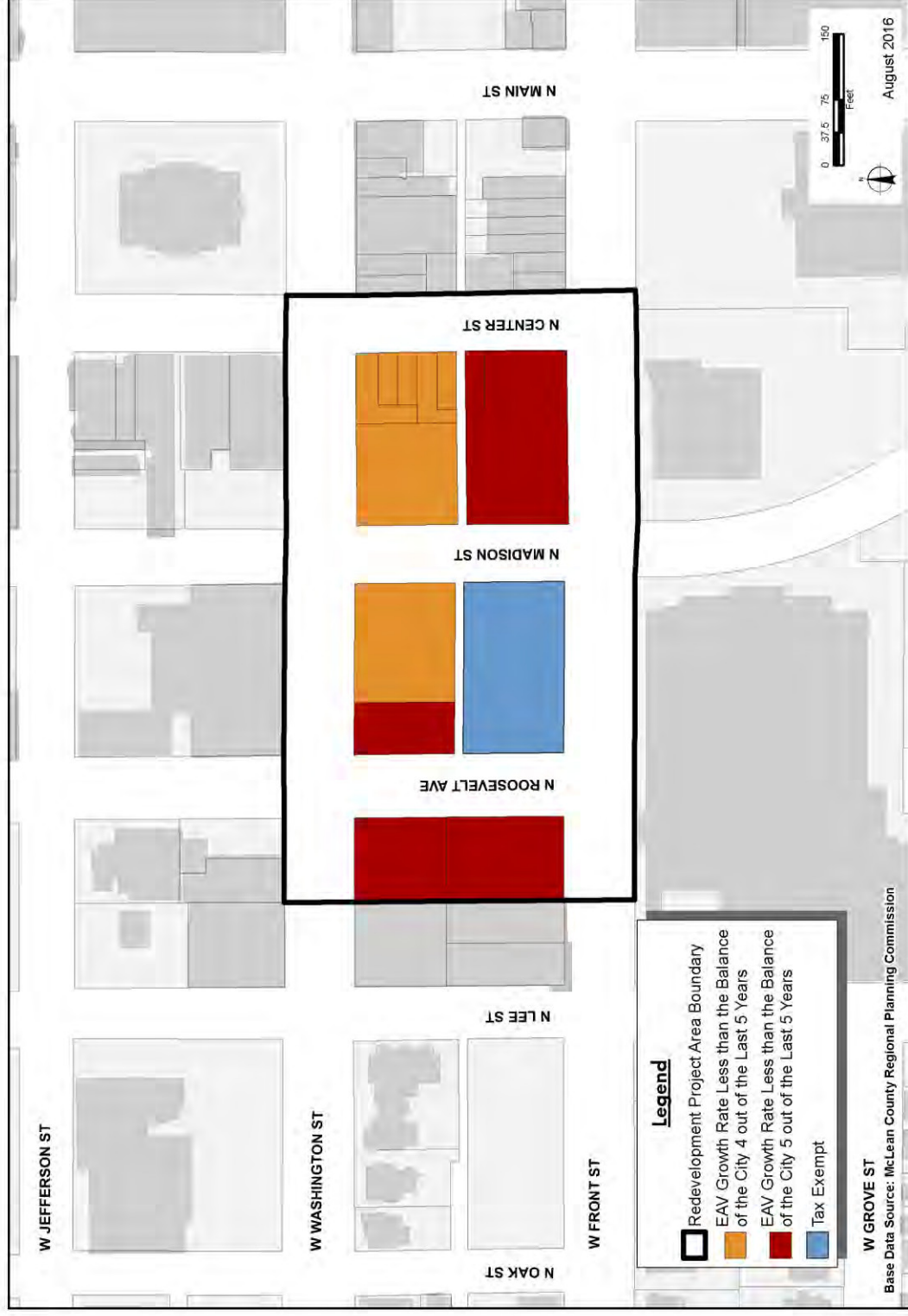


Exhibit G - Annual EAV Change by Parcel (2010-2015)

Downtown-Southwest Redevelopment Project Area

Downtown-Southwest Redevelopment Project Area

Exhibit F

Comparison of EAV Growth Rates (2010-2015)

Downtown-Southwest Redevelopment Project Area

City of Bloomington, Illinois

Tax Year	EAV of Redevelopment Project Area	Balance of City ¹	Area Growth Rate Less Than Balance of City?	CPI ²	Area Growth Rate Less Than CPI?
2010	\$ 1,318,957	\$ 1,797,845,602		218.056	
2011	\$ 965,380	\$ 1,799,168,902		224.939	
Annual Percent Change	-26.8%	0.1%	YES	3.2%	YES
2012	\$ 943,918	\$ 1,760,761,448		229.594	
Annual Percent Change	-2.2%	-2.1%	YES	2.1%	YES
2013	\$ 756,824	\$ 1,760,814,979		232.957	
Annual Percent Change	-19.8%	0.0%	YES	1.5%	YES
2014	\$ 756,824	\$ 1,794,718,629		236.736	
Annual Percent Change	0.0%	1.9%	YES	1.6%	YES
2015	\$ 756,824	\$ 1,810,861,534		237.017	
Annual Percent Change	0.0%	0.9%	YES	0.1%	YES

¹ Total City EAV minus EAV of Redevelopment Project Area

² Consumer Price Index for All Urban Consumers. Source: U.S. Bureau of Labor Statistics

CITY OF
Bloomington ILLINOIS
PUBLIC HEARING ITEM NO. 8B

FOR COUNCIL: October 10, 2016

SUBJECT: Public hearing on a Petition from the Public Building Commission of McLean County, for a street vacation plat for Main Street between Olive Street and Front Street.

RECOMMENDATION/MOTION: N/A

STRATEGIC PLAN LINK: Goal 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE: b. Downtown Vision and Plan used to guide development, redevelopment and investments

BACKGROUND: Pursuant to City Code Chapter 24, Section 2.12, prior to vacating any public right-of-way, a public hearing must be held in front of the City Council. The City of Bloomington Street and Alley Vacation Policy typically requires a 15-day advance notice of the public hearing. In this case, however, since all of the adjacent property owners are the same as the petitioner (i.e., the Public Building Commission), City staff has recommended waiver of this requirement.

This vacation is being done in preparation for a proposed McLean County Law & Justice Center expansion. Pursuant to the City's policy, the County is exempt from the compensation requirements, so a fair market value analysis is not required.

The street vacation plat vacates a portion of Main Street right of way between Olive Street and Front Street. The zoning in this area is S-2 Public Lands and institutions District. As there are public utilities currently located within the Main Street right-of-way, the vacation will be contingent upon easements being granted back to the City for certain utilities and the relocation of other utilities, as well as approval from the Illinois Department of Transportation to have portions of the City's water main relocated into IDOT right-of-way. The Public Building Commission will be responsible for the costs of the relocations.

Approval of this action precludes the City's use of the Main Street right of way as an entrance from the south into the Downtown area.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public Building Commission of McLean County, Zoning Board of Appeals

FINANCIAL IMPACT: None. All survey and plat costs were paid by the Public Building Commission of McLean County. All utility relocation costs are to be paid by the Public Building Commission of McLean County

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis P.E., Civil Engineer I

Reviewed by: Jim Karch, PE CFM, Director of Public Works

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales".

David A. Hales
City Manager

Attachments:

- See other attachments to Agenda Item 9A

CITY OF
Bloomington ILLINOIS

REGULAR AGENDA ITEM NO. 9A

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of adopting Ordinances approving petitions from the Public Building Commission of McLean County, for a street vacation plat for Main Street between Olive Street and Front Street and an expedited final plat for McLean County Government Subdivision, located west of East Street, North of Olive Street, and south of Front Street.

RECOMMENDATION/MOTION: That the Ordinances be passed approving the street vacation plat and the expedited final plat for McLean County Government Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents.

STRATEGIC PLAN LINK: Goal 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE: b. Downtown Vision and Plan used to guide development, redevelopment and investments

BACKGROUND: The first ordinance approves the Main Street Vacation Plat. This vacates a portion of the Main Street right-of-way between Olive Street and Front Street. The vacation has been requested by the Public Building Commission so that McLean County can utilize the area for the expansion of the Law & Justice Center. There is no compensation, per City policy, in relation to this vacation and the ordinance waives the standard City publication requirements.

The street vacation plat vacates a portion of Main Street right of way between Olive Street and Front Street. The zoning in this area is S-2 Public Lands and institutions District. As there are public utilities currently located within the Main Street right-of-way, the vacation will be contingent upon easements being granted back to the City for certain utilities and the relocation of other utilities, as well as approval from the Illinois Department of Transportation to have portions of the City's water main relocated into IDOT right-of-way. The Public Building Commission will be responsible for the costs of the relocations.

The second ordinance adopts a final plat which consists of two lots located west of East Street, North of Olive Street, and south of Front Street. The zoning in this area is S-2 Public Lands and institutions District.

The proposed final plat combines two parcels (21-04-343-028 and 21-04-344-003) along with the vacated Main Street Right of Way, also appearing on this council, to form two lots.

This is being done in preparation for a proposed McLean County Law & Justice Center expansion.

The final plat complies with City engineering standards (Manual of Practice and Chapter 24 of City Code) and City staff has no objections to the plan.

Approval of this action precludes the City's use of the Main Street right of way as an entrance from the south into the Downtown area.

It is recommended that the Expedited Final Plat fee of \$105 fee be waived. It is also recommended that the bonding requirement be waved, as the petitioner is a governmental organization.

A City water main is to be relocated within state right of way for this work. The final plat is therefore contingent upon the state granting a utility permit to allow the relocated water main in state right of way. This final plat also dedicates public utility easements within vacated Main Street right of way.

This final plat qualifies for submission under the Expedited Final Plat submission process, Chapter 24, Section 3.5.6 of the Bloomington City Code.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public Building Commission of McLean County Zoning Board of Appeals

FINANCIAL IMPACT: None. All survey and plat costs were paid by the Public Building Commission of McLean County. All utility relocation costs are to be paid by the Public Building Commission of McLean County

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis P.E., Civil Engineer I

Reviewed by: Jim Karch, PE CFM, Director of Public Works

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Attachment 1 – Main Street Vacation Petition
- Attachment 2 – Main Street Vacation Ordinance

- Attachment 3 – Main Street Vacation Legal description
- Attachment 4 – Main street Vacation Map and Plat
- Attachment 5 – Main Street Vacation Easement Vacation Letters
- Attachment 6 – Mclean County Government Sub Petition
- Attachment 7 - Mclean County Government Sub Ordinance
- Attachment 8 - Mclean County Government Sub Exhibit A: Legal Description
- Attachment 9 - Mclean County Government Sub School District Certificate
- Attachment 10 - Mclean County Government Sub County Clerk's Certificate
- Attachment 11 - Mclean County Government Sub Owner's Certificate
- Attachment 12 - Mclean County Government Sub Drainage Statement
- Attachment 13 - Mclean County Government Sub Final Plat Checklist
- Attachment 14 - Mclean County Government Sub Council Map and Final Plat
- Attachment 15 – Mclean County Law and Justice Center Expansion Power Point

Motion: That the Ordinances be passed approving the street vacation plat and the expedited final plat for McLean County Government Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

PETITION FOR VACATION OF

Main Street from Front Street to Olive Street

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

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

Now come(s) Public Building Commission of McLean County
hereinafter referred to as your Petitioner(s), respectfully representing and requesting as follows:

1. That your Petitioner(s) is (are) interested as Adjacent Property Owners in the premises hereinafter described in Exhibit(s) "A" attached hereto and made a part hereof by this reference;
2. That your Petitioner(s) seek(s) approval of the vacation of Main Street from Front Street to Olive Street adjacent to said premises;
3. That said vacation of Main Street is reasonable and proper because such Main Street Right-of-Way is not needed for public right-of-way by said City, its only use being the location of existing or proposed utilities.

WHEREFORE, your Petitioner(s) pray(s) that Main Street from Front Street to Olive Street be vacated with such reservation of utility easements as may seem proper.

Respectfully submitted,

By: John M. Zunk - Vice Chairman - PBC.

ORDINANCE NO. 2016 - _____

AN ORDINANCE APPROVING THE MAIN STREET VACATION PLAT

WHEREAS, the City owns property known as the Main Street right-of-way; and

WHEREAS, the Public Building Commission, owns property that wholly surrounds the Main Street right-of-way and petitioned for said street right-of-way to be vacated; and

WHEREAS, a public hearing on the vacation was held by the City Council on the vacation; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-91-1, provides that the corporate authorities of a municipality may vacate any street or alley when such is determined to be in the public interest; and

WHEREAS, due to the joint ownership of the adjoining property and the public nature of this dedication as well as the government petitioner, the City Council hereby waives the notification requirements that would otherwise have been made pursuant to its Street & Alley Vacation Policy; and

WHEREAS, the City Council has determined that the relief to the public from the further burden and responsibility of maintaining the alley, as well as its use for future expansion of County services, constitutes a public use or public interest authorizing the vacation thereof; and

WHEREAS, the vacation set forth herein is contingent upon the following: (1) the approval of a final plat by the City that grants necessary public utility easements back to the City in a manner approved by the City and the approval of construction plans for those relocations; (2) the relocation of the City's water main into the Illinois Department of Transportation's right-of-way as depicted in plans approved by the City and IDOT's approval of said relocation; and (3) the cost of all relocations being borne by the Public Building Commission and/or County; and

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Main Street Vacation Plat, legally described in Exhibit A, attached hereto and made a part hereof by this reference. This Main Street Vacation Plat shall not be released for recording until the approval of the construction plans for the relocation of the public utilities, as well as IDOT's approval of the relocation of the water main.

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

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

SECTION 2. Contingent on the provisions of Section 3, the City hereby vacates the Main Street right-of-way as depicted on the Main Street Vacation Plat attached as Exhibit A ("Vacated Street"). Title to the Vacated Street shall be acquired by and devolve to the Public Building Commission, the owner of the adjacent property. This Main Street Vacation Plat shall not be released for recording until

the approval of the construction plans for the relocation of the public utilities, as well as IDOT's approval of the relocation of the water main.

SECTION 3. The vacation of the Main Street right-of-way is contingent upon: (1) the approval of a final plat by the City that grants necessary public utility easements back to the City in a manner approved by the City and the approval of construction plans for those relocations; (2) the relocation of the City's water main into the Illinois Department of Transportation's right-of-way as depicted in plans approved by the City and IDOT's approval of said relocation; and (3) the cost of all relocations being borne by the Public Building Commission and/or County.

SECTION 4. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 5. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 6. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 7. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 8. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED THIS 10th DAY OF OCTOBER 2016.

APPROVED THIS __ DAY OF OCTOBER 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

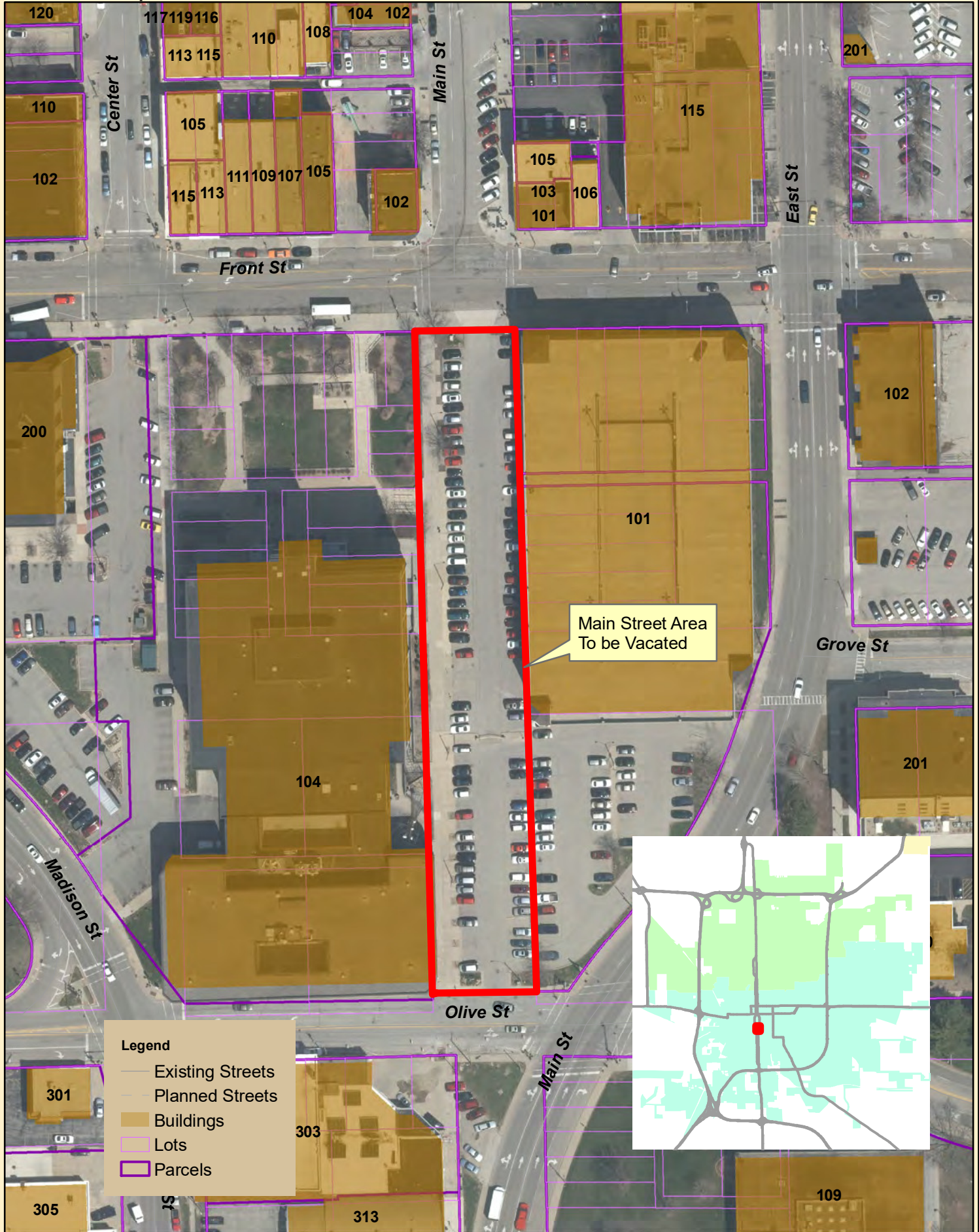
APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporate Counsel

Exhibit A

Description of Property to be Vacated

All that part of Main Street lying between the South Line of Front Street and the North Line of Olive Street, except the South 10 feet thereof, in the City of Bloomington, McLean County, Illinois.



Farnsworth
GROUP

2709 McGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(309) 663-8435 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:	#	Date:	Description:

PROJECT:
McLEAN COUNTY
GOVERNMENT SUBDIVISION

BLOOMINGTON, ILLINOIS

Date: 9-1-16

Design/Drawn: D.J.M.

Reviewed:

Book No.:	Field:

Project No.: 0151574 00

SHEET TITLE:

VACATION PLAT

SHEET NUMBER:

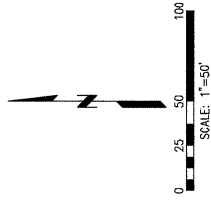
—

File No.:

S.W. 1¼ SEC. 4, T.23N., R.2E., 3P.M.

18-2156

PART OF SW 1/4 SEC 4, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS



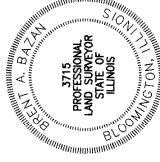
LEGEND

PORTION OF MAIN STREET TO BE VACATED

I hereby certify that this is a true plat of Main Street in the City of Bloomington, McLean County, Illinois to be vacated. Said street to be vacated is more particularly described as follows:

All that part of Main Street lying between the South Line of Front Street and the North Line of Olive Street, except the South 10 feet thereof, in the City of Bloomington, McLean County, Illinois.

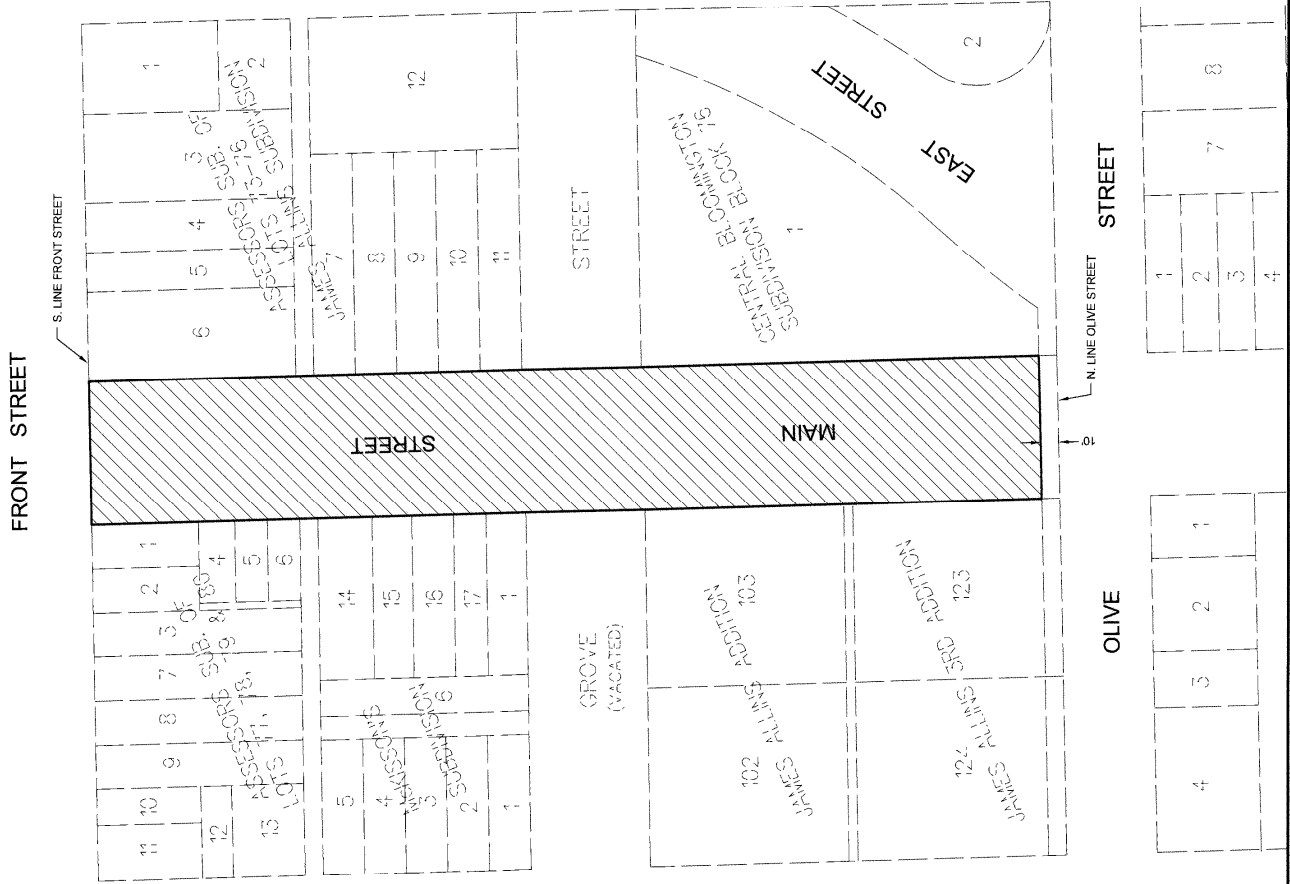
Witness my hand and seal this 1st day of September, 2016.



DATE: 9-1-16
EXP. DATE: 11-30-2016
DESIGN FIRM REGISTRATION
NO. 184-001856

FARNSWORTH GROUP, INC.
2709 MCGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704

By: Brent A. Bazan
Brent A. Bazan
Professional Land Surveyor No. 3715





Nicor GasTM

An AGL Resources Company

1844 Ferry Road
Naperville, IL 60563

630 983.8676 phone
www.nicorgas.com

Farnsworth Group
Attn: Donald L. Adams, P.E.
2709 McGraw Drive
Bloomington, IL 61704

RE: Main Street Vacation

Dear Mr. Adams:

Let this letter serve as a response to your letter to Mr. Matt McKinney dated September 1, 2016 regarding a proposed easement vacation of Main Street from Front Street to Olive Street. A review of records does not appear to indicate that Nicor has any facilities within this area. As such, Nicor Gas does not have any objections to the proposed plat of vacation at this time.

Regards,

Eric L. Sadler, CFM
Land Management Agent

Cc: File



Bloomington Operations Center

September 14, 2016

Mr. Donald Adams
Farnsworth Group
2709 McGraw Drive
Bloomington, IL 61704

Subject: Re: Main Street Vacation
Bloomington, Illinois

Dear Don

Upon review of the proposed vacation of Main Street from Front Street to Olive Street, we find no objection to this vacation. Please note that the street and parking lot lighting are overhead service and at some point may require removal or relocation

Regards

A handwritten signature in black ink, appearing to read "Dean W. Thompson", written over a horizontal line.

Dean W. Thompson

Distribution Design Supervisor- Bloomington

Ameren II



Frontier North Inc.
109 E. Market Street
Bloomington, IL 61701

September 13, 2016

Farnsworth Group, Inc.
Attn: Don Adams
2709 McGraw Drive
Bloomington, IL 61704

RE: Easement Vacation
Main Street, Bloomington, IL

Dear Mr. Adams,

Frontier North Inc. has no objections to vacating the Main Street Right of Way South of Front Street and North of Olive Street. Frontier North Inc. understands it will not be required to relocate existing facilities as the section Right of Way will be dedicated as a 61' Utility Easement, located in Tier 23N, Range 2E in the SW 1/4 of Section 4, McLean County.

If you have any further questions or concern, please contact Janet Hall, at (309) 557-1370.

Sincerely,

A handwritten signature in cursive script that reads "Janet Hall".

Janet Hall
OSP Engineer
Network Engineering

cc: Terry Thomas – Bloomington, IL

Adams, Don

From: Dennis Leggett <dennisl@cirbn.org>
Sent: Monday, September 19, 2016 7:30 AM
To: Adams, Don
Cc: Mark DeKeersgieter; Jon Bachtold
Subject: McLean County Law and Justice Center project

Don,

I attended the meeting last Friday on the cables that need to be moved with Chuck and the IT people for Mclean county. We covered CIRBN's facilities and understand the extent of the work that is going to take place. We also understand that our facilities should not be in conflict with the proposed scope of work that will be taking place in the overall project of the jail expansion.

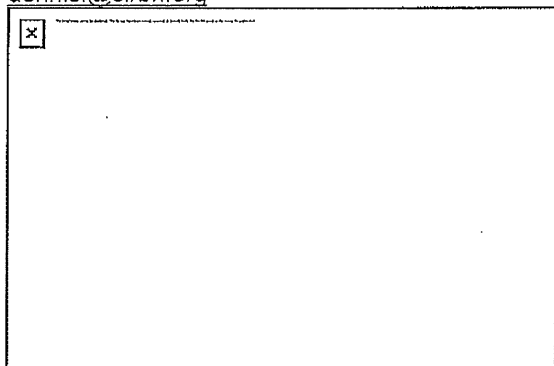
If you have any questions for me please let me know.

Thanks

Dennis Leggett
OSP Engineer

CIRBN, LLC
Central Illinois Regional Broadband Network
"Connecting Communities"

Cell 309-846-0605
dennisl@cirbn.org





September 30, 2016

Farnsworth Group, Inc.
2709 McGraw Drive
Bloomington, Illinois 61704
Attn: Donald L. Adams, PE

Re: Vacation of Main Street Right-of-Way, Bloomington, Illinois

To Whom It May Concern:

Comcast Cable Communications, Inc. has reviewed the proposed vacation of a portion of certain right-of-way within the City of Bloomington, Illinois.

Specifically, this right-of-way is described as: "all that part of Main Street lying between the South line of Front Street and the North line of Olive Street, except the South 10 feet thereof, in the City of Bloomington, McLean County, Illinois.

Please be advised that Comcast Cable and its affiliates having no infrastructure installed within said right-of-way have no objection to the proposed vacation of the hereinabove described right-of-way portion.

Cordially yours,

Robert L. Schuler, Jr.
Central Division Director of Construction

By:

Frank Gautier
Sr. Right-Of-Way Engineer
224-229-5853

State of Illinois)
)ss.
County of McLean)

Now comes the Public Building Commission of McLean County, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

- WHEREFORE, your petitioners respectfully pray that said Final Plat for the McLean County Government Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

By R. H. S. /, PBC
Corporate Counsel

ORDINANCE NO. 2016 - _____

**AN ORDINANCE APPROVING THE FINAL PLAT OF MCLEAN COUNTY GOVERNMENT
SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Mclean County Government Subdivision, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended: waiver of preliminary plan, waiver of expedited final plat fee, waiver of bonding requirement; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREAS, the approval of the final plat is contingent upon: (1) the relocation of the public utilities in a manner approved by the City; (2) the County relocating the City's water main into the Illinois Department of Transportation's right-of-way as depicted in plans approved by the City and IDOT's approval of said relocation; and (3) the cost of all public utility relocations being borne by the Public Building Commission and/or County; and

WHEREAS, since the bonding requirements are being waived and improvements have not yet been constructed, the release of the final plat for recording shall not be made until all construction plans have been approved by the City and permits issues, including approvals for the relocations of the public utilities; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1 960, as amended.

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

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

SECTION 2. That the Final Plat of McLean County Government Subdivision, dated September 2, 2016, is hereby approved contingent upon: (1) the relocation of the public utilities in a manner approved by the City; (2) the County relocating the City's water main into the Illinois Department of Transportation's right-of-way as depicted in plans approved by the City and IDOT's approval of said relocation, as well as a utility permit being granted by IDOT for the relocated water main; and (3) the cost of all relocations being borne by the Public Building Commission and/or County. In addition, the final plat fee of \$105 and the bonding requirements are hereby waived. The final plat shall not be

released for recording until all construction plans have been approved by the City and all necessary permits issued.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 7. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED THIS 10th DAY OF OCTOBER 2016.

APPROVED THIS __ DAY OF OCTOBER 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporate Counsel

Exhibit A

Description of Property

Tract 1:

Lots 102 and 103 in James Allin's Third Addition to the City of Bloomington, according to the Plat recorded in Book 3, Page 32 of plats, in McLean County, Illinois.

Tract 2:

Lots 123 and 124 in James Allin's Third Addition to the City of Bloomington, according to the Plat recorded in Book 3, Page 46 of plats, Except ten feet off the entire south side thereof, McLean County, Illinois.

Tract 3:

Lots 1 through 17, inclusive, in the Assessor's Subdivision of Lots 77, 78, 79 and 80 in James Allin's Addition to the City of Bloomington, McLean County, Illinois.

Tract 4:

Lot 6 of McKisson's Subdivision of Lots 79 and 80 in James Allin's Addition to the City of Bloomington, McLean County, Illinois.

Tract 5:

Lots 1, 2, 3, 4 and 5 in the Subdivision of Lot 79 in McKisson's Subdivision of Lots 79, 80 and 81 in James Allin's Addition to the City of Bloomington, McLean County, Illinois.

Tract 6:

Lot 1 of the Subdivision of Lot 80 in McKisson's Subdivision of Lots 79, 80 and 81 in James Allin's Addition to the City of Bloomington, according to the Plat recorded in Book 1 of Plats, Page 83, McLean County, Illinois.

Tract 7:

All that part of vacated West Grove Street lying between the West side of Main Street and the East side of Center Street in the City of Bloomington,

as vacated on July 10, 1972 by Ordinance 1972-47, recorded October 24, 1972 as Document No. 72-10794, in McLean County, Illinois.

Tract 8:

All vacated alleys lying within an area described as follows: All alleys bounded between Front Street on the North, Center Street on the West, Olive Street on the South and Main Street on East, in the City of Bloomington as vacated on October 23, 1972 by Ordinance 1972-83 recorded October 24, 1972 as Document No. 72-10793, in McLean County, Illinois.

Tract 9:

Lot 1 in Block 76 in Central Bloomington Subdivision in the City of Bloomington, according to the Plat thereof recorded February 21, 1975 as Document No. 75-1408, in McLean County, Illinois.

Tract 10:

Lots 1 to 12, both inclusive, in Assessor's Subdivision of Lots 73, 74, 75 and 76 in James Allin's Addition to the City of Bloomington, McLean County, Illinois.

Tract 11:

All that part of Main Street lying between the South Line of Front Street and the North Line of Olive Street, except the South 10 feet thereof, in the City of Bloomington, McLean County, Illinois.

Tract 12:

A part of Lot 1 in Block 74, Central Bloomington Subdivision in the City of Bloomington, McLean County, Illinois, described as:
Beginning at the Southernmost Corner of Lot 1 in Block 74, Central Bloomington Subdivision. From said Point of Beginning, thence northwest 37 feet along the southwest line of said Lot 1, said southwest line being an arc of a curve of radius of 510.46 feet and said curve being concave to the southwest, thence northeast 23.54 feet to a point on the east line of said Lot 1, said point being 44.42 feet north of the Point of Beginning, thence south 44.42 feet along said east line to the Point of Beginning, containing 427 square feet.

Tract 13:

A part of vacated Center Street in the City of Bloomington, McLean County, Illinois, described as:

Beginning at the Northwest Corner of Lot 1 in Block 66, Central Bloomington Subdivision in the City of Bloomington, McLean County, Illinois. From said Point of Beginning thence west 18 feet along the westerly extension of the North Line of said Lot 1, thence south 240.33 feet along a line which is parallel with the West Line of said Lot 1 to the easterly extension of the South Line of Lot 1, Block 67, Central Bloomington Subdivision, thence west 48 feet along said extension to the southeast corner of said Lot 1, thence south 66 feet to the Northeast corner of Lot 1, Block 74, Central Bloomington Subdivision, thence east 25 feet along the easterly extension of the north line of said Lot 1, thence south 77.13 feet along a line which is parallel with the east line of said Lot 1, thence southwest 30.13 feet to a point on said east line, said point being 94.0 feet south of said northeast corner, thence south 44.42 feet along said east line to the southernmost corner of said Lot 1, thence southeast 104.73 feet to a point on the west line of Lot 1, Block 66, Central Bloomington Subdivision, said point being 10 feet north of the southwest corner thereof, thence north 219.7 feet along said west line, thence north 306.3 feet along said west line to the Point of Beginning, containing 18.353 square feet.

Tract 14:

All that part of vacated Grove Street lying immediately North of Lot 1 in Block 76 in Central Bloomington Subdivision in the City of Bloomington, according to the Plat thereof recorded February 21, 1975 as Document No. 75-1408, and South of property legally described as Lots 1 to 12, both inclusive, in Assessor's Subdivision of Lots 73, 74, 75, and 76 in James Allin's Addition to the City of Bloomington, McLean County, Illinois.

SCHOOL DISTRICT CERTIFICATE

This is to certify that we, the Public Building Commission of McLean County as Owner/Developer of the property herein described in the Surveyor's Certificate, which will be known McLean County Government Subdivision, to the best of my knowledge, is located within the boundaries of Community Unit School District #87 in McLean County, Illinois.

Dated this 2nd day of September, 2016.

[Signature] PBC Corporate
Owner/Developer Counsel

State of Illinois)
)SS
County of McLean)

I, Julie A Morlock, a Notary Public in and for the county and State aforesaid, do hereby certify that Robert W Porter personally known to be the same person whose name is subscribed to the foregoing owner's statement, appeared before me, this day, in person and acknowledged the execution of this statement as his free and voluntary act.

Given under my hand and notarial seal this 2nd day of September, 2016.

[Signature]
Notary Public

My commission expires 9/28/2019.



COUNTY CLERK'S CERTIFICATE

State of Illinois)
)ss.
County of McLean)

I, Kathy Michael County Clerk of McLean County, State of Illinois, do hereby certify that on the 2 day of September, 2016, there were no delinquent general or special assessments unpaid, special assessments or delinquent special assessments unpaid against the tract of land shown on the plat attached to this certificate and described in the certificate of the Surveyor attached hereto and to said Plat.

Kathy Michael

County Clerk, McLean County, Illinois

PIN 21-04-343-028
21-04-344-003

OWNER'S CERTIFICATE

State of Illinois)
)ss.
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached Plat of McLean County Government Subdivision in the City of Bloomington, McLean County, Illinois, and that we have caused said Plat to be made and that it is a true and correct plat of "McLean County Government Subdivision" in the City of Bloomington, McLean County, Illinois as laid off in lots and streets by Brent Bazan, Registered Illinois Land Surveyor Number 3715; and we, the undersigned, hereby dedicate and set apart to the City of Bloomington for general utility purposes, (and further dedicated the public use areas as shown on said Plat)*

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this 2nd day of September, 2016.

Owner:

Robert W. Porter, PBC Corporate
Counsel

NOTARY CERTIFICATE

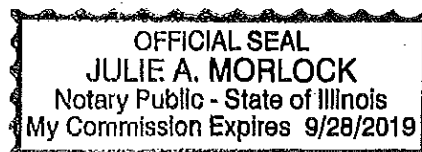
State of Illinois)
)ss.
County of McLean)

I, Julie A. Morlock, a Notary Public in and for the county and State aforesaid, do hereby certify that Robert W. Porter personally known to be the same person whose name is subscribed to the foregoing owner's statement, appeared before me, this day, in person and acknowledged the execution of this statement as his free and voluntary act.

Given under my hand and notarial seal this 2nd day of September, 2016.

Julie A. Morlock
Notary Public

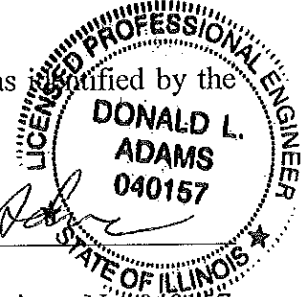
My commission expires 9/28/2019.



DRAINAGE STATEMENT

I, Donald L. Adams, Registered Professional Engineer, and the Public Building Commission of McLean County, Illinois being the owners of the premises heretofore platted by Brent A. Bazan, Illinois Professional Land Surveyor No. 3715, to be and become the "McLean County Government Subdivision", in the City of Bloomington, McLean County, Illinois, do hereby state that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or any part thereof; or that if such surface waters drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas or drains which the Subdivider has a right to use and that such waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

I further state that no lots are within the Special Flood Hazard Area, as identified by the Federal Emergency Management Agency.

Registered Professional Engineer No. 040157

OWNER:

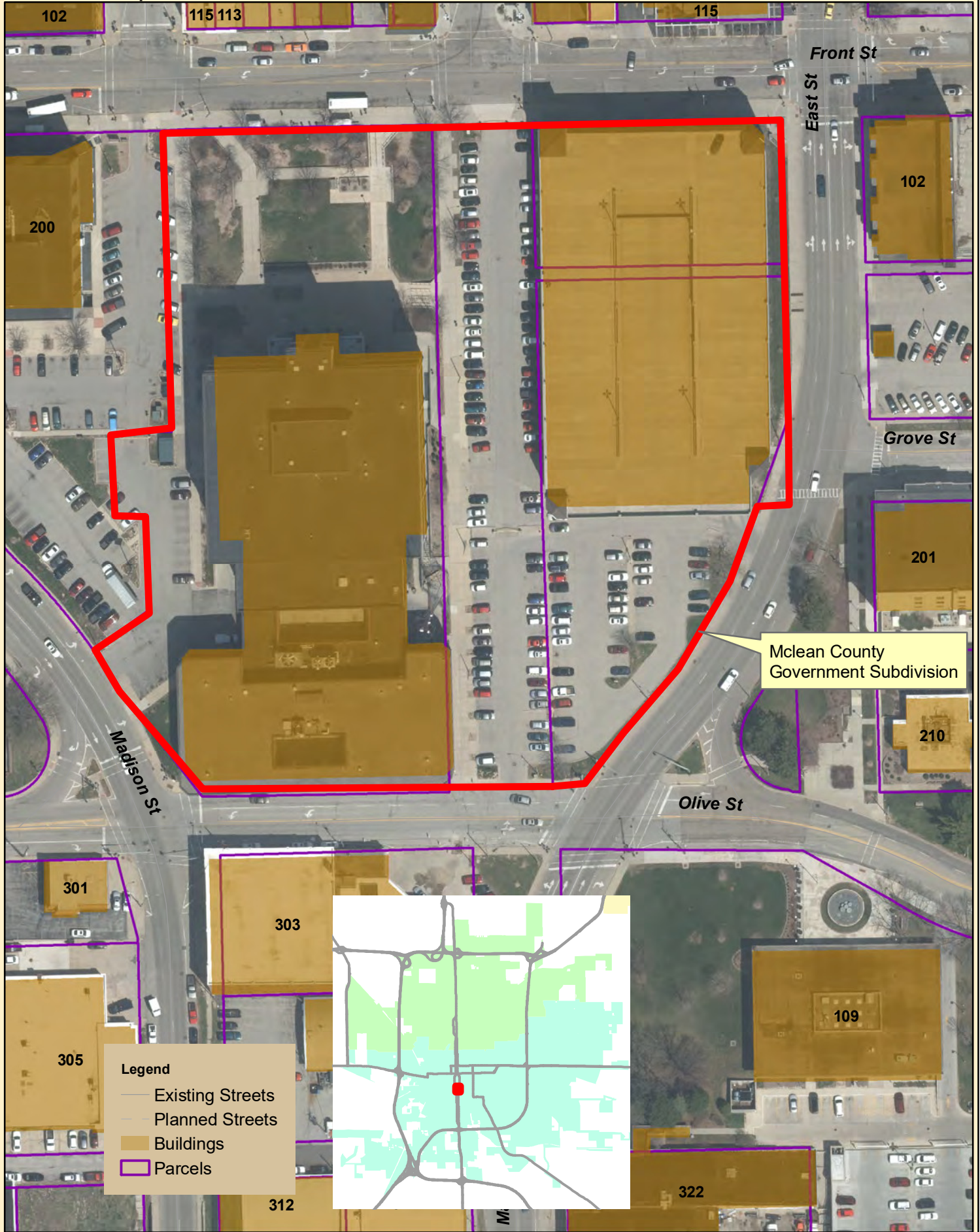
BY: , PBC
Corporate Counsel



McLean County Government Subdivision

Date Prepared: 09/20/2016

Shown on Final Plat:		Initial
	Easements shown for all public improvements	TJM
	City Engineer's Signature Block	TJM
	Clerk's Signature Block	TJM
	Areas or facilities to be dedicated to the public	TJM
	Railroad Right of Ways	N/A
	Subdivision Boundaries	TJM
	References to nearest street lines, Township, Sections lines, or monuments.	TJM
	Name of Subdivision	TJM
	Legal Description	TJM
	Existing Parcel Id Number (PIN)	TJM
	Surveyor's statement regarding any Special Flood Hazard Areas.	TJM
	Total Acreage	TJM
	Street Names	TJM
	Proposed Lot numbers (consecutively numbered)	TJM
	Front Yard Setbacks	TJM
The following shall be provided:		
	School District Certificate	TJM
	County Clerk's Certificate	TJM
	Owner's Certificate	TJM
	Drainage Statement	TJM
	Owner's Petition	TJM
	Ordinance	TJM
	Utility Company Signoffs	N/A
	Digital PDF Submittal provided to Public Works	TJM
	Digital CAD format submittal provided to Public Works	TJM
	2 Mylar Copies	
	12 Paper Copies	
The following requirements shall be met:		
	Final plat retains the design characteristics of a valid Preliminary Plan that has not expired	
	Retains the design characteristics of approved public improvement engineering plans and specifications.	TJM
	Final Plat is signed by IL licensed surveyor	TJM
	Plans for all public improvements approved by Public Works	N/A





McLean County Law and Justice Center Expansion



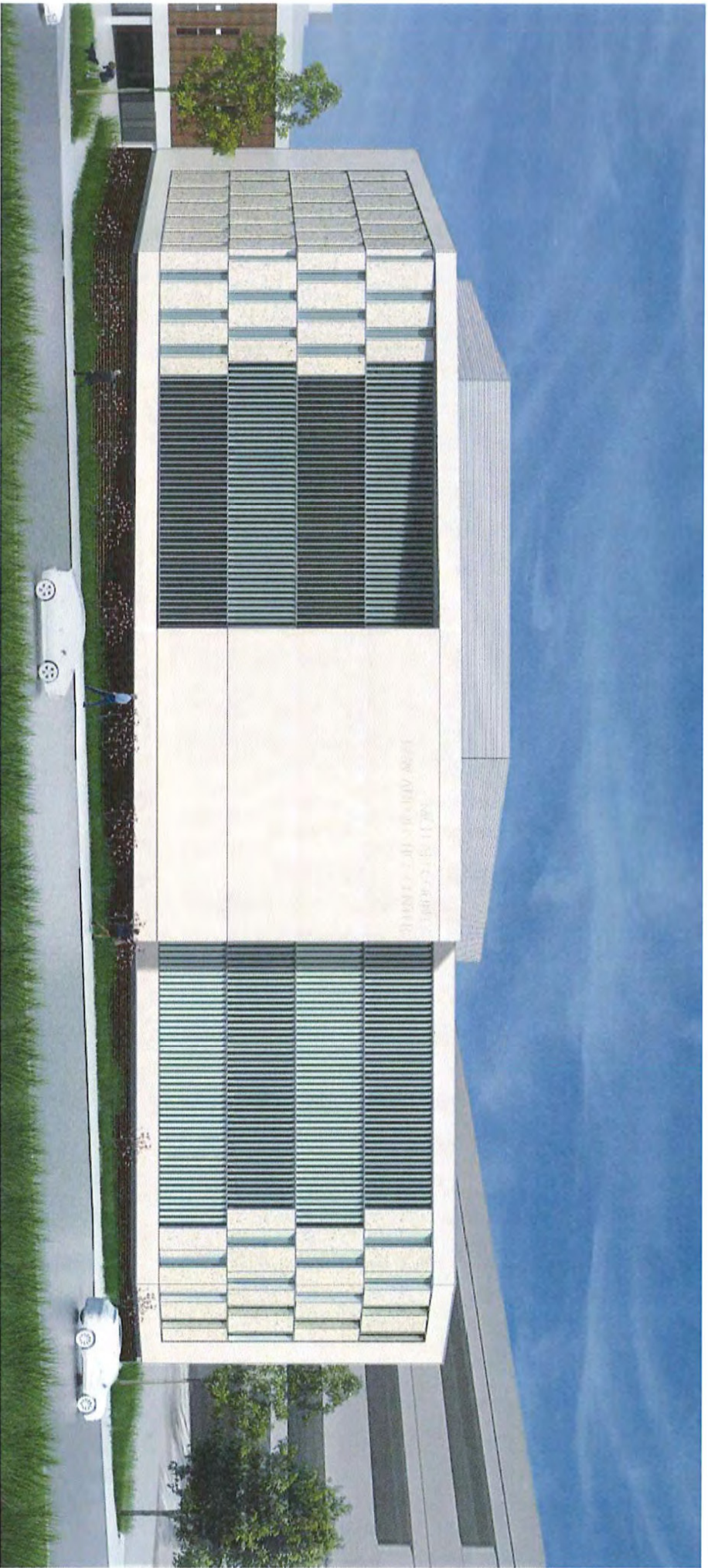
SCHEME 3



AERIAL VIEW



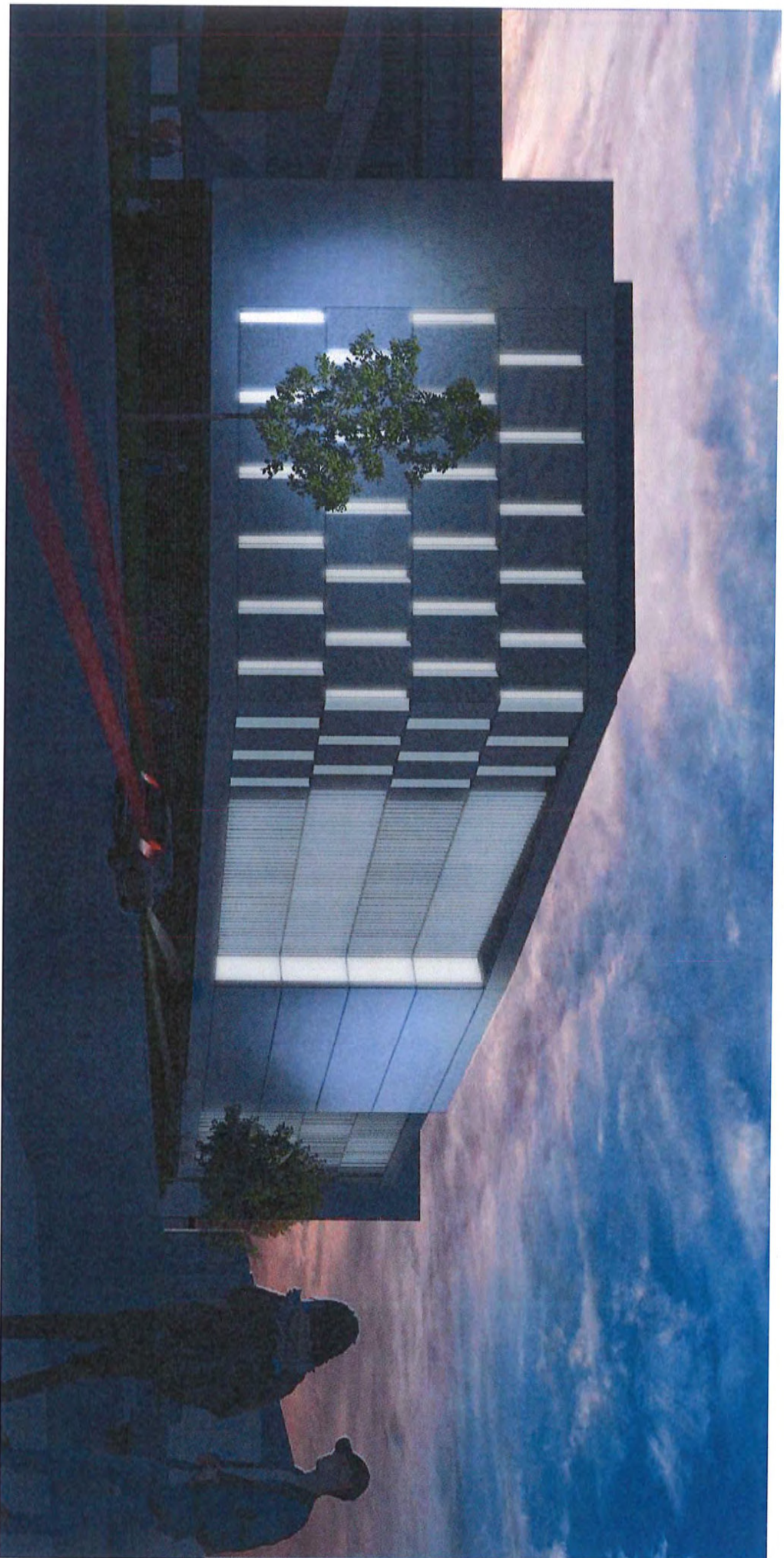
SOUTHEAST VIEW



EAST VIEW



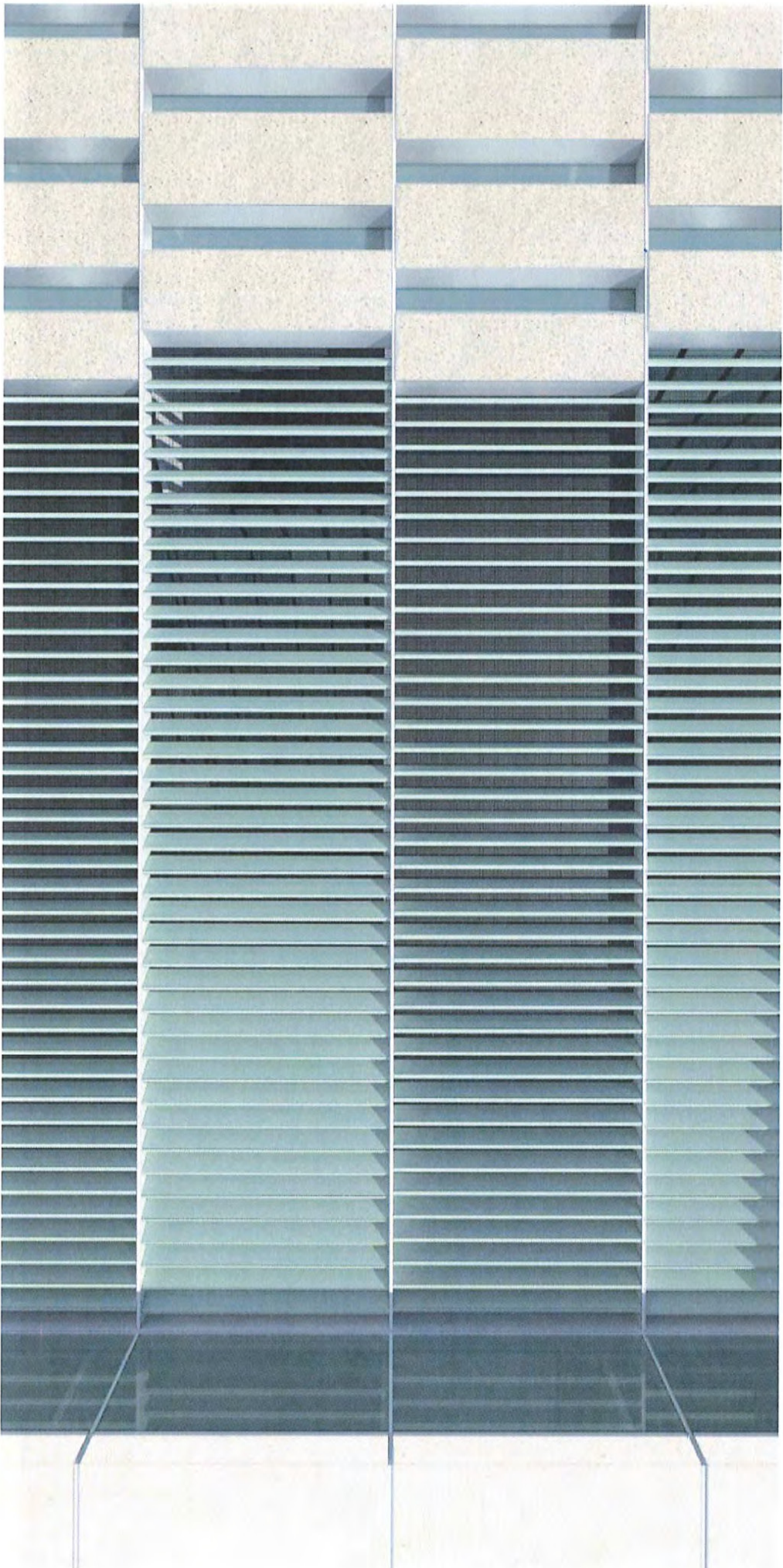
NORTHEAST VIEW



AERIAL VIEW



NORTHWEST VIEW



ALUMINUM FINS



REGULAR COUNCIL AGENDA ITEM NO. 9B

FOR COUNCIL: October 10, 2016

SUBJECT: Consideration of approving a Professional Services Contract with Shive-Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Indoor Training Facility Improvements, (RFQ 2016-04).

RECOMMENDATION/MOTION: That the Professional Services Contract with Shive-Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Indoor Training Facility Improvements in the amount of \$55,100.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2. Upgrade City Infrastructure & Facilities.

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

BACKGROUND: The Police Training Facility needs to be repaired and brought back into service to ensure that the Bloomington Police Department has an adequate training center for its officers. Currently, only the outdoor firing range is operational at the facility. As a result, training is often limited due to weather, available natural light and off-site activities around the site. The proposed addition and other improvements to the indoor facility will enable Bloomington Police officers to train in all weather and lighting conditions regardless of the activities that may occur on properties adjacent to the site. In addition, the Mclean County Sheriff's Department and Normal Police Department can use the improved facility to train their officers who are often called upon to assist the Bloomington Police Department. The fees collected from these other agencies over the past several years should be applied to the proposed improvements. In addition, the improvements should make the facility a valuable training center so these agencies will continue their financial support instead of pursuing other training options.

On March 10, 2014, the City Council authorized the replacement of four building roofs at the facility. In 2015, lead abatement and mold remediation were completed at the indoor training building. A bid for mold remediation at the Lodge was also obtained, but was well above budgeted funds and was not completed. Since mold remediation in the Lodge was not completed, the building is not safe for occupancy. Ammunition storage and the only restrooms at the entire training facility are located in the Lodge. In order to resume indoor training, several improvements are needed at the indoor training facility. This includes an addition for code required restrooms and ammunition storage, heating, ventilation, water, electric and sewage disposal improvements and drainage improvements to minimize future environmental concerns. The agreement with Shive-Hattery includes evaluation, design and construction document preparation for all of these improvements. The approved FY2017 budget includes \$200,000 for the proposed construction.

At the March 14, 2016 Meeting, Council adopted resolution 2016-10 (A Resolution Establishing the Firms in General Architectural, Engineering and Land Surveying that are Deemed to be the Most Qualified to Perform Services to the City for a Three-Year Period, with the Option for Requalification for Two Additional One-Year Periods). Shive-Hattery, Inc. was listed as one of the most qualified firms for the Architectural, Environmental and Land Survey categories, which are key design services of the project as described above.

Based on Shive-Hattery's selection under RFQ 2016-04 and their previous successful assignment in assisting the City with roof replacements, mold and lead investigation and remediation at the training facility which included environmental assessment and architectural design services, Shive-Hattery was asked to submit a proposal for assistance with these additional improvements at the training facility. For this specific project, as outlined above, Shive-Hattery was deemed to be the most qualified and best fit for the work out of the pre-qualified architectural firms.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Qualifications was advertised in The Pantagraph on December 4, 2015. Interviews were held in the Public Works Conference Room on February 10, 12 & 17, 2016.

FINANCIAL IMPACT: Funding for this project is included in the FY2017 Budget under Facilities Maintenance-Other Professional & Technical Services Account (10015480-70220). Stakeholders can locate this in the FY 2017 Budget Book titled "Budget Overview & General Fund" on page 335.

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, Facilities Manager

Reviewed by: Kenneth Bays, Assistant Chief of Police
Steve Rasmussen, Assistant City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manger

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Professional Services Agreement with Shive-Hattery, Inc.
- Shive-Hattery Insurance Certificate
- Power Point Presentation

Motion: That the Professional Services Contract with Shive-Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Indoor Training Facility Improvements in the amount of \$55,100.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

**CITY OF BLOOMINGTON CONTRACT WITH
SHIVE-HATTERY, INC.
FOR PROFESSIONAL SERVICES FOR
POLICE TRAINING FACILITY IMPROVEMENT DESIGN**

THIS AGREEMENT, dated this 10th day of October_____, 2016, is between the City of Bloomington (hereinafter "CITY") and SHIVE-HATTERY, INC. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. Description of Services. CONTRACTOR shall provide the services/work identified on Exhibit A.

Section 3. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$_____ as set forth in the payment terms attached as Exhibit B.
- ☒ Fees as set forth in the Payment Terms attached as Exhibit B.

Section 4. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 5. Reuse of Documents. All documents including reports, drawings, specifications, and electronic media furnished by CONTRACTOR pursuant to this Contract are instruments of CONTRACTOR'S services. Nothing herein, however, shall limit the CITY'S right to use the documents for municipal purposes, including but not limited to the CITY'S right to use the documents in an unencumbered manner for purposes of remediation, remodeling and/or construction. CONTRACTOR further acknowledges any such documents may be subject to release under the Illinois Freedom of Information Act.

Section 6. Standard of Care. Services performed by CONTRACTOR under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

Section 7. Indemnification. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, its officers, officials, agents and employees from and against liability arising out of CONTRACTOR'S negligent acts, errors, or omissions in performance of services under this Contract. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force.

Section 8. Insurance Requirements. CONTRACTOR shall maintain an errors and omissions policy in the amount of \$2,000,000.00 and shall further maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with general limits not less than \$2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy.

Section 9. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 10. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 11. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 12. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 13. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 14. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 15. Attorney Fees. In the event that any action is filed by a party in relation to this contract and the party prevails in court and obtains a court order or judgment as a result of said litigation, the non-prevailing party in the action shall pay to the prevailing party, in addition to the sums that either party may be called on to pay, a reasonable sum for the prevailing party's attorneys' fees and court costs (including expert witness fees).

Section 16. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 17. Term. The term of this Contract shall be:

- ☒ Until all of the services and/or deliverables required to provided within this Contract are completed.
- ☐ From one (1) year from the date of execution.
- ☐ From two (2) years from the date of execution.
- ☐ Other: _____

The Contract shall also be subject to the following renewal terms, if any: _____

Notwithstanding anything herein, the provisions in Sections 7 and 12 shall survive termination.

Section 18. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

SHIVE-HATTERY, INC.

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

EXHIBIT A

SCOPE OF SERVICES / WORK PROVIDED

PROJECT SCOPE

1. Design of interior remodel of existing indoor training facility.
2. Design of proposed addition in accordance with applicable codes and standards including utility services, i.e., water, gas, electricity, and sewer. (Per attached EXHIBIT C)
3. Design of new HVAC system for the existing facility and addition. A new heating and air conditioning system shall be designed for the lobby, control room, mechanical room and addition. Makeup units shall be designed to provide heat and humidity control for the firing lines.
4. Review of existing site electric supply and service. Design of electric service modifications for addition and potential demolition of the Lodge.
5. Evaluation and testing of existing septic system. Design of new sewage disposal system if needed for the proposed addition.
6. Design of potable water line and necessary water system modifications for the proposed addition.
7. Design of drainage improvements around facility.
8. Submit required permits for proposed construction.

A & E SERVICES

The requested architectural and engineering services and responsibilities shall include the following:

1. Detail site survey as necessary for planning and design of the project.
2. Soil investigations as necessary for structural and sewage disposal system design.
3. Locate and Investigate existing public & private utilities including service lines.
4. Preparation of detailed plans and specifications.
5. Preparation of contract proposal and all necessary bidding documents.
6. Preparation of Budget Construction Cost Estimate.
7. Preparation of Engineers Construction Cost Estimate.
8. Preparation of Estimate of Time.
9. Project Staging Plans and Details.
10. Design submission for City review at 30%, 60% and Final design.
11. Preparation of all necessary post letting plan revisions.
12. Presentation at one City Council Meeting.
13. Obtain Environmental, Biological, Cultural and all other necessary permits (Permit fees to be paid by the City).
14. Adherence to applicable codes and regulations.
15. Construction phase services. Review of shop drawings, 6 site visits during construction and 1 final punch list visit.
16. Preparation of record drawings.

EXHIBIT B PAYMENT TERMS

FEES and EXPENSES

SITE WORK

1. Detail site survey as necessary for planning and design of the project	\$2,800.00
2. Soil investigations as necessary sewage disposal system	\$2,000.00
3. Locate and Investigate existing public & private utilities including service lines.	\$900.00
4. Existing septic system testing \$500.00	
5. New septic system design, if needed	Preliminary investigation shows it should be adequate for future use
6. Design for site drainage, includes construction observation	\$11,300.00
7. Obtain Environmental, Biological, Cultural and all other necessary permits.	Included in item 6
8. Adherence to applicable codes and regulations.	Included in item 6
9. Preparation of record drawings.	\$1,000.00

BUILDING WORK

1. Soil investigations as necessary for structural	\$2,000.00
2. Preparation of detailed plans and specifications for building addition	\$33,000 Basic Services
3. Preparation of contract proposal and all necessary bidding documents	In the Basic Services
4. Preparation of Budget Construction Cost Estimate	In the Basic Services
5. Preparation of Engineer's Construction Cost Estimate	In the Basic Services
6. Preparation of Estimate of Time	In the Basic Services
7. Project Staging Plans and Details	In the Basic Services
8. Design submission for City review at 30%, 60% and Final design	In the Basic Services
9. Preparation of all necessary post letting plan revisions	In the Basic Services
10. Presentation at one City Council Meeting	In the Basic Services
11. Obtain Environmental, Biological, Cultural and all other necessary permits.	In the Basic Services
12. Adherence to applicable codes and regulations	In the Basic Services
13. Construction phase services. Review of shop drawings, 6 site visits during construction and 1 final punch list visit	In the Basic Services
14. Preparation of record drawings	\$1,000.00

REIMBURSABLE EXPENSES

\$600.00 plus permit fees

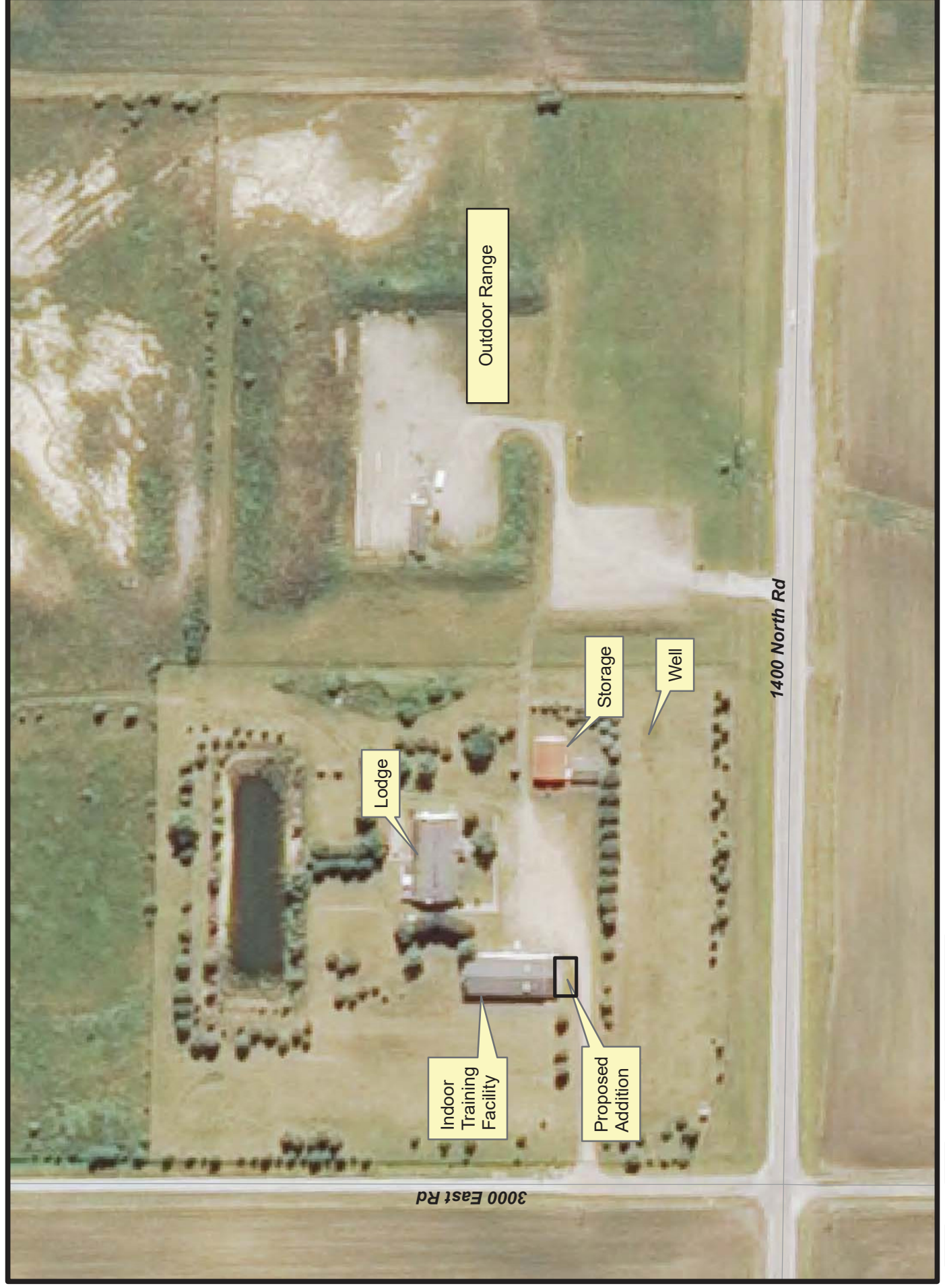
ADDITIONAL TERMS AND CONDITIONS

1. The following item is requested as an addition terms and conditions to the City of Bloomington's contract:

LIMITATION OF LIABILITY AND WAIVER OF CERTAIN DAMAGES

The CLIENT agrees, to the fullest extent of the law, to limit the liability of S-H, its officers, directors, shareholders, employees, agents, sub-consultants, affiliated companies, and any of them, to the CLIENT and any person or entity claiming by or through the CLIENT, for any and all claims, damages, liabilities, losses, costs, and expenses including reasonable attorneys' fees, experts' fees, or any other legal costs, in any way related to the Project or Agreement from any cause(s) to an amount that shall not exceed the compensation received by S-H under the agreement or one hundred thousand dollars (\$100,000), whichever is greater. The parties intend that this limitation of liability apply to any and all liability or cause of action, claim, theory of recovery, or remedy however alleged or arising, including but not limited to negligence, errors or omissions, strict liability, breach of contract or warranty, express, implied or equitable indemnity and all other claims, which except for the limitation of liability above, the CLIENT waives.

POLICE TRAINING FACILITY SITE MAP



POLICE TRAINING FACILITY LAYOUT

EXHIBIT C

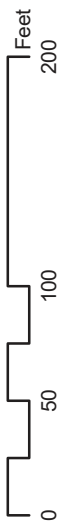
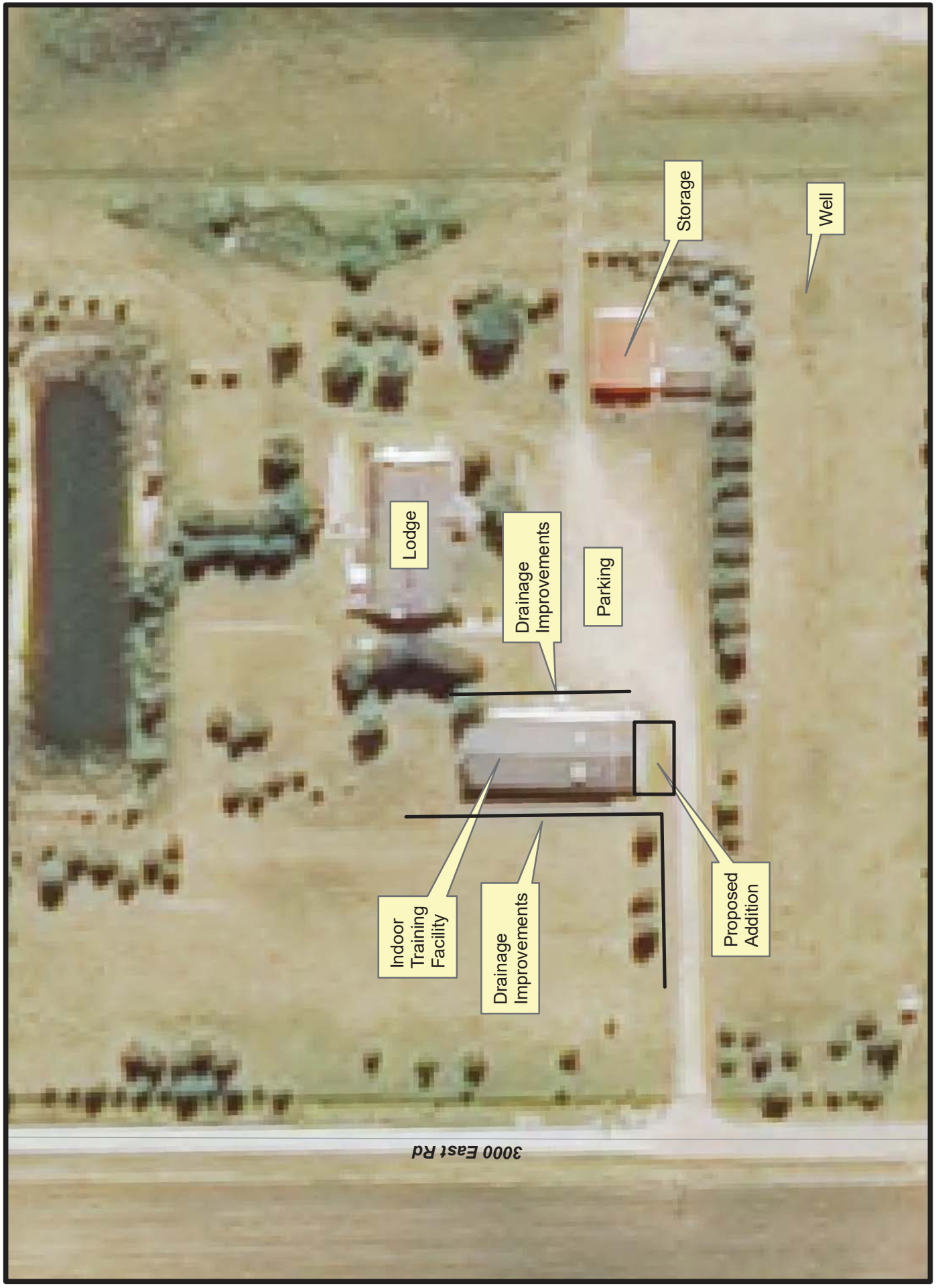
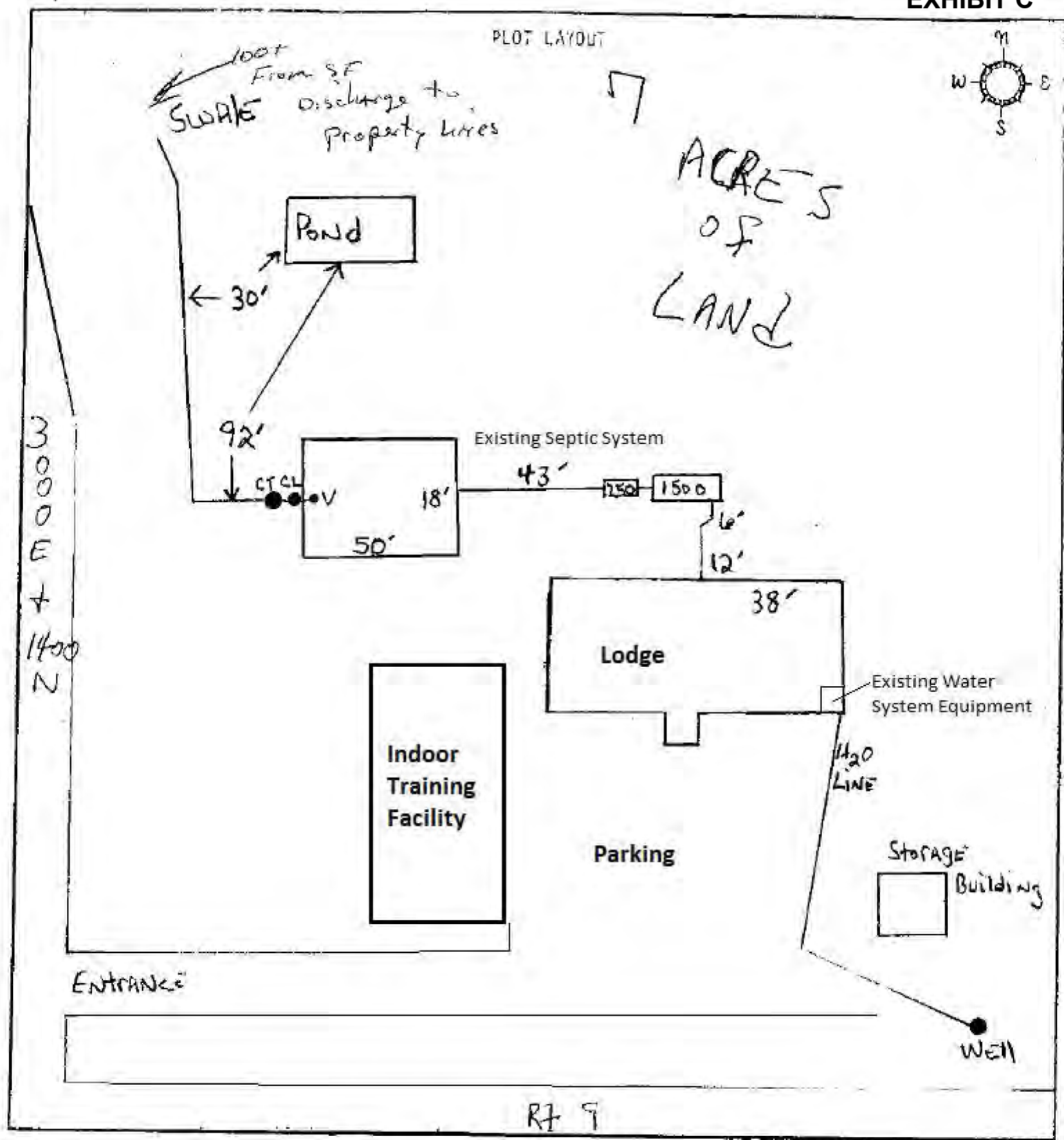
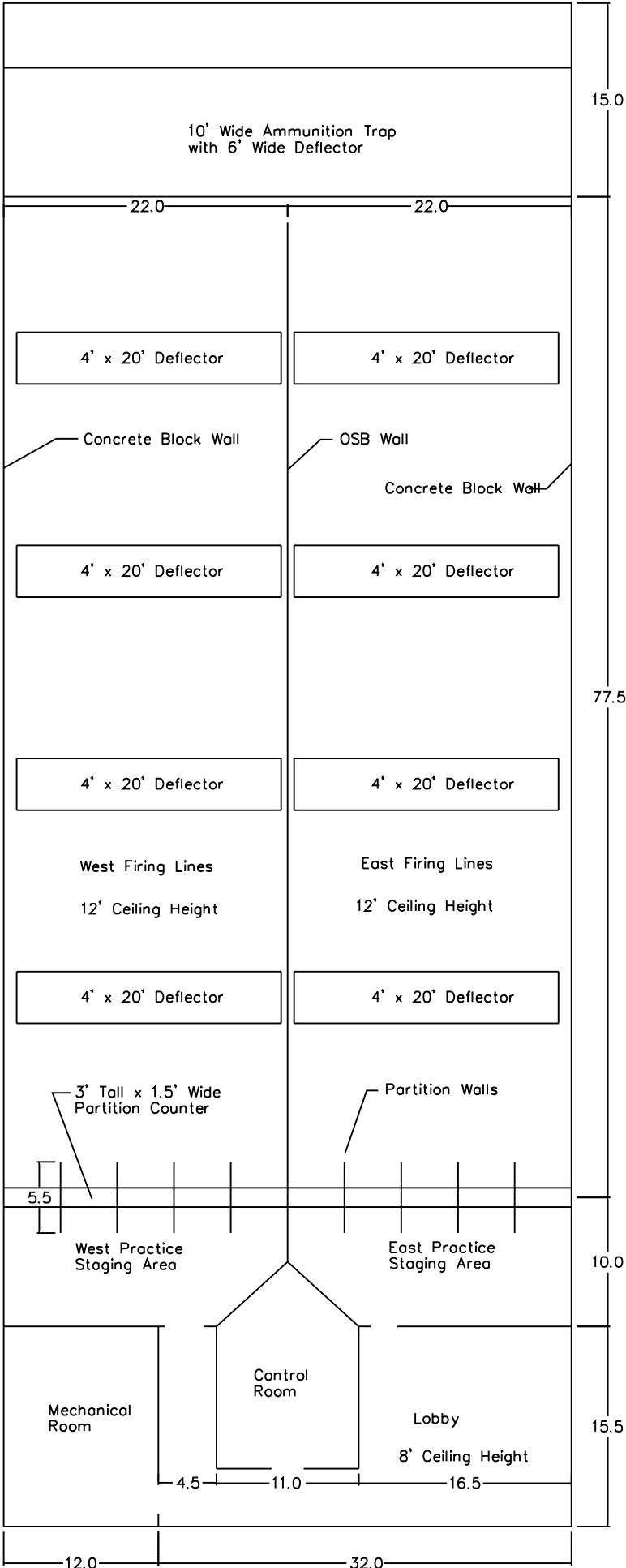
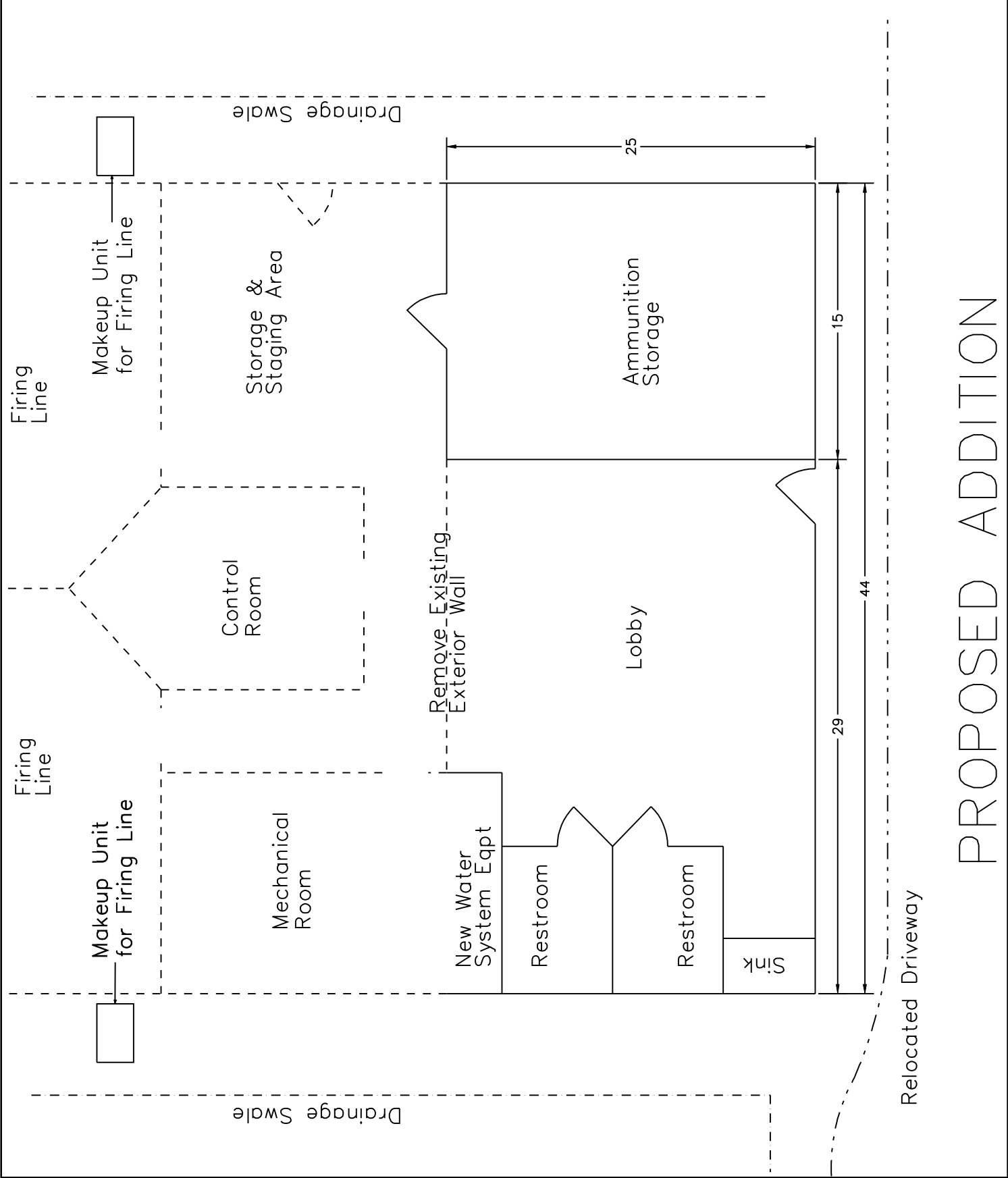


EXHIBIT C





EXISTING CONDITIONS



PROPOSED ADDITION



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/11/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Holmes Murphy & Assoc - CR 500 1st Avenue NE, Suite 300 Cedar Rapids, IA 52401		1-800-300-0325	CONTACT NAME: Michelle Gruis PHONE (A/C, No, Ext): 319-896-7715 E-MAIL ADDRESS: mgruis@holmesmurphy.com		FAX (A/C, No): 866-231-7822
INSURED Shive-Hattery Group, Inc. (Bloomington) 2103 Eastland Drive Bloomington, IL 61704			INSURER(S) AFFORDING COVERAGE		NAIC #
			INSURER A: Zurich American Insurance Company		16535
			INSURER B: St. Paul Fire & Marine Insurance Company		24767
			INSURER C: XL Specialty Insurance Company		37885
			INSURER D:		
			INSURER E:		
			INSURER F:		

COVERAGES**CERTIFICATE NUMBER: 46564786****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☒ LOC OTHER:			GLO020392900	10/01/15	10/01/16	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☒ \$500 Comp ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ☒ \$1,000 Coll			BAP020393000	10/01/15	10/01/16	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ EXCESS LIAB DED ☒ RETENTION \$ 10,000			ZUP14N91890	01/01/15	10/01/16	EACH OCCURRENCE \$ 6,000,000 AGGREGATE \$ 6,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A	WC020392800	10/01/15	10/01/16	☒ PER STATUTE E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Professional Liability (Claims-Made Policy)			DPR9800753	01/01/16	01/01/17	Per Claim 5,000,000 Aggregate 10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: Project No. 6161250 - Police Training Facility Addition, Bloomington, IL
City of Bloomington is included as an Additional Insured on the General Liability as required by written contract with the insured, per policy terms and conditions.

CERTIFICATE HOLDER**CANCELLATION**

City of Bloomington
Attn: David Hales, City Manager
109 E Olive Street
PO Box 3157
Bloomington, IL 61702

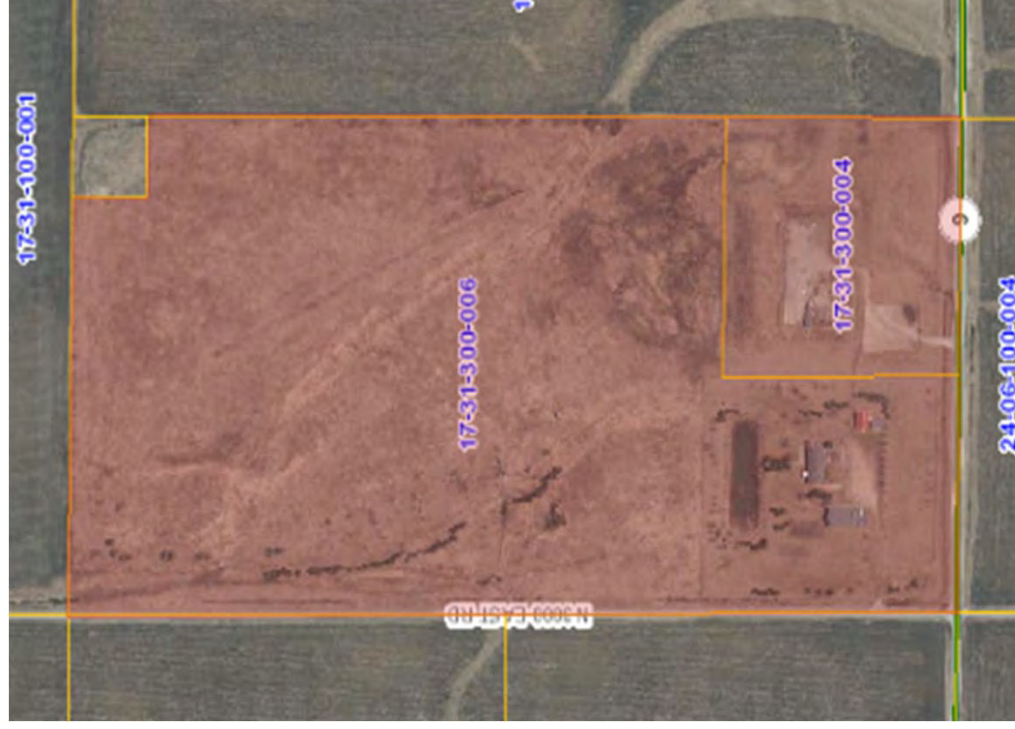
USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Bloomington Police Training Facility





TRAINING FACILITY HISTORY

- The City-owned facility is approximately 17 miles from the BPD Headquarters and totals 78.89 acres
- The facility includes: a lodge/clubhouse, indoor shooting range, outdoor range, garage, storage shed, skeet and trap area.
- For **24 years** the Bloomington Police Department has conducted training at their dedicated facility.
- 2007-2013, the condition of the BPD training facility suffered as a result of budget reductions and basic building maintenance stopped
- NPD and Sheriff pay annually, little or none of this money has been invested in range for maintenance or improvements
- Parts of the facility became and remain unusable
- After five years of no maintenance, focus was returned to restoring the training facility in stages



TRAINING

FACILITY HISTORY^(cont.)

- FY2014-Council approved to reroof facility buildings as an initial phase to the much needed restoration, final cost for the roofing was approximately \$84,000.00
- FY2015-Council approved for Mold and lead mitigation of the indoor firing range-final cost was approximately \$46,000.00
- Much work remains and is proposed



Before and After





KEY ISSUES

- **Immediate action is required in order to protect the City's investment and to prevent further dilapidation of the facility**
 - In the last three years the City of Bloomington has invested approximately **\$130,000** at the Range (\$84,000 replacing all four roof and \$46,000 in lead/mold remediation)
 - The City of Bloomington has invested in lead/mold remediation of the Indoor Firing Range, but if the ventilation system is not repaired immediately the issue of mold will require additional remediation and financial investment.
 - Due to lack of resources for repairs and maintenance the Lodge Building is in grave disrepair including: mold, collapsing ceiling, and animals have found their way in.



KEY ISSUES

(continued)

- With the current state of community-police relations throughout the country it is imperative that law enforcement officers receive the most comprehensive training available
 - A dedicated training facility is necessary to provide the most effective training
 - The current BPD Training & Firing Range facilities and acreage allow for “real life training simulations” that are not fully permitted at the other local privately owned firing ranges
 - There are no closer comprehensive training facilities



DUTY TO TRAIN

- City of Canton v. Harris
- Walker v. City of New York
- Popow v. City of Margate
- Zuchel v. Denver
- Allen v. Muskogee
- Young v. City of Providence

***www.llrmi.com, "Training Liability in the Use of Deadly Force", Ryan, accessed 9-20-2016



Advantages of a dedicated training facility?

- Allows for training to be consistent with current needs
- Adaptability to the law enforcement environment
- Utilization of specialized tactics and equipment to meet and counter the threats posed to the safety and security of our community
- Limited access creates a safe and productive training environment
- Security and Safety of officers and public



Operating Expenditures & Revenue Trend

*	FY12	FY 13	FY 14	FY 15	FY 16	TOTALS
Revenue	\$16,444	\$16,100	\$21,344	\$16,444	\$16,444	\$86,776
Operating Expenditures**	\$9,020	\$6,804	\$16,059	\$11,976	\$15,233	\$59,092
TOTALS	\$7,424	\$9,296	\$5,285	\$4,468	\$1,211	\$27,684

* All figures rounded to nearest dollar

**This does not include Building Repairs/Maintenance.



Future Cost Benefit

- Based on the last 5 years – the average Annual Operating Cost \$11,818.40
- **Future Estimated Annual Capital Investment of 4%***
+\$13,105.34
\$24,923.74
-\$17,355.20
\$7,568.54
- Less Average Annual Revenue
- Estimated Annual Capital & Operating Cost
- **BPD fully staffed at 128 Officers this averages out to \$59.13 per officer annually to train at the training facility**

*According to the International Facility Management Association (IFMA), the capital investment in facilities should total between 2 and 4% of their replacement value. Current estimated book value of the City of Bloomington Police Training Facility, less the land parcels, is \$327,633.61.



MOVING FORWARD

- Continue to utilize existing training facility
- First return facility to a basic standard of operation and build upon this
- Expand partnerships with other regional law Enforcement agencies to increase usage of the training facility
- Budget for ongoing maintenance to avoid repeat of this situation
- Seek specialized grants or private funding to assist with law enforcement training



Staff

Recommendations

Approve Professional Services Contract with Shive Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Training Facility Improvements

This will allow the Police Department to then utilize the \$200,000.00 already approved in current fiscal year to re-establish an appropriate training facility by:

- Expansion of the indoor firing range building to accommodate
 - Restrooms (currently non existent)
 - Restore running water (currently non existent)
- Installation of HVAC
- Restore Septic System
- Replace windows
- Replace drywall
- Other miscellaneous