

CITY OF
BLOOMINGTON
CITY COUNCIL -
REGULAR SESSION
MEETING
JUNE 23, 2025



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

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

PUBLIC HEARING

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

PUBLIC COMMENT

Each City Council meeting shall have a public comment period not to exceed 30 minutes. Every speaker is allotted up to 3 minutes to speak. Individuals wishing to email public comment or speak remotely must email comments and/or register online at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person must register up to 5 minutes before the start of the meeting. Speakers will be selected at random. Public comment is a time to provide feedback. City Council does not respond to public comment. Speakers who engage in threatening or disorderly behavior will have their time ceased.

CONSENT AGENDA

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

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

REGULAR AGENDA

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

MAYOR AND COUNCIL MEMBERS

Mayor - Dan Brady

City Council Members

Ward 1 - Jenna Kearns
Ward 2 - Micheal Mosley
Ward 3 - Sheila Montney
Ward 4 - John Danenberger
Ward 5 - Mike Straza
Ward 6 - Cody Hendricks
Ward 7 - Mollie Ward
Ward 8 - Kent Lee
Ward 9 - Abby Scott

City Manager - Jeff Jurgens

Sr. Deputy City Manager - Billy Tyus

Deputy City Manager - Sue McLaughlin

CITY LOGO DESIGN RATIONALE

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

MISSION, VISION, AND VALUE STATEMENT

MISSION

To Lead, Serve and Uplift the City of Bloomington

VISION

A Jewel of the Midwest Cities

VALUES

Service-Centered, Results-Driven, Inclusive

STRATEGIC PLAN GOALS

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



**CITY COUNCIL - REGULAR SESSION MEETING AGENDA
GOVERNMENT CENTER BOARDROOM, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
MONDAY, JUNE 23, 2025, 6:00 PM**

- 1. Call to Order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer and/or Reflection**
- 4. Roll Call**
- 5. Public Comment**

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

6. Consent Agenda

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

- A. Consideration and Action to Approve the Minutes of the May 27, 2025, Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*
- B. Consideration and Action on Approving Bills and Payroll in the Amount of \$11,311,581.79, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*
- C. Consideration and Action on a Resolution (1) Approving the Purchase of a John Deere 410P Backhoe from Martin Equipment, Inc., in the Amount of \$182,400; and (2) Approval to Dispose the Replaced Unit LB34, a 2015 Caterpillar 430FIT, be Declared Surplus and Traded In on the New Unit, for a Credit of \$42,000, as requested by the Water Department and the Water Department. *(Recommended Motion: The proposed Resolution be approved.)*
- D. Consideration and Action on a Resolution Authorizing an Amendment to the Meadowbrook Subdivision Improvement Project for Additional Construction Observation and Construction Administration Services between the City and the Farnsworth Group, Inc., in the Amount Not to Exceed \$273,180, as requested by the Water Department and the Department of Operations & Engineering Services. *(Recommended Motion: The proposed Resolution be approved.)*

- E. Consideration and Action on a Resolution Authorizing the Rejection of All Bids for the Miller Park Zoo Katthoefer Building Cage Work Project (Bid # 2025-50), as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Resolution be approved.)
- F. Consideration and Action on a Resolution Authorizing an Amendment Under Strong Communities Program Round 2 PID (Program Identification) #52422, as requested by the Department of Community Impact & Enhancement. (Recommended Motion: The proposed Resolution be approved.)
- G. Consideration and Approval for a Resolution Authorizing City Staff to Donate Greenhouses and Peripheral Equipment and Items from the Public Works Morrissey Facility per RFP #2025-001 to Dylan Cook, as requested by the Public Works Department. (Recommended Motion: The proposed Resolution be approved.)
- H. Consideration and Action to Approve a Collective Bargaining Agreement for Laborers Local 362 - Inspectors, as requested by the Human Resources Department. (Recommended Motion: The proposed Agreement be approved.)
- I. Consideration and Action to Approve the Collective Bargaining Agreement for Laborers Local 362 - Support Staff, as requested by the Human Resources Department. (Recommended Motion: The proposed Agreement be approved.)
- J. Consideration and Action on an Ordinance Approving Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the Properties Located at 801 N. Martin Luther King Jr. Dr. (PIN: 14-32-351-003), 2418 Maloney Dr. (PIN: 21-02-277-017), 205 N. Prospect Rd. (PIN: 21-02-253-014), and 409 E. Mulberry St. (PIN: 21-04-256-005), as requested by the Development Services Department. (Recommended Motion: The proposed Ordinance be approved.)

7. Regular Agenda

- A. Consideration and Action on an Ordinance Amending the Bloomington City Code Updating Chapters 22 and the Schedule of Fees Pertaining to Massage Establishment Licenses Administered by the City Clerk, as requested by the City Clerk Department. (Recommended Motion: The proposed Ordinance be approved.) (Presentation by Jeff Jurgens, City Manager, 3 minutes; and City Council Discussion, 10 minutes.)

8. Finance Director's Report

<https://www.cityblm.org/government/advanced-components/documents/-folder-145>

9. City Manager's Discussion

10. Mayor's Discussion

11. Council Member's Discussion

12. Executive Session

13. Adjournment

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 mhurt@cityblm.org.



CONSENT AGENDA ITEM NO. 6.A.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve the Minutes of the May 27, 2025, Regular City Council Meeting, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Minutes be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The minutes of the meetings provided have been reviewed and certified as correct and complete by the City Clerk. In compliance with the Open Meetings Act, minutes must be approved 30 days after the meeting or at the second subsequent regular meeting whichever is later. In accordance with the Open Meetings Act, minutes are available for public inspection and posted to the City's website within 10 days after approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Amanda Stutsman, Deputy City Clerk

ATTACHMENTS:

[CLK 1B Minutes](#)



**MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, MAY 27, 2025 6:00 P.M.**

The City Council convened in regular session in the Government Center Boardroom at 6:00 P.M. Mayor Dan Brady called the meeting to order and led the Pledge of Allegiance ending with a moment of silent prayer/reflection.

Roll Call

Attendee Name	Title	Status
Dan Brady	Mayor	Present
Jenna Kearns	Council Member, Ward 1	Present
Michael Mosley	Council Member, Ward 2	Present
Sheila Montney	Council Member, Ward 3	Present
John Danenberger	Council Member, Ward 4	Present
Mike Straza	Council Member, Ward 5	Present
Cody Hendricks	Council Member, Ward 6	Present
Mollie Ward	Council Member, Ward 7	Present
Kent Lee	Council Member, Ward 8	Present
Abby Scott	Council Member, Ward 9	Present

Public Comment

Mayor Brady discussed public comment procedure. No emailed public comment was received. The following spoke in-person: (1) Paul Halverson; (2) Gary Lambert; (3) Nancy Bollenger; (4) Marty Seigel; (5) Michael Irvin; (6) Jackie Beyer; and (7) Dakota Black. Jacqueline Medley registered to speak, but was not present at the meeting.

Consent Agenda

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

Council Member Ward made a motion, seconded by Council Member Straza, to approve the Consent Agenda as presented, with the exception of Item 6.P.

Item 6.A. Consideration and Action on Approving Bills and Payroll in the Amount of \$13,829,675.55, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 6.B. Consideration and Action on Approving Reappointments to a Commission, as requested by the Administration Department. (Recommended Motion: The proposed Reappointment be approved.)

Item 6.C. Consideration and Action on a Resolution Approving an Agreement with Ferguson Enterprises, LLC, for the VPIE Software Solution, in an Amount Not to Exceed \$250,000, as requested by the Water Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 098

**A RESOLUTION APPROVING AN AGREEMENT WITH FERGUSON ENTERPRISES, LLC,
FOR THE VPIE SOFTWARE SOLUTION, IN AN AMOUNT NOT TO EXCEED \$250,000**

Item 6.D. Consideration and Action on a Resolution Approving an Agreement with George Gildner, Inc., for the Fiscal Year 2026 Water Department Utility Maintenance Project (Bid #2025-49), in the Amount of \$1,668,160, as requested by the Water Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 099

**A RESOLUTION APPROVING AN AGREEMENT WITH GEORGE GILDNER, INC., FOR
THE FISCAL YEAR 2026 WATER DEPARTMENT UTILITY MAINTENANCE PROJECT (BID
#2025-49), IN THE AMOUNT OF \$1,668,160**

Item 6.E. Consideration and Action on a Resolution Approving an Agreement with George Gildner, Inc., for the Fiscal Year 2026 Street, Alley, and Sidewalk Maintenance (Bid #2025-48), in the Amount of \$755,320, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 100

**A RESOLUTION APPROVING AN AGREEMENT WITH GEORGE GILDNER, INC., FOR
THE FISCAL YEAR 2026 STREET, ALLEY, AND SIDEWALK MAINTENANCE (BID #2025-
48), IN THE AMOUNT OF \$755,320**

Item 6.F. Consideration and Action on a Resolution Approving an Agreement with George Gildner, Inc. for FY 2026 Utility Maintenance (Bid #2025-46), in the Amount of \$1,715,865, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 101

**A RESOLUTION APPROVING AN AGREEMENT WITH GEORGE GILDNER, INC. FOR FY
2026 UTILITY MAINTENANCE (BID #2025-46), IN THE AMOUNT OF \$1,715,865**

Item 6.G. Consideration and Action on a Resolution Approving an Agreement with George Gildner, Inc. for the FY 2026 Sidewalk, Curb, and Gutter Replacement Program (Bid #2025-42), in the Amount of \$2,438,559.35, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 102

**A RESOLUTION APPROVING AN AGREEMENT WITH GEORGE GILDNER, INC. FOR THE
FY 2026 SIDEWALK, CURB, AND GUTTER REPLACEMENT PROGRAM (BID #2025-42),
IN THE AMOUNT OF \$2,438,559.35**

Item 6.H. Consideration and Action on a Resolution Approving an Agreement with Rathje Enterprises, Inc., for the Fiscal Year 2026 Traffic Signal Maintenance Project (Bid #2025-47), in the Amount of \$174,065, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 103

**A RESOLUTION APPROVING AN AGREEMENT WITH RATHJE ENTERPRISES, INC., FOR
THE FISCAL YEAR 2026 TRAFFIC SIGNAL MAINTENANCE PROJECT (BID #2025-47), IN
THE AMOUNT OF \$174,065**

Item 6.I. Consideration and Action on a Resolution Approving an Agreement with Rowe Construction, a Division of United Contractors Midwest, Inc. for the FY 2026 General Resurfacing Program, in the Amount of \$3,773,146.22, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 104

A RESOLUTION APPROVING AN AGREEMENT WITH ROWE CONSTRUCTION, A DIVISION OF UNITED CONTRACTORS MIDWEST, INC. FOR THE FY 2026 GENERAL RESURFACING PROGRAM, IN THE AMOUNT OF \$3,773,146.22

Item 6.J. Consideration and Action on a Resolution Waiving the Formal Bidding and Project Labor Requirements and Approving a Construction Agreement with Corrective Asphalt Materials, LLC, as a Limited Source, for the Fiscal Year (FY) 2026 Pavement Preservation Reclamite Program, in the Amount of \$162,731.25, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 105

A RESOLUTION WAIVING THE FORMAL BIDDING AND PROJECT LABOR REQUIREMENTS AND APPROVING A CONSTRUCTION AGREEMENT WITH CORRECTIVE ASPHALT MATERIALS, LLC, AS A LIMITED SOURCE, FOR THE FISCAL YEAR (FY) 2026 PAVEMENT PRESERVATION RECLAMITE PROGRAM, IN THE AMOUNT OF \$162,731.25

Item 6.K. Consideration and Action on a Resolution Waiving the Formal Bidding and Project Labor Requirements and Approving a Construction Agreement with Donelson Construction Company, LLC, for the Fiscal Year 2026 Pavement Preservation High-Pressure Slurry Seal Program, in the Amount of \$1,052,576.20, as requested by the Engineering Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 106

A RESOLUTION WAIVING THE FORMAL BIDDING AND PROJECT LABOR REQUIREMENTS AND APPROVING A CONSTRUCTION AGREEMENT WITH DONELSON CONSTRUCTION COMPANY, LLC, FOR THE FISCAL YEAR 2026 PAVEMENT PRESERVATION HIGH-PRESSURE SLURRY SEAL PROGRAM, IN THE AMOUNT OF \$1,052,576.20

Item 6.L. Consideration and Action on a Resolution Approving Fiscal Year 2026 John M. Scott Health Care Trust Category III Grant Awards and Programmatic Agreements, in the Amount of \$25,000, as requested by the Department of Community Impact & Enhancement. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 107

A RESOLUTION APPROVING FISCAL YEAR 2026 JOHN M. SCOTT HEALTH CARE TRUST CATEGORY III GRANT AWARDS AND PROGRAMMATIC AGREEMENTS, IN THE AMOUNT OF \$25,000

Item 6.M. Consideration and Action on a Resolution Authorizing the Filing of the 2025 Community Development Block Grant (CDBG) Annual Action Plan Program Application (May 1, 2025 - April 30, 2026) and CDBG 2025-2029 Consolidated Plan (May 1, 2025 – April 30, 2030), as requested by the Department of Community Impact & Enhancement. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 108

A RESOLUTION AUTHORIZING THE FILING OF THE 2025 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN PROGRAM APPLICATION (MAY 1, 2025 - APRIL 30, 2026) AND CDBG 2025-2029 CONSOLIDATED PLAN (MAY 1, 2025 – APRIL 30, 2030)

Item 6.N. Consideration and Action on a Resolution Approving an Intergovernmental Agreement with Mclean County for Animal Control Warden Services, from April 1, 2025, through December 15, 2027, in the Amount of \$87,363 for the Remainder of 2025, \$119,979 for 2026, and \$123,578 for 2027, as requested by the Legal Department and the Administration Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 109

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH MCLEAN COUNTY FOR ANIMAL CONTROL WARDEN SERVICES, FROM APRIL 1, 2025, THROUGH DECEMBER 15, 2027, IN THE AMOUNT OF \$87,363 FOR THE REMAINDER OF 2025, \$119,979 FOR 2026, AND \$123,578 FOR 2027

Item 6.O. Consideration and Action on a Resolution Approving an Intergovernmental Agreement with Mclean County for Animal Control Shelter Services, from April 1, 2025, through December 15, 2027, in the Amount of \$45,000 for the Remainder of 2025, \$80,000 for 2026, and \$100,000 for 2027, as requested by the Legal Department and the Administration Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2025 – 110

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH MCLEAN COUNTY FOR ANIMAL CONTROL SHELTER SERVICES, FROM APRIL 1, 2025, THROUGH DECEMBER 15, 2027, IN THE AMOUNT OF \$45,000 FOR THE REMAINDER OF 2025, \$80,000 FOR 2026, AND \$100,000 FOR 2027

Item 6.P. was removed by the Consent Agenda by Council Member Danenberger.

Item 6.Q. Consideration and Action on an Ordinance Approving an Easement Agreement with Mark J. Tomac (PIN: 21-21-252-016), as requested by the Engineering Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2025 – 039

AN ORDINANCE APPROVING AN EASEMENT AGREEMENT WITH MARK J. TOMAC (PIN: 21-21-252-016)

Item 6.R. Consideration and Action on an Ordinance Approving the Expedited Final Plat of the Reeser Subdivision (Part of PIN: 21-28-400-012), as requested by the Development Services Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2025 – 040

AN ORDINANCE APPROVING THE EXPEDITED FINAL PLAT OF THE REESER SUBDIVISION (PART OF PIN: 21-28-400-012)

Item 6.S. Consideration and Action on an Ordinance Approving the Third Addition to the Links at Ireland Grove Road Subdivision (PINs: 22-18-203-006, 22-18-203-010, 22-18-203-011, 22-18-203-012, 22-18-203-013, 22-18-203-014), as requested by the Development Services Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2025 – 037

AN ORDINANCE APPROVING THE THIRD ADDITION TO THE LINKS AT IRELAND GROVE ROAD SUBDIVISION (PINS: 22-18-203-006, 22-18-203-010, 22-18-203-011, 22-18-203-012, 22-18-203-013, 22-18-203-014)

Mayor Brady directed the Clerk to call roll:

AYES: Kearns, Mosley, Montney, Danenberger, Straza, Hendricks, Ward, Lee, Scott

Motion carried.

Items Removed from Consent Agenda

The following Item was pulled from the Consent Agenda by Council Member Danenberger:

Item 6.P. Consideration and Action on an Ordinance Approving the First Amendment to the Economic Incentive Agreement By and Between the City of Bloomington, Illinois, and Green Top Grocery Cooperative, as requested by the Development Services Department.

Council Members Danenberger and Ward recused themselves due to a conflict of interest. They left the room at 6:25 P.M.

Council Member Montney made a motion, seconded by Council Member Lee, to deny the Item as presented.

Council Member Montney expressed concern about spending \$15,000 annually to subsidize Green Top Grocery at a time when the City was struggling with revenue and potentially considering a grocery tax. She questioned supporting a single business over other businesses.

Council Member Hendricks confirmed the City's proposed obligations and stressed that the City would not be writing a check to Green Top, but would instead return 30% of Green Top Grocery's sales tax (around \$15,000 per year). He believed losing Green Top's \$100,000 in sales tax because of the \$15,000 annual rebate made less sense.

Council Member Straza raised concerns about the potential economic loss if Green Top Grocery closed and explored the long-term financial implications of not supporting the business.

Council Member Montney highlighted the number of businesses that had closed Downtown and questioned why Green Top Grocery should receive financial support when other small business owners didn't have similar opportunities.

Council Member Hendricks stated that he did not support pitting small business against one another, and supported increasing opportunities for grant dollars to assist small businesses.

Mayor Brady directed the Clerk to call roll:

AYES: Mosley, Montney, Lee

NAYES: Kearns, Straza, Hendricks, Scott

ABSTAIN: Danenberger, Ward

Motion failed.

Council Member Hendricks made a motion, seconded by Council Member Kearns, to approve the Item as presented.

Mayor Brady directed the Clerk to call roll:

AYES: Kearns, Straza, Hendricks, Scott

NAYES: Mosley, Montney, Lee

ABSTAIN: Danenberger, Ward

Motion passed failed.

Following the Regular Agenda being presented, Mayor Brady and Corporation Counsel Chris Spanos discussed parliamentary procedure regarding the required number of votes needed to approve the Item. Mr. Spanos determined that five votes were required despite the number of abstained Council Members. Given that determination, the Item that had originally been announced as “passed” instead “failed.”

Council Members Danenberger and Ward returned to the room at 6:38 P.M.

Regular Agenda

The following Item was presented:

Item 7.A. Consideration and Action on a Resolution Adopting the MMH Scan™ Analysis + Definition of Barriers to Missing Middle Housing, and the Findings and Recommendations of Such, as Presented by Opticos Design, Inc., as requested by the Development Services Department.

City Manager Jeff Jurgens introduced the Item and noted Council’s direction to staff to prioritize housing to address development.

Alissa Pemberton, Planning Manager, explained that the proposed Resolution directed staff to determine how to implement the Opticos report, and did not automatically change zoning codes. She emphasized that all text amendments would require public hearings, Planning Commission review, and City Council approval. She discussed how the report provided recommendations and ideas to identify problems, and that additional research and evaluation would be necessary before any changes were implemented.

Council Member Montney and Mrs. Pemberton discussed public hearing and outreach efforts. Council Member Montney expressed concern with voting on a Resolution that had significant implications to the community, and expressed being surprised by the depth of the proposed zoning changes she believed deviated from the City’s housing priorities.

City Manager Jurgens explained that the City was actively working on all housing priorities and would roll them out as they were prepared.

Mrs. Pemberton and Sr. Deputy City Manager Tyus stressed that there were many steps after the approval of the proposed Resolution, including additional opportunities for public input and outreach to stakeholders.

Mayor Brady asked Council to hold additional questions until after the Opticos representative presented their recommendations.

Jennifer Settle, Opticos Design Representative, presented the Bloomington Middle Housing Study, discussing the purpose of offering residents housing options, addressing areas that were ready for development, and identifying barriers.

Council Member Montney shared that she believed the topic was too important to rush and wanted additional time to review and consider the report.

Council Member Montney made a motion, seconded by Council Member Danenberger, to postpone the Item indefinitely.

Council Member Danenberger echoed Council Member Montney's point, noting the report's complexity and the need for more time to discuss issues.

Council Member Ward called Point of Order. She stated that since Council was out of time, no additional discussion could be had.

Council Member Kearns supported the Point of Order.

The discussion ended and the vote was called.

Mayor Brady directed the Clerk to call roll:

AYES: Mosley, Montney, Danenberger, Straza, Lee

NAYES: Kearns, Hendricks, Ward, Scott

Motion carried.

The following Item was presented:

Item 8.B. Consideration and Action on an Ordinance Providing for the Issuance of Not to Exceed \$36,000,000 General Obligation Bonds, Series 2025, for the Purpose of Financing Improvements to the Waterworks System in the City and Providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal of and Interest on the Bonds, as requested by the Finance Department and the Water Department.

City Manager Jurgens introduced the Item and noting it had nothing to do with dredging.

Ed Andrews, Water Director, presented the Water Infrastructure Plan, highlighting \$125 million for water main replacement, \$100 million for lead service replacement, and system-wide improvements. The plan included retiring old transmission mains from 1929 and the 1950s, decommissioning storage tanks from 1906, and upgrading the water plant's electrical system. He added that the Prairie Vista Golf Course water tower project neared under budget completion.

Scott Rathbun, Finance Director, shared that staff had created a 20-year financial model based on rate increases and revenue projections, and recommended combining two years of borrowing into one bond issuance to reduce legal costs. He noted the funding would cover needs for two fiscal years and provide flexibility for early FY 2027 project costs.

Council Member Ward made a motion, seconded by Council Member Hendricks, to approve the Item as presented.

Mayor Brady directed the Clerk to call roll:

AYES: Kearns, Mosley, Montney, Danenberger, Straza, Hendricks, Ward, Lee, Scott

Motion carried.

ORDINANCE NO. 2025 - 041

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$36,000,000 GENERAL OBLIGATION BONDS, SERIES 2025, FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE WATERWORKS SYSTEM IN THE CITY AND PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX SUFFICIENT FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS

Mayor Brady confirmed with Director Andrews that the Item was not associated to dredging and with Director Rathbun that the water bill increases were an investment in infrastructure improvements.

Finance Director's Report

Director Rathbun presented the year-end financial report noting that final adjustments would be made as sales tax and payroll were accrued. He highlighted a positive swing of nearly \$500,000, primarily due to changes in home-rule and state sales tax collections related to online retail. The report showed projected reserves increasing slightly to \$39.4 million.

City Manager's Discussion

City Manager Jurgens thanked staff for their hard work on the Opticos report, the bonds, and reiterated that the water bond was unrelated to dredging. He updated Council on the opening of the O'Neil and Holiday pools, golf course attendance, and recognized the Police Department for being named Business Partner of the Year by the Bloomington Area Career Center.

Mayor's Discussion

Mayor Brady thanked veterans for their service, as well as the organizers of the Memorial Day Parade, and ended by acknowledging other community events held throughout the City.

Council Members' Discussion

Council Member Ward shared her experience representing the City at a memorial for bicyclists killed in traffic accidents, emphasizing the importance of Council decisions in making the community safer for pedestrians and bicyclists.

Executive Session

Council Member Ward made a motion, seconded by Council Member Hendricks, to enter into Executive Session per Section 2(c)(2) OF 5 ILCS 120 to discuss collective bargaining.

Mayor Brady directed the Clerk to call roll:

AYES: Kearns, Mosley, Montney, Danenberger, Straza, Hendricks, Ward, Lee, Scott

Motion carried.

Council entered into Executive Session at 8:17 P.M.

Adjournment

Council returned to Open Session at 8:37 P.M.

Council Member Hendricks made a motion, seconded by Council Member Danenberger, to adjourn the meeting.

Mayor Brady directed the Clerk to call roll:

AYES: Kearns, Mosley, Montney, Danenberger, Straza, Hendricks, Ward, Lee, Scott

Motion carried.

The meeting adjourned at 8:38 P.M.

CITY OF BLOOMINGTON

ATTEST

Dan Brady, Mayor

Amanda Stutsman, Deputy City Clerk



CONSENT AGENDA ITEM NO. 6.B.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on Approving Bills and Payroll in the Amount of \$11,311,581.79, as requested by the Finance Department.

RECOMMENDED MOTION: The proposed Bills and Payroll be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved \$11,311,581.79 (Payroll total \$3,549,722.63, Accounts Payable total \$7,501,585.06, and Bank Transfers total \$260,274.10).

Respectfully submitted for consideration.

Prepared by: Tearra Edwards, Support Staff V

ATTACHMENTS:

[FIN 1B Council Finance Summary Report](#)

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
6/13/2025	\$ 2,898,344.27	\$ 648,811.59	\$ 3,547,155.86

Off Cycle Adjustments	\$	2,530.08	\$	36.69	\$	2,566.77
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PAYROLL TOTAL	\$	3,549,722.63
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ACCOUNTS PAYABLE (WIRES)

PCARDS

Date	Bank	Total
6/23/2025	AP General	\$ 7,257,452.16
6/23/2025	AP JMScott	\$ 25,000.00
6/23/2025	AP Comm Devel	\$ 3,032.08
6/23/2025	AP IHDA	\$ -
6/23/2025	AP Library	\$ 58,015.91
6/23/2025	AP MFT	\$ 85,170.27
6/05/2025-6/12/2025	Out of Cycle AP	\$ 72,914.64
5/12/2025-6/18/2025	AP Bank Transfers	\$ 260,274.10
AP TOTAL	\$	7,761,859.16
PCARD TOTAL	\$	-

GRAND TOTAL	\$	11,311,581.79
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Respectfully,

F Scott Rathbun
Director of Finance



CONSENT AGENDA ITEM NO. 6.C.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on a Resolution (1) Approving the Purchase of a John Deere 410P Backhoe from Martin Equipment, Inc., in the Amount of \$182,400; and (2) Approval to Dispose the Replaced Unit LB34, a 2015 Caterpillar 430FIT, be Declared Surplus and Traded In on the New Unit, for a Credit of \$42,000, as requested by the Water Department and the Water Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The Water Department is recommending the approval of the Purchase of a John Deere Backhoe from Martin Equipment, Inc., in the amount of \$182,400, using the Sourcewell Contract #011723-JDC, exp. 4/14/2027. The Water Transmission and Distribution Division has Unit W25, which is a 2019 John Deere 410J backhoe. The current unit is 7 years old and has 3,267 hours of use. The maintenance cost to date is \$12,526.99. Repair issues with this Unit have included hydraulic hoses and fittings, batteries, bucket repairs, breaker bit, and auto Lube system. It is used daily to repair water mains, replace water valves, and repair residential service lines. It is also used to load gravel and backfill materials.

The new unit will be equipped with a 4-in-1 bucket and can use the snowplow that was purchased previously. This purchase includes a 7-year 4000-hour Comprehensive Machine Warranty and a 7-year 4000-hour Martin Maxpremium Uptime Contract. This provides a John Deere factory-trained technician to perform fluid analysis sampling to monitor for excessive wear or contamination, visual inspections, and all fluid changes required by the manufacturer. The City uses these plans on heavy equipment to provide the maximum uptime of the equipment for the first 7 years. This has been a standard purchase of heavy equipment.

Staff request that the replaced Unit be moved to Lake Bloomington to replace Unit LB34, an even older 2015 Caterpillar 430FIT, that has 3,575 hours and a maintenance cost to date of \$ 35,968.10. Recent issues with this Unit have been the electrical system, hydraulic system, tires, boom locks, and HVAC system. Staff request that the old LB34 Unit be declared surplus and traded in on the new unit for a credit of \$42,000.

Seeking to maintain consistency, focus on efficiency, and leverage the operational experience of staff, the Water Department is recommending the purchase of a John Deere brand backhoe. The City owns John Deere brand equipment in several departments, staff are

familiar with their operation, existing City-owned attachments are interchangeable with the proposed model, and Fleet stocks replacement and repair parts.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The Water Department has budgeted \$201,178 in FY 2026 for the purchase of the backhoe for the Water Transmission and Distribution Division. The new unit will cost \$182,400. It will be paid for using the Water Transmission and Distribution-Capital Outlay Equipment Other than Office account (50100120 -72140). Stakeholders can locate this in the FY 2026 Proposed Budget Book titled "Other Funds & Capital Improvement" on pages 82 and 96.

Respectfully submitted for consideration.

Prepared by: Rob Krones, Superintendent of Fleet Management

ATTACHMENTS:

[WRT 1B Resolution](#)

[WTR 1C Resolution - Exhibit A - Quote](#)

[WTR 1D Unit W25](#)

[WTR 1E Unit LB34](#)

RESOLUTION NO. 2025 - ____

A RESOLUTION (1) APPROVING THE PURCHASE OF A JOHN DEERE 410P BACKHOE FROM MARTIN EQUIPMENT, INC., IN THE AMOUNT OF \$182,400; AND (2) APPROVAL TO DISPOSE THE REPLACED UNIT LB34, A 2015 CATERPILLAR 430FIT, BE DECLARED SURPLUS AND TRADED IN ON THE NEW UNIT, FOR A CREDIT OF \$42,000

WHEREAS, subject to the provisions of the City Code, City staff are recommending the purchase of a John Deere 410P Backhoe from Martin Equipment, Inc., in the Amount of \$182,400 ("PURCHASE"); and approval to dispose the replaced Unit LB34, a 2015 Caterpillar 430FIT, be declared surplus and traded in on the new unit, for a credit of \$42,000; and

WHEREAS, the detailed quote is attached (Exhibit A); and

WHEREAS, the Water Department has Unit W25, which is a 2019 John Deere 410J backhoe, which is 7 years old and has 3,267 hours of use. The maintenance cost to date is \$12,526.99, and repair issues have included hydraulic hoses and fittings, batteries, bucket repairs, breaker bit, and auto Lube system. It is used daily to repair water mains, replace water valves, repair residential service lines, and load gravel and backfill materials; and

WHEREAS, Staff recommend the purchase of a John Deere brand backhoe to maintain consistency, focus on efficiency, and leverage the operational experience of staff. The City owns John Deere brand equipment in several departments, staff are familiar with their operation, existing City-owned attachments are interchangeable with the proposed model, and Fleet stocks replacement and repair parts; and

WHEREAS, the 2019 John Deere Unit 410J W25 will be assigned to the Water Department's Lake Maintenance division as a replacement for the even older 2015 Caterpillar 430FIT Unit LB34; and

WHEREAS, the PURCHASE consists of a purchase through the joint purchasing contract from Sourcewell-Contract ID #011723-JDC, for the John Deere 410P Backhoe, including a trade-in value of \$42,000 for Unit LB34 for a total purchase price of \$182,400; and

WHEREAS, the City Council finds it in the best interest of the City to approve the Purchase and authorize the trade in of the current unit.

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

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

SECTION 2. City staff are authorized to trade-in the current unit as surplus property for a credit.

SECTION 3. The City Manager, or designated representatives, are authorized to execute the Purchase, and any other necessary documents.

PASSED this 23rd day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

Dan Brady, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A



400 West Martin Drive
Goodfield, IL 61742
T: (309) 965-2502
F: (309) 965-2711

Quote Issued To: CITY OF BLOOMINGTON
109 E OLIVE STREET
BLOOMINGTON IL 61701
3094342340
Quote Issued By: Eugene Glueck

QUOTATION

Quote #: 1010640
Issue Date: 5/29/2025
Expire Date: 6/29/2025
FOB: Goodfield

ITEMS LISTED FOR SALE

Item #	Year	Make	Model	Serial #	Hours	Quoted Sale Price
	2025	John Deere	410 P-Tier Backhoe Loader			\$224,200.00

Description

Level 3 Cab w/Air Cond, Premium Heated/Ventilated Air Seat, LED Lights, Pull Down Front Shade
Premium Mirrors - Exterior Rear View Mirrors (2) and Front View Mirror (1)
Premium Package Radio w/BT
Pilot Controls, Two Lever, with Pattern Selection
LED 4-Corner Beacon Lights
Rear Camera System (with Secondary Display)
JDLink™
John Deere 4.5L - FT4/Stage IV Engine
Engine Coolant Heater
Dual Batteries with Disconnect and Jump Post
Diagnostic Oil Sampling Ports
Autoshift Transmission - Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential
Level 1 Performance Package MFWD guard, Boom protection plate, Stabilizer guards
Loader Coupler, Three-Function Hydraulics, Single Lever w/Ride Control
1.32 Cu Yd MP (4-1) Loader Bucket w/Edge
1000 lb. Front Counterweight
Extendible Dipperstick w/Aux Digging Lights
Auxiliary Hydraulics with One & Two Way Flow



MARTINEQUIPMENT.COM



400 West Martin Drive
Goodfield, IL 61742
T: (309) 965-2502
F: (309) 965-2711

Description

Deere Standard Quick Coupler
24" Heavy-Duty Bucket w/Digging Teeth
36" Heavy-Duty Bucket w/Spade Teeth
Galaxy 550 Radial - 500/70R24 Rear & 340/80R18 Front
Front Fenders
JA Lube Central Auto Lube System
John Deere HH80C Hydraulic Breaker
7 Year 4000 Hour Comprehensive Warranty on Machine - One Year
Warranty on Hydraulic Breaker, Buckets, Auto Lube System
7 Year 4000 Hour Martin Max Premium Uptime Contract

TRADE ALLOWANCES

TIV #	Year	Make	Model	Serial #	Hours	Trade Allowance
002440	2015	CAT	430F IT	RGS00685	3575.00	
Total Trade Allowance:						\$42,000.00

NOTES

SOURCEWELL CONTRACT # 011723-JDC
ACCOUNT # 25014

PRICE BREAKDOWN IS AS FOLLOWS
\$198,000.00 BACKHOE WITH ALL OPTIONS AS BID
\$26,400.00 MARTIN MAX PREMIUM UPTIME CONTRACT (7 YEARS OR 4000 HOURS) (\$6.60 PER HOUR)

QUOTE SUMMARY

Total Sale price: \$224,400.00
Total Trade Allowance: \$42,000.00

Subtotal: \$182,400.00
Sales Tax: \$0.00
Rent Applied: \$0.00
Cash with Order: \$0.00
Document Fee: \$0.00

TOTAL: \$182,400.00



MARTINEQUIPMENT.COM



400 West Martin Drive
Goodfield, IL 61742
T: (309) 965-2502
F: (309) 965-2711

Acceptance Signature: _____ Date: _____

*All quotations contingent upon strikes, delays, and conditions beyond our control. Prices subject to change with or without notice.
All prices are subject to expiration of any current sales programs and incentives.*



MARTINEQUIPMENT.COM







CONSENT AGENDA ITEM NO. 6.D.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: Ward 1

SUBJECT: Consideration and Action on a Resolution Authorizing an Amendment to the Meadowbrook Subdivision Improvement Project for Additional Construction Observation and Construction Administration Services between the City and the Farnsworth Group, Inc., in the Amount Not to Exceed \$273,180, as requested by the Water Department and the Department of Operations & Engineering Services.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:

Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The Water Department is recommending the approval of a Resolution for an Amendment to the Farnsworth Group, Inc. ("Farnsworth"), who is currently under contract to provide construction observation services on this Meadowbrook Subdivision Improvement Project in accordance with the Project Services Agreement dated March 1, 2024. The Farnsworth team has provided 5 months of construction observation on this project to date under the original scope since construction began in September 2024. As this project has progressed, additional construction observation services and construction administration services have been incurred and are anticipated to complete the project. The following is a brief description of the additional services incurred to date.

Project Schedule:

- The original construction start date for the project was May 1, 2024, with a completion date of October 31, 2024 (6 months).
- The actual construction start date was in September 2024.
- The water main portion of the project is anticipated to be complete by May 31, 2025 (9 months).
- Surface restoration (streets, driveways, curb & gutter, sidewalks) to begin this spring with completion anticipated by August 31, 2025 (3 months).

The additional construction observation services beyond the original scope are anticipated to be 5 days per week at 8 hours per day for the water main portion of work, and then reduced to 5 days per week at 4 hours per day for the surface restoration work. An additional 8 hours for final punch list inspection for project close-out coordination and a 10% contingency have been included as allowed by the City on underground utility projects.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, an Amendment with Farnsworth Group, Inc. for the Meadowbrook Subdivision Improvement Project, in the amount not to exceed \$273,180 will be executed. Funds will be paid from Water Transmission & Distribution Architectural & Engineering Services for Capital account (50100120-70051). Stakeholders can locate this in the FY 2026 Budget Book titled "Other Funds & Capital Improvement" on pages 95, 160, and 219. While not specifically budgeted for in FY 2026, \$1M in miscellaneous water main upgrades and design was included.

Respectfully submitted for consideration.

Prepared by: Brett Lueschen, Assistant Water Director

ATTACHMENTS:

[WTR 1B Resolution](#)

[WTR 1C Resolution - Exhibit A - Amendment](#)

RESOLUTION NO. 2025 - ____

**A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE MEADOWBROOK
SUBDIVISION IMPROVEMENT PROJECT FOR ADDITIONAL CONSTRUCTION
OBSERVATION AND CONSTRUCTION ADMINISTRATION SERVICES BETWEEN
THE CITY AND THE FARNSWORTH GROUP, INC., IN THE AMOUNT NOT TO
EXCEED \$273,180**

WHEREAS, subject to the provisions of the City Code, City staff are recommending approval of a change order ("Change Order"), to the Meadowbrook Subdivision Improvement Project, for additional Construction Observation and Construction Administration Services with the Farnsworth Group, Inc. ("Farnsworth"), in the amount not to exceed \$273,180; and

WHEREAS, the original Agreement with the contractor was extended due to delays caused by weather and other unforeseen circumstances such as additional depth necessary to complete the installation of the new water main, and multiple overlapping contracts for the same project location (Bid 2025-08, Sidewalk, Curb and Gutter Program); and

WHEREAS, with the extension to the construction Contract, the project now has a completion date of August 29, 2025, which is an extension of 182 days and will require an extension on the Construction Observation and Construction Administration Services with the Farnsworth; and

WHEREAS, the City Council finds it in the best interest of the City to approve the Change Order.

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

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

SECTION 2. The City Manager, or designated representatives, are authorized to execute the Change Order (Exhibit A), and any other necessary documents.

PASSED this 23rd day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

ATTEST

Dan Brady, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

February 10, 2025

Ed Andrews, P.E.
Water Department Director
City of Bloomington
603 W. Division Street
Bloomington, IL 61701

Re: Meadowbrook Subdivision Improvement Project
Contract Amendment for Additional Construction Observation and Construction Administration Services

Dear Mr. Andrews:

We are currently under contract to provide construction observation services on this Meadowbrook Subdivision Improvement Project in accordance with our Project Services Agreement dated March 1, 2024. Our team has provided 5 months of construction observation on this project to date under the original scope since construction began in September 2024.

As this project has progressed, additional construction observation services and construction administration services have been incurred and are anticipated to complete the project. The following is a brief description of the additional services incurred to date.

- Project Schedule: The original construction start date for the project was May 1, 2024 with a completion date of October 31, 2024 (6 months). The actual construction start date was in September 2024 and the water main portion of the project is anticipated to be complete by May 31, 2025 (9 months), with the surface restoration (streets, driveways, curb & gutter, sidewalks) to begin this spring with completion anticipated by August 31, 2025 (3 months).

The additional construction observation services beyond the original scope are anticipated to be 5 days per week at 8-hours per day for the water main portion of work, and then reduce to 5 days per week at 4-hours per day for the surface restoration work. An additional 8 hours for final punch list inspection for project close-out coordination and a 10% contingency have been included as allowed by the City on underground utility projects.

- Construction Administration Services: City staff requested Farnsworth provide construction administration services for this project including responding to Contractor questions, responding to requests for information (RFI's), coordination and review of change order requests, review of shop drawing submittals, preparation of payment funding split documentation, tracking air testing of private water services, conducting and documenting monthly coordination meetings, including other items as needed. Our staff have spent an average of 10 Hrs/week performing this scope of work for the water main replacement work since construction began in September 2024.

We are requesting the attached amendment to our Project Services Agreement to include the additional scope and services for this project. A basic list of service to be provided follows:

- Construction Observation Services:
 - For the water main portion of work September 3, 2024 through May 31, 2025:
3 months additional to original contract to complete work = 13 weeks
13 weeks x 40 Hrs/week = 520 Hours
Final Punch List Inspection = 4 Hours
10% Contingency = 52 Hours
Estimated Additional Hours = 576 Hours

576 Hours x \$165/Hr (Chief Technician) = \$95,040
 - For the surface restoration portion of work through August 31, 2025:
3 months = 13 weeks
13 weeks x 20 Hrs/week = 260 Hours
Final Punch List Inspection = 4 Hours
10% Contingency = 26 Hours
Estimated Additional Hours = 290 Hours

290 Hours x \$165/Hr (Chief Technician) = \$47,850
- Construction Administration Services:
 - For the water main portion of work through May 31, 2025:
Time spent to date (June 2024 – mid-January 2025) = 201 Hours
4.5 months remaining to complete work = 18 weeks
18 weeks x 10 Hrs/week = 180 Hours
10% Contingency = 48 Hours
Total Additional Hours = 429 Hours

429 Hours x \$215/Hr (Sr. Project Engineer) = \$92,235

Ed Andrews
February 10, 2025
Page 3 of 3

- For the surface restoration portion of work through August 31, 2025:
 Time spent to date (June 2024 to mid-January 2025) = 105 Hours
 3 months = 13 weeks
 13 weeks x 5 Hrs/week = 65 Hours
 10% Contingency = 7 Hours
 Total Additional Hours = 177 Hours

177 Hours x \$215/Hr (Sr. Project Engineer) = \$38,055

The breakdown of additional fees is as follows:

Proposed Contract Amendment #1:

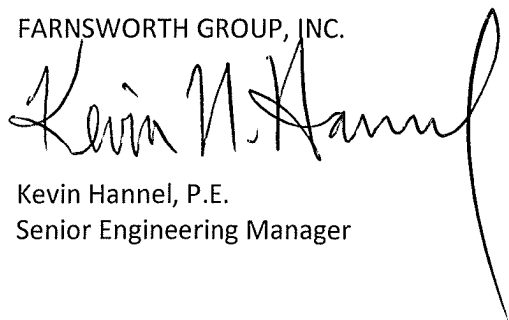
Construction Observation – Water Mains	\$ 95,040
Construction Observation – Surface Restoration	\$ 47,850
Construction Administration – Water Mains	\$ 92,235
Construction Administration – Surface Restoration	\$ 38,055
Total Proposed Contract Amendment #1:	\$273,180

<u>Original Contract Amount:</u>	<u>\$213,100</u>
Total Amended Contract Amount:	\$486,280

Should you have any questions or comments pertaining to this proposal, please contact us.

Sincerely,

FARNSWORTH GROUP, INC.



Kevin Hannel, P.E.
Senior Engineering Manager

AMENDMENT TO PROJECT SERVICES AGREEMENT

Meadowbrook
Subdivision
Improvement Project—
Construction Services

City of Bloomington

February 10, 2025

AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT

This Amendment No. 1 is referred to in and as part of the Project Services Agreement for Professional Services dated March 1, 2024 for the "Meadowbrook Subdivision Improvements Project Construction Observation" hereinafter referred to as the AGREEMENT and between Farnsworth Group, Inc., hereinafter referred to as FARNSWORTH GROUP, of 2709 McGraw Drive, Bloomington, IL 61704, and City of Bloomington, hereinafter referred to as CLIENT, of 115 E. Washington Street, Bloomington, IL 61701.

The CLIENT and FARNSWORTH GROUP hereby agree to modify the above-referenced AGREEMENT as set forth below in this Amendment. All provisions of the AGREEMENT not modified by this or previous Amendments remain in effect. The effective date of this Amendment is February 6th, 2025.

AMENDMENT /

The AGREEMENT shall be modified as follows:

1. Page 2, Replace the 4th bullet point under the Scope of Work to read as follows:
 "Provide Construction Administration Services including:
 - Review of shop drawings and material submittals by the Contractor
 - Provide interpretation of the plan drawings and specifications per Contractor's questions as needed
 - Provide Contractor with survey benchmarks and reference points in the field. Contractor shall be responsible for additional construction layout.
 - Review of Contractor's pay application requests, including funding allocation split calculations
 - Conduct and document monthly coordination meetings
 - Track air testing of private water services
 - Conduct periodic site visits to project site to observe progress of work
 - Conduct site visit upon substantial completion of work to coordinate and prepare final punch list of work items remaining to be completed prior to final payment and project close-out"
2. Page 2, Add the additional section under the Project Schedule paragraph:
 "Construction phase services shall follow the construction period set forth by the Contractor based on the proposed amended project schedule for substantial completion by September 1, 2025. "
3. Page 2, Revise the first sentence under the Professional Fees paragraph to read as follows:
 "Farnsworth Group proposes to provide the described services for a Time & Materials (T&M) fee, based on an hourly basis per the attached Schedule of Charges, of \$486,280 (Four hundred eighty-six thousand two hundred eighty and 00/100 dollars), including normal reimbursable expenses."
4. Page 2, Add the additional bullet point descriptions under the under the Professional Fees Sections:
 - Additional Construction Observation Services:
 - For the Water Main portion of work \$ 95,040
 - For the Surface Restoration portion of work \$ 47,850

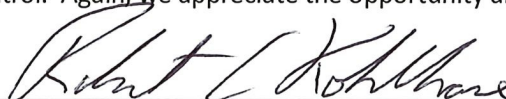
• <u>Construction Administration Services:</u>	
○ <u>For the Water Main portion of work</u>	<u>\$ 92,235</u>
○ <u>For the Surface Restoration portion of work</u>	<u>\$ 38,055</u>
<u>Total Estimated Fee (T&M)</u>	<u>\$486,280</u>

5. Page 3, Revise Paragraph A.1. to read as follows:

"The amended fee schedule is based on a construction start date of September 1, 2024, with the water main portion of the project anticipated to be complete by May 31, 2025 (9 months), with the surface restoration (streets, driveways, curb & gutter, sidewalks) to begin spring 2025 with completion anticipated by August 31, 2025 (3 months). The construction observation services include an additional 8 hours for final punch list inspection and coordination during project closeout. The construction observation and administration services include a 10% contingency allowed by the City for underground utility projects. Significant delays in start or completion dates may require reassessing necessary services, schedule and fees.

AGREEMENT /

Please indicate your acceptance and agreement of this Amendment, which is subject to and incorporates by reference all terms of the Agreement between the Client and Farnsworth Group dated March 1, 2024, by signing and returning a copy of this Amendment for our records. In the event any terms of this Amendment conflict with a term in the Agreement, you agree and acknowledge that the terms of the Agreement shall control. Again, we appreciate the opportunity and look forward to working with you on this exciting project.



Signature

Robert C. Kohlhasse

Typed Name

Principal

Title

February 10, 2025

Date



Signature

Kevin N. Hannel, PE

Typed Name

Senior Engineering Manager

Title

February 10, 2025

Date

CITY OF BLOOMINGTON, IL

Signature

Edward Andrews, PE

Typed Name

Water Department Director

Title

February 10, 2025

Date



CONSENT AGENDA ITEM NO. 6.E.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: Ward 1 and City-Wide Impact

SUBJECT: Consideration and Action on a Resolution Authorizing the Rejection of All Bids for the Miller Park Zoo Katthoefer Building Cage Work Project (Bid # 2025-50), as requested by the Parks & Recreation Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: If approved, the City will reject all bids for the Miller Park Zoo Katthoefer Building cage work. This project was advertised as Bid #2025-50 to solicit competitive bids for Miller Park Zoo Katthoefer Building Cage Work Improvements. These improvements were recommended by the Association of Zoos and Aquariums (AZA), during Miller Park Zoo's accreditation process in 2024. The City received two bids on this project. One from Tarter Construction, in the amount of \$474,900, and one from PJ Hoerr, in amount of \$685,000. This project is being funded by an Illinois Department of Natural Resources (IDNR) Museum Grant for the Katthoefer Animal Building at Miller Park Zoo. The budgeted amount using grant funds is \$106,500.

Due to the bid amounts, staff are looking at alternative solutions and considering doing a portion of the work in-house to be more cost-effective. The bid solicitation states that the City retains the right to reject any and all bids. The Parks and Recreation Department will rebid this project at a later date with an amended scope of work.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Bid # 2025-50 was published in *OpenGov* and *The Pantagraph* on May 9, 2025.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Dave Lamb, Assistant Director of Parks & Recreation

ATTACHMENTS:

[P&R 1B Resolution](#)

[P&R 1C Bid Tabulations](#)

RESOLUTION NO. 2025 - ____

A RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS FOR THE MILLER PARK ZOO KATTHOEFER BUILDING CAGE WORK PROJECT (BID #2025-50)

WHEREAS, subject to the provisions of the City Code, City Staff are recommending rejection of the competitive bids received for Miller Park Zoo Katthoefer Building Cage Work Project (Bid #2025-50); and

WHEREAS, the project is being funded by an Illinois Department of Natural Resources (IDNR) Museum Grant in the amount of \$106,500; and

WHEREAS, two bids for this project were received but were significantly higher than the grant funding; and

WHEREAS, City Staff are looking at alternative solutions and amending the scope of work to be more cost-effective; and

WHEREAS, the bid solicitation states that the City retains the right to reject any and all bids and waive technicalities; and

WHEREAS, the City Council finds it in the best interest of the City to reject the bids for Bid #2025-50.

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

SECTION 1. That the recitals set forth above are incorporated herein and City Manager, or designated representatives, are authorized to reject the bid for Bid #2025-50.

PASSED this day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

ATTEST

Dan Brady, Mayor

Leslie Smith-Yocum, City Clerk



EVALUATION TABULATION
ITB - PLA No. Bid #2025-50
Miller Park Zoo Kattoefer Building Cagework Specifications
RESPONSE DEADLINE: May 9, 2025 at 11:00 am
Report Generated: Tuesday, June 10, 2025

SELECTED VENDOR TOTALS

Vendor	Total
Tarter Construction Services, LLC	\$474,900.00
P.J. Hoerr, Inc.	\$685,000.00

MILLER PARK ZOO KATTOEFER BUILDING CAGEWORK

Vendor	Total
Tarter Construction Services, LLC	\$474,900.00
P.J. Hoerr, Inc.	\$685,000.00



CONSENT AGENDA ITEM NO. 6.F.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on a Resolution Authorizing an Amendment Under Strong Communities Program Round 2 PID (Program Identification) #52422, as requested by the Department of Community Impact & Enhancement.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:
Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:
Objective 4c. Preservation of property/home valuations

BACKGROUND: On October 26, 2023, the Bloomington City Council approved Resolution #2023 - 028, which accepted \$103,000 from the Illinois Housing Development Authority ("IHDA") for Round Two of the Strong Communities Program ("SCP"). The grant proposed that funds be used to demolish abandoned residential properties meeting the definition outlined in 735 ILCS 5/15-1200.5. To date, the City has completed one demolition with funds from this program, and that parcel of land has been donated to Habitat for Humanity of McLean County for the construction of a new affordable housing unit. Additional properties are currently under review for potential participation in this program.

Before this proposed extension, the period of performance for the grant would have ended on November 15, 2025. On May 16, 2025, IHDA's Board approved an extension for grantees to spend grant funds. While the City did not seek an extension, staff recommend that the extension be accepted. A resolution is needed to accept the grant period of performance extension from IHDA. No additional funds were awarded as part of this extension. If the proposed resolution is approved, the grant period of performance will end on November 15, 2026.

The City has a long history of receiving IHDA community revitalization funding for different housing and community development needs, which included SCP Round One funds. With SCP Round One funding, the City demolished three abandoned properties that were not suitable for rehabilitation. Once cleared, these parcels of land were provided to Habitat for Humanity of McLean County for the construction of new affordable housing units for the community. Use of IHDA community revitalization funding has preserved existing property valuations and created new affordable housing units in the community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Demolition or rehabilitation of abandoned residential properties was an identified need in the City's 2025-2029 Community Development Block Grant ("CDBG") Consolidated Plan. The CDBG Consolidated Plan serves as a foundation for many community development initiatives undertaken with Federal and

State grant funds. The 2025-2029 CDBG Consolidated Plan was built on significant community feedback and engagement to identify a variety of community development needs within the City. IHDA SCP funding helps address the needs described in this plan.

IHDA SCP funding also meets the housing priorities set forth in Resolution #2024 - 040 approved by Council on July 24, 2024.

FINANCIAL IMPACT: Failure to submit award documents could result in the loss of the remaining grant funds to support community revitalization projects within the City. Stakeholders can locate information on the City's IHDA Fund in the FY 2026 Proposed Budget Book titled "Other Funds & Capital Improvement" on pages 23 - 25.

Respectfully submitted for consideration.

Prepared by: Catherine Dunlap, Grant Specialist

ATTACHMENTS:

[CI&E 1B Resolution](#)

[CI&E 1C Resolution - Exhibit A - Certificate of Incombency](#)

RESOLUTION NO. 2025 - ____

**A RESOLUTION AUTHORIZING AN AMENDMENT UNDER
STRONG COMMUNITIES PROGRAM ROUND 2
PID#_52422**

**CITY OF BLOOMINGTON
WRITTEN CONSENT OF THE CITY COUNCIL**

WHEREAS, the Illinois Housing Development Authority (the “Authority”) did issue to the City of Bloomington (the “City”) a grant (the “Grant”) from the Strong Communities Program Round 2 (the “Program”), and the Authority and City of Bloomington did enter into an agreement dated 15th Day of November, 2023 (the “Agreement”) wherein the City agreed to perform Program services in return for the Grant; and

WHEREAS, the Authority desires to amend the Agreement (“Amendment”) in order to extend the Agreement’s termination date (“Extension”) and requires the City to provide authorization to accept the extension of time and to enter into the Amendment in order to memorialize the Extension; and

WHEREAS, a Certificate of Incumbrance is attached (Exhibit A); and

WHEREAS, the City Council deems it to be in the best interests of the City to accept the Extension.

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

SECTION 1. The City Council of the City of Bloomington hereby authorizes the acceptance of, and the City of Bloomington does accept, the Extension.

SECTION 2. The City is authorized to enter into the Amendment with the Authority, the City agrees to deliver and/or execute the Amendment and any and all other instruments, certifications and agreements as may be necessary or desirable for the City to receive the Extension and perform all of its obligations and duties under the Program (including any supplements or other agreements).

SECTION 3. The Mayor of the City of Bloomington, without the necessity or requirement for the signature of another person, is hereby authorized, empowered, and directed to execute and deliver the Amendment, and all other documents, certificates, and instruments relating to the Program and Extension to be delivered to the Authority, in connection with the closing of the Amendment for the Extension and take such further action on behalf of the City as they deem necessary to effectuate the foregoing Resolutions.

SECTION 4. The City Council of the City of Bloomington hereby ratifies, authorizes, confirms, and approves any prior action of the City taken in furtherance of the foregoing resolutions and any and all documents and instruments previously executed on behalf of the City in connection with the Grant.

PASSED this 23rd day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

Dan Brady, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A

**OFFICER’S CERTIFICATE AND
CERTIFICATE OF INCUMBENCY**

This Officer’s Certificate and Certificate of Incumbency (the “Certificate”) is being furnished to the Illinois Housing Development Authority (the “Authority”) in connection with the grant amendment being made by the Authority to the City of Bloomington an Illinois unit of local government (the “ULG”), in connection with the Authority’s Strong Communities Program R2-Amendment (SCP).

The undersigned hereby certifies that:

- (a) The undersigned has full power and authority to execute and deliver this Certificate on behalf of the ULG.
- (b) Attached hereto as **Exhibit A** is a true, correct and complete copy of the resolutions duly adopted by the ULG on _____, 2025 and such resolutions have not been amended, rescinded or revoked and remain in full force and effect on the date hereof; and
- (c) The following persons have been duly elected to the positions in the (ULG) set opposite their respective names and continue to serve in such positions on the date hereof, and that the signatures opposite their respective names are their genuine signatures:

<u>Name</u>	<u>Position</u>	<u>Signature</u>
Dan Brady	Mayor	
Jeff Jurgens	City Manager	

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this ____ day of _____, 20____.

City of Bloomington, IL,
an Illinois unit of local government

By: _____

Name: Leslie Smith-Yocum

Its: City Clerk



CONSENT AGENDA ITEM NO. 6.G.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: Ward 1

SUBJECT: Consideration and Approval for a Resolution Authorizing City Staff to Donate Greenhouses and Peripheral Equipment and Items from the Public Works Morrissey Facility per RFP #2025-001 to Dylan Cook, as requested by the Public Works Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The City acquired a former nursery property at 1706 Morrissey Drive as a potential, future site for Public Works, Fleet, and other City facilities. There are numerous, large greenhouses and peripheral equipment ("GREENHOUSES") and items that were used when the nursery was operating.

Prior to issuing a Request for Proposal ("RFP"), City Staff reached out to various local entities about partnering to utilize the GREENHOUSES where they currently exist or to remove the GREENHOUSES and repurpose them. There was slight interest from one public entity, but it did not result in any action. After speaking with some public entities and other individuals who might have an interest, it was determined that the cost to move the GREENHOUSES to another location or remove and salvage them for scrap negated the value of the GREENHOUSES.

The City will need to remove the GREENHOUSES eventually to develop the site and will have to pay to have them removed. With this in consideration, the City issued an RFP to ask for proposals from any interested party who might want to remove them at no cost (donation). RFP #2025-001 was issued on April 3, 2025, in *The Pantagraph* and posted on the City's eProcurement platform, *OpenGov*. Staff held three opportunities for interested parties to visit the site. There were only two interested parties who came to see the site and two proposals were received.

Proposal by Dylan Cook requests the following:

This proposal is for the removal of Greenhouse #43 and Greenhouse #8. Additionally, for any unawarded structures at bid closing, we will salvage interior mechanicals and parts before any scheduled demolition. This part of proposal is only for associated items, not structures, and includes: Pressure Tanks, water tanks, pump motors in GH #1; Half Fans, roof vents, racks and pinions, motors and controls in GH #1-8; and Environmental controls and associated mechanicals in GH #41.

Proposal by Locust Bloomin' Acres included the following:

Stated no interest in the Greenhouses but was interested in the 10 growing tables in Greenhouse #8 if available.

The RFP did state that if someone made a proposal for a greenhouse, then consideration would be given to this proposer for everything in the greenhouse. The 10 growing tables are in Greenhouse #8. Mr. Cook expressed an interest in the tables, so the second proposal will not be considered.

Mr. Cook confirmed he was willing to provide insurance for the removal work, has the appropriate equipment, and will be required to sign the Release of Liability for Donated Items if his proposal is accepted.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: RFP #2025-001 was issued on April 3, 2025, in *The Pantagraph* and posted on the City's eProcurement platform, *OpenGov*. Illinois State University and Illinois Wesleyan University were also contacted directly.

FINANCIAL IMPACT: Given the City will need to remove the GREENHOUSES eventually to develop the site and will have to pay to have them removed, approval of the Resolution will save the City from those anticipated expenses.

Respectfully submitted for consideration.

Prepared by: Russ Waller, Facility Manager

ATTACHMENTS:

[PW 1B Resolution](#)

[PW 1C Resolution - Exhibit A - Cook Response & Release](#)

RESOLUTION NO. 2025 - ____

A RESOLUTION AUTHORIZING CITY STAFF TO DONATE GREENHOUSES AND PERIPHERAL EQUIPMENT AND ITEMS FROM THE PUBLIC WORKS MORRISSEY FACILITY PER RFP #2025-001 TO DYLAN COOK

WHEREAS, the City of Bloomington ("CITY") purchased 1706 Morrissey Drive ("PROPERTY") as a potential, future site for Public Works, Fleet, and other City facilities; and

WHEREAS, the PROPERTY was formerly a nursery and has numerous greenhouses and other peripheral equipment and items ("GREENHOUSES") that were utilized as part of the nursery operations; and

WHEREAS, the City of Bloomington ("CITY") investigated the value of the GREENHOUSES and found the GREENHOUSES would have value if they remained on site and were utilized, but the disassembly and removal negates their value; and

WHEREAS, the CITY investigated the use of the GREENHOUSES by City Departments and other local public entities and found limited to no interest in their use; and

WHEREAS, the CITY will incur considerable expense for the removal of the GREENHOUSES to develop the site; and

WHEREAS, Staff feel that it is in the best interest of the CITY to allow the requested GREENHOUSES to be donated and repurposed by Dylan Cook ("DONEE") in a local farming operation; and

WHEREAS, DONEE will remove the GREENHOUSES at no cost to the CITY; and

WHEREAS, DONEE provided a method for removal, a list of equipment he has available for the removal, a time frame for the removal, agreed to provide a certificate of insurance, and will sign a Release of Liability for Donated Items (Exhibit A).

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

SECTION 1. That the recitals set forth above are incorporated herein, and the City Manager, or designated representatives, are authorized to secure the approval of the donation of the GREENHOUSES, and any other necessary documents.

PASSED this 23rd day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

ATTEST

Dan Brady, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

RELEASE OF LIABILITY FOR DONATED ITEMS

The City of Bloomington (CITY) agrees to donate to following recipient Dylan Cook
certain CITY owned goods, fully identified and described below; and recipient is willing to receive the
goods in accordance with the terms of this Agreement as follows:

1. The Goods will be transferred, free and clear, of any liens, claims, or encumbrances.
2. Recipient accepts sole ownership of the Goods in its "AS IS" condition. Recipient assumes all liability for the Goods as of the Effective Date, including, but not limited to liability for any and all damages arising out of or resulting from the ownership, maintenance and use of the Goods. The CITY disclaims all warranties, expressed or implied, including, but not limited to, any warranty of fitness for a particular purpose.
3. Recipient agrees to release, indemnify and hold harmless the CITY, it's Mayor, Council, employees and agents, from any liability, damages, loss, claims, demands, actions, expenses and costs arising out of the donation of the Goods to Recipient, or Recipient's use or otherwise resulting from Recipient's possession of the Goods, including Recipients removal/transportation of goods from CITY property. Recipient specifically agrees that the CITY is not liable for any direct or consequential damages arising from the malfunction of or error in or from condition of goods at time of acceptance.
4. Recipient acknowledges that it has had the opportunity to examine the Goods identified below and as consideration for the CITY donating the Goods; Recipient agrees to accept all risk associated with the Goods as is.
5. CITY goods (Identify in Detail) or attach a detailed listing.
Attached

-
6. Recipient acknowledges and agrees that all donated goods cannot be returned/donated to the CITY and that Recipient is solely responsible for all goods on receipt.

Signature

Printed Name

Date



[DYLAN COOK] RESPONSE DOCUMENT REPORT

RFP No. RFP #2025-001

PW Morrissey Greenhouse Removal

RESPONSE DEADLINE: May 13, 2025 at 10:00 am

Report Generated: Tuesday, June 17, 2025

Dylan Cook Response

CONTACT INFORMATION

Company:
Dylan Cook

Submission Date:
May 13, 2025 9:14 AM (Central Time)

ADDENDA CONFIRMATION

Addendum #1
Confirmed May 13, 2025 7:40 AM by Dylan Cook

QUESTIONNAIRE

1. Authorized Person(s)*

By submitting a response to this solicitation, the bidder certifies that this Quote is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a quote for the same services, materials, supplies, or equipment, and is in

all respect fair and without collusion and fraud. The bidder agrees to abide by all conditions of this quote and certifies that they are authorized to submit this quote.

Please provide the name of the authorized person.

Dylan Cook

2. Proposal Questions and Information Section

Vendors will need to complete all the questions and provide the requested information in this section in order for the City to consider the vendor for greenhouse(s).

GREENHOUSE REMOVAL. VENDOR AGREES TO ALL OF THE FOLLOWING REQUIREMENTS .*

- A. Except for foundations, concrete pads or buried items, each greenhouse and all related appurtenances shall be removed.
- B. All conduit, cable, panels, boxes, and other electrical equipment in the greenhouses shall be removed entirely.
- C. All piping, furnaces and other natural gas equipment in the greenhouses shall be removed if the vendor wishes to retain these items or equipment., If the vendor does not want these items or equipment, the vendor shall coordinate with the City for removal and disposal at the City's expense.
- D. Posts, supports or other framing can be cut flush with the ground or concrete slab surface and be left in place.
- E. All plastic sheeting, broken or damaged items and other debris shall be removed from the site.

Confirmed

UTILITIES. VENDOR AGREES TO ALL OF THE FOLLOWING REQUIREMENTS .*

- A. Once the electrical service disconnect is complete, buried conduit and cable that feeds the greenhouse can be cut flush with the ground or concrete slab surface. The buried service feed can be left in place.
- B. Once the natural gas service disconnect is complete, buried service piping that feeds the greenhouse can be cut flush with the ground or concrete slab surface. The buried service feed can be left in place.

Confirmed

INSURANCE & INDEMNIFICATION. VENDOR AGREES TO PROVIDE THE FOLLOWING DOCUMENTS IF AWARDED A GREENHOUSE(S) BEFORE ANY AGREEMENT CAN BE MADE AND REMOVAL BEGIN.*

- A. A certificate of insurance meeting the requirements indicated in the RFP shall be provided to the City of Bloomington before any work begins.
- B. A completed waiver of liability, hold harmless and indemnification document included in the RFP shall be provided to the City of Bloomington before any work begins.

Confirmed

COMPLETION DATE. VENDOR AGREES TO ABIDE BY THE COMPLETION DATE BELOW.*

- A. Removal of the greenhouses and all related items shall be completed by December 31, 2025.

Confirmed

PERMITS. VENDOR AGREES TO OBTAIN ALL NECESSARY PERMITS.*

- A. Vendor will be responsible for obtaining any necessary permits for the removal/demolition, disposal, material transport, etc.
 - 1. Fees for City of Bloomington permits will be waived.

Confirmed

PROPOSAL *

Please provide your full name, address, and phone number.

Dylan Cook

IDENTIFY WHICH GREENHOUSE(S) BY NUMBER(S) ON PLAN SHEET THAT YOU DESIRE.*

This proposal is for the removal of Greenhouse #43 and Greenhouse #8. Additionally, for any unawarded structures at bid closing we will salvage interior mechanicals and parts before any scheduled demolition. This part of proposal is only for associated items, not structures, and includes: • Pressure Tanks, water tanks, pump motors in GH #1 • Half Fans, roof vents, racks and pinions, motors and controls in GH #1-8 • Environmental controls and associated mechanicals in GH #41

[DYLAN COOK] RESPONSE DOCUMENT REPORT

RFP No. RFP #2025-001

PW Morrissey Greenhouse Removal

PROPOSAL*

Details of who will remove the greenhouses, i.e., self, contractor - include name(s), address, contact information, etc.

Cook Farm and Jones Country Gardens will provide labor and contracting for removal.

PROPOSAL*

Details of how the removal will be accomplished.

Removal will begin in mid to late summer in this order:

- A. Removal of mechanicals in listed structures.
- B. Removal of climate controls, electrical and parts in listed structures.
- C. Removal of listed parts in unclaimed greenhouses before demolition, as applicable. We will not remove any parts from greenhouses awarded to other parties.
- D. Removal of roof and walls on GH43.
- E. Removal of frame for GH43.
- F. Removal of roof and walls GH8.
- G. Removal of frame for GH8.
- H. Removal and disposal of any remaining items, site clearing.

PROPOSAL*

List of equipment expected to be used for greenhouse removal.

Necessary equipment for deconstruction includes: pickup trucks, one on-site construction trailer to secure hand tools, a gooseneck trailer for transport of smaller parts, two scissor lifts, one skidsteer, one telehandler. The frames will be transported with a 53' flatbed.



CONSENT AGENDA ITEM NO. 6.H.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve a Collective Bargaining Agreement for Laborers Local 362 - Inspectors, as requested by the Human Resources Department.

RECOMMENDED MOTION: The proposed Agreement be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: On March 7, 2025, Laborers Local 362, representing the Inspectors, and City Staff began negotiating the terms of a collective bargaining agreement to replace the agreement that expired on April 30, 2025. The [expired agreement](#) can be located on the City website under Human Resources in a folder titled *Labor Contracts*. After several meetings, the parties agreed to the terms of the new contract, and a Tentative Agreement was reached. This agreement removed three (3) positions in the Police Department and added the positions into a Union contract being negotiated with other civilian Police Department employees. Highlights from the Tentative Agreement include:

Wages/Term: The parties agreed to a four-year contract term. Employees will receive an across-the-board increase each year of the contract in the amount of 3% effective May 1, 2025, 3% effective May 1, 2026, 3% effective May 1, 2027, and a wage reopener in the fourth year of the contract with a minimum of 2% increase. Wages will be retroactive to May 1, 2025. Other changes include:

- Addition of a paid holiday for Juneteenth.
- Establishing overtime premiums on the 4th of July or if pyrotechnics displays are used on a City holiday.

Leave:

- Increase in the vacation schedule to be consistent with Classified and Unit 21 employees. Employees will be eligible for 80 hours of vacation at date of hire, 120 hours from one year to 4 years, 160 hours from 5 years to 15 years, 168 hours at 16 years, 176 hours at 17 years, 184 hours at 18 years, 192 hours at 19 years and 200 hours at 20 years and thereafter.
- Expanded the list of eligible family members for use of sick time consistent with the Illinois Sick Leave Act.
- Addition of 80 hours of Maternity Leave for pregnant employees.
- Inclusion in the contract of already established Parental Leave in the amount of 80

hours.

- Inclusion of a waiver on the Paid Leave for All Worker Act.

General Provisions:

- Modification of the arbitration section limiting the location of the arbitrators and the number of arbitrators pulled from the panel.
- Elimination of contract language that applied only to those Police positions being removed from this bargaining unit.
- Changes to the call out requirements for Inspectors.
- Updating the provision when an employee works Out of Classification in a non-bargaining unit position, guaranteeing a 5% increase in pay.
- Reduction from 90 days to 30 days for newly transferred employees to return to their former position.
- Modification of Tuition Reimbursement language to require funds to be budgeted prior to approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT:

The financial impact of the across-the-board increases is estimated to be \$34,706 in FY 2026, \$70,452 in FY 2027, \$109,385 in FY 2028. The FY 2026 Budget included an estimated increase which should materially cover the needs. Future increases will be budgeted accordingly.

Respectfully submitted for consideration.

Prepared by: Angie Brown, Assistant Human Resources Manager



CONSENT AGENDA ITEM NO. 6.I.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve the Collective Bargaining Agreement for Laborers Local 362 - Support Staff, as requested by the Human Resources Department.

RECOMMENDED MOTION: The proposed Agreement be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: On March 7, 2025, Laborers Local 362, representing the Support Staff and City Staff began negotiating the terms of a collective bargaining agreement to replace the agreement that expired on April 30, 2025. The [expired agreement](#) can be located on the City website under Human Resources in a folder titled *Labor Contracts*. After several meetings, the parties agreed to the terms of the new contract and a Tentative Agreement was reached. This agreement removed four (4) positions in the Police Department and added the positions into a Union contract being negotiated with other civilian Police Department employees. Highlights from the Tentative Agreement include:

Wages/Term: The parties agreed to a four-year contract term. Employees will receive an across-the-board increase each year of the contract in the amount of 3% effective May 1, 2025, 3% effective May 1, 2026, 3% effective May 1, 2027, and a wage reopener in the fourth year of the contract with a minimum of 2% increase. Wages will be retroactive to May 1, 2025. Other changes include:

- Addition of a paid holiday for Juneteenth.

Leave:

- Increase in the vacation schedule to be consistent with Classified and Unit 21 employees. Employees will be eligible for 80 hours of vacation at date of hire, 120 hours from one year to 4 years, 160 hours from 5 years to 15 years, 168 hours at 16 years, 176 hours at 17 years, 184 hours at 18 years, 192 hours at 19 years and 200 hours at 20 years and thereafter.
- Expanded the list of eligible family members for use of sick time consistent with the Illinois Sick Leave Act.
- Inclusion of a waiver on the Paid Leave for All Worker Act.

General Provisions:

- Modification of the arbitration section limiting the location of the arbitrators and the number of arbitrators pulled from the panel.
- Modification of hours of work to be 5 consecutive, 8-hour workdays.
- Clarification on language on Employee Evaluations.
- Reduction from 90 days to 30 days for newly transferred employees to return to their former position.
- Elimination of contract language that applied only to those Police positions being removed from this bargaining unit.
- Updating the provision when an employee works Out of Classification in a non-bargaining unit position, guaranteeing a 5% increase in pay.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT:

The financial impact of the across-the-board increases is estimated to be \$37,595 in FY 2026, \$76,317 in FY 2027, \$118,491 in FY 2028. The FY 2026 Budget included an estimated increase which should materially cover the needs. Future increases will be budgeted accordingly.

Respectfully submitted for consideration.

Prepared by: Angie Brown, Assistant Human Resources Manager



CONSENT AGENDA ITEM NO. 6.J.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: Ward 5, Ward 6, and Ward 7

SUBJECT: Consideration and Action on an Ordinance Approving Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the Properties Located at 801 N. Martin Luther King Jr. Dr. (PIN: 14-32-351-003), 2418 Maloney Dr. (PIN: 21-02-277-017), 205 N. Prospect Rd. (PIN: 21-02-253-014), and 409 E. Mulberry St. (PIN: 21-04-256-005), as requested by the Development Services Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5a. Well-planned City with necessary services and infrastructure

Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The Applicant seeks approval of Zoning Map Amendments to provide improved public understanding and appropriate use allowances for multiple publicly and/or institutionally owned properties. Three of the four properties are owned by the City of Bloomington; the fourth is currently operated as a Place of Worship and will continue to be operated as such, with conveyance of a portion of the property to Bloomington-Normal Water Reclamation District ("BNWRD") to facilitate green stormwater infrastructure.

Summary of the Request:

- Rezone 4 (four) parcels of land to the P-2 (Public Lands and Institutions) District.
- Designating publicly owned or operated properties "P-2" gives the public more clarity as they look at the zoning map in the future.
- These properties are existing public, publicly-regulated, or private uses that display an inherent relationship to the public interest; significant change in use(s) is not pondered and not likely.
- The P-2 holds an "automatic reversion" clause to R-1A should P-2 appropriate uses cease for more than 18 months.

801 N. Martin Luther King Jr. Dr. (PIN 14-32-351-003)

The subject property consists of approximately 41.4 acres of B-1 (General Commercial) District land, in the Kalamaya Subdivision, located between Martin Luther King Dr. and White Oak Rd., north of W. Market St. The property is owned by the City of Bloomington and is improved with a retention basin that serves as an outfall for runoff from Martin Luther King Jr. Dr. and development to the west of the basin.

2418 Maloney Dr. (PIN 21-02-277-017)

The subject property consists of approximately 3.44 acres of A (Agricultural) District land, in

the Janes Steele Estates Subdivision, located between other developed properties that border Eastland Drive, N. Williamsburg Dr., Maloney Dr., and N. Prospect Road, to the east of 205 N. Prospect Rd. The property is owned by the City of Bloomington and is improved with a detention basin (spanning two parcels) that serves as an outfall for runoff from N. Prospect Rd., Eldorado Rd. and Maloney Dr., and more.

205 N. Prospect Rd. (PIN 21-02-253-014)

The subject property consists of approximately 1.05 acres of B-1 (General Commercial) District land, in the Beltline Subdivision 1st Addition, between other developed properties that border Eastland Dr., N. Williamsburg Dr., Maloney Dr., and N. Prospect Rd., to the west of 2418 Maloney Dr. The property is owned by the City of Bloomington and is improved with a detention basin (spanning two parcels) that serves as an outfall for runoff from N. Prospect Rd., Eldorado Rd. and Maloney Dr., as well as some of the surrounding development.

409 E. Mulberry St. (PIN 21-04-256-005)

The subject property consists of approximately 4.57 acres of R-2 (Mixed Residence) District land, in the Durley's Addition to the City of Bloomington, located at the southwest corner of Mulberry St. and N. Evans St. The property is owned by Living Word Ministrations and is improved with a Place of Worship (Church) and accessory dwelling; the property is proposed for subdivision and turnover of the western portion to the BNWRD for demolition of the derelict structure and installation of green infrastructure that will help to reduce localized flooding. As a Place of Worship in a Residential District without a Special Use Permit, the existing Church is legal, nonconforming.

The 2035 Comprehensive Plan Future Land Use Map identifies all of these properties as being in the "Built Area," categorized by their current use (no change proposed). The Land Use Priorities Map does not identify these properties.

On June 4, 2025, the Planning Commission held a public hearing and received no testimony for or against the request. The Commission voted 8-0-1 in favor of adopting findings of fact that the request was in the public interest, and recommending approval of the request to City Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on May 8, 2025. Courtesy notices were mailed to 206 property owners within 500 feet of the subject properties.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Alissa Pemberton, Planning Manager

ATTACHMENTS:

[DSD 1B Ordinance](#)

[DSD 1C Planning Commission Findings of Fact](#)

ORDINANCE NO. 2025-_____

AN ORDINANCE APPROVING ZONING MAP AMENDMENTS TO THE P-2 (PUBLIC LANDS & INSTITUTIONS) DISTRICT FOR THE PROPERTIES LOCATED AT 801 N. MARTIN LUTHER KING JR. DR. (PIN: 14-32-351-003), 2418 MALONEY DR. (PIN: 21-02-277-017), 205 N. PROSPECT RD. (PIN: 21-02-253-014), AND 409 E. MULBERRY ST. (PIN: 21-04-256-005)

WHEREAS, the City of Bloomington, McLean County, Illinois (CITY), initiated a Zoning Map Amendment from B-1 (General Commercial) District to P-2 (Public Lands & Institutions) District for the City-owned property at 801 N. Martin Luther King Jr. Dr., legally described in Exhibit A; and

WHEREAS, the CITY initiated a Zoning Map Amendment from A (Agricultural) District to P-2 (Public Lands & Institutions) District for the City-owned property at 2418 Maloney Dr., legally described in Exhibit B; and

WHEREAS, the CITY initiated a Zoning Map Amendment from B-1 (General Commercial) District to P-2 (Public Lands & Institutions) District for the City-owned property at 205 N. Prospect Rd., legally described in Exhibit C; and

WHEREAS, the CITY initiated a Zoning Map Amendment from R-2 (Mixed Residence) District to P-2 (Public Lands & Institutions) District for the currently privately-owned property at 409-411 E. Mulberry St., legally described in Exhibit D; and

WHEREAS, the private owner of 411 E. Mulberry Street does not oppose the proposed Zoning Map Amendment; and

WHEREAS, the Planning Commission, after proper notice was given, conducted a public hearing on said Zoning Map Amendments; and

WHEREAS, the Planning Commission, following said public hearing, made findings of fact that such Zoning Map Amendments are in the public interest and not solely for the benefit of the applicant, as required by § 44-1706; and

WHEREAS, the Planning Commission voted (8-0-1) to recommend that the City Council pass this Ordinance; and

WHEREAS, the City Council of the City of Bloomington has the power to adopt this Ordinance and approve these Zoning Map Amendments.

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. The Council hereby adopts the findings of fact of the Planning Commission, the following Zoning Map Amendments are hereby approved:

- B-1 (General Commercial) District to P-2 (Public Lands & Institutions) District for the property at 801 N. Martin Luther King Jr. Dr., legally described in Exhibit A; and
- B-1 (General Commercial) District to P-2 (Public Lands & Institutions) District for the property at 205 N. Prospect Rd., legally described in Exhibit B; and
- A (Agricultural) District to P-2 (Public Lands & Institutions) District for the property at 2418 Maloney Dr., legally described in Exhibit C; and
- R-2 (Mixed Residence) District to P-2 (Public Lands & Institutions) District for the property at 409-411 E. Mulberry St., legally described in Exhibit D.

Section 3. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

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

Section 5. This Ordinance shall take effect immediately after its approval and publication as required by law.

PASSED this 23rd day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

ATTEST

Dan Brady, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A
Legal Description

ALL OF LOT 1 OF THE DR. MARTIN LUTHER KING JR. SUBDIVISION IN THE CITY OF BLOOMINGTON, ACCORDING TO THE PLAT THEROF RECORDED JULY 6, 1991, AS DOCUMENT NO. 91-10634, IN MCLEAN COUNTY, ILLINOIS.

Address: 801 N. Martin Luther King Jr. Dr.
PIN: 14-32-351-003

EXHIBIT B
Legal Description

BELTLINE SUB 1ST ADD
PT LOT 3 & ALSO PT LOT 14 OF BELTLINE SUB 9TH ADD & ALSO PT W1/2 N1/4 SEC 2-23-2E BEG 313.01' N OF SE COR LOT 3, W125.01', N208.13', NE339.17', S521.79' TO POB
1.05 ACRES

Address: 205 N. Prospect Rd.
PIN: 21-02-253-014

EXHIBIT C
Legal Description

JAMES STEELE ESTATES SUB
PT LOT 2 - BEG 310.01' N SW COR, E250', N599.85', W248.48', S600' TO POB
3.44 ACRES

Address: 2418 Maloney Dr.
PIN: 21-02-277-017

EXHIBIT D
Legal Description

LOTS 1, 2 AND 3 IN BLOCK 17 IN THE DURLEY ADDITION TO THE CITY OF BLOOMINGTON, IN MCLEAN COUNTY, ILLINOIS

Address: 409-411. E Mulberry St.
PIN: 21-04-256-005



FINDINGS OF FACT AND RECOMMENDATION OF THE CITY OF BLOOMINGTON PLANNING COMMISSION

This is the findings of fact and the recommendation of the City of Bloomington Planning Commission (COMMISSION) concerning a request from the **City of Bloomington** (APPLICANT), in **case Z-02-25**, related to **Zoning Map Amendments** to the P-2 (Public Lands & Institutions) District (REQUEST).

The request is related to the property(s): 801 N. Martin Luther King Jr. Dr. (PIN: 14-32-351-003), 2418 Maloney Dr. (PIN: 21-02-277-017), 205 N. Prospect Rd. (PIN: 21-02-253-014), and 409 E. Mulberry St. (PIN: 21-04-256-005) (PROPERTY).

After proper notice was given, as required by law, the COMMISSION held a public hearing(s) on this case on **June 4, 2025**, and hereby report their findings of fact and recommendation as follows:

ANALYSIS OF STANDARDS - After considering all the evidence and testimony presented at the hearing, this COMMISSION makes the following analysis of the standards contained in The Code of the City of Bloomington, Illinois, 1960, regarding the recommendation by the COMMISSION as to whether the City Council should grant or deny the REQUEST of the APPLICANT.

STANDARDS FOR RECOMMENDING ZONING MAP AMENDMENTS:

1. **The suitability of the subject PROPERTY for uses authorized by the existing zoning.** This standard is met. Physically, redevelopment of these properties into other uses that may be appropriate under the existing zoning would be challenging. The topography of the general area (stormwater management primarily relies on gravity) and to extent of earth work that would be required to create or restore appropriate grade and/or address existing area flooding issues would be a significant hurdle for any alternative use attempting to locate on any of these properties. In addition, two of the properties do not have direct access to public right of way which is required for almost all urban development. Half of one property—the Place of Worship on Mulberry—is existing, nonconforming in the current District, but could be conforming with a Special Use Permit and may remain otherwise until ceased.
2. **The length of time the PROPERTY has remained vacant as zoned considered in the context of land development in the area.** This standard is met. The properties are not vacant; they are improved with existing public, publicly-regulated, or private uses that display an inherent relationship to the public interest. The well-established existing uses are planned for continuance—with or without the passage of the proposed zoning map amendment—as they are allowable as-is. The accessory dwelling is not habitable; the Church does not desire to rebuild it; separation of the structure onto an Outlot would not allow reconstruction, and the portion of the property holding the dwelling cannot be legally separated in the R-2 District without creating a nonconforming lot.
3. **The suitability of the subject PROPERTY for uses authorized by the proposed zoning.** This standard is met. The subject properties are practically restricted due to their location as low or pooling points for the surrounding areas, as well as existing grading/excavation conditions. The reduction in allowable Commercial and/or Residential uses is appropriate based upon the limited viability of redevelopment of these properties. The Place of Worship on Mulberry would become conforming with this change. As P-2, a smaller lot could be legally split from the Church property, allowing demolition of the derelict dwelling and installation of green infrastructure to reduce the stormwater burden on the combined sewer and address any area flooding. See also: Criteria one (1).

4. **The existing land uses and zoning of nearby property.** This standard is met. The adjacent properties are zoned B-1 (General Commercial), C-1 (Office), R-3B (Multiple-Family Residential), and R-2 (Mixed Residence) District. Uses include multiple-family dwellings, single-family dwellings, commercial office and retail space, light industrial, and a quarry.
5. **Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.** This standard is met. The change of zoning of these properties is primarily in the public interest. "Government Services and Facilities" uses are already allowed in any zoning district, so the existing uses may be implemented under the existing zoning. However, prospective property owners and/or existing owners considering additional investment on nearby properties may not have a good understanding of the likelihood of development or redevelopment of certain potentially impactful uses that fall under that broader category, such as fire or police stations, public transportation, or public utilities. The well-established existing uses are planned for continuance—with or without the passage of the proposed zoning map amendment—but best practice and proactive planning encourages a zoning map that reflects the intent [and reality, to the best of our ability] of future land use in the City.
6. **The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.** This standard is met. Two of the properties do not have direct access to public right of way which is required for almost all urban development, so a reduction in traffic generating (retail/commercial) uses is appropriate. The Mulberry proper is served by public roads but the dwelling shares a curb cut with the Church and, upon subdivision, the addition of a dedicated curb cut for a smaller-than-normal property would contribute to congestion in this area; allocation of the smaller resulting property to an unoccupied use is preferable. The retention basin property does have one curb cut on a public road, as required of normally develop-able properties.
7. **The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.** This standard is met. These proposed zoning map amendments are directly intended to facilitate the long-term maintenance and management—as well as public awareness/understanding—of stormwater infrastructure used to minimize flooding. One detention basin and one retention basin are formally "codified" on the zoning map, while a third detention mechanism can be pursued upon rezoning.
8. **The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.** This standard is met. All normal urban utilities and facilities are available to each property, but not required for the proposed change to the zoning map.
9. **The extent to which property values are diminished by the restrictions of the proposed zoning.** This standard is met. Property values are unlikely to be diminished by the proposed Map Amendment, while public awareness of the potential value impact of these properties is improved. See Criteria #5. In addition, the P-2 District possesses a unique Development Standard that is protective of other nearby properties, such that, "Whenever any use of property in a P-1 or P-2 district, whether permitted, special or nonconforming, is discontinued for a period of 18 months, the zoning classification of such property shall, as of the first day of

discontinuance of such use, revert to the classification of R-1A" (§ 44-705A).

10. **Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.** This standard is met. The proposed Zoning Map Amendment contribute to the following Goals and Objectives: N-3. (Improve communication between the City, the citizens, and the neighborhood organizations to foster teamwork and community spirit); UEW-1.7 (Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety and the environment); and CF-1. (Continue to provide quality public facilities and services).
11. **Whether the City needs more of the types of uses allowed in the proposed district.** This standard is met. The well-established existing uses are planned for continuance—with or without the passage of the proposed zoning map amendment—as they are allowable as-is.

After considering all the evidence and testimony presented, this COMMISSION finds that the REQUEST is in the public interest and not solely for the benefit of the APPLICANT.

Therefore, this COMMISSION recommends that the REQUEST for Zoning Map Amendments to the P-2 (Public Lands & Institutions) District, for the PROPERTY(S) described above, be granted by the Bloomington City Council.

ROLL CALL VOTE: 8-0-1

AYES: Beyer, Galpalli, Cullen, Muehleck, Lewis, Krieger, Peradotti, Mosley

NAYS: None

ABSTENTIONS: Boyd

Respectfully submitted by the City of Bloomington Planning Commission.

Jackie Beyer

Jackie Beyer, Vice Chair

6/10/2025 | 11:14 AM PDT

Date



REGULAR AGENDA ITEM NO. 7.A.

FOR COUNCIL: June 23, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on an Ordinance Amending the Bloomington City Code Updating Chapters 22 and the Schedule of Fees Pertaining to Massage Establishment Licenses Administered by the City Clerk, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

Objective 3e. Strong working relationship among the City, businesses, economic development organizations

BACKGROUND: At the request of City Council, the City Clerk Department completed a thorough license audit over the summer of 2023 and brought to Council two major Code updates in the fall/winter of 2023. At that time the City Code chapter applicable to massage establishment licensing, as well as the Schedule of Fees applicable to it, were skipped as the City looked at ways to best align the chapters with efforts to prevent human trafficking in the City. Citywide staff also began training on human trafficking and researching ways to update the Code to further human trafficking prevention.

Bloomington is positioning itself to become the first City in the State of Illinois to be Human Trafficking Training Certified and recognized as a *Partner in Peace* by the Center for Prevention of Abuse.

The Code edits contained in the proposed Ordinance best prepare the City to address human trafficking, as well as modernize Code language to best align it with today's license processing and ensure safe business operations.

The proposed edits are being rolled out nationwide to address the issue of establishments that *present themselves* as massage providers, but who are in fact operating unlawfully, often in ways that raise serious public safety concerns. These establishments typically do not employ licensed massage therapists, are not subject to routine oversight, and are structured specifically to evade detection. The proposed Ordinance will empower the City with regulatory framework to intervene decisively when these businesses refuse to cooperate or operate without transparency.

It's important to also address why closure of illegitimate establishments can't just be handled by law enforcement through existing laws on trafficking or sex crimes. The reality is that criminal investigations are resource-intensive, often requiring undercover operations, requiring third-party witness testimony and typically only happen after illegal activity has already

occurred. In addition, the legal burden of proof in a criminal case is very high, requiring proof beyond a reasonable doubt, which can make it difficult to take timely action, even when strong suspicions exist.

If approved, the proposed local licensing framework will give the City a proactive tool to intervene earlier, setting clear standards, requiring transparency, and allowing the City to shut down establishments that refuse to comply or that are clearly operating under false pretenses. It complements, rather than replaces, police work and will help the City to more effectively prevent harm while supporting legitimate businesses.

It has been shown in other municipalities across the state and country that bad actors will likely avoid the licensing process entirely or fail to meet its requirements. That's precisely why having the proposed structure matters, as it provides the City with the legal tools necessary to shut down operations that are not legitimate. This not only strengthens enforcement, but also supports law-abiding practitioners by making clear who is operating within the bounds of the law. This endeavor has also proven to significantly impact the prevention of human trafficking.

As background, and to clarify some recent legal concerns, the City's proposed Ordinance is removing the existing Code requirement regulating **individual massage therapists**, who are exclusively licensed by the State of Illinois under the Massage Licensing Act. Instead, the proposed Ordinance applies only to **establishments**, which are not currently licensed or regulated by the State. This approach is consistent with that taken by numerous other home-rule municipalities across Illinois including Peoria, Springfield, East Peoria, Decatur, Rockford, Naperville, etc., and reflects current interpretations of home rule authority under state law and case precedent.

The City's goal is to find a balanced approach, one that acknowledges the professionalism of those doing things the right way in the massage industry while giving the City the ability to act against those who are not. Staff are hopeful that the proposed edits will assist to strengthen the industry and prevent those who exploit it from operating in our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: As requested by Council, City Administration and the City Clerk engaged with local stakeholders in finetuning the proposed Ordinance and the applicable Code changes.

FINANCIAL IMPACT: It is proposed that the Massage or Bodywork Establishment License have an application fee of \$100, and no annual license fee with the background/investigation fee to be included in the application fee. While the City will incur some costs in administering this program, including staff review, inspections, and coordination with public safety and other departments, the primary goal is to ensure that only lawful and legitimate massage therapy establishments are operating in our community.

Respectfully submitted for consideration.

Prepared by: Leslie Yocum, City Clerk

ATTACHMENTS:
[CLK 2B Ordinance](#)

ORDINANCE NO. 2025 - ____

**AN ORDINANCE AMENDING THE BLOOMINGTON CITY CODE UPDATING CHAPTER 22
AND THE SCHEDULE OF FEES PERTAINING TO MASSAGE ESTABLISHMENT
LICENSES ADMINISTERED BY THE CITY CLERK**

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

WHEREAS, the City Council is responsible for managing the City Code; and

WHEREAS, Massage Therapists are regulated exclusively by the State pursuant to the Massage Licensing Act; however, the State does not currently license massage or bodywork therapy establishments; and

WHEREAS, studies have found that certain illicit businesses falsely present themselves as providers of legitimate massage services, while in reality engaging in illegal sexual activity, often involving individuals who have been trafficked and forced into such services; and

WHEREAS, in 2015, the Federation of State Massage Therapy Boards (FSMTB) created a task force to examine the prevalence and impact of human trafficking within the massage profession, to identify areas vulnerable to trafficking, and to develop measures to combat and eliminate such activity; and

WHEREAS, in 2017, the FSMTB released a report of the task force’s findings, which confirmed widespread concerns regarding the significant impact of human trafficking and the proliferation of “illicit businesses using massage and bodywork as a front for human trafficking”; and

WHEREAS, one of the key recommendations from the task force for addressing and eliminating such illicit businesses was the implementation of regulatory measures for massage therapy establishments, thereby making it more difficult for illegal operations to disguise themselves as legitimate businesses; and

WHEREAS, numerous other communities in the State of Illinois and across the nation have enacted similar regulations governing massage and bodywork therapy establishments, including several municipalities in Central Illinois; and

WHEREAS, the City Council finds that establishing local licensing standards for massage therapy establishments will provide City enforcement personnel with essential tools and a regulatory framework to deter and disrupt illicit businesses engaging in unlawful sexual conduct, while simultaneously protecting the rights and reputations of legitimate, law-abiding massage and bodywork professionals; and

WHEREAS, City staff seeks to amend Chapter 22 of the City Code, along with the applicable sections of the Schedule of Fees, to modernize outdated language, support the safe and successful operation of legitimate massage and bodywork establishments, and implement additional safeguards to help prevent illegal activity; and

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

SECTION 1. That Chapters 22 and the Schedule of Fees, of the Municipal Code of the City of Bloomington, Illinois, 1960, as amended, are hereby amended to read as set forth in Exhibit A (additions underlined and deletions stricken).

SECTION 2. The Bloomington City Code is hereby further amended by renumbering, redesignating, and reformatting the chapters and subsections as needed to conform to the above-referenced amendments and removals.

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

SECTION 4. This Ordinance shall take effect 10 days after passage.

SECTION 5. This Ordinance is adopted pursuant to Home Rule Authority granted to the City of Bloomington by Article VII, Section 6, of the Illinois Constitution, 1970.

PASSED this 23rd day of June 2025.

APPROVED this ____ day of June 2025.

CITY OF BLOOMINGTON

ATTEST

Dan Brady, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

Chapter 22 Health and Sanitation

ARTICLE X

Regulations Ffor Massage or Bodywork Establishments

§ 22-1001. [Ch. 22, Sec. 153] Definitions.

For the purpose of this aArticle, the following words shall have the meanings respectively ascribed to them by this section:

ACT - the Illinois Massage License Act (225 ILCS 57/1 et seq.).

ADVERTISE - the issuance of any card, sign, or device to any person; the causing, permitting, or allowing of any sign or marking on or in any building, vehicle, or structure; advertising in any newspaper, magazine, television, radio, internet streaming, blog, chat room, website or social media; any listing or advertising in any directory; or commercials broadcast by any means and any similar or equivalent communications of a person, business or Establishment.

BODYWORK ESTABLISHMENT — Any commercial, fixed place of business where any person, firm, association, or corporation advertises, offers, engages in, or carries on, or permits to be offered, engaged in, or carried on, bodywork services to patrons in exchange for compensation, excluding home-based bodywork providers licensed under the Act.

BODYWORK OR BODYWORK SERVICES — Any method involving the application of pressure, friction, stroking, kneading, rubbing, tapping, pounding, vibrating, touching, or otherwise stimulating the external parts of the human body by another person, whether performed using hands, other parts of the body, or with the assistance of mechanical or electrical devices or appliances, and whether or not accompanied by the use of substances such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or similar preparations, when performed for compensation.

For the purposes of this Article, the term "Bodywork" is intentionally defined more broadly than the definition of "massage" as set forth in the Act. It is intended to encompass massage, services performed by bodywork practitioners, and other similar services that fall within this definition, regardless of the terminology used to describe the services or the individual providing them, unless specifically excluded under this Article.

BODYWORK PROVIDER — Any person who provides bodywork services, including massage therapists.

CITY CLERK — The City Clerk of the City of Bloomington or their designee.

CITY MANAGER — The City Manager of the City of Bloomington or their designee.

CHANGE OF OWNERSHIP means:

- A. A change in the form of ownership, e.g., from an individual or partnership or entity or from a partnership to an individual;
- B. A change from an individual to a partnership or a change in a partnership, such as the addition or deletion of any partner; or
- C. In an entity, the transfer of over 5% of the stock thereof, except for those listed on a national

stock exchange, in which event the transfer of a controlling interest or over 50% of the stock thereof.

EMPLOYEE — Any and all persons other than those providing bodywork or massage services ~~the masseurs or masseuses~~, who render any service to the ~~permittee~~ licensee, who receive compensation directly from the ~~permittee~~ licensee, and who have no physical contact with customers and clients.

ENTITY — An organization that has an identity separate from those of its members, including, but is not limited to, corporations, limited partnerships, limited liability companies, or limited liability partnerships.

ESTABLISHMENT — The building, structure, and/or premise included in the site or floor plan approved for the license.

HEALTH OFFICER — The Director of the McLean County Health Department or their designee. ~~his authorized representative.~~

LICENSEE — An entity or person that has obtained a license to operate as a Massage or Bodywork Establishment in the City of Bloomington.

MASSAGE — ~~Any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations commonly used in this practice.~~ "Massage" or "massage therapy" means a system of structured palpation or movement of the soft tissue of the body, and as otherwise defined in the Act. The system may include, but is not limited to, techniques such as effleurage or stroking and gliding, petrissage or kneading, tapotement or percussion, friction, vibration, compression, and stretching activities as they pertain to massage therapy. These techniques may be applied by a massage therapist with or without the aid of lubricants, salt or herbal preparations, hydromassage, thermal massage, or a massage device that mimics or enhances the actions possible by human hands. The purpose of the practice of massage, as licensed under this Act, is to enhance the general health and well-being of the mind and body of the recipient. "Massage" does not include the diagnosis of a specific pathology. "Massage" does not include those acts of physical therapy or therapeutic or corrective measures that are outside the scope of massage therapy practice as defined in this Section.

MASSAGE ESTABLISHMENTS — Any Establishment having a fixed place of business where any person, firm, association, or corporation engages in, or carries on, or permits to be engaged in or carried on any of the activities mentioned in the definition of "massage" above.

MASSAGE THERAPIST - A person who is licensed by the Illinois Department of Financial & Professional Regulation and administers massage and/or bodywork services for compensation.

~~MASSEUR or MASSEUSE — Any person, who, for any consideration whatsoever, engages in the practice of massage as herein defined.~~

OUT-CALL MASSAGE SERVICE — Any business, the function of which is to engage in or carry on massages or bodywork at a location designated by the customer or client rather than at a Massage or Bodywork Establishment ~~massage establishment.~~

~~PERMITTEE — The operator of a massage Establishment.~~

PERSON — ~~Any individual, copartnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.~~ Any individual, partnership,

corporation, firm, limited-liability company, or other legal entity.

SEX OFFENDER — Any person convicted, adjudicated, or otherwise found to be a sex offender as that term is defined in the Sex Offender Registration Act, 730 ILCS 150/2. Said term shall include any person found to have committed a sexual offense as described in said statute, regardless of whether that person is required to register as a sex offender in Illinois. Said term shall include convictions, adjudications, or findings of a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law. This term shall not be construed so as to violate provisions of the Juvenile Court Act.

SEXUAL OR GENITAL AREA — Includes the genitals, vulva, pubic area, breasts, anus, or perineum of any person, or the vulva or breasts of a female. [Ord. No. 1975-96]

§ 22-1002. [Ch. 22, Sec. 154] Massage or Bodywork Establishment License Permit required; License term.

- A. It shall be unlawful for any person to advertise, engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the City of Bloomington, the operation of a Massage or Bodywork Establishment massage establishment as herein defined, without first having obtained a permit a license as herein provided. from the City Manager, after approval of the Health Officer.
- B. The license requirement above does not apply to:
- (1) Physicians, surgeons, chiropractors, osteopaths, podiatrists, naprapaths, occupational therapists, or physical therapists who are duly licensed to practice their respective professions pursuant to the applicable State statutes, or massage therapists, state-licensed physician assistants, practical nurses, and registered nurses acting under their supervision;
 - (2) Athletic trainers for any athletic program of a private or public school, college, or university, or for any athletic team regularly organized and engaging in competition;
 - (3) Barbers, estheticians and cosmetologists who are duly licensed under the laws of Illinois, except that this exemption shall apply solely to the massaging of the neck, back, face, scalp, hair, hands and feet of the patron for cosmetic or beautifying purposes, and provided that these services are provided to patrons who are fully clothed;
 - (4) Hospitals, sanitariums, nursing homes, assisted living facilities, home health agencies, hospice programs, and other such programs defined and licensed pursuant to the Illinois Hospital License Act (210 ILCS 85/1 et seq.), the Nursing Home Care Act (210 ILCS 45/), or other Health Facilities Regulation (210 ILCS) by the State of Illinois.
 - (5) Bodywork provided by massage therapy students enrolled in a recognized school during the course of clinical externships, practicums, or community services, provided that such bodywork services are part of the curricular requirements of the recognized school, are provided under the direct supervision of a massage therapist physically present while the services are being performed, and for which no compensation is received;
 - (6) Home-based bodywork practices operated by a person who has a State massage license, provided that the individual is in compliance with the City's Development and Zoning Codes pertaining to home occupations; or
 - (7) Bodywork performed at a patron's private residence.

The burden of proof of any of the above exceptions rests with the person claiming an exemption, and its applicability must be established by clear and convincing evidence.

- D. Massage and/or Bodywork Services shall be deemed the primary business if fifty percent (50%) or more of the total combined gross revenue generated from the sale of all massage and/or bodywork services and related products on the premises is derived from such services, whether individually or in combination.
- E. On January 1, 2025, the license cycle for all license types was aligned with the City's fiscal year (May 1 — April 30). The City Clerk maintains the responsibility of determining and managing the processes necessary to facilitate the change, including, but not limited to, establishing billing cycle payment options. First-time licenses issued between January 1, 2025, and April 30, 2026, shall expire on April 30, 2026.
- F. On May 1, 2026, the standard twelve-month licensing cycle will resume running concurrent with the City's fiscal year. Except as hereinafter provided, Massage or Bodywork Establishment licenses shall be operative and valid, unless first terminated, suspended, or revoked, for a term of one year commencing on May 1 and terminating on April 30. Licenses issued after May 1 of any year for operations to commence in that year shall be operative and valid, unless first terminated, suspended, or revoked, for a term commencing on the date of issuance and terminating on April 30.

§ 22-1003. [Ch. 22, Sec. 155] ~~Filing of application and fee provision.~~ License fee; Late fee.

- A. The fee to be paid for the license herein required shall be an amount as set forth in the Schedule of Fees per year, payable in advance, and no license shall be issued until such fee has been paid. When a license is created by the City Clerk and is subsequently issued, the license fee shall be prorated on the basis of the remaining days of the calendar year in which the license is issued. Application fees shall not be prorated. The license shall expire on April 30th of each year. In the event of revocation or surrender of a license, no unearned portion of the license fee shall be refunded.
- B. Each renewal license fee must be received by the City Clerk not later than April 1 unless the first falls on a holiday, in which case license fees may be received by the Clerk on the following business day. If a license fee is received late, the license holder must pay a late fee in the amount of 10% of the invoiced license fee and may be subject to the renewal license being denied.
- ~~A. Every applicant for a permit to maintain, operate or conduct a massage Establishment shall file an application in duplicate under oath with the City Clerk upon a form provided by said City Clerk and pay a non-refundable permit fee in an amount as set forth in the Schedule of Fees for the quarter year or part thereof in which the permit is issued to the Director of Finance, who shall issue a receipt which shall be attached to the application filed with the City Clerk. The fee shall be paid to the Director of Finance prior to the beginning of each quarter year [Ord. No. 2018-89]~~
- ~~B. The City Clerk shall within five days refer copies of such applications to the Building Safety Department, the Fire Department, the Health Department, and the Police Department. These departments shall within 30 days inspect the premises proposed to be operated as a massage Establishment and make written recommendations to the City Manager concerning compliance with the Codes that they administer.~~
- ~~C. Within 10 days of receipt of the recommendations of the aforementioned departments, the City Manager shall notify the applicant that his or her application is granted, denied or held~~

~~for further investigation. The period of such additional investigation shall not exceed an additional 30 days unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigation, the City Manager shall advise the applicant in writing whether the application is granted or denied.~~

~~D. Whenever an application is denied or held for further investigation, the City Manager shall advise the applicant in writing of the reasons for such action.~~

~~E. The failure or refusal of the applicant to promptly give any information relevant to the investigation of the application or his or her refusal to submit or to cooperate with any inspection required by this chapter shall constitute an admission by the applicant that he or she is ineligible for such permit and shall be grounds for denial thereof by the City Manager.~~

§ 22-1004. [Ch. 22, Sec. 156] Application for mMessage or Bodywork eEstablishment license; Renewals; Notice of change.

A. Applications for the creation of licenses shall be made upon forms prepared and furnished by the City Clerk. Each application shall be signed and verified by the oath or affirmation of an authorized agent or managing member. Such application shall be submitted and filed with the City Clerk after payment to the City of an application fee as set forth in the Schedule of Fees. The application shall contain the following information, documents, and statements:

- (1) The name, date of birth, and address of the applicant in the case of an individual; in the case of a partnership, the persons entitled to share in the profits thereof; and in the case of an entity, the date of incorporation, the objects for which it was organized, the names, dates of birth, and addresses of the officers and directors, and if a majority in interest of the stock of such entity is owned by one person or their nominees, the name, date of birth, and address of such person;
- (2) The entity name, registered DBA (Doing Business As)/Assumed Name, Establishment address, and phone number;
- (3) An email address to be used for all licensing communications;
- (4) The Employer Identification Number (EIN), the Federal Employer Identification Number (FEIN), and the Illinois Business Tax (IBT) number assigned to the business providing massage and/or bodywork services by the State of Illinois;
- (5) A detailed description of all services to be offered on the premises, including a statement indicating whether any massage and/or bodywork services, as defined in this Article, constitute a primary business activity or are ancillary to other services provided on the premises;
- (6) A statement about the general character and nature of the business of the applicant and the length of time that the applicant has been in such business;
- (7) A statement whether the applicant has made a similar application for a similar license on premises other than those described in this application, and the disposition of such application;
- (8) A statement disclosing whether the business, or any affiliated or predecessor business, has ever had any business license denied, suspended, or revoked, including the reasons for such actions and a description of the business activity or occupation of the applicant following each suspension, revocation, or denial;

- (9) A statement whether the owners or any directors, officers, managers, or persons with supervisory authority have ever owned, been involved with, or worked for a business that has had a business license of any kind denied, suspended, or revoked, and the reasons therefor;
- (10) Whether the applicant has had any criminal or City ordinance violation convictions, forfeiture of bond, and pleadings of nolo contendere on all charges, except minor traffic violations;
- (11) A statement whether the owner or any director, officer, manager, person with supervisory authority and/or any person who has performed or will perform massage and/or bodywork services to the applicant's knowledge has ever been convicted of a crime, other than misdemeanor traffic violations, including the dates of convictions, nature of the crimes and place convicted, including, but not limited to:
- (a) Any felony; and
 - (b) Any misdemeanor, or local ordinance or code violation, an essential element of which is:
 - (i) Dishonesty;
 - (ii) Illicit drugs;
 - (iii) Sexual offenses as defined in 720 ILCS 5/11-0.1; or
 - (iv) The use of violence or force, or that is directly related to the practice of the massage and/or bodywork, or operation of a Massage or Bodywork Establishment;
- (12) A statement that the applicant will not violate any of the laws of the State of Illinois or of the United States or any Ordinance of the City in the conduct of their place of business; and
- (13) A statement acknowledging that the owner, landlord, and/or tenant has a copy of the application to be filed, has read the contents of it, and agrees with the representations to be made by the owner and/or landlord.

If an entity, the applicant, along with any underlying entities holding an ownership interest of five percent (5%) or more, must be in good standing with the State of Illinois or with the appropriate governmental authority of any other state or country in which such entity is chartered or organized (including but not limited to corporations, limited liability companies, limited partnerships, or similar entities) before a license will be issued.

After approval and before the issuance of such license, the premises must be inspected by the City of Bloomington.

B. The following must be submitted as supplemental documentation to the application provided by the City Clerk:

- (1) A list of all owners/partners/officers with the following information for each person listed:
- (a) Name (including any aliases used);
 - (b) Date of birth;

- (c) All residential addresses for the past three (3) years;
 - (d) Cell phone number;
 - (e) Personal email address;
 - (d) Height, weight, eye color, and hair color;
 - (e) The business, occupation, or employment of the applicant, including address of employment, for the three years immediately preceding the date of application; and
 - (f) Percent ownership/stock.
- (2) A list of all individuals who currently hold management and/or supervisory authority over business operations, with the following information for each person listed:
 - (a) Name (including any aliases used);
 - (b) Driver's License Number (or State-issued Identification);
 - (c) Social Security Number;
 - (d) Date of birth;
 - (e) Place of birth;
 - (f) Gender;
 - (g) Previous two (2) residential addresses;
 - (h) Cell phone number;
 - (i) Personal email address;
 - (j) Height, weight, eye color, and hair color;
 - (k) The business, occupation, and employment information for the three (3) years immediately preceding the date of application; and
 - (l) Title and summary of job duties.
- (3) A list of all employees, independent contractors, or agents who are, or are intended to be, engaged in providing massage and/or bodywork services, with the following information for each person listed:
 - (a) Name (including any aliases used);
 - (b) Date of birth;
 - (c) Place of birth;
 - (d) Gender;
 - (e) Residential address;
 - (f) Cell phone number; and
 - (g) A description of the type of bodywork approach or modality that will be practiced by the person who is or will be performing bodywork in the premises.
- (4) A list of any other business(es) currently owned or operated by anyone identified in § 22-1004B(1) and (2), which includes the following for each business provided:
 - (a) Name of the business;

(b) Address of the business; and

(c) Name and Title of applicable person identified above who currently owns or operates said business.

(5) If the business is already in operation, a document that provides the following:

(a) A list of all telephone numbers and websites associated with the business; and

(b) A sample copy of any advertising related to the massage and/or bodywork services being provided.

(6) A Government-issued photo ID for each person listed under § 22-1004B(1), (2), and (3);

(7) If an Assumed Name is used, proof the Assumed Name is registered with the State of Illinois or the County of McLean;

(8) A copy of the Establishment's McLean County Health Permit;

(9) Premises verification (lease or proof of ownership). If the premises is leased, the following must be provided in addition to a copy of the lease, and any subleases, assignments, and acceptances of such subleases or assignments in effect:

(a) The name, address, and phone number of the owner(s) of the premises, or landlord, if different;

(b) If the tenant is other than the applicant or the business that is or will be operating in the premises in which massage and/or bodywork services will be provided, the name, address, and phone number of the tenant(s) of the premises;

(c) A computer-generated floor/site plan, which must be drawn to scale and sufficient to show clearly the various interior dimensions of all areas of the licensed premises and to demonstrate compliance with the provisions of this Ordinance. In addition to the requirements listed above, the plan must include the following:

(i) the entire lot or property on which the Massage or Bodywork Establishment is or will be located;

(ii) the location of, purpose of, and type of activity that will take place in each room; and

(iii) the location of all doors, windows, entrances, exits, the fixed structural internal features of the licensed premises, plus the interior rooms, walls, partitions, stages, performance areas, and restrooms.

C. Renewals. All applications for the renewal of a license shall be made in writing to the City Clerk not later than April 1 of each year. If the information and statements contained in the original application have not changed, in lieu of an application for renewal, a licensee may file with the City Clerk not later than April 1 of each year, an affidavit stating that such facts and statements have not changed.

D. Changes relating to the following must be reported to the City Clerk, in writing, before they occur: (1) changes in ownership as defined in § 22-10001 Definitions; and (2) changes in DBA (Assumed Name).

(1) In addition to the changes listed above, any changes to information required in § 22-1004 that occur during the term of the license must be reported to the City Clerk, in

writing, within ten (10) days of the effective date of the change.

- ~~A. The application for permit to operate a massage Establishment shall set forth the exact nature of the massage to be administered, and the proposed place of business and facilities therefor.~~
- ~~B. In addition to the foregoing, any applicant for a permit, including any partner or limited partner of a partnership applicant, and any officer, director of a corporate applicant and any stockholder holding more than 10% of the stock of a corporate applicant, shall furnish the following:~~
- ~~(1) Name and address;~~
 - ~~(2) Written proof that the individual is at least 18 years of age;~~
 - ~~(3) All residential addresses for the past three years;~~
 - ~~(4) The applicant's height, weight, color of eyes and hair;~~
 - ~~(5) The business, occupation or employment of the applicant for the three years immediately preceding the date of application;~~
 - ~~(6) The massage or similar business license history of the applicant; whether such person, in previously operating in this or another City or state under license, has had such license revoked or suspended, the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation; All criminal or City ordinance violation convictions, forfeiture of bond, and pleadings of nolo contendere on all charges, except minor traffic violations;~~
 - ~~(7) The fingerprints and photograph of the applicant;~~
 - ~~(8) If the applicant is a corporation, or a partner of a partnership is a corporation, the name of the corporation shall be set forth exactly as shown in its Articles of Incorporation.~~
- [Ord. No. 1975-96]**

§ 22-1005. [Ch. 22, Sec. 157] Massage Establishment Processing of Massage or Bodywork license application; License disqualifications, permit term and renewals.

- ~~A. Application for creation. All Applications for the creation of Massage or Bodywork Establishment licenses shall be subject to comprehensive review by the relevant departments of the City of Bloomington, which include inspection of proposed premises and investigation of the background, including criminal history and fingerprinting, of all applicants and managers listed on the submitted application. The approval of any licenses are contingent upon full compliance with all applicable building codes, health regulations, and safety standards as set forth by the City of Bloomington and McLean County authorities.~~
- ~~(1) If the applicant can produce proof of a current massage therapy license by the State of Illinois for any owner or employee, then the background check and fingerprints are not required for the specified individual.~~
- ~~B. Applicant cooperation required. An applicant for a Massage or Bodywork Establishment license shall cooperate fully with the inspections and investigations conducted by reviewing departments. The applicant's refusal to give any information reasonably relevant to the investigation of the application, to allow the applicant premises to be inspected, to appear at any reasonable time and place for examination under oath regarding the application, or to otherwise cooperate with the investigation and inspection required by this Ordinance shall~~

constitute an admission by the applicant that the applicant is ineligible for a Massage or Bodywork Establishment license and shall be grounds for denial of the license application.

- C. Decision final. The action taken by the City Clerk to issue or deny a Massage or Bodywork Establishment license pursuant, respectively, to this Article shall be final, subject to judicial review.
- D. Disqualification for license. No such license shall be issued under this Article if the City shall find:
- (1) That the applicant is not of legal age or under any legal disability;
 - (2) That an applicant whose license issued under this Ordinance has been revoked for cause;
 - (3) That the applicant, at the time of application for renewal of any license hereunder would not be eligible for such license upon a first application;
 - (4) That the applicant does not own the premises for which a license is sought or does not have a lease thereon for the full period for which the license is to be issued;
 - (5) That the operation of the Massage or Bodywork Establishment, as proposed by the applicant, would not comply with the applicable laws of the State of Illinois and the City of Bloomington, including, but not limited to health, safety, planning, housing, building, zoning, and fire codes; or
 - (6) That the applicant and/or any other person who will be directly or indirectly engaged in the management and operation of a Massage or Bodywork Establishment has been convicted or has pled guilty to:
 - (a) A felony that occurred within five (5) years prior to the date of application, or of any misdemeanor, an essential element of which is: 1) dishonesty, 2) illicit drugs, 3) sexual offenses as defined in 720 ILCS 5/11-0.1, 4) the use of violence or force, or that is directly related to the practice of the massage and/or bodywork or operation of a Massage or Bodywork Establishment;
 - (b) An offense involving sexual misconduct with children;
 - (c) Prostitution, soliciting for a prostitute, pimping or other offenses opposed to decency and morality; or
 - (d) A violation of any provision of this Article;
 - (7) That the applicant has knowingly made false, misleading, or fraudulent statements of fact in the license application or in any document required by the City in conjunction with the license application, or has knowingly withheld material information; or
 - (8) That the operation of the Massage or Bodywork Establishment as proposed by the applicant would violate the provisions of this Article.

The City Manager, at their discretion, may direct the City Clerk to issue a license to any person convicted of any of the crimes in Subsection D(3)(a), (b) and (c) if they find that such conviction occurred at least four years prior to the date of application, the applicant has no subsequent convictions and the applicant has shown evidence of rehabilitation sufficient to warrant the public trust.

- ~~A. Upon receipt of the recommendations of the departments referred to in § 22-1004 and the certificate of the Health Officer that the Establishment is in compliance with all the requirements of §§ 22-1011 and 22-1012 the City Manager shall issue a permit to maintain, operate or conduct a massage Establishment, unless he finds:~~
- ~~(1) That the operation, as proposed by the applicant, if permitted, would not have complied with all applicable laws, including but not limited to, the Building, Health, Planning, Housing, Zoning and Fire Codes of the City of Bloomington; or~~
 - ~~(2) That the applicant or any other person who will be directly or indirectly engaged in the management and operation of a massage Establishment has been convicted of:~~
 - ~~(a) A felony;~~
 - ~~(b) An offense involving sexual misconduct with children;~~
 - ~~(c) Prostitution, soliciting for a prostitute, pandering, keeping a place of prostitution, pimping or other offense opposed to decency and morality.~~
- ~~B. The City Manager, at his discretion, may issue a permit to any person convicted of any of the crimes in Subsection A(2)(a), (b) and (c) if he finds that such conviction occurred at least four years prior to the date of application, the applicant has no subsequent convictions and the applicant has shown evidence of rehabilitation sufficient to warrant the public trust.~~
- ~~C. On January 1, 2025, a one time sixteen month license (January 1, 2025 — April 30, 2026) will be made available to allow the license cycle to transition to align with the City's fiscal year (May 1 — April 30). The City Clerk maintains the responsibility of determining and managing the processes necessary to facilitate the change, including, but not limited to, establishing billing cycle payment options. First time licenses issued after January 1, 2025, shall expire on April 30, 2026.~~
- ~~D. Renewals. On May 1, 2026, the standard twelve month permitting cycle will resume running concurrent with the City's fiscal year. All applications for the renewal of a permit shall be made in writing to the City Clerk not later than April 1 of each year. If the information and statements contained in the original application have not changed, in lieu of an application for renewal, a permittee may file with the City Clerk, not later than April 1 of each year, an affidavit stating that such facts and statements have not changed.~~

§ 22-1006. [Ch. 22, Sec. 158] Revocation, or suspension, or nonrenewal of permitlicense for Massage or Bodywork Establishmentmassageestablishment.

- ~~A. Any Massage or Bodywork Establishment license may be revoked, suspended, or not renewed, after notice and hearing by the City Manager, or their designee, for any of the following reasons:~~
- ~~(1) If any of the provisions of this Article are violated or any employee of the licensee, including a massage therapist, is engaged in any conduct at licensee's place of business, which violates any of the provisions of this Article or any State law which provides for imprisonment, and licensee should have actual or constructive knowledge of such violations or the licensee should have actual or constructive knowledge by due diligence;~~
 - ~~(2) If any applicant has made a false statement on an application for a license under this Article;~~

- (3) If the Health Department reports that such business is being managed, conducted, or maintained without regard for the public health or health of patrons or customers, or without due regard to proper sanitation or hygiene;
- (3) Violation of any law occurring on the Establishment's premises committed by the Establishment or an employee of the Establishment;
- (4) Violation of any law or state regulation regarding Massage or Bodywork Establishments;
- (5) Failure to pay any tax, judgment, fee, or bill owed to the City of Bloomington;
- (6) Failure to provide current information regarding the ownership or location of the business;
- (7) Failure to notify in writing the City Clerk Department and receive prior approval of changes as required by § 22-1004; or
- (8) The licensee, or any other person, identified pursuant to § 22-1004 of this Ordinance, becomes disqualified for the issuance of a Massage or Bodywork Establishment license at any time during the term of a license at issue.

- B. Any violation of this ~~a~~Article by any employee of the ~~permittee~~licensee, including a ~~masseur or masseuse~~ massage therapist, shall be cause for suspension of the license for not more than 30 days in the first instance. Any subsequent violation of this ~~a~~Article by any employee of the ~~permittee~~licensee, including a ~~masseur or masseuse~~ massage therapist, shall be cause for suspension, ~~or revocation, or nonrenewal~~ of this license.

The City Manager, or their designee, before revoking or suspending any license, shall give the ~~permittee~~licensee at least 10 days' written notice of the charges against him ~~or her~~ them and the opportunity for a public hearing before the City Manager, or their designee, at which time the ~~ermittee~~licensee may present evidence bearing upon the question. In such cases, the charges shall be specific and in writing. **[Ord. No. 1975-96]**

- C. For the administration of this section, the formal rules of evidence shall not apply at the hearing, and hearsay may be permitted, provided it is of the nature reasonably prudent persons would rely upon in the conduct of their affairs. At the hearing, the City Manager, or their designee, shall determine by a preponderance of the evidence whether a lawful reason exists to revoke or suspend the license. The City Manager, or their designee, after determining that a lawful reason exists to revoke, suspend, or not renew the license, shall also determine whether that lawful reason merits the sanction of a revocation, suspension, or nonrenewal of the license.

- D. When any Massage or Bodywork Establishment license has been revoked for cause, no new license shall be issued for the operation of a Massage or Bodywork Establishment at the same premises for a period of two (2) years following the date of revocation. Furthermore, no Massage or Bodywork Establishment license shall be granted to, and any existing license may be revoked or suspended with respect to, the individual whose license was revoked, for any other premises within the City, for a period of two (2) years from the date of revocation. This restriction shall also apply to:

- (1) The spouse or immediate family member of the revoked licensee;
- (2) Any business partner of the revoked licensee; and

(3) Any individual holding more than a five percent (5%) ownership interest in the revoked licensee's business.

~~A. Any permit issued for a massage Establishment may be revoked or suspended by the City Manager after hearing for good cause or in any case where any of the provisions of this article are violated or any employee of the permittee, including a masseur or masseuse, is engaged in any conduct at permittee's place of business, which violates any of the provisions of this article or any State law which provides for imprisonment, and permittee should have actual or constructive knowledge of such violations or the permittee should have actual or constructive knowledge by due diligence, or where any applicant has made a false statement on an application for a permit under this article or in any case where the officer or health inspector of the McLean County Health Department to inspect the premises or the operations therein. Such permit may also be revoked or suspended by the City Manager after hearing upon the recommendations of the Health Officer that such business is being managed, conducted or maintained without regard for the public health or health of patrons or customers or without due regard to proper sanitation or hygiene.~~

~~B. Any violation of this article by any employee of the permittee, including a masseur or masseuse, shall be cause for suspension of the permit for not more than 30 days in the first instance. Any subsequent violation of this article by any employee of the permittee, including a masseur or masseuse, shall be cause for suspension or revocation of this permit.~~

~~C. The City Manager, before revoking or suspending any permit, shall give the permittee at least 10 days' written notice of the charges against him or her and the opportunity for a public hearing before the City Manager, at which time the permittee may present evidence bearing upon the question. In such cases, the charges shall be specific and in writing. [Ord. No. 1975-96]~~

§ 22-1007. [Ch. 22, Sec. 159] Masseur or mMasseuse pPermit. Permit fee; Late fee. [Ord. No. 2018-89]

~~Any person, including an applicant for massage Establishment permit, who engages in the practice of massage as herein defined, shall file an application for a masseur or masseuse permit with the City Clerk upon a form provided by said City Clerk and shall pay a nonrefundable filing fee in an amount as set forth in the Schedule of Fees for an original application and an amount set forth in the Schedule of Fees for a renewal application, to the Director of Finance, who shall issue a receipt which shall be attached to the application filed with the City Manager.~~

§ 22-1008. [Ch. 22, Sec. 160] Application form for mMasseur or mMasseuse permit.

~~A. The application for a masseur or masseuse permit shall contain the following:~~

- ~~(1) Name, residence address and date of birth;~~
- ~~(2) Social security number and driver's license number, if any;~~
- ~~(3) Applicant's weight, height, color of hair and eyes;~~
- ~~(4) Written evidence that the applicant is at least 18 years of age;~~
- ~~(5) Business, occupation or employment of the applicant for the three years immediately preceding the date of application; Whether the applicant has ever been convicted of, pleaded nolo contendere to, or suffered a forfeiture on a bond charge of committing any crime except minor traffic violations. If the answer is in the affirmative, a statement must be made giving the place and the court in which such conviction, plea or forfeiture~~

~~was had, the specific charge under which the conviction, plea or forfeiture was obtained, and the sentence imposed as a result thereof;~~

~~(6) The Chief of Police, or his delegate, shall have the right to take fingerprints and a photograph of the applicant and the right to confirm the information submitted;~~

~~(7) A medical certificate signed by a physician, licensed to practice in the State of Illinois, within seven days from the date of the application. The certificate will state that the applicant was examined by the certifying physician and that the applicant is:~~

~~(a) Free of communicable disease;~~

~~(b) If not free of communicable disease, is incapable of transmitting any such disease to others, disease, with or without precautionary actions by the applicant.~~

~~B. If precautionary actions are required by the applicant to prevent the transmission of communicable disease, such precautions will be a condition of the permit. The additional information required by this subsection shall be provided at the applicant's expense. This information shall be submitted as part of the annual permit renewal process. [Ord. No. 1994-101]~~

~~§ 22-1009. [Ch. 22, Sec. 161] Masseur or masseuse permit term and renewals.~~

~~A. The City Manager may issue a masseur or masseuse permit within 21 days following application, unless he finds that the applicant for masseur or masseuse permit has been convicted of:~~

~~(1) A felony;~~

~~(2) An offense involving sexual misconduct with children;~~

~~(3) Keeping or residing in a house of ill fame, solicitation of a lewd or unlawful act, prostitution or pandering.~~

~~B. The City Manager, in his discretion, may issue a permit to any person convicted of such crimes if he finds that such conviction occurred at least four years prior to the date of the application and the applicant has had no subsequent convictions.~~

~~CE. On January 1, 2025, a one-time sixteen-month permit (January 1, 2025 — April 30, 2026) will be made available to allow the permit cycle to transition to align with the City's fiscal year (May 1 — April 30). The City Clerk maintains the responsibility of determining and managing the processes necessary to facilitate the change, including, but not limited to, establishing billing cycle payment options. First-time permits issued after January 1, 2025, shall expire on April 30, 2026.~~

~~DE. Renewals. On May 1, 2026, the standard twelve-month permitting cycle will resume running concurrent with the City's fiscal year. All applications for the renewal of a permit shall be made in writing to the City Clerk not later than April 1 of each year. If the information and statements contained in the original application have not changed, in lieu of an application for renewal, a permittee may file with the City Clerk, not later than April 1 of each year, an affidavit stating that such facts and statements have not changed.~~

~~§ 22-1010. [Ch. 22, Sec. 162] Revocation of a masseur or masseuse permit.~~

~~a. A masseur or masseuse permit issued by the City Manager shall be revoked/suspended where it appears that the masseur or masseuse has been convicted of any offense which~~

would be cause for denial of a permit upon an original application, has made a false statement on an application for a permit, or has committed an act in violation of this article.

- b. ~~The City Manager in revoking or suspending a masseur or masseuse permit shall give the permit holder a written notice specifying the grounds therefor. Such person may within 10 days of such revocation or suspension, file a written request with the City Manager for a public hearing before the City Manager at which time the masseur or masseuse may present evidence bearing upon the question. The decision of the City Manager upon such hearing shall be a final, appealable order. [Ord. No. 1975-96]~~

~~§ 22-1011. [Ch. 22, Sec. 163] Facilities necessary.~~

- A. ~~No massage Establishment shall be issued a permit, nor be operated, established, or maintained in the City unless an inspection by the Health Officer reveals that the Establishment complies with each of the following minimum requirements.~~

- ~~(1) Construction of room used for toilets, tubs, steam baths, and showers shall be made waterproof with approved waterproof materials and shall be installed in accordance with the Building Code of the City of Bloomington;~~
- ~~(2) All massage tables, bathtubs, shower stalls, steam or bath areas, and floors shall have surfaces which may be readily disinfected;~~
- ~~(3) Adequate bathing, crossing, locker, and massage facilities shall be provided for the patrons to be served at any given time. In the event male and female patrons are to be served simultaneously, separate bathing, dressing, locker, and massage room facilities shall be provided;~~
- ~~(4) The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposal instruments and materials shall be disinfected after use on each patron;~~
- ~~(5) Closed cabinets shall be provided and used for the storage of clean linen, towels, and other materials used in connection with administering massages. All soiled linens, towels, and other materials shall be kept in properly covered containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas;~~
- ~~(6) Toilet facilities shall be provided in convenient locations. When five or more employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided. A single water closet per sex shall be provided for each 20 or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for water closets after one water closet has been provided. Toilets shall be designated as to the sex accommodated therein;~~
- ~~(7) Lavatories or washbasins provided with both hot and cold running water shall be installed in either the toilet room or a vestibule. Lavatories or washbasins shall be provided with soap and a dispenser and with sanitary towels;~~
- ~~(8) The premises shall be equipped with a service sink for custodial service.~~

- B. ~~The Health Officer shall certify that the proposed massage Establishment complies with all the requirements of this section of this aArticle and shall send such certification to the City Manager.~~

§ 22-1012. [Ch. 22, Sec. 164] § 22-1008. [Ch. 22, Sec. 160] Operating requirements.

Every Massage or Bodywork Establishment shall be subject to the following:

- A. Supervision. The premises of every Massage or Bodywork Establishment shall be under supervision at all times during business hours. If massage services are provided, at least one massage therapist must be physically present on the premises whenever the Establishment is open to the public. The licensee shall either personally supervise the operation of the business or delegate supervisory responsibilities to a designated manager whose name is listed on the Massage or Bodywork Establishment license. The licensee is responsible for ensuring compliance with all applicable provisions of this Article and shall not commit, or allow any agent, employee, or contractor to commit any violations thereof. Any violation of this Article by an agent, employee, or contractor shall be deemed a violation by the licensee.
- B. Sanitary Conditions. All portions of the Massage or Bodywork Establishment, including all equipment, appliances, apparatus, and furnishings, shall be maintained in a clean and sanitary condition, in accordance with the requirements set forth in this Article.
- C. Employee Dress Code. All employees, agents, and independent contractors of Massage or Bodywork Establishments shall wear clean, non-transparent outer garments, whose use is restricted to the Massage or Bodywork Establishment, that fully cover the sexual and genital areas while on the premises. No employee, agent, or independent contractor shall disrobe, or offer or agree to disrobe, in whole or in part, in the presence of any individual receiving massage and/or bodywork services. Any failure to comply with this dress code requirement, including an offer or agreement to disrobe, shall constitute a violation of this Article, for which the licensee shall be strictly liable and subject to license suspension or revocation.
- D. Separate License. A license shall apply only to the specific premises identified in the license application and subsequent license. Each license shall be valid for only one physical location; separate licenses are required for each individual Establishment.
- E. Transfer of License. A license issued under this Article shall constitute a personal privilege, valid only until the date of expiration listed on said license, unless sooner revoked. It shall not be construed as a property interest and is non-transferable, indivisible, and non-assignable. The privileges conferred by the license shall apply only to the licensee named therein.
- F. Minors. Minors may receive massage and/or bodywork services only in the presence of, or with the written consent of, a parent or legal guardian.
- G. Alcoholic Beverages Prohibited. No person shall sell, serve, distribute, provide, possess, or consume alcoholic beverages on the premises of any Massage or Bodywork Establishment without a valid liquor license. Alcoholic beverages shall not be offered or consumed in any room where massage and/or bodywork services are provided unless that room is open to the general public. No licensee, manager, or responsible party shall allow any person impaired by alcohol or drugs to enter, remain in, or provide or receive services within a Massage or Bodywork Establishment.
- H. Solicitations Prohibited

- (1) Prohibited Advertising. No Massage or Bodywork Establishment, or any person acting in connection therewith, shall place, publish, or distribute—or cause to be placed, published, or distributed—any advertisement, image, or statement in any medium that is known to be false, deceptive, or misleading for the purpose of inducing any person to purchase or utilize massage and/or bodywork services. Additionally, no such advertisement shall suggest or imply any form of sexual activity or appear on any adult website or platform known to promote pornographic, sexual, or similar services or products.
- (2) Prohibited Conduct on Premises. No Massage or Bodywork Establishment shall permit any employee, agent, or independent contractor to touch, or offer or agree to touch, the sexual or genital area of any person while on the premises. Any such touching, offer, or agreement shall constitute a violation of this Article, for which the licensee shall be strictly liable and subject to license suspension or revocation. Except, this provision does not apply to licensed clinical massage therapy provided for legitimate therapeutic purposes, including:
 - (a) Post-mastectomy scar tissue therapy, including myofascial release therapy;
 - (b) Therapeutic treatment of breast tissue or muscles in connection with pre- or post-surgical mastectomy, lumpectomy, or breast reconstruction;
 - (c) Clinical perineal massage for pregnant individuals to assist in childbirth; or
 - (d) Clinical lower abdominal massage for relief of menstrual pain.
- (3) Customer Notice Requirement. Every Massage or Bodywork Establishment shall provide prospective customers with a written notice stating the following:

NOTICE TO CUSTOMERS:

State law prohibits soliciting another person for the purpose of a sexual act. Solicitation is punishable as a Class 4 felony and may result in fines, imprisonment, and, if applicable, impoundment of any vehicle used or associated to the offense. This Establishment immediately reports all offers or requests to purchase sexual services to law enforcement.

- (4) Employee Notice Requirement. Every Massage or Bodywork Establishment shall post a notice in a conspicuous location accessible to all employees, agents, and independent contractors, stating the following:

NOTICE TO EMPLOYEES:

State law prohibits soliciting another person for the purpose of a sexual act. Solicitation is punishable as a Class 4 felony and may result in fines, imprisonment, and, if applicable, vehicle impoundment. You may report any offers or requests for sexual services by contacting the Bloomington Police Department at (309) 820-8888 or by calling 911.

I. Other Operating Requirements

- (1) Hours of Operation. No part of a Massage or Bodywork Establishment shall be open to the public or operate for any business purpose between the hours of 10:00 p.m. and 6:00 a.m. the following day.

- (2) Residency Prohibited. No individual shall reside in or remain overnight on the premises of any Massage or Bodywork Establishment. This provision does not prohibit a person from residing in a legally permitted residential portion of a mixed-use or commercial building, nor does it prohibit providing massage and/or bodywork services from a private residence if such use is lawful under applicable zoning regulations.
- (3) Visibility Requirement. All Massage or Bodywork Establishments are required to have and maintain clear glass, which is not painted over, darkened, or blocked by any cloth or obstruction, at the entrance to such establishment so that the front area where patrons are greeted is clearly visible from the outside. Any Massage or Bodywork Establishment located in a facility that does not comply with this requirement is to notify the City Clerk Department in writing.
- (4) Business Recordkeeping. Every licensee shall maintain, on the premises, business records for all massage and/or bodywork services provided. These records shall include:
- (a) The date and time of each service;
 - (b) The name of the Massage Therapist who provided the service;
 - (c) The Massage Therapist's Illinois license number; and
 - (d) The amount received for the service.

Records, as outlined in § 22-1011(4), must be completed prior to the initiation of service. The amount received shall be recorded at the time payment is made. These records must be retained on-site for a minimum of one (1) year and shall be made available upon request by the City.

- ~~A. Every portion of the massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.~~
- ~~BJ. Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.~~
- ~~GK. All employees, including masseurs and masseuses, shall be clean and wear clean, non-transparent outer garments, covering the sexual and genital areas, whose use is restricted to the massage establishment. A separate Individual dressing rooms for each sex must be made available on the premises with for individuals lockers for each employee. Dchanging and the door to such dressing rooms shall open inward and shall be self-closing.~~
- ~~DL. All Massage or Bodywork Establishments massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.~~
- ~~EM. The sexual or genital area of patrons must be covered by towels, cloths, or undergarments when in the presence of an employee, masseur, or masseuse and/or massage therapist.~~
- ~~FN. It shall be unlawful for any person in a Massage or Bodywork Establishment massage establishment knowingly to place his or her their hand upon, to touch with any part of his or~~

her~~their~~ body, to fondle in any manner, or to massage a sexual or genital area of any other person.

~~GO.~~ No masseur or masseuse massage therapist, employee, or operator shall perform, offer, or agree to perform any act which would require the touching of the patron's genital area.

~~HP.~~ All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and all other physical facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used on the floors, it shall be kept dry.

~~IQ.~~ Oils, creams, lotions, or other preparations used in administering massages and/or bodywork services shall be kept in clean, closed containers or cabinets.

~~JR.~~ Eating in the massage and/or bodywork work areas shall not be permitted.

~~S.~~ Animals, except for licensed service animals~~seeing-eye dogs~~, shall not be permitted in the massage and/or bodywork work area.

~~KT.~~ No masseur or masseuse massage therapist shall administer a massage and/or bodywork services to a patron exhibiting any skin fungus, skin infection, skin inflammation, or skin eruption; unless a physician duly licensed by the State of Illinois certifies in writing that such person may be safely massaged or bodyworked, prescribing the conditions thereof.

~~LU.~~ Each masseur and masseuse massage therapist shall wash his or her~~their~~ hands in hot running water, using a proper soap or disinfectant before administering a massage and/or bodywork services to each patron. **[Ord. No. 1975-96]**

§ 22-1013. [Ch. 22, Sec. 165] Advertising. [Ord. No. 1975-96]

~~No massage establishment granted a permit under provisions of this article shall place, publish or distribute or cause to be placed, published, or distributed any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective patrons that any services are available other than those services described in § 22-1001 of this article and not prohibited by § 22-1012 of this article, or that employees, masseurs or masseuses are dressed in any manner other than prescribed in § 22-1012 of this article, nor shall any massage Establishment indicate in the text of such advertising that any services are available other than those services described in § 22-1001 and not prohibited by § 22-1012 of this article.~~

§ 22-1014. [Ch. 22, Sec. 166] § 22-1009. [Ch. 22, Sec. 161] Out-call registration. [Ord. No. 1975-96]

~~Any masseuse or masseur massage therapist who provides any of the services listed in the definition of "massage and/or bodyworks" in § 22-1001 of this aArticle at any hotel or motel must first register his or her their name and permit~~license~~ number with the owner, manager, or person in charge of the hotel or motel.~~

§ 22-1015. [Ch. 22, Sec. 167] § 22-1010. [Ch. 22, Sec. 162] Out-call service. [Ord. No. 1975-96]

~~No "out-call massage and/or bodywork service" may be operated other than by a licensed Massage or Bodywork Establishment~~massage establishment. All massages and/or bodywork services performed and advertising engaged in by an "out-call massage and/or bodywork

service" must be done in the manner prescribed in § 22-100~~8~~¹² and § 22-1013.

~~§ 22-1016. [Ch. 22, Sec. 168] Hours of operation. [Ord. No. 1975-96]~~

~~No massage Establishment shall be open between the hours of 10:00 p.m. and 6:00 a.m.~~

~~§ 22-1017. [Ch. 22, Sec. 169] § 22-1011. [Ch. 22, Sec. 163] Inspections. [Ord. No. 1975-96]~~

~~The Police Department Authorized staff of any applicable City of Bloomington department and the McLean County Health Department shall be permitted at any time to perform from time to time and at least twice a year, make an inspection of each Massage or Bodywork Establishment massage establishment granted a permit license or applying for said license under the provisions of this aArticle for the purposes of determining that the provisions of this aArticle are complied with. Such inspections shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any permittee licensee to fail to allow such inspection officer authorized City or County staff access to the premises or to hinder such staff officer in any manner.~~

~~§ 22-1018. [Ch. 22, Sec. 170] § 22-1012. [Ch. 22, Sec. 164] Employment of person under the age of 18 prohibited. [Ord. No. 1975-96]~~

~~It shall be unlawful for any owner, proprietor, manager, or other person in charge of any Massage or Bodywork Establishment massage establishment to employ any person who is not at least 18 years of age.~~

~~§ 22-1019. [Ch. 22, Sec. 171] Masseur and Masseuse Identification Ccard. [Ord. No. 1975-96]~~

~~The City Manager shall provide each masseur and masseuse granted a permit with an identification card which shall contain a photograph of the masseur or masseuse and the full name and permit number assigned to the said masseur or masseuse, which must be worn on the front of the outer most garment at all times during the hours of operation of any Establishment granted a permit pursuant to this article.~~

~~§ 22-1020. [Ch. 22, Sec. 172] § 22-1013. [Ch. 22, Sec. 165] Transfer of Massage or Bodywork Establishment licenses permits. [Ord. No. 1975-96]~~

~~Transfer of Massage or Bodywork Establishment licenses. A license issued under this Article for the operation of a Massage or Bodywork Establishment is non-transferable, indivisible, and non-assignable. However, in the event of the death or incapacity of the licensee, an heir, beneficiary, or the legal guardian of such person(s) may continue to operate the Establishment for a reasonable period, not to exceed sixty (60) days, to allow for the issuance of a new license.~~

- ~~(1) Upon the sale, transfer, or relocation of a Massage or Bodywork Establishment, the existing license shall become immediately null and void. A new license shall be required for any successor Massage or Bodywork Establishment intended to operate at the same location.~~

~~No permit for the operation of a massage Establishment issued pursuant to the provisions of this article shall be transferable except with the written consent of the City Manager and approval of the Health Officer, provided, however, that upon the death or incapacity of the permittee the massage Establishment may continue in business for a reasonable period of time to allow for an orderly transfer of the permit.~~

~~§ 22-1021. [Ch. 22, Sec. 173] § 22-1014. [Ch. 22, Sec. 166] Display of Massage or~~

Bodywork Establishment License permit. [Ord. No. 1975-96]

Every Massage or Bodywork Establishment licensed in accordance with the provisions of this Article shall immediately post the license so issued in a conspicuous place on the licensed premises and shall keep such license so posted at all times said license is in force.

~~Every permittee shall display a valid permit in a conspicuous place within the massage Establishment so that the same may be readily seen by persons entering the premises.~~

§ 22-1022. [Ch. 22, Sec. 174] § 22-1015. [Ch. 22, Sec. 167] Employment of Massage Therapists masseurs and masseuses. [Ord. No. 1975-96]

~~It shall be the responsibility of the Massage or Bodywork Establishment licensee permittee for the massage establishment or the employer of any persons purporting to act as masseurs and masseuses to massage therapists, to ensure insure that each person employed as a masseur and masseus massage therapist shall first have obtained a valid permit pursuant to this aArticle license from the State of Illinois.~~

§ 22-1023. (Reserved)¹

§ 22-1024. [Ch. 22, Sec. 176] Non-applicability of this article.

~~This article shall not apply to hospitals, nursing homes, sanitarium or persons holding an unrevoked certificate to practice the healing arts under the laws of the State of Illinois, or persons working under the direction of any such persons or in any such Establishments, nor shall this article apply to barbers or cosmetologists lawfully carrying out their particular profession or business and holding a valid, unrevoked license or certificate of registration issued by the State of Illinois.~~

§ 22-1025. [Ch. 22, Sec. 177] Rules and regulations. [Ord. No. 1975-102]

~~The City Manager, the Health Officer, or both officers, may, after a public hearing, make and enforce reasonable rules and regulations not in conflict with, but to carry out the intent of article.~~

§ 22-1026. [Ch. 22, Sec. 178] § 22-1016. [Ch. 22, Sec. 168] Violation and penalty.

All person(s) or entities, except those who are specifically exempted by this Article, who violate any of the provisions of this Article, provide the service of a massage therapist, or conducts business as a Massage or Bodywork Establishment without first obtaining a City of Bloomington Massage or Bodywork Establishment license, shall be guilty of a misdemeanor, which upon conviction, is punishable by a fine and by imprisonment or by both such fine and imprisonment.

~~Every person except those persons who are specifically exempted by this article, whether acting as an individual, owner, employee of the owner, operator, or employee of the operator, or whether acting as a mere helper for the owner, employee or operator, or acting as a participant or worker in any way, who gives massages or conducts a massage Establishment without first obtaining a permit and paying a license fee to do so from the City of Bloomington, or shall violate any of the provisions of this article, shall be guilty of a misdemeanor. Upon conviction, such person shall be punished by a fine not to exceed \$500 or by imprisonment for a period not to exceed six months or by both such fine and imprisonment.~~

§ 22-1027. [Ch. 22, Sec. 179] § 22-1017. [Ch. 22, Sec. 169] Maintaining public nuisance.

Any building used as a Massage or Bodywork Establishment ~~massage establishment~~ in violation of this aArticle with the intentional, knowing, reckless, or negligent permission of the owner thereof, or the agent of the owner managing the building, together with all fixtures and other property used in violation of this aArticle are hereby declared to be a nuisance.

§ 22-1018. [Ch. 22, Sec. 170] Emergency suspension or revocation; Appeals.

A. In cases where the City Manager, or their designee, reasonably believes that the continued operation of a massage or bodywork licensed entity poses an imminent risk to public health, safety, or welfare, the City Manager may suspend or revoke the license immediately. Notice of such suspension or revocation shall be given to the licensed party and to the Bloomington and Normal Police Departments. The notice shall specify the reason for the suspension or revocation and shall provide the licensed entity with the right to request an appeal of the suspension or revocation, provided an appeal is requested no later than five days from service of the notice of suspension or revocation. If an appeal is requested, a hearing shall be held before the City Manager or their designee within 10 days of the request for a hearing.

B. In order to prevail in an appeal, the party appealing the suspension or revocation must show by a preponderance of the evidence that the asserted reason for suspension or revocation is inaccurate.

C. Service shall be deemed effective when sent via email or first-class mail to the last known email or postal address of the licensed entity. For the purpose of this Section, the last known email or postal address shall be the one that has most recently been recorded with the City Clerk Department.

§ 22-1019. [Ch. 22, Sec. 171] Appeals.

A. Except for emergency suspensions or revocations as provided in § 22-1028, any license holder who receives a notice of revocation or suspension may file an appeal with the City of Bloomington Corporation Counsel. The appeal must be made in writing within 10 days of receipt of the notice of revocation or suspension and shall include a response to the notice. Such response shall include a brief statement addressing the substantive deficiencies cited in the notice and shall set forth the basis for why the license should not be revoked or suspended. The appeal must be submitted to the office of the City of Bloomington Corporation Counsel located at 115 E. Washington Street, Bloomington, IL 61701, or via email to legal@cityblm.org. The Corporation Counsel's office shall mail or email an appeal hearing notice to the requester containing the hearing date and time set for a hearing before the City Manager or their designee.

B. In order to prevail in an appeal, the party appealing the suspension or revocation must show by a preponderance of the evidence that the asserted reason for suspension or revocation is inaccurate.

~~§ 22-1028. [Ch. 22, Sec. 180]~~ **§ 22-1020. [Ch. 22, Sec. 172]** Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this aArticle, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this aArticle or any part thereof.

SCHEDULE OF FEES – EFFECTIVE JUNE 20, 2025

The following fees are applicable for the respective licenses and fees required under the City Code of the City of Bloomington, Illinois, or as otherwise established by law.

(Reference to the related Chapter-Section of the City Code is listed with the Fee)

HEALTH AND SANITATION (CHAPTER 22)

C. ~~Massage or Bodywork Establishments and Massage Services~~

- | | |
|--|---------------------------------------|
| 1. Filing of Application and Fee — Massage Establishment: | \$25 per quarter year |
| | \$100.00 (22-1004(A))1003) |
| 2. <u>Annual License Fee:</u> | <u>\$0.00 (22-1003(A))</u> |
| 3. <u>Investigation Fee:</u> | <u>\$0.00 (22-1008(D))</u> |
| 2. Filing of Application and Fee — Masseur or Masseuse | |
| (a) Original Application Fee: | \$25.00 (22-1007) |
| (b) Renewal Fee: | \$10.00 (22-1007) |