



CITY OF
BLOOMINGTON
COUNCIL MEETING
JUNE 12, 2017



City Logo Design Rationale

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

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

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

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

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

AGENDA



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, JUNE 12, 2017; 7:00 P.M.

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call**
- 5. Recognition/Appointments**
 - A. Proclamation declaring June 2017 as, "Amateur Radio Month"
 - B. Proclamation recognizing Dhruv Rebba "Achievements"
 - C. Award Presentation of Certificates for the Bloomington 101 Participants.
 - D. Appointment of Ellen Schroeder-Concklin to the Board of Fire and Police Commissioners (Republican seat)
 - E. Reappointment of Gaynett Hoskins to the Bloomington Housing Authority
 - F. Reappointment of Jamison Mathy to the Cultural District Commission.
- 6. Public Comment**

(Each regular City Council meeting shall have a public comment period not to exceed 30 minutes. Every speaker is entitled to speak for up to 3 minutes. To be considered for public comment, complete a public comment card at least 5 minutes prior to the start of the meeting. The Mayor will randomly draw from the cards submitted. Public comment is a time to give comment. It is not a question and answer period and the City Council does not respond to public comments. Speakers who engage in threatening or disorderly behavior will have their time ceased.)
- 7. "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

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Counsel so requests, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which is Item #8.

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

- A. Consideration of approving the Minutes of the May 22, 2017 Regular City Council Meeting. *(Recommend that the reading of the minutes be dispensed with and the minutes approved as printed.)*
- B. Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$ 11,223,401.75. *(Recommend that the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of \$ 11,223,401.75 and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of Approving Appointments and Reappointments to Various Boards and Commissions. *(Recommend Ellen Schroeder-Concklin be appointed to the Board of Fire and Police Commissioners (Republican seat), Gaynett Hoskins be reappointed to the Bloomington Housing Authority and that Jamison Mathy be reappointed to the Cultural District Commission.)*
- D. Consideration of approving the purchase of one (1) Backhoe for the Public Works Sewer Maintenance and Operations Division. *(Recommend that the purchase of one (1) Caterpillar 430F2 IT Backhoe from Altorfer Inc. of East Peoria, IL using the National Joint Powers Alliance joint purchasing contract number 032515-CAT (valid through 5/19/19) in the amount of \$192,780.00 be approved, and authorize the Procurement Manager to issue a purchase order for the purchase.)*
- E. Consideration of approving an application for Walk Friendly Communities recognition. *(Recommend Council approve Public Works to submit an application to Walk Friendly Communities for recognition of the City's overall facilitation of pedestrian transportation and infrastructure.)*
- F. Consideration of a Fee Increase in the Intergovernmental Agreement with Evergreen Memorial Cemetery. *(Recommend that the Fee Increase in the Intergovernmental Agreement with Evergreen Memorial Cemetery be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- G. Consideration of approving the Government Center: Operation & Maintenance Costs / Attachment No. 15. *(Recommend Council approve the Attachment No. 15 to the Amendment to the Lease and Operation and Maintenance Agreement for the City and County Office*

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Building be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)

- H. Consideration of adopting a Resolution approving payment for Street Lighting Electrical Energy and Rental Charges through a Motor Fuel Tax (MFT) General Maintenance program. *(Recommend Council approve the MFT Resolution and associated estimate of costs for a FY 2018 MFT General Maintenance program (18-00000-00-GM) for Street Lighting System electrical energy and rental charges, and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- I. Consideration of approving Ordinance directing the sale of surplus property at 809 E. Washington in the City of Bloomington. *(Recommend Council approve Ordinance directing the sale of surplus real estate at 809 E. Washington in the City of Bloomington, including to advertise and accept bids for sale of property, and to authorize the Mayor and City Clerk to execute the Ordinance.)*
- J. Consideration of:
 - a. Approving a Budget Amendment Ordinance for Fiscal Year 2018, Baum Company, Inc. for masonry repairs at Fire Stations #2, #4 and Headquarters, and approve a Fiscal Year 2018 Budget Amendment and Ordinance.
 - b. Approving a Resolution for a Change Order to an existing contract with Otto Baum.*(Recommend Council approves the Budget Amendment Ordinance and a Resolution approving a Contract Amendment with Otto Baum Company, Inc. for masonry repairs at Fire Stations #2, #4 and Headquarters, (BID 2017-30) in the amount of \$11,657.50, and authorize the Mayor and City Clerk to execute the Ordinance and Resolution; and the City Manager and City Clerk to execute the contract documents.)*
- K. Consideration of approving an Ordinance Amending the Fiscal Year 2018 Budget to adjust the Bloomington Center for the Performing Arts (BCPA), Empire Street Corridor TIF District and the Downtown-Southwest Redevelopment TIF. *(Recommend Council approve Ordinance Amending the Fiscal Year Budget, and authorize the Mayor and City Clerk to execute the necessary documents.)*
- L. Consideration of an Ordinance approving the Petition to Rezone 611 N. Lee Street from GAP-3, Iconic House and Manor to GAP-3 with the S-4 Historic Preservation District Overlay. *(Recommend Council adopt an Ordinance approving the Petition to Rezone 611 N. Lee Street from GAP-3, Iconic House and Manor to GAP-3 with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and the City Clerk be authorized to execute the necessary documents.)*

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- M. Consideration of approving a petition for the Lake Bloomington Lease Transfer Lot 5, Block 5 of Camp Kickapoo from John Jochums and James Meyer to C&J Business Rentals, LLC. *(Recommend the Lake Lease Transfer be approved, subject to the septic system conditions included in the McLean County Health Department's April 25, 2017, letter, and the new lease holder obtaining a permit for any existing improvements constructed on the marginal lands and reservoir within 6 months of transfer, and contingent upon the transferee providing documentation of the sale of the house located on the property, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- N. Consideration of an application of New Vision Cinemas LLC, d/b/a Ovation 10 Bloomington, located at 415 Detroit Dr., requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend the application of New Vision Cinemas LLC, d/b/a Ovation 10 Bloomington, located at 415 Detroit Dr., for an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved and the license created, contingent upon compliance with all health and safety codes.)*
- O. Consideration of the request from Toby Hoover and Patti Schrock to allow moderate consumption of alcohol at their September 1, 2017 wedding reception to be held at Davis Lodge. *(Recommend Council approve the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on September 1, 2017, and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- P. Consideration of the application of Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St. Suite 200, currently holding a PAS liquor license which allows the sale of all types packaged alcohol for consumption off the premises seven (7) days a week for a change of classification to a RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off premise seven (7) days a week. *(Recommend the application of Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St. Suite 200, currently holding a PAS liquor license which allows the sale of all types packaged alcohol for consumption off the premises seven (7) days a week for a change of classification to a RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off the premise seven (7) days a week be approved, contingent upon 1.) Verification from the Finance Department that food and beverage and package taxes are current and 2.) Compliance with all health and safety codes; also, that the reclassified license be subject to the condition that closing hours shall be 9:00 p.m.)*

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8. “Public Hearing”

- A. Public hearing on the Annexation Agreement submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory and The Benoit Group, LLC for approximately 3.12 acres commonly located at 102 Greenwood Ave, PIN: 21-16-101-008. *(Recommend opening the public hearing to receive comments on this item.) (Presentation by Tom Dabareiner, Community Development Director 10 minutes.)*

9. Regular Agenda”

- A. Administrative Review by City Council of Zoning Board of an Appeals denial of a petition for variances for an Accessory Structure requested for the property at 2 Briarwood Ave.

Recommendation/Motion:

(1) That the decision of the Zoning Board of Appeals be upheld and an ordinance denying the petition for variances from Chapter 44 Section 4.4C Bulk Requirements for an Accessory Structure requested for the property at 2 Briarwood Ave be passed, and the Mayor and City Clerk be authorized to execute the necessary documents’ or, alternatively:

(2) That the decision of the Zoning Board of Appeals be reversed and an ordinance approving the petition for variances from Chapter 44 Section 4.4C Bulk Requirements for an Accessory Structure requested for the property at 2 Briarwood Ave be passed, and the Mayor and City Clerk be authorized to execute the necessary documents.

(Presentation by Tom Dabareiner, Community Development Director 5 minutes, Council discussion 15 minutes.)

- B. Consideration of an Ordinance authorizing a Redevelopment Agreement between the City of Bloomington and JNB Bloomington LP and TIF Bloomington, Inc. for the proposed redevelopment of the former Bloomington High School building at 510 East Washington Street. *(Recommend the Ordinance approving a Redevelopment Agreement between the City of Bloomington and JNB Bloomington LP and TIF Bloomington, Inc. be approved, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by David Hales, City Manager and Austin Grammer, Economic Development Coordinator 10 minutes, Council discussion 15 minutes.)*
- C. Consideration of an Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan for the proposed Downtown East TIF District. *(Recommend an Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan*

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based on proposed Study Area 510 E. Washington Street be approved and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by David Hales, City Manager and Austin Grammer, Economic Development Coordinator 5 minutes, Council discussion 10 minutes.)

- D. Consideration of an Ordinance approving an Annexation Agreement submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory and The Benoit Group, LLC for approximately 3.12 acres commonly located at 102 Greenwood Ave, PIN: 21-16-101-008. *(Recommend an ordinance approving an Annexation Agreement submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory and The Benoit Group, LLC for approximately 3.12 acres commonly located at 102 Greenwood Ave, PIN: 21-16-101-008, be adopted and the Mayor and City Clerk execute the necessary documents.) (Presentation by Tom Dabareiner, Community Development Director, and David Hales, City Manager 10 minutes, Council discussion 20 minutes.)*
- E. Consideration of a Resolution authorizing a Letter of Support to the Illinois Housing Development Authority for a 54 unit multifamily affordable housing complex at 102 Greenwood Avenue proposed by The Benoit Group, LLC. *(Recommend that the Resolution authorizing a letter of support to the Illinois Housing Development Authority for the 54 unit multifamily affordable housing complex at 102 Greenwood Avenue proposed by The Benoit Group, LLC be approved, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Austin Grammer, Economic Development Coordinator 5 minutes, Council discussion 5 minutes.)*
- F. Consideration of an Ordinance Amending Chapter 2 and 29 of the City Code creating a Transportation Commission. *(Recommend an Ordinance Amending Chapters 2 and 29 of the City Code, be approved creating a Transportation Commission, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Jeffrey Jurgens, Corporation Counsel 5 minutes, Council discussion 10 minutes.)*

9. City Manager's Discussion

10. Mayor's Discussion

11. City Aldermen's Discussion

12. Executive Session – *Cite Section*

13. Adjournment

14. Notes

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RECOGNITIONS



Council Date: June 12, 2017

COUNCIL AGENDA ITEM NO. 5

Recognition/Appointments

- A. Proclamation declaring June 2017 as, "Amateur Radio Month"
- B. Proclamation recognizing Dhruv Rebba "Achievements"
- C. Award Presentation of Certificates for the Bloomington 101 Participants.
- D. Appointment of Ellen Schroeder-Concklin to the Board of Fire and Police Commissioners (Republican seat),
- E. Reappointment of Gaynett Hoskins to the Bloomington Housing Authority
- F. Reappointment of Jamison Mathy to the Cultural District Commission.

PROCLAMATION

JUNE 2017 AMATEUR RADIO MONTH

Whereas, amateur radio has historically played a significant role in developing world wide radio communications; and,

Whereas, amateur radio operators are instrumental in serving the United States of America and the State of Illinois, consistently providing behind-the-scenes support for emergency response and other critical needs; and,

Whereas, amateur radio provides excellent volunteer emergency communications for agencies including the National Weather Service, Illinois Emergency Management Agency, Illinois Department of Public Health, the American Red Cross, the Salvation Army, Central United States Earthquake Consortium, and others in times of natural disaster and other emergencies; and,

Whereas, Illinois has more than 20,000 amateur radio operators who repeatedly donate their time, equipment, and services to help their communities; and,

Whereas, by continuous learning and experimentation, amateur radio operators help to forward the science of electronics and radio-related communications; and,

Whereas, by example, teaching, and practical experience, including the opportunity to communicate with amateurs in space, amateur radio operators teach young people the opportunities available in radio and electronics; and,

Whereas, Illinois Radio Amateurs will continue to hone their communication skills by operating during the simulated emergency preparedness exercise known as "Field Day" on June 24-25, 2017;

Now, Therefore, I, Tari Renner, Mayor of Bloomington, do hereby proclaim the month of June 2017 as AMATEUR RADIO MONTH in Bloomington and encourage all citizens to join me in this worthy observance.



Tari Renner
Mayor



Cherry Lawson
City Clerk

PROCLAMATION

Recognition Dhruv Rebba

Whereas, we are here to celebrate the achievements of Dhruv Rebba; and,

Whereas, Dhruv received the '2017 - Young Achiever's Award' for the 2nd time from the Radio Club of America; and,

Whereas, Dhruv was one among eight selected students for the Dayton International Ham Radio- Youth Forum 2017 held on Saturday May 20, 2017; and,

Whereas, Dhruv's presentation was on 'Community Services with Radio Communication and Promotion HAM Radio'; and,

Whereas, Dhruv has been recognized as the youngest amateur Ham Radio operator of Indian origin in the World; and,

Whereas, the City of Bloomington wishes to honor Dhruv for his accomplishments; and,

Now, Therefore, I, Tari Renner, Mayor of Bloomington, urge all our citizens in our community to recognize the outstanding achievements of Dhruv who, in distinguishing himself has brought honor and credit to his family, his friend, and his community.



Tari Renner
Mayor



Cherry Lawson
City Clerk



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Tom Dierks

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Mary Dinges

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Ralph Dinges

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Shelli Garland

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Joy Heffner

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Charles Jurgus

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Shyam Lakshmin

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

John Lamarra

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Brett Litwiler

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Nancy Marciniac

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Tyson Mohr

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Lorrie Moore

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

John Quinn

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Neil Rufenacht

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Cindy Schrantz

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Lynn Springston

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Wendell Springston

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Satish Venkatachalapathy

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Matt Vose

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Aubrey Wagoner

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Billy Walden, Jr.

For participation in the Bloomington I01 program.

Date

Mayor Tari Renner



CERTIFICATE OF PARTICIPATION

THIS CERTIFICATE IS PROUDLY PRESENTED TO

Matt Watchinski

For participation in the Bloomington 101 program.

Date

Mayor Tari Renner

CONSENT AGENDA

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO: 7A

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving the Minutes of the May 22, 2017 Regular City Council Meeting.

RECOMMENDATION/MOTION: That the reading of minutes be dispensed and approved as printed.

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

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

BACKGROUND: The minutes of the meetings provided have been reviewed and certified as correct and complete by the City Clerk.

In compliance with the Open Meetings Act, Council Proceedings must be approved within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable

Respectfully submitted for Council consideration.

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

Recommended by:



David A. Hales
City Manager

Attachments:

- May 22, 2017 Regular City Council Meeting Minutes
-



**RECORD OF MOTIONS AND VOTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, MAY 22, 2017; 7:00 P.M.**

1. Call to Order

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, May 22, 2017.

The Meeting was called to order by Mayor Renner.

2. Pledge of Allegiance to the Flag

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

3. Remain Standing for a Moment of Silent Prayer

4. Roll Call

Mayor Renner directed the City Clerk to call the roll and the following members of Council answered present:

Aldermen: Jamie Mathy, David Sage, Mboka Mwilambwe, Amelia Buragas, Scott Black, Karen Schmidt, Joni Painter, Diana Hauman, Kim Bray, and Mayor Tari Renner.

Staff Present: Steve Rasmussen, Assistant City Manager; Jeffrey Jurgens; Corporation Counsel, Renee Gooderham, Chief Deputy Clerk; Brendan Heffner, Chief of Police; Brian Mohr, Fire Chief; Scott Sprouls, IS Director, Nicole Albertson, Human Resource Director; Jim Karch, Public Works Director; and other City staff were also present.

Staff Absent: David Hales, City Manager and Cherry L. Lawson; City Clerk.

5. Recognition / Appointments

- A. Proclamation in Recognition of Lucy Sanchez.
- B. Recognition of Cub Scout Pack 3905 Webelos (5th Graders from Pepper Ridge Elementary) on completing their Arrow Light Badge.
- C. Appointment of Robert Bradley to the Citizens Beautification Committee.
- D. Reappointment of Erica Larkin to the Citizens Beautification Committee.
- E. Appointment of Ronald Crick to the Cultural District Commission.

Records, Motion and Votes
Bloomington City Council Regular Meeting
Monday, May 22, 2017; 7:00 PM

- F. Reappointment of Loreto Delgado III to the Cultural District Commission.
- G. Reappointment of Thomas Whalen to the Fire and Police Commissioners.
- H. Reappointment of Nicole Chlebek and Ryan Scritchlow to the Planning Commission.
- I. Elizabeth Kooba be appointed to the Citizens Beautification Committee.

6. Public Comment

Mayor Renner opened the meeting to receive Public Comment. No individuals provided comments during the meeting.

7. Consent Agenda

*Items listed on the Consent Agenda are approved with one motion, and is provided in **BOLD**, and items that Council pull from the Consent Agenda for discussion are listed with a notation **Pulled from the Consent Agenda**.*

Motion by Alderman Hauman, seconded by Alderman Schmidt, that the Consent Agenda be approved, with the exception of Item Nos. 7H and 7J.

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

Ayes: Aldermen Sage, Mathy, Mwilambwe, Buragas, Painter, Black, Schmidt, Hauman and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 7A: Consideration of approving the Minutes of the May 8, 2017 Regular City Council Meeting.

The following was presented:

Item 7B: Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$8,216,696.02.

The following was presented:

Item 7C: Consideration of Approving Appointment to Various Boards and Commissions.

The following was presented:

Item 7D: Consideration of entering into a four year agreement with Motorola Solutions Services to protect the City's first responder radio system, in the amount of \$291,382.78.

The following was presented:

Item 7E: Consideration of approving an agreement with Tyler Technologies for various MUNIS modules and payment for software maintenance in the amount of \$171,521.58.

The following was presented:

Item 7F: Consideration of approving a Resolution Waiving the Formal Bid Process to Purchase through limited source Ferguson Waterworks for Neptune Water Meters and related accessories for the Water Department FY 2018 Water Meter Installation Program.

RESOLUTION NO. 2017 - 23

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF NEPTUNE WATER METERS AND RELATED ACCESSORIES FROM FERGUSON WATERWORKS FOR THE WATER DEPARTMENT FY2018 WATER METER INSTALLATION PROGRAM PURCHASE PRICE NOT TO EXCEED \$800,000

The following was presented:

Item 7G: Consideration of: a) Resolution approving a cost modification to the Agreement with Maurer-Stutz, Inc. for Professional Engineering Design Services for Lutz Rd. Improvements: Morris Ave. to Luther Oaks, RFQ No. 2014 – 25; and

RESOLUTION NO. 2017 - 25

A RESOLUTION AUTHORIZING A CHANGE ORDER
IN THE AMOUNT OF \$18,867.01 IN THE CONTRACT BETWEEN THE
CITY OF BLOOMINGTON AND MAURER-STUTZ, INC

b) Approving an Ordinance Budget Amendment in the amount of \$18,867.07.

ORDINANCE NO. 2017 – 36

AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2018

The following was presented:

Item 7H: Consideration of adopting an Ordinance approving a Petition from Core III, LLC, for a final plat for Airport Park 18th Addition Final Plat, located East of Ekstam Drive and south of Cornelius Drive.

ORDINANCE NO. 2017 - 37

AN ORDINANCE APPROVING THE FINAL PLAT OF AIRPORT PARK
SUBDIVISION EIGHTEENTH ADDITION

Motion by Alderman Schmidt, seconded by Alderman Black that the Resolution authorizing a change order with Maurer-Stutz, Inc. for Profession Engineering Design Services for Lutz Rd., improvements: Morris Ave. to Luther Oaks in the amount of \$18,867.01; adopt an Ordinance amending the budget; authorize the Mayor and City Clerk to execute the necessary documents, and the City Manager to take all actions, including execution of documents, necessary to authorize the work.

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

Ayes: Aldermen Sage, Mathy, Painter, Black, Schmidt, Hauman and Bray.

Recuse: Alderman Buragas.

Nays: Alderman Mwilambwe.

Motion carried.

The following was presented:

Item 7I: Consideration of approving a petition for the Lake Bloomington Lease Transfer of Lot 1, Block N/A of Camp Eagle Point, from Nancy McCriskin Trust to Doris Jean Ward.

The following was presented:

Item 7J: Consideration of an Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of Downtown Bloomington during the WGLT Outdoor Concert on Saturday, June 10, 2017.

ORDINANCE NO. 2017 - 38

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 26(d) OF CHAPTER 6 OF THE
BLOOMINGTON CITY CODE TO ALLOW POSSESSION OF OPEN ALCOHOL ON
PUBLIC PROPERTY IN A PORTION OF DOWNTOWN BLOOMINGTON DURING THE
WGLT OUTDOOR CONCERT IN DOWNTOWN BLOOMINGTON

Motion by Alderman Schmidt, seconded by Alderman Black that the Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property in a portion of Downtown Bloomington during the WGLT Outdoor Concert on Saturday, June 11, 2017, be adopted.

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

Ayes: Aldermen Sage, Mathy, Painter, Buragas, Black, Schmidt, Hauman and Bray.

Recuse: Alderman Mwilambwe.

Nays: None.

Motion carried.

The following was presented:

Item 7K: Consideration of a request from Jody Brucker and Rachael Kerrick to allow moderate consumption of alcohol at their June 10, 2017 wedding reception to be held at Davis Lodge.

ORDINANCE NO. 2017 - 39

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON JUNE 10, 2017 AT DAVIS LODGE

8. Public Hearing

Item 8A. Public hearing on the Annexation Agreement submitted by Vale Church for approximately 36.13 acres south of Ireland Grove Road, east of Brookstone Circle. (Presentation by Tom Dabareiner, Community Development Director).

Mr. Dabareiner stated that there were several items that were being considered together. All the required notices were mailed out and the legal ads were published. The Planning Commission heard this case on April 26 and everything was in order there, too.

Mayor Renner asked what the vote was on the Planning Commission.

Mr. Dabareiner replied that it was 7-0. He stated that Vale Church has acquired this land. They have an average of about 400 people at two gatherings weekly. They are looking for a new facility that will allow them to serve their 1600 members. The annexation agreement establishes deadlines for the developer's obligation to do things like construct a sidewalk along the north side of the property. The recommendation is in favor of the annexation, the annexation agreement, the rezoning and the petition for the expedited final plat.

Alderman Mathy asked if there was any idea or plans what is going to happen with facility once they move.

Mr. Dabareiner stated that was not part of this proposal and he was unsure if they are selling it or not.

9. Regular Agenda

Item 9A. Consideration of adoption of an Ordinance approving an Annexation Agreement submitted by Vale Church for approximately 36.13 acres south of Ireland Grove Road, east of Brookstone Circle.

ORDINANCE 2017 – 40

AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT FOR THE PROPERTY SOUTH OF IRELAND GROVE ROAD AND EAST OF BROOKSTONE CIRCLE (APPROXIMATELY 36.13 ACRES) TO THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Motion by Alderman Painter, seconded by Alderman Hauman that the Ordinance be adopted approving an Annexation Agreement submitted by Vale Church for approximately 36.13 acres south of Ireland Grove Road, east of Brookstone Circle, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Sage, Mathy, Mwilambwe, Buragas, Painter, Black, Schmidt, Hauman and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 9B: Consideration of adoption of an Ordinance approving the Annexation for approximately 36.13 acres south of Ireland Grove Road, east of Brookstone Circle and the rezoning of 35.16 acres, tract 1, from A, Agriculture to S-2 Public Lands and Institutions request submitted by Vale Church.

ORDINANCE NO. 2017 -41

AN ORDINANCE APPROVING THE ANNEXATION FOR THE PROPERTY SOUTH OF IRELAND GROVE ROAD AND EAST OF BROOKSTONE CIRCLE (APPROXIMATELY 36.13 ACRES) TO THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS AND THE REZONING OF 35.16 ACRES, TRACT 1, FROM A, AGRICULTURE TO S-2, PUBLIC LANDS AND INSTITUTIONS

Records, Motion and Votes
Bloomington City Council Regular Meeting
Monday, May 22, 2017; 7:00 PM

Motion by Alderman Painter seconded by Alderman Hauman that the Ordinance be adopting the Annexation for approximately 36.13 acres south of Ireland Grove Road, east of Brookstone Circle and the Rezoning of 35.16 acres, tract 1, from A, Agriculture to S-2 Public Lands and Institutions be adopted and the Mayor and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Sage, Mathy, Mwilambwe, Buragas, Hauman, Painter, and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 9C: Consideration of adopting an Ordinance approving a Petition from Vale Community Church, for an expedited final plat for Vale Commons Subdivision Final Plat, located south of Ireland Grove Road and east of Hershey Road.

ORDINANCE NO. 2017 - 42

AN ORDINANCE APPROVING THE FINAL PLAT OF VALE COMMONS SUBDIVISION

Motion by Alderman Painter, seconded by Alderman Hauman that the Ordinance be passed approving the expedited final plat for Vale Commons Subdivision and that the Mayor and City Clerk be authorized to sign the necessary documents subject to the petitioner paying the required tap-on fees.

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

Ayes: Aldermen Sage, Mathy, Mwilambwe, Buragas, Painter, Black, Schmidt, Hauman and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 9D: Consideration of approving an Ordinance Amending Chapters 2 and 29 of the Bloomington Municipal Code creating a Transportation Commission.

Mr. Jurgens reported some changes from the last time this was presented.

Alderman Sage asked for clarification on 301, number 4. He also stated another concern is to this point we have used a staff-driven approach to things that would come to Boards and Commissions, and there was comment made that the Cultural District may do some things differently. With something related to public safety, what is the rationale for the access point not coming through professional staff first as opposed to first coming to the Commission?

Mr. Jurgens stated, he thought the intention there is that before there is a policy decision on something like that, it will come first before the Commission and then go to the Council.

Alderman Buragas stated, if you look at the ordinance on the whole, the goal here is to create something similar to zoning or planning where it goes to staff first. There is an application or a process to get it on the agenda; and then it goes to that Commission along with the recommendation of staff. The goal is that this is reviewed by staff first, it is put together in a packet so that the Commission has the information they need from which to base a decision or a recommendation and then and only then is it presented to them.

Alderman Painter stated that in our budget we budgeted for a Traffic Engineer and wondered if there had been any progress in finding one.

Mr. Karch stated, it has gone out for bid. It has been on our City website. It has gone in the APWA, Black Engineers, and Women Engineers Associations really trying to get a broad-based, good pool to find some selection. That process is closed and we are looking to do some interviews.

Alderman Painter asked if this was a full-time position.

Mr. Karch replied that it is a full-time position that was budgeted in the current budget.

Alderman Hauman stated that roads are a public safety and she does not feel that ordinary citizens are adequately equipped to make these decisions. Section 301.1 – people on the Commission would have demonstrated interest, knowledge or experience in traffic management or transportation. She questions finding people that are qualified. We have qualified staff. We do hold public hearings about roads and speed limits when they come up. We have several master plans that impact our roads. She has had several people contact her and none have been positive about this particular commission.

Alderman Sage asked would staff review it prior to coming to the Traffic Commission.

Mayor Renner asked whether there was a Commission that staff does not prepare documents.

Mr. Karch stated that there was none that he was aware of. Some of our intention would be it should funnel through staff - similar to the Planning Commission - this should funnel through staff to provide that recommendation to the Transportation Commission and, in turn, that Advisory

Board gives that to the Council. Their needs to be a mechanism and a process that citizens can do that.

Alderman Black asked if we need to rewrite the ordinance.

Alderman Buragas stated if it is not on the agenda, it cannot be considered by that body. There is no scenario under our current system and Open Meetings Act where someone could come to a meeting, say consider this now, and the Commission would be empowered to do that. It would always have to be set at some point in time on a future agenda given the opportunity for that staff overview.

Mayor Renner stated in the interactions that he has had, there have been a couple of people that once it was explained that you are not making engineering decisions, this is a move toward more open government and more participation, it is more clearly understood.

Alderman Schmidt asked whether we had process language in any of our other ordinances for Boards and Commissions that may be could be inserted in this to help clarify and shape it.

Mr. Jurgens stated that it could be looked into.

Mr. Karch stated that this could be tabled until June 12th and take action on it on that night.

Alderman Buragas stated that if we are going to be making a significant change, we should be comfortable with the language. It would be best at this point in time to work on the language a little bit more.

Alderman Mwilambwe asked how the staff was going to be able to handle this. Is that going to require more staffing for you or are there things that we will not be able to do because of this?

Mr. Karch thanked the Council for doing what the staff has asked. The Traffic Engineer that you approved as part of this budget will be the critical point person for this Commission, and so we are hopeful that will give us the resources to be able to accomplish this. By filling the traffic engineer roll that is budgeted, we are going to be okay whenever we get that completed.

Alderman Black stated that if we are going back to make some changes, he suggested that 304C be changed from using the word complaints to concerns.

Alderman Sage asked Mr. Jurgens if he could outline specifically what he had heard from the Council to make changes to.

ORDINANCE NO. 2017 –

AN ORDINANCE AMENDING CHAPTERS 2 AND 29 OF THE CITY CODE TO CREATE A TRANSPORTATION COMMISSION

Motion by Alderman Buragas, seconded by Alderman Black that the Ordinance Amending Chapters 2 and 29 of the City Code, creating a Transportation Commission be laid over to the June 12, 2017 City Council Meeting.

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

Ayes: Aldermen Sage, Mathy, Mwilambwe, Buragas, Painter, Hauman, Black, Schmidt and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 9E: Consideration of a Resolution to approve the City of Bloomington's submission to the McLean County Regional Planning Commission for the Fiscal Year 2018-2022 Transportation Improvement Program for the Bloomington-Normal Urbanized Area.

RESOLUTION NO. 2017 - 24

A RESOLUTION TO APPROVE THE CITY OF BLOOMINGTON'S SUBMISSION TO THE MCLEAN COUNTY REGIONAL PLANNING COMMISSION FOR THE FISCAL YEAR 2018-2022 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE BLOOMINGTON-NORMAL URBANIZED AREA

Motion by Alderman Black, seconded by Alderman Bray that the Resolution to approve the City of Bloomington's submission to the McLean County Regional Planning Commission for the Fiscal Year 2018-2022 Transportation Improvement Program for the Bloomington-Normal Urbanized Area be adopted and the Mayor and City Clerk be authorized to execute the necessary documents.

Mr. Karch stated he would be talking about the Transportation Improvement Plan. This is putting out there what the Council has approved in next year's budget of what we are looking to do from a capital perspective. The TIP includes not just Bloomington but also Normal Transit, IDOT, so it includes a lot of other different communities. This is not mandatory for you to do. We are trying to bring this before you just to make sure you have seen this as part of the process.

Alderman Mwilambwe stated in 2021 there is a project cost of \$55,000 and asked if that was for a study – traffic signal installation. In 2022, it goes up to \$500,000.

Mr. Karch replied that in 2021, the \$55,000 is for more of the design for us to be able to move that project forward. In 2022, that project for Bloomington is out there for \$500,000 for traffic signal installation. This has not been approved by the Council, but these are in the out years

and this is what is currently in some of the capital improvement plan that is yet to be brought before the Council.

Alderman Buragas asked how it is determined which projects are pulled out and listed separately and which ones are not. Our own capital improvement plan, which is in the draft form, had a lot more detail.

Mr. Karch stated that the TIP is very simplistic process. It does not go into what is called the illustrative projects or in other words, they are unfunded. Our CIP has a whole lot of projects in it and it has a lot of detail because it includes a lot of projects that we do not have the money for.

Alderman Mathy stated that when he was on Council four years ago, he remembered the number that we were using for traffic signals was \$250,000 and not it appears the number has become \$500,000 to put in a traffic signal. He asked Mr. Karch could shed some light on where the budget process is that they have become twice as expensive as they were.

Mr. Karch replied that traffic signals vary as far as what is existing, are you adding other infrastructure. We do not know. The \$500,000 is just a best guess kind of a placeholder until we get more of the better engineering costs nailed down.

Alderman Schmidt stated that in 2018, there is an item for intersection improvement at Towanda Barnes and Ireland Grove. Is that the same improvement that the County Board had a conversation about?

Mr. Karch stated that it was the same item that is currently in the approved budget. It will come back as any budget item does for your approval, but it is not looking to be done during this current construction season. It would be looking to be done under the next year's construction season.

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

Ayes: Aldermen Sage, Mathy, Mwilambwe, Buragas, Painter, Hauman, Black, Schmidt and Bray.

Nays: None.

Motion carried.

10. City Manager's Discussion

There was no City Manager's discussion.

11. Mayor's Discussion

There was no Mayor's discussion.

12. City Aldermen's Discussion

Alderman Schmidt took note of the passing of Jim Brown.

Alderman Black reminded everyone of the "Taste of the West" which will be held on June 2nd.

13. Adjournment

Motion made by Alderman Schmidt, seconded by Alderman Painter to adjourn the meeting at 8:05 p.m.

Motion carried (viva voce).

Respectfully submitted,

Renee Gooderham, R.M.C.
Chief Deputy Clerk



CONSENT AGENDA ITEM: 7B

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$11,223,401.75.

RECOMMENDATION/MOTION: That the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$11,223,401.75, and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$11,223,401.75 (Payroll total \$2,688,564.18, Accounts Payable total \$6,312,607.40, and Electronic Transfers total \$2,222,230.17).

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Accounts Payable

Reviewed by: Jon C. Johnston, Procurement Manager

Recommended by:

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

David A. Hales, City Manager

Attachment:

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

CITY OF BLOOMINGTON FINANCE REPORT					
Council of June 12, 2017					
PAYROLL					
Date	Gross Pay	Employer Contribution	Totals		
5/19/2017	\$ 229,697.19	\$ 79,976.66	\$ 309,673.85		
5/25/2017	\$ 1,371,992.03	\$ 370,947.24	\$ 1,742,939.27		
5/26/2017	\$ 232,703.77	\$ 79,739.41	\$ 312,443.18		
6/2/2017	\$ 242,819.77	\$ 80,260.20	\$ 323,079.97		
			\$ -		
6/2/2017	\$ 397.50	\$ 30.41	\$ 427.91		
Off Cycle Adjustments					
		PAYROLL GRAND TOTAL	\$ 2,688,564.18		
ACCOUNTS PAYABLE					
Date	Bank	Total		PCARDS	
6/12/2017	AP General	\$ 5,929,430.47		Date Range	Total
6/12/2017	AP Comm Devel	\$ 26,763.02		PCARD GRAND TOTAL	
	AP IHDA				
6/12/2017	AP Library	\$ 88,666.06			
6/12/2017	AP MFT	\$ 187,302.24		WIRES	
5/25/2017-5/31/2017	Off Cycle Check Runs	\$ 80,445.61		Date Range	Total
				4/30/2017-6/5/2017	\$ 2,222,230.17
	AP GRAND TOTAL	\$ 6,312,607.40		WIRE GRAND TOTAL	\$ 2,222,230.17
		TOTAL			\$ 11,223,401.75
			Respectfully,		
				Patti-Lynn Silva	
				Finance Director	



CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: June 12, 2017

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

RECOMMENDATION/MOTION: That Ellen Schroeder-Concklin be appointed to the Board of Fire and Police Commissioners (Republican seat), Gaynett Hoskins be reappointed to the Bloomington Housing Authority and that Jamison Mathy be reappointed to the Cultural District Commission.

STRATEGIC PLAN LINK: Goal 4. Strong Neighborhoods.

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

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

Bloomington Housing Authority. Gaynett Hoskins of 1811 W Illinois, Bloomington, Illinois 61701 to the Bloomington Housing Authority. Gaynett recently completed the remaining two months of the residency vacancy on the Board. This will be Gaynett's first full five-year term which will be effective 5-1-17 and will expire 4-30-22. Application is on file in the Administration Office.

Cultural District Commission. Jamison Mathy of 611 E Washington, Bloomington, Illinois 61701 to the Cultural District Commission. This will be Jamie's second three-year term which will expire 4-30-20. Application is on file in the Administration Office.

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

Fire and Police Commissioners. Ellen J. Schroeder-Concklin of 824 McGregor #15, Bloomington, Illinois 61701 to the Bloomington Board of Fire and Police Commissioners. This will be Ellen's first three-year term which will be effective upon appointment and will expire 4-30-20. Ellen will be filling the Republican vacancy previously held by James Jordan whose term expired 4-30-17 and who chose not to reapply for appointment. Application is on file in the Administration Office.

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

FINANCIAL IMPACT: Not applicable.

COMMUNITY DEVELOPMENT IMPACT: Not applicable.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Assistant

Recommended by:

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

David A. Hales
City Manager

Attachments:

- Roster

Cultural District Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Year First Appt	Appointment Date	Email	Street	City	Zip	Ward	Home Phone	Work Phone	Cell Phone	Notes
x		Ryan	Huette	04/30/18	2015	05/11/15	ryanh@nuway.com	1502 Kickapoo Creek Rd.	Bloomington	61705	8				
x		Angelique	Racki	04/30/20	2016	03/27/17	breakingchains116@gmail.com	322 E Mulberry St	Bloomington	61701	4				
x		Tricia	Stiller	04/30/19	2015	10/24/16	triciastiller@msn.com	305 W Monroe #5	Bloomington	61701	6				
x		Kellie	Williams	04/30/19	2016	11/14/16	kelliedw@gmail.com	2804 Powell Drive	Bloomington	61704	9				
x		Scott	Koets	04/30/18	2016	11/28/16	skoets@gmail.com	2001 Fallen Oak Road	Bloomington	61704	1				
x		Emily	Vigneri	04/30/18	2016	12/19/16	ecvigne@gmail.com	20 Brickyard Dr. Apt. J3	Bloomington	61701	1				
x		Nikita	Richards	04/30/19	2016	11/28/16	ndrcommunications@gmail.com	202 Packard Street	Bloomington	61701	6				
x		Ronald	Crick	04/30/19	2017	05/22/17	R.Crick8052@gmail.com	200 W Monroe, Apt. 402	Bloomington	61701	6				
x		Jessielee	Hinshaw	04/30/18	2015	06/08/15	jessielcgb@hotmail.com	1410 Fell Avenue	Bloomington	61701	4				
x		Carole	Ringer	04/30/19	2010	03/28/16	carole.ringer@gmail.com	110 Hawthorne Lake Dr	Bloomington	61704	3				
x		Loreto	Delgado III	04/30/20	2017	05/22/17	ldelgad1@iwu.edu	1801 Pier Way, Apt. 211*	Bloomington	61704	8				
x	Chair	Vicki Lynn	Tilton	04/30/18	2012	02/23/15	vltfx@fox-n-hounds.com	200 W Monroe, #501	Bloomington	61701	6				
x		Jesse	Smart	04/30/18	2016	12/19/2016	smartseed@frontier.com	13 Prairie Vista Ct.	Bloomington	61704	2				
x		Jamie	Mathy	04/30/17	2014	05/12/14	jmathy@cityblm.org	611 E Washington	Bloomington	61701	1				
	Staff	Jay	Tetzloff				jtetzloff@cityblm.org						434-2825		
	Staff	Ann-Marie	Dittmann				adittmann@cityblm.org						434-2764		
	Staff	Brandy	Maloney				bmaloney@cityblm.org						434-2785		

Details:

Term: 3 years

Term Limit per City Code: 3 terms/9 years

Members: 14 members

Number of members the Mayor appoints: 14

Type: Internal

City Code: Chapter 2, Section 81

Required by State Statute: No

Intergovernmental Agreements: None

Funding budgeted from COB for FY2014: None

Meetings: 2nd Thurs of each month at 7:30 am - Creativity Center Conference Room

Number of Vacancies: 0

Number of Expired Board Members (Blm Appointments only): 1

Number of Expired Board Members Eligible for Reappointment: 1

Appointment/Reappointment Notes:

Board of Fire & Police Commissioners

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Year First Appt	Appointment Date	Ward	Email	Street	City	Zip	Home Phone	Work Phone	Cell Phone	Fax Number	Political Party	Notes
x		Thomas	Whalen	04/30/20	2016	5/22/2017	7	tdw200@hotmail.com	1522 W Chestnut	Bloomington	61701					Democrat	
x		Nicole	Brown	04/30/20	2017	5/8/2017	8	brownn@mvunit5.org	2206 Patriots Point Dr	Bloomington	61704					Democrat	
x		James	Jordan	04/30/17	2016	9/26/2016	9	jordanjames1945@gmail.com	3207 Brennan Lane	Bloomington	61704					Republican	
x		Keith	Rich	04/30/17	2008	4/14/2014	8	krich1945@gmail.com	32 Chiswick Cir	Bloomington	61704					Non-Partisan**	
x		"Dean"	Messinger	04/30/20	2011	3/13/2017	9	deanmessinger@comcast.net	2107 Hackberry Rd	Bloomington	61704					Republican	
	Staff	Daniel	Esquivel	434-2468													
	Staff	Nicole	Albertson														
	Staff	Angela	Fyans-Jimenez														
	Staff	Brendan	Heffner														
	Staff	Brian	Mohr														

Details:

Term: 3 years

Term Limit per City Code: 3 terms/9 years

Members: 5 members

Number of members the Mayor appoints: 5

Type: Internal

City Code:

Required by State Statute: Yes

Intergovernmental Agreements:

Funding budgeted from COB for FY2014:

Meetings: 1st Tuesday of each month at 4:00pm - City Hall Conference Room

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

Number of Vacancies: 0

Number of Expired Board Members (Blm Appointments only): 2

Number of Expired Board Members Eligible for Reappointment: 1

Appointment/Reappointment Notes: **Independent Appointment - As long as the person is not active with another political party (i.e., voting in the primaries and/or holding office as a member of the political party) and is willing to sign an affidavit attesting that he/she is an independent, then they are eligible to serve as such.

Housing Authority Board

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Ward	Email	Street	City	Zip	Home Phone	Work Phone	Cell Phone	Reappointment
x		Arthur	Haynes	04/30/19	05/26/15	2015	6	none	702 W Mill Street	Bloomington	61701				
x	Vice Chariman	Terrence	Koch	04/30/20	05/11/15	2013	4		1201 N. Evans St	Bloomington	61701				
x	Chair	Barb	Adkins	04/30/20	05/11/15	1995	7	bj.adkins@frontier.com	44 Parkshores Drive	Bloomington	61701				
x		Memuna	Lee	04/30/21	05/23/16	2015	8	memunalee@gmail.com	12 Bailey Court	Bloomington	61704				
x	Resident	Gaynett	Hoskins	04/30/17	02/08/16	2016	6	kimh@bloomingtonha.com	1811 W Illinois	Bloomington	61701				must be Housng Auth resident
	Contact	Kim	Holman-Short					kimh@bloomingtonha.com	104 E Wood Street	Bloomington	61701		829-3360		

Details:

Term: 5 years

Term Limit per City Code: City Code does not apply

Members: 5 members

Number of members the Mayor appoints: 5

Type: Internal

City Code: Chapter 2, Section 30

Required by State Statute: Yes

Intergovernmental Agreements:

Funding budgeted from COB for FY2014:

Meetings: 4th Tues of each month at 4:00pm - Housing Authority Office

Number of Vacancies: 0

Number of Expired Board Members (Blm Appointments only): 1

Number of Expired Board Members Eligible for Reappointment: 1

Appointment/Reappointment Notes:



CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving the purchase of one (1) Backhoe for the Public Works Sewer Maintenance and Operations Division.

RECOMMENDATION/MOTION: That the purchase of one (1) Caterpillar 430F2 IT Backhoe from Altorfer Inc. of East Peoria, IL using the National Joint Powers Alliance joint purchasing contract number 032515-CAT (valid through 5/19/19) in the amount of \$192,780.00 be approved, and authorize the Procurement Manager to issue a purchase order for the purchase.

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 and, efficient manner.

BACKGROUND: Public Works Sewer Maintenance and Operations Division has a 2007 Caterpillar 430E backhoe with 6689 hours that is due for scheduled replacement this Fiscal Year. The maintenance cost to date for this unit is \$125,583.82. This unit is used in the day to day operations of repair and maintenance of the city's sewage system. These operations include: storm sewer inlet repairs, street cave in repairs, manhole repairs, sewer service repairs, sewer main repairs, storm sewer repairs, sump pump drain line repair, combination storm & sewer repairs, detention basin repair and maintenance, and water ditch repairs. During snow and ice events this unit is used to plow snow. The new unit will be equipped with a 10 foot snow plow, hydraulic pavement breaker, 12" bucket, 24" bucket, 36" bucket, and 48" bucket. The replaced unit will be retained as a backup unit to be used during peak construction season to eliminate the need of a rental unit.

National Joint Powers Alliance (NJPA) is a public agency that serves as a member-focused cooperative for over 50,000 member agencies nationally. NJPA offers a multitude of cooperatively contracted products, equipment and service opportunities to education and government entities throughout the country.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: Funds are appropriated in the FY 2018 Adopted Budget for a backhoe replacement for the Streets and Sewer Division for \$194,186. The budgeted funds are in the FY 2018 Capital Lease – Capital Outlay Equipment Other Than Office account (40110137-72140). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled "Proposed Other Fund Budget" on pages 84, 89 and 221.

COMMUNITY DEVELOPMENT IMPACT: Not applicable

Link to Comprehensive Plan/Downtown Plan Goals:

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Rob Krones, Superintendent of Fleet Maintenance

Reviewed by: Jim Karch P.E, CFM – Director of Public Works

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- 430F2IT Unit Quote
- CSA (Customer Support Agreement) Brochure

May 22, 2017

City of Bloomington
336 South Main
Bloomington, IL 61701

Attention: Rob Krones



We are pleased to provide the following proposal for your review:

One (1) New Caterpillar 430F2 IT Backhoe Loader

Includes the following standard equipment and options:

Sound Suppressed ROPS Cab
Air Conditioner & Heater/ Defroster
Cat® Comfort Air Suspension Seat
Eight, Cab Mounted Work Lights
Front & Rear Window Wipers/ Washers
Flip-Over Stabilizer Pads
1,015 lbs. Counterweight
Extendible-Stick (E-Stick)
Six-Function Backhoe Hydraulics
Combined Function Auxiliary Hydraulics
Cat® Manual Pin-Grabber Quick Coupler
Cat® 24" High Capacity Bucket
Cat® 36" Heavy Duty Bucket
JA Auto Lube System
Koenig Snow Plow

Cat® C4.4 ACERT™ Tier 4f Engine
4WD Autoshift Transmission
120V Engine Heater
Two, Maintenance Free 880 CCA Batteries
4WD Tires
Ride Control System
Integrated Tool Carrier (IT) Control
Parallel Loader Lift
Return-To-Dig and Self-Leveling Controls
JRB Multi-Purpose Loader Bucket
1.25 yd³ Capacity w/ Bolt-On Edge
Cat® 12" Heavy Duty Bucket
Cat® 48" Ditch Cleaning Bucket
Cat® H80 Hammer

Equipment Protection Plan

Includes 60-Month / 6,000 SMH Premier EPP with a 60-Month / 6,000 SMH Level 4 Premium CSA with 500 Hour Intervals (see agreement for specific details).

Selling Price \$ 192,780.00

- Sales Tax Additional, if applicable.

Availability

Approximately 25 Weeks

NJPA #032515-CAT Pricing Breakdown

	<u>430F2 IT</u>
List Price	\$172,216.00
Less NJPA Discount 24%	(41,332.00)
Subtotal	\$130,884.00
Additional Net Charges	\$94,597.00
Additonal Altorfer Discount	(32,701.00)
Net Selling Price	\$192,780.00

OPTIONAL:

Trade In: 2008 Caterpillar 430E IT Deduct \$30,000.00

We appreciate the opportunity to submit this proposal, and trust that it will merit your favorable consideration.

Sincerely,

Rod Ruder
Machine Sales Representative
Altorfer Cat



EQUIPMENT MANAGEMENT

**INCREASE YOUR UPTIME;
REDUCE YOUR OPERATING COSTS.**

Equipment Management Solutions (**EMSolutions**) is built to help you better manage your assets and lower your operating costs.

Altorfer will partner with you to help protect your fleet (Cat® and non Cat). Our team of experts will assist in managing your preventative maintenance business so you can be proactive about the health of your equipment. With state of the art tools such as Product Link™ and VisionLink®, Altorfer EMSolutions can help you save time and money.

Partnering with Altorfer EMSolutions is a win for any size of business. Control your costs, bid your jobs more accurately, and realize a more systematic approach for managing your fleet and repairs.

CAT® EMSOLUTIONS :: LEVELS

The five levels of service ensure you get the support you want, whether you prefer to do your own maintenance or have Altorfer Cat handle the details while you focus on the work.



Includes Product Link™ installed and activated, VisionLink® access and training, and PartStore access.



Includes Product Link installed and activated, VisionLink access and training, reports and recommendations, and PartStore access.



Includes Product Link installed and activated, VisionLink access and training, reports and recommendations, PartStore access, S•O•SSM Fluid Analysis, and an annual visual inspection (TA-1) completed by Altorfer.



ASSET :: 00052644

WHAT ARE THE BENEFITS FOR MY BUSINESS?

EMSolutions provides you with valuable, proactive information, helping equipment owners set up effective, comprehensive maintenance and repair plans. Analyzing data from a combination of elements - including machine inspections and regular fluid analysis to careful tracking of electronic data and analysis of equipment history - helps to accurately assess the health and operating condition of your equipment fleet.

COST EFFECTIVE

- Helps cut overall service costs and downtime.
- Extends service intervals when job conditions allow.
- Lowers total owning and operating costs.

SCALABLE AND FLEXIBLE

- Begin with Product Link hardware, VisionLink software and S•O•SSM Fluid Analysis.
- Start small and add services as you go.
- Provides you with the tools to effectively schedule and perform your own maintenance or leverage our experts to do the work for you.

UPTIME

- Helps you schedule service downtime around production demands.
- Helps maximize equipment availability.
- Helps to schedule and manage maintenance.

SUSTAINABLE

- Reduces lifetime parts, fluids and labor needs.

EASY

- We can help you apply elements to your business, or we can handle all your service and maintenance needs for you through an Equipment Management Solutions Agreement.



"When the economy took a turn for the worse, we decided to save money by taking our machines off the maintenance plans we had with Altorfer. We soon found out that the money saved was nothing in comparison to the support and critical information we were receiving from Altorfer.

We now have nine of our machines back on maintenance plan contracts. The nice thing is that Altorfer comes out to our jobsites, the older equipment gets the attention it needs, and we are catching problems before they become major failures. The whole program gives us peace of mind, and Altorfer is able to take the burden of maintaining our equipment off my shoulders."

John Voelliger

E & V Excavating | Owner



CONSENT AGENDA ITEM NO. 7E

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving an application for Walk Friendly Communities recognition.

RECOMMENDATION/MOTION: That Public Works submit an application to Walk Friendly Communities for recognition of the City's overall facilitation of pedestrian transportation and infrastructure.

STRATEGIC PLAN LINK:

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

STRATEGIC PLAN SIGNIFICANCE:

- 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service.
- 5a. Well-planned City with necessary services and infrastructure.
- 5d. Appropriate leisure and recreational opportunities responding to the needs of residents.
- 5e. More attractive city: commercial areas and neighborhoods.

BACKGROUND: Walk Friendly Communities (WFC) is a national recognition program geared towards pedestrians and pedestrian accessibility, encouraging cities to establish or recommit a high priority to safer walking environments within the community. WFC asserts that there are many benefits to having pedestrian friendly infrastructure and programs including increased safety, health, equity, economic, and environmental benefits. The assessment takes into account many factors that affect pedestrian accessibility and movement, and this is meant to be a comprehensive city-wide analysis. There are questions on the application regarding education and encouragement programs like promoting walking and the corresponding benefits, engineering and design standards that improve mobility, and the enforcement of pedestrian right-of-way and laws intended to protect passersby.

The awards are tiered—the highest award being platinum, then gold, silver, and bronze; cities with programs worth highlighting receive an honorable mention. Reviews take into account community context to ensure that scores accurately reflect expectations for a particular city or town. Also, communities are provided with feedback about their programs, which can assist with future planning and emphasize trouble areas.

The City of Bloomington would be a great candidate for one of WFC's awards due to the many strategic and master plans that have been implemented. The City's award winning Sidewalk Master Plan cites two recurrent themes within the plan— safety and accessibility. Those priorities align with WFC's benefits of having a walk friendly community, and stress that sidewalks are meant for all members of the community regardless of ability. In addition, getting all sidewalks to

adhere to Americans with Disabilities Act standards is a top priority for future and replaced sidewalks. The City's Principle of the Vision 2025 states that well-maintained streets and sidewalks are a priority, as well as trails connecting the city and linking multiuse trails. The Complete Streets Ordinance that was passed by Council includes all aspects of transportation, taking into account walking and the necessary infrastructure that accompanies. These are just a few of the many plans and programs that the City has implemented that promote walking and pedestrian accessibility.

City staff has prepared this application and staff is ready to submit the application, if the Council would like to move forward. The application's deadline is June 15, 2017 and all applicants will hear back from Walk Friendly Communities by October. As previously stated, all communities will receive feedback, either in receiving a designation of platinum, gold, silver, bronze, or WFC will highlight areas that it feels the City could improve on.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Even a superficial read of the City's 2035 Comprehensive Plan will yield the importance it places on having a walkable community for transportation, recreation and support of the downtown. Also, as an overarching policy, the Complete Streets program was identified in the Plan as a way to assure diversity of transportation opportunities. Other goals and objectives, listed below, speak directly to walkability and as an essential component of a sustainable community.

Link to Comprehensive Plan/Downtown Plan Goals: N-1.1c Improve the walkability to destinations such as schools, parks and neighborhood commercial centers to preserve and enhance the walkable character of neighborhoods. N-1.4 Identify opportunities to gradually transition the low density residential developments in the Stable Areas into mixed use, walkable neighborhoods that appeal to all residents. H-1.3e Ensure neighborhoods are walkable and have access to alternative modes of transportation and other amenities to make them attractive to aging populations. H-2.1 Improve transportation and land use coordination to ensure denser and walkable neighborhoods. H-2.1b Identify ways to increase home ownership in the already walkable Regeneration and Preservation Areas. D-5.2 Enhance the walkability and bikability within and to Downtown and facilitate access to car-sharing and bicycle sharing services in the Downtown district.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Candace Towery, Miscellaneous Technician, Public Works

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

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

Community Development review by: Tom Dabareiner AICP, Community Development Director

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

David A. Hales
City Manager

Attachments:

- Preliminary Application



Walk Friendly Communities

Last updated 06/01/2017

[Print This Page](#)

Community Profile

This section is intended to provide applicants with a chance to describe their communities. Having an understanding of the geographic, demographic, and economic make up of the community can help explain the challenges and opportunities that the community faces when planning for walking.

Contact Information

Name of Community:

Mayor or Top Official:

Mayor's Phone:

Community Contact Name:

Position/Employer:

Contact Address:

Address (line 2):

City:

State:

Zip code:

Phone/Fax:

Email:

Web site:

Pedestrian Coordinator & Government Staff

List your official pedestrian coordinator or pedestrian issues contact person on government staff, and identify his/her department.

Contact Person: Contact Person Dept:

How many hours are spent per year in this capacity?

Is this person also the bicycle coordinator?

☒ Yes ☐ No

List all other government staff or contractors whose primary duties are devoted to walkability and pedestrian safety issues:

Do you have a Pedestrian Advisory Committee, Ped/Bike Council or other venue for citizen input?

☒ Yes ☐ No

If yes, please provide the name of the Chair and their contact information:

Do you have an independent pedestrian advocacy organization?

☐ Yes ☒ No

If yes, please provide the name and contact information:

Has your mayor signed the International Charter for Walking or a similar pledge to improve the conditions for walking in your community?

☐ Yes ☒ No

If yes, please provide details:

Community ProfilePopulation: Area of municipality:

Population Density: Park Land: **Age Distribution: [?]**under 20: age 20–64: age 65–84: Over 85: *Last updated 06/06/2017*

Status of Walking

This assessment tool seeks to learn how *much* people are walking and how *safe* they are when they are doing so. Therefore, the outcomes that are most significant for the purposes of this tool are the numbers of walkers and the number of pedestrian crashes. Walk Friendly Communities is looking for communities that have created environments in which many people walk *and* pedestrian crash rates are low, or those communities that are making significant progress towards those ends. These two questions focus on these specific outcomes, while other questions in this survey address what measures are used by communities to facilitate walking and improve safety.

Question 1

According to the 2000 Census, what percentage of residents used the following modes for their commute to work?

Walking: Bicycling: Public transit: Single-occupant vehicles: Carpool:

Please also provide the latest walking percentage of commuting to work from the 3-year estimates of the American Community Survey:

Walking 2006-2008: Walking 2008-2010: Public transit 2006-2008: Public transit 2008-2010:

If your community conducts its own travel counts, please include a link, attachment or description of those count results:

Web Link:

File Upload:

 Browse...

Count Results Description:

Question 2

How many pedestrian/motor vehicle crashes were reported in each of the last five years; and how many of these crashes resulted in injuries and fatalities?

Number of Pedestrian Motor Vehicle Crashes — 2016: Number of Pedestrian Motor Vehicle Crashes — 2015: Number of Pedestrian Motor Vehicle Crashes — 2014: Number of Pedestrian Motor Vehicle Crashes — 2013: Number of Pedestrian Motor Vehicle Crashes — 2012: Number of Pedestrian Injuries — 2016: Number of Pedestrian Injuries — 2015: Number of Pedestrian Injuries — 2014: Number of Pedestrian Injuries — 2013: Number of Pedestrian Injuries — 2012: Number of Pedestrian Fatalities — 2016: Number of Pedestrian Fatalities — 2015:

Number of Pedestrian Fatalities — 2014:

Number of Pedestrian Fatalities — 2013:

Number of Pedestrian Fatalities — 2012:

Question 3

What long-term trends in walking volumes and pedestrian/motor vehicle crashes has your community observed?

Due to such a low volume of pedestrian/vehicle interactions, the City does not heavily focus on pedestrian-vehicle crashes. There are a low number of citizen complaints about pedestrian concerns.

Last updated 06/07/2017

Planning

Pedestrian issues are addressed at many different levels of planning, ranging from neighborhood plans to city, county, state, and federal policies and plans. A comprehensive pedestrian plan should address all five Es (education, encouragement, enforcement, engineering and evaluation) along with public involvement. With thorough planning, a community can become proactive rather than reactive in addressing issues of pedestrian accessibility, safety, and aesthetics. Planning involves soliciting public input, collecting information about current and future conditions, and considering what policies, plans, programs and resources a municipality will require to meet your community's needs.

Question 1

Has your community adopted a pedestrian plan or pedestrian safety action plan?

☐ Yes

How are pedestrian issues captured in other plans (e.g. the comprehensive plan, Transportation Improvement Program, etc.)?

The City of Bloomington's Comprehensive Plan 2015-2035 stresses that connectivity and multimodal transportation access is a top priority for future renovation and development. Walkability is discussed in three chapters, Neighborhoods, Education, and Future Growth & Land Use Development, and those chapters emphasize more connection for pedestrian and bicycle paths. A key goal for the City is to improve walkability and enhance the walkable character of neighborhoods, as discussed in Chapter 4. Pedestrian friendly neighborhood development and creating more pedestrian, bike, and transit connections to connect the City. In regards to Education, the McLean County Wellness Coalition is to conduct an audit of biking and walking for all schools and to promote designed Safe Routes to Schools. Future Growth & Land Use Plan lays out a clear intention for the City to improve and develop our pedestrian infrastructure. The City intends to focus

on infill and redevelopment within current City boundaries, and new neighborhoods need to be built at a walkable and bike-able human scale that meets the needs of all people, regardless of age or ability. This chapter states that commercial activity centers are to be auto-oriented, but these centers should accommodate pedestrians and bicyclists, emphasizing connectivity and multimodal access. Employment centers should have pedestrian connectivity and accessibility and promote healthy lifestyles for employees.

The City's Sidewalk Master Plan sets out to systematically address three shortcomings in our sidewalk system: access for individuals with disabilities, locations with poor overall quality of sidewalk, and key gaps in the system that affect connectivity and access. This master plan's short-term goal is to bring every sidewalk within City limits to a minimum rating of a "Fair-minus". The City created its own ranking system, which is modeled after the PASER Ratings, with numerical values ranging from 1 (meaning a failed sidewalk) and a 10 (a brand new sidewalk). Looking long-term, the City would like to bring the minimum sidewalk standard rating to a "Fair-plus", while addressing medium-priority missing pieces of sidewalk. Two issues stay atop the Sidewalk Master Plan—safety and accessibility. The City would like good pedestrian travel for the maximum number of users, while simultaneously facilitating good pedestrian travel for individuals that need it most. This plan ties into the City of Bloomington Strategic Plan "Vision 2025" and the City of Bloomington's Mission Statement. The plan sets forth a 10 Year Action Plan, which highlights areas needing improvement in addition to designating funding and urging future City Councils that sidewalk infrastructure remain a priority when designating funds.

The Bicycle Master Plan adopted by the City of Bloomington in 2015 is utilized to improve mobility for multimodal transportation, and it builds on the already established Constitution Trail. This Master Plan intends to fill connectivity gaps, eliminate accessibility barriers, and improve conditions to complete the network.

Question 2

Has your community adopted an ADA Transition Plan for the public right of way?

☒ Yes

If so, please provide a link or attachment of the plan.

Link to action plan:

<http://www.cityblm.org/home/showdocur>

Action plan file upload:

Browse...

If yes, what year was it adopted? 1992

Has the ADA Transition Plan been updated?

☒ Yes ☐ No

If yes, what year? 2015

Does the ADA Transition Plan address curb ramps and sidewalks?

☒ Yes ☐ No

Explain:

The City of Bloomington's Sidewalk Master Plan updates the 1992 ADA Transition Plan and creates a working time-line prioritizing each section of curb ramps and sidewalk in need of renovation. The updates ensure that sidewalks and curb ramps have a maximum 2 percent cross slope to facilitate drainage, the minimum width of sidewalks and curb ramps

shall be 48 inches, the slope of the ramp should be a maximum of 1 inch per foot, and that curb ramps must have 4-foot by 4-foot level landing clear space for easier mobility. Since federal law mandates that all ramps become ADA compliant when street resurfacing or renovation occurs, the City uses this as the primary vehicle in ensuring ADA compliant ramps. The Sidewalk Master Plan utilizes a Block-By-Block Infrastructure Repair Program, which assesses the proposed development and attempts to "complete" a block by making necessary repairs to all infrastructure.

Does the ADA Transition Plan address street crossings and signals?

☒ Yes ☐ No

Explain:

The Sidewalk Master Plan dictates that there should be detectable warnings to alert pedestrians to an imminent transition from sidewalk to crosswalk. The City is transitioning from the flashing "Don't Walk" alert signs, to countdown alert signs indicating how stale a light is.

Who is responsible for the implementation of the ADA Transition Plan?

Kevin Kothe

Is your transition plan being implemented?

☒ Yes ☐ No

Explain:

This Master Plan is referred to and implemented for any and all new development and reconstruction projects. The City is always looking to comply with the Americans with Disabilities Act, and this transition plan identifies key goals and sets a timeline in which those goals should be met.

How is the ADA Transition Plan work funded?

The City of Bloomington's General Fund provides 100 percent of the funding via the Capital Sidewalk Program. The City's Multi-year ADA Sidewalk Ramp Replacement Program and the Multi-year Sidewalk Replacement Program are supported by the local motor fuel tax. The Sidewalk Master Plan estimates that it will cost the City \$6.3 million (after adjusting for inflation) to bring all sidewalk infrastructure to ADA compliance and eliminate any sidewalk receiving a rate of 1-3. Of that \$6.3 million, an estimated 9.7% will be paid by property owner contributions to the 50/50 Sidewalk Improvement Plan. The 50/50 Sidewalk Improvement Plan allows citizens to submit a request to the City if they would like their sidewalk to be renovated, and if it is approved for renovation, then the cost burden of replacing/renovation is borne between the private property owner and the City. Most sidewalks that are approved through the 50/50 program were designated a 4 or 5 on the City's sidewalk rating scale.

There are state roads in most communities. Has your state DOT adopted an ADA Transition Plan?

☒ Yes

Is the state DOT transition plan being implemented?

☒ Yes ☐ No

Explain:

The Illinois Department of Transportation's ADA Transition Plan, also known as Transforming Transportation for Tomorrow, plans to make all IDOT infrastructure accessible to all, regardless of age or ability. This plan stresses access, collaboration, connectivity, and safety as the guiding principles for future development and reconstruction. This plan seeks to accomplish the following: set guidelines for modifying policies and practices that do not meet ADA requirements, sets an agenda that identifies physical obstacles in the public right-of-way that limits the accessibility of the agency's programs or activities to individuals with disabilities, and provides an outlet for advocacy groups or individuals with disabilities to express their grievances. Transforming Transportation for Tomorrow identifies infrastructure in the worst condition and prioritizes the renovation of infrastructure based on a ranking system developed by the state. A method and timeline has been identified by all nine highway districts. Top priority renovation is given to areas where a specific accessibility request or need has been identified by the disabled community.

Question 3

Has your community adopted a Complete Streets policy or ordinance?

☒ Yes

If yes, please provide a link or attachment of the document.

Link to document:

<http://www.cityblm.org/government/code>

Document upload:

Browse...

Who is responsible for the implementation of the Complete Streets Ordinance?

Kevin Kothe

How is Complete Streets work funded? (i.e., is it routinely funded as part of the project, funded with other set-aside funds, etc.?)

Since there are many components to and variations of a complete street in the City of Bloomington, there are multiple sources of funding based on the type of infrastructural project. Most projects are routinely funded as part of the project, and federal law requires that with street resurfacing and renovation that the adjacent sidewalk(s) be reconstructed to comply with ADA standards. The City abides by a policy- Complete Infrastructure Rehabilitation Block by Block- which is included in the Sidewalk Master Plan, stating that infrastructure improvements should not happen in isolation. The goal with this policy is to "finish" a block or neighborhood, so that the infrastructure within that block or neighborhood does not need to be renovated for 20 years.

What challenges and barriers does your community face in implementing the Complete Streets policy?

Funding is a huge issue for all municipalities. There are many infrastructure improvements that need to be made, but with a very finite budget.

Identify three recent examples of how your Complete Streets policy was implemented (particularly at roadway widening projects):

Project 1:

The City's Complete Streets ordinance was passed in October 2016, so there haven't been many projects undertaken Front St. --> before the Complete Streets ordinance was passed, but it was evaluated and the best engineering practices were implemented and would abide by the Complete Streets policy if it has been in effect at the time

Project 2:

Jersey St. in conjunction with the Town of Normal, also this was undertaken before the Complete Streets policy was implemented

Project 3:

Airport Rd. north of Empire St. --added a bike trail and widened the road

Question 4

Please briefly describe how public input is used in the municipality's planning process. Mention the role that citizen participation, advisory board review, and/or the municipality's pedestrian/bicycle advisory council play in the process. How do you assure that individuals with disabilities are included in the public input process?

The City of Bloomington provides citizens with many forums in which the public may participate in municipal plan development. The most general form of participation the City offers is public comment at city council meetings. The mayor holds a public meeting every Friday that is before a Monday city council meeting, which members of the community are able to address any topic of interest.

Specific projects may warrant one or more public meetings, in which letters, advertising on the city's website, and a big electronic sign that projects the meeting date and location for public notice. For example, when the City's Bicycle Master Plan was in its planning phase, there were many venues for citizen input. In March 2014, there was a "Public Brainstorming Workshop" and this event was attended by over 90 residents. The purpose of this workshop was to assess public knowledge on public biking, prioritize road corridors and routes to evaluate potential improvements, and build community support for the plan. In addition, the McLean County Regional Planning Commission facilitated an online survey in which residents could provide input about bikeway recommendations. This survey was also inserted into City water bills, and through these two venues over 1,000 responses were generated from citizens. Following this, there were two meetings held with the Steering committee of the Bloomington Bicycle Plan. This meeting consisted of City staff, elected officials, local bicycle groups, and other relevant agencies. The committee guided the project approach and the principles used in making recommendations, while providing input on the recommendations and plan draft.

City staff tries to determine the most appropriate way to achieve citizen input thus the process varies depending on the type of project.

Provide any relevant links or attachments that indicate the formal and informal public participation and advocacy efforts in your community (i.e., a link to the pedestrian and bicycle advisory board website, if it exists, or documented guidelines for public participation in the planning process).

Website link:

Please briefly describe the role that citizen participation, advisory board review, and/or the municipality's pedestrian/bicycle advisory council play in the process of reviewing ongoing projects and development.

Please briefly describe how you assure that specific populations (like individuals with disabilities or low incomes) are included in the public input process.

For sidewalks and complete streets --> special needs are addressed first
when streets are resurfaced it is always restored so it complies with ADA
On the City's website, under the Public Works Department there is a complaint/request form available to the public

Please briefly describe how your community works with coalitions, advocates, and other departments and agencies to ensure that pedestrians are considered in all projects and documents.

Bike BloNo, Friends of Constitution Trail
Any City Council meetings, and various public meetings that the City holds for public input on special interest projects
Also, the Planning Commission holds meetings regarding City planning

Participation file upload:

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Question 5

Does the city have a policy requiring sidewalks on both sides of arterial streets?

☒ Yes ☐ No

On both sides of collector streets?

☒ Yes ☐ No

Sidewalk policy link:

Sidewalk funding and installation: (if applicable, please provide a link or attachment of the relevant ordinance or policy)

Sidewalk funds link:

<http://www.cityblm.org/home/showdocur>

Sidewalk funds file upload:

 Browse...

Does the city require sidewalks to be constructed or upgraded with all (or the vast majority of) new private development?

☒ Yes ☐ No

Explain:

All private development has to include sidewalk on at least one side of the street in order to be annexed into the City limits.

Question 6

Has your community established a connectivity policy, pedestrian-friendly block length standards and connectivity standards for new developments, or convenient pedestrian access requirements?

☒ Yes

If yes, please provide a link or attachment of the policy or ordinance.

Link to document:

Document upload:

 Browse...

If yes, please provide information on the coverage area of this policy (e.g. downtown, certain districts, entire city):

If applicable, please describe an example of a project that restored or improved the street grid.

Question 7

Do you have a trails plan?

☒ Yes ☐ No

How many miles of trails (paved/hard surface/natural) currently exist in your community?

How many miles of trails are included in your current planning documents?

Please describe destinations (schools, shopping, offices, etc.) that are accessible by trail in your community:

Please provide a link or attachment of relevant plan, if available.

Link to document:

Trail plan document upload:

Browse...

Is it routine policy to build trails and paths with all new and major re-developments?

☐ Yes ☒ No

Is it required through zoning regulations?

☐ Yes ☒ No

Are incentives provided to encourage trail construction?

☐ Yes ☒ No

If so please provide a link or attachment of the policy or ordinance.

Link to trail incentive:

Incentive file upload:

 Browse...

Question 8

Is your community served by public transportation?

☒ Yes

If yes, please list the agencies and whether they are city, regional, or both.

Connect Transit services Bloomington, IL and our sister town Normal, IL

Please provide the following performance indicators and details to indicate how well your community is served by public transportation.

Percent of population living within a quarter mile of a bus stop or 1/2 mile of a rail station:

Hours of operation for transit service:

Weekday: 6am-2am

Saturday: 7:15am-2am

Sunday: 7:15am-2am

Average off-peak headway on bus routes: 47.3

Average peak period bus headway

Average off-peak headway on train routes:

Average peak period headway on train routes:

Percent of bus stops that are wheelchair accessible:

What route planning and trip information is provided for transit passengers (e.g. real-time arrival information, online trip planning, etc.)?

Connect Transit offers riders many ways to plan and expect buses. Real Time Alerts are tweeted from a Connect Transit account, there is a live map provided for all routes, there is online trip planning, and there is an app that can be downloaded on riders' phones to view buses en route and their corresponding arrival time.

Please describe your transit stop improvement process including information on bus stop location guidance and the use of safety and accessibility audits, crash data, and boarding/alighting data.

Question 9

Which of the following approaches does your community use when planning for parking? Please provide a link or attachment of relevant ordinance or policy and describe when and where these strategies are used. (check all that apply)

☐ Maximum parking standards or absence of minimum parking standard

☐ Parking location requirements (i.e., parking below, beside, or behind a building; allowing on-street parking to meet minimum parking requirements)

☐ Surface lot size and design requirements, including pedestrian and vehicle separation, locating lots to the side or behind businesses, alternative use of parking lot, landscaping, etc.

☐ Shared parking allowances

Definition: Shared parking lots can reduce the total number of parking spaces needed in a particular area by coordinating peak parking demand times between different buildings and different uses. For instance, an office building might be able to share a parking lot with a restaurant that operates only in the evenings, as the former would use the lot during the day and the latter would use it at night.

☐ Priced public parking

☐ Parking cashout incentives

Definition: Parking cashout is a financial incentive in which employees who do not drive and park at work receive a subsidy that approximates the cost employers bear to provide free parking to employees.

☐ Remote parking and/or park and ride

☐ Other (please describe)

Question 10

Approximately what percentage of development in the last five years has been infill?

How many LEED-ND projects have been developed (or are pre-qualified) in your community (just LEED for Neighborhood Development not all LEED designations)?

None

What measures does your community use to encourage dense, mixed-use development? (check all that apply)

☐ Secondary or accessory dwelling units are permitted

Definition: These units are self-contained apartments on an owner occupied single-family lots.

☐ Retail/commercial uses are required on the ground floor of residential buildings in mixed use corridors or districts

☐ Density bonuses to developers are provided for providing amenities that enhance walkability and livability

Definition: Density bonuses are used by local governments to allow a developer to build at a higher density than zoning permits in exchange for providing affordable residences or walk-friendly amenities.

☐ Form-based or design-based codes are used

Definition: These codes are an alternative to conventional zoning that can be used to ensure a walk friendly environment by regulating the form, scale and massing of buildings rather than the use. They are typically presented with both diagrams and words.

☐ Neighborhood school siting policies

What other incentives are provided for infill developments? (please describe):

Please describe the planning efforts in your community to preserve and strengthen your urban structure. Examples could include revitalization efforts of your downtown and other historic areas or infill and intensification efforts in centers, nodes, districts, and along corridors.

Question 11

In the following fields, please select and briefly describe any urban design features or pedestrian amenities that your community uses or requires to create a comfortable and attractive walking environment.

☒ Lighting:

There are lighting requirements in all areas, and utility companies are required to follow the City's requirements.

☒ Trees and plantings:

Adopt-a-pot, where citizens and businesses are able to plant a mini-garden in pots downtown

☒ Street furniture:

Benches located downtown and at parks, along Constitution trail

☒ Community identifiers (e.g. gateways, banners, public art):

Many public murals downtown, City of Bloomington banners line the downtown area

☐ Other features and amenities (e.g. facade design requirements, public restrooms, pavement design):

Please provide a link or attachment of the ordinance or policy that addresses these features.

Link:

<http://www.cityblm.org/Home/ShowDocu>

File Upload:

Browse...

Question 12

Please briefly describe any other planning policies related to promoting or enhancing walking in your community.

Last updated 06/07/2017

Education & Encouragement

Education and encouragement are primary components in creating a successful walk friendly community. This section seeks information about the programs, policies and strategies your community uses to inform, inspire, motivate or reward walkers and other users of the public right of way. It also asks the question "Do your efforts result in a safe walking environment?" Effective pedestrian safety education begins at an early age, is age-specific, and continues through the years across all modes (i.e., motorists educated about pedestrian safety contribute to a safer, more pleasant walking environment for pedestrians; this environment enables and encourages more people to walk).

Encouragement programs can be fun and inclusive in seeking to establish good habits or change unhealthy or unsafe habits. The education and encouragement strategies listed below are common to many walkable communities. If your community uses other strategies to educate the public and encourage walking, please describe them as well.

Question 1

Please describe any Safe Routes to School (SRTS) programming being implemented in your community in the space provided below.

Check any of the following activities that are part of your SRTS programs and include information about the nature, scope, and results of these activities (as well as any others not listed below) in your description.

☒ Walk to School Day/Week

Definition: Walk to School Day is an international event that takes place annually in October. Schools from all over the country plan special activities to encourage students to walk to school. This special event can be a great way to start a Safe Routes to School program.

Description:

Washington Elementary School has held Walk to School Day in the fall and spring since 2014. It is hard to count, but Washington Elementary estimates there are usually over 100 kids that participate. This last Bike to School Day on 5/10 was just under 100 due to weather. To advertise, PTO emails are sent out and the Principal does a School Reach call to remind parents of these events.

☐ Walking Wednesdays or other walking events

Definition: Some schools and communities promote walking to school by having regular Walking Wednesday events in which parents, teachers, and students may meet up near the school campus and walk to school together.

☒ Walkability audits or SRTS maps

Definition: By auditing and assessing walking routes and creating maps indicating the safest routes to school, communities can help educate students and families about the best routes to take.

Description:

All elementary and middle schools in Bloomington have a designated walking route for children living in the surrounding area. These maps were designed by City engineers. On these maps, school crossing guards and safety patrol people have specific locations, the school walking route is identified, and the school walking boundary is clearly displayed.

http://www.district87.org/pages/Bloomington_School_District_87/Parents_and_Students/School_Walking_Routes

☐ Walking School Bus

Definition: From saferoutesinfo.org : A group of children that walk or bicycle to school together accompanied by one or more adults.

☐ Student safety patrol

Definition: From saferoutesinfo.org: Student safety patrols enhance enforcement of drop-off and pick-up procedures at school by increasing safety for students and traffic flow efficiency for parents. Such efforts allow students to participate in promoting traffic safety where they learn skills they can use in their everyday lives.

☐ Tracking system to count the number of children walking to school☐ Other (please describe)

Please estimate the number of schools in your communities that participate in the following:

Ongoing SRTS program:

Special walk to school events only:

No walk to school or SRTS activities:

Total number of elementary and middle schools in your community:

Please provide the following information for the Safe Routes to School contact person in your community:

Contact Person and Title:

Kevin Kothe, City Engineer

Contact Person Department:

City of Bloomington, Public Works Department, Engineering Division

How many hours are spent per year in this capacity?

Please describe your most recent Safe Routes to School grants:

In 2014, the City of Bloomington received a \$160,000 SRTS grant, with a \$40,000 City match to provide Benjamin School children with a 4,180-foot long, 10-foot-wide, ADA compliant pedestrian and bike path.

Question 2

Please describe any education and training programs related to pedestrian education, safety, or design for staff in your municipality. Please include in this description the nature, frequency, scope, number of attendees, and results of these programs.

Engineering:

Planning:

Law enforcement:

School staff:

Public officials:

Other:

Question 3

Please check and briefly describe any education or encouragement campaigns that are implemented in your community regarding the following topics. Include information about the target audience, techniques used (e.g., posters, workshops, etc.), frequency, scope, and results of the programs. Please mention what measures your community has taken to make sure that education and encouragement campaigns are inclusive of all populations. Also mention your community partnerships (such as Public Health & Planning partnerships) that collaborate on these efforts. Provide any relevant links and attachments to help illustrate these descriptions, if available.

☒ Public service announcements to encourage safe walking and driving

Link to relevant material:

<http://www.cityblm.org/home/showdocur>

Description:

The City published a public service announcement related to jogging/running in 2013, and publishes many materials on the City website for publicity. There are many partnerships with McLean County for public health outreach.

☒ Public health campaigns related to walking

Link to relevant material:

<http://bnhealthy.org/physical-activity>

Description:

The McLean County Wellness Coalition has many informational articles on their website boasting about the effects of walking and incorporating exercise into one's daily life.

☒ Walk to work events

Link to relevant material:

<https://goodtogomclean.org/#!/m=mcle>

Description:

In 2017, the City of Bloomington cosponsored the Good To Go Commuter Challenge, which was a county wide initiative encouraging residents to walk, bike, or take public transportation to work instead of driving. This was held from May 15th until May 21st, and after registering for the event, a random winner was selected to win a \$200 visa gift card.

☐ Other (please describe):

Question 4

Please check and briefly describe any walking tours, guides, or maps that are available (on-line or printed) in your community. If available, please provide a link, attachment, or pictures of wayfinding devices and/or plans, maps, or brochures for these walking tours.

☒ Walking maps (e.g., neighborhood maps, school route maps, city-wide maps, trails and greenways, etc.)

Link to relevant material:

<http://www.constitutiontrail.org/Resource>

Description:

As previously mentioned, all elementary and middle schools in Bloomington are provided with a school route map. The McLean County Wellness Coalition provides maps for trails that are incorporated within Bloomington. The Constitution Trail is linked, and this link is more than a map. It is an informative piece about all things related to Constitution Trail and the etiquette required to use it. It provides citizens with information on how to use the trail, lane positioning, and even proper helmet placement.

☐ Wayfinding and route signs for pedestrians

Question 5

Please briefly describe any ciclovía/Sunday Parkways/open streets or similar events in your community. Include information about the target audience, nature, frequency, scope, and results of these events. Provide any relevant links and attachments, if available.

Question 6

Please briefly describe any other education or encouragement programs affecting walking in your community.

Last updated 06/07/2017

Engineering

Designing, engineering, operating, and maintaining quality roadways and pedestrian facilities is a critical element in producing a Walk Friendly Community. Designers and engineers have a diverse array of design elements and ever-developing technologies at their disposal that provide a safer, inviting, and more accessible street for pedestrians. These benefits aren't limited to pedestrians. By accommodating pedestrians in all roadway designs, roads become safer for all users. Therefore, it should be essential that pedestrian engineering and design tools are used throughout your community, including sidewalk accommodations and standards, crossings and intersections, traffic calming, trail design, and newer, innovative treatments.

Question 1

Which of the following standards, if any, are included in your municipality's sidewalk design specifications? Please provide a link or attachment of the municipality's sidewalk design standard specifications.

- ☐ Sidewalks at least 5' wide in residential areas, 10' – 30' in commercial zones
- ☐ Required buffer zone between sidewalk and street
- ☐ Level and continuous sidewalks at driveways so that driveways do not look like roadways

Sidewalk design link:

Sidewalk design file upload:

 Browse...

Question 2

Estimate the percent of arterial and non-arterial streets that have sidewalks on both sides of the road, one side of the road, or have paved shoulders (minimum of 4 ft) in your community.

Sidewalks on both sides — Arterials:

Sidewalks on both sides — Non-Arterials:

Sidewalks on one side - Arterials:

Sidewalks on one side - Non-Arterials:

Paved shoulders $\geq$ 4' — Arterials:

Paved shoulders $\geq 4'$ — Non-Arterials:

Please enter the following information about your road network:

What is the mileage of your total road network?

How many miles of sidewalks are in your pedestrian master plan?

How many miles of new sidewalk did you construct last year?

How many miles of new sidewalk did you construct in the last three years?

How many miles of new sidewalk do you plan to construct in the next three years?

Question 3

Describe the following inventories and update processes for your community.

Sidewalk inventory:

The inventory is GIS based with a polygon layer of sidewalk areas. Sidewalks attribute include information on rating, material, width, and when replaced. A spreadsheet of replaced sidewalk is maintained and incorporated into the GIS at least yearly.

Curb ramp inventory:

The inventory is GIS based with a point layer of ramp location. Ramp attributes include categories based on type of detectable warning and locations needing ramps. The GIS is updated yearly.

Please describe your community's sidewalk retrofit policy to fill gaps, repair sidewalks, and provide new sidewalks as needed.

What is the annual line item for sidewalk maintenance in your community's budget?

Estimate the percent of intersections that have ADA accessible ramps on all four corners.

Estimate the percent of sidewalks that need to be repaired or replaced.

Does your community have a program to install curb ramps?

☒ YesHow many ramps are installed per year? How many ramp installations are planned for next year?

Does your community have a program to repair and replace broken sidewalks?☒ YesHow many locations (or linear feet) were fixed last year? How many repairs are planned for next year?

Is there a method for residents to report missing or broken sidewalks and curb ramps?☐ Yes**Question 4****Please indicate the number of bridges or overpasses in your community and how many of those provide for pedestrians through shoulders, sidewalks, or multiuse paths.**Number of Bridges (excluding freeways): Number of Bridges with pedestrian provisions on at least one side: Number of Pedestrian overpasses (or bridges): Number of Pedestrian underpasses:

Identify the last three bridges built (or major reconstruction) in your community, and do the bridges provide pedestrian provisions on at least one side?

Bridge Number 1

Bridge Number 2

Bridge Number 3

Identify bridges currently under design. Do the bridges provide pedestrian provisions on at least one side?

Question 5**Does your community maintain a pedestrian signalling system?**

☒ Yes

Please briefly describe initiatives your community has taken to ensure or improve pedestrian access, safety and convenience at signalized intersections. Provide a link or attachment of the relevant policy or ordinance, if available.

Description:

The City is currently in the process of upgrading all flashing "Don't Walk" crosswalk signals to the countdown crosswalk signals.

Link to policy or ordinance:

Upload policy or ordinance:

 Browse...

Do you provide pedestrian recall (pedestrians receiving a walk signal during every phase without using a push button) in high pedestrian corridors?

☒ Yes ☐ No

If yes, when and where?

In the downtown area for traffic signals that run on a fixed time programming schedule.

Please describe any passive pedestrian detection (e.g. video, microwave) in your community.

N/A

Approximately what percentage of intersections have accessible pedestrians signals with audible walk indications?

Approximately what percentage of intersections have pushbutton-integrated accessible pedestrians signals with audible and vibrotactile indications?

What is the average walk speed used to determine signal timing?

3.5

Do you use right-turn-on-red restrictions? If yes, when and where?

Yes, signalized intersections that are part of a school walking route do not allow a right-turn-on-red on school days, when children are present.

Do you use Leading Pedestrian Intervals? If yes, when and where?

What is your maximum cycle length in your downtown?

What is your maximum cycle length in your community?

What speed is traffic progress for in downtown?

The posted speed throughout the downtown area is 30 mph.

What is the longest pedestrian crossing that you have?

On Veterans Parkway and Clearwater Ave. there is a section of crosswalk that is approximately 70ft. and many of the crosswalks on Veterans Parkway are about 70ft. in length.

What is the policy on displaying Walk signals (e.g. > 12 seconds or 25% of cycle length)?

What percentage of intersections have countdown signals?

Question 6

Please briefly describe initiatives your community has taken to ensure or improve pedestrian access, safety and convenience at crosswalks. In your description please address the following questions. Provide a link or attachment of the relevant policy or ordinance, if available.

Description:

The City has installed chirping sounds for crosswalk time countdowns that are differentiated by direction—if a citizen is going east or west there is a specific chirping that is different from a north or south crosswalk.

Link to policy or ordinance:

Upload policy or ordinance:

 Browse...

How are marked crosswalk locations selected?

All newly constructed traffic signals are accompanied by a marked crosswalk. School walking routes, high pedestrian areas, and every traffic signal in the downtown area are given top priority for marked crosswalks.

What is your standard crosswalk marking type (e.g., parallel lines, ladder style, high visibility, etc.)?

6 ft. wide painted lane with 6 in. white line

Please describe your crosswalk inventory and update process:

Are crosswalk markings regularly maintained?

☒ Yes ☐ No

Describe:

City crews maintain all City crosswalk markings, and the crosswalks are refreshed on an annual basis.

☒ Are in-road stop/yield signs used?

How are these locations selected?

The only place in the City that has permission to use this type of device is Bloomington High School. These signs are used on a limited basis, only on school days when school children are present, and are removed and reinstalled on a daily basis.

Are advance stop/yield lines placed at multilane uncontrolled marked crosswalks in order to reduce multiple threat crashes?

☐ Yes ☐ No

Describe:

Are there other pedestrian safety practices being used at crosswalks?

There are advanced warning signs that are placed before locations that have frequent pedestrian crossing such as a warning "Pedestrian Crossing" sign, or a "Pedestrian Crossing Here" which points down to the pedestrian crossing sign with an arrow or some other indicative symbol in locations that are not stop controlled.

Are pedestrian hybrid beacons and rectangular rapid flash beacons used? Please describe when and where (e.g. in close proximity to schools, bus stops, trail crossings, etc.):

There are many rapid flash beacons used in close proximity to schools, as seen on Oakland St., Morris Ave., and Empire St. west of Towanda.

Question 7

Does your community design and build its own roadways?

☐ Yes

Question 8

Please briefly describe your community's traffic calming practices and/or policies and cite any relevant examples. Traffic calming practices may include road diets, lane diets (reduction in lane width) or streets with a pedestrian focus. Provide any relevant links or attachments, if available.

Description of practices:

The most successful traffic calming measures are speed humps and speed plateaus.

Link to calming practices document:

Please describe any recent road diets:

The City does not use road diets very often, however on Washington St. through our downtown area, the number of lanes were reduced in order to increase the safe zones (areas of the road that do not have a high volume of vehicles, such as turn lanes) for pedestrians. Also, the addition of a two-way left turn lane was included and streets were paved to a standard width, instead of a substandard width.

Please describe your traffic calming methods including typical treatments and site selection and prioritization:

Site selection is based on evaluations from citizen or neighborhood requests. There are three criteria that need to be met in order to adjust the flow of traffic: there must be a specific volume of traffic such that the minimum number of vehicles on the road is 900 per day and the maximum number of vehicles on the road is 2000 per day, the speed of the 85th percentile has to be greater than 5mph of the posted speed limit, 70 percent of property owners on the section of street that would be affected by the proposed traffic calming measures must vote in favor of the traffic calming measures.

What is the maximum speed limit at traffic signals in your community?

45 mph

Do you have school zones and reduced speed limits? Please describe:

Yes, they are clearly marked and are governed by the Illinois Manual on Uniform Traffic Control Devices.

What is the posted speed of the majority of the arterial roads in your community?

30 mph

Question 9

Please briefly describe any other engineering projects or policies affecting walking in your community.

Complete Streets and the Sidewalk Master Plan.

Last updated 06/07/2017

Enforcement

In many communities, enforcement is often neglected as a technique for making communities safer for walking. Communities that have created comfortable walking environments through engineering improvements or urban design features may still have safety concerns if traffic laws are not properly understood or adequately enforced. Enforcement activities work best when implemented in conjunction with education and awareness activities. Therefore, well-implemented

enforcement campaigns will include public education campaigns, law enforcement officer training, and strategic law enforcement and ticketing strategies. A successful enforcement program will usually require the involvement of community members, law enforcement officials, city council members, and the media.

Question 1

Does your community have a traffic safety division/unit within the Police Department?

☐ Yes ☒ No

Does your community have police patrols on foot or bike? If so, please describe (include the number of officers that are bike patrol certified).

Occasionally, there are police patrols on foot or bike. This is usually on the weekends in downtown Bloomington when school is in session because there is a vibrant bar scene for college students. There are 7 active bike patrol officers currently, but many of our officers are certified to patrol on foot/bike.

Please estimate the number of patrol officers and amount of time that is devoted to responsibilities concerning pedestrian laws and safety:

All officers are responsible for the safety of our pedestrians, but as previously stated, the heaviest police presence is on the weekends in the downtown area. It is sometimes enforced if a pedestrian is walking in the roadway, but mainly citizens are told to walk on the sidewalk.

Question 2

Does your community use targeted enforcement programs to ensure the safety and security of pedestrians in crosswalks and on city streets, trails, and walkways? Indicate which of these elements, if any, are part of the enforcement program.

☐ Yes

Question 3

Please list the number of citations given for the following infractions:

Failure to yield to pedestrians:

7

Parking on sidewalks or too close to intersections or crosswalk:

☐ Does your community use photo enforcement technology that targets speeding and/or red light running?

Question 4

Please briefly describe your community's policies and practices regarding the use of adult crossing guards at elementary and middle schools. Include any information about the criteria for placement of adult crossing guards, training programs, crossing procedures, crossing guard signs and equipment, and law enforcement strategies at crossing guard locations.

Provide a link or attachment of any relevant policies, if available.

Link:

File upload:

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Question 5

Do police work regularly with traffic engineers and planners to review sites in need of safety improvement for motorists and pedestrians?

☐ Yes

Does your community use crash and/or fatality data to identify problem areas and potential solutions?

☒ Yes ☐ No

Describe:

TAC meetings, traffic action committee done in conjunction with city engineers
someone has to make a request
the police are involved, the public, the city engineer, Connect Transit--> study is conducted

Does your community use a Data-Driven Approach to Crime and Traffic Safety (DDACTS) to understand the overlap between hi-crime and traffic safety concerns?

☐ Yes ☒ No

If so, describe any DDACTS training you have undertaken and/or the process you use to prioritize traffic safety in relation to other police interests:

Question 6

Please describe any other ways that your community's police department addresses the pedestrian concerns in your community.

Take in questions/concerns/requests via phone, email, and social media.
If citizens request a study, then the city engineer works with police and a study is conducted to assess possible solutions.

Last updated 06/07/2017

Evaluation

By incorporating planning, education, encouragement, engineering, and enforcement countermeasures, a community can have a direct impact on pedestrian safety and walkability. Evaluation of the pedestrian environment and behavior plays a crucial role in problem identification and countermeasure selection. In order to truly understand local pedestrian needs and safety issues, a community should utilize effective evaluation strategies.

Question 1

Does your community have an ongoing pedestrian counting and/or survey program that allows for long-term trend analysis of walking trips?

☐ Yes

Question 2

Has your community used any of the following tools to evaluate major pedestrian areas (town centers, major activity areas, routes to school, etc.) in order to identify problem areas and potential solutions?

☐ Walkability Checklists (please describe when and where):

^

v

☐ Pedestrian Intersection Safety Index (please describe when and where):

^

v

☐ Pedestrian Level of Service (LOS) (please describe when and where):

^

v

☐ Pedestrian Road Safety Audit Guidelines and Prompt Lists (please describe when and where):

^

v

☐ Health Impact Assessment (please describe when and where):

^

v

☐ Smart Growth Scorecards (please describe when and where):

^

v

☐ Web-based or smartphone applications for resident feedback and input(please describe):

☐ Other Evaluation Tools:

Please describe:

Question 3

Does your community routinely conduct pre/post evaluations of road projects and traffic calming with respect to pedestrian crashes, volumes and motor vehicle speeds?

☐ Yes ☒ No

If yes, please explain when this is typically done and provide a recent example:

Question 4

Using Walk Score, please type in the address for your City Hall and provide the following information:

City Hall Walk Score:

75

City Hall Transit Score:

47

Top 10% Walk Score for your community:

(located at the bottom of the Walk Score web page)

Average Walk Score for your community:

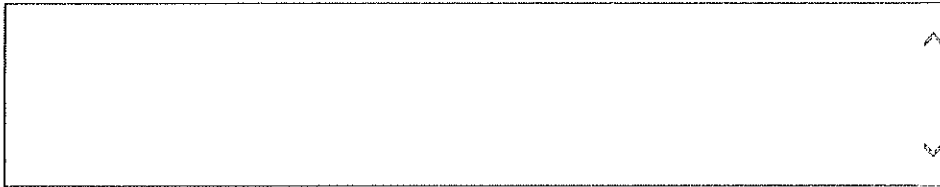
(located at the bottom of the Walk Score web page)

35

Please provide the Overall Sprawl Score for your community's metropolitan region:

Question 5

Please describe any other ways that your community evaluates pedestrian accommodation, walking rates, and pedestrian safety.

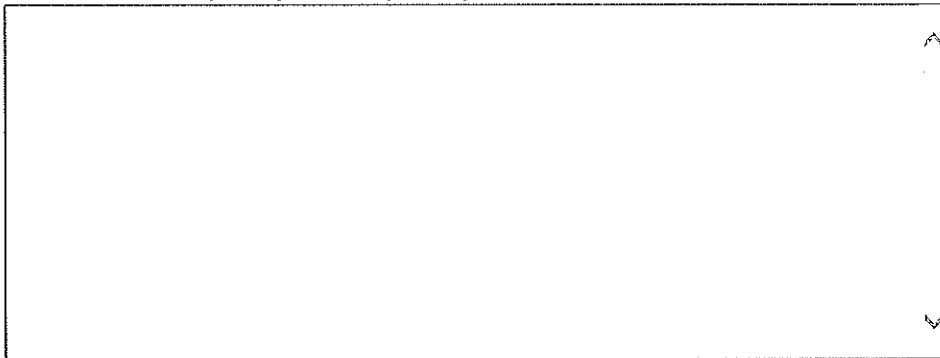


Last updated

Additional Questions

Question 1

What are the three primary reasons your city deserves to be designated as a Walk Friendly Community?



Question 2

What are the three aspects of your community most in need of improvement in order to accommodate pedestrians?



Question 3

How can your community leverage its designation as a Walk Friendly Community to increase the number of people walking and make walking safer?





CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of an Intergovernmental Agreement with Evergreen Memorial Cemetery containing a fee increase for the disposal of leaves and unchipped brush.

RECOMMENDATION/MOTION: That the Intergovernmental Agreement with Evergreen Memorial Cemetery be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE:

- 1d. City services delivered in the most cost-effective, efficient manner
- 1e. Partnering with others for the most cost-effective service delivery

BACKGROUND: Over the past few years, the City has been disposing of leaves and unchipped brush that originates at the Evergreen Memorial Cemetery as a result of an intergovernmental agreement. This cemetery is owned and operated by the City of Bloomington Township, and is partly funded through a tax levy. The City of Bloomington Township is coterminous with the City of Bloomington.

Prior to the first Intergovernmental Agreement between the City and the Evergreen Memorial Cemetery (approved by the City Council on January 26, 2015), the Cemetery paid for the material hauling and disposal. The current agreement allows the Cemetery (effective April 1, 2015 through March 31, 2016) to be charged a flat fee of \$2,200 a year. This fee includes \$1,000 per year for disposal of leaves and \$1,200 a year for the disposal of unchipped branches, and they were charged \$2,200 for Fiscal Year 2016 and Fiscal Year 2017. However, after tracking the volume of debris being delivered to the Solid Waste Division, this yearly fee is not enough to pay for the solid waste services the City provides to the Cemetery.

The proposed fee increase is a result of data collection by the City in regard to the volume of brush and branches processed from the Cemetery. For this past year, Evergreen hauled 161 brush trips and 77 trips with leaves for the City to dispose of; which is significantly above the volume estimated when the agreement was first signed in 2015. It costs the City \$100 per dump truck load for brush trips, which does not include reloading and delivery to T Kirk Brush, and \$85 for every load of leaves delivered to Farmers Field. Full cost recovery for the disposal alone would be \$22,645 based upon these numbers. A proposed fee increase is outlined in the current agreement with Evergreen Memorial Cemetery (Section 2 and Section 3). City staff recommends that \$10,000 is an adequate yearly fee for services provided to the Cemetery. However, after discussion with Eugene Lorch, Board President of Evergreen, city staff recommends that this intergovernmental agreement remain in effect for two years. During those two years, the City and the Cemetery will

continue to track to volume of debris received from the Cemetery to obtain an average volume of debris. After the two years of tracking the debris, the City and Cemetery will evaluate if the following fee increase to \$10,000 per year is appropriate.

City staff recommends that the fee increase to \$10,000 be accomplished in a series of phases. The first phase would entail an increase from the original flat fee of \$2,200 to a flat fee of \$5,000 for Fiscal Year 2018. In subsequent years starting in Fiscal Year 2019, the annual fee would increase \$1,000 until reaching the \$10,000 amount. With this proposed series of increases, the City would begin to receive the full \$10,000 for costs associated with Evergreen Cemetery's leaf and brush disposal by Fiscal Year 2023, as illustrated in the table below. The proposed intergovernmental agreement would be valid for Fiscal Year 2018 and Fiscal Year 2019.

Year	Amount Charged for Services
Fiscal Year 2018	\$5,000
Fiscal Year 2019	\$6,000
Fiscal Year 2020	\$7,000
Fiscal Year 2021	\$8,000
Fiscal Year 2022	\$9,000
Fiscal Year 2023	\$10,000

The intergovernmental agreement could be reevaluated at this point for current costs and service levels. This agreement presents a couple options moving forward— either party can terminate this agreement for whatever reason by notifying the other party in writing and has been able to do so since October 31, 2016, or the original fee structure of \$2,200 can be amended by both parties based on the full or partial cost of debris disposal. City staff recommends the latter, and would like to continue to provide solid waste service for Evergreen Memorial Cemetery.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City staff met with Eugene Lorch and Deb Skillrud May 23, 2017 to discuss the proposed agreement. After discussing the proposed agreement, staff has amended the intergovernmental agreement to reflect the wishes of both parties.

FINANCIAL IMPACT: The total cost of providing these brush and leaf disposal services to Evergreen Memorial Cemetery is \$22,654, at \$100 per dump truck load of brush and \$85 for every load of leaves. For the past two fiscal years, the City charged Evergreen \$2,200 for these services, but after tracking the volume of debris for the past year, the City would like to increase the amount charged to better align with the actual costs. The City is proposing a rate increase be accomplished in a series of phases, Phase I being an increase in the flat fee of \$2,200 to \$5,000 for Fiscal Year 2018. Phase II entails a yearly \$1,000 increase for the following years, until the flat fee reaches \$10,000. The City would receive the \$10,000 for services by Fiscal Year 2023. The revenue is recorded in the Solid Waste-Brush Pickup account (54404400-54322). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled "Proposed Budget Other Funds" on page 143.

COMMUNITY DEVELOPMENT IMPACT: *(If applicable)*

Link to Comprehensive Plan/Downtown Plan Goals: Not applicable

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY
CONSTRUCTION:** Not applicable

Respectfully submitted for Council consideration.

Prepared by: Austin Aldag, Miscellaneous Technician, Public Works
Candace Towery, Miscellaneous Technician, Public Works

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

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Intergovernmental Agreement

EVERGREEN MEMORIAL CEMETERY **INTERGOVERNMENTAL AGREEMENT**

This Intergovernmental Agreement is made and entered into on this 22 day of May 2017, by and with the City of Bloomington, McLean County, Illinois, herein referred to as “City” and Evergreen Memorial Cemetery, herein referred to as “Cemetery”.

WHEREAS, the City has collaborated for the past few years with Evergreen Memorial Cemetery to dispose of Cemetery leaves and branches; and

WHEREAS, the City has recently covered the cost of expenses associated with the disposal of Cemetery leaves and branches; and

WHEREAS, after tracking the amount of debris delivered to the City transfer station from the Cemetery, the City realized that the volume of debris was much larger than anticipated. In 2016, the Cemetery hauled 161 brush trips and 77 trips with leaves for the City to dispose of at a cost of \$100 per dump truck load of brush trips and \$85 for every load of leaves; and

WHEREAS, the City believes the proper amount for reimbursement is \$10,000 for the disposal services provided to the Cemetery, which it seeks to accomplish by Fiscal Year 2023.

THEREFORE, IT IS AGREED BY THE CITY AND CEMETERY AS FOLLOWS:

Section 1. Interim. The Cemetery delivered leaves to the City for a flat fee of \$2,200 for Fiscal Year 2016 and Fiscal Year 2017, and during that time the amount of debris was tracked by the City and the Cemetery.

Section 2. Payment. Effective May 1, 2017 through April 30, 2018, the Cemetery will continue to deliver leaves to the City transfer station and unchipped branches to the corner of East Street and Jackson Street in Bloomington for a flat fee of \$5,000 for Fiscal Year 2018. This fee should be paid in a lump sum payable by June 1, 2017, to the City from the Cemetery. After Fiscal

Year 2018, the flat fee shall increase by \$1,000 per year each year that this agreement continues, until said fee is capped at \$10,000 in FY 2023.

Section 3. Term of Agreement and Amendments to Agreement.

This Agreement shall remain in full force and effect from the date first above written until March 31, 2018. Thereafter, this Agreement shall roll-over for successive one-year periods (expiring on March 31 of the subsequent year). If the agreement is rolled-over, the flat fee shall be as set forth in Section 2, including the applicable \$1,000 increases as set forth below:

FY 2019	\$6,000
FY 2020	\$7,000
FY 2021	\$8,000
FY 2022	\$9,000
FY 2023	\$10,000

Section 4. At any time after October 31, 2017, this Agreement can be terminated/cancelled by either party for any reason by notifying the other party of its intent to terminate/cancel the Agreement. A cancellation notice must be sent in writing by regular and certified mail to the other party and shall be effective after ninety (90) days after mailed.

EXECUTED and ADOPTED this ____ day of May, 2017, at Bloomington, Illinois.

City of Bloomington, Illinois
A Municipal Corporation

Evergreen Memorial Cemetery
Board of Trustees

By: _____
David A. Hales, City Manager

By: _____
Eugene C. Lorch, BOT President



CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving the Government Center: Operation & Maintenance Costs / Attachment No. 15.

RECOMMENDATION/MOTION: : That Attachment No. 15 to the Amendment to the Lease and Operation and Maintenance Agreement for the City and County Office Building be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1c.

BACKGROUND: On November 20, 2001, the Public Building Commission (“Commission”), McLean County (“County”) and the City of Bloomington (“City”) entered into a lease for the Government Center that included a maintenance and operation agreement. Pursuant to the agreement, every year the costs of maintenance of the Government Center are proposed and then split equally between the County and the City. For the period between January 1, 2017, and ending December 31, 2017, the total cost is \$683,298. Again, this is split equally, so the City’s share of the expenses is \$341,649. The amount is paid to the Commission on a semi-annual basis, specifically by June 30th and September 30th each year. A copy of the Budget Worksheet Report provided by the County outlining the detailed expenses is attached. The historic costs are as follows:

<u>YEAR</u>	<u>TOTAL COSTS</u>
<u>2012</u>	<u>\$767,271</u>
<u>2013</u>	<u>\$748,864</u>
<u>2014</u>	<u>\$748,418</u>
<u>2015</u>	<u>\$765,314</u>
<u>2016</u>	<u>\$671,790</u>
<u>2017</u>	<u>\$683,298</u>

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: This expense is included in the City’s FY 2018 Adopted Budget under Government Center-Repair/Maintenance Building (10015485-70510). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled “Proposed General Fund Budget” on page 298. Respectfully submitted for Council consideration.

Prepared by: Chris Tomerlin, Budget Analyst

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

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

David A. Hales
City Manager

Attachments:

- FIN 2B ATTACH Government Center Maintenance
- FIN 2C ATTACH Budget Worksheet Report

**ATTACHMENT NUMBER 15 TO THE AMENDMENT TO THE LEASE
AND OPERATION AND MAINTENANCE AGREEMENT
FOR THE CITY AND COUNTY OFFICE BUILDING**

Pursuant to the provisions of that certain AMENDMENT TO THE LEASE AND OPERATION AND MAINTENANCE AGREEMENT for the City and County Office Building, commonly known as the "Government Center," located at 115 East Washington Street, Bloomington, Illinois, dated November 20, 2001, between the undersigned parties, the City of Bloomington and the County of McLean agree to pay the Public Building Commission of McLean County for the period beginning January 1, 2017 and ending December 31, 2017, the sum of \$683,298.00.

The Public Building Commission of McLean County agrees to perform the operation, maintenance, upkeep, and safekeeping functions for the City and County Office Building for the one-year period beginning January 1, 2017, said functions being all pursuant to the provisions of Section III of the Lease, dated November 20, 2001.

The City of Bloomington and County of McLean agree to cause the necessary tax levies to be made to provide for the collection of the funds needed to pay the amount hereinabove set forth.

ATTEST:

APPROVED:

County Clerk,
Board of McLean County, Illinois

Chairman, Board of McLean County, Illinois
Executed: _____

ATTEST:

Approved:

Secretary,
Public Building Commission of McLean
County, Illinois

Chairman,
Public Building Commission of McLean
County, Illinois
Executed: _____

ATTEST:

Approved:

Clerk,
City of Bloomington, Illinois

Mayor,
City of Bloomington, Illinois
Executed: _____

Account	Account Description	2015 Adopted Budget	2015 Actual Amount	2016 Adopted Budget	2016 Amended Budget	2016 Actual Amount	2017 County Administrator	2017 County Board
Fund 0001 - GENERAL FUND								
REVENUE								
Department 0041 - FACILITIES MANAGEMENT								
Sub-Department 0115 - GOVERNMENT CENTER								
Transfer From PBC								
0450.0009	PBC Reimbursements	765,314.00	765,314.04	671,790.00	296,790.00	710,895.00	665,308.00	665,308.00
	Transfer From PBC Totals	\$765,314.00	\$765,314.04	\$671,790.00	\$296,790.00	\$710,895.00	\$665,308.00	\$665,308.00
	Sub-Department 0115 - GOVERNMENT CENTER Totals	\$765,314.00	\$765,314.04	\$671,790.00	\$296,790.00	\$710,895.00	\$665,308.00	\$665,308.00
	Department 0041 - FACILITIES MANAGEMENT Totals	\$765,314.00	\$765,314.04	\$671,790.00	\$296,790.00	\$710,895.00	\$665,308.00	\$665,308.00
	REVENUE TOTALS	\$765,314.00	\$765,314.04	\$671,790.00	\$296,790.00	\$710,895.00	\$665,308.00	\$665,308.00
EXPENSE								
Department 0041 - FACILITIES MANAGEMENT								
Sub-Department 0115 - GOVERNMENT CENTER								
Salaries								
0503.0001	FULL-TIME EMPLOYEES SAL.	263,169.00	254,687.03	197,028.00	197,875.00	200,820.72	203,442.00	203,442.00
0515.0001	PART-TIME EMPLOYEES SAL.	13,981.00	.00	.00	.00	.00	.00	.00
0516.0001	OCCASIONAL/SEASONAL EMP.	.00	.00	.00	.00	.00	17,990.00	17,990.00
0526.0001	OVERTIME PAY	18,750.00	11,523.35	18,750.00	18,750.00	15,804.05	18,750.00	18,750.00
	Salaries Totals	\$295,900.00	\$266,210.38	\$215,778.00	\$216,625.00	\$216,624.77	\$240,182.00	\$240,182.00
	Fringe Benefits							
0599.0002	EMPLOYEE MEDICAL/LIFE INS	47,880.00	47,880.00	52,184.00	52,184.00	52,184.00	38,748.00	38,748.00
	Fringe Benefits Totals	\$47,880.00	\$47,880.00	\$52,184.00	\$52,184.00	\$52,184.00	\$38,748.00	\$38,748.00
	Supplies							
0601.0001	CLOTHING/EMPLOYEES	461.00	138.00	452.00	452.00	133.00	200.00	200.00
0608.0001	GASOLINE/OIL/DIESEL FUEL	1,476.00	365.35	1,446.00	1,446.00	906.67	1,446.00	1,446.00
0620.0001	OPERATING/OFFICE SUPPLIES	1,845.00	1,344.76	1,808.00	1,808.00	.00	1,300.00	1,300.00
0621.0001	NON-MAJOR EQUIPMENT	3,765.00	1,361.19	3,690.00	3,690.00	800.99	1,500.00	1,500.00
0624.0001	CLEANING SUPPLIES	25,000.00	24,565.10	24,500.00	17,859.00	17,859.00	22,500.00	22,500.00
0625.0001	BLDG/GROUNDS/EQUIP.SUPPLY	17,000.00	18,926.98	16,660.00	16,660.00	21,497.22	16,660.00	16,660.00
	Supplies Totals	\$49,547.00	\$46,701.38	\$48,556.00	\$41,915.00	\$41,196.88	\$43,606.00	\$43,606.00
	Services							
0708.0001	PEST CONTROL SERVICES	1,000.00	964.33	980.00	980.00	980.23	980.00	980.00
0709.0001	GARBAGE DISPOSAL SERVICE	2,842.00	2,450.16	2,785.00	2,785.00	2,392.65	2,785.00	2,785.00
0742.0001	VEHICLE MAINT. REPAIR	.00	.00	.00	.00	624.53	.00	.00
0744.0001	MAINT.BLDGS/GROUNDS/EQUIP	46,000.00	63,073.29	100,950.00	95,950.00	52,972.77	90,950.00	90,950.00
0750.0001	EQUIPMENT MAINT. CONTRACT	19,129.00	17,398.07	13,479.00	13,479.00	23,023.87	16,935.00	16,935.00
0757.0002	EMPLOYEES MEDICAL EXPENSE	.00	79.00	.00	.00	.00	.00	.00
0790.0004	EQUIPMENT RENTAL	225.00	.00	4,721.00	4,721.00	.00	.00	.00
0793.0001	TRAVEL EXPENSE	250.00	53.47	245.00	245.00	.00	.00	.00
0795.0001	ELECTRIC SERVICE	185,000.00	197,982.84	165,000.00	194,650.00	245,196.75	190,000.00	190,000.00

Account	Account Description	2015 Adopted Budget	2015 Actual Amount	2016 Adopted Budget	2016 Amended Budget	2016 Actual Amount	2017 County Administrator	2017 County Board
Fund 0001 - GENERAL FUND								
EXPENSE								
Department 0041 - FACILITIES MANAGEMENT								
Sub-Department 0115 - GOVERNMENT CENTER								
Services								
0795.0002	GAS SERVICE	73,500.00	49,759.29	60,000.00	60,000.00	46,747.97	52,000.00	52,000.00
0795.0003	TELEPHONE SERVICE	1,441.00	1,986.06	1,412.00	1,412.00	2,132.53	1,412.00	1,412.00
0795.0004	WATER SERVICE	5,600.00	6,147.09	5,700.00	5,700.00	5,850.15	5,700.00	5,700.00
	Services Totals	\$334,987.00	\$339,893.60	\$355,272.00	\$379,922.00	\$379,921.45	\$360,762.00	\$360,762.00
Capital Assets								
0840.0001	PURCHASE OF VEHICLES	37,000.00	.00	.00	.00	.00	.00	.00
0850.0001	CAPITALIZED ASSETS	.00	35,063.00	.00	.00	.00	.00	.00
	Capital Assets Totals	\$37,000.00	\$35,063.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Department 0115 - GOVERNMENT CENTER Totals		\$765,314.00	\$735,748.36	\$671,790.00	\$690,646.00	\$689,927.10	\$683,298.00	\$683,298.00
Department 0041 - FACILITIES MANAGEMENT Totals		\$765,314.00	\$735,748.36	\$671,790.00	\$690,646.00	\$689,927.10	\$683,298.00	\$683,298.00
	EXPENSE TOTALS	\$765,314.00	\$735,748.36	\$671,790.00	\$690,646.00	\$689,927.10	\$683,298.00	\$683,298.00
Fund 0001 - GENERAL FUND Totals								
	REVENUE TOTALS	\$765,314.00	\$765,314.04	\$671,790.00	\$296,790.00	\$710,895.00	\$665,308.00	\$665,308.00
	EXPENSE TOTALS	\$765,314.00	\$735,748.36	\$671,790.00	\$690,646.00	\$689,927.10	\$683,298.00	\$683,298.00
Fund 0001 - GENERAL FUND Totals		\$0.00	\$29,565.68	\$0.00	(\$393,856.00)	\$20,967.90	(\$17,990.00)	(\$17,990.00)
Net Grand Totals								
	REVENUE GRAND TOTALS	\$765,314.00	\$765,314.04	\$671,790.00	\$296,790.00	\$710,895.00	\$665,308.00	\$665,308.00
	EXPENSE GRAND TOTALS	\$765,314.00	\$735,748.36	\$671,790.00	\$690,646.00	\$689,927.10	\$683,298.00	\$683,298.00
	Net Grand Totals	\$0.00	\$29,565.68	\$0.00	(\$393,856.00)	\$20,967.90	(\$17,990.00)	(\$17,990.00)

Fund 0001 General
Dept. 0041 Facilities Management
Prog. 0115 Government Center

<u>Acct</u>	<u>Grade</u>	<u>Class</u>	<u>Class Name</u>	<u>2015 FTE</u>	<u>2016 FTE</u>	<u>2017 FTE</u>	<u>2016 Budget</u>	<u>2017 Budget</u>
0503	7144	07	Building Maintenance Mech II	1.00	1.00	1.00	\$45,427	\$36,414
0503	7132	07	Custodial Supervisor	1.00	1.00	0.90	\$35,818	\$37,452
0503	7143	05	Building Maintenance Mechanic I	0.50	0.50	0.50	\$20,445	\$21,197
0503	7142	04	Building Maintenance Worker	0.50	0.50	0.50	\$14,342	\$15,030
0503	7131	03	Custodian	6.00	4.00	3.00	\$116,815	\$93,349
0515	7131	03	Custodian	0.50	0.00	0.00	\$0	\$0
0516	7131	03	Custodian	0.00	0.00	0.5	\$0	\$17,990
0526	0001		Overtime				\$18,750	\$18,750
Totals:				8.50	6.00	6.40	\$215,778	\$240,183



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of adopting a Resolution approving payment for Street Lighting Electrical Energy and Rental Charges through a Motor Fuel Tax (MFT) General Maintenance program.

RECOMMENDATION/MOTION: That the MFT Resolution and associated estimate of costs for a FY 2018 MFT General Maintenance program (18-00000-00-GM) for Street Lighting System electrical energy and rental charges be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: The City of Bloomington incurs costs for Ameren and Corn Belt Energy for street light electricity. On an annual basis, the City spends around \$1,300,000 on electrical costs associated with the City's street lights, with around \$800,000 coming from the Engineering Administration – Street Lights Electricity Budget and \$500,000 coming from Motor Fuel Tax funds.

MFT paid \$500,000 for street lighting electricity in FY 2017. MFT is budgeted to pay \$500,000 for street lighting in FY 2018. To allow the City to use MFT funds for street light electricity, the City must pass an MFT resolution, as is required of all state MFT spending.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The FY 2018 Proposed Budget includes \$500,000 budgeted in the Motor Fuel Tax – Electricity account (20300300-71320). Stakeholders can locate this in the FY 2018 Proposed Budget book titled "Proposed Other Funds Budget" on pages 10, 225, 228, and 235.

COMMUNITY DEVELOPMENT IMPACT: Not applicable

Link to Comprehensive Plan/Downtown Plan Goals: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Michael Hill, Public Works Administration

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

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

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

David A. Hales
City Manager

Attachments:

- PW 1B RESOLUTION Street Light Energy and Rental Charges
- PW 1C ESTIMATE Street Light Energy and Rental Charges



**Illinois Department
of Transportation**

**Resolution for Maintenance of
Streets and Highways by Municipality
Under the Illinois Highway Code**

BE IT RESOLVED, by the Council of the
(Council or President and Board of Trustees)
City Bloomington of Bloomington, Illinois, that there is hereby
(City, Town or Village) (Name)
appropriated the sum of \$500,000.00 of Motor Fuel Tax funds for the purpose of maintaining
streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2017
(Date)
to April 30, 2018.
(Date)

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Paris, Illinois.

I, Cherry Lawson Clerk in and for the City
(City, Town or Village)
of Bloomington, County of McLean

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by

the Council at a meeting on June 13, 2017
(Council or President and Board of Trustees) Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 14th day of June, 2017.

(SEAL) _____ City _____ Clerk
(City, Town or Village)

Approved _____ Regional Engineer Department of Transportation _____ Date
--



Submittal Type **Original**

Local Public Agency

City of Bloomington

County

McLean

Section

18-00000-00-GM

Maintenance Period
Beginning

05/01/17

Ending

04/30/18

Estimated Cost of Maintenance Operations

Maintenance Operation (No. and Description)	Maint. Eng. Group	Insp. Req.	For Group I, IIA, IIB or III					Est Total Operation Cost
			Item	Unit	Quantity	Unit Price	Item Cost	
Street Lighting System - Electrical Energy								
Rental Charges, Taxes	I	N				\$0.00	\$0.00	\$500,000.00
Add Row								Total Estimated Maintenance Operation Cost \$500,000.00

Estimated Cost of Maintenance Engineering

Preliminary Engineering	\$0.00
Engineering Inspection	\$0.00
Material Testing	\$0.00
Advertising	\$0.00
Bridge Inspections	\$0.00
Total Estimated Maintenance Engineering Cost	\$0.00

Maintenance Program Estimated Costs

	Estimated Cost	MFT Portion	Other Funds
Maint Oper	\$500,000.00	\$500,000.00	\$0.00
Maint Eng	\$0.00	\$0.00	\$0.00
Totals	\$500,000.00	\$500,000.00	\$0.00
Total Estimated Maintenance Cost			\$500,000.00

Submitted

Municipal Official

Date

Title

Approved

Regional Engineer

Department of Transportation

Date



CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving Ordinance directing the sale of surplus property at 809 E. Washington in the City of Bloomington

RECOMMENDATION/MOTION: That the Ordinance be approved directing the sale of surplus real estate at 809 E. Washington in the City of Bloomington, including to advertise and accept bids for sale of property, and to authorize the Mayor and City Clerk to execute the Ordinance.

STRATEGIC PLAN LINK: Goal #3 Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE: Goal #3 – Objective A: Retention and growth of current local businesses; Objective C: Revitalization of older commercial areas.

BACKGROUND: In 2016, the City acquired a residential property at 809 E. Washington in lieu of demolition costs. Community Development Block Grant funds in the amount of \$36,384.33 were utilized to demolish an abandoned, dilapidated house on the property in an effort to alleviate blighted conditions affecting the neighborhood. The City's Comprehensive Plan identifies the importance of encouraging development on "opportunity sites on the outskirts of Downtown" that can provide a link between Downtown and the surrounding neighborhoods (Page 109/Goal D-6 1.a). <http://www.cityblm.org/home/showdocument?id=12058>. The proximity of this property to Downtown can provide an opportunity to progress towards meeting this goal.

A recent property appraisal placed the current fair market value of the cleared property at \$25,000. The property is zoned B-1 allowing use for business or single-family dwelling only with Special Use. Staff will advertise the property for sale to the highest bidder with a minimum bid of 80% of the appraised value or \$20,000. By placing a minimum bid on the property, Community Development guarantees at least partial recovery of CDBG funds expended on this project which will provide additional funds for future housing and community development projects.

The process outlined in the Illinois Municipal Code, 65 ILCS 5/11-76-1, will be utilized for this sale. Section 11-76-1, authorizes the City to convey real estate when, in the opinion of the City Council, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or in the best interest of the City. To make a sale under Section 11-76-1, the following must occur: (i) the City Council must pass an ordinance by three-fourth vote directing the sale; (ii) the City must provide notice and go through the bidding process; (iii) the City Council must finally consider the bids and accept the high bid or any other bid deemed in the best interest of the City by a three-fourths vote. The City will provide, in accordance with the law, at least 30 days advanced published notice prior to opening the bids.

Approval of the ordinance directing the sale requires a three-fourths vote of the City Council (i.e., 8 votes).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable

FINANCIAL IMPACT: Sale of the property will generate additional program income for the Community Development Block Grant program. The sale will generate enough program income to fund 1-2 housing rehabilitation activities or 1 demolition activity. Additionally, the location and zoning of the property creates an opportunity for commercial development.

COMMUNITY DEVELOPMENT IMPACT: The additional program income will assist Community Development in reaching its 5-year goal of 100 housing activities and 30 demolition activities.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by: Tom Dabareiner, Community Development Director

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- CD 1B – ORDINANCE – 809 E. Washington
- CD 1C – APPRAISAL Including Maps – 809 E. Washington
- CD 1D – PROPOSED ADVERTISEMENT – 809 E. Washington
- CD 1E - PROPERTY ASSESSMENT SHEET – 809 E. Washington
- CD 1F – OVERHEAD STREET MAP – 809 E. Washington

ORDINANCE 2017 - ____

AN ORDINANCE DIRECTING THE SALE OF SURPLUS REAL ESTATE AT 809 E. WASHINGTON IN THE CITY OF BLOOMINGTON

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

WHEREAS, the City owns and holds title to a single family residential vacant lot at 809 E. Washington, Bloomington, Illinois, 61701, which is currently zoned B-1; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-76-1, authorizes the City to convey real estate when, in the opinion of the City Council, the real estate is no long necessary, appropriate, required for the use of, profitable to, or in the best interests of the City; and

WHEREAS, the City Council finds that the property at 809 E. Washington is no long necessary, appropriate, or required for the use of the City; and

WHEREAS, pursuant to Section 11-76-1, the City Council authorizes a notice of sale be published and that the property be sold in accordance with the law as such is in the best interests of the City.

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

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

SECTION 2. The City Council authorizes City staff to provide the necessary notice of sale and go through the bidding process, as well as take any and all necessary steps, for the sale of the surplus real property located at 809 E. Washington, Bloomington, Illinois, 61701 (PIN No. 21-04-434-004 and legally described as: DIMMETT’S 3RD ADDN W1/2 1 2). The property is currently a vacant lot and the City Council desires to put no conditions with respect to future use so long as it complies with the City’s Zoning Code. A minimum bid of \$20,000 shall be required.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 7. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this ____ day of June, 2017.

APPROVED this ____ day of June, 2017.

CITY OF BLOOMINGTON:

Tari Renner, Mayor

ATTEST:

Cherry L. Lawson, City Clerk

APPRAISAL OF



Land Appraisal

LOCATED AT:

809 E Washington St
Bloomington, IL 61701

FOR:

CITY OF BLOOMINGTON Community Development
115 E Washington Street
Bloomington, IL 61701

BORROWER:

Community Development

AS OF:

March 8, 2017

BY:

Charles G. Cresci
Certified Real Estate Appraiser

03/17/2017

Tony Brown
CITY OF BLOOMINGTON Community Development
115 E Washington Street
Bloomington, IL 61701

File Number: 809 E Washington

Dear Mr. Brown:

In accordance with your request, I have appraised the real property at:

809 E Washington St
Bloomington, IL 61701

The purpose of this appraisal is to develop an opinion of the market value of the subject property, as improved.
The property rights appraised are the fee simple interest in the site and improvements.

In my opinion, the market value of the property as of March 8, 2017 is:

\$25,000
Twenty-Five Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions,
final opinion of value, descriptive photographs, limiting conditions and appropriate certifications.

Respectfully submitted,



Charles G. Cresci
Certified Real Estate Appraiser
CRESCI APPRAISAL SERVICES

809 E Washington
File No. 809 E Washington

LAND APPRAISAL REPORT

The purpose of this appraisal report is to provide the lender/client with an accurate supported opinion of the market value of the subject property.

CLIENT AND PROPERTY IDENTIFICATION

Property Address: 809 E Washington StCity: BloomingtonState: ILZip: 61701

Borrower: Community DevelopmentOwner of Public Record: CITY OF BLOOMINGCounty: McLean

Legal Description: DIMMETT'S 3RD ADDN W1/2 1 2

Assessor's Parcel #: 21-04-434-004Tax Year: 2015R.E. Taxes: 2,422

Neighborhood Name: East BloomingtonMap Reference: 40.479508/-88.983751Census Tract: 0017.00

Special Assessments: 0PUD ☐ Yes ☒ No HOA: \$ 0☐ Per Year☐ Per Month

Property Rights Appraised: ☒ Fee Simple☐ Leasehold☐ Other (describe)

Assignment Type: ☐ Purchase Transaction☐ Refinance Transaction☒ Other (describe) Market Value

Lender/Client: CITY OF BLOOMINGTON Community DeveAddress: 115 E Washington Street, Bloomington, IL 61701

CONTRACT ANALYSIS

I ☐ did ☐ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.

Contract Price \$: Date of Contract: Is the property seller the owner of public record? ☐ Yes ☐ No Data Source(s)

Is there any financial assistance (loan charges, sale concessions, gift or down payment assistance, etc.) to be paid by any party on behalf of the borrower? ☐ Yes ☐ No

If Yes, report the total dollar amount and describe the items to be paid. \$

NEIGHBORHOOD DESCRIPTION

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location	☒ Urban ☐ Suburban ☐ Rural	Property Values	☐ Increasing ☒ Stable ☐ Declining	PRICE	AGE	One-Unit	75 %
Built-Up	☒ Over 75% ☐ 25-75% ☐ Under 25%	Demand/Supply	☐ Shortage ☒ In Balance ☐ Over Supply	\$(000)	(yrs)	2-4 Unit	5 %
Growth	☐ Rapid ☒ Stable ☐ Slow	Marketing Time	☐ Under 3 mths ☒ 3-6 mths ☐ Over 6 mths	75 Low	25	Multi-Family	10 %
Neighborhood Boundaries: The subject neighborhood is bordered to the north by Locust St, to the east by State St., to the south by Oakland Ave., to the west by Main Street.				200 High	115	Commercial	10 %
				150 Pred.	70	Other	0 %

	Good	Aver.	Fair	Poor		Good	Aver.	Fair	Poor
Convenience to Employment	☒	☐	☐	☐	Property Compatability	☐	☒	☐	☐
Convenience to Shopping	☐	☒	☐	☐	General Appearance of Properties	☐	☒	☐	☐
Convenience to Primary Education	☒	☐	☐	☐	Adequacy of Police/Fire Protection	☐	☒	☐	☐
Convenience to Recreational Facilities	☐	☒	☐	☐	Protection from Detrimental Conditions	☐	☒	☐	☐
Employment Stability	☐	☒	☐	☐	Overall Appeal to Market	☐	☒	☐	☐

Neighborhood Description: The subject is located in an older established mixed use neighborhood on the eastside of Bloomington, IL. It is a vacant lot zoned B-1 General Business District. The area is convenient to schools, recreation, shopping and centers of employment.

Market Conditions (including support for the above conclusions): Fixed rate and ARM financing is readily available for qualified borrowers. Rates have increased in the last few weeks. But rates remain very affordable. The area employment remains above average. Local market conditions are considered average. Typical marketing times are under 120 days. Neighborhood appeal is average. Typical sales do involve seller paid concessions. Supply and demand of similar lots appear to be in balance.

SITE DESCRIPTION

Dimensions: 30 x 115Area: 3450☐ Acres ☒ Sq.FtShape: RectangularView: Residential

Zoning Classification: B-1Zoning Description: Business District

Zoning Compliance: ☒ Legal☐ Legal Nonconforming (Grandfathered Use)☐ No Zoning☐ Illegal (describe)

Uses permitted under current zoning regulations: Residential & Commercial

Highest & Best Use: Single Family Residential

Describe any improvements: Vacant lot with access to all city utilities.

Do present improvements conform to zoning? ☐ Yes☐ No☒ No improvementsIf No, explain:

Present use of subject site: Vacant lotCurrent or proposed ground rent? ☐ Yes ☒ NoIf Yes, \$

Topography: Generally LevelSize: TypicalDrainage: Appears Adequate

Corner Lot: ☐ Yes ☒ NoUnderground Utilities: ☒ Yes☐ NoFenced: ☐ Yes ☒ NoIf Yes, type:

Special Flood Hazard Area ☐ Yes ☒ NoFEMA Flood Zone: XFEMA Map #: 17113C0501EFEMA Map Date: 07/16/2008

UTILITIES	Public	Other	Provider or Description	Off-Site Improvements	Type/Description	Public	Other
Electricity	☒	☐	Ameren	Street Surface	Concrete	☒	☐
Gas	☒	☐	NI Gas	Street Type/Influence	Four Lane		
Water	☒	☐	City of Bloomington	Curb/Gutter	Concrete	☒	☐
Sanitary Sewer	☒	☐	City of Bloomington	Sidewalk	Concrete	☒	☐
Other	☐	☐		Street Lights	Yes	☒	☐
Other	☐	☐		Alley	Yes	☒	☐

Are the utilities and off-site improvements typical for the market? ☒ Yes☐ NoIf No, describe:

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ NoIf Yes, describe:

There are no apparent adverse easements, encroachments or special assessments. The subject is vacant. The subject has all city utilities available.

Site Comments: The subject is zoned B-1. The highest and best use is most likely a single family residence or duplex. It is not large enough to support a commercial property.

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LAND APPRAISAL REPORT

809 E Washington
File No. 809 E Washington

There are 7 comparable sites currently offered for sale in the subject neighborhood ranging in price from \$ 9,000 to \$ 49,900 .
There are 7 comparable sites sold in the past 12 months in the subject neighborhood ranging in sale price from \$ 5,000 to \$ 60,000 .

COMPARABLE SALES									
FEATURE		SUBJECT		COMPARABLE SALE NO. 1		COMPARABLE SALE NO. 2		COMPARABLE SALE NO. 3	
Address 809 E Washington St				903 S Wright St		1307 W Taylor St		1213 Hillcrest Street	
City/St/Zip Bloomington, IL 61701				Bloomington, IL 61701		Bloomington, IL 61701		Normal, IL 61761	
Proximity to Subject				0.75 miles SW		1.35 miles SW		1.23 miles NW	
Data Source(s)		Inspection		BN/MLS #2150644		BN/MLS #2154028		BN/MLS #2160069	
Verification Source(s)		Public Record		PCL #21-09-208-002		PCL #21-05-452-015		PCL #14-33-280-014	
Sale Price		\$		\$ 15,000		\$ 34,000		\$ 55,000	
Price/		\$ 0.00		\$ 230.77		\$ 680.00		\$ 5.63	
Date of Sale (MO/DA/YR)				03/12/2015		11/14/2015		04/06/2016	
Days on Market				DOM 7		DOM 0		DOM 89	
Financing Type				Conventional		Cash		Cash	
Concessions				None		None		None	
Location		Urban/AbvAvg		Urban/Inferior		Urban/Inferior		N;Urban;	
Property Rights Appraised		Fee Simple		Fee Simple		Fee Simple		Fee Simple	
Site Size		30x115		65x115		50x155		9,762	
View		Residential		Residential		Residential		Res;	
Topography		Gen Level		Gen Level		Gen Level		Gen Level	
Available Utilities		All City Utils		All City Utils		All City Utils		All City Utils	
Street Frontage		30'		65'		50'		84'	
Street Type		Four Lane		Two Lane		Two Lane		Two Lane	
Water Influence		None		None		None		None	
Fencing		None		None		None		None	
Improvements		None		None		None		Gazebo/Pond	
Net Adjustment (Total, in \$)				☒ + ☐ -		\$ 7,000		☐ + ☒ -	
Adjusted sales price of the				Net Adj. 033.3%		Net Adj. 029.4%		Net Adj. 809.9%	
Comparable Sales (in \$)				Gross Adj. 633.3%		\$ 22,000		Gross Adj. 809.9%	
						\$ 41,000		\$ 45,000	

The Appraiser has researched the transfer history of the subject property for the past 3 years and the listing history of the subject for the past 12 months prior to the effective date of this appraisal.
The appraiser has also researched the transfer and listing history of the comparable sales for the past 12 months.

The appraiser's research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of the appraisal.
Data Sources: Public Record & BN/MLS
The appraiser's research ☐ did ☒ did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.
Data Sources: Public Record & BN/MLS
The appraiser's research ☐ did ☒ did not reveal any prior listings of the subject property or comparable sales for the year prior to the effective date of the appraisal.
Data Sources: Public Record & BN/MLS

Listing/Transfer History (if more than two, use comments section or an addendum.)	Transfer/Sale (ONLY) of the Subject in past 36 months:		Listing and Transfer history of Comp 1 in past 12 months:		Listing and Transfer history of Comp 2 in past 12 months:		Listing and Transfer history of Comp 3 in past 12 months:	
	\$		\$		\$		\$	
	\$		\$		\$		\$	

Subject Property Is Currently Listed For Sale? ☐ Yes ☐ No Data Source:				
Current Listing History	List Date	List Price	Days on Market	Data Source
		\$		
Subject Property has been listed within the last 12 Months? ☒ Yes ☐ No Data Source:				
12 Month Listing History	List Date	List Price	Days on Market	Data Source
		\$		
		\$		

Comments on Prior Sales/Transfers and Current and Prior Listings: The subject property has not sold in the past 36 months. All previous sales of the comparable properties have been reported. All sales appear to reflect arms length transactions for the period which the sale occurred.

Summary of the Sales Comparison Approach: All comparables are found in other existing neighborhoods in Bloominto/Normal, IL. The comparables are older sales. However, their sale prices still reflect today's market, so no time adjustments are necessary. After adjustments are made the comparables provide a good basis for an estimate of value. Most weight is applied to Comparable #1.

Reconciliation Comments: The greatest weight is applied to the Sales Comparison Approach. It provides the best indication to market value. The Cost Approach is not developed in a Loand Appraisal. The Income Approach was not developed due to the lack of market data.

This appraisal is made ☒ "as is", or ☐ subject to the following conditions or inspections: The appraisal is made with the subject in "as is" condition. There is no personal property included in the final estimate of value.

Based on a complete visual inspection of the subject site and those improvements upon said site, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of market value, as defined, of the real property that is the subject of this report is:
Opinion of Market Value: \$ 25,000 , as of: 01/10/2017 , which is the date of inspection and the effective date of this appraisal.

809 E Washington

File No. 809 E Washington

LAND APPRAISAL REPORT

PRODUCT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)?

☐ Yes

☐ No

Unit type(s):

☐ Detached

☐ Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal Name of Project: _____

Total number of phases: _____

Total number of units: _____

Total number of units sold: _____

Total number of units rented: _____

Total number of units for sale: _____

Data source(s): _____

Was the project created by the conversion of existing building(s) into a PUD?

☐ Yes

☐ No

If Yes, date of conversion: _____

Does the project contain any multi-dwelling units?

☐ Yes

☐ No

Data Source: _____

Are the units, common elements, and recreation facilities complete?

☐ Yes

☐ No

If No, describe the status of completion: _____

Describe common elements and recreational facilities: _____

CERTIFICATIONS AND LIMITING CONDITIONS

This report form is designed to report an appraisal of a parcel of land which may have some minor improvements but is not considered to be an "improved site". All improvements are considered to be of relatively minor value impact on the overall value of the site. This report form is not designed to report on an "improved site" where significant value is derived from the improvements. This appraisal report form may be used for single family, multi-family sites and may be included within a PUD development.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions and certifications. The appraiser must, at a minimum; (1) perform a complete visual inspection of the subject site and any limited improvements, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions and conclusions in this appraisal report.

INTENDED USE: The intended use of the appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this report is the lender/client identified within the appraisal report.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what they consider their own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale. (Source: OCC, OTS, FRS, & FDIC joint regulations published June 7, 1994)

* Adjustments to the comparables must be made for special or creative concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1.

The appraiser will not be responsible for matters of a legal nature that affect the subject property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title

2.

The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

3.

The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question unless specific arrangements to do so have been made beforehand, or as otherwise required by law.

4.

The appraiser has noted in this appraisal report any adverse conditions (such as the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the subject property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties express or implied. The appraiser will not be responsible for any such conditions that do exist or for the engineering or testing that might be required to discover whether such condition exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal must not be considered as an environmental assessment of the property.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1.

I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.

2.

I performed a complete visual inspection of the subject site and any limited improvements. I have reported the information in factual and specific terms. I identified and reported the deficiencies of the subject site that could affect the utility of the site and its usefulness as a building lot(s).

3.

I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of the Appraisal Foundation and that were in place at the time this appraisal report was prepared.

4.

I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them unless indicated elsewhere within this report as there are no or very limited improvements and these approaches to value are not deemed necessary for credible result and/or reliable indicators of value for this appraisal assignment.

5.

I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.

6.

I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of the sale of the comparable sale, unless otherwise indicated in this report.

7.

I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.

8.

I have not used comparable sales that were the result of combining multiple transactions into reported sales

9.

I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.

10.

I have verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.

11.

I have knowledge and experience in appraising this type of property in this market area.

12.

I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.

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LAND APPRAISAL REPORT

809 E Washington
File No. 809 E Washington

CERTIFICATIONS AND LIMITING CONDITIONS (continued)

13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believed to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).
22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.
23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.
24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature", as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.
25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature", as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

SIGNATURES

APPRAISER

Signature 
 Name Charles G. Cresci
 Company Name Cresci Appraisal Services, Inc.
 Company Address 221 E Front St Suite 2
Bloomington, IL 61701
 Telephone Number 309-275-5561
 Email Address ccresci@aol.com
 Date of Signature and Report 05/24/2017
 Effective Date of Appraisal 01/10/2017
 State Certification # 556.001188
 or State License # _____
 or Other (describe) _____ State # _____
 State IL
 Expiration Date of Certification or License 09/30/2017

ADDRESS OF PROPERTY APPRAISED

809 E Washington St
Bloomington, IL 61701
 APPRAISED VALUE OF SUBJECT PROPERTY \$ 25,000
 LENDER/CLIENT
 Name Tony Brown
 Company Name CITY OF BLOOMINGTON Community Development
 Company Address 115 E Washington Street
Bloomington, IL 61701
 Email Address tbrown@cityblm.org

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

SUBJECT PROPERTY

- ☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
 Date of Inspection _____

COMPARABLE SALES

- ☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
 Date of Inspection _____

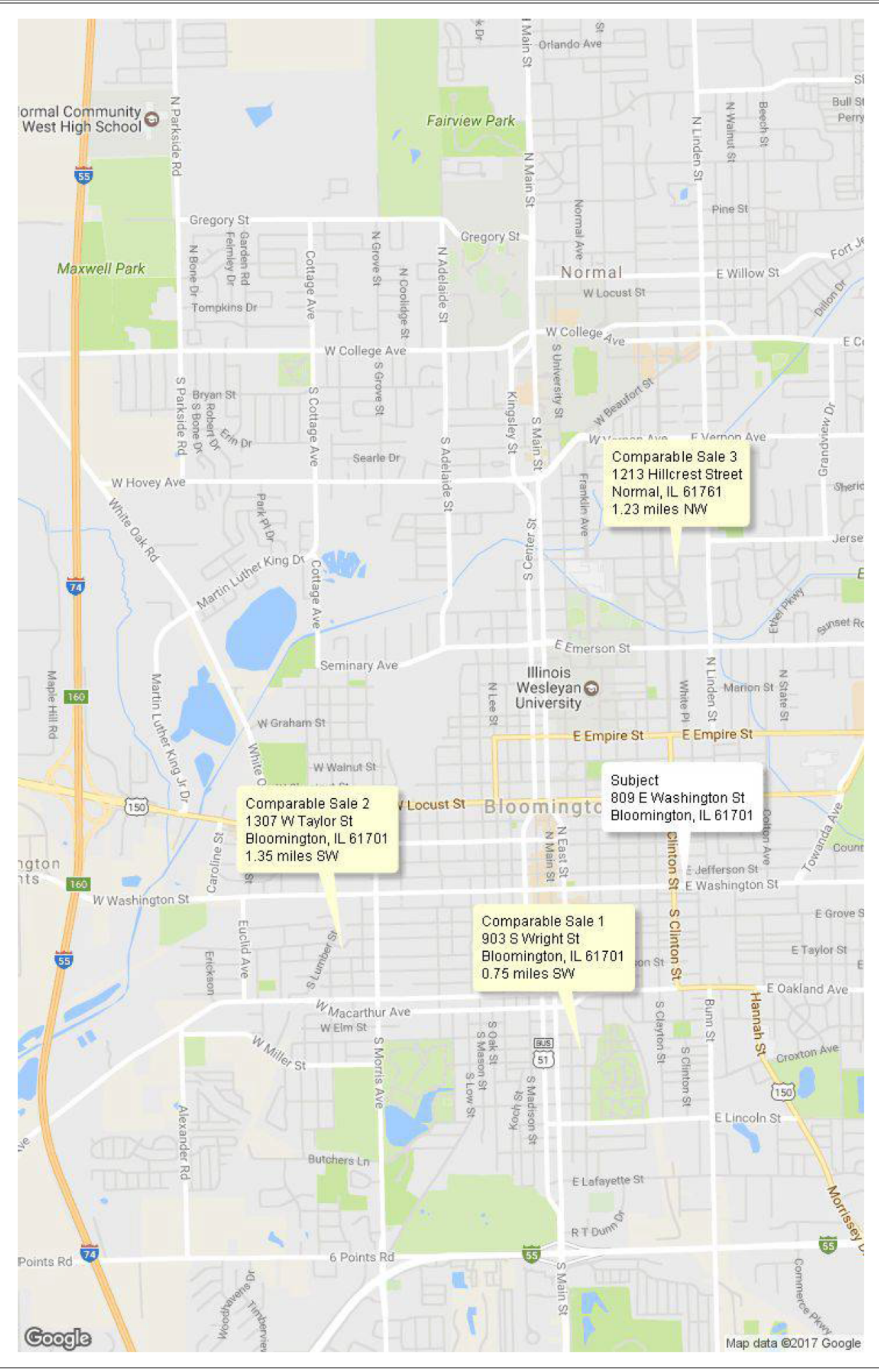
AERIAL MAP

Borrower: Community Development	File No.: 809 E Washington
Property Address: 809 E Washington St	Case No.: 809 E Washington
City: Bloomington	State: IL
Lender: CITY OF BLOOMINGTON Community Development	Zip: 61701



LOCATION MAP

Borrower: Community Development	File No.: 809 E Washington
Property Address: 809 E Washington St	Case No.: 809 E Washington
City: Bloomington	State: IL
Lender: CITY OF BLOOMINGTON Community Development	Zip: 61701



SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Community Development		File No.: 809 E Washington
Property Address: 809 E Washington St		Case No.: 809 E Washington
City: Bloomington	State: IL	Zip: 61701
Lender: CITY OF BLOOMINGTON Community Development		



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: March 8, 2017
Appraised Value: \$ 25,000



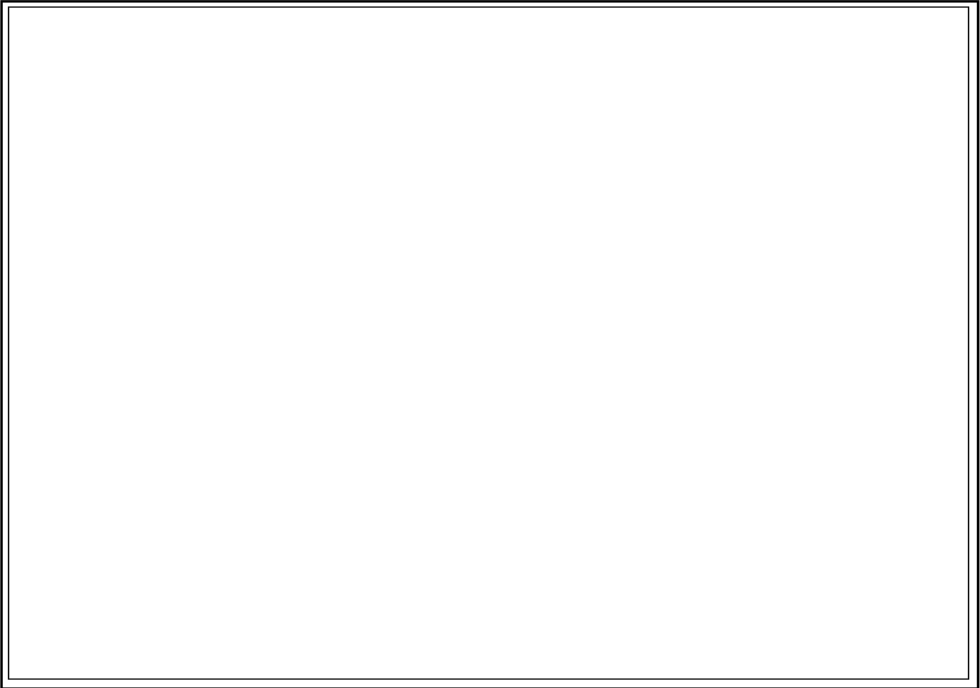
REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

COMPARABLE PROPERTY PHOTO ADDENDUM

Borrower: Community Development		File No.: 809 E Washington
Property Address: 809 E Washington St		Case No.: 809 E Washington
City: Bloomington	State: IL	Zip: 61701
Lender: CITY OF BLOOMINGTON Community Development		



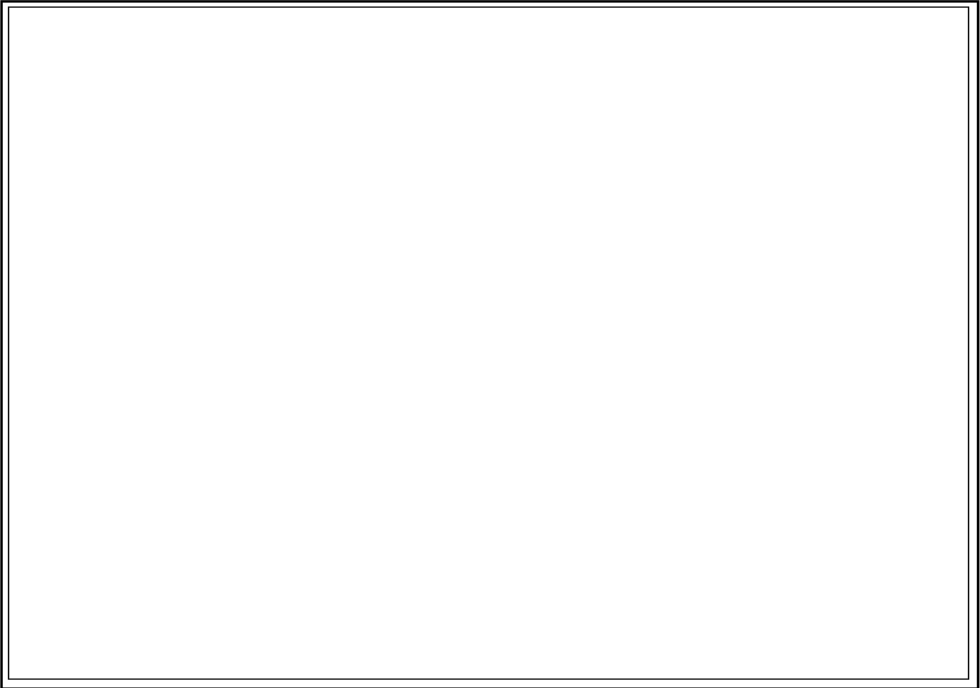
COMPARABLE SALE #1

903 S Wright St
Bloomington, IL 61701
Sale Date: 03/12/2015
Sale Price: \$ 15,000



COMPARABLE SALE #2

1307 W Taylor St
Bloomington, IL 61701
Sale Date: 11/14/2015
Sale Price: \$ 34,000



COMPARABLE SALE #3

1213 Hillcrest Street
Normal, IL 61761
Sale Date: 04/06/2016
Sale Price: \$ 55,000

Borrower: Community Development		File No.: 809 E Washington	
Property Address: 809 E Washington St		Case No.: 809 E Washington	
City: Bloomington		State: IL	Zip: 61701
Lender: CITY OF BLOOMINGTON Community Development			



Vacant lot offered for sale by the City of Bloomington.

809 E. Washington, Bloomington

Zoned: B-1; Recent Appraisal / Minimum Bid of \$20,000

Property is sold AS IS.

Bid sheets are available at the City's Clerk's Office, 109 E. Olive St, Bloomington as of June 16, 2017. All sealed bids are due to the City Clerk's Office by 2:00 pm on Wednesday, July 22, 2017. Bid opening is at City Clerk's Office at 2:00 pm Wednesday, July 22, 2017. Sale to the highest bidder, pending City Council approval.

Contact Jennifer Toney @ 309-434-2342 or jtoney@cityblm.org for more information.

NOTE: The above notice will be placed in the Pantagraph on June 16, June 23 and June 30.

Assessment Data

[Ownership History](#)
[Assessment History](#)
[Permit History](#)
[Property Characteristics](#)
[Picture](#)
[New Search](#)
[Home](#)

ID: **44 21-04-434-004**
 Name: **CITY OF BLOOMINGTON**
 Address 1: **ATTN CITY CLERK**
 Address 2: **109 E OLIVE**
 City, St., Zip: **BLOOMINGTON , IL , 61701**

Prop. Address	809 E WASHINGTON		
Sale Date	9/2/2004	Adjustment	0
Sale Price	75700	Adj. Sales Price	75700
Updated	8/10/2016 2	Adj.Ratio	66.24
Use Code	R 0040	Flag	7
School Dis	087	Financing	1
Tax Code	4001	Sale Use	5
Current Tax Rate	0.0838037	Document	04/30864
Current EAV	17162	Deed	16/14246
NH	35	Previous SD	1/27/2004
Assmt Year	2016B/R	Previous SP	63272
Land	3024	Previous Ratio	79.26
Farmland	0	Homestead	0
Building	14138	Senior	0
Farm Bldg	0	Frozen Amount	0
Total	17162	HIE	N/A 0
Permit Date	10/7/1994	Permit Number	M9401290
Permit Amount	1600	Permit For	VINYL SIDING VYNIL
Comment	8/10/16-JUDICIAL DEED-ABANDONED HOME		
Reason for change	BOARD OF REVIEW		
Legal	DIMMETT'S 3RD ADDN W1/2 1 2		

Reports

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809 E. WASHINGTON (PRE-DEMOLITION)



CONSENT AGENDA ITEM NO. 7J

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of:

- A. Approving a Budget Amendment Ordinance for Fiscal Year 2018 with Otto Baum Company, Inc. for masonry repairs at Fire Stations #2, #4 and Headquarters.
- B. Approving a Resolution for a Change Order to an existing contract with Otto Baum Company, Inc.

RECOMMENDATION/MOTION: That the Budget Amendment Ordinance and a Resolution approving a Contract Amendment with Otto Baum Company, Inc. for masonry repairs at Fire Stations #2, #4 and Headquarters, (BID 2017-30) in the amount of \$11,657.50, and authorize the Mayor and City Clerk to execute the Ordinance and Resolution; and the City Manager and City Clerk to execute the contract change order documents.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services
Goal 2. Upgrade City Infrastructure and Facilities

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

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

BACKGROUND: Both the Faithful-Gould and the Five Bugles Design studies have reported that many of the City's fire stations are in need of significant masonry repair including tuck pointing, sealing and replacement of failed bricks. A project to perform masonry repairs at Fire Stations #2, #4 and Headquarters was bid on January 31, 2017 and Council approved a contract for the work at their March 27, 2017 meeting. Although staff conducted visual inspections of the existing brick for the original bid, additional damaged bricks were discovered during the restoration work. As existing damaged bricks are removed for replacement, adjacent bricks with no visible indication of damage are crumbling. To obtain a more accurate quantity of damaged bricks, Otto Baum crews performed close visual and sounding tests of the remaining bricks. The attached Request for Change Order #01 includes this accurate quantity. Staff recommend approving an ordinance amending budget FY2018 for masonry repairs at Fire Stations #2, #4 and Headquarters, (BID 2017-30) in the amount of \$11,657.50, and a resolution approving the Contract Change Order so that all damaged bricks are replaced at the indicated Fire Stations. The completed masonry repairs provide a well maintained facility which enables the Fire Department to provide ongoing quality customer service.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The original work was advertised in the Pantagraph on January 31, 2017. A pre-bid meeting was held on February 8, 2017 with 12 masonry repair/restoration businesses in attendance. A bid opening was held on February 23, 2017 at 2:00 pm in City Hall.

FINANCIAL IMPACT: The original Contract award amount was \$89,880.00 and the revised contract value will be \$101,537.50. The additional \$11,657.50 is available in the FY 2018 Budget under Fire-Other Miscellaneous Expenditures (10015210-79990). This budget will be lowered by the \$11,657.50. The General Fund Transfers-To Capital Improvement account (10019180-89410) will be increased by \$11,657.50 and a transfer will be recorded to the Capital Improvement-Transfer in from General Fund account (40100100-85100). The additional expense will come from the Capital Improvement-Buildings account (40100100-72520). A table is provided detailing the changes and is included as an exhibit. Stakeholders can locate the \$11,657.50 in the Fire Department budget in the FY 2018 Proposed Budget Book titled "Proposed General Fund Budget" on page 261.

COMMUNITY DEVELOPMENT IMPACT: Not applicable

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, Facilities Manager
Eric Vaughn, Deputy Chief of Administration

Reviewed by: Brian M. Mohr, Fire Chief

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- BFD 1D ORDINANCE
- BFD 1E EXHIBIT
- BFD 1B RESOLUTION
- BFD 1C CO REQUEST

ORDINANCE NO. 2017 –

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2018**

WHEREAS, on April 10, 2017 by Ordinance Number 2017-26, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2018, which Ordinance was approved by Mayor Tari Renner on April 11, 2017; and

WHEREASE, a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 2017-26 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2018) is further hereby amended by inserting the following line item and amount presented in Exhibit #1 in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2017-26 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2017-26.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED the 12th day of June 2017.

APPROVED the ____ day of June 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

APPROVED AS TO FORM

Cherry L. Lawson
City Clerk

Jeffrey R. Jurgens
Corporation Counsel

FY 2018 Budget Amendment-Exhibit

Account #	Fund	Account Description	Amount	Comments
10015210-79990	General	Other Miscellaneous Expense	\$ (11,657.50)	
10019180-89410	General	To Capital Improvement Fund	\$ 11,657.50	
TOTAL GENERAL FUND ADJUSTMENT:			\$ -	
40100100-85100	Capital Improvement	Transfer in from General Fund	\$ (11,657.50)	
40100100-72520	Capital Improvement	Buildings	\$ 11,657.50	
TOTAL CAPITAL IMPROVEMENT FUND ADJUSTMENT :			\$ -	
Net Transaction:			\$ -	

RESOLUTION NO. 2017-

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$11,657.50 ASSOCIATED WITH THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND OTTO BAUM COMPANY, INC. (P.O. 2017-0564)

WHEREAS, the City of Bloomington has previously authorized a contract with Otto Baum Company, Inc. for the Fire Station tuck pointing and sealing; and

WHEREAS, for the reasons set forth in the June 12, 2017 memo it was necessary to increase the quantity of damaged bricks in need of replacement; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the June 12, 2017 memo is germane to the original contract as signed and is in the best interest of the City of Bloomington and authorized by law.

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

That a change order in the amount of \$11,657.50 in the contract between the City of Bloomington and Otto Baum Company, Inc. be approved.

PASSED this 12th day of June, 2017.

APPROVED this ____ day of June, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry Lawson, C.M.C., City Clerk

APPROVED AS TO FORM:

Jeffrey R. Jurgens, Corporation Counsel



REQUEST FOR CHANGE ORDER #01

866 N. MAIN STREET MORTON, IL 61550
Ph. 309/266-7114 - FAX 309/263-1050

Revised

DATE:

May 23, 2017

BID: We hereby propose to furnish material & labor to complete the work outlined herein for the sum of:

To:

Mr. Russ Waller
Facility Manager
City of Bloomington

\$ **11,657.50**

Email: rwaller@cityblm.org

We hereby submit bid for:

**PROJECT: Bloomington Fire Stations #1, #2, & #4
Additional Masonry Repairs**

REASON FOR CHANGE:

It has been discovered at Fire Station #1 that there is an additional 300 total cracked and spalled brick that need to be replaced, twenty-five (25) spalled and cracked brick total at Fire Stations #2 and #4 that need to be replaced, and an additional fifty (50) square feet total of brick tuckpointing that needs to be performed at Fire Stations #2 and #4. We propose to perform these repairs at the unit cost per item per the contract documents.

CHANGE ORDER SCOPE INCLUDES:

ADD:

- Fire Station #1 Additional Brick Replacement
300 brick @ \$33.50 ea brick \$ 10,050.00

ADD:

- Fire Stations #2 & #4 Additional Brick Replacement
25 brick @ \$33.50 ea brick \$ 837.50

ADD:

- Fire Stations #2 & #4 Additional Brick Tuckpointing
50 SF @ \$15.40 ea sf \$ 770.00

Total

\$ 11,657.50

EXCLUDES:

- None

CLARIFICATIONS:

- Additional work will add four (4) weeks to schedule to perform the additional repairs.

CONTRACTOR'S GUARANTEE		ACCEPTANCE OF BID	
We guarantee all material used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. Any variations from plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.		The above specification, terms and contract are satisfactory, and I (We) hereby authorize the performance of this work. BY (please print):	
DATE: 05/23/17	SIGNED:  Carl Cole carlcole@ottobaum.com	DATE:	SIGNED:

This contract is void 30 days from date unless signed and returned to bidder.

WE COMPLY WITH ALL WORKMAN'S COMPENSATION & PROPERTY DAMAGE LIABILITY INSURANCE LAWS

All information contained herein is confidential and proprietary.



CONSENT AGENDA ITEM NO. 7K

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving an Ordinance Amending the Fiscal Year 2018 Budget to adjust the Bloomington Center for the Performing Arts (BCPA), Empire Street Corridor TIF District and the Downtown-Southwest TIF District.

RECOMMENDATION/MOTION: Council approve Ordinance Amending the Fiscal Year Budget, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: The first budget amendment is moving BCPA “in kind” services budgeted funds from period 12 to period 13 by eliminating the budgeted revenue and expenditure associated with these services. Period 13 is used for Governmental Accounting Standard Board reporting and period 12 is used for budgetary reporting. The main reason for this change is to be able to remove the “in kind” services on budgetary reports but recognize “in kind” services in period 13 for audit purposes. In-kind services are contributions of goods or services, other than cash, that must be recognized during the audit.

The Empire Street Corridor TIF District has very specific requirements that must be met and reviewed for all expenditures that are recorded in the specific fund for this TIF district. There are currently some budgeted expenditures in the Economic Development budget that after review, should be included in the Empire Street Corridor TIF District budget. The revenue that is projected to be earned through incremental property taxes from the Empire Street Corridor TIF District and an agreed upon portion of the City’s Home Rule and 1% State Sales tax from the redevelopment of the Colonial Plaza Shopping Center (now Empire Crossing) TIF project need to be added.

The Downtown-Southwest TIF District was not included in the original approved FY 2018 budget but will have activity in this fiscal year. Revenue from the incremental property taxes are projected to start in FY 2019 but expenditures to further induce development interest within this area and make improvements to public infrastructure began in FY 2017. FY 2018 is being adjusted to add projected expenditures.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If the budget amendments and ordinance are approved, the General Fund will have a net zero dollar impact. The Empire Street Corridor TIF will increase revenues by \$29,962.85 from projected incremental property tax which will help offset incurred expenses and lessen this fund’s current deficit balance. The Downtown-Southwest TIF District will increase expenses by \$60,000 and increase the negative fund balance but this will likely only be a temporary

deficit that will be offset in future years by the incremental property tax generated in this TIF District.

See Exhibit 1C for detailed account numbers and descriptions.

COMMUNITY DEVELOPMENT IMPACT: N/A

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

NUMBER OF REQUIRED VOTES TO APPROVE ITEM:

Respectfully submitted for Council consideration.

Prepared by: Carla A. Murillo, Budget Manager
Austin Grammer, Economic Development Coordinator

Reviewed by: Paulette Hurd, Chief Accountant

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- FIN 1B ORDINANCE FY18 Budget Amendments
- FIN 1C EXHIBIT FY18 Budget Amendments

ORDINANCE NO. 2017 –

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2018**

WHEREAS, on April 10, 2017 by Ordinance Number 2017-26, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2018, which Ordinance was approved by Mayor Tari Renner on April 11, 2017; and

WHEREASE, a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 2017-26 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2018) is further hereby amended by inserting the following line item and amount presented in Exhibit 3A in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2017-26 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2017-26.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED the 12th day of June 2017.

APPROVED the ____ day of June 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

APPROVED AS TO FORM

Cherry L. Lawson
City Clerk

Jeffery R. Jurgens
Corporation Counsel

FY 2018 Budget Amendment-Exhibit 1C

Account #	Fund	Account Description	Amount	Comments
10014125-57390-20000	General	Other Contributions	\$ 240,777.00	
10014125-70610-20000	General	Advertising	\$ (240,777.00)	
10019170-79070	General	Rebates	\$ (233,310.00)	
10010010-50010	General	State Sales Tax	\$ 66,660.00	
10010010-50014	General	Home Rule Sales Tax	\$ 166,650.00	
		TOTAL GENERAL FUND ADJUSTMENT:	\$ -	
25105100-50190	Empire Street Corridor TIF	Property Tax	\$ (24,824.12)	
25105100-50190-32001	Empire Street Corridor TIF	Property Tax	\$ (5,138.73)	
25105100-50010-32001	Empire Street Corridor TIF	State Sales Tax	\$ (66,660.00)	
25105100-50014-32001	Empire Street Corridor TIF	Home Rule Sales Tax	\$ (166,650.00)	
25105100-79070-32001	Empire Street Corridor TIF	Rebate Colonial	\$ 233,310.00	
		TOTAL EMPIRE STREET CORRIDOR TIF ADJUSTMENT :	\$ (29,962.85)	
25205200-70010	Downtown Southwest TIF	Outside Legal Services	\$ 10,000	
25205200-70220	Downtown Southwest TIF	Other Professional Services	\$ 50,000	
		TOTAL DOWNTOWN SOUTHWEST TIF ADJUSTMENT :	\$ 60,000.00	
		Net Transaction:	\$ 30,037.15	



CONSENT AGENDA ITEM NO. 7L

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of an Ordinance approving the Petition to Rezone 611 N. Lee Street from GAP-3, Iconic House and Manor to GAP-3 with the S-4 Historic Preservation District Overlay.

RECOMMENDATION/MOTION: That an Ordinance approving the Petition to Rezone 611 N. Lee Street from GAP-3, Iconic House and Manor to GAP-3 with the S-4 Historic Preservation District Overlay be adopted and that the Mayor and the City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 4: Strong Neighborhoods; Goal 6: Great Place—Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: Objective 4b—Upgraded quality of older housing stock; Objective 4c—Preservation of property/home valuations; Objective 4e—Strong partnerships with residents and neighborhood associations; Objective 4f—Residents increasingly sharing/taking responsibility for their homes and neighborhoods; Objective 6e—more attractive city: commercial areas and neighborhoods.

BACKGROUND: 611 N. Lee Street is located south of W. Locust St, east of N. Roosevelt Ave, and north of W. Mulberry St on Bloomington's west side in the Gridley Allin and Prickett (GAP) neighborhood. The property is approximately 9,009 square feet and improved with a two and a half story, modest Queen Anne home, built c.1895. The residence was built by German immigrant and entrepreneur Henry Behr. Mr. Behr owned a grocery store on Chestnut Street near the rail yard. Mr. Behr was involved in a number of civic and philanthropic organizations, including the McLean County Historic Society and the Bureau of Social Service. He was friends with local architect George Miller and Florence Fifer Bohrer, daughter of Illinois Governor Joseph W. Fifer.

The home was first constructed in 1886 with a later addition occurring in 1897. The home is designed in the Queen Anne style, popular between 1880-1910, and representative early 20th century affordable homes. Queen Anne influences are particularly noticeable from the homes turret, asymmetrical massing, decorative porches and monumental chimney. The home also has intricate details such as decorative windows, doors and trim that are visible at arm's length and add to its overall visual character. A number of similar style homes existed in this neighborhood at the beginning of the 20th Century but have since lost their historic character. The home was restored to its original appearance in 2000 by David Beich. Its wooden siding was rehabilitated and porch spindles and railings were replaced with historically appropriate designs. 611 N. Lee Street represents a Bloomington working class home from the late 1880s; designating it with the S-4 zoning will ensure future generations are able to share in the notable accomplishments and craftsmanship of Bloomington's past.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This petition went before the Historic Preservation Commission for review on Thursday, April 20, 2017. No Citizens spoke in favor of the case; no one spoke in opposition. The Historic Preservation Commission unanimously passed a resolution recommending the recognition of 611 N. Lee Street as part of the Historic Preservation District, S-4 zoning, by vote 7-0. This petitioner went before the Planning Commission for a public hearing on Wednesday, May 10, 2017. No citizens, outside of the property owner, spoke in favor of the case; no one spoke in opposition. The Planning Commission recommended approval of the petition to designate 611 N. Lee Street with the S-4 Historic Designation Zoning Overlay by unanimous vote 6-0. Public notice was published in the Pantagraph on April 24, 2017 in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 29 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: While no direct financial impact is anticipated, Historic Preservation is a tool that can stabilize and improve property values, strengthen neighborhood and city identity, and foster civic pride and economic revitalization.

COMMUNITY DEVELOPMENT IMPACT: *Link to Comprehensive Plan Goals:*

This property is located within the City's Regeneration Area identified in the Neighborhoods Chapter of the Bloomington Comprehensive Plan (pg. 47). This neighborhood is traditionally a working class neighborhood comprised of affordable family housing. The Plan recognizes rehabilitation and preservation of the housing stock in this area as a critical component to maintaining affordable housing.

- Goals N-2 Improve community identity and appearance by celebrating unique nature and character of City's individual neighborhoods
- Goal H-2 Ensure reinvestment in the established older neighborhoods

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

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, Community Development Director

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

Community Development review by: Tom Dabareiner, Community Development Director

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Petition
- List of Permitted Uses in S-4 District
- Zoning Map
- Resolution from Historic Preservation Commission
- Historic Preservation Commission Minutes 4.20.17
- Staff Report from Historic Preservation Commission meeting 4.20.17
- Planning Commission Minutes 5.10.17
- Planning Commission Staff Report 5.10.17
- Newspaper Notice, Neighborhood Notice and List of notified property owners

ORDINANCE NO. 2017 - _____

AN ORDINANCE REZONING 611 N LEE STREET FROM GAP 3 ICONIC BUILDING AND MANOR, to GAP 3 ICONIC BUILDING AND MANOR WITH THE S-4 HISTORIC PRESERVATION DISTRICT OVERLAY

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

WHEREAS, the Bloomington Historic Preservation Commission, after proper notice was given, conducted a public hearing on said Petition and determined the premises described in Exhibit A meet the criteria for Historic designation outlined in Section 44.11-2 of the Bloomington City Code 1960, as amended; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises hereinafter described in Exhibit(s) "A" shall be and the same are hereby rezoned from GAP-3 Iconic building and manor, to GAP- 3 Iconic building and manor with the S-4 Historic Preservation District Overlay
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeffrey Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

POWERS SUBDIVISINO LOTS 1 THRU 8 BLOCK 21 ALLIN, GRIDLEY, AND
PRICKETTS ADDITION S5' W50' LOT 2 AND ALL LOT 3 AND THAT PT VACATION
ALLEY LYG S AND ADJ PER 15/23326

PIN: 21-04-154-003

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Andy Streenz, herein-
after referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of GAP-3 under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the S-4 Historic District overlay zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from GAP-3 to GAP-5 with S-4 overlay

Respectfully submitted,

By: Andy Streenz

611 N Lee Street

Legal Description:

POWERS SUBN LOTS 1 THRU 8 BLK 21 ALLIN GRIDLEY & PRICKETTS ADDN S5'
W50' LOT 2 & ALL LOT 3 & THAT PT VAC ALLEY LYG S & ADJ PER 15/23326

Tax ID: 43 21-04-154-003

Built 188~~4~~5

Historic Preservation S-4 Designation –Section 44.11-2

1. Property Information

Parcel Identification Number 43 21-04-154-003 Size (Acreage) _____
Address 611 N. Lee St. Bloomington IL
Current Zoning GAP-3 Iconic, House, Manor
Current Use Single family home

2. Applicant Information

Full Name Andrew William Streenz
Address 611 N. Lee St. City, State, ZIP Bloomington, IL 61701
Phone 309-825-1043 Email andy.streenz@comcast.net

3. Owner Information (Check ☒ if same as Applicant)

Full Name _____
Address _____ City, State, ZIP _____
Phone _____ Email _____

4. Attorney/Consultant Information (if applicable)

Full Name _____
Company _____
Address _____ City, State, ZIP _____
Phone _____ Email _____

Please include photographs and any other supporting documents referencing the historic value of the subject property.

Applicant Signature

I certify that I have reviewed the relevant sections of the Bloomington Zoning Code, that the information above is true, and that I have provided all required documentation listed in the Application Checklist.


Signature _____
Andy Streenz
Printed Name _____

Date

Historic Name of Building Behr Home Year Built 1885

Architectural Style Queen Anne

Architect (if known) George Miller suspected - no documentation to support.

Is this property in a Historic District? ☐ Yes ☒ No. Which one? _____

Criteria for Consideration of Nomination. The Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria, please explain if one (1) or more of the following criteria are met:

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);
Part of a West side neighborhood that developed incrementally with houses being enlarged and improved as families grew and incomes improved.
2. Its location as a site of a significant local, county, state, or national event;
X
3. Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;
Henry Behr - German immigrant, West side store owner, educator
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
Excellent example of Queen Anne architecture
5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;
May be the work of George Miller, local architect, who was a personal friend of the Behr family. No official documentation
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
to support this.
Yes - Victorian Queen Anne elements abound.
7. Its embodiment of design elements that make it structurally or architecturally innovative;
X
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
Its prominent location on an inclined double lot along Lee Street - a neighborhood landmark since it was constructed.

9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or

X

10. Its suitability for preservation or restoration.

It was restored 17 years ago and exists in a high state of preservation. Very few exterior modifications have been made from its original appearance.

Any structure, property, or area that meets one (1) or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ordinance No. 2006-137)

Add pictures here

Include additional pictures as attachments

RETURN TO:

City of Bloomington
Department of Community Development
Attn: Katie Simpson, City Planner
115 E. Washington St, Room 201
Bloomington, IL 61702-3157
Phone: 309-434-2341
Email: ksimpson@cityblm.org
Fax: 309-434-2857

Behr Home

The Behr home was built for German immigrant Henry Behr and his wife Minnie (pronounced Minn-uh) in 1884-85. The Behr family owned successful dry goods and grocery stores on West Chestnut Street near Bloomington's C&A Railroad Shops. Henry and Minnie raised four children here.

According to Sanborn insurance maps, the house appears to have been originally built only 1 ½ stories tall, and without the tower. Then, in 1897, the house was significantly added on to and remodeled. The second story and attic were added, front and back porches reconfigured, floor plan changed, and the three storey tower added. Local newspaper accounts, family "graffiti" in the attic, Sanborn insurance maps, and testimony from Behr family members all corroborate the remodeling.

After the Behr family moved from the house, it was used for many years to care for the elderly. Few modifications were made during this time, although the second story was blocked off, the exterior doors reversed to swing out, and the house was clad in layers of asphalt and aluminum siding. Over a 22 month period, from 2000 to 2002, local businessmen David Beich and Gary Calhoon restored the house inside and out, bringing it to its current condition. Its current owners, Andy and Marie Streenz, purchased the house in 2009 and continue to restore and improve the property. To start, the entire exterior was repainted in the spring of 2010 and salvaged hardwood floors laid in many rooms. The most recent project, the guest bathroom remodel, returns a claw foot tub to the room, as well as five foot oak wainscoting on the walls.

nationalregister

STATEMENT OF INTEGRITY

Address

611 North Lee Street
Bloomington, IL 61701

Classification

Residence on double lot, no original out buildings remain.

Date Built

1885, with significant modifications and remodeling in 1897.

Original Use

Property has been a residence its entire existence, although it also served as a nursing home for some years, roughly from the 1930s to the 1950s.

Original Description

The house was originally constructed as a 1 1/2 storey structure, living rooms and kitchen on the 1st floor and bedrooms on the 2nd. In 1897, the house was significantly remodeled in the Queen Anne style, a turret added, porches rearranged, and an entire floor added. It is a frame structure and maintains nearly all of its original appearance.

Siding

No new materials have been added to side the house. It retains its two sizes of wood clapboards and two styles of shingles.

Alterations/New Additions

The house was restored in circa 2000, at which time several modifications were made. Two of the south facing windows were replaced with new double hung wood sash windows with insulated glass. All of the porch columns have been replaced with new ones, as the old columns were too rotted to save. Their feel and appearance are close to the originals, and their locations are exact. All the porch balustrades were built new, as all the originals had been lost. Aluminum gutters and downspouts were added. The interior was restored as close to original as possible. The two existing bathrooms were modernized, but look period, and a third was added where a linen closet had once been. The kitchen was also modernized, but retained its built-in pantry cabinets. Some drywall was installed, but in most places, original plaster was retained and repaired. The entire house was re-wired and re-plumbed and two new furnaces and air conditioners added. Many of the original light fixtures

nationalregister

were lost, but suitable replacements found. A new garage was built where the carriage house once stood.

Statement of Significance

Association With Important Persons

The home was built for German immigrant Henry Behr and his wife Minne Price, also an immigrant from Germany. Henry and his family operated a grocery and dry goods store on West Chestnut Street that served the workers of the C&A Shops (Bloomington's railroad yard). In later years, Henry was active in community affairs such as the Mclean County Historical Society, Bureau of Social Service, and the Bloomington Mennonchoir (German men's choir). Henry Behr was a friend of George Miller, prominent Bloomington architect, who lived just two blocks away, and visited the Behr home often. Henry was close with his family in Germany, making several trips to their hometown of Lobenstein. Henry donated money to his hometown, prompting the local officials to rename a street after him, Henry Behr Strase. A close friend of the family was Florence Fifer Bohrer, daughter of former Illinois governor Joseph W. Fifer and was the first female senator in the Illinois General Assembly. She visited the home many times.

Distinctive Physical Characteristics of Design, Construction, or Form

The house is distinctively Queen Anne, although a bit of a vernacular version of it. The Behr home lacks the profuse use of ornamentation that many Queen Annes have. It has a three storey turret, ornamental brackets, two sizes of clapboards and two styles of shingles. It sports an asymmetrical facade, dominant facing front gable, 2nd storey porch, dentils, classical columns, leaded windows, monumental chimney, and painted balustrades. No conclusive proof can be found, but the architecture of the house yeilds hallmarks of Bloomington architect George Miller, whom the Behr family was personal friends with. The contractor for the 1897 remodel was Gust Lundquist. The fact that the house went through such a massive transformation from the 1885 1 1/2 storey structure to the 1897 2 1/2 storey structure is an amazing, but common, occurance in America. Many buildings went through significant remodeling which completely changed their appearance and function. In the case of the Behr home, many of the original details of the 1885 house were retained, or at least re-used. This is especially evident inside the house. It is because of this melding of old (1885) and new (1897) that the Behr home is a completely unique structure, not duplicated anywhere else in the community, and indeed, the country.

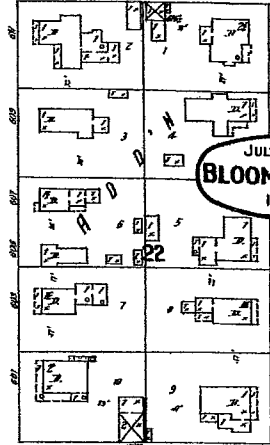
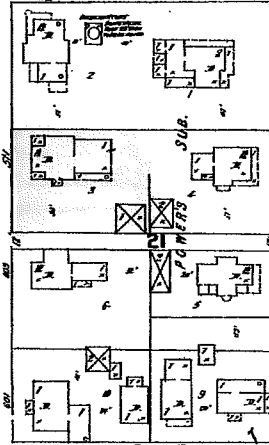
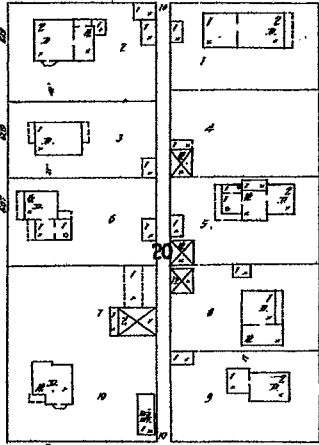
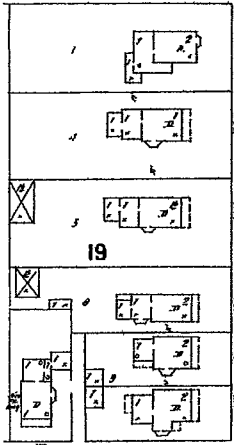
July, 1896

25

3

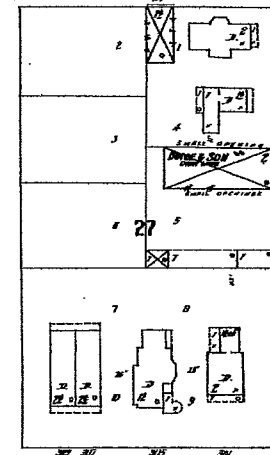
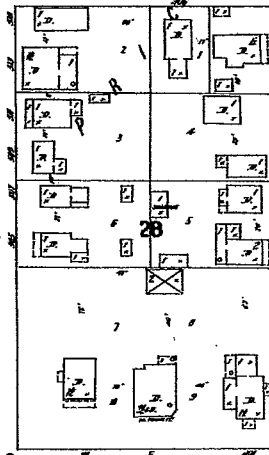
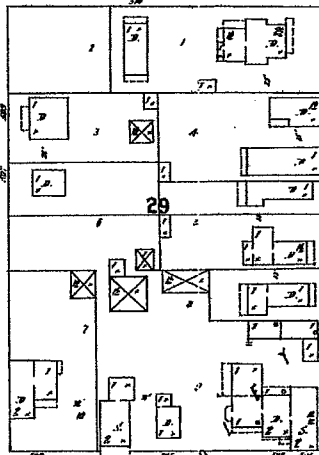
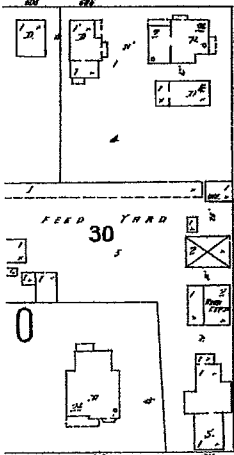
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W. LOCUST

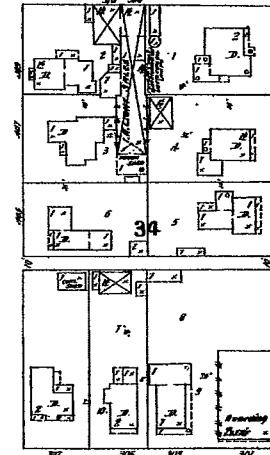
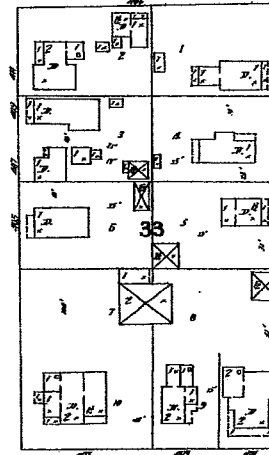
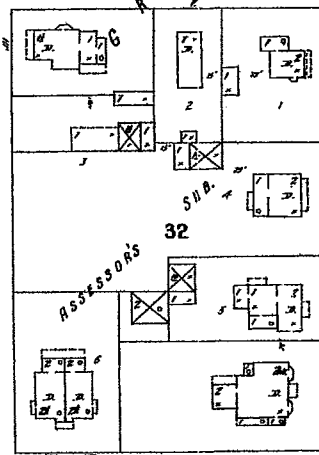
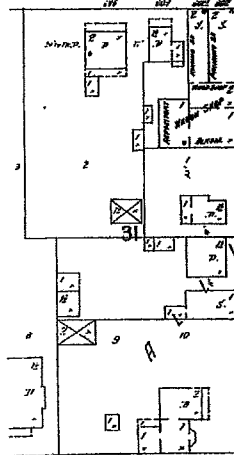


JULY-1896
BLOOMINGTON
ILL.

W. MULBERRY



W. MARKET

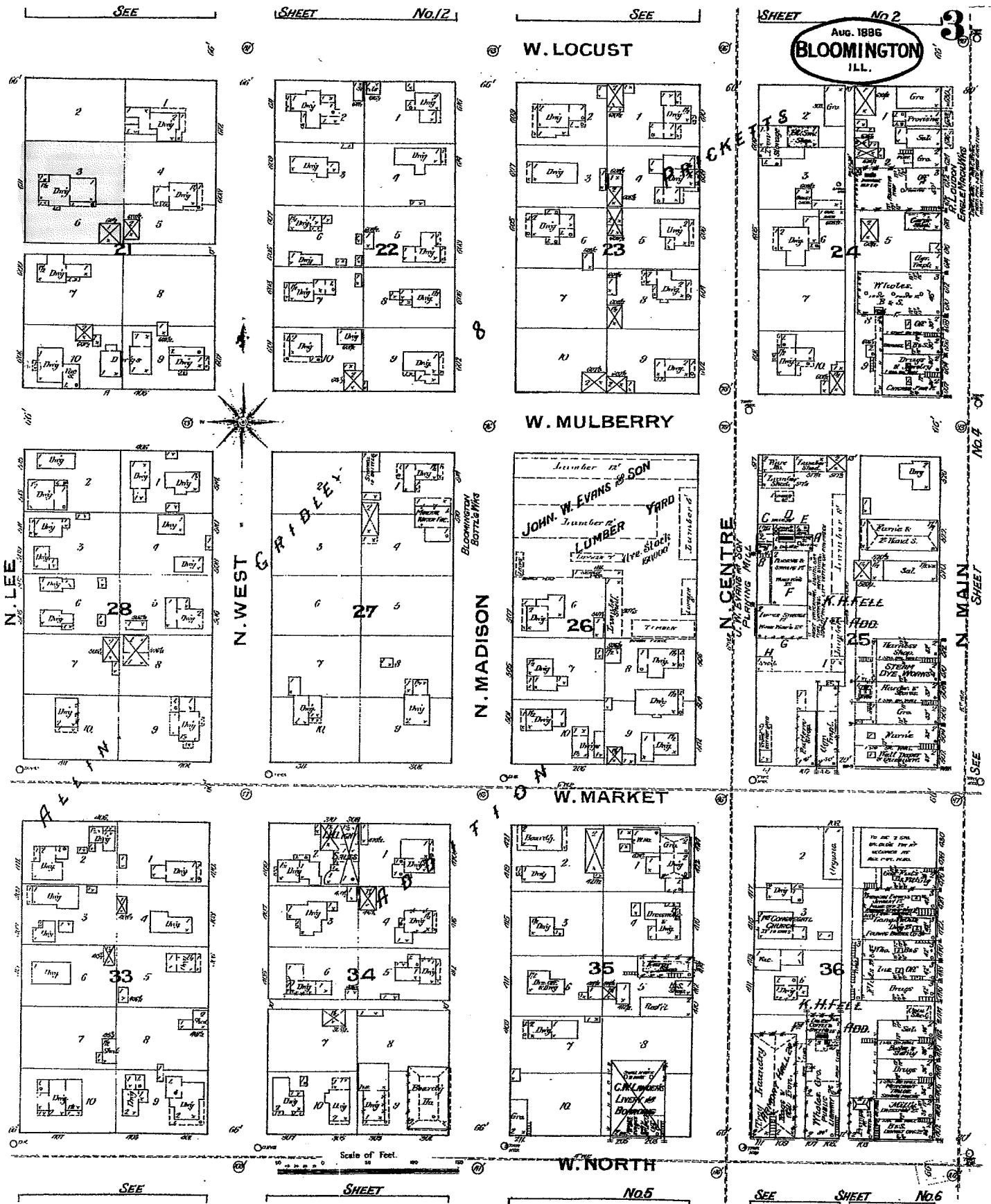


W. NORTH

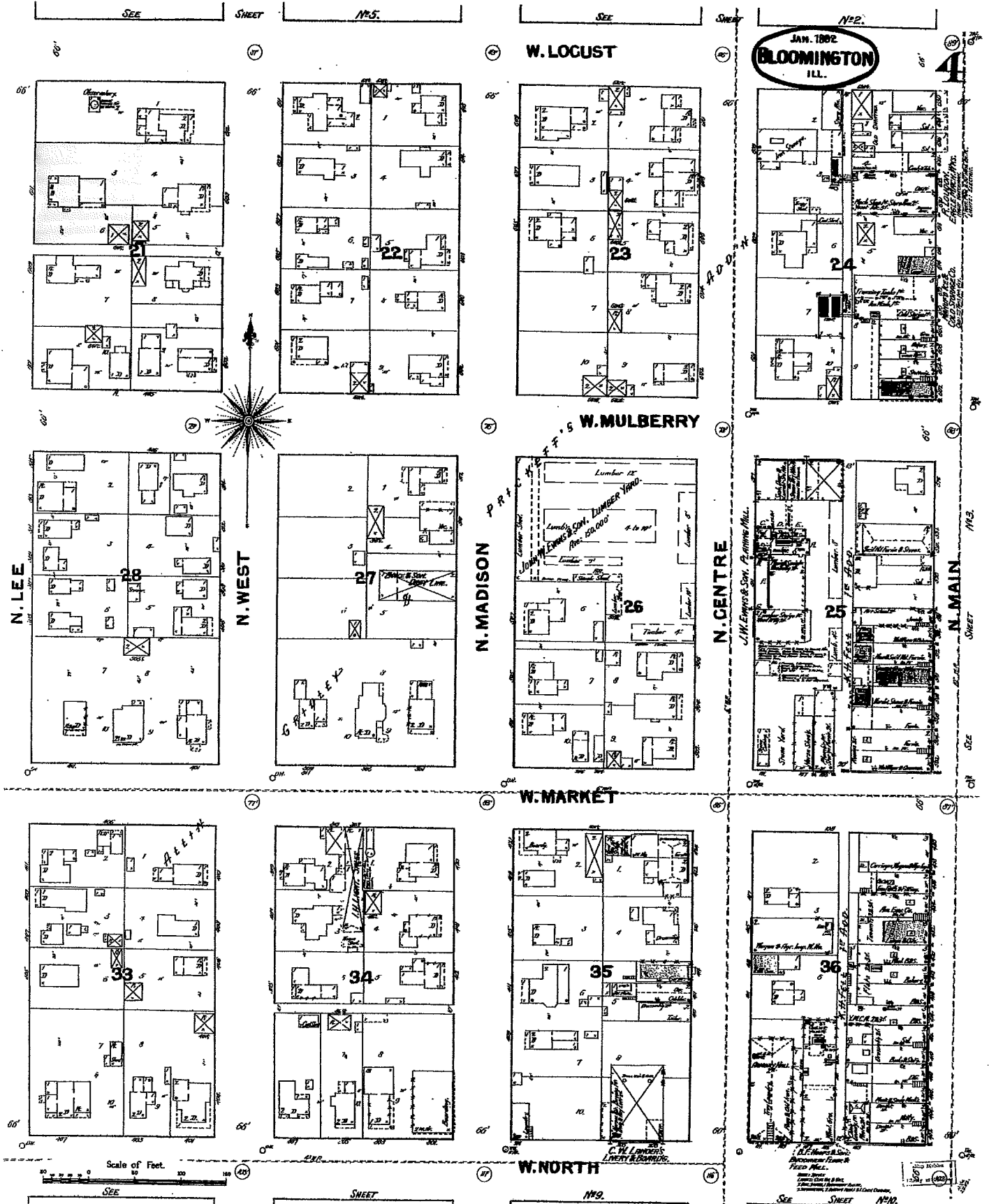
Scale of Feet.

9

August, 1886



January, 1892



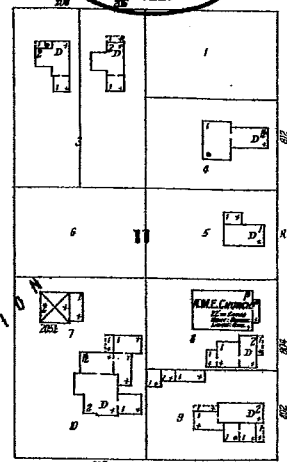
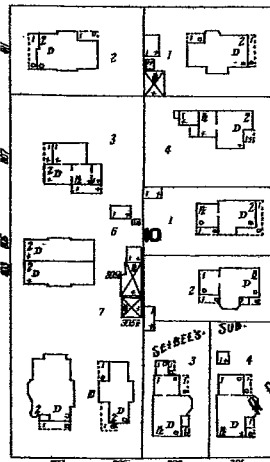
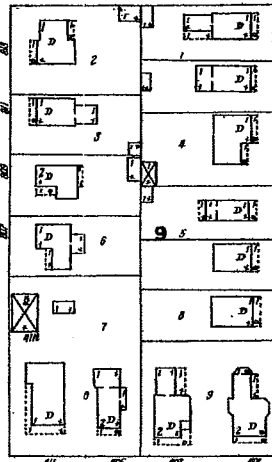
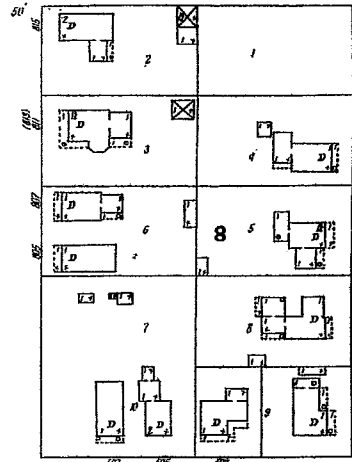
June, 1901

28

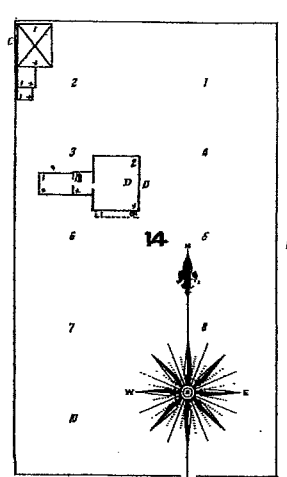
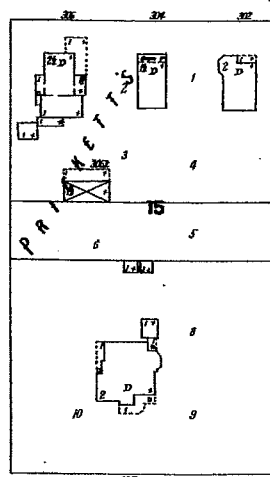
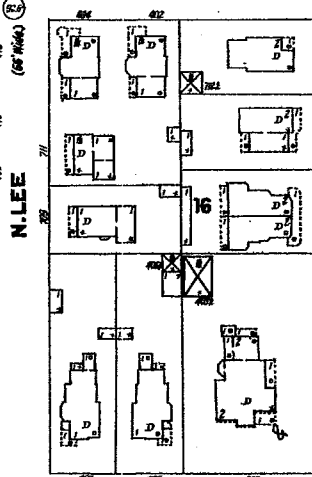
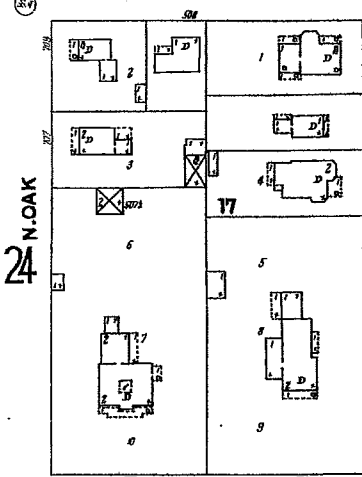
W. WALNUT

JUNE 30
BLOOMINGTON
ILL.

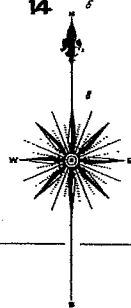
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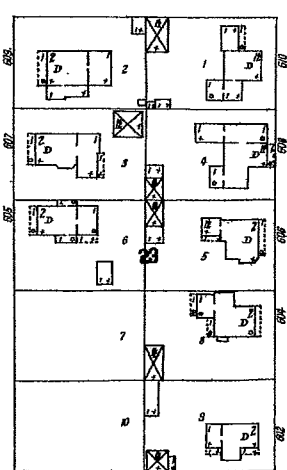
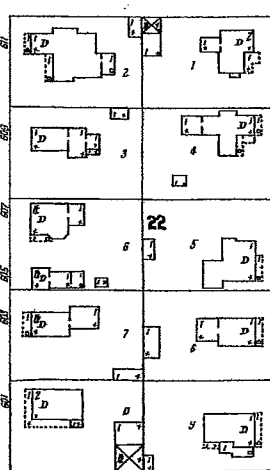
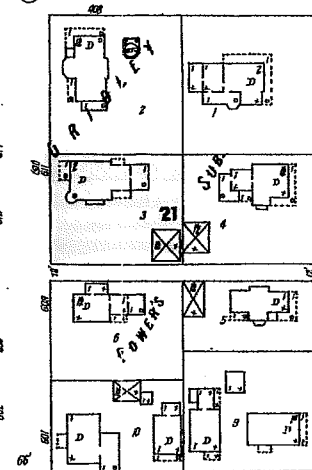
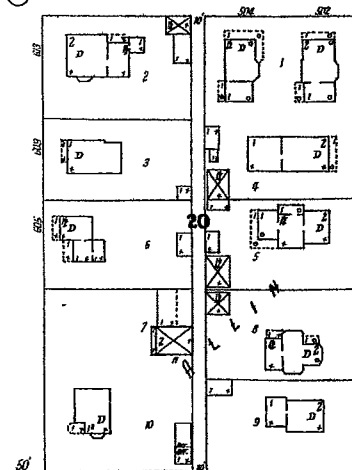
W. CHESTNUT



N. CENTER
26



W. LOCUST



W. MULBERRY

Scale of Feet.
0 50 100

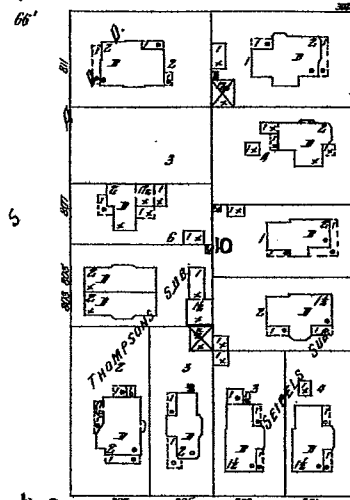
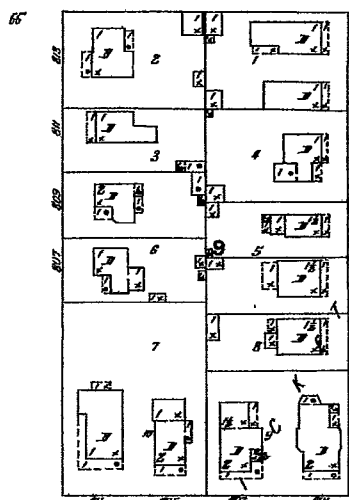
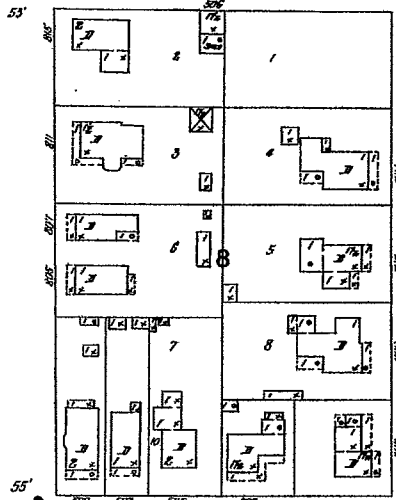
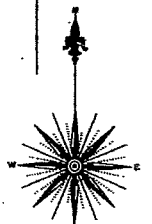
4

5

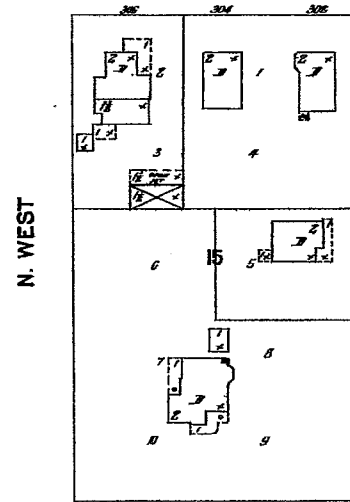
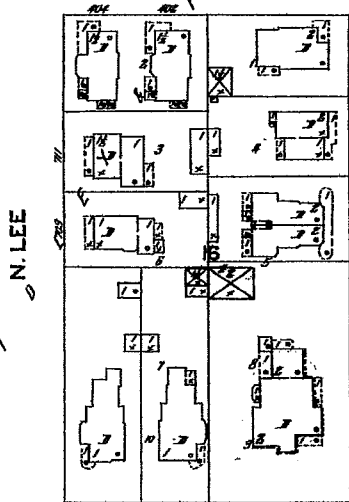
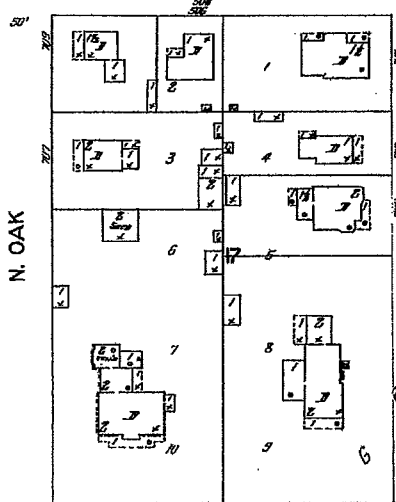
1907

8
W. WALNUT

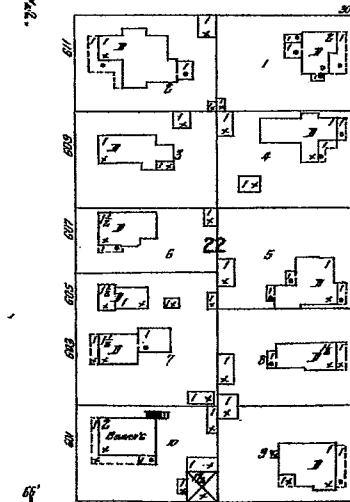
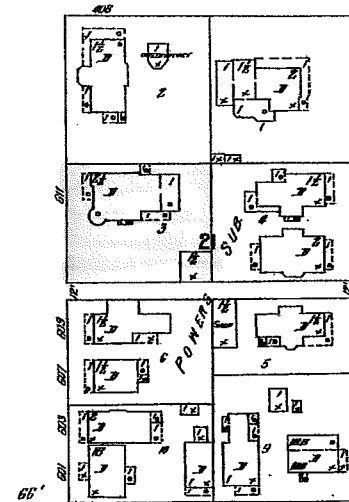
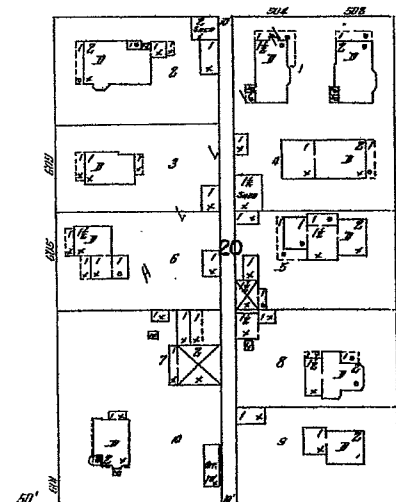
18
BLOOMINGTON



W. CHESTNUT



W. LOCUST



W. MULBERRY

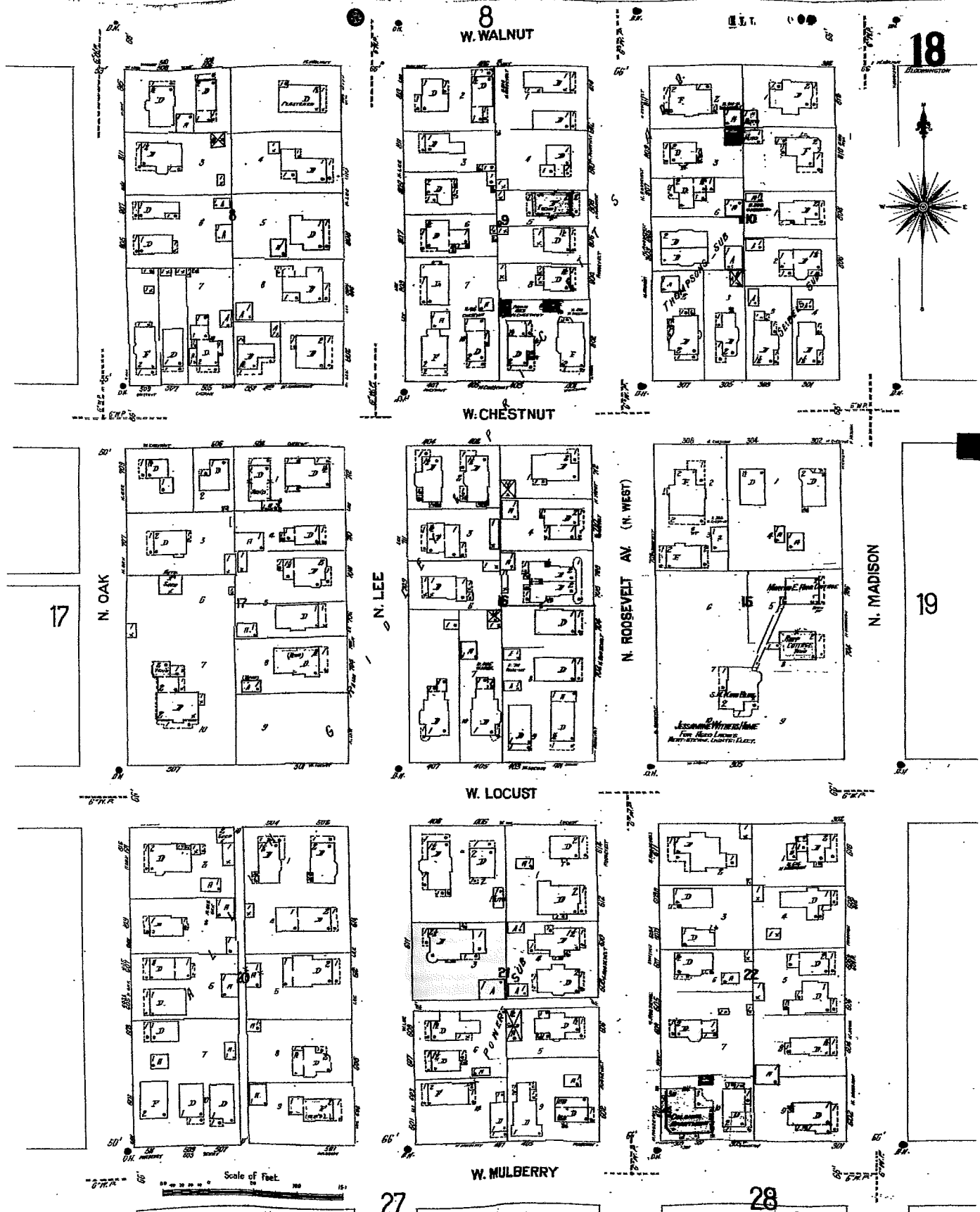
Scale of Feet.



27

28

June, 1950



1953

8
W. WALNUT

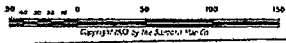
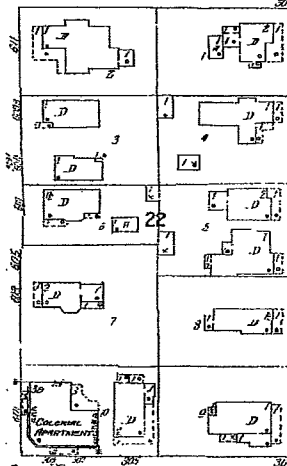
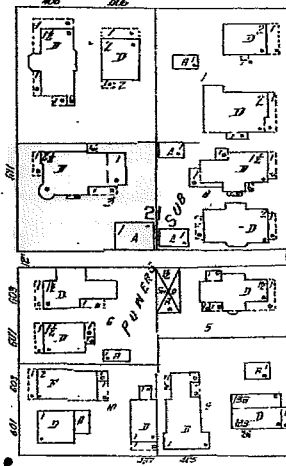
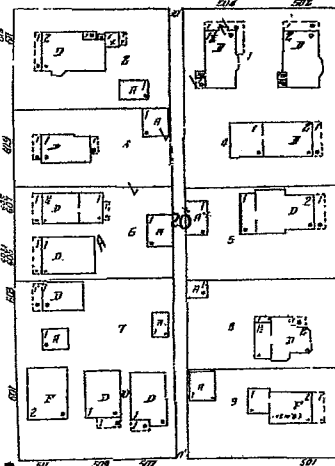
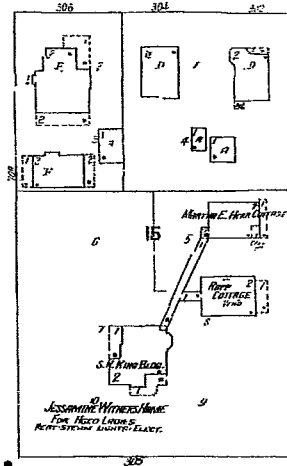
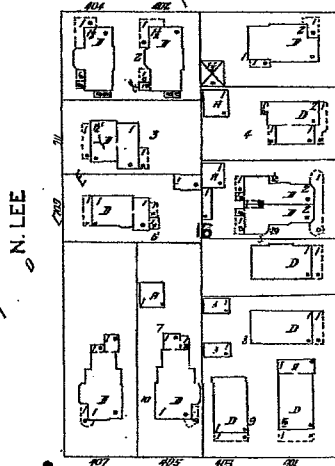
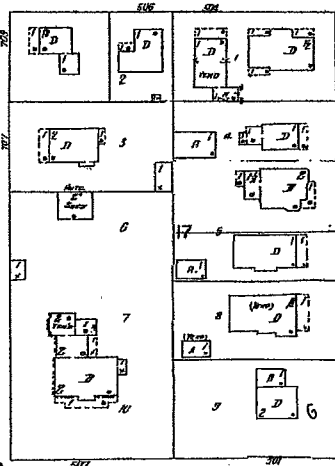
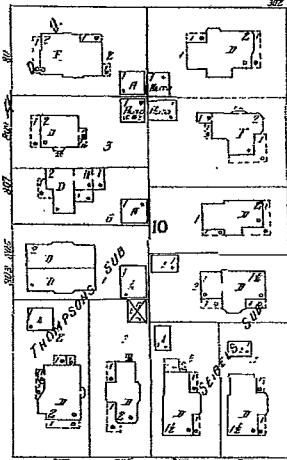
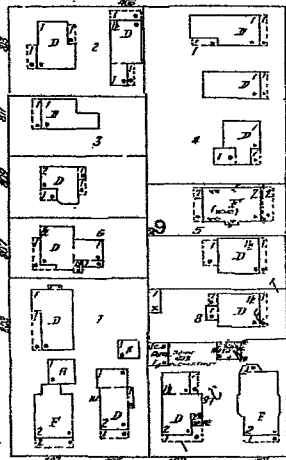
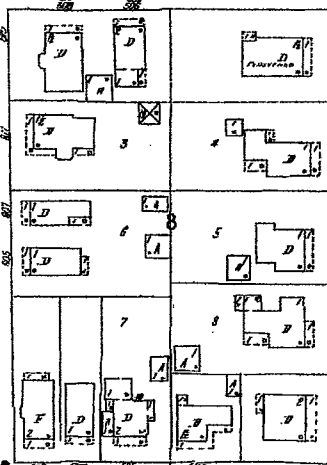
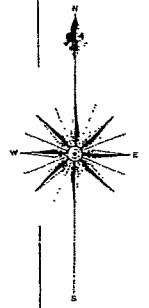
W. CHESTNUT

W. LOCUST

W. MULBERRY

18

19



27

28

KEY



Fire proof construction.
(OR FIRE RESISTIVE CONSTN)



Adobe building.



Stone building



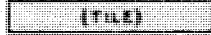
Concrete, lime, cinder or
cement brick



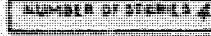
Hollow concrete or cement block constn



Concrete or reinforced concrete constn



Tile building.



Brick building with frame cornice.



" " " stone front.



" " " frame side



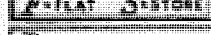
Brick veneered building.



" and frame building.



Frame building, brick lined



" " metal clad



Frame building.



Iron building.



Tenant building occupied by
various manufacturing or occupancies



Frame building covered with asbestos



Brick building with brick or metal cornice



Fire wall 6 inches above roof.



" " 12 " " "



" " 18 " " "



" " 36 " " "



" " " " " "



" " " " " "



" " " " " "



" " " " " "



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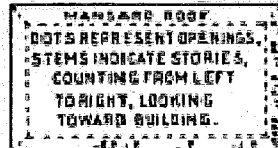
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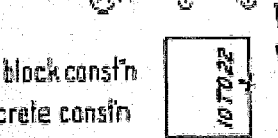
" " " " " "



" " " " " "



Window opening in first story.
Window openings in second and third stories.
Window openings in second and fourth stories.
Windows with wired glass.
Windows with iron or tin clad shutters.
Window openings tenth to twenty-second stories.



Window opening in first story.
Window openings in second and third stories.
Window openings in second and fourth stories.
Windows with wired glass.
Windows with iron or tin clad shutters.
Window openings tenth to twenty-second stories.



Open elevator



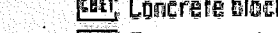
Frame enclosed elevator.



" " " " with traps.



" " " " self closing traps.



Concrete block enclosed elevator with traps.



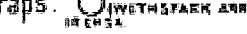
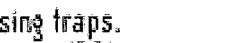
Tile enclosed elevator with self closing traps.



Brick enclosed elev. with wired glass door.



Width of street
(BETWEEN BLOCK LINES,
NOT CURB LINES)



5 Block number.

Vertical pipe or stand pipe.

Automatic fire alarm.

Independent electric plant.

Automatic sprinklers.

Automatic chemical sprinklers.

Automatic sprinklers in part of building only.

Not sprinklered.

Outside vertical pipe on fire escape.

Fire alarm box.

Single hydrant.

Double " " " " " "

Triple " " " " " "

Quadruple hydrant of the "High Pressure Fire Service"

Fire alarm box of the "High Pressure Fire Service"

Water pipes of the "High Pressure Fire Service"

and hydrants of the "High Pressure Fire Service" as shown on key map.

Water pipes and size in inches.

Water pipes of private supply

House numbers shown nearest to buildings are official or actually up on buildings.

Old house numbers shown furthest from buildings.

24 Reference to adjoining page.

Fire engine house, as shown on key map.

Fire pump.

(36) Under page number refers to corresponding page of previous edition.



RESIDENCE OF HENRY BEHR.







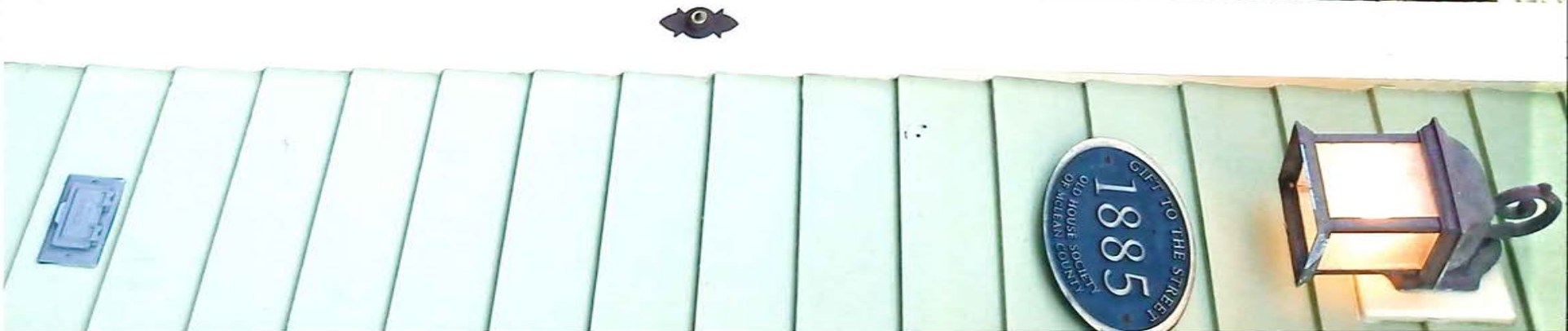


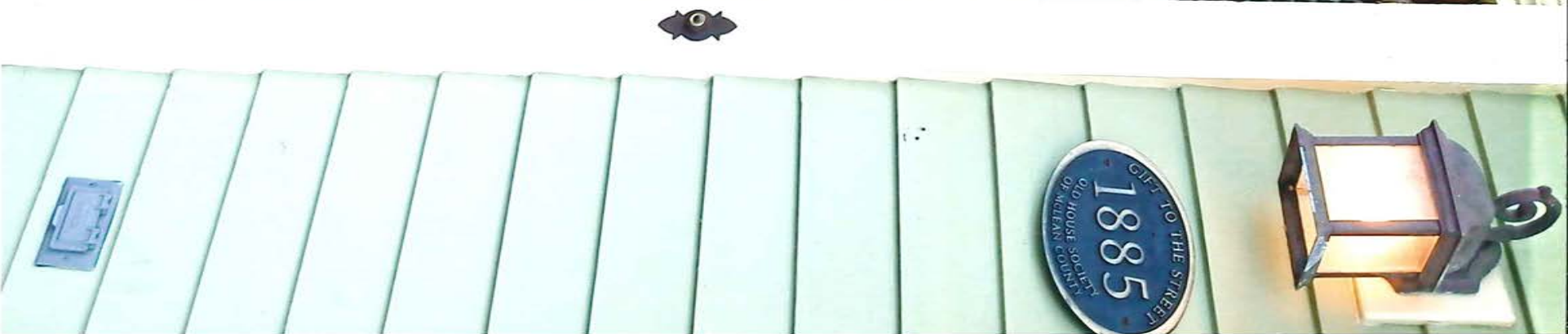












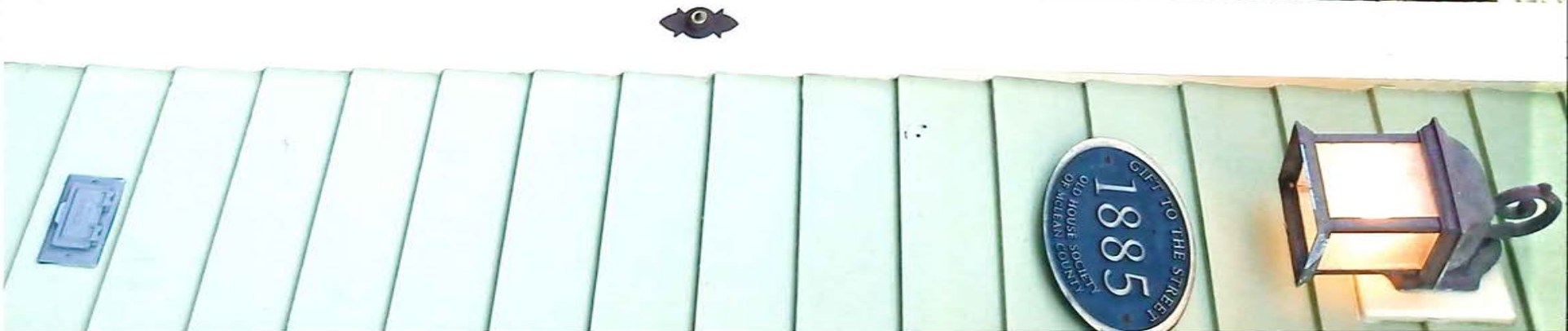


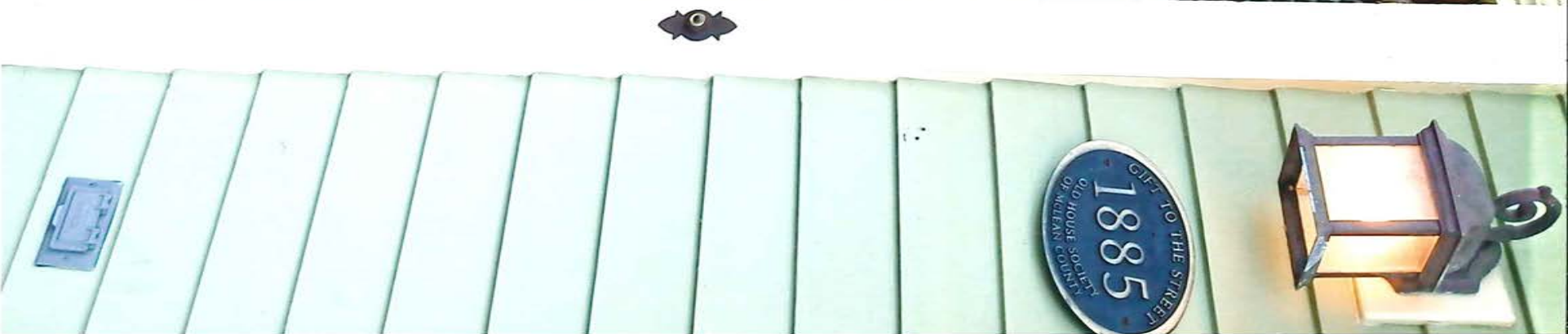


























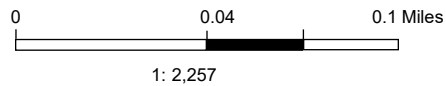
Section 44.6-30

Permitted Uses in the S-4 District

Agriculture	P
Bed & Breakfast Establishments	S
Community Reception Establishments	S
Flammable Liquid Pipelines	P
Forestry	P
Historic Area	P
Irrigation Channels	P
Parking Lot, Noncommercial	S
Parks, Playgrounds, Arboreta	P
Utility Conduits, Lines, Pipelines	P



Zoning Map for 611 N. Lee St . GAP 3



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Printed: 4/24/2017 4:48:24 PM

Notes

RESOLUTION NO. 2017-01
A RESOLUTION RECOMMENDING THAT THE PROPERTY LOCATED AT
611 N LEE STREET BE REZONED WITH THE S-4 HISTORIC
PRESERVATION DISTRICT ZONING OVERLAY

WHEREAS, a nomination was submitted to the City of Bloomington Historic Preservation Commission by Andrew William Streenz requesting that the property at 611 N Lee Street, legally described in Exhibit "A", attached hereto, be recognized for its historic and cultural significance with the S-4 Historic Preservation District Zoning Overlay;

WHEREAS, the Historic Preservation Commission determined that the nominated property meets at least one (1) of the criteria for consideration in Section 44.11-2 of the Bloomington City Code, 1960, as amended;

WHEREAS, the Historic Preservation Commission has also determined that the nominated property has significant integrity of location, design, materials and workmanship and is therefore worthy of preservation or restoration;

WHEREAS, the Historic Preservation Commission has the power to adopt this resolution and make a recommendation to the Bloomington Planning Commission:

NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Bloomington, McLean County, Illinois:

SECTION ONE: That it is recommended to the Bloomington Planning Commission that the premises located at 611 N Lee Street, legally described in Exhibit "A" be rezoned to have the historic designation of the S-4, Historic Preservation District Zoning Overlay.

ADOPTED this 20th day of April, 2017.

APPROVED this 20th day of April, 2017.

CITY OF BLOOMINGTON, ILLINOIS

ATTEST

Ms. Sherry Graehling, Chair

Tom Dabareiner, Secretary

Exhibit A
Legal Description

POWERS SUBN LOTS 1 THRU 8 BLK 21 ALLIN GRIDLEY & PRICKETTS ADDN
S5' W50' LOT 2 & ALL LOT 3 & THAT PT VAC ALLEY LYG S & ADJ PER
15/23326

PIN: 21-04-154-003

**DRAFT MINUTES
BLOOMINGTON HISTORIC PRESERVATION COMMISSION
REGULAR MEETING,
THURSDAY, APRIL 20, 2016 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE ST.
BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Chairperson Graehling, Mr. Williams, Mr. Elterich, Mr. Sturgeon, Graehling, Ms. Bailen, Ms. Cline, Mr. Goldsmith

MEMBERS ABSENT: None

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Tom Dabareiner AICP, Community Development Director

CALL TO ORDER: Chairperson Graehling called the meeting to order at 5:01 P.M.

ROLL CALL: Ms. Simpson called the roll and with seven members present there was a quorum.

PUBLIC COMMENT: No public comment.

MINUTES: The Commission reviewed the minutes of the March 16, 2017 meeting. Ms. Cline corrected a scrivener's error on page 4. Mr. Sturgeon made a motion to approve the minutes as corrected; seconded by Mr. Williams. The motion was approved by a vote of 7-0 with the following votes cast in favor on roll call: Mr. Sturgeon—yes; Mr. Williams—yes; Mr. Goldsmith—yes; Ms. Cline—yes, Ms. Bailen—yes; Mr. Elterich—yes; Chairperson Graehling—yes.

REGULAR AGENDA:

BHP-02-17 Consideration, review and approval of a resolution to the Planning Commission to approve the petition submitted by Andrew William Streenz for the recognition of 611 N. Lee St, Henry Behr Home; Queen Anne; c. 1884-85, with historic designation and the rezoning from GAP-3, Iconic House and Manor, to GAP-3 with the S-4 Local Historic Preservation District Zoning Overlay

Chairperson Graehling introduced the case. Ms. Simpson presented the staff report. She stated staff is recommending in favor of the petition to rezone the property. She provided background on the history of the home and original homeowner, Henry Behr. She shared photos of the property. Ms. Simpson explained this property is located on the west side of Bloomington and is zoned GAP-3. She explained the original homeowner, Henry Behr, was a German immigrant that owned a grocery store. She noted Mr. Behr was active in local politics and German heritage organizations. Ms. Simpson pointed out that the home is one of few Queen Anne homes in this neighborhood with distinguishing and original features; the home was restored in the 1960s. Ms. Simpson explained meets multiple nominations criteria from Section 44.11-2B and the property complies with the requirements of Chapter 44.11-2D Architectural Design Guidelines.

Ms. Bailen stated that David Beich renovated and restored the home. She stated that once, while visiting the house, she met the granddaughter of Henry Behr. She expressed support for the rezoning and commented on the home's contribution to the neighborhood. Chairperson Graehling commented on the quality of the restoration displayed in the pictures the included with the petition. Ms. Cline states that she believes the homeowners are very dedicated to the restoration of the inside and outside of the home. She stated she is also supportive of the rezoning.

Ms. Simpson explained the Commission would pass a resolution to the Planning Commission and that the Planning Commission would then hold a public hearing on the rezoning.

Ms. Cline motioned to approve a resolution recommending in favor of the rezoning petition; seconded by Ms. Bailen. The motion was **approved** by a vote of 7-0 with the following votes cast in favor on roll call: Ms. Cline—yes; Ms. Bailen—yes; Mr. Goldsmith—yes; Mr. Sturgeon—yes; Mr. Elterich—yes; Mr. Williams—yes; Chairperson Graehling—yes.

Respectfully submitted,

Katie Simpson, City Planner
Secretary

CITY OF BLOOMINGTON
REPORT FOR THE HISTORIC PRESERVATION COMMISSION
APRIL 20, 2017

CASE NO:	TYPE:	ADDRESS	SUBJECT:	REPORT BY:
BHP-02-17	Rezoning	611 N Lee St	Rezone to S-4, Queen Anne c. 1884	Katie Simpson, City Planner

REQUEST:	A petition submitted by Andrew William Streenz for the rezoning of 611 N. Lee St from GAP-3, Iconic House and Manor, to GAP-3 with the S-4 Local Historic District Overlay, Henry Behr Home; Queen Anne; c. 1884-85
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STAFF RECOMMENDATION:	Staff finds the petition to rezone 611 N. Lee Street meets the requirements of Section 44.11-2. <i>Staff recommends the Historic Preservation Commission pass a resolution recommending to the Planning Commission that the property at 611 N. Lee Street, Henry Behr Home; Queen Anne, c. 1884-85 be recognized for historic designation and rezoned with the S-4, Local Historic Preservation Zoning Overlay.</i>
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REQUEST: S-4 Historic Preservation District Zoning Overlay

GENERAL INFORMATION

Owner and Applicant: Andrew William Streenz

PROPERTY INFORMATION

Existing Zoning: GAP-3, Iconic Building
and Manor

Existing Land Use: Single Family Home

Property Size: 91X99

PIN: 21-04-154-003

Historic District: None

Year Built: c. 1884-1885

Architectural Style: Queen Anne

Architect: George Miller (possibly)

SURROUNDING ZONING AND LAND USES

Zoning

North: GAP 3 (form based zoning)

South: GAP 3 (form based zoning)

East: GAP 4 (form based zoning)

West: GAP 3 (form based zoning)

Land Uses

North: Single and two family homes

South: Single and two family homes

East: Single and two family homes

West: Single and two family home

Analysis:

Submittals

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

1. Application for the S-4 Historic Zoning
2. Site Photos

PROJECT DESCRIPTION:

The subject property, 611 N. Lee Street, is located with the Gridley, Allin and Prickett neighborhood on the Westside of Bloomington. The site is south of W. Locust Street, E. of N. Roosevelt Ave (or N. West Street prior to 1950), and north of W. Mulberry Street. The subject parcel consists of two lots and is approximately 9,009 square feet. The subject home is a two and a half story and was built in a modest Queen Anne style. Records indicate the home was built c. 1884 as a one and a half story home. In 1897, a second level and a three story turret were added when the home was remodeled.

The petitioner is requesting the City of Bloomington rezone the property with the S-4 Local Historic Preservation District Zoning Overlay. The purposes behind the historic preservation district overlay are:

1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;

6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

Background and Analysis:

According to records provided by the Petitioner, 611 N. Lee Street was built for German Immigrant, Henry Behr and his wife Minne Price. Like many of Bloomington's immigrant families, the Behr's ran an operation that operated in conjunction with and was supported by the growth of Bloomington's rail yards. Henry and his wife ran a grocery and dry goods store on W. Chestnut Street. The National Register documents that Henry was "active in community affairs such as the McLean County Historical Society, Bureau of Social Services, and the Bloomington Mennochoir (German men's choir)". He was also a known friend of local architect, George Miller, who lived a few blocks away on W. Market Street and reportedly visited the home frequently. It is suspected, although not proven, that George Miller designed the home. Another prominent friends and frequent was Florence Fifer Bohrer, daughter of former Illinois governor Joseph W. Fifer and the first female senator in the Illinois General Assembly.

The Bloomington Sanborn Maps show the evolution of this property. The 1886 maps illustrate a one and a half story home with horse stables, the 1897 maps show the significant remodel in the Queen Anne style popular between 1880 and 1910. This is particularly visible from the addition of a turret, second floor, and changes in the porch design. Other notable elements include the home's asymmetry, dominant front gable and strong, monumental chimney. The 1907 map shows the conversion of the horse stable into a garage or carriage house. Attached pictures taken in 1910 and in 1915 illustrate some of these changes. In 1960s the home was again remodeled (picture also included in the attachments) but this time the wood siding, decorative belting and scales were covered with what appears to be aluminum siding. Awnings were attached to the windows and the porches were enclosed. In 2000, the home was restored to its 1910 appearance. The siding was removed and new double hung, wood sash windows were installed. The porch columns were replaced with new columns, located in the correct same positions as the originals including the four column clusters on the second story porch. These columns maintain a similar appearance and feel as the originals. Porch balustrades were built new to replace the originals and internal updates to appliances, plumbing and electrical wiring. A platform remains in front of the home in the right-of-way from what could, at one time, have been a carriage step.

Action by Historic Preservation Commission:

The Preservation Commission, shall upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one (1) or more of the following criteria and also has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration (2006-137):

FINDINGS OF FACT:

1. *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);* the City of Bloomington's west side was settled by German, Hungarian and Irish families and immigrants who moved to the area to work on the rail lines. It has historically and culturally been a working class area. The story of Henry

Behr illustrates the “American dream” and is represented in the expansion and evolution of his property at 611 N. Lee Street.

2. *Its location as a site of a significant local, county, state, or national event;*
3. ***Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;*** Henry Behr was a prominent Bloomington businessman and community activist. The home was also frequently visited by local politicians and architect George Miller.
4. ***Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*** 611 N. Lee Street represents a Victorian home in the Queen Anne style (1880-1910). The height, massing and design for 611 N. Lee Street are representative of other existing homes in the neighborhood. However, whereas a number of these homes have either lost or hidden their original architectural details or features, 611 N. Lee St exposes its original siding, belting, decorative wooden shingles, stained glass windows and transom windows, crafted balustrades and columns offering visitors a taste of the neighborhood in 1910.
5. ***Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;*** the petitioner was unable to find documentation of the original architect but further research may uncover additional evidence to speak to any role George Miller could have had in its design.
6. ***Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;*** few homes on Bloomington’s west side have been restored to replicate their original appearance. 611 N. Lee Street embodies important characteristics and details from the Victorian Era.
7. *Its embodiment of design elements that make it structurally or architecturally innovative;*
8. ***Its unique location or singular physical characteristics that make it an established or familiar visual feature;*** In 1960 many of the decorative features of this home, and surrounding homes were lost or covered, consequentially 611 N. Lee Street is uniquely positioned to educate and offer insights into the types of construction, materials and design significant for Bloomington’s west side neighborhoods around the early twentieth century.
9. *Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or*
10. *Its suitability for preservation or restoration.*

Staff finds that in addition to meeting at least one (1) of the above mentioned criteria, the property also complies with the Design Guidelines expressed in Section 44.11-2D for height, proportions of windows and doors, relationships or building masses and spaces, roof shape, landscaping, scale, directional expression, and architectural details. The property is compatible with its original architectural character and enhances the architectural style of the period and neighborhood.

STAFF RECOMMENDATION: *Staff recommends the Historic Preservation Commission pass a resolution recommending to the Planning Commission that the property at 611 N. Lee Street, Henry Behr Home; Queen Anne, c. 1884-85 be recognized for historic designation and rezoned with the S-4, Local Historic Preservation Zoning Overlay.*

Respectfully Submitted,
Katie Simpson
City Planner

Attachments:
S-4 application
Site photos
Zoning map for S-4 petitions

**DRAFT MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MAY 10, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. J. Balmer, Ms. Nicole Chlebek, Mr. Ryan Scritchlow, Mr. Kevin Suess, Mr. Justin Boyd, Chairman David Stanczak

MEMBERS ABSENT: Ms. Megan Headean, Mr. James Pearson, Mr. Eric Penn, Mr. John Protzman

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Kevin Kothe, City Engineer

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:04 PM

ROLL CALL: Mr. Dabareiner called the roll. With six members in attendance, a quorum was present.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the April 26, 2017 minutes. A scrivener's error was corrected. Mr. Balmer moved to approve the minutes with stated corrections; Mr. Scritchlow seconded the motion, which was passed unanimously by a voice vote.

REGULAR AGENDA:

Z-14-17 Public hearing, review and action on the petition submitted by Andrew Streenz requesting approval of the rezoning for 611 N. Lee Street from GAP 3 to GAP 3 with the S-4 Local Historic Preservation District Zoning Overlay.

Chairman Stanczak introduced the case. Ms. Simpson presented staff's report. She provided history of the original owner of the property, Mr. Behr, and his role in the community. She noted some incompatible alterations around 1960, followed by restoration around 2000. The property is located in the GAP district, which is a form based code area, she stated, and the new zoning would add the S-4 Local Historic Preservation District Zoning Overlay status. Ms. Simpson noted that the Historic Preservation Commission enthusiastically endorsed the rezoning. She detailed the relevant architectural elements of the restored building. She affirmed that the proposal meets several of the required standards for the S-4 designation. Ms. Simpson recommended in favor of the petition.

Mr. Andrew Streenz, 611 N. Lee, was sworn in. He stated the S-4 would add a layer of protection for the house design.

Mr. Boyd motioned to approve the petition described in Z-14-17 to rezone the property at 611 N. Lee Street to add thrS-4 overlay; seconded by Mr. Balmer. The following votes were cast: Mr. Boyd—yes, Mr. Balmer—yes, Ms. Chlebek—yes, Mr. Scritchlow—yes, Mr. Suess—yes, Chairman Stanczak—yes. Motion **approved** 6-0.

Respectfully,

Tom Dabareiner AICP
Community Development Director

Item A. Z-14-17 Rezone 611 N Lee Street to GAP 3 with S-4

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
MAY 10, 2017**

CASE NO:	TYPE:	ADDRESS	SUBJECT:	REPORT BY:
Z-14-17/ BHP-02-17	Rezoning	611 N Lee St	Rezone to S-4, Queen Anne c. 1884	Katie Simpson, City Planner

REQUEST:	A petition submitted by Andrew William Streenz for the rezoning of 611 N. Lee St from GAP-3, Iconic House and Manor, to GAP-3 with the S-4 Local Historic District Overlay, Henry Behr Home; Queen Anne; c. 1884-85
<i>Staff finds the petition to rezone 611 N. Lee Street meets the requirements of Section 44.11-2</i>	

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motion recommending:

- That the City Council approve the rezoning of 611 N. Lee Street, Henry Behr Home; Queen Anne, c. 1884-85 from GAP-3 to GAP-3 with the S-4, Local Historic Preservation District Zoning Overlay.



Item A. Z-14-17 Rezone 611 N Lee Street to GAP 3 with S-4

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on April 24, 2017.

GENERAL INFORMATION

Owner and Applicant: Andrew William Streenz

PROPERTY INFORMATION

Existing Zoning: GAP-3, Iconic Building and Manor

Existing Land Use: Single Family Home

Property Size: 91 X 99 (9,009 sqft)

PIN: 21-04-154-003

Historic District: None

Year Built: c. 1884-1885

Architectural Style: Queen Anne

Architect:

LEGAL DESCRIPTION:

POWERS SUBDIVISINO LOTS 1 THRU 8 BLOCK 21 ALLIN, GRIDLEY, AND PRICKETTS ADDITION S5' W50' LOT 2 AND ALL LOT 3 AND THAT PT VACATION ALLEY LYG S AND ADJ PER 15/23326

SURROUNDING ZONING AND LAND USES

Zoning

North: GAP 3 (form based zoning)

South: GAP 3 (form based zoning)

East: GAP 4 (form based zoning)

West: GAP 3 (form based zoning)

Land Uses

North: Single and two family homes

South: Single and two family homes

East: Single and two family homes

West: Single and two family home

Analysis:

Submittals

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

1. Application for the S-4 Historic Zoning and supplemental documents
2. Site Photos

PROJECT DESCRIPTION:

The subject property, 611 N. Lee Street, is located with the Gridley, Allin and Prickett neighborhood on the Westside of Bloomington. The site is south of W. Locust Street, east of N Roosevelt Ave (or N. West Street prior to 1950), and north of W. Mulberry Street. The subject parcel consists of two lots and is approximately 9,009 square feet. The subject home is a two and a half story and was built in a modest Queen Anne style. Records indicate the home was built c. 1884 as a one and a half story home. In 1897, a second level and a three story turret were added when the home was remodeled.

Compliance with the Comprehensive Plan

This property is located within the City's Regeneration Area identified in the Neighborhoods Chapter of the Bloomington Comprehensive Plan (pg 47). This neighborhood is traditionally a working class neighborhood comprised of affordable family housing. The Plan recognizes

Item A. Z-14-17 Rezone 611 N Lee Street to GAP 3 with S-4

rehabilitation and preservation of the housing stock in this area as a critical component to maintaining affordable housing. Historic preservation is a tool for community development. The purposes behind the historic preservation district overlay are:

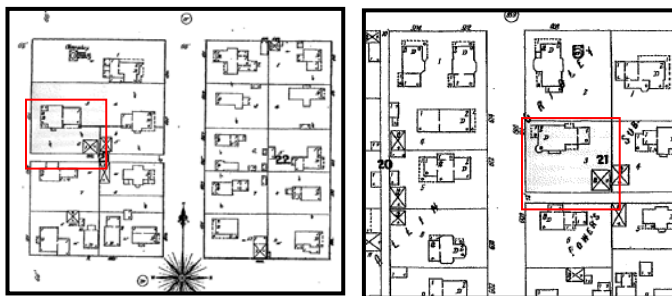
1. To protect, enhance and perpetuate accomplishments and improvements that reflect the City's cultural, social, economic, political and architectural history;
2. Safeguard the City's historic and cultural heritage;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors thereby supporting and promoting business, commerce and industry;
6. Strengthen the economy of the City; and
7. Promote the use of historic districts and landmarks for education, pleasure, and welfare

Background and Analysis:

According to records provided by the Petitioner, 611 N. Lee Street was built for German Immigrant, Henry Behr and his wife Minnie Price. Like many of Bloomington's immigrant families, the Behr's owned a business supported by the growth of Bloomington's rail yards. Henry and his wife ran a grocery and dry goods store on W. Chestnut Street. Mr. Behr was active in community affairs such as the McLean County Historical Society, Bureau of Social Services, and the Bloomington Mennochoir (German men's choir). He was also a known friend of local architect, George Miller, who lived a few blocks away on W. Market Street and reportedly visited the home frequently. It is suspected, although not proven, that George Miller designed the home. Another prominent friends and frequent was Florence Fifer Bohrer, daughter of former Illinois governor Joseph W. Fifer and the first female senator in the Illinois General Assembly.

FINDINGS OF FACT: On April 20, 2017 the Historic Preservation Commission reviewed the petitioner for rezoning and historic designation. The Commission determined 611 N Lee Street meetings the requirements for local designation outlined in 44.11-2B of the City Code. By unanimous vote (7-0), the Commission passed a resolution recommending the Planning Commission designate the property with local designation. No community members spoke in favor of the petition and no one spoke against the petitioner.

EXPLANATION OF THE SIGNIFICANCE OF THE NOMINATED HISTORIC DISTRICT AS IT RELATES TO THE DESIGN CRITERIA



The Bloomington Sanborn Maps show the evolution of this property. The 1886 maps illustrate a one and a half story home with horse stables, the 1897 maps show the significant remodel in the Queen Anne style popular between 1880 and 1910. This is particularly visible from the addition of a turret, second floor, and

changes in the porch design. Other notable elements include the home's asymmetry, dominant front gable and strong, monumental chimney. The 1907 map shows the conversion of the horse stable into a garage or carriage house. Attached pictures taken in 1910 and in 1915 illustrate

Item A. Z-14-17 Rezone 611 N Lee Street to GAP 3 with S-4

some of these changes. In 1960s the home was again remodeled (picture also included in the attachments) but this time the wood siding, decorative belting and scales were covered with what appears to be aluminum siding. Awnings were attached to the windows and the porches were enclosed. In 2000, the home was restored to its 1910 appearance. The siding was removed and new double hung, wood sash windows were installed. The porch columns were replaced with new columns, located in the correct same positions as the originals including the four column clusters on the second story porch. These columns maintain a similar appearance and feel as the originals. Porch balustrades were built new to replace the originals and internal updates to appliances, plumbing and electrical wiring. A platform remains in front of the home in the right-of-way from what could, at one time, have been a carriage step.



The Preservation Commission determined the subject property meets the following criteria making it eligible for designation (44.11-2B):

- 1. *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois or the United States of America (the Nation);*** the City of Bloomington's west side was settled by German, Hungarian and Irish families and immigrants who moved to the area to work on the rail lines. It has historically and culturally been a working class area. The story of Henry Behr illustrates the "American dream" and is represented in the expansion and evolution of his property at 611 N. Lee Street. The home reflects appropriate styles, techniques and materials used at the beginning of the 20th century.
- 3. *Its identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;*** Henry Behr was a prominent Bloomington businessman and community activist. The home was also frequently visited by local politicians and architect George Miller.
- 4. *Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*** 611 N. Lee Street represents a Victorian home in the Queen Anne style (1880-1910). The height, massing and design for 611 N. Lee Street are representative of other existing homes in the neighborhood. However, whereas a number of these homes have either lost or hidden their original architectural details or features, 611 N. Lee St exposes its original siding, belting, decorative wooden shingles, stained glass windows and transom windows, crafted balustrades and columns offering visitors a taste of the neighborhood in 1910.
- 5. *Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois or the Nation;*** the petitioner was unable to find documentation of

Item A. Z-14-17 Rezone 611 N Lee Street to GAP 3 with S-4

the original architect but further research may uncover additional evidence to speak to any role George Miller could have had in its design.

- 6. *Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;*** few homes on Bloomington's west side have been restored to replicate their original appearance. 611 N. Lee Street embodies important characteristics and details from the Victorian Era.
- 8. *Its unique location or singular physical characteristics that make it an established or familiar visual feature;*** In 1960 many of the decorative features of this home, and surrounding homes were lost or covered, consequentially 611 N. Lee Street has been restored and is uniquely positioned to educate and offer insights into the types of construction, materials and design significant for Bloomington's west side neighborhoods around the early twentieth century. Furthermore, the evolution and progression of the home documented in Sanborn Maps provides educational awareness regarding changing economic conditions and, building techniques and changing technologies.
- 10. *Its suitability for preservation or restoration.*** In addition to meeting at least one (1) of the above mentioned criteria, the property also complies with the Design Guidelines expressed in Section 44.11-2D for height, proportions of windows and doors, relationships or building masses and spaces, roof shape, landscaping, scale, directional expression, and architectural details. The property is compatible with its original architectural character and enhances the architectural style of the period and neighborhood.

STAFF RECOMMENDATION: Staff recommends the Planning Commission pass the following motion recommending that the City Council approve the rezoning of 611 N. Lee Street, Henry Behr Home; Queen Anne, c. 1884-85 from GAP-3 to GAP 3 with the S-4, Local Historic Preservation District Zoning Overlay.

Respectfully Submitted,
Katie Simpson
City Planner

Attachments:

1. Petition
2. Draft Ordinance
3. Historic Preservation Commission Resolution 2017-01
4. Historic Preservation Commission Staff Report
5. S-4 Petition and supporting documents
6. Aerial View
7. Zoning Map
8. Newspaper notice
9. Neighborhood Notice List
10. Neighborhood Notice Location and Buffer Map

20880179
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on Wednesday, May 10, 2017 at 4:00 p.m. in the

City Council Chambers, City Hall, 109 E. Olive St., Bloomington, IL.

The Petition submitted by Andy Streenz, requesting approval to Rezone property located at 611 N. Lee St., from a GAP 3 Iconic, House, Manor, Apt on corners to GAP 3 Iconic, House, Manor, Apt on corners with an S-4 Historic District Overlay.

Legal Description: Exhibit A
Powers Subdivision Lots 1 thru 8 Block 21 Allin Gridley and Pricketts Addition S5' W50' Lot 2 and all Lot 3 and that PT Vacation Alley LYG S and ADJ PER 15/23326.
PIN: 43 21-04-154-003

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk at 109 E. Olive St., Bloomington, IL.

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

Cherry Lawson
City Clerk

Published in the Pantagraph:
April 24, 2017



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

April 24, 2017

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on **Wednesday, May 10, 2017 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois** for a petition submitted by **Andy Streenz** requesting the rezoning of 611 N. Lee Street from GAP-3, Iconic, House, Manor, Apt on Corners to GAP-3 with the S-4 Historic Preservation Overlay. The petitioner would like to have their home (Queen Anne Style built c.1885, former residence of Henry Behr) designated as a local historic and cultural resource. The subject property is legally described as follows:

POWERS SUBDIVISION LOTS 1 THRU 8 BLK 21 ALLIN GRIDLEY AND PRICKETTS
ADDITION S5' W50' LOT 2 AND ALL LOT 3 AND THAT PART VACATION ALLEY LYG
S AND ADJ PER 15/23326. PIN: 21-04-154-003

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested rezoning during the public hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

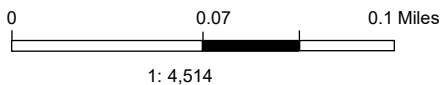
Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Simpson", with a stylized flourish at the end.

Katie Simpson
City Planner

Attachments:
Location Map



By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement:

<http://www.McGIS.org/License>

Printed: 4/24/2017 4:56:41 PM

Notes

WADE IRWIN
% CARLS ICE CREAM
BLOOMINGTON IL 61701

HONEY CREEK PROPERTIES
11 STRAWBERRY RD
BLOOMINGTON IL 61704

ALAN & PAMELA DICK
1203 N ROOSEVELT AVE
BLOOMINGTON IL 61701

DEVIN CHASE & LACIE CARLTON
14158 KING RD
MACKINAW IL 61755

TVEO CORPORATION
1901 MARTIN LUTHER KING DR
BLOOMINGTON IL 61701

KEVIN DRAEGER IRA EQUITY TRUST
COMPANY CUSTODIAN
202 GRANDVIEW DR
NORMAL IL 61761

DOUG MASCHING
210 W HUMISTON ST
PONTIAC IL 61764

MK2 PROPERTIES LLC
3105 CUMBRIA DR
BLOOMINGTON IL 61704

THOMAS PFISTER
4 LATEER DR
NORMAL IL 61761

MIGUEL ROQUE
402 W Mulberry St
BLOOMINGTON IL 61701

RAJ KHANT
10 TURNER RD
NORMAL IL 61761

VINCENTE ADAME
1111 E GROVE ST
BLOOMINGTON IL 61701

TIM VIRGIL
1203 TRENTON RD
NORMAL IL 61761

GMTK MANAGEMENT LLC
15 MARVIN GDNS
BLOOMINGTON IL 61701

%LUE A WALTERS LAW N JAW APTS
1903 N TOWANDA AVE
NORMAL IL 61761

HERMES ENTERPRISES
205 S LEE ST
BLOOMINGTON IL 61701

DIANA ROPP
2418 ROPP RD
NORMAL IL 61761

SILVIA RODRIQUEZ
401 W LOCUST ST
BLOOMINGTON IL 61701

NICHOLAS UMBDENSTOCK
403 W LOCUST ST
BLOOMINGTON IL 61701

LARRY KNUTH
1047 SE 26TH TER
CAPE CORAL FL 33904

ELBA CASTILLO
1120 E MAIN ST
STREATOR IL 61364

JASON ANDRIS
14148 N 900 EAST RD
BLOOMINGTON IL 61705

YUWADEE JOHNSON
18570 E 2375 NORTH RD
TOWANDA IL 61776

EDWARD SPENCER
201 WARSON LN
GRANITE CITY IL 62040

ALL SEASONS PROPERTIES LLC
208 PRAIRIE RIDGE DR
LEXINGTON IL 61753

HAROLD FRANZEN
3019 E 1600 NORTH RD
FLANAGAN IL 61740

RON GRUBER
3281 BUTTERFLY DR
NORMAL IL 61761

JESSICA LYNN MOOREHOUSE
402 W CHESTNUT ST
BLOOMINGTON IL 61701

MORRIS & TERESA MORSE
404 W CHESTNUT ST
BLOOMINGTON IL 61701



CONSENT AGENDA ITEM NO. 7M

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of approving a petition for the Lake Bloomington Lease Transfer Lot 5, Block 5 of Camp Kickapoo from John Jochums and James Meyer to C&J Business Rentals, LLC.

RECOMMENDATION/MOTION: That the Lake Lease Transfer be approved, subject to the septic system conditions included in the McLean County Health Department's April 25, 2017, letter, and the new lease holder obtaining a permit for any existing improvements constructed on the marginal lands and reservoir within 6 months of transfer, and contingent upon the transferee providing documentation of the sale of the house located on the property, and that the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: The sewage disposal system letter from the McLean County Health Department was completed on April 25, 2017. This letter provides regulation requirements for surface discharging septic installation.

In addition, the evaluation report, dated April 12, 2017, from Rob Sylvester indicates the septic tank is a minimum of 200 gallons too small and that it may remain as is until the septic system is repaired or replaced. In the same letter, it stated that the seepage field is a minimum of 100 square feet too small and that it may remain as is until the septic system is repaired or replaced.

The age of the sewage disposal system is sixty (60) years old. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance. Though useful life of a sewage disposal system can extend past the average life span noted by the McLean County Health Department, staff cannot accurately estimate the useful life remaining in the existing system.

If the system were to fail, the resident would be responsible for costs associated with repair of the system and there is a possibility, based on the size of the leased lot, that the resident would not have any viable repair/replacement options. Currently a City owned sanitary sewage collection system does not exist at Lake Bloomington and therefore the City is not in a position to assist the resident in the event of sewage disposal system failure.

Staff has reviewed the lot and found that dock improvements have been constructed on the City owned reservoir. Staff has performed a search of permits issued for the Lake Bloomington community and found that Lot 5, Block 5 received Permit #EX020769 for seawall installation. No other documentation exists for the permitting of dock and deck. Staff recommends that the transfer be subject to the new lease holder obtaining a permit for the dock and deck improvements constructed on the reservoir within six (6) months of the transfer. Photos of the existing marginal land and reservoir improvements have been attached. Also attached is the 2002 Excavation Permit providing approval for the seawall installation.

Located on City of Bloomington property across the street from Lot 5, Block 5, is a shed and garbage can holder owned by John Jochums and James Meyer. Staff will be working separately with the property owner to remove the shed and garbage can holder from City of Bloomington property.

Staff recommends approval of the lease transfer subject to the septic system conditions included in the McLean County Health Department's April 25, 2017 letter, and that the new lease holder obtain a permit for current improvements constructed on the marginal lands and reservoir within six (6) months.

The Lake Lease Transfer, following approval by Council, will be contingent upon buyer providing proper documentation of the closing of this property sale prior to execution of the lease transfer.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: McLean County Health Department.

FINANCIAL IMPACT: This petition will have a financial impact in that the current lease uses the formula of \$0.15 per \$100 Equalized Assessed Value of \$116,468), for determining the Lake Lease Fee. With this transfer, the Lake Lease formula will increase to the current formula of \$0.40 per \$100 Equalized Assessed Value. With the updated lake lease formula, this lease income will generate about \$174.72 per year in lease income. This lake lease income will be posted to Lake Maintenance – Lease Income account (50100140-57590). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled "Proposed Other Funds Budget" on page 116.

COMMUNITY DEVELOPMENT IMPACT: Not Applicable

Link to Comprehensive Plan/Downtown Plan Goals: Not Applicable

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not Applicable

Respectfully submitted for Council consideration.

Prepared by: Joseph M. Darter, Miscellaneous Technical Assistant

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

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

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

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

David A. Hales
City Manager

Attachments:

- Current Lease Agreement
- City Clerk Memo
- Lake Lease Transfer Petition
- McLean County Health Department Letter/Evaluation Report
- Lake Lease Agreement
- Lake Lease Invoice
- 2002 Excavation Permit
- Marginal Land/Reservoir Existing Structure Photos
- Shed/Garbage Can Holder on City Land Photos
- Aerial Map

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the 16 day of DECEMBER, 1997 between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called "City," and John H. JOCHUMS, JOAN JOCHUMS, JAMES E. MEYER (if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (as tenants in common) (as tenants by the entirety) of M. NOVIL, County of McLean, State of Illinois, hereinafter called "Lessee," WOODFORD

WITNESSETH

In consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following described real estate owned by the City in the vicinity of Lake Bloomington, Illinois as follows:

Lot 5 in Block 5 in Camp KICKAPOO, according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.

2. TERM OF LEASE. The term of this Lease shall be for a term commencing (cross out the one that does not apply) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.

3. RENT.

A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each year, the amount designated hereafter:

1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, including land and improvements, as determined by the Supervisor of Assessments of McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee

who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.

2) If this Lease is executed by a Lessee who, after ~~December 31, 1997~~, paid fair market value for an assignment of a Lease on which ~~the rent was 15¢ (\$.15) per \$100 EAV~~, the rent shall be charged ~~at the rate of 40¢ (\$.40) per \$100 EAV~~. This rate will remain in effect ~~throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter~~.

3) If the Lessee is not eligible for the ~~15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV~~ rental rate, the rent shall be charged ~~at the rate of~~ ____¢ (\$.____) per \$100 EAV.

SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.

B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.

5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.

6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.

7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.

8. GARBAGE. City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.

9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.

10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.

11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.

12. **TREE CUTTING.** No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.

13. **DEFAULT.** If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely be cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.

14. **TERMINATION BY LESSEE.** Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.

15. **EMINENT DOMAIN.** If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between City and Lessee as follows:

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.

16. **PRIOR LEASE TERMINATED.** If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.

17. **NOTICE.** Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City

Lessee Name and Mailing Address

City of Bloomington
City Hall
109 E. Olive Street
Bloomington, IL 61701

JAMES E. MEYER, John H. JOCHUMS
JOHN E. JOCHUMS
118 W. 5th
MILWAUKEE, IL 61760

18. BINDING EFFECT. This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

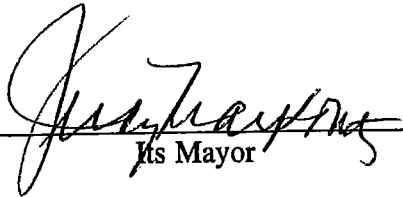
IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

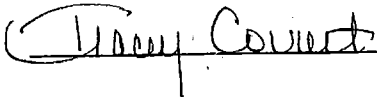
-Lessee-

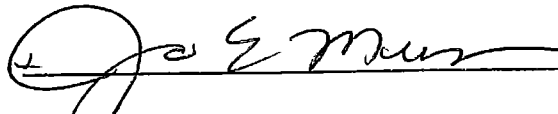
CITY OF BLOOMINGTON

By;


Its Mayor

Attest:




+ John H. Jochums

+ John E. Jochums

MEMO

TO: Bob Yehl, Water Dept.
FROM: Renee Gooderham, Records & Information Manager
DATE: May 17, 2017
SUBJECT: Lake Bloomington Lease Transfer

A Petition and Lake Lease Transfer request has been submitted for Lot 5 in Block 5 in Camp Kickapoo, from John Jochums and James Meyer to C&J Business Rentals, LLC. Attached please find the Lake Lease Transfer documents.

EAV for this property is \$116,468. The Lake Lease is currently at a rate of .15 cent per \$100 EAV, \$174.70. The lake lease rate will increase to .40 per EAV. The PIN number is 08-07-127-005.

Please prepare a Council memorandum for the next available council meeting.

If you have any questions or require additional information, please contact the Clerk's Office.

Thank you for your prompt attention to this matter.

cc: Legal Dept.

LAKE BLOOMINGTON LEASE TRANSFER PETITION

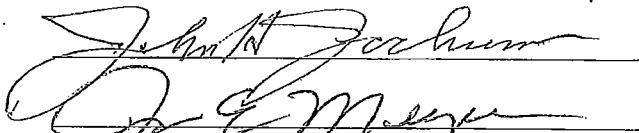
That the purchase price and rentals having been paid to the City of Bloomington for:

Lot 5 Block 05 of Camp KICKAPOO

I respectfully petition the City Council of the City of Bloomington, Illinois to approve the transfer of the Lease on the above property:

From: JOCHUMS, JOHN + JAMES MEYER (Sellers Name)

To: C+J BUSINESS Rentals, LLC (Buyers Name)



(Signature of Seller(s))

To the Honorable Mayor and City Council of the City of Bloomington, Illinois:

Now comes C+J BUSINESS Rentals, LLC (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of

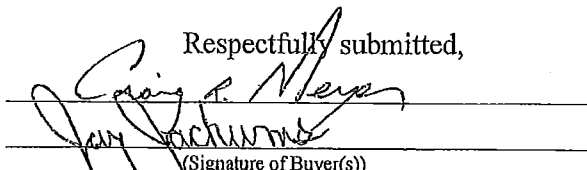
JOHN JOCHUMS + JAMES MEYER (Seller) In and to the Lease made on the (Date) 5-25-17 upon the above property, all located in McLean County, Illinois, together with all the improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said (Seller)

JOHN JOCHUMS AND JAMES MEYER has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore your petitioner.

Petitioner further shows that in and by the terms of said Leases it was provided that the Lessee shall not sell, assign or transfer said premises without the written consent of the Lessor.

Petitioner therefore prays that the written consent to said transfer may be forthwith provided by the said Lessor, the City of Bloomington, Illinois and your petitioner has submitted herewith a form of said written consent.

Respectfully submitted,



(Signature of Buyer(s))

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT 5
BLOCK 05 CAMP KICKAPOO, OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title and interest of (seller) _____ in and to the premises known as Lot _____ Block _____ in Camp _____, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

Said consent to said assignment and transfer however, is with the express understanding that the said Lessor retains all right in said leases provided, and particularly its right to the payment of any unpaid rental thereon with all legal remedies incidental thereto.

Executed this _____ day of _____, _____.

Tari Renner, Mayor



McLean County Health Department
200 West Front Street, Room 304
Bloomington, IL 61701

April 25, 2017

C&J LLC
17713 Clark Road
Hudson, IL 61748

Re: Septic Permit #57-7452
Parcel #08-07-127-005
Lot 193, Lake Bloomington - Kickapoo Subdivision

To Whom It May Concern:

On April 19, 2017, this department received a septic system evaluation report from Mr. Rob Sylvester, a McLean County licensed private sewage system installer, regarding the above-referenced property. The septic system evaluation was performed on April 12, 2017 and the following deficiencies were noted:

- The septic tank is a minimum of 200 gallons too small. This may remain as is until the septic system is repaired or replaced.
- The seepage field is a minimum of 100 square feet too small. This may remain as is until the septic system is repaired or replaced.

In summary, the septic system was installed in 1957 and is now approximately 60 years old. This office considers the average life expectancy of a septic system to be 20 to 25 years. The property has been used seasonally and is currently vacant. The system may evaluate differently under normal use conditions.

For information on routine operation and maintenance of your septic system, please visit our website at www.health.mcleancountyil.gov.

If you have any questions, please contact Mr. Scott Cook with this department, at (309) 888-5482.

Respectfully,

Thomas J. Anderson
Director of Environmental Health

cc: Mr. Rob Sylvester, Sylvester Septic & Concrete, Inc.
Mr. Rick Twait, City of Bloomington
Mr. Craig Meyer

TJA:AC:du

AC-0601-17-103

EVALUATION REPORT FOR A MCLEAN COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM

For Office Use Only

Log #: _____

Date Received: _____

This form is to be used for all inspections or evaluations of existing septic systems in McLean County. It is essential that the inspection be as complete as possible to determine the condition of the entire system. This includes interviewing the person who resides at or uses the building the septic system serves. Please complete all sections of the form that apply to the septic system you are evaluating. The tank must be uncovered with the baffles, liquid and sludge depths checked. At a minimum, the field must be probed to determine if there is water standing in the trenches. Upon probing, if it is determined there is water standing in the trenches, the Health Department highly recommends a minimum of two locations in the trenches be exposed to determine the condition of the rock and pipe. Any sign the system is failing or has not functioned properly must be thoroughly documented on this report. Place all comments in the comment section on the last page.

*This evaluation is **NOT FINAL** until the McLean County Health Department has reviewed the information in this evaluation and issued a letter regarding the information to the parties listed in the evaluation.*

1. Current Owner Information:

Name: C&J LLC

Address: 631 E. 4th St.
Minonk, Il. 61760

Phone #: Day: _____ Home: _____

2. Requestor Information:

Name: Craig Meyer

Address: 118 W. 5th St.
Minonk, Il. 61760

Phone #: Day: 309-432-2517 Home: _____

3. Property Information:

Parcel Number (Tax ID): 08-07-127-005 Date Evaluation Performed: 04-12-17

Address of property evaluated: 24863 Cherokee, Hudson Sub. & Lot: _____

Permit available from Health Dept.: Yes ☒ No ☐ Permit Number: 57-7452

4. Interview Information:

Person interviewed: Craig Meyer

Age of home (years): 70

Date last occupied: Oct. 2016

Has tank ever been pumped: Yes ☒ No ☐ N/A

Original owner: Yes ☐ No ☒

Intended for seasonal use: Yes ☒ No ☐

Number of occupants: 2

If yes, how often: One year ago

5. Interior Evaluation:

Number of bedrooms: 1

Toilet tanks and other fixtures have evidence of leakage or overflow: Yes ☐ No ☒

Water softener discharges to: N/A

Dishwasher discharges to: none

Basement plumbing fixtures:

a. _____

b. _____

c. _____

d. _____

Basement floor drains discharge to: none

Sump pit/pump discharges to: surface

Garbage disposal: Yes ☐ No ☒

Clothes washer discharges to: none

Hot tub discharges to: n/a

Discharge locations:

a. _____

b. _____

c. _____

d. _____

Garage floor drains discharge to: n/a

Downspouts discharge to: surface

6. Exterior Evaluation Points:

A. SEPTIC TANK(s) -- This Section N/A ☐

All tanks must not be pumped before the inspection, but should be pumped after the inspection, if needed.

Tank One: N/A ☐	Yes	No	Tank Two: N/A ☐	Yes	No
Depth of soil to top of tank: <u>6</u> inches			Depth of soil to top of tank: _____ inches		
Tank has access within 12" of ground surface: ☒ ☐	☒	☐	Tank has access within 12" of ground surface: ☐ ☐	☐	☐
Size: <u>550</u> gallons Type: <u>concrete</u>			Size: _____ gallons Type: _____		
Meets current code:	☐	☒	Meets current code:	☐	☐
Tank lids in good condition:	☒	☐	Tank lids in good condition:	☐	☐
Inlet baffle in good condition:	☒	☐	Inlet baffle in good condition:	☐	☐
Evidence of solids on inlet baffle:	☐	☒	Evidence of solids on inlet baffle:	☐	☐
Outlet baffle in good condition:	☒	☐	Outlet baffle in good condition:	☐	☐
Evidence of solids on outlet baffle:	☐	☒	Evidence of solids on outlet baffle:	☐	☐
Water standing in outlet:	☐	☒	Water standing in outlet:	☐	☐
Water level below outlet:	☐	☒	Water level below outlet:	☐	☐
Tank needs to be pumped:	☐	☒	Tank needs to be pumped:	☐	☐
Outlet device/filter on tank:	☐	☒	Outlet device/filter on tank:	☐	☐
Type: _____			Type: _____		
Back flow into tank from system after pumping:			Back flow into tank from system after pumping:		
Yes ☐ No ☐ N/A ☐			Yes ☐ No ☐ N/A ☐		

B. SEEPAGE FIELD -- This Section N/A ☐

Depth to top of field: 22 inches to 24 inches

Square feet of field: 200 square feet

Meets current code sizing requirements:

Yes ☐ No ☒

Seepage standing on ground surface:

☐ ☒

Lush vegetation or saturated soil on or near seepage field area:

☐ ☒

Evidence that water has ponded over seepage field or the soil is saturated:

☐ ☒

Solids or "carry over" material present in the rock or bedding material:

☐ ☒

Depth of water in trench: 0 inches

C. SERIAL DISTRIBUTION/STEP-DOWN -- This Section N/A ☒

Are the serial distribution relief or "step-down" pipes in compliance with Section 905.60 (d) of the code?

Yes ☐ No ☐

D. SEEPAGE BED -- This Section N/A ☒

Depth to top of bed: _____ inches to _____ inches

Square feet of bed: _____ square feet

Meets current code sizing requirements:

Yes ☐ No ☐

Seepage standing on ground surface:

☐ ☐

Lush vegetation or saturated soil on or near seepage bed area:

☐ ☐

Evidence water has ponded over seepage bed or is soil saturated:

☐ ☐

Solids or "carry over" material present in the rock or bedding material:

☐ ☐

Depth of water in the bed: _____ inches

E. SAND FILTER -- This Section N/A ☒

Minimum soil cover depth to top of sand filter: _____ inches

Square feet of sand filter: _____ square feet

Is water standing in the distribution pipes or in the rock that surrounds the pipe:

Yes No

☐ ☐

Meets current code sizing requirements:

☐ ☐

Seepage standing on ground surface over filter:

☐ ☐

Lush vegetation on or near sand filter:

☐ ☐

Evidence if water has ponded over sand filter:

☐ ☐

Sand filter vented as required:

☐ ☐

Vent in good repair:

☐ ☐

Chlorinator with screw on cap present:

☐ ☐

Chlorinator tube with corrosion resistant handle present:

☐ ☐

Evidence of chlorination:

☐ ☐

Evidence of restricted flow in chlorinator:

☐ ☐

Sample port with screw on cap present:

☐ ☐

Where does the contact tank discharge to: (Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.) _____

F. PUMP OR LIFT STATION -- This Section N/A ☒

Pump chamber an approved design:

Yes No

☐ ☐

Chamber volume 1.5 times the daily flow:

☐ ☐

Is there a dual pump:

☐ ☐

Alarm present:

☐ ☐

Alarm location: _____

Alarm properly working with audio and visual functions:

☐ ☐

G. AEROBIC UNIT -- This Section N/A ☒

Manufacturer: _____ Model number: _____

Size of unit: _____ gallons

Yes No

Pump running at time of inspection:

☐ ☐

Current maintenance contract in place:

☐ ☐

Who is maintenance contract with: _____

Alarm present:

☐ ☐

Alarm location: _____

Alarm properly working with audio and visual functions:

☐ ☐

Unit discharges to: Seepage field ☐ Seepage bed ☐ Sand filter ☐ Other: _____

If other, what method of chlorination is used: _____

Chlorinator with screw on cap present:

☐ ☐

Chlorinator tube with corrosion resistant handle present:

☐ ☐

Evidence of chlorination:

☐ ☐

Where does the contact tank discharge to: (Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.) _____

See attached permit drawing

Include all distances as described below.

NOTE: Be sure to attach drawing to this report.

The following distances must be verified to ensure all the information is correct and available in the future.

Well or cistern to: N/A ☒	Geothermal unit to: N/A ☒	Building to:
Septic tank: _____ feet	Septic tank: _____ feet	Septic tank: 5 feet
Seepage system: _____ feet	Seepage system: _____ feet	Seepage system: 15 feet
Sand filter: _____ feet	Sand filter: _____ feet	Sand filter: n/a feet
Effluent tile: _____ feet	Effluent tile: _____ feet	Effluent tile: n/a feet
Effluent discharge: _____ feet	Effluent discharge: _____ feet	Effluent discharge: n/a feet
Geothermal unit: _____ feet	Aerobic unit: _____ feet	Geothermal unit: n/a feet
Aerobic unit: _____ feet		Aerobic unit: n/a feet
Water line to:	Body of water to: N/A ☒	
Septic tank: 30 feet	Septic tank: _____ feet	
Seepage system: 25 feet	Seepage system: _____ feet	
Sand filter: n/a feet	Sand filter: _____ feet	
Effluent tile: n/a feet	Effluent tile: _____ feet	
Effluent discharge: n/a feet	Effluent discharge: _____ feet	
Aerobic unit: n/a feet	Aerobic unit: _____ feet	

Comments:

This section is to include any maintenance (pumping) repairs or problems in the history of the septic system. Write any observations and/or conclusions made by probing or excavating the seepage field or sand filter. A serial distribution system must include the condition of each level of field or trench.

Upon inspection, I found that all the components of the system were in good condition, especially given the age of the system. The only recommendation would be to have the tank checked every 3 to 5 years, and pumped as needed.

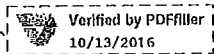
This is the condition I found the septic system on this day. This evaluation is not and should not be considered a guarantee of how the sewage disposal system may function at any time in the future.

Rob Sylvester 049-026206

Inspector Name (print)

Rob Sylvester

Signature



04/12/2017

Date

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the 15th day of May, 2017
between the City of Bloomington, a municipal corporation,
of McLean County, Illinois, hereinafter called CITY and

C+J BUSINESS Rentals, LLC
(if more than one Lessee, cross out 2 of the following
that do not apply) (as joint tenants) (as tenants in common)
(as tenants by the entirety) of , MINONK,
County of McLean, State of Illinois, hereinafter called "Les-
see," Woodford

WITNESSETH

In consideration of the mutual covenants hereinafter con-
tained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following
described real estate owned by the City in the vicini-
ty of Lake Bloomington, Illinois as follows:

Lot 5 in Block 05 in Camp KICKAPOO according to the
private unrecorded plat of the ground belonging to the City located around Lake Bloomington in
Hudson and Money Creek Townships in McLean County, Illinois.

2. TERM OF LEASE. The term of this Lease shall be for a term commencing (**cross out the one
that does not apply**) (on the date of this Lease) (on January 1 following the date of this Lease)
and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.

3. RENT.

(SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.)

- A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each
year, the amount designated hereafter:

- 1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate
of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, in-
cluding land and improvements, as determined by the Supervisor of Assessments of
McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to
(a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's
spouse if Lessee or Lessee's spouse occupies the property immediately after said assign-
ment, or (b) a Lessee who paid fair market value for the property (i.e., a purchaser) prior
to January 1, 1998 for the assignment of the prior Lease.

- 2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair
market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100

EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will remain in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

3) If the Lessee is not eligible for the 15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV rental rate, the rent shall be charged at the rate of _____ ¢ (\$._____) per \$100 EAV.

(SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.)

- B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.
4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.
6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.
7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.

8. GARBAGE. City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
12. TREE CUTTING. No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
13. DEFAULT. If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.
14. TERMINATION BY LESSEE. Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.
15. EMINENT DOMAIN. If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between

City and Lessee as follows:

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.

16. PRIOR LEASE TERMINATED. If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.
17. NOTICE. Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City

City of Bloomington
City Hall
109 E. Olive Street
Bloomington, IL 61701

Lessee Name and Mailing Address

C+J BUSINESS Rentals, LLC
c/o Craig Meyer
631 E. 4th St.
MINONK, IL 61760

Lessee Billing Address

C+J BUSINESS Rentals, LLC
c/o CRAIG MEYER
631 E. 4th St.
MINONK, IL 61760

18. BINDING EFFECT. This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

CITY OF BLOOMINGTON

By: _____
Tari Renner, Mayor

Attest:

Cherry Lawson, City Clerk

-Lessee-

Craig R. Meyer
Jay Johnson



City Clerk's Office
109 E. Olive St., PO BOX 3157
Bloomington, IL 61702-3157
Phone: 309-434-2240

2017 Lake Lot Lease Invoice

Customer Name / Mailing Address:

JOCHUMS, JOHN & JAMES MEYER
119 W 5TH
PO BOX 128
MINONK, IL 61760

Invoice Date: 03/20/2017
Invoice Number: 48053
Customer Account: 7443
Total Due: \$279.70
Date Due: 04/20/2017

Charge Description	Reference	Property EAV*	Amount Due
LAKE LOT LEASE .15		\$116,468.00	\$174.70
LAKE LOT GARBAGE FEE			\$105.00
Total Due:			\$279.70

Property Address: 24863 CHEROKEE CT

Camp Lot-Block: KICKAPOOCAMP 5-05

Lease type: FIXED RATE .15

Add'l Reference: K193

*Please note that the Property EAV (Equalized Assessed Value) is set by the McLean County Assessor.

RETURN ONLY THIS PORTION WITH YOUR CHECK MADE PAYABLE TO THE CITY OF BLOOMINGTON. PLEASE INCLUDE YOUR CUSTOMER ACCOUNT ON YOUR CHECK.

70-2320711 1022

C&J BUSINESS RENTALS LLC
119 W 5TH ST
PO BOX 128
MINONK, IL 61760
(309) 432-2517

DATE 4/20/17

PAY TO THE ORDER OF City of Bloomington \$ 299.70

Two Hundred Seventy Nine & 70/100 DOLLARS

Marion Community Bank
NORTON, ILLINOIS 61560
PUMPKIN CAPITAL OF THE WORLD
KICKAPOO CAMP 5-05
MEMO 24863 CHEROKEE CT

337 0931 01022



CITY OF BLOOMINGTON

PERMIT NO. : EX020769

109 EAST OLIVE
P.O. BOX 3157
BLOOMINGTON, IL 61702-3157
FOR HEARING IMPAIRED

EXCAVATION - UTILITY PERMIT
LAWN ONLY

ISSUED DATE: 09/24/2002

TTY 309/820-5115
APPLICANT:

MARTIN MARINE
18174 PJ KELLER HWY
HUDSON, IL 61748

TO ALL WHOM IT MAY CONCERN: NO TUNNEL WORK PERMITTED

This is to permit the Plumber, , and Excavator, **MARTIN MARINE**, to do/make excavation/hook up at 24863 LAKE BLOOM - CHEROKEE CT for the purpose of **sea wall construction - new construction**.

The work shall be done according to the instructions, and under the supervision of this department.

APPLICANT HEREBY AGREES, to keep said excavation properly guarded until the work is completed, and to indemnify the City of Bloomington against any loss or damage which it may sustain by reason of injuries resulting from the work herein permitted to be done.

George Drye
Director of Engineering & Water

Applicant Signature

Lot Number	K - 193 LAKE BLOOMINGTON
Water Service (Y or N)	Y
Sewer Service (Y or N)	N
Rate (Inside/Outside)	<u>INSIDE</u>
Side of Street	
Meter Size	<u>NA</u>

NOTES: GEORGE DRYE APPROVED SKETCH

PAYMENTS: Total Paid: \$25.00 Check Number: 4340

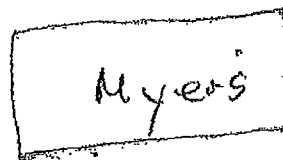
Item#	Description	Account Code	Tot Fee	Paid	Prv. Pmts	Cur. Pmts
120	Engineering Fee	002101	25.00	25.00	25.00	.00

Planning and Code Enforcement
Building Safety Division
Phone 309/434-2226
Fax 309/434-2857

Engineering & Water Department
Phone 309/434-2225
Fax 309/434-2201

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Work by Willie Martin Marine
Ollie Myers K-193 Lake Bloom.
approx 100' x 9' steel shore wall



← home

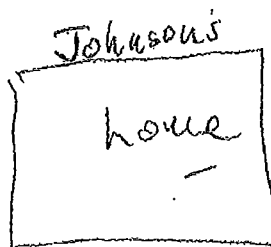
↑
East

← already done

← Add 100' of wall

309-747-2483 willie

North
←



← all steel already done

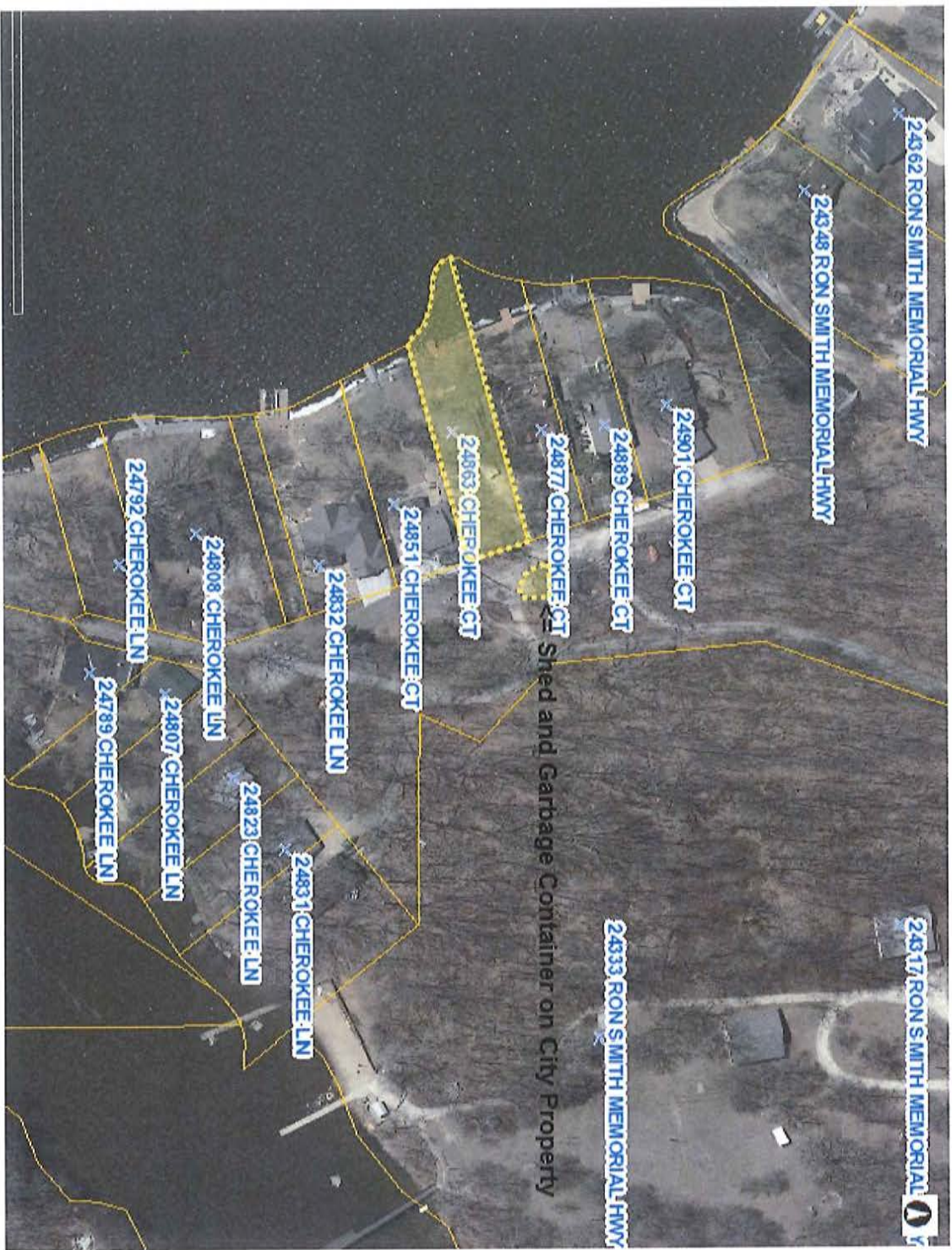
West
↓







Jochums/Meyer Lot and Shed/Garbage Container



Legend

- Address_Full
- COB
- ETSB
- OTHR
- TON
- Parcels
- Citations

Notes

0 0.04 0.1 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

1: 2,257

Printed: 5/22/2017 10:37:28 AM



CONSENT AGENDA ITEM NO. 7N

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of an application of New Vision Cinemas LLC, d/b/a Ovation 10 Bloomington, located at 415 Detroit Dr., requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That the application of New Vision Cinemas LLC, d/b/a Ovation 10 Bloomington, located at 415 Detroit Dr., for an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved and the license created, contingent upon compliance with all health and safety codes.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: Bloomington Liquor Commissioner Tari Renner called a public hearing on May 9, 2017 on the application submitted by New Vision Cinemas LLC, d/b/a Ovation 10 Bloomington, located at 415 Detroit Dr., requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present were: Commissioners Tari Renner, Lindsey Powell, Jack Bataoel; Staff present: George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Redmond McGrath, attorney/representative addressed the Commission.

Commissioner Renner questioned changes to the business model. Mr. McGrath replied that day-to-day operations will remain the same.

Mr. Boyle questioned management changes. Mr. McGrath replied that management personnel will remain the same.

Mr. Boyle questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training certifications. Mr. McGrath stated that same was submitted as part of the application.

Commissioner Renner noted that this item would appear on the June 12, 2017 City Council meeting agenda.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on May 1, 2017 in accordance with City Code. In accordance with City Code, approximately three (3) courtesy copies of the Public Notice were mailed on April 28,

2017. In addition, the Agenda for the May 9, 2017 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This is a corporation change. The current annual license fee is \$2,600. Revenue will be recorded in the Non-Departmental-Liquor License account (10010010-51010). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled "Proposed General Fund Budget" on page 110.

COMMUNITY DEVELOPMENT IMPACT: None.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry L. Lawson, City Clerk

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

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Creation of New License Findings
- Questionnaire and Application
- Aerial Map

Chapter 6: Section 4B: Creation of New License – Findings

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- | | | |
|-----|--|-------------|
| (a) | Have you attained the age of 21 years? | <u>YES.</u> |
| (b) | Have you been a resident of the City of Bloomington for one year? | <u>NO.</u> |
| (c) | Are you a citizen of the United States? | <u>YES.</u> |
| (d) | Are you a person of good character and reputation? | <u>YES.</u> |
| (e) | Have you ever been convicted of a felony under the laws of the United States or any state? | <u>NO.</u> |
| (f) | Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? | <u>NO.</u> |
| (g) | Have you ever been convicted of pandering or any other crime opposed to decency and morality? | <u>NO.</u> |
| (h) | Have you ever had a Bloomington liquor license revoked for any cause? | <u>NO.</u> |
| (i) | (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>NO.</u> |
| (j) | Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>NO.</u> |

- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? NO.
- (l) Do you own or have a valid lease to the premises for which the license is sought? NO. DEED.
- (m) Are you eligible for a state retail liquor dealer's license? YES.
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? NO.

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? EAS
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop). MOVIE THEATER
- (c) State the significance of a liquor license to your establishment, present or future. EXISTING BUSINESS CHANGING OWNERSHIP

SEE ATTACHMENT

- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? _____
- (e) Upon what facts do you base your answers to the previous question? _____
- (f) Do you intend to furnish live entertainment in the establishment to be licensed? NO.
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. N/A
- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? YES.

- (i) If you answered "YES" to the previous question, from what sources will such revenue be derived? TICKET SALES, FOOD, AND NON-ALCOHOLIC BEVERAGES
- (j) Do you intend to obtain and use a dance license? NO.
- (k) If establishment is not in operation, attach a drawing showing:
(1) General design of establishment;
(2) Where alcohol is to be distributed and/or served.

3. **IMPACT OF ESTABLISHMENT:**

- (a) State the location of the establishment. 415 Detroit Dr, Bloomington, IL 61704
- (b) What hours will the establishment be open? 12PM-10PM
- (c) What type or types of building(s) adjoin the establishment? NONE.
- (d) If any adjoining buildings are office or commercial, approximately what hours are they open for business? N/A
- (e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area?
DUPONT PIONEER, BOB ZOOK AUTO BODY, 5 ALARM CROSS FIT.
- (f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.) TWO WAY
- (g) How much additional traffic do you expect the establishment with a liquor license to generate? NONE.
- (h) Describe on and off street parking facilities to handle traffic anticipated. N/A
- (i) How many establishments with liquor licenses are located within the immediate area of your establishment? NONE.
- (j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? HIGH, TO MAINTAIN OPERATIONS.

(k) Upon what facts do you base your answer to the previous question? _____

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
SEE ATTACHED FINANCIAL STATEMENT.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? NO.
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? _____

DATED this 23 day of MARCH, 2017.

SIGNED:

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

(k) Upon what facts do you base your answer to the previous question? _____

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
SEE ATTACHED FINANCIAL STATEMENT.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? NO.
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? _____

DATED this 28th day of March, 2017

SIGNED:

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

Questionnaire Attachment

2. Nature of License

- (c) State the significance of a liquor license to your establishment, present or future.

The significance of a liquor license at this location cannot be overstated as this is a change of ownership. This luxury dinner-theater concept at this establishment offers an expanded dining menu of dining and beverage options, including a variety of beer, wine and mixed beverage options. The dinner-theater concept features a full service restaurant that will extend into auditoriums with in-theater wait staff, offering an enhanced upscale dining and movie-going experience designed for the 21st Century.

- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents?

The residents of Bloomington will continue to benefit from the thoroughly modern, luxury entertainment venue that will be unique to Bloomington. With its unique, upscale recreational amenity with a strong family appeal.

- (e) Upon what facts do you base your answers to the previous question?

This is a change of ownership. New Vision plans to continue operating the theater as it was operated by Carmike.

3. Impact of Establishment

- (i) How many establishments with liquor licenses are located within the immediate area of your establishment?

The closest liquor licensed establishment, El Toro, is located 1.5 miles from the proposed licensed premises. Other businesses in the general vicinity are as follows:

- Avanti's Italian Restaurant – 3302 E. Empire Street (1.7 miles)
- Baxter's American Grille – 3212 E. Empire Street, Bloomington, IL 61704 (1.8 miles)
- Parke Regency Hotel & Conference Center – 1413 Leslie Drive (2.5 miles)
- Buffalo Wild Wings – 3220 E. Empire Street, Bloomington, IL 61704 (2.7 miles)
- CJ Restaurant & Catering – 2901 E. Empire (2.8 miles)
- Grill Street Sports Bar & Restaurant – 3002 Grill Street, Bloomington, IL 61704 (3.5 miles)
- Pheasant Lanes Bowling – 804 N. Hershey Road (3.7 miles)
- Hooters – 409 N. Hershey Road, Bloomington, IL 61704 (3.8 miles)
- Ride the Nine Shooter's Lounge – 503 N. Prospect Road (4.0 miles)
- Puran Indian Restaurant – 1704 Eastland Drive (4.2 miles)
- Lucky Garden – 706 S. Eldorado Road (4.5 miles)
- Legends Sports Bar & Grill – 712 S. Eldorado Road (4.6 miles)
- Jim's SteakHouse – 2307 E. Washington Street (5.0 miles)

(j) What do you estimate to be the demand for your establishment in the area in which it is or will be located?

High.

(k) Upon what facts do you base your answer to the previous question?

There is no other theater of this kind in the vicinity. The closest theater, the Normal Theater, is over 7 miles away.

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS EAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.
2. The undersigned applicant is ____ an individual; ____ a partnership; X a corporation; (Check one)

A. If an individual: Name _____ Age _____
Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

C. If a corporation, state whether same is organized for profit X or nonprofit ____, under laws of the State of DELAWARE

Date of incorporation 1/23/2017

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

ATTACHED.

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

N/A LICENSEE IS A LIMITED LIABILITY COMPANY

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application X (Check one)

4. Location and description of the premises or place of business to be operated under this license

415 Detroit Dr, Bloomington, IL 61704

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No X

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No X

7. Is it proposed to sell food in this place of business? Yes X No _____

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No X

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No X If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No X If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No X

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes X No _____

13. If no, the name of the building owner: Name _____
Address _____

Term of written lease, from (date) _____ to _____
(Copy of Lease attached)

14. Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages? Yes _____ No X

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this _____ day of _____, _____.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

(All Partners of applicant)

C. (Corporation) _____
(Corporate Name)

(President of Corporation)

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS EAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.
2. The undersigned applicant is ____ an individual; ____ a partnership; X a corporation; (Check one)

A. If an individual: Name _____ Age _____
Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ____ No ____

C. If a corporation, state whether same is organized for profit X or nonprofit ____, under laws of the State of _____

Date of incorporation 1/23/2017

Objects of incorporation according to Charter of corporation.
by separate sheet if necessary)

(Attach additional information

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: <u>James Clippard</u>	Title or position: <u>Manager</u>
Address: <u>18 Althea Lane</u>	City/State/Zip <u>Larchmont, NY 10538</u>
Name: <u>Charles Alan Goldwater</u>	Title or position: <u>Manager</u>
Address: <u>3323 Dona Rosa Drive</u>	City/State/Zip <u>Studio City, CA 91604</u>
Name: <u>Anthony Dale Mayo</u>	Title or position: <u>Manager</u>
Address: <u>38 Bay Point Harbour</u>	City/State/Zip <u>Point Pleasant, NJ 09742</u>

Name: _____ Title or position: _____
Address: _____ City/State/Zip: _____

3. This application is for renewal of license now held _____ or an original application X (Check one)

4. Location and description of the premises or place of business to be operated under this license
415 Detroit Dr, Bloomington, IL 61704

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No X

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No X

7. Is it proposed to sell food in this place of business? Yes X No _____

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No X

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No X If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No X If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No X

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes X No _____

13. If no, the name of the building owner: Name _____
Address _____

Term of written lease, from (date) _____ to _____
(Copy of Lease attached)

14. Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages?
Yes _____ No X

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 30th day of March, 2017.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

(All Partners of applicant)

C. (Corporation) NEW VISION CINEMA LLC
(Corporate Name)

(President of Corporation)

Mark

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

JAMES CLIFFARD, MANAGER _____

STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 24th day of March, 2017.

Jenny R. Finnegan

(Notary Public)

My commission expires on 01/26/2021.

JENNY R. FINNEGAN
Notary Public, State of New York
Qualified in Nassau County
REG. NO.01F16200217
Commission Expires 01/26/2021

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application X (Check one)

4. Location and description of the premises or place of business to be operated under this license
415 Detroit Dr, Bloomington, IL 61704

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No X

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No X

7. Is it proposed to sell food in this place of business? Yes X No _____

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No _____

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No _____ If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No _____ If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No X

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes X No _____

13. If no, the name of the building owner: Name _____
Address _____

Term of written lease, from (date) _____ to _____
(Copy of Lease attached)

14. Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages?
Yes _____ No X

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 23 day of MARCH, 2017.

A. (Individual)

B. (Partnership)

(All Partners of applicant)

Business Name

C. (Corporation)

NEW VISION CINEMAS LLC
(Corporate Name)

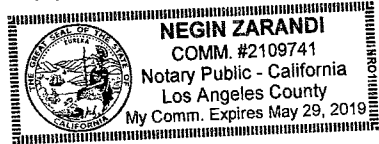
(President of Corporation)

SEE ATTACHED FOR NOTARY

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 23rd
day of March, 2017, by Charles
Goldwater,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in cursive script, appearing to read 'N. Zarandi', written over a horizontal line.

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application X (Check one)

4. Location and description of the premises or place of business to be operated under this license
415 Detroit Dr, Bloomington, IL 61704

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No X
6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No X
7. Is it proposed to sell food in this place of business? Yes X No _____
8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No _____
9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No _____ If yes, fully explain.
10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No _____ If yes, give further details.
11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No _____
12. Is the applicant herein, the owner of the premises for which this license is sought? Yes X No _____
13. If no, the name of the building owner: Name _____
Address _____
Term of written lease, from (date) _____ to _____
(Copy of Lease attached)
14. Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages?
Yes _____ No _____

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 23rd day of March, 2017.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

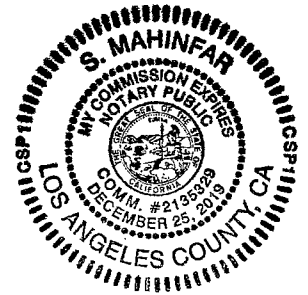
(All Partners of applicant)

C. (Corporation)

NEW VISION CINEMAS,
(Corporate Name) LLC

(President of Corporation)

Chairman



Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

Anthony D Margo _____

STATE OF ~~ILLINOIS~~ California
COUNTY OF ~~MCLEAN~~ Los Angeles

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 23rd day of March, 2017.

[Signature]

(Notary Public)

My commission expires on 12/25, 2019.

LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT NEW VISION CINEMAS, LLC

Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS EA LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 23 day of March, 2017.

A. (Individual)

(Name)

B. (Partnership)

(Business Name)

All partners of applicant: _____

C. (Corporation)

NEW VISION
CINEMAS LLC

(Corporate Name)

By:

(Name of Officer: President)

Charles Goldwater

Attest:

Secretary

And the following officers, directors, or majority stockholders:

STATE OF ILLINOIS,)
) ss.
County of McLean,)

being first sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code 1960; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and sworn to before me this _____ day of _____, 20__

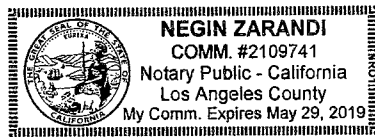
Notary Public

SEE ATTACHED FOR NOTARY

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 23rd
day of March, 20 17, by Charles
Goldwater,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in black ink, appearing to read "N. Zarandi", written over a horizontal line.

Document: License Application

LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT NEW VISION CINEMAS, LLC

Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS EA LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 30 day of March, 2017

A. (Individual)

(Name)

B. (Partnership)

(Business Name)

All partners of applicant:

C. (Corporation)

NEW VISION CINEMAS, LLC

(Corporate Name)

By:

(Name of Officer, President)

Chairman

Attest:

Secretary

And the following officers, directors, or majority stockholders:

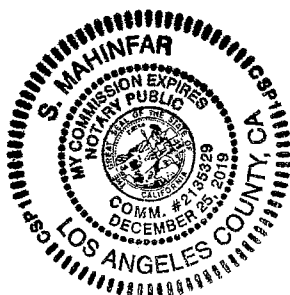
J V

California
STATE OF ILLINOIS,)
Los Angeles ss.
County of *McLean*,)

being first sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code 1960; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and sworn to before me this 23rd day of March, 2017

Notary Public







CONSENT AGENDA ITEM NO. 70

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of the request from Toby Hoover and Patti Schrock to allow moderate consumption of alcohol at their September 1, 2017 wedding reception to be held at Davis Lodge.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on September 1, 2017 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On May 9, 2017, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Toby Hoover and Patti Schrock to allow moderate consumption of alcohol at their September 1, 2017 wedding reception to be held at Davis Lodge.

Present were: Commissioners Tari Renner, Lindsey Powell, Jack Bataoel; Staff present: George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Toby Hoover and Patti Schrock addressed the Commission. Mr. Hoover stated that Nelson's Catering from Springfield would cater the event. Beer and wine only would be served.

Motion by Commissioner Bataoel, seconded by Commissioner Powell to recommend at the May 22, 2017 City Council meeting, approval of the request from Toby Hoover and Patti Schrock to allow moderate consumption of alcohol at their September 1, 2017 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Powell, Bataoel and Renner.

Nays: None.

Motion carried.

Approximately 100 guests were anticipated.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 9, 2017 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

COMMUNITY DEVELOPMENT IMPACT: None.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Robert D. Yehl, PE, Water Director

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

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

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

David A. Hales
City Manager

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2017 -

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING
RECEPTION ON SEPTEMBER 1, 2017 AT DAVIS LODGE**

WHEREAS, Toby Hoover and Patti Schrock wish to allow moderate consumption of alcohol at their September 1, 2017 wedding reception to be held at Davis Lodge commencing at 3:30 p.m.; and

WHEREAS, Toby Hoover and Patti Schrock have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge, for the wedding reception on September 1, 2017 commencing at 3:30 p.m. at Davis Lodge.

Section 2: Except for the date, location and time set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

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

PASSED this 12th of June, 2017.

APPROVED this ____ day of June, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel



CITY OF
Bloomington
ILLINOIS

REQUEST FOR BEER/WINE AT A CITY OWNED PROPERTY

1. *Name of Applicant: Patti Schrock 2. Contact number: 309-826-4529

*Name of Applicant: Toby Hoover Contact number: 309-846-1837

*If the request is for a wedding please provide information on the bride and groom.

3. Email Address: patti.toby9117@gmail.com Email Address: _____

4. Type of Event: Wedding

5. Location of event: Davis Lodge at Lake Bloomington

6. Dates/times of event: September 1, 2017, ceremony start time 3:30 pm/Reception to follow at Davis Lodge

7. Approximately number of attendees: 100

8. Name of Caterer: Nelson's Catering Sheila Brooks

9. Caterer address: 3005 Great Northern Rd Springfield, IL 62711 Caterer contact number: 217-787-9443

10. Have you reserved the location above? Y or N: Y

11. Have you paid the deposit? Y or N: Y (Please attach a copy of the receipt with the application.)

Patti Schrock
Applicant Signature

Toby Hoover

03/28/17
Date

FOR OFFICE USE ONLY

Date application received: _____

Staff Initial/Process Date: _____

Receipt confirming event location deposit attached: Yes No

If not, had staff contacted the applicant? Yes No

Date contacted: _____ By Whom (staff): _____

Water and/or Parks Department contacted?

Yes No

When _____

Date scheduled for a future Liquor Commission Meeting: _____

Date applicant was notified: _____

By whom: _____

Date recommended for City Council consideration: _____



CONSENT AGENDA ITEM NO. 7P

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of the application of Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St. Suite 200, currently holding a PAS liquor license which allows the sale of all types packaged alcohol for consumption off the premises seven (7) days a week for a change of classification to a RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off premise seven (7) days a week.

RECOMMENDATION/MOTION: That the application of Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St. Suite 200, currently holding a PAS liquor license which allows the sale of all types packaged alcohol for consumption off the premises seven (7) days a week for a change of classification to a RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off the premise seven (7) days a week be approved, contingent upon 1.) verification from the Finance Department that food and beverage and package taxes are current and 2.) Compliance with all health and safety codes; also, that the reclassified license be subject to the condition that closing hours shall be 9:00 p.m.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: Bloomington Liquor Commissioner Tari Renner called a public hearing on November 8, 2016 on the application submitted by Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located 1512 W. Market St. Suite 200, currently holding a PAS liquor license which allows the sale of all types packaged alcohol for consumption off the premises seven (7) days a week for a change of classification to a RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week.

Present were: Commissioner Tari Renner; Staff present: George Boyle, Asst. Corporation Counsel, Asst. Police Chief Ken Bays, Katie Simpson, City Planner, Paulette Hurd, Chief Accountant and Renee Gooderham, Chief Deputy Clerk.

Arturo Hernandez, owner/operator, addressed the Commissioner with the assistance of his translator Sergio Arola. Commissioner Renner questioned the business model. Mr. Hernandez explained that the establishment was currently a grocery store. They wanted to expand into a

restaurant. Commissioner Renner stated that the majority of receipts had to come from the food sales. Mr. Hernandez acknowledged same.

Commissioner Renner noted that Lupita's Hispanic & American Grocery, Inc., was currently behind one (1) month, July 2016 for food and beverage. He believed same was an oversight as the preceding months had been paid. Package liquor tax had not been paid since August 2016. He stated that the recommendation for approval would be contingent upon the applicant paying the delinquent food and beverage and package liquor taxes. Mr. Hernandez acknowledged his understanding of same.

Mr. Boyle questioned how many tables. Mr. Hernandez responded twenty (20).

Commissioner Renner questioned video gaming machines. Mr. Hernandez responded affirmatively.

Commissioner Renner opened the meeting for public testimony on this application.

Ray McWhooter, spoke in opposition to the application. He stated that he had trash in his yard. He believed the application would not benefit the neighborhood. Commissioner Renner questioned if placing closing hour restrictions would help. Mr. McWhooter responded possibly.

Commissioner Renner questioned current establishment hours. Mr. Hernandez responded hours were 9:00 a.m. to 9:00 p.m. Commissioner Renner questioned expansion of same. Mr. Hernandez responded negatively. Commissioner Renner noted that closing at 9:00 p.m. would be a license condition.

Commissioner Renner questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training. Mr. Hernandez responded that he was certified.

Commissioner Renner summarized the recommendation to the December 12, 2016 City Council Meeting: that the application of Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located 1512 W. Market St. Suite 200, currently holding a PAS liquor license which allows the sale of all types packaged alcohol for consumption off the premises seven (7) days a week for a change of classification to a RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week be approved contingent upon: 1.) Closing hours are 9:00 p.m., 2.) Verification from the Finance Department that food and beverage and package taxes are current and 3.) Compliance with all health and safety codes.

Ted Kozinski, Accountant, verified that food and beverage and package taxes are current as of May 25, 2017.

In deciding whether to allow a change in license classification, Bloomington City code requires that the Council apply the standards for the creation of a liquor license set forth in Chapter 6, Section 4B of the code accompanying this memorandum.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on October 31, 2016 in accordance with City Code. In accordance with City Code, approximately 45 courtesy copies of the Public Notice were mailed on October 31, 2016. In addition, the Agenda for the November 8, 2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This is a change in classification. The current annual license fee will increase to \$2,600. Fund will be deposited in the Non-Departmental-Liquor License account (10010010-51010). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled "Proposed General Fund Budget" on page 110.

COMMUNITY DEVELOPMENT IMPACT: None.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry L. Lawson, City Clerk

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

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Creation of New License Findings
- Questionnaire and Application
- Aerial Map

Chapter 6: Section 4B: Creation of New License – Findings

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- | | | |
|-----|--|--------------|
| (a) | Have you attained the age of 21 years? | <u>yes</u> |
| (b) | Have you been a resident of the City of Bloomington for one year? | <u>yes</u> |
| (c) | Are you a citizen of the United States? | <u>yes</u> |
| (d) | Are you a person of good character and reputation? | <u>yes</u> |
| (e) | Have you ever been convicted of a felony under the laws of the United States or any state? | <u>no</u> |
| (f) | Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? | <u>no</u> |
| (g) | Have you ever been convicted of pandering or any other crime opposed to decency and morality? | <u>no</u> |
| (h) | Have you ever had a Bloomington liquor license revoked for any cause? | <u>no</u> |
| (i) | (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>yes</u> ? |
| (j) | Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>no</u> |

- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? no
- (l) Do you own or have a valid lease to the premises for which the license is sought? yes
- (m) Are you eligible for a state retail liquor dealer's license? yes
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? yes.

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? RAPS?
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop). restaurant.
- (c) State the significance of a liquor license to your establishment, present or future. it is significant because a customer can come over and enjoy a meal and a beverage in a relaxed atmosphere
- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? it will benefit the City by the Tax. of the Sales and benefit the residents by providing a relaxed area to enjoy a nice beverage
- (e) Upon what facts do you base your answers to the previous question? we asked our clients
- (f) Do you intend to furnish live entertainment in the establishment to be licensed? no
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. _____
- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? yes

- (i) If you answered "YES" to the previous question, from what sources will such revenue be derived? Restaurant (food)
- (j) Do you intend to obtain and use a dance license? NO
- (k) If establishment is not in operation, attach a drawing showing:
 (1) General design of establishment;
 (2) Where alcohol is to be distributed and/or served.

3. IMPACT OF ESTABLISHMENT:

- (a) State the location of the establishment. 1512 W. Market St. Ste 200
- (b) What hours will the establishment be open? Sunday to Thursday 9am to 9pm
Friday and Saturday 9AM to 10:30 pm
- (c) What type or types of building(s) adjoin the establishment? Furniture Store (Pentacenter)
Family Dollar
- (d) If any adjoining buildings are office or commercial, approximately what hours are they open for business? 9 am to 10 pm
- (e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area? gas station (Pilot)
only business
- (f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.) the business will be inside Lupita's Hispanic & American Grocery
the parking is already establish
- (g) How much additional traffic do you expect the establishment with a liquor license to generate? 20 % ?
- (h) Describe on and off street parking facilities to handle traffic anticipated. Plenty of Parking
Parking on front of the building that will accomodate around 100 spaces.
- (i) How many establishments with liquor licenses are located within the immediate area of your establishment? None
- (j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? 20 %

(k) Upon what facts do you base your answer to the previous question? in the facts that people will always love to try different foods

4. **RESPONSIBILITY:**

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? yes
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? None

DATED this 26 day of October, 2016.

SIGNED:

(Name)
1512 W. Market St #
(Address)
Bloomington ILL
(City) (State)

(Name)

(Address)

(City) (State)

(Name)

(Address)

(City) (State)

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS RAPS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is ___ an individual; ___ a partnership; X a corporation; (Check one)

A. If an individual: Name _____ Age _____
Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes ___ No ___

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ___ No ___

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes ___ No ___

C. If a corporation, state whether same is organized for profit X or nonprofit ___, under laws of the State of Illinois

Date of incorporation 02-2011

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: Arturo Hernandez Title or position: Owner
Address: _____ City/State/Zip Bloomington IL 61701

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application X (Check one)
4. Location and description of the premises or place of business to be operated under this license
1512 W Market St Ste 200 Bldg G
A. Trade Name Lupita's Hispanic and American Grocery
5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No X
6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No X
7. Is it proposed to sell food in this place of business? Yes X No _____
8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No X
9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No X If yes, fully explain.
10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No X If yes, give further details.
11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No X
12. Is the applicant herein, the owner of the premises for which this license is sought? Yes _____ No X
13. If no, the name of the building owner: Name Snyder
Address #1 Brickyard Dr. Bloomington IL 61702
Term of written lease, from (date) _____ to _____
(Copy of Lease attached)
14. Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages?
Yes _____ No X

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this _____ day of _____, _____.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

(All Partners of applicant)

C. (Corporation) Lupita's Hispanic and American
(Corporate Name) Grocery

(President or Corporation)

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 28th day of October, 2018.

Teresa Renee Gooderham
My commission expires on Dec 4, 2018.



LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT Lupita's Hispanic and American Grocery
Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS ~~RMS~~ LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) above shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 10 day of 28, 2016.

A. (Individual)

(Name)

B. (Partnership)

(Business Name)

All partners of applicant:



PUBLIC HEARING



PUBLIC HEARING AGENDA ITEM NO. 8A

FOR COUNCIL: June 12, 2017

SUBJECT: Public hearing on the Annexation Agreement submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory and The Benoit Group, LLC for approximately 3.12 acres commonly located at 102 Greenwood Ave., PIN: 21-16-101-008.

RECOMMENDATION/MOTION: Open the public hearing to receive comments on this item.

STRATEGIC PLAN LINK: 4. Financially Sound City Providing Quality Basic Services; 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: 1e. Partnering with others for the most cost-effective service delivery; 5b. City decisions consistent with plans and policies

BACKGROUND: Pursuant to the Illinois Municipal Code and the City Code, prior to adoption of an annexation agreement, a public hearing must be held in front of the City Council. Notice of this public hearing was given by publication in the Pantagraph on May 26, 2017. A public hearing was held by the Planning Commission on May 10, 2017. In addition to reviewing the agreement, the Planning Commission held a hearing on the proposed zoning district, R-3B, requested in the agreement. Notice for the aforementioned public hearing with the Planning Commission was published in the Pantagraph on April 24, 2017.

The subject property is approximately 3.12 acres of vacant land located south of Greenwood Avenue in the unincorporated limits of McLean County. The site was previously developed as a hotel, but, due to the expansion of Veterans Parkway, access to the site was restricted and the hotel closed. The property has remained vacant for many years. Additionally, City sewer will need to be extended along Greenwood Avenue to service this site. This site is recognized as a Tier 3 Development Priority in the City of Bloomington Comprehensive Plan.

The annexation agreement for consideration by Council is between the current property owner (Kristen Lee Jones N/K/A Kristen Lee Guillory), the developer/future property owner (the Benoit Group, LLC), and the City of Bloomington. The developer/future property owner would like to develop the property with a 54 unit multifamily affordable housing complex. The developer is seeking tax credits from the Illinois Housing Development Authority to fund the project and plans to partner with the Bloomington Housing Authority, reserving 10 units to be used as supportive housing for people with disabilities and 10 units to be occupied by residents with an annual income less than sixty (60) percent of the average median income for Bloomington. Based on HUD Income Guidelines for FY2017-2018, the average median income for a household of 4 in Bloomington is \$79,600.00, therefore, 10 units of this project would be reserved for households of 4 with annual

incomes of \$47,760.00 or less. According to the Bureau of Labor Statistics¹, this can include Bloomington residents that work in a number of professional settings, such as: office and administrative support, community and social services, sales and related, production, installation/maintenance/repair, transportation and healthcare support. The remaining 34 units will have fixed market rate rents. The Bloomington Housing Authority has submitted a letter of support (attached to this memorandum) for this project. Tax credit applications are due at the end of June and this annexation agreement will need to have been approved before the developer can submit their application. Failure to reach an agreement will prevent the developer from applying for the tax credit necessary for the development.

The agreement essentially takes effect once the developer acquires the property; if the developer fails to acquire the property, then the agreement is null and void. The agreement outlines developer obligations upon acquiring the property, including petitioning for annexation into the City of Bloomington and other taxing bodies, providing onsite storm water detention, constructing public sanitary sewer that will serve the development and paying impact fees outlined in City Code such as the annexation fee, parkland dedication fee, substandard road fee and utility tap-on fees.

The Planning Commission voted to approve the proposed agreement, conditioned upon the City Council being satisfied with additional information provided by the petitioner related to public safety concerns, and ingress/egress to the property, and access to public transportation. Information regarding crime in the area was also requested from the Police. The petitioner submitted the requested additional information to City Staff on May 25, 2017. This information was shared with City of Bloomington Fire and Police Departments and is attached for Council's review. In summary, the attachments provide information about shuttle times to take residents to the nearest bus stops as well as a proposed pedestrian easement that would allow residents to pass through the property to the south and access the bus stop on Main Street. The City of Bloomington Police Department remains neutral with regard to the proposal. A crime map and crime data from 2012-2017 for the area provided by the Police Department is also attached.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This case was before the Planning Commission for a public hearing and review on May 10, 2017. No persons, other than the applicant and his attorney, spoke in favor of the agreement. Two persons spoke in opposition to the agreement. The Planning Commission recommended approval of the annexation agreement and rezoning by a 5-1 vote conditioned upon the City Council being satisfied with the additional information provided by the petitioner related to public safety concerns, and ingress/egress to the property, and access to public transportation. This recommendation is consistent with staff's recommendation for approval. Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 14 property owners within 500 feet of the subject property. A sign alerting the neighborhood to the public hearing was also placed on the subject property.

FINANCIAL IMPACT: The developer, upon annexation into the City, will be required to pay tap-on fees for city utilities and annexation, parkland dedication and substandard road fees.

¹ https://www.bls.gov/regions/midwest/news-release/occupationalemploymentandwages_bloomingtonil.htm

Additionally, the developer will construct public sanitary sewer to serve this development. Once sewer is constructed, it will be dedicated to the City.

COMMUNITY DEVELOPMENT IMPACT: Link to Comprehensive Plan Goals: Affordable housing is identified as a priority in the Comprehensive Plan. It is intended to serve young professionals, college graduates, seniors on a fixed income, and people working in low paying professional positions such as a pre-school teacher.

H-1. Ensure the available of safe, attractive and high quality housing stock to meet the needs of all current and future residents.

H.1-2 Ensure an adequate supply of affordable housing for low to moderate income households.

H.1-2c. Encourage collaborations among affordable housing providers.

H.1-3 Create a life-long community by fostering housing stock that meets the needs of all residents of all ages and abilities

H.1-3a. Increase supply of housing options accessible of seniors and people with disabilities.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Community Development review by: Tom Dabareiner, Community Development Director

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Annexation Agreement with Exhibits
- Aerial Map of Subject Property
- Certification of Publication-Pantagraph Newspaper
- Plat of Survey
- Planning Commission Report from 5.10.17
- Planning Commission Minutes from 5.10.17
- Permitted Uses in the R-3B District
- Mailing Sample and Mailing List
- Additional information requested by Planning Commission for Council review
- Crime Map and Crime Data from 2012-2017 provided by COB PD
- BHA Letter of Support

ANNEXATION AGREEMENT

Pursuant to legislative authorization found in Article 11 Division 15.1 of the Illinois Municipal Code of 1961 as amended, (65 ILCS 5/11-15.1-1 et seq.) and for and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned City of Bloomington, Illinois, a Municipal Corporation, hereinafter referred to as “City” and Kristen Lee Jones, N/K/A Kristen Lee Guillory hereinafter referred to as “Current Owner” and TBG Land, LLC, a Georgia limited liability company hereinafter referred to as “Developer” (collectively, Current Owner and Developer are referred to herein as “Owner”) enter into this Annexation Agreement (“Agreement”) for the annexation of property into the City.

WHEREAS, Current Owner is the owner of record of the premises hereinafter described on Exhibit A, which is attached hereto and made a part hereof by this reference; and

WHEREAS, the Developer and the Current Owner have executed a real estate sales contract with respect to said premises; and

WHEREAS, the Owner is desirous of having said premises annexed to the City and the City is desirous of annexing said premises; and

WHEREAS, said premises is not within the corporate limits of any municipality, but is contiguous to the City; and

WHEREAS, the Owner is desirous of having said premises zoned R3B upon annexation to the City; and

WHEREAS, the Owner has given all notices required to be given by Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1).

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City and Owner agree as follows:

1. ANNEXATION PETITION.

Owner, within 30 days of conveyance of the property from Current Owner to Developer and subject to the terms and conditions set forth in this Agreement, will petition the City of Bloomington, requesting annexation of the property legally described on Exhibit “A”, attached hereto and incorporated herein by reference, to the City’s corporate limits. The City will publish and give such notices and conduct such public hearings as are required to annex the premises.

2. ANNEXATION.

Upon receipt of said petition, the City agrees to adopt an ordinance annexing the property described on Exhibit “B”, Annexation Plat, attached hereto and incorporated herein by reference to the City of Bloomington. The City agrees that it will not adopt the Annexation Ordinance unless and until the Developer delivers a written petition to the City and provided further that the City agrees to adopt an Annexation Ordinance within thirty (30) days of delivery of said petition. In the event Developer fails to petition the City for annexation on or before July 1, 2018 this Agreement shall become null and void and of no further force or effect.

3. ZONING.

City agrees to rezone the property to R3B, Multifamily Residential subsequent to any public hearings required by the City Code, and all necessary zoning approvals, and zoning relief to permit the development of a 50-unit multi-family development.

4. DEVELOPMENT OBLIGATIONS.

With regard to the annexation, and development of the premises, the installation of public improvements within and serving the premises; and the use and development of the premises during the life of this agreement, the following shall apply:

- A. Sanitary Sewer. The premises shall be required to connect to the City’s sanitary sewer within 6 months of annexation of the premises into the City. Owner is responsible for any and all tap on fees for connection to the sanitary sewer
- B. Water. The premises shall be required to connect to the City’s water mains within 6 months of annexation into the City and Owner shall be responsible for any and all tap on fees for connection to the water mains.
- C. Stormwater Detention. Owner shall provide onsite detention or pay a fee-in-lieu for storm water detention pursuant to the City Code in place within 6 months of annexation into the City. .
- D. Parkland fee. Owner shall dedicate parkland or pay a fee-in-lieu (in the amount of \$17,014) for parkland dedication pursuant to the City Code in place within 6 months of annexation into the City.
- E. Annexation Fee. Owner shall pay an annexation fee pursuant Chapter 8.5 Section 205 of the City Code in place within 6 months of annexation into the City.
- F. Substandard Road Fee. Owner agrees to reimburse City, at the time of construction for one-half the construction cost of the improvement of all public streets that are adjacent to said premises from their present condition to a 30 foot wide improved street with curb and gutter for the full extent that such streets are adjacent to said premises. For purposes of definition of this agreement, streets shall be considered adjacent to said premises if:

- a. any portion of said streets are contiguous to any portion of said premises;
or
- b. said streets are either necessary or the most convenient route for ingress to and egress from said premises.
- c. the length of the street(s) which the owner is responsible under paragraph (b) above shall not be limited to that portion which is contiguous to said premises; it shall extend to that portion of the street (s) for which the cost is fairly apportionable to said premises, using frontage, area, or other reasonable methods of determination.

G. Recapture. Owner shall be allowed to recover a portion of its costs from future beneficiaries of public sewer, water and storm sewer improvements subject to a mutually acceptable agreement approved by City of Bloomington City Council

5. OBLIGATION TO DEVELOP PER CODE.

Subject to Section 3 of this Agreement, in the construction and use of improvements on the subject property the Owner shall comply with all zoning subdivision, building, mechanical and other applicable codes and ordinances of the City of Bloomington in effect at that time.

6. ANNEXATION TO OTHER TAXING DISTRICTS.

That owner, as soon as practicable, but not later than 90 days from the date of annexation to the City, shall file and thereafter diligently pursue the necessary petition to annex the property to the Bloomington-Normal Airport Authority and the Bloomington and Normal Water Reclamation District.

7. COVENANTS AND AGREEMENTS

The covenants and agreements contained in the Agreement shall be deemed to be covenants running with the land during the term of this Agreement, shall inure to the benefit and be binding upon the heirs, successors and assigns of the parties hereto.

8. TERM

The term of this Agreement shall be for twenty (20) years from and after the effective date of the annexation of the Subject Property.

9. NOTICES

Any and all notices required or desired to be given hereunder shall be in writing and shall be delivered personally or sent via certified or registered mail, postage pre-paid and addressed as follows:

To the City:

City of Bloomington
Attn: City Manager
109 East Olive Street
Bloomington, IL 61701

To the Developer:
The Benoit Group, LLC
C/O: Torian R. Priestly
Marsh Creek Village
6780 Roswell Road NE, Suite 200
Atlanta, GA 30328

To Current Owner:

or to such other person or address as a party may designate in a like manner.

10. ADOPTION OF ORDINANCES

The City agrees to adopt such ordinances as may be required to give legal effect to the matters contained in this Agreement.

11. DORMANT SPECIAL SERVICE AREA

1. A dormant special service area will be established over the Property, with the cooperation and participation of the Owner, to provide for the on-site public improvements for the Property, as well as to pay for the costs and expenses directly or indirectly related in any way to the on-site public improvements, including, without limitation:
 - a. construction, installation, repair, or maintenance of the on-site public improvements in the event that the Owner is for any reason unable to do so and there is inadequate or unavailable security to construct and install the on-site public improvements;
 - b. legal, engineering, and construction management expenses related to the construction, installation, repair, or maintenance of the on-site public improvements;
 - c. direct and indirect administrative expenses;
 - d. payment of public liability insurance premiums; or

- e. reimbursement to the City for funds it expended or incurred to construct, install, repair, or maintain the on-site public improvements.

The Owner will pay for all costs incurred by the City in establishing the dormant special service area including, without limitation, the payment of all attorneys' fees incurred by the City in establishing the special service area as well as reimbursement to the City for any and all costs and expenses incurred by the City.

- 2. The City will have the automatic right to activate the dormant special service area and extend the taxes in association with the special service area upon the occurrence of any of the following events:
 - a. failure of the Owner for any reason to complete such public improvements;
 - b. inadequacy of the performance security established by the Owner as required by this Annexation Agreement; or
 - c. failure or refusal by the bank to fulfill or otherwise honor the performance security established by the Owner as required by this Annexation Agreement.
- 3. By purchasing a lot in the Property, each purchaser of a lot, for himself or herself and his or her respective successors in title, forever waives any right to challenge the assessment or collection of a tax or assessment imposed by the City against the lot pursuant to a special service area established in accordance with this §11, provided such special service area is not amended in any way that requires a new public hearing.
- 4. The Declaration of Covenants for all lots in the Property will include similar language regarding the establishment of the special service areas.
- 5. Nothing in this §11 will prevent the Owner or any individual lot Owner from exercising his or her statutory right to object to the establishment or amendment of the Dormant Special Service Area.
- 6. Upon the City's formal acceptance of the on-site public improvements for the Property and the expiration of any maintenance guarantee period, as provided in §11 of this Annexation Agreement, the City will take all reasonable actions to have the Dormant Special Service Area dissolved. In no event will the City seek the extension of the special service area tax after it has formally accepted the on-site public improvements for the Property and the expiration of any maintenance guarantee period.

12. GENERAL PROVISIONS

The following general provisions shall apply to this Agreement:

- A. Time of the Essence. Time is of the essence in the performance of this Agreement.
- B. Rights Cumulative. Unless expressly provided to the contrary in this Agreement, each and every one of the rights, remedies, and benefits provided by this Agreement shall be cumulative and shall not be exclusive of any other rights, remedies, and benefits allowed by law.
- C. Non-Waiver. The City shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the City to exercise at any time any right granted to the City shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the City's right to enforce that right or any other right.
- D. Consents. Unless otherwise provided in this Agreement, whenever the consent, permission, authorization, approval, acknowledgement, or similar indication of assent of any party to this Agreement, or of any duly authorized officer, employee, agent, or representative of any party to this Agreement, is required in this Agreement, the consent, permission, authorization, approval, acknowledgement, or similar indication of assent shall be in writing.
- E. Governing Law. This Agreement shall be governed by, and enforced in accordance with, the internal laws, but not the conflicts of laws rules, of the State of Illinois.
- F. Severability. It is hereby expressed to be the intent of the parties to this Agreement that should any provision, covenant, agreement, or portion of this Agreement or its application to any Person or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any Person or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.
- G. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.
- H. Interpretation. This Agreement shall be construed without regard to the identity of the party who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.
- I. Exhibits. The Exhibits attached to this Agreement are, by this reference, incorporated in, and made a part of this Agreement. In the event of a conflict

between an exhibit and the text of this Agreement, the text of this Agreement shall control.

- J. Amendments and Modifications. No amendment or modification to this Agreement shall be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.
- K. Changes in Laws. Unless otherwise provided in this Agreement, any reference to the Requirements of Law shall be deemed to include any modifications of, or amendments to, the Requirements of Law that may occur in the future.
- L. Authority to Execute. The City hereby warrants and represents to the Owner that the Persons executing this Agreement on its behalf have been properly authorized to do so by the Corporate Authorities. The Owner hereby warrants and represents to the City (i) that they are the record and beneficial owners of fee simple title to the Property, (ii) except for a mortgage on the property, no other person has any legal, beneficial, contractual, or security interest in the Property and that annexing the property is not a violation of the security interests, (iii) that it has the full and complete right, power, and authority to enter into this Agreement and to agree to the terms, provisions, and conditions set forth in this Agreement and to bind the Property as set forth in this Agreement, (iv) that all legal actions needed to authorize the execution, delivery, and performance of this Agreement have been taken, and (v) that neither the execution of this Agreement nor the performance of the obligations assumed by the Owner will (a) result in a breach or default under any agreement to which the Owner is a party or to which it or the Property is bound or (b) violate any statute, law, restriction, court order, or agreement to which the Owner or the Property is subject.
- M. Enforcement. The parties to this Agreement may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this Agreement; provided, however, that the Owners agree that they will not seek, and does not have the right to seek, to recover a judgment for monetary damages against the City, or any of its elected or appointed officials, officers, employees, agents, representatives, engineers, or attorneys, on account of the negotiation, execution, or breach of this Agreement.
- N. No Third Party Beneficiaries. No claim as a third party beneficiary under this Agreement by any Person shall be made, or be valid, against the City or the Owner.
- O. Recording. After the Owner has paid to the City an amount sufficient to cover the cost of recording this Agreement, all necessary plats, the affidavit of service of notice as required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the Annexation Ordinance, the City shall promptly cause this Agreement to be recorded in the office of the Recorder of McLean County.

EXECUTED and ADOPTED this ____ day of _____, 2017, at Bloomington, Illinois.

CITY OF BLOOMINGTON

By: _____
Tari Renner, Mayor

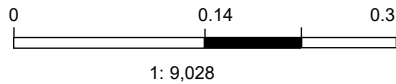
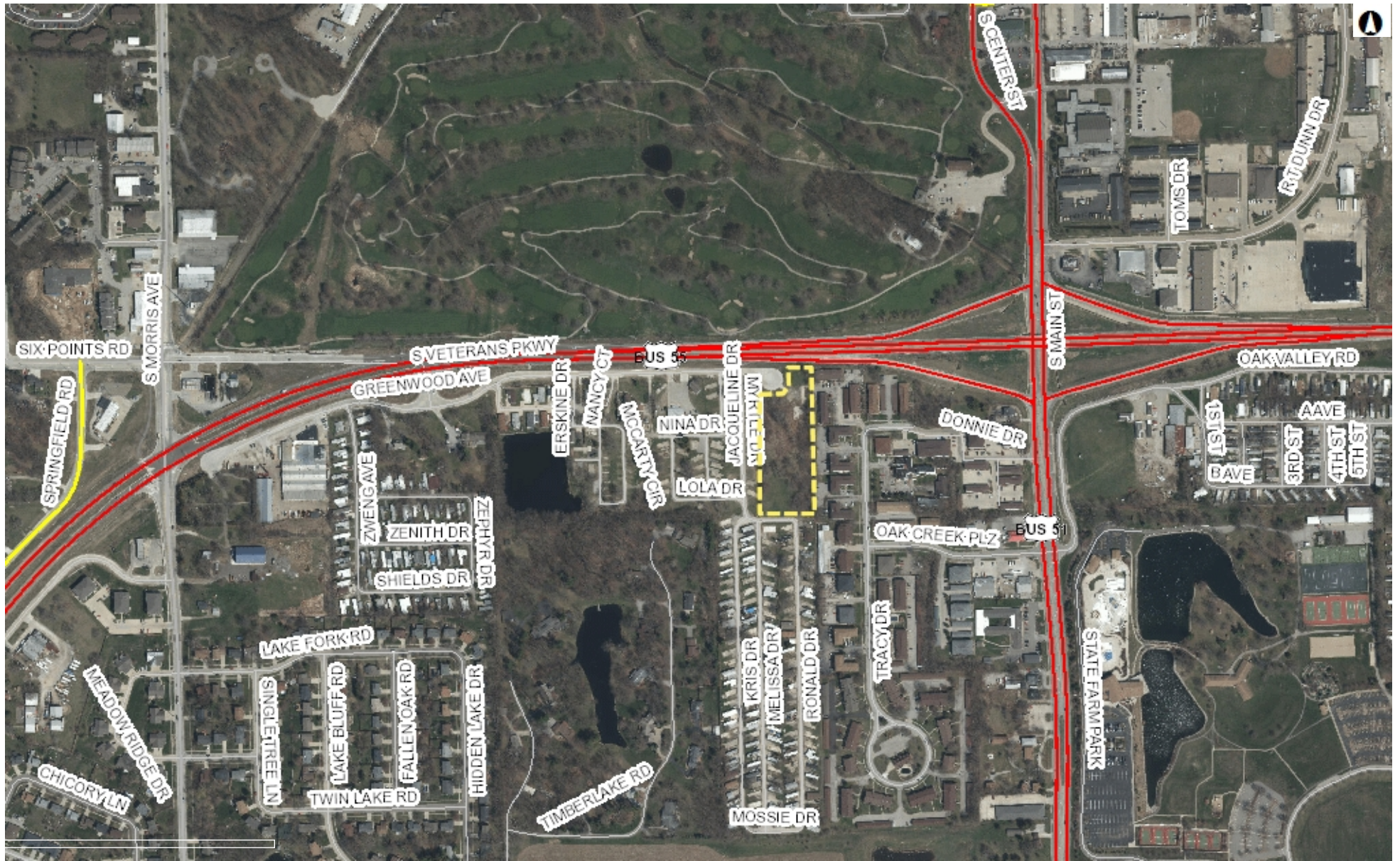
Attest:

By: : _____
City Clerk

OWNER:

Exhibit A
Legal Description

THE EAST 226 FEET OF LOT 3 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 23, NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCLEAN COUNTY, ILLINOIS EXCEPT ANY PORTION THEREOF PREVIOUSLY ANNEXED TO THE CITY OF BLOOMINGTON. PIN: 21-16-101-008



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Printed: 4/24/2017 5:00:10 PM

Notes

20879904

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given
that the Planning Commission

Public Notices

will hold a public hearing on Wednesday May 10, 2017 at 4:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington Illinois to hear testimony on a request for an Annexation Agreement and Rezoning submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory for property located at 102 Greenwood Ave., consisting of approximately containing 2.89 acres, more or less.

LEGAL DESCRIPTION: Exhibit A

The East 226 feet of Lot 3 in School Commissioners Subdivision of the Northwest Quarter of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, in McLean County, Illinois, except any portion thereof previously annexed to the City of Bloomington.

PIN: 21-16-101-008

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five (5) days before the hearing.

The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Cherry Lawson
City Clerk

Published in the Pantagraph:
April 24, 2017

Page : 1 of 2 05/22/2017 10:43:09

Order Number : 20886874
PO Number :
Customer : 60072323 City of Bloomington
Contact :
Address1 : PO Box 3157
Address2 :
City St Zip : Bloomington IL 617023157
Phone : (309) 434-2240
Fax : (309) 434-2802

Printed By : Connelly, Linda
Entered By : Connelly, Linda

Keywords : 20886874 CITY OF BLOOMINGTON PUBLIC HEARING NOTICE
Notes :
Zones :

Ad Number : 11979357
Ad Key :
Salesperson : L88 - LEGALS
Publication : Pantagraph
Section : Legals
Sub Section : Legals
Category : 0995 Public Notices
Dates Run : 05/26/2017-05/26/2017
Days : 1
Size : 1 x 6.29, 61 lines
Words : 259
Ad Rate : Legal Inside
Ad Price : 198.76
Amount Paid : 0.00
Amount Due : 198.76

20886874

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Bloomington City Council will hold a public hearing on Monday June 12, 2017 at 7:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington Illinois to hear testimony on a request for an Annexation Agreement and Rezoning submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory for property located at 102 Greenwood Ave., consisting of approximately containing 2.89 acres, more or less.

LEGAL DESCRIPTION: Exhibit A

The East 226 feet of Lot 3 in School Commissioners Subdivision of the Northwest Quarter of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, in McLean County, Illinois, except any portion thereof previously annexed to the City of Bloomington.

PIN: 21-16-101-008

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk.

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The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org The City

Order Number	:	20886874	Ad Number	:	11979357
PO Number	:		Ad Key	:	
Customer	:	60072323 City of Bloomington	Salesperson	:	L88 - LEGALS
Contact	:		Publication	:	Pantagraph
Address1	:	PO Box 3157	Section	:	Legals
Address2	:		Sub Section	:	Legals
City St Zip	:	Bloomington IL 617023157	Category	:	0995 Public Notices
Phone	:	(309) 434-2240	Dates Run	:	05/26/2017-05/26/2017
Fax	:	(309) 434-2802	Days	:	1
	:		Size	:	1 x 6.29, 61 lines
	:		Words	:	259
Printed By	:	Connelly, Linda	Ad Rate	:	Legal Inside
Entered By	:	Connelly, Linda	Ad Price	:	198.76
	:		Amount Paid	:	0.00
	:		Amount Due	:	198.76
Keywords	:	20886874 CITY OF BLOOMINGTON PUBLIC HEARING NOTICE			
Notes	:				
Zones	:				

Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.
Cherry Lawson
City Clerk
Published in the Pantagraph:
May 26, 2017

ANNEXATION PLAT

PART OF N.W. 1/4 SECTION 16, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

SOUTHERLY R.O.W. LINE
F.A.P. ROUTE 704
(VETERANS PARKWAY)

VETERANS PARKWAY

GREENWOOD AVENUE

226.00'

LOT 11
SOUTHWEST
ESTATES CONDOMINIUM

226'

LOT

3

W. LINE E. 226'
LOT 3

2.890 ACRES

E. LINE LOT 3

614.00'

LOT 32

LOT 33

LOT 34

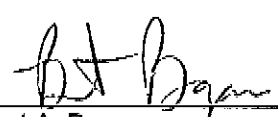
LOT 35

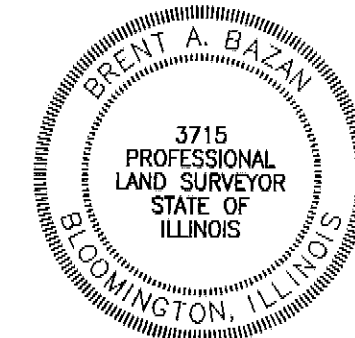
RESUBDIVISION OF LOTS 12 AND 13 FIRST
ADDITION OAK CREEK SUBDIVISION

This is a plat of a tract of land to be annexed to the City of Bloomington, Illinois, the
Bloomington and Normal Water Reclamation District and the Bloomington-Normal Airport
Authority. Said tract is more particularly described as follows:

The East 226 feet of Lot 3 in School Commissioners Subdivision of the Northwest Quarter
of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, in McLean
County, Illinois, except any portion thereof previously annexed to the City of Bloomington.

FARNSWORTH GROUP, INC.
2709 McGRAW DRIVE
BLOOMINGTON, IL 61704

By: 
Brent A. Bazan
Professional Land Surveyor No. 3715



DATE: 2-28-17
EXP. DATE: 11-30-2018
DESIGN FIRM REGISTRATION
NO. 184-001856

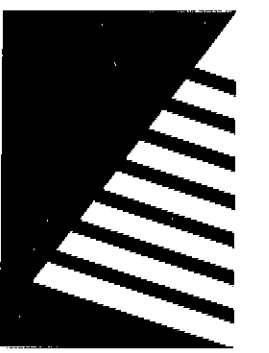
LEGEND

--- EXISTING CORPORATE LIMITS LINE
--- LIMITS OF AREA TO BE ANNEXED

0 25 50 100

SCALE: 1"=50'

N.W. 1/4 SEC. 16, T.23N., R.2E., 3P.M.



Farnsworth
GROUP

2709 McGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(309) 663-8435 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:
Date: Description:

PROJECT:
102 GREENWOOD AVENUE

BLOOMINGTON, ILLINOIS

Date: 02-28-17

Design/Drawn: DJM

Reviewed:

Book No.: 3114/59 Field:

Project No.: 0170276.00

SHEET TITLE:

ANNEXATION PLAT

SHEET NUMBER:

1

File No.: 18-2177

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
MAY 10, 2017

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-15-17	Agreement for the annexation of 3.12 acres to be zoned R-3B (102 Greenwood Ave)	Annexation Agreement and Rezoning	Katie Simpson, City Planner
REQUEST:	The petitioner, the Benoit Group LLC, would like to enter into an agreement for the annexation and rezoning of 3.12 acres south of Greenwood Road to be developed as affordable multifamily housing.		
Staff finds that the petition meet the Zoning Ordinance’s map amendment guidelines for annexation and rezoning outlined in Chapter 8.5 Section 203d.			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motion recommending:

- A. That City Council **approve** the *annexation agreement* for 3.12 acres south of Greenwood Ave and **approve** the *rezoning* of the property to R-3B, multifamily residential district, case Z-15-17

N Δ



102 Greenwood Ave,
3.12 acres

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on April 24, 2017.

GENERAL INFORMATION

Owner and Applicant: Kristen Lee Jones, N/K/A Kristen Lee Guillory (Owner) and the Benoit Group, LLC (Developer)



PROPERTY INFORMATION

PIN: 21-16-101-008

Existing Zoning: R-2 (County)

Existing Land Use: Vacant

Property size: 3.12 acres

Legal Description:

THE EAST 226 FEET OF LOT 3 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 23, NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCLEAN COUNTY, ILLINOIS EXCEPT ANY PORTION THEREOF PREVIOUSLY ANNEXED TO THE CITY OF BLOOMINGTON.

Surrounding Zoning and Land Uses

Zoning

North: S-2, Public Lands and Institutions

South: R-1, residential (unincorporated)

South: R-4, Manufactured home park

East: R-3B, Multifamily residential

West: R-2, County

Land Uses

North: Highland Golf Course

South: Single family homes

South: Mobile home park

East: Apartments

West: Mobile Home Park

Analysis

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

1. Proposed Annexation Agreement
2. Petition for Zoning Map Amendment
3. Aerial photographs
4. Zoning Map
5. Site visit



PROJECT DESCRIPTION

Background: The subject property, approximately 3.12 acres south of Greenwood Ave, is located in the unincorporated area of McLean County. The site was previously developed as a hotel but has been vacant for a number of years. It is surrounded by residential uses on the south, east and west. Veterans Parkway/I-55/Historic RT66 creates a physical barrier separating this site from Highland Golf Course to the north. The subject property is a Tier 3 Infill development priority meaning it is adjacent to the City limits but utilities are not easily available. City water is available, but city sewer will need to be extended along the south portion of Greenwood Ave, in

the public right-of-way in order to serve the subject property. Storm sewers exist northeast of the site in the right-of-way in front of Highland Gulf Course.

Project Description: The developer would like to construct 50 non-elderly affordable housing units on this site. The development will consist of three, three story buildings each with 1, 2, and 3 bedroom units. Additionally the development includes a clubhouse with community room, an exercise room, computer center and outdoor picnic area. The developer has entered into an agreement to purchase the property but has not yet acquired the property. The developer is seeking tax credits to reduce the costs of the project and is pursuing an annexation agreement with the City to ensure the proper zoning will be established at the time of purchase. The agreement functions as a “contingent” zoning approval for the property; the actual rezoning will not occur until the property is within the corporate limits of the City of Bloomington. Nonetheless, a public hearing is required at this time, prior to entering into the agreement, to determine if the rezoning of this property will be appropriate.

The annexation agreement highlights a number of responsibilities by the city and developer, including the payment of parkland fee, annexation fee, tap-on fees, a substandard road fee and the construction of a sanitary sewer that will serve the development. The agreement is between the “Owner” and the “Developer/Purchaser” and the City. If the developer fails to acquire the property then this agreement will be null and void. As with almost all annexation agreements, this agreement expires in 20 years.

Staff and the developer are negotiating some details in the draft agreement. The draft agreement submitted by the developer is attached to this report. **We expect to provide the Planning Commission with an updated copy for consideration at the hearing.**

Link to Comprehensive Plan:

Fostering public/private partnerships to ensure affordable housing is identified in multiple sections of the City of Bloomington Comprehensive Plan.

The proposed annexation and rezoning aligns with the following objectives:

- CWB-2.1 Promote the welfare of older adults and persons with disabilities to foster maximum independence so they can continue to be an integral part of the community
- CF-1.4 Focus resources on maintaining and developing facilities that support the goal of contiguous and compact growth
- Tier 3 Infill Development Priority-Land adjacent to incorporated area but with limited access to City services

FINDINGS OF FACT

Findings of Fact: Pursuant to Chapter 8.5 Section 203(d) of the City’s Code “The Planning Commission shall consider the amendment to the Official Zoning Map for the City of Bloomington, McLean County and shall recommend the adoption of such amendment unless the Commission finds that such amendment is not in the public or is solely for the benefit of the person requesting such amendment”. In making such a finding the Planning Commission may consider:

1. *The suitability of the subject property for uses authorized by the existing zoning; the existing zoning is R-2 (unincorporated). To connect to city facilities the property will need to be annexed into the city and a sewer will need to be built.*
2. *The length of time the property has remained vacant as zoned considered in the context of land development in the area; the property has been vacant for a number of years. To develop the property as residential, the owner will need to connect to city utilities, build a sanitary sewer, and provide on-site detention. The developer is applying for tax credits to cover some of the costs associated with the development. It is likely the property could continue to remain vacant if the developer does not receive these credits.*
3. *The suitability of the subject property for uses authorized in the proposed zoning; the proposed zoning, R-3B, is compatible with adjacent zoning. The uses allowed, which are primarily residential, are harmonious with the existing uses. A few, lower impact, commercial uses and services are contemplated in this district but require a special use permit before being permitted.*
4. *The existing land uses of nearby property; R-3B exists to the west of the property. The proposed development is of a density allowed in the R-3B district, 70 units per acre.*
5. *Existing zoning of nearby property, 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; the City's Comprehensive Plan identifies the need for affordable housing and the proposed development intends to help address that need. The change in zoning would allow the development to occur.*
6. *The extent to which adequate streets connected to the arterial street system are available or can be reasonably supplied to serve the uses permitted in the proposed zoning district; Greenwood Ave terminates in a cul-de-sac, the proposed development will provide on-site parking and the roadway should be sufficient for the amount of traffic generated by the development. The annexation agreement also includes a substandard road fee which can be applied to cover improvements to the road. Additionally it includes a dormant special services area if future improvements are required.*
7. *The extent to which the proposed amendment is consistent with the need to minimize flood damage and whether the development of the subject property for uses permitted in the proposed zoning classification would have a substantial detrimental effect on the drainage patterns in the area; the proposed development will provide on-site detention to control the flow of water off the property. A 12" public storm sewer exists northwest of the property.*
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 supplied to serve the uses permitted in the proposed zoning classification; and the site is a Tier 3-Development Priority. It is not served by sanitary sewer and the developer would be responsible for constructing this sewer. The developer is proposing a recapture*

agreement that would allow them to recapture some of the construction costs from neighboring properties once they connect to the sewer.

9. *The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of Chapter 44, Article 2.00 of the Bloomington City Code-1960, including the following specific purposes:*
- a. To conserve and protect the taxable value of land and structures;*
 - b. To protect the air, water, and land resources within the City from the hazards of pollution and misuse;*
 - c. To protect land and structures from natural hazards; including flooding and erosion;*
 - d. To preserve and protect historic locations, structures and groups*
 - e. To preserve and protect and encourage the development of structures, groups of structures, and neighborhoods of distinctive architectural character and appearance;*
 - f. To provide for the orderly and functional arrangement of land uses and structures;*
 - g. To establish standards for the orderly development or redevelopment of geographic areas within the City;*
 - h. To secure for the public locations for housing, employment, shopping, education, and recreation that are adequate in terms of health, safety, convenience and number;*
 - i. To facilitate the adequate provision of transportation, water, sewage disposal, schools, parks and other public facilities;*
 - j. To conserve and protect natural resources including prime agricultural land, mineral resources and areas of scientific interest;*
 - k. To permit public involvement in the planning of private land uses which have the potential for significant impact on the use of enjoyment of surrounding property or on the public resources and facilities of the City of Bloomington; and*
 - l. To promote the Official Comprehensive Plan adopted by the City of Bloomington.*

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass the following motions recommending:

- A. That City Council **approve** the *annexation agreement* for 3.12 acres south of Greenwood Ave and **approve** the *rezoning* of the property to R-3B, Multifamily residential district, case Z-15-17.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Draft Annexation Agreement, Exhibit A “Legal Description”, Exhibit B “Annexation Plat”

Item B. Z-15-17 Annexation agreement and rezoning

- Petitions for Zoning Map Amendment
- List of Permitted Uses in the R-3B District
- Aerial Map
- Zoning Map
- Newspaper Notice and Neighborhood Notice w/Map
- Notification Mailing List

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MAY 10, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. J. Balmer, Ms. Nicole Chlebek, Mr. Ryan Scritchlow, Mr. Kevin Suess, Mr. Justin Boyd, Chairman David Stanczak

MEMBERS ABSENT: Ms. Megan Headean, Mr. James Pearson, Mr. Eric Penn, Mr. John Protzman

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Kevin Kothe, City Engineer

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:04 PM

ROLL CALL: Mr. Dabareiner called the roll. With six members in attendance, a quorum was present.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the April 26, 2017 minutes. A scrivener's error was corrected. Mr. Balmer moved to approve the minutes with stated corrections; Mr. Scritchlow seconded the motion, which was passed unanimously by a voice vote.

REGULAR AGENDA:

Z-15-17 Public hearing, review and action on the petition submitted by the Benoit Group, LLC and Kristen Lee Jones, N/K/A Kristen Lee Guillory requesting approval of an annexation agreement and rezoning from R-2, Residential (unincorporated) to R-3B, Multifamily Residential for approximately 3.12 acres located south of Greenwood Ave, commonly known as 102 Greenwood Ave.

Chairman Stanczak introduced the case. Ms. Simpson presented staff's report. She submitted an updated annexation agreement entered as Exhibit A. She stated staff recommends in favor of the annexation agreement and the rezoning, adding that the annexation itself is not part of this discussion. She provided information about the property's location. She stated the developer and the current landowner are parties to the petition. Ms. Simpson described the proposed changes to the annexation agreement, which were procedural in nature, noting this agreement expires January 1, 2018 if the developer does not acquire the property. If the developer acquires the property the annexation agreement would last the typical 20 years, she added. Chairman Stanczak clarified that this is a conditional agreement insofar as when the annexation agreement would take place.

Mr. Balmer asked what happens if the developer does not meet the requirements as indicated in the agreement; Ms. Simpson replied they would be subject to the enforcement provisions of the agreement.

Ms. Simpson provided background on the project, described the surrounding uses and whether those properties were in the city or the county. Mr. Scritchlow clarified the conditional nature of the agreement, asking if the case comes back to the Planning Commission for the rezoning; Ms. Simpson stated this is rezoning hearing and, when triggered by the annexation, the rezoning would go before the City Council.

Mr. Suess asked what school district the property is in; Ms. Simpson replied, Unit 5.

Ms. Simpson continued to describe the project, noting that the apartments would be for people with disabilities and others with an income at 60% of the median local income. She added, the developer is seeking Illinois tax credits for the project, which requires a commitment to establish the zoning in advance of the application for the tax credits; should the state turn down the project for tax credits, the project would not proceed and the annexation agreement would terminate. She stated City water was available but sewer is not, but would be required; also, on-site detention is required. She noted the adjacent R-3B zoning allows up to 70 units per acre.

Ms. Simpson brought up the project's relationship to the City's Comprehensive Plan. The property is a Tier 3 development priority because it is adjacent to incorporated part of the city but lacks the utilities, she explained. She added establishing affordable housing is also a goal in the comprehensive plan, along with providing housing to people with disabilities and removing barriers to mixed income. She stated the current zoning is incompatible with surrounding uses and has been vacant for many years, but the plan calls for residential uses in the future. She concluded that staff recommends in favor of the agreement and the rezoning.

Mr. Boyd asked if Connect Transit is available; Ms. Simpson replied that it is a long walk to transit and the area lacks a sidewalk, which should be installed, but the area is very auto-oriented. Mr. Scritchlow asked about crime rates in the area to the east near Main Street and wondered if the new development may contribute to these higher rates. He asked if staff had spoken with the police to see if they had concerns; Ms. Simpson replied the police were not asked.

Chairman Stanczak clarified the income status of the proposed residents; Ms. Simpson replied 60% of the median income would be the upper limit; she added that the Bloomington Housing Authority has an interest in the proposed development.

Ms. Chlebek expressed concern about the residents' needs but lack of easy access to transit. She asked if the petitioner considered this; Ms. Simpson deferred to the developer for an answer.

Mr. Torian Priestly, executive vice president for the Benoit Group, was sworn in. He stated they are working to develop affordable housing in conjunction with the Illinois Housing

Development Authority. He is proposing a multifamily development where ten units would be set aside for disabled residents and the rest would be subject to the 60% AMI. Rents would start at about \$625 to about \$900 depending on the number of bedrooms. He stated that they are looking at having a shuttle van to run from the development to Main Street. He noted that their proposal reaches only 17 units per acre but 70 units per acre is allowed under the zoning. He discussed the timing of the application to IHDA and its deadlines, along with the property acquisition process.

Mr. Balmer asked if there are plans for any other egress beyond Greenwood. Mr. Priestly referred to the aerial photo and stated there were no plans for other egress. Mr. Balmer stated that if there is a chance for pass-through on the property it could lead to other concerns regarding crime.

Mr. Scritchlow clarified that the petitioner has a June 23 deadline for the application.

Chairman Stanczak clarified the tax credit discussion. Mr. Priestly confirmed they would receive tax credits from IHDA, as an allocation from the state, which would be sold to investors, in addition to conventional debt. Mr. Priestly explained the concept of tax credit equity, noting it does not require a bond process.

Mr. Steve Freeland, attorney for the petitioner, was sworn in. He explained how affordable housing is financed. The federal government provides billions each year in tax credits, allocated to each state; in Illinois, IHDA makes tax credits available on a competitive process to low income housing developers. The application deadline is June 23 this year. He added, that a dollar of purchased tax credit is worth a full one dollar of tax credit. Purchase of the tax credits is attractive to companies with taxable income, he stated, and this has been the process for the last 29 years. IHDA has certain requirements every applicant for the tax credits must meet before the basic eligibility is determined, including the questions of annexation and zoning, he said. Chairman Stanczak asked if any other local government subsidy was needed; Mr. Priestly indicated not.

Chairman Stanczak asked about the role of the Bloomington Housing Authority; Mr. Priestly stated the Housing Authority would provide vouchers for about 20 of the 54 apartment units under the Section 8 program. Mr. Priestly added that this helps with the IHDA application, noting that IHDA sees this location as an Opportunity Area for low income housing.

Chairman Stanczak asked if IHDA imposes any requirements as to where the occupants of this apartment would relocate from; Mr. Priestly stated there are no requirements and that he intends to market locally.

Mr. Scritchlow asked if a two week delay harms the project; Mr. Priestly repeated the June 23 application deadline related to the June 12 Council action as being the Council's last chance to vote on the petition.

Mr. Suess clarified about the shuttle to Main Street. He is concerned that residents will walk through properties to the east to reach Main Street. Mr. Priestly stated that the shuttle

van would help and fencing would obstruct the ease of walking east. Ms. Chlebek continued with her concern about access to the bus system. Mr. Priestly stated that a majority of residents of their apartments have their own transportation. He added that the 60% AMI is in the \$32,000 to \$35,000 range and this provides the mixed income housing they intend for the property. Ms., Chlebek asked whether their other properties required a shuttle; Mr. Priestly stated not, but that he already has budgeted for the shuttle van.

Chairman Stanczak mentioned the enforcement mechanisms in the annexation agreement and the dormant special service area and confirmed that the City would activate the SSA automatically should the requirements of the agreement not be fulfilled. He asked if the Benoit company is tied to the property for the length of the agreement; Ms. Simpson stated that the agreement goes with the property and any subsequent owners. Mr. Priestly stated they are committed, due to the tax credit requirements, for 15 years.

Charles Williams, 1325 E. Empire, was sworn in. He stated he is a landlord and is concerned about the lack of direct access to the east and worried these residents would wander through the back yards to the east. Mr. Williams stated there is high crime near a property he owns in Normal and he had to fence the entire project. He stated he is concerned that the owner will abandon the property. He is also concerned with the great distance to a grocery store. He stated this is a poor location for this kind of use. He added he owns a 12-unit property along Tracy Drive. He is concerned with pedestrian cut-through.

Ms. Chlebek asked if existing neighboring residents were cutting through his Tracy Drive property; Mr. Williams answered they were not. Ms. Chlebek speculated that there is no evidence that new residents would cut-through more often than the existing neighbors.

Gwen Leavy was sworn in. She stated she is concerned about pedestrian cut-through over the properties to the east. She is concerned about pedestrian cut-through because no path exists. She believes a fence will deteriorate because people find ways to get through.

Mr. Balmer moved to approve the Z-15-17 as presented; motion failed for lack of a second.

Ms. Chlebek asked whether the project will fail if no action is taken by the Planning Commission; Chairman Stanczak stated that the City Council will take action no matter what the recommendation. There was some general discussion about providing no recommendation.

Chairman Stanczak asked Commissioners to voice their concerns. Mr. Scritchlow stated he is for the project conditioned on feedback from the police for Council. Ms. Chlebek agrees that she likes the housing but has concern with the shuttle system, which would be a partial solution and also asked if there are sidewalks available. Mr. Boyd echoed what has been stated and agrees with the need to seek an opinion from the police department. Mr. Balmer believes all properties in the area have the same issues and thinks the property should have a fence, but he does not believe there will be much pedestrian cut-through because this petition is for a lower density. Mr. Suess agrees with Mr. Boyd, Ms. Chlebek and Mr. Scritchlow and added his concerns over access to public transportation and grocery stores;

he reiterated the desire to check in with the police. Chairman Stanczak stated he has similar concerns and this is an unusually difficult property to develop as residential, but he is supportive of the rezoning.

Chairman Stanczak repeated that a delay by the Planning Commission would harm the project and suggested recommending approval but with conditions to the Council. He stated that the conditions would be to include information from the police department and additional information dealing with the access concerns. There was general discussion about how to word the conditions and the motion.

Chairman Stanczak motioned to recommend the City Council approve Z-15-17 on the annexation agreement and rezoning, conditioned upon the City Council being satisfied with the additional information provided related to public safety concerns and ingress/egress to the property, along with the shuttle service description; seconded by Mr. Scritchlow. The public safety question turns on whether police see this as a contributing factor to additional crime in the area. The following votes were cast: Chairman Stanczak—yes, Mr. Scritchlow—yes, Mr. Protzman—yes, Ms. Balmer—yes, Mr. Suess—no, Ms. Chlebek—yes, Mr. Boyd—yes. Motion **approved** 5-1.

OLD BUSINESS:

None

NEW BUSINSS

None

ADJOURNMENT: Mr. Balmer moved to adjourn; seconded by Mr. Scritchlow, which passed unanimously by voice vote. The meeting was adjourned at 5:24 pm.

Respectfully,

Tom Dabareiner AICP
Community Development Director

Section 44.6-30

Permitted Uses in the R-3B District

Agency Supervised Homes	S	Home for the Aged	S
Agency-Operated Family Homes	P	Ice Rinks	P
Agency-Operated Group Homes	P	Institution for Child Care	S
Agriculture	P	Institution for the Handicapped	S
Athletic Clubs, YMCA, YWCA	S	Irrigation Channels	P
Barber Shops, Beauty Shops	S	Laboratory, Dental and Medical	S
Bed & Breakfast Establishments	S	Laboratory, Psychological	S
Cemeteries	S	Laundering Services	S
Childrens Homes, Orphanages	S	Lodging Houses	P
Churches, Synagogues, Temples	S	Medical, Health Services	S
Clinics	S	Mental Health Facilities	S
Columbarium	S	Non-hazardous Storage, College/University	S
Community Centers	S	Non-residential College/Univer.Student Clubs & Assoc.	S
Convalescent Homes, Rest Homes	S	Nunneries, Rectories	P
Convenience Establishments	S	Nursery Schools	S
Convents, Monasteries	P	Nursing Homes	S
Country Clubs, Golf Clubs	S	Offices	S
Day Care Centers	S	Offices, College/University	S
Domestic Violence Shelter	P	Parking Lot, College/University	S
Dormitory, Student Residence Hall	P	Parking Lot, Noncommercial	S
Drug Stores	S	Parks, Playgrounds, Aboretums	P
Dry Cleaning Services	S	Pharmacy	S
Dwellings, Multiple Family	P	Police Stations, Fire Stations	P
Dwellings, Single-Family	P	Postal Services	P
Dwellings, Two-Family	P	Pre-Schools	S
Electricity Regulating Substations	P	Professional Clubs, Business Clubs	S
Flammable Liquid Pipelines	P	Religious Education Facility	S
Food Pantry	S	Rooming Houses	P
Forestry	P	Rooming Houses	P
Fraternities, Sororities	P	Service Clubs, Civic Clubs	S
Gas Regulatory Stations	P	Sewage Lift Stations	P
Golf Courses - Not Miniature Golf	S	Sheltered Care Homes	S
Grocery Stores, Supermarkets	S	Social Clubs, Lodges	S
Group Homes for Parolees	S	Swimming Clubs	S
Gymnasiums, Recreation Centers	S	Swimming Pools	S
Health Clubs	S	Telecommunication Antenna Facilities	S
Health Spas, Reducing Salons	S	Telephone Exchange Substations	S

Townhouses	P
Treatment Centers for Drug Abuse	S
Utility Conduits, Lines, Pipelines	P
Water Pressure Control Stations	P
Water Purification Plants	P
Water Storage Reservoirs	P



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

April 24, 2017

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on **Wednesday, May 10, 2017 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois** for a petition submitted by **Kristen Lee Jones N/K/A Kristen Lee Guillory, and The Benoit Group** requesting 1) approval of an annexation agreement with the City of Bloomington; and 2) the rezoning of the subject property considered in the agreement from R-1 (County) to R-3B, High density multifamily. The petitioner would like to build fifty (50) apartment units. The subject property is legally described as follows:

THE EAST 226 FEET OF LOT 3 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 23, NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCLEAN COUNTY, ILLINOIS EXCEPT ANY PORTION THEREOF PREVIOUSLY ANNEXED TO THE CITY OF BLOOMINGTON. PIN: 21-16-101-008

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested rezoning during the public hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Simpson", written over a horizontal line.

Katie Simpson
City Planner

Attachments:
Location Map



GARY JOHNSON
#2 TIMBERLAKE RD
BLOOMINGTON IL 61704

RICHARD HACKL
4 TIMBERLAKE RD
BLOOMINGTON IL 61704

DENNIS DEVINE
6 TIMBERLAKE RD
BLOOMINGTON IL 61704

GRETCHEN MONTI
3 TIMBERLAKE RD
BLOOMINGTON IL 61704

% JIM SHIRK LOESEKE LAKE ASSN
PO BOX 1549
BLOOMINGTON IL 61702

KRISTEN LEE JONES
892 HERITAGE DR
MACKINAW IL 61755

JUDITH CULTRA
823 E CO RD 40
ONARGA IL 60955

MIDWEST PROPERTIES ILLINOIS LLC
1906 TRACY DRIVE
BLOOMINGTON IL 61704

CHERYL WOLLRAB
1907 S MAIN ST
BLOOMINGTON IL 61704

YOUNG AMERICA REALTY
311 S MAIN ST
NORMAL IL 61761

MIDLAND SECURITY
1325 E EMPIRE
BLOOMINGTON IL 61701

JAMES A & JANICE L MODINE
17437 E 2475 NORTH RD
HUDSON IL 61748

M & M REAL ESTATE PARTNERSHIP
LLC
402 KINGSLEY ST
NORMAL IL 61761

RAGHED RUSTOM
406 W GLENCREST DR
PEORIA IL 61614

From: Torian Priestly <tpriestly@thebenoitgroup.com>
To: Katie Simpson <ksimpson@cityblm.org>
Cc: "Steve D. Friedland" <sfriedland@att-law.com>, "Adams, Don" <dadams@F-W.com>, Jeremy Hayes <jeremyh@bloomingtonha.com>, "Matthew Wulukau Jr." <mwulukau@thebenoitgroup.com>

Date: Wednesday, May 24, 2017 05:49PM
Subject: Meridian at Highland Park (102 Greenwood Ave) - Annexation and Rezoning

History:  This message has been replied to and forwarded.

Katie,

Good Evening. Attached you will find our documentation that provides various options for residents to access the proposed and existing easements that lead to the CONNECT transit stop on Main Street. I've also included specific information related to property rules, property screening, to address any security issues for the city and police department.

Pedestrian Easements

After reviewing the site with Farnsworth and Applegate Thorne, we thought a great option would be to create a pedestrian easement with the property owner to the south (Trailer Park) to extend from the Meridian property to the existing 16' easement adjacent to Lot 35. If we're able to utilize the pedestrian easements, it would be roughly 1,100 feet from the southeast corner of the Meridian at Highland Park site to the intersection of Main Street and Oak Creek Plaza bus stop location. The distance from the site is less than 0.2 miles, which is very reasonable distance from the transit stop. **As noted we're trying to contact the owner to grant the property an easement.**

Safety

As it relates to safety, we would install perimeter fencing around the site with vehicular and pedestrian access to control pass thru walking from other properties. The pedestrian access from our site to the proposed pedestrian easement would be controlled by either code or card reader access. As we mentioned during the Planning Commission Meeting, we will utilize Dorchester Management our property management company along with the Bloomington Housing Authority to provide exemplary screening and oversight for the property. As Owner, we will be required under the Extended Use Agreement that is issued by Illinois Housing Development Authority to be part of the development for a minimum of 15 years. As the Managing GP and Bloomington Housing Authority as Co-GP we feel as though we will have enough coverage to bring in the right residents and also monitor and enforce all the rules for the property to help control security issues.

We're working to obtain information on the owner of the property directly to the south of 102 Greenwood Ave to work on obtaining the necessary easement to give access to the existing pedestrian easement. I've include the following documentation that will illustrate the proposed easements, overall route, and backup information on existing easements. Please see information below:

Site Plan – Illustrating proposed and existing pedestrian easements

Aerial – Illustrating the access to the transit stop from our site

Existing Easement Information

Property Rules – For Police discussion

Property Screening Process – For Police discussion

Proposed Shuttle Van Schedule

CONNECT-TRANSIT

In addition, Jeremy Hayes with the Bloomington Housing Authority followed up phone conversation with Martin Glaze, Operations Manager for Connect Transit. Jeremy discussed the location of this site in relation to existing bus routes and the possibilities for closer access to bus routes. As you know, the closest routes are the Aqua line (a north-south route on Main Street) and the Purple line, a long route that includes 6 Points Road, Morris Avenue, and W. Wood Street.

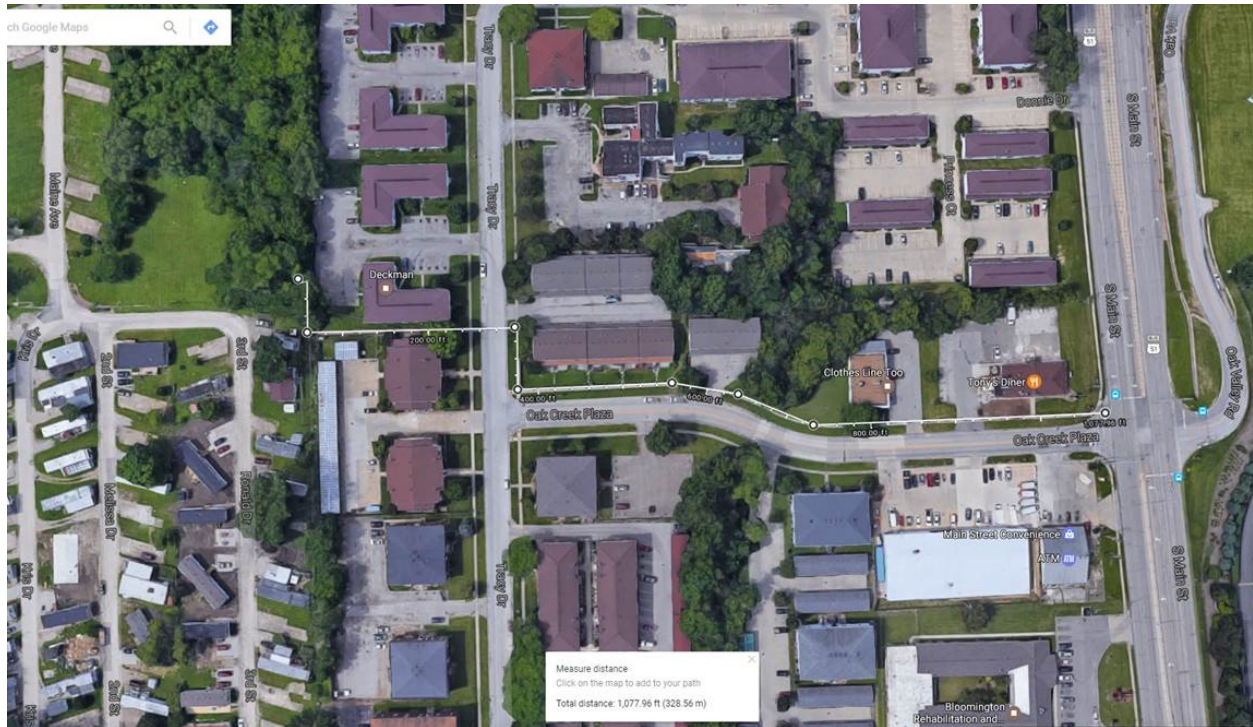
Martin explained that Connect Transit has been simplifying routes to eliminate turns and double-backs as much possible. He said that many factors go into route selection, but simplification is now a big factor. With that in mind he believes it is unlikely that Connect would be able to re-route the Purple line or the Aqua Line to get closer to our development site.

If you have any questions, please give me a call. Thanks again for all of your help.

Torian R. Priestly

Executive Vice President

Using the walkway easement, it would be roughly 1,100 feet from the southeast corner of the Meridian site to the intersection of Main Street and Oak Creek Plaza where the bus stop is located for the Aqua line. That is less than 0.2 miles, which I would argue is a very reasonable proximity to transit. Much better than practically all of the Greenfield development taking place at the east edge of Bloomington. See snapshot below with the measurements:



Maine Avenue

Greenwood Ave.

S. Veterans Parkway

Tracy Drive

Proposed Pedestrian Easement

Revised Sidewalk

Existing 16' Utility & Pedestrian Easement

E. 226' OF LOT 3

LOT

3

W. LINE E. 226'
LOT 3

2.89 ACRES
(MORE OR LESS)

507.42'

E. LINE LOT 3

614.00' (M)
613.80' (P)

LOT 32

LOT 33

LOT 34

LOT 35

89°54'38"

90°05'24"

226.00'

S. LINE LOT 3

Taney Drive

16' utility easement

NEED
EASEMENT WITH
SOUTH PROPERTY

The following described property has been surveyed in my direction:

The East 226 feet of Lot 3 in School Commission of Section 16, Township 23 North, Range 2 East of County, Illinois, except part of the East 226 feet of Subdivision of the Northwest Quarter of Section 1 this Third Principal Meridian, situated in the County described as follows, using bearings and distance Coordinate System, East Zone, NAD 83:

Beginning at the intersection of the West Line of the southerly Right-of-Way Line of F.A.P. Route 704 89°32'54" East 38.100 meters (125.00 feet) also 89°32'54" East 38.100 meters (125.00 feet) also Line; thence South 00°54'21" East 20.056 meters West 13.764 meters (45.16 feet); thence South (feet) to the West Line of the East 226 feet of said 32.651 meters (106.78 feet) along said West Line County, Illinois.

FARNSWORTH GROUP, INC.
2708 McGRAW DRIVE
BLOOMINGTON, IL 61704

By:

B. A. Bezan
Brent A. Bezan
Professional Land Surveyor No. 3715

This professional service conforms to the current Illinois Minimum Standards for a Boundary Survey

Notes:

1. This property is commonly known as 1024
2. PIN 21-16-101-008.

STATE OF ILLINOIS)
 COUNTY OF McLEAN) SS
 CITY OF BLOOMINGTON)

City of said City do hereby certify that the foregoing is a true and complete copy of the original presented, read and approved at a regular meeting of said City Council held on the _____ day of _____, 19____, the majority of all members elected to said Council, the vote having been taken by yeas and nays, and entered on the record of the proceedings of said Council.

Witness my hand and seal of said City of _____, this _____ day of _____, 19____.

157 Clock

hereby certify that this plat conforms exactly to the Preliminary Plan heretofore approved by the City Planning Commission of the City of Bloomington, Illinois.

CHAIRMAN, CITY PLANNING COMMISSION

STA. 42+80.5
155.56' RT.

STA. 42+00
118' RT.

110 200 300

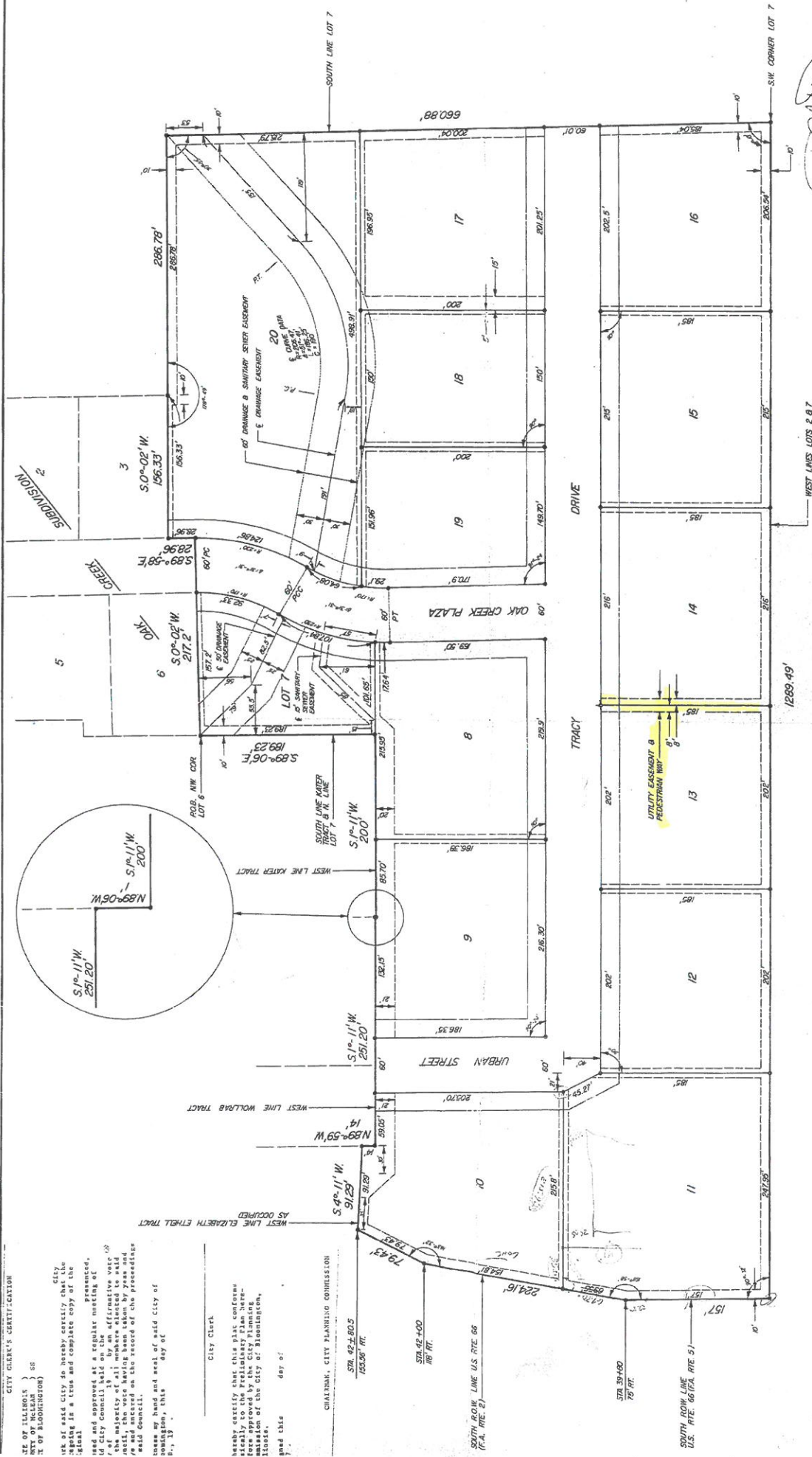
8

one of

123

— α'

.....





 SCALE: 1" = 50'

 LEGEND



20' BUILDING SETBACK LINE
UTILITY EASEMENT LINE WHICH EXTENDS
5' FROM LOT LINES UNLESS NOTED OTHERWISE.

MEVIN H. DAVIS
PRESIDENT, ELAMORE & ASSOCIATES

**FIRST ADDITION
OAK CREEK SUBDIVISION
BLOOMINGTON, ILLINOIS**

FINAL PLAT

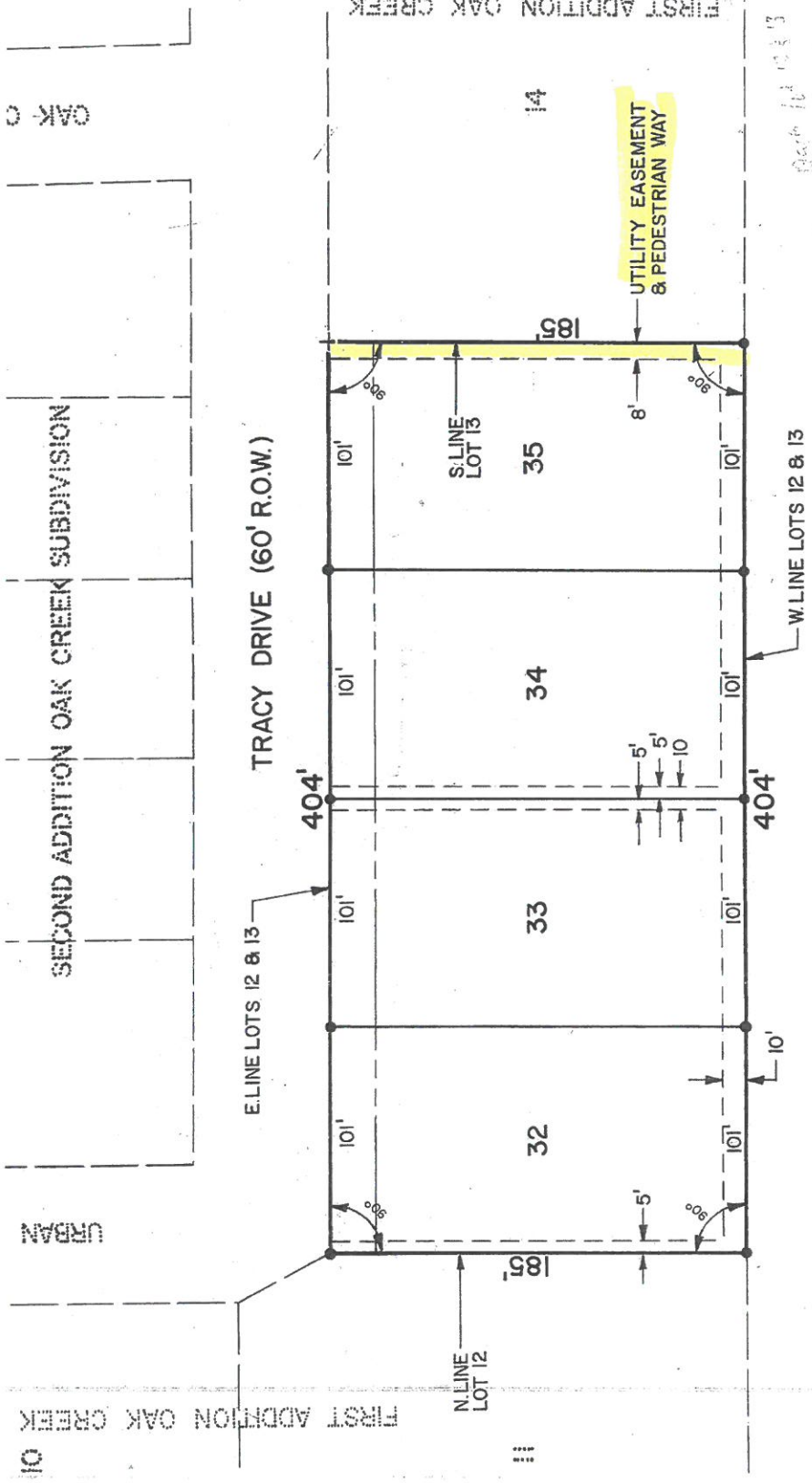
DICK SCHEIDT
 ENGINEER BY
 AND RCB
 BOONE, INC.

CONSULTING ENGINEERS
 BLOOMINGTON, ILLINOIS
 FARNSWORTH & WYLLIE

11/11/74 SEC. 10 1.2500 H. 22. 37.11.

92-73-01

92-33-01



SCALE: 1" = 50'

- 5/8" IRON ROD
- 20' BUILDING SETBACK LINE
- - - UTILITY EASEMENT LINE
- + CROSS CUT IN CONCRETE

RESUBDIVISION OF LOTS 12 & 13
FIRST ADDITION OAK CREEK SUBDIVISION
BLOOMINGTON, ILLINOIS

FINAL PLAT

DRAWN BY RAL	FILE NO. 24-2218-3
CHECKED BY MHD	DATE 4-28-78
BOOK NO. 1171-37	SHEET NO. OF
FARNSWORTH & WYLLIE CONSULTING ENGINEERS BLOOMINGTON, ILLINOIS	

N.W. 1/4 SEC. 16 T.23N. R.2E. 3PM

CONNECT - Aqua Route

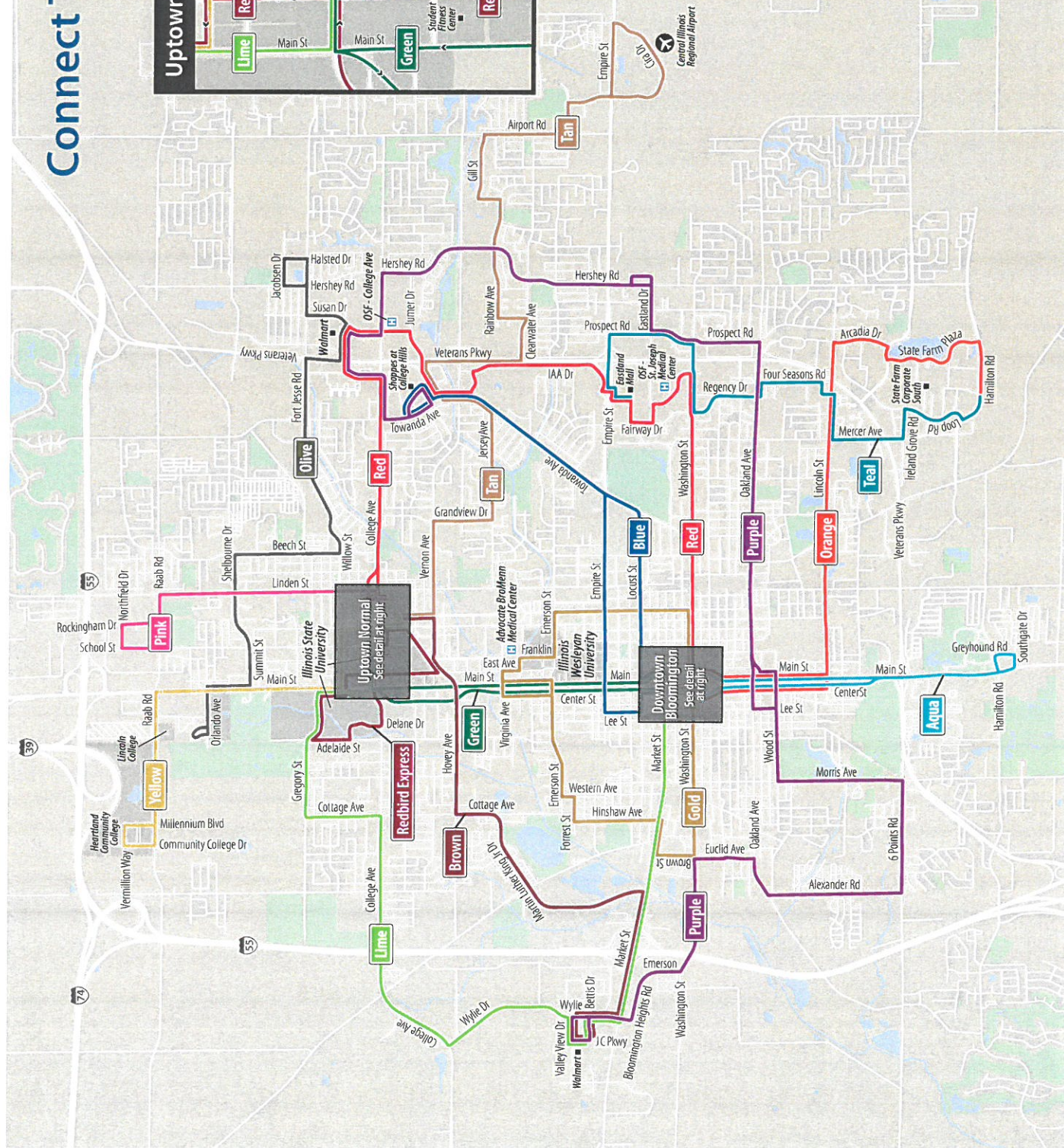
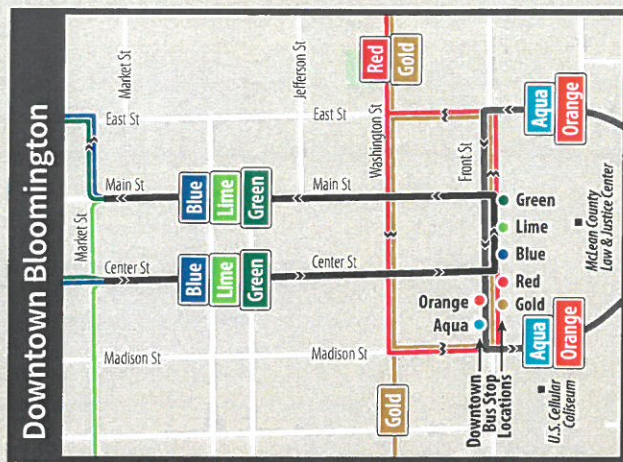
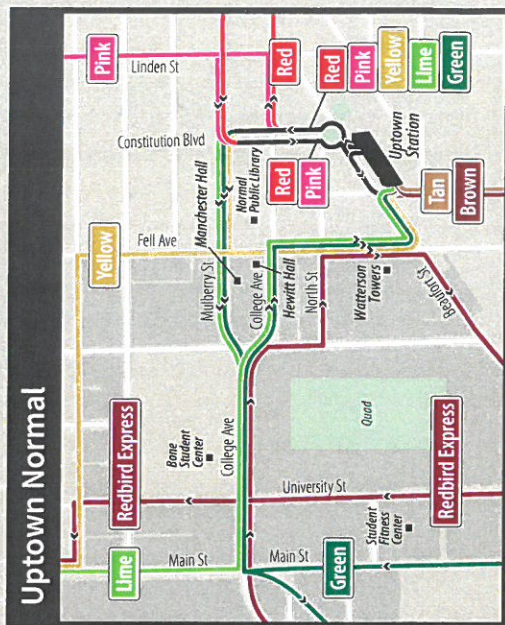
PROPOSED SHUTTLE VAN TIMES TO OAK CREEK PLAZA STOP

Estimated Times to arrive at
arrive at Oak Creek Plaza

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
6:10 AM							
6:40 AM							
7:10 AM							
7:40 AM	OFFICE OPENS AT 9 AM						
8:10 AM							
8:40 AM							
9:10 AM							
9:40 AM							
10:40 AM							
11:40 AM							
12:40 PM							
1:40 PM							
2:40 PM							
3:40 PM							
4:10 PM							
4:40 PM							
5:10 PM							
5:40 PM							
6:10 PM							
6:40 PM							
7:40 PM	OFFICE CLOSES AT 7 PM						
8:40 PM							

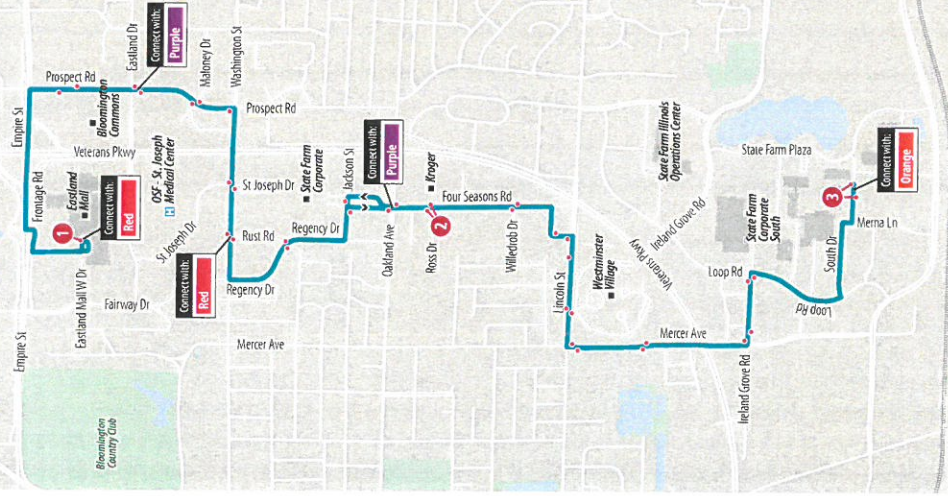
Connect Transit System Map

Effective August 2016



Teal Route

Mon-Fri: 30 minute frequency peak; 60 minute frequency off-peak
 Saturday: 60 minute frequency
 Sunday: 60 minute frequency



Monday-Friday

Southbound to State Farm Corporate South

Stop	AM	PM
Eastland Mall (1)	5:45	5:45
Four Seasons Rd & Kroger (2)	6:15	6:15
State Farm Corporate South (3)	6:45	6:45

Northbound to Eastland Mall

Stop	AM	PM
State Farm Corporate South (3)	6:20	6:20
Four Seasons Rd & Kroger (2)	6:50	6:50
Eastland Mall (1)	7:20	7:20

Saturday/Sunday

Southbound to State Farm Corporate South

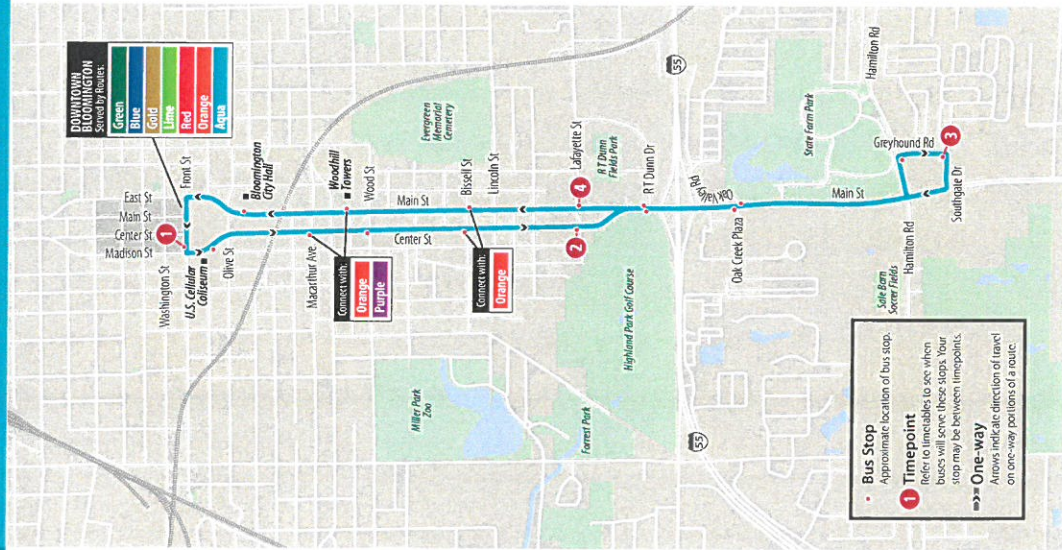
Stop	AM	PM
Eastland Mall (1)	6:45	6:45
Four Seasons Rd & Kroger (2)	7:15	7:15
State Farm Corporate South (3)	7:45	7:45

Northbound to Eastland Mall

Stop	AM	PM
State Farm Corporate South (3)	7:20	7:20
Four Seasons Rd & Kroger (2)	7:50	7:50
Eastland Mall (1)	8:20	8:20

Aqua Route

Mon-Fri: 30 minute frequency peak; 60 minute frequency off-peak
 Saturday: 60 minute frequency
 Sunday: 60 minute frequency



Monday-Friday

Southbound to Southgate Drive

Stop	AM	PM
Downtown Bloomington (1)	6:00	6:00
Center & Lafayette (2)	6:30	6:30
Southgate & Greyhound (3)	6:45	6:45

Northbound to Downtown Bloomington

Stop	AM	PM
Southgate & Greyhound (3)	6:15	6:15
Main & Lafayette (4)	6:45	6:45
Downtown Bloomington (1)	7:15	7:15

Saturday/Sunday

Southbound to Southgate Drive

Stop	AM	PM
Downtown Bloomington (1)	7:30	7:30
Center & Lafayette (2)	8:00	8:00
Southgate & Greyhound (3)	8:15	8:15

Northbound to Downtown Bloomington

Stop	AM	PM
Southgate & Greyhound (3)	7:45	7:45
Main & Lafayette (4)	8:15	8:15
Downtown Bloomington (1)	8:45	8:45

MERIDIAN AT HIGHLAND PARK - SCREENING PROCESS

1. Thorough tenant screening

The Housing Authority and Dorchester Management uses a very thorough and highly structured process to screen tenants. We require that all tenants submit to a background check using a national database that provides any criminal charges filed, credit history, and address history. We send landlord reference forms to the landlord for all residences within the last five years, even if the applicant was not a leaseholder. In our landlord reference form, we request information about any past violations of the terms of the lease, illegal behavior, disturbances, etc. We require two landlord references, or if not possible, two letters of recommendations for individuals who have known the tenant in a professional capacity. This screening is conducted for all adults who will be in the household. This screening process does result in a significant number of applications being denied, but it is critical for maintaining safe, secure housing sites.

2. Cooperation with Police Department

The Housing Authority has a long history of cooperation with the Bloomington Police Department. The relationship is built on mutual trust and open communication. We reinforce to our tenants the important role that the Police Department has in protecting them and keeping their homes safe and secure. At the time of move-in, we require tenants to sign an authorization for the Police Department and the Housing Authority to share their personal information. This ability to share information about police interactions with tenants is critical in our lease enforcement activities. BHA staff also provides information about suspected criminal behavior to a liaison officer, a BPD officer who serves as primary point of contact between BHA and the Police Department. The liaison role has been very helpful in ensuring good communications and quick responses from both parties.

3. Lease provisions

The lease agreement contains a number of provisions that help assure the safety and security of our sites. These include agreements by the tenant to refrain from illegal activity, refrain from drug use, refrain from abuse of alcohol that affects the peaceful enjoyment of other tenants, not possess unlicensed firearms, present ID to law enforcement upon request, not have as a guest a person banned from the property, and not have allow unauthorized persons to reside in their dwelling unit. These provisions extend to all members of a household and to guests. Many of the provisions (e.g. illegal activity) apply whether the activity occurs on or off the housing site. It is our understanding that these lease provisions go above and beyond the typical lease with a private landlord.

4. Lease Enforcement and Management Practices

As a result of BHA's cooperative relationship with the PD, when there are criminal incidents at our site (or criminal incidents that involve our tenants off-site), we usually become aware promptly. This allows Dorchester Management's property managers to take quick action if lease enforcement is necessary. Once information is clarified and Dorchester property managers determine there is sufficient evidence, Dorchester's staff issues the tenant with a notice of lease termination. Promptly terminating leases and pursuing eviction in court if necessary assures tenants that Dorchester takes lease violations very seriously and makes clear the consequences of disruptive behavior.

5. Ban Policy and Criminal Trespassing

Having a clear policy and procedure on the banning of individuals from BHA & The Benoit Group's property is a key part of ensuring the security of our sites. The policy specifically grants law enforcement officers with the authority to issue a ban notice to individuals who are observed engaging in certain illegal or disruptive behavior on public housing sites. Dorchester Management will utilize BHA's staff up-to-date list of these banned individuals. A tenant risks being evicted if they allow a banned person on the site as their guest.

Meridian at Highland Park Community Rules and Regulations

1. **Repairs** - The Landlord will repair and maintain such items as leaky faucets, broken switches, leaking water lines, leaking roof, broken door locks, binding doors, heating problems, and all such items which are not caused by the fault or negligence of the resident. The responsibility rests with the Resident for broken glass, toilet stoppage, broken screens, broken storm doors, and such similar items. Residents are not permitted to make any repairs or alterations without the consent of the Landlord. Please notify the Resident Manager immediately of any condition observed by the Resident which requires repair.
2. **Locks and Keys** - We shall provide a lock for your exterior doors which is considered safe by our industry. So as not to restrict our ability to provide you with maintenance and emergency service, you agree that no additional locks shall be placed upon any doors on the premises nor shall locks be changed. Upon termination of the lease, you shall return to us all keys to the premises.
3. **Disturbing Noises** - You agree not to make or permit to be made any disturbing noises; neither shall you commit or permit any act which will unreasonably interfere with the rights, comfort or convenience of other residents. You shall keep the volume of any radio, stereo, TV or musical instrument in your apartment sufficiently reduced at all times so as not to disturb other residents in the building.
4. **Hanging Pictures** - Use of the regular dime store variety of picture hanger nail is recommended in order that you will not mar the wall unnecessarily. No other foreign objects are to be placed in or on any surface without prior approval by the Landlord. Do not use gum-backed picture hangers.
5. **Painting** - Painting of any surface in the apartment or the application of wallpaper is prohibited unless written permission is obtained in advance from the Landlord.
6. **Electric Light Bulbs** - We shall supply your apartment with electric light bulbs, fuses and fluorescent starters at the time you move in. You agree to furnish replacements thereafter.
7. **Disposable Items** - Disposable diapers and other personal items are to be wrapped and placed in trash containers - NEVER IN THE TOILET. Items which are placed by the Resident or Resident's guests in the garbage disposal unit, toilet, tub, shower stall, or sink drains requiring repair shall be an expense of the Resident who shall reimburse the Landlord for the cost of making such repair upon demand.
8. **Trash** - Trash, newspapers, and other disposable items are to be wrapped securely and deposited in the dumpster containers.
9. **Antennas** - No exterior antenna or satellite dish of any kind may be installed or maintained in the apartment community without prior approval from the Landlord.
10. **Parking Lots** - Our ability to maintain the appearance of parking lots requires that you do not use parking lots to wash or repair cars. The parking of commercial or any other vehicle other than regular passenger cars by the Resident or Resident's guests within the apartment grounds is strictly prohibited. Any inoperable vehicle, or vehicle without current license, will be towed from the premises at the owner's expense.
11. **Exterior Appearance** - No sign, advertisement, notice or other lettering shall be exhibited, inscribed, painted or affixed by any Resident on any part of the inside or outside of the building or the individual assigned apartment. Patios and balconies shall not be used for anything besides patio furniture and flower boxes; they shall not be used for storage. All windows must have white-backed drapes or window shades properly installed. The use of sheets, blankets, tinfoil, newspaper, or improperly fitted drapes are prohibited.
 - Do not dump excess grease from cooking, outside on the patio, lawn, plant beds, storm drains, sidewalks, and parking lots.

11. Exterior Appearance (Cont.)

- Do not dispose of cigarettes, bottles, cans, or any other trash on the property in or around an individual unit. Violators will be charged if trash is located directly in front of or in the rear of their immediate unit.

12. **Exterior Care** - The trees and shrubbery are a vital and valuable part of the premises and the Resident shall be liable for damages by Resident, Resident's family or guests for any mutilation or defacing the same. The sidewalks, lawn areas, and streets must not be obstructed by any toys, carriages, bicycles, recreational equipment, etc., or used for storage of any article.

13. **Precautions** - The storage of kerosene, gasoline, or other flammable materials is prohibited. No items may be stored in the furnace room. The furnace room is not to be used for any other purpose than intended. If found otherwise, the Resident will be given a 30 day notice to vacate. Waterbeds will be permitted, only with written permission of the Landlord and proof of insurance.

14. **Loitering / Congregating** - Residents are not permitted to loiter/gather on front patios or anywhere in or around the buildings where they may endanger themselves or unnecessarily disturb other residents. CONGREGATING is not permitted on front porches, patio's or in common areas such as: The parking lot, sidewalks, front/back yards, or in the playground area.

15. **Access** - It is the Resident's responsibility that all household members be provided with means of access to their apartment at all times. Landlord will only supply keys to adult members of the household whose signature appears on the lease and in accordance with the lock out policies of the community.

16. **Visitors** - Visitors may stay with a Resident for a period of no longer than 2 weeks (14 consecutive days). Resident must obtain prior written permission from the Landlord for visits longer than two weeks or for multiple visits of any period with less than 2 weeks between visits. Resident must notify Landlord when guests are staying throughout the night and/or parking vehicles on the property overnight.

17. **Emergency Call System** (if available at this property) - Landlord makes no representation concerning, and assumes no obligation for the performance of any emergency call system installed in the unit or structure housing the unit and shall not be liable for defects in performance. Resident understands that any such emergency call system will not be continuously monitored by Landlord and Landlord shall not be accountable or liable in law for consequences as a result of the system not being monitored.

18. **Smoke Detector** - The landlord has installed on each level of your residence a UL-Listed Smoke Detector. At no time shall the smoke detector be moved from its present location. Resident has tested all detectors and has determined that each is operable. Resident agrees to inspect and test the smoke detector once each month by depressing the test button until the detector sounds.

Resident agrees not to tamper with or remove any part of the detector except replacing dead batteries.

If after replacing the dead battery the detector fails to respond to the test button the resident will promptly notify landlord or landlords agent in writing. Owner assumes no liability for an inoperable smoke detector until after owner is notified in writing. Upon receipt of said notice of detector or inoperability the resident hereby authorizes the landlord to enter the premises for repair or replacement of the smoke detector.

The landlord will test the smoke detectors during other unrelated, scheduled inspections of the leased premises. If a smoke detector is found to be inoperable, the landlord will make the necessary repair or replacement. If the problem is a missing battery (missing being defined as the battery not in the smoke detector itself) then the landlord shall install a new battery and a charge consisting of time and material shall be levied upon the resident. If the battery is in place but dead there will be no charge for replacement.

The landlord makes no warranties, expressed or implied with regard to the smoke detectors and shall not be liable to the resident for any damage, whether to person or property caused by a defect or malfunction of said smoke detector or from residents' failure to alert the landlord in writing of said smoke detector inoperability.

19. **Range Queen Fire Extinguisher** (if available at this property) - Two (2) fire extinguishers have been installed in your range hood. These are designed to help in case of a range fire. **They are automatic and do not require activation.** If they activate, there will be powder over the top of the range.

You are instructed to notify the rental office **immediately** after a range fire so that we can replace the extinguishers. You will not be charged for the extinguishers as long as the extinguishers are in place and proper notice is given. If the fire is not reported or if the extinguishers are missing, you will be charged time and materials to replace the extinguisher.

20. **Live-In Attendant** (if applicable; Subsidized and Tax Credit properties only) - Live-In Attendant relinquishes any and all rights to reside in the unit should the Resident move-out or become deceased.

21. **Appliances** - The Resident shall not install any appliance (including but not limited to washer, dryer, dishwasher, freezer, refrigerator or stove) other than those provided by the Landlord.

22. **Emergency Maintenance** - The following situations will be considered emergencies to which we will respond:

- a. Fire;
- b. Sewer back up;
- c. Waterline break;
- d. Toilet blockage (if only one (1) toilet in unit);
- e. No heat (during freezing weather below 32°);
- f. Other problems that may be considered emergencies are those that if not immediately attended to could be detrimental to the health and safety of residents or which could result in physical damage to the property.
- g. Lockouts are usually caused by negligence and are not considered an emergency. Anyone needing assistance after office hours will have to make arrangements with a locksmith.

In addition, keys will not be issued to persons under the age of eighteen (18), or anyone other than a resident (listed on the lease), unless written permission is received in the office from the resident (head of household or co-head listed on the lease).

23. **Interior Unit Appearances** –

- Keeping carpets and floors clean are the responsibility of tenants and excessive stains and or carpet cleaning will be charged to the resident if property management has a third party company come in and clean the floors.
- Bathrooms should be cleaned on a regular basis. It is not the responsibility of property management to clean tubs/showers, sinks, toilets and bathroom floors.
- Kitchens and kitchen appliances should be cleaned on a regular basis. It is not the responsibility of property management to clean kitchen walls, flooring, countertops, cabinets, range, dishwasher, microwave and or dishwasher.
- Washer and dryers – Dryers lint holder should be cleaned out by the tenant on a weekly to every two weeks basis to avoid buildup.

23. **Interior Unit Appearances – (Cont.)**
- Excessive marks and damage to walls
 - No smoking in the unit. If you receive 2 notices Property Management will enforce the Termination of Lease.
24. **Pets** - Resident shall not keep any pets in the apartment or within the community without Landlord's prior approval and execution of an additional Agreement not including service animals.
25. **Rules and Regulation** - Residents must observe the other Rules and Regulations posted within the Community. If rules are not followed Property Management will enforce the Termination on Lease and begin Eviction Procedure.
26. **Utilities** - Resident at all times must keep utilities turned on in the unit for which they are contractually obligated to pay and for which they receive an allowance from HUD. Failure to do so is considered a hazard to the property and neighbors and the unit will be considered to be not decent safe and sanitary.
27. **Parking** - Parking will be provided for residents and visitors Only.
- Resident will be required to have permit visible in car registered with Management. Any cars parked in the resident area and is not registered will be towed at residents expense.
(See Map For Resident Parking Areas)
 - NO PARKING ANYTIME IN FIRE LANE OR AREAS PAINTED RED. All violators will be towed at owners expense.

I have received and read this addition to the Community Rules and Regulations, and I understand and will comply with all Rules and Regulations as indicated. **I have hereunto signed this document this** _____ **day of** _____.

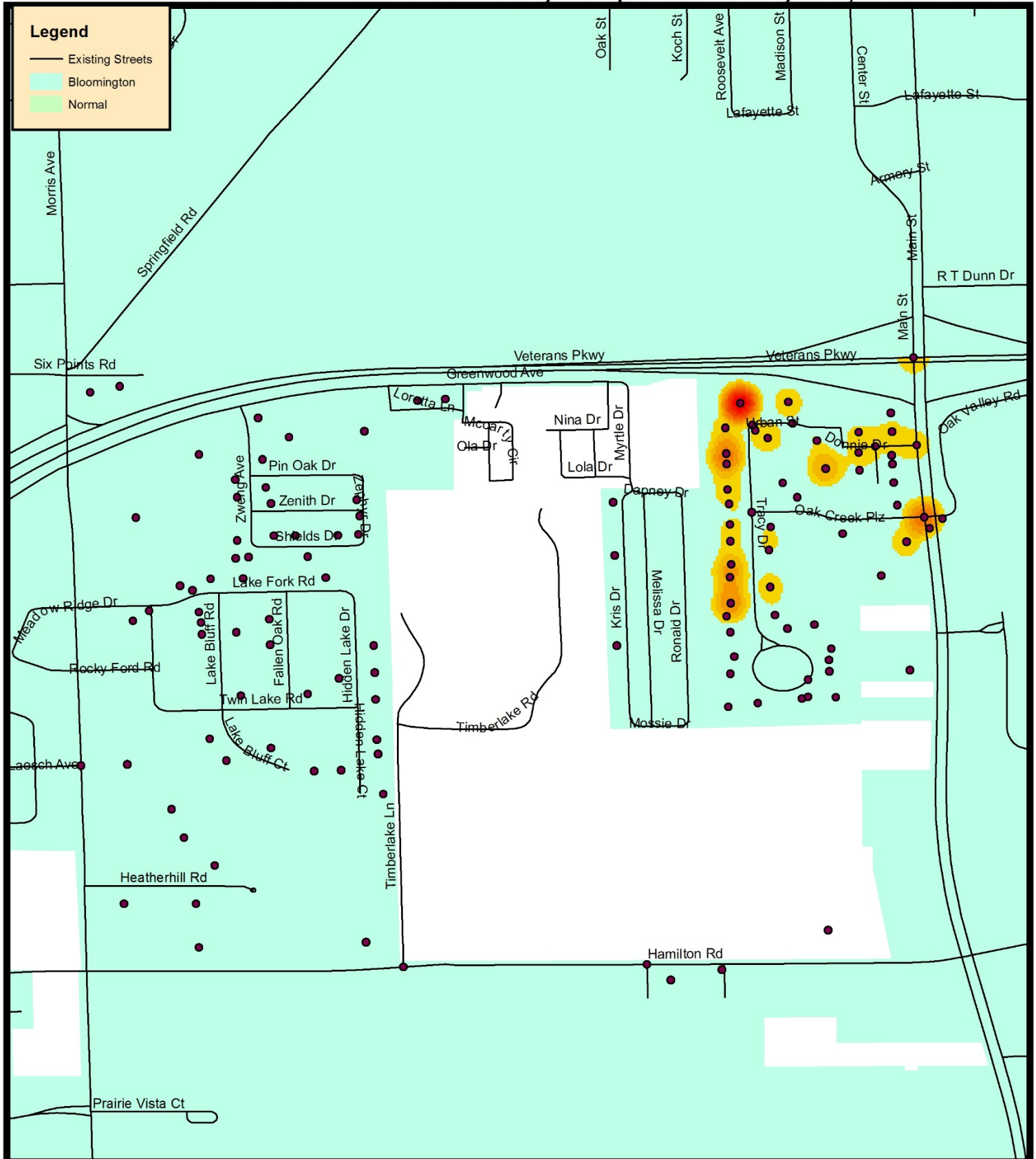
Resident(s): _____

Agent: _____

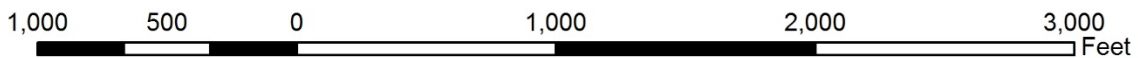
Since January 1, 2012 to May 30, 2017, 992 police reports have been taken from Morris south of Veterans Parkway east to Main St and south to Hamilton. The map on the next page shows the density of those reports. The darker the orange and yellow colors indicate a greater density of police reports.

In that map, 842 of the 992 reports are in the Tracy Dr. corridor. This is 85% of all the reports in the area studied occur along Tracy Dr. A listing of the 842 reports in the Tracy Drive area is listed after the map on the next page.

Morris To Main Sts BPD Density Map 2012-May 30, 2017



The darker the area the more dense the reports over the last 5 years are.



Count of Offense Description

Row Labels	2012	2013	2014	2015	2016	2017	Grand Total
(DO NOT USE AS OF 7/29/2016) POSSESSION OF CANNABIS 30 GM AND UNDER	2	2	2	4	2		12
AGGRAVATED ASSAULT		1		1	1	1	4
AGGRAVATED BATTERY	2		2	2	2	1	9
AGGRAVATED BATTERY OF A CHILD			1				1
AGGRAVATED DISCHARGE OF A FIREARM					1		1
AGGRAVATED DOMESTIC BATTERY			1	2	3	1	7
ALL OTHER CRIMINAL OFFENSES	1						1
ALL OTHER DISORDERLY CONDUCT	9	7	3	4	3	2	28
ALL OTHER SEX OFFENSES			2	1		1	4
ARMED ROBBERY					1		1
ARMED VIOLENCE					1		1
ARSON	1						1
ASSAULT	1						1
ASSIST FIRE DEPARTMENT	1						1
ASSIST OTHER AGENCY	2						2
ATTEMPTED SUICIDE		1					1
BATTERY	2	3	4	4	6	8	27
BURGLARY	2	3		1			6
BURGLARY FROM MOTOR VEHICLE	1	6	5	3	3	1	19
CANCELLED, SUSPENDED, OR REVOKED REGISTRATION	4	1	1	2			8
CHILD ABUSE/NEGLECT OR FAILURE TO REPORT		1					1
CIVIL DISPUTE				1	1		2
CONTRIBUTING TO DEPENDENCY OR NEGLECT OF CHILDREN		1					1
CREDIT CARD FRAUD				2	1		3
CRIMINAL DAMAGE TO PROPERTY	4	13	2	10	16	11	56
CRIMINAL DEFACEMENT OF PROPERTY	1	1					2
CRIMINAL SEXUAL ABUSE					1		1
CRIMINAL SEXUAL ASSAULT		3		1	3	2	9
CRIMINAL TRESPASS TO RESIDENCE	1						1
DECEPTIVE PRACTICES	1	1	1		1		4
DELIVERY/MANUFACTURE OF CANNABIS 30 GM AND UNDER (MISDEMEANOR)	1		1				2
DELIVERY/MANUFACTURE OF CANNABIS OVER 30 GM (FELONY)			1				1
DOG/OTHER ANIMAL BITES		1	1	1			3
DOMESTIC BATTERY	19	20	21	15	31	19	125
DOMESTIC DISPUTE	22	20	19	33	32	16	142
DRIVING UNDER THE INFLUENCE ALCOHOL	3	2	5	2		2	14

ENDANGERING THE LIFE OR HEALTH OF A CHILD	2	2					4
FINANCIAL EXPLOITATION OF ELDERLY/DISABLED					1		1
FIRST DEGREE MURDER				1			1
FLEE OR ATTEMPT TO ELUDE PEACE OFFICER					1		1
FORGERY	1	1				1	3
FRAUD	1		1	3			5
HARASSMENT BY TELEPHONE	3	1	1	2	3	2	12
HIT AND RUN	1	1	2	2	1	3	10
HOME INVASION				1			1
IDENTITY THEFT			1	2	1		4
ILLEGAL CONSUMPTION OF ALCOHOL BY MINOR			1	1			2
ILLEGAL TRANS OF ALCOHOLIC LIQUOR	1						1
INTERFERENCE WITH JUDICIAL PROCEDURE				1		1	2
INVESTIGATE DEAD BODY	1	1	1	3			6
LOST PROPERTY	1	2	1	1		1	6
MANUFACTURE AND DELIVERY OF CONTROLLED SUBSTANCE			4	1	2	2	9
MISSING PERSON	2	1	3		2	2	10
MOTOR VEHICLE THEFT			1				1
NO DRIVERS LICENSE	3	5	3	2			13
NO FOID CARD					1		1
OPERATE UNINSURED MOTOR VEHICLE	10	7	2	3	2		24
ORDINANCE VIOLATION - BATTERY ORDINANCE	1						1
ORDINANCE VIOLATION - OTHER ORDINANCE VIOLATION	1	1					2
OTHER MENTAL CASE			3	3	2		8
OTHER NON CRIMINAL OFFENSE		1		2	4	1	8
OTHER PUBLIC COMPLAINT			1				1
OTHER SUSPICIOUS ACTIVITY	1			1			2
PERSONAL INJURY			6	5	3	1	15
POSSESSION OF CONTROLLED SUBSTANCE	1	1			1	1	4
POSSESSION OF DRUG EQUIPMENT	1		2	1	1	1	6
POSSESSION OF STOLEN PROPERTY			1				1
PREDATORY CRIMINAL SEXUAL ASSAULT OF A CHILD					1		1
PROBATION VIOLATION				1	1		2
PUBLIC INDECENCY				1			1
RECKLESS DISCHARGE OF A FIREARM					1		1
RECOVERED PROPERTY ONLY	2		1		1		4
RESIDENTIAL BURGLARY	4	5	6	4	5		24

RESISTING,OBSTRUCTING,DISARMING AN OFFICER	1		1	1	1	3	7
RETAIL THEFT	1			1	1	1	4
ROBBERY			1	1	1		3
RUNAWAY - MINOR REQUIRING AUTHORITATIVE INTERVENTION	3	5	7	1	1		17
SEX OFFENDER - FAILURE TO REGISTER NEW ADDRESS, EMPLOYER, OR SCHOOL					1		1
SEXUALLY RELATED OFFENSE				1			1
SOLICITATION OF A SEXUAL ACT					1		1
STALKING					1		1
SUSPENDED,REVOKED DRIVERS LICENSE	3	6	6	7	4	5	31
TELEPHONE THREAT					1		1
THEFT FROM MOTOR VEHICLE			2	4		1	7
THEFT OF LABOR/SERVICES				1			1
THEFT OF LOST / MISLAID PROPERTY		1					1
THEFT OF MOTOR VEHICLE PARTS & ACCESSORIES					1		1
THEFT OVER	1	3	4	4	4		16
THEFT UNDER	6	5	5	7	4	4	31
TRAFFIC IL VEHICLE CODE (OTHER TRAFFIC OFFENSES)	2						2
UNLAWFUL DISCHARGE OF FIREARM PROJECTILE					1		1
UNLAWFUL USE OF WEAPON				2			2
UNLAWFUL USE OR POSSESSION OF A WEAPON BY A FELON		1					1
UNLAWFUL VISITATION INTERFERENCE				1		1	2
VIOLATION OF ORDERS OF PROTECTION	2		2	2	2		8
ZZZ?					2		2
Grand Total	136	137	141	163	169	96	842



May 26, 2017

David Hales
City Manager
City of Bloomington
109 E. Olive St.
Bloomington, IL 61701

RE: Application for LIHTC on Greenwood Ave.

Dear Mr. Hales:

This letter is to express the Bloomington Housing Authority's (BHA) support for an application by The Benoit Group (the "Developer") to the Illinois Housing Development Authority (IHDA) for Low Income Housing Tax Credits (LIHTC) to facilitate construction of a 54-unit multi-family development on Greenwood Avenue here in Bloomington. BHA supports the Developer's request and is becoming a partner in the project because it would (1) add new affordable housing stock to the community, (2) provide for a mix of incomes by coupling BHA vouchers with the IHDA LIHTC program, (3) add affordable *supportive housing* units in the community, and (4) help BHA build its capacity for locally initiated mixed-finance housing development. This letter will expand on each of these points after providing some history on BHA's involvement in the project.

BACKGROUND

BHA was initially contacted by the Developer in the summer of 2016 to inquire about the need for additional affordable housing in the Bloomington area and opportunities for collaboration. BHA staff offered input on community needs in the market for affordable housing. At that point the Developer was evaluating sites that would best meet criteria for LIHTC's. BHA expressed interest in possibly partnering on a development proposal through the use of local project-based vouchers (PBV's) and participating in a wider-ranging partnership in a mixed-income multi-family development project.

In the fall of 2016, the Developer prepared a proposal for a 54-unit multi-family development on a vacant and unincorporated three acre parcel at the east end of Greenwood Avenue directly south of Highland Golf Course. The Developer submitted the proposal to IHDA, which included a conceptual site plan, unit mix, and rent structure as part of IHDA's preliminary project assessment process, essentially a pre-application for the 9% LIHTC's.

Providing quality affordable housing opportunities and services.

In January of 2017 IHDA approved the Developer's preliminary project assessment for 9% LIHTC's, allowing the Developer to continue pursuing the project. At that point, the Developer approached BHA to begin more detailed conversations about the use of project-based vouchers that would allow existing tenant-based vouchers to be dedicated to a specific project. The Developer also offered to include BHA as a formal partner in the project, which will allow BHA to have input in the process of developing and operating the multi-family development. This partnership would also allow BHA to realize a modest share of developer fees and cash flow generated by the project.

After presentations and discussions at multiple meetings, the BHA Board of Commissioners approved resolutions at its meeting of April 25, 2017 authorizing a joint venture agreement and pledging local project based vouchers (PBV's) for the project. Both the partnership with BHA and pledge of local PBV's will help with the project's scoring in IHDA's statewide competitive process for evaluating applications for the 9% LIHTC's.

WHY DOES THE BLOOMINGTON HOUSING AUTHORITY SUPPORT THIS PROJECT?

In the process of evaluating the project and BHA's potential partnership in it, BHA staff and Commissioners carefully considered the pros and cons of the project and the granting of PBV's. Staff and Commissioners came to the conclusion that the project's benefits to the community outweigh any drawbacks or concerns. Outlined below are the four major reasons for BHA's support.

1. The project creates new affordable housing stock in Bloomington:

Beyond the affordability of housing for households in the lower income tiers, there are concerns about the limited location and quality of low-cost rental housing. Even those families fortunate enough to have the benefit of a Housing Choice Voucher struggle to find a home that will meet their needs and pass inspections. The vast majority of affordable housing in Bloomington is in buildings that are more than 30 years old. This is due in part to the scarcity of funding for new affordable housing in recent decades. The LIHTC program is one of a very few funding sources available to help close that gap and provide the incentive for private sector led development of additional affordable (income-restricted) housing units.

2. The project will provide housing for residents with a mix of incomes:

Combining a minority of lower-earning households with the higher-earning households has become the standard practice in efforts to **deconcentrate poverty**. The proposed development follows this practice, which has been shown to generate better outcomes for both low-income households and the wider community.

The project is proposed to have 54 units, 34 of which will have a fixed rent rather than rent based on income. Specifically these rents are proposed to be set at \$744 for a one-bedroom unit, \$1,000 for a two-bedroom unit, and \$1,096 for a three-bedroom unit. The rents will be affordable for households earning 60% of Area Median Income, but tenants will still need incomes that exceed that typically

earned by tenants of public housing or participants in the Housing Choice Voucher program. Typically, these tenants will have significant wage earnings or multiple sources of income for the household.

The 20 units that will have local project-based vouchers (10 one-bedroom units for tenants with special needs, 10 for regular 2 or 3-bedroom units) will be charged rent equal to 30% of income. These units would be affordable even in the very low income category (for example, less than \$800/month in Social Security).

3. The project creates an opportunity for supportive housing units in Bloomington:

Ten of the 54 units in the development will be designated for households requiring special assistance. This could include standard accessibility features in the bathroom and kitchen, but it could also extend to supportive services like case management and counselling. Housing options for people with disabilities are scarce, especially given the limited income of this population. Providing these units in a new development is exceptional, and a well-documented need for the community.

4. Development Capacity

Although a number of developers have asked the Housing Authority to commit project-based vouchers to proposed development projects, few have gone to the extent of The Benoit Group in extending a partnership offer. The Developer has extensive experience in working side by side with local housing authorities (including in Champaign County and Lake County in Illinois). For several years now, BHA has been exploring ways to expand options for affordable housing in Bloomington. Being a partner with the Developer on this project is expected to help build BHA's expertise in the field of multi-family development, especially in the area of mixed-finance development (combining tax credits with other sources like locally administered PBV's).

This project will hopefully be a first step for BHA to move in the direction of locally-initiated development (or redevelopment) projects. This sort of development could include eventually providing more diverse housing types in a wider range of locations (in contrast to the existing public housing stock which is quite old, of a uniform design, and geographically concentrated primarily on the west side of Bloomington. Partnership with TBG will build BHA's expertise and generate funds that could be used in these future endeavors.

SITE CONCERNS

It is our understanding that a few concerns have been raised about the Greenwood Ave site, including access to transit and the site's proximity to existing multi-family properties along Tracy Drive. Further, we now know that the property has not yet been annexed to the City. Despite being in an unincorporated "island", the site is clearly within the existing urban boundaries of Bloomington, which extend another mile or so to the south, including both residential and commercial properties. Proximity to commercial development is especially relevant to moderate and low-income housing, which is often referred to as "workforce housing".

We understand that proximity to Connect Transit is being addressed through a pedestrian access easement that would allow a pedestrian connection to Tracy Drive. This would allow residents of the proposed development to be roughly 1,100 feet from the bus stop at Main Street and Oak Creek Plaza. This is less than the quarter-mile spacing between stops on Connect Transit bus lines.

In general, the Housing Authority approach to these concerns has been to view them within the larger context of the project. Siting affordable housing is always very difficult. The most attractive sites are often both high-priced and subject to land-use conflicts, especially if located in close proximity to detached single-family neighborhoods. Setting unrealistically high standards for siting affordable housing is one of the reasons why it is in such short supply.

In weighing the pros and cons of this development, the City's Comprehensive Plan provides guidance. For instance the plan provides this objective: "Ensure an adequate supply of affordable housing for low to moderate income households" (H-1.2, pg. 62) and urges "reducing barriers for mixed income housing" (H-1.2f, pg. 62). These policy goals must be weighed against any shortcomings of the particular site.

Finally, we believe that BHA's partnership in this project will be helpful in its long-term viability. BHA has been in place as a unit of local government for 70 years. Our dedication to providing safe, affordable housing is well established. We will be as responsive to any future concerns about this property as we have been in operating our existing affordable housing programs.

I hope this letter has thoroughly documented the basis for BHA's support for and participation in this proposed project. We feel that the project will meet a compelling need in the community. Based on all of the following, we strongly urge the City to take the steps necessary to facilitate and support this project.

Respectfully,



Jeremy Hayes
Development Director

REGULAR AGENDA



REGULAR AGENDA ITEM NO. 9A

FOR COUNCIL: June 12, 2017

SUBJECT: Administrative Review by City Council of the Zoning Board of Appeals denial of a petition for variances for an Accessory Structure requested for the property at 2 Briarwood Avenue.

RECOMMENDATION/MOTION:

- (1) That the decision of the Zoning Board of Appeals be upheld and an ordinance denying the petition for variances from Chapter 44 Section 4.4C Bulk Requirements for an Accessory Structure requested for the property at 2 Briarwood Ave. be passed, and the Mayor and City Clerk be authorized to execute the necessary documents' or, alternatively:
- (2) That the decision of the Zoning Board of Appeals be reversed and an ordinance approving the petition for variances from Chapter 44 Section 4.4C Bulk Requirements for an Accessory Structure requested for the property at 2 Briarwood Ave. be passed, and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 6. Great Places—Livable Sustainable City's

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

BACKGROUND: On March 24, 2017, an application to the Board of Zoning Appeals ("Board") was filed by Paul Young on behalf of the property owner ("Petitioner") seeking variances to allow the expansion of an accessory structure at 2 Briarwood Ave. Specifically, Petitioner requested two (2) variances to Chapter 44, Section 4.4(c) of the City Code to allow an accessory structure (i.e., library/reading room) that has a gross floor area of 1,282 square feet. The variances were requested because the City Code 1) allows a maximum gross floor area of 1,000 square feet for all accessory structures located within City limits, and 2) prohibits an accessory structure from exceeding the square footage of the principal structure.

Pursuant to the City's Zoning Code, the Board may grant variances only in specific instances where there would be practical difficulties or particular hardships in carrying out strict adherence to the Zoning Code. See Chapter 44, Section 44.13-4(A). In order to grant a variance, the Zoning Board of Appeals must find that each of the following standards is met:

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and

2. That the variance would be the minimum action necessary to afford relief to the applicant; and
3. That the special conditions and circumstances were not created by any action of the applicant; and
4. That granting the variation requested will not give the applicant any special privilege that is denied to others by the Code; and
5. That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonable impair the use or development of adjoining properties.

On April 19, 2017, the Board held a public hearing on the petition. The public hearing provides members of the public with the opportunity to ask questions and testify in favor of or against the petition. Please see the minutes of the meeting for a summary of the proceedings. An audio recording of the entire proceedings is available for your review. After conducting the public hearing on this petition, the Board voted 2 in favor of the petition and 2 against, with 1 member abstaining.

Pursuant to the Zoning Code, Section 44.13-4(f), an aggrieved party may appeal to the City Council if a variation is rejected by the vote of less than (5) members of the Board. On May 2, 2017, a Request for Appeal was filed by the Petitioner. In ruling on the appeal, the City Council must review the administrative record and make a determination whether, based on facts introduced into the record at the public hearing, the Petitioner met the standards necessary to be granted the variances requested. The administrative record consists of the following:

- Audio recording of the hearing (available from the Clerk's office)
- Petition for Variance
- Newspaper Notice and Mailing Sample
- Mailing Lists
- Staff report from the 4.19.17 meeting of the Zoning Board of Appeals
- Zoning Board of Appeals Minutes from the 4.19.17 meeting
- Zoning Map of the Subject Property
- Aerial Map of the Subject Property
- Exhibit(s) introduced at the hearing
- Notice of Decision & Request for Appeal

This is not a rehearing of the Petition. New evidence, or evidence not contained in the record, should not be solicited, heard or considered by the Council. The Council is encouraged to contact the Clerk's Office in order to obtain and review the audio recording of the public hearing and to review the attachment to this memorandum for the rest of the administrative record.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice of the public hearing was published in the Pantagraph on April 3, 2017 in accordance with City Code. In

accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the notice were mailed to approximately 83 property owners within 500 feet. A public hearing was held by the Zoning Board of Appeals. Please consult the administrative record for a summary and audio recording of those proceedings.

FINANCIAL IMPACT: No financial impact is expected

COMMUNITY DEVELOPMENT IMPACT: Link to Comprehensive Plan/Downtown Plan Goals: NA

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: NA

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, Community Development Director

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

Community Development review by: Tom Dabareiner, Community Development Director

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinances
- Petition for Variance
- Newspaper Notice, Mailing Sample and Mailing List
- Staff report from the 4.19.17 meeting of the Zoning Board of Appeals
- Zoning Board of Appeals Minutes from the 4.19.17 meeting
- Zoning Map of the Subject Property
- Aerial Map of the Subject Property
- Exhibit(s) introduced at the hearing
- Notice of Decision & Request for Appeal

DRAFT ORDINANCE NO. _____(ALTERNATIVE 1)

**AN ORDINANCE DENYING A PETITION FOR VARIANCES FROM CHAPTER
44 SECTION 4.4C BULK REQUIREMENTS FOR AN ACCESSORY
STRUCTURE REQUESTED FOR THE PROPERTY LOCATED AT: 2
BRIARWOOD AVENUE**

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting two (2) variances from Section 44.4-4C to allow 1). a gross floor area greater than 1000 square feet (a 282 square foot increase) and, 2). an accessory structure with a gross floor area greater than the principal structure (a 170 square foot increase) for the property hereinafter described in Exhibit(s) A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition on April 19, 2017; and

WHEREAS, the Bloomington Board of Zoning Appeals determined the requested variances do not meet the standards and conditions for granting a variance as required by Chapter 44, Section 44.13-4D of the Bloomington, City Code, 1960, as amended; and

WHEREAS, the Bloomington Board of Zoning Appeals denied the petition for variances from Section 44.4-4C for said premises by a vote of 2-2-1, with one member recusing himself; and

WHEREAS, the City Council of the City of Bloomington, after proper notice has been filed with the City Clerk of the City of Bloomington, has the power to review the record of the administrative public hearing and make a final administrative determination thereon when a petition is denied by the Bloomington Board of Zoning Appeals by less than five (5) votes; and

WHEREAS, the City Council of the City of Bloomington has reviewed the record of the April 19, 2017 administrative public hearing; and

WHEREAS, after reviewing said record, the City Council of the City of Bloomington has determined that the decision of the Board of Zoning Appeals to deny the petition for the aforementioned variances for said premise is correct:

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

1. That the Zoning Board of Appeals denial of the petition for variances from Chapter 44, Section 4.4C for the property described in Exhibit(s) A and commonly referred to as 2 Briarwood Avenue is upheld and the petition is hereby denied.

2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

Tari Renner, Mayor

ATTEST:

Cherry Lawson, City Clerk

Jeff Jurgens, Corporate Counsel

Exhibit A

“Legal Description for 2 Briarwood Ave”

BRIARWOOD SUB E10' LOT 16 ALL LOT 17 & 18 BLK 2

ORDINANCE NO. 2017 – (ALTERNATIVE 2)

**AN ORDINANCE ALLOWING A PETITION FOR VARIANCES FROM
CHAPTER 44 SECTION 4.4C BULK REQUIREMENTS FOR AN ACCESSORY
STRUCTURE REQUESTED FOR THE PROPERTY LOCATED AT: 2
BRIARWOOD AVENUE**

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting two (2) variances from Section 44.4-4C to allow 1). a gross floor area greater than 1000 square feet (a 282 square foot increase) and, 2). an accessory structure with a gross floor area greater than the principal structure (a 170 square foot increase) for the property hereinafter described in Exhibit(s) A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition on April 19, 2017; and

WHEREAS, the Bloomington Board of Zoning Appeals determined the requested variances do not meet the standards and conditions for granting a variance as required by Chapter 44, Section 44.13-4D of the Bloomington, City Code, 1960, as amended; and

WHEREAS, the Bloomington Board of Zoning Appeals denied the petition for variances from Section 44.4-4C for said premises by a vote of 2-2-1, with one member recusing himself; and

WHEREAS, the City Council of the City of Bloomington, after proper notice has been filed with the City Clerk of the City of Bloomington, has the power to review the record of the administrative public hearing and make a final administrative determination thereon when a petition is denied by the Bloomington Board of Zoning Appeals by less than five (5) votes; and

WHEREAS, the City Council of the City of Bloomington has reviewed the record of the April 19, 2017 administrative public hearing; and

WHEREAS, after reviewing said record, the City Council of the City of Bloomington has determined that the decision of the Board of Zoning Appeals to deny the petition for the aforementioned variances for said premise is erroneous:

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

1. That the Zoning Board of Appeals denial of the petition for variances from Chapter 44, Section 4.4C for the property described in Exhibit(s) A and commonly referred to as 2 Briarwood Avenue is not upheld and the petition is hereby granted.

2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

Tari Renner, Mayor

ATTEST:

Cherry Lawson, City Clerk

Jeff Jurgens, Corporate Counsel

Exhibit A

“Legal Description for 2 Briarwood Ave”

BRIARWOOD SUB E10' LOT 16 ALL LOT 17 & 18 BLK 2

29950

young architects 211 s prospect box 1484 bloomington, il 61704 662-5612

APPLICATION TO ZONING BOARD OF APPEALS

Please consider this as our petition for a variance from the requirement(s) of the Zoning Code. I have provided all information requested herein and attached our site **plan** and fee.

Site Address: 2 Briarwood Avenue

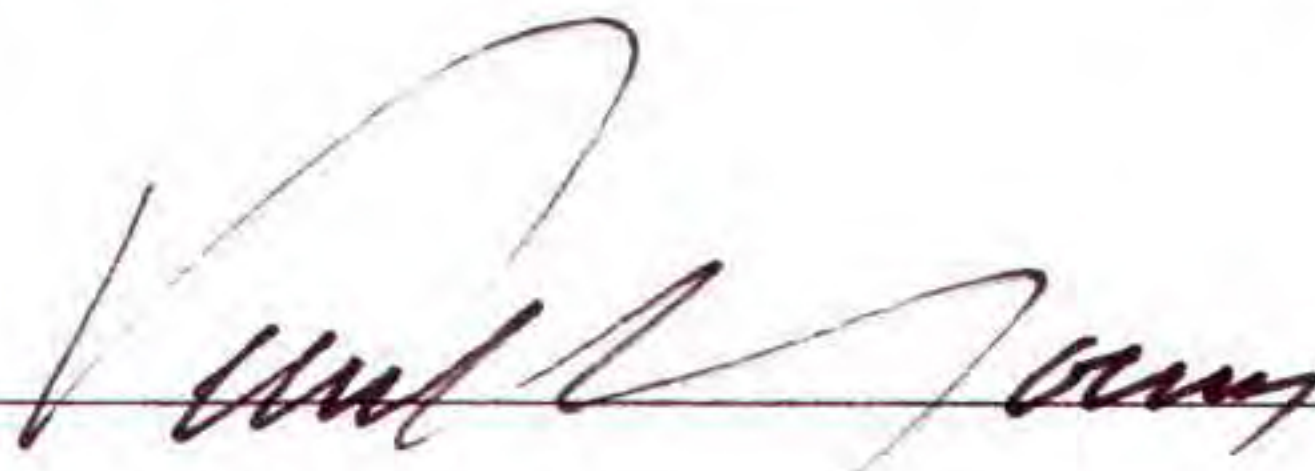
Petitioner: Paul Young Phone: 662-5612

Petitioner's Email Address: youngarchitects@frontier.com

Petitioner's Mailing Address Street: 211 South Prospect Street

City, State, Zip Code: Bloomington, Illinois 61704

Contractual interest in the property X yes no

Signature of Applicant 

Brief Project Description:

Adding a 412 square foot addition onto an existing accessory structure

Code Requirements Involved:

Section 44.4-4 C 4

Variances(s) Requested:

- Accessory structure greater than*
- 1) Exceeds 1,000 Square Feet
 - 2) Exceeds Gross Floor Area of Principal Building

Reasons to Justify Approval by the Zoning Board of Appeals: Your justifications for approval must also be provided in the statement of Findings of Fact.

MAR 24 2017

STATEMENT OF FINDINGS OF FACT
(Must be answered by the Petitioner)

Chapter 44, Section 9.40(d)

A variation from the terms of this Code shall not be granted by the Zoning Board of Appeals unless and until findings of fact are submitted demonstrating:

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and

See Supplemental Sheet Item 1

2. That the variance would be the minimum action necessary to afford relief to the applicant; and

See Supplemental Sheet Item 2

3. That the special conditions and circumstances were not created by any action of the applicant; and

See Supplemental Sheet Item 3

4. That the granting of the variance requested will not give the applicant any special privilege that is denied to others by the Code; and

See Supplemental Sheet Item 4

5. That the granting of this variance will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use or development of adjoining properties.

See Supplemental Sheet Item 5

MEMO

To: Ms Katie Simpson - City Planner
City of Bloomington - Government Center
115 East Washington Street - P.O. Box 3157
Bloomington, Illinois 61762 - 3157

From: Paul Young

Date: March 24, 2017

Re: **Hollister Residence - Center for Contentment**
2 Briarwood Avenue - Bloomington, Illinois
Submission of Variances Request

STATEMENT OF FINDINGS OF FACTS

- Item 1-** The property in question poses *“unreasonable challenges”* in that:
- Principal Building was build in 1923 when most principal buildings were smaller than the residences that are being built today.
 - Most attached garages and accessory garage structure are larger than the 1,000 square feet requirement.
- Item 2 -** The granting of this variance would be the minimum action necessary to afford relief to this resident. The requested variance is a **28.2 %** increase in code accessory building allowed areas and **15.2 %** larger than the principal building.
- Item 3 -** The special conditions and circumstances were existing when applicant bought this property in 1916.
- Item 4 -** The granting of this variance will not give this applicant any special privilege that would not be available to any other applicant under the current **Bloomington City Code** afforded under **Chapter 44 - Zoning Code, Section 44.4-4** and **Section 44.13-4**.
- Item 5 -** Further granting of this variance will not be detrimental to the public welfare, alter the character of the neighborhood, nor impair the development of adjoining properties.

The granting of this variance would enhance and further elevate the terrific character that has been a magnet in this unique **Briarwood Neighborhood**

Please review the enclosed supplemental documents delineating these environmental enhancements.

*Ms. Katie Simpson
City of Bloomington - City Planner
March 24, 2017
Page 2*

We also discussed and analyzed these accessory building code requirements to this **Hollister Residence - Center for Contentment Scheme 2 - Floor Plan** specific items concerning *dimensions, stories, heights, and areas* as follows:

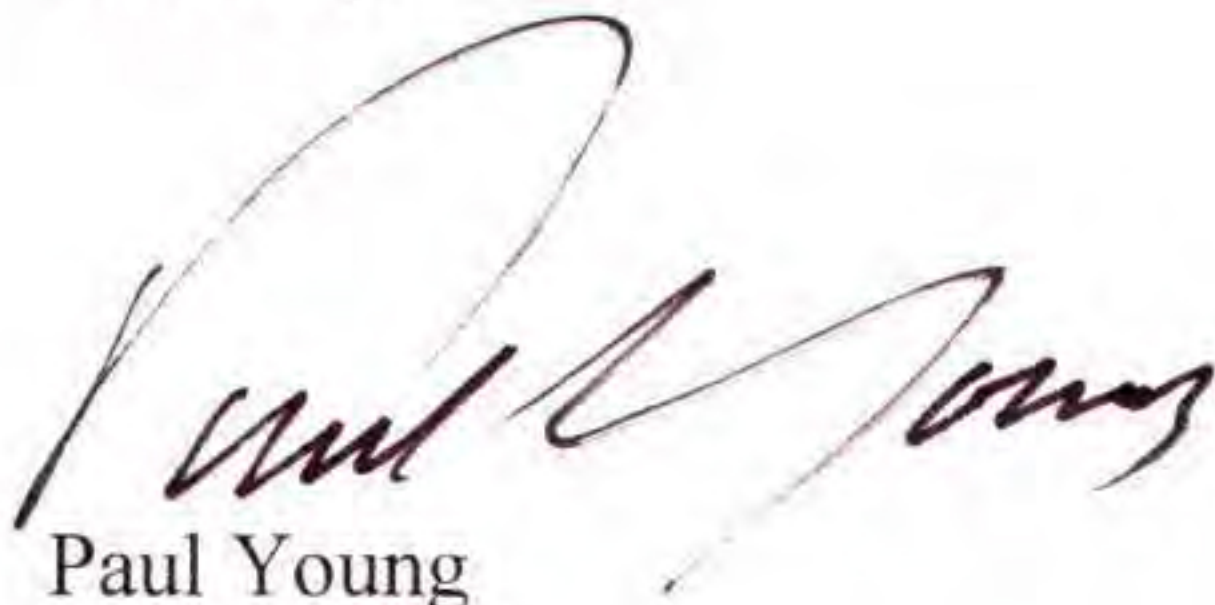
	<u>CODE</u>	<u>ACCESSORY STRUCTURE</u>
Height	<i>14 feet</i>	<i>13' - 8"</i>
Rear Yard	<i>5,363 square feet x 30 percent = 1,609 square feet</i> <i>1,609 square feet</i>	<i>Scheme 2 - 1,282 square feet</i>
Principal Building	<i>1,112 square feet</i>	<i>Scheme 2 - 1,282 square feet</i>
Maximum Area	<i>1,000 square feet</i>	<i>Scheme 2 - 1,282 square feet</i>

I am also forwarding for additional information regarding these **Variance Requests** to assist in your staff review the following:

- *Sheet A-1.2 Scheme 2 - Floor Plan*
- *Sheet A-2.2 Scheme 2 - South Elevation and East Elevation*
- *Sheet A-3.2 Scheme 2 - North Elevation and West Elevation*
- *Sheet A-4.2 Scheme 2 - South to North Section - Looking East*
- West to East Section - Looking North

If any additional information is required, please advise.

Sincerely,



Paul Young
Young Architects

cc: **Mr. and Mrs. John Hollister**

Enclosures:

MAR 24 2017

March 24, 2017

Ms Katie Simpson - City Planner
City of Bloomington - Government Center
115 East Washington Street - P.O. Box 3157
Bloomington, Illinois 61762 - 3157

Re: **Hollister Residence - Center for Contentment**
2 Briarwood Avenue - Bloomington, Illinois
Submission of Variances Request

Dear Ms. Simpson:

Regarding our meeting on Tuesday, March 21, 2017 please find enclosed for discussion and review an **APPLICATION TO ZONING BOARD OF APPEALS**. We understand the **Zoning Board of Appeals** meets every third Wednesday of each month and respectfully request our petition be allowed on the agenda for the meeting Wednesday, April 19, 2017.

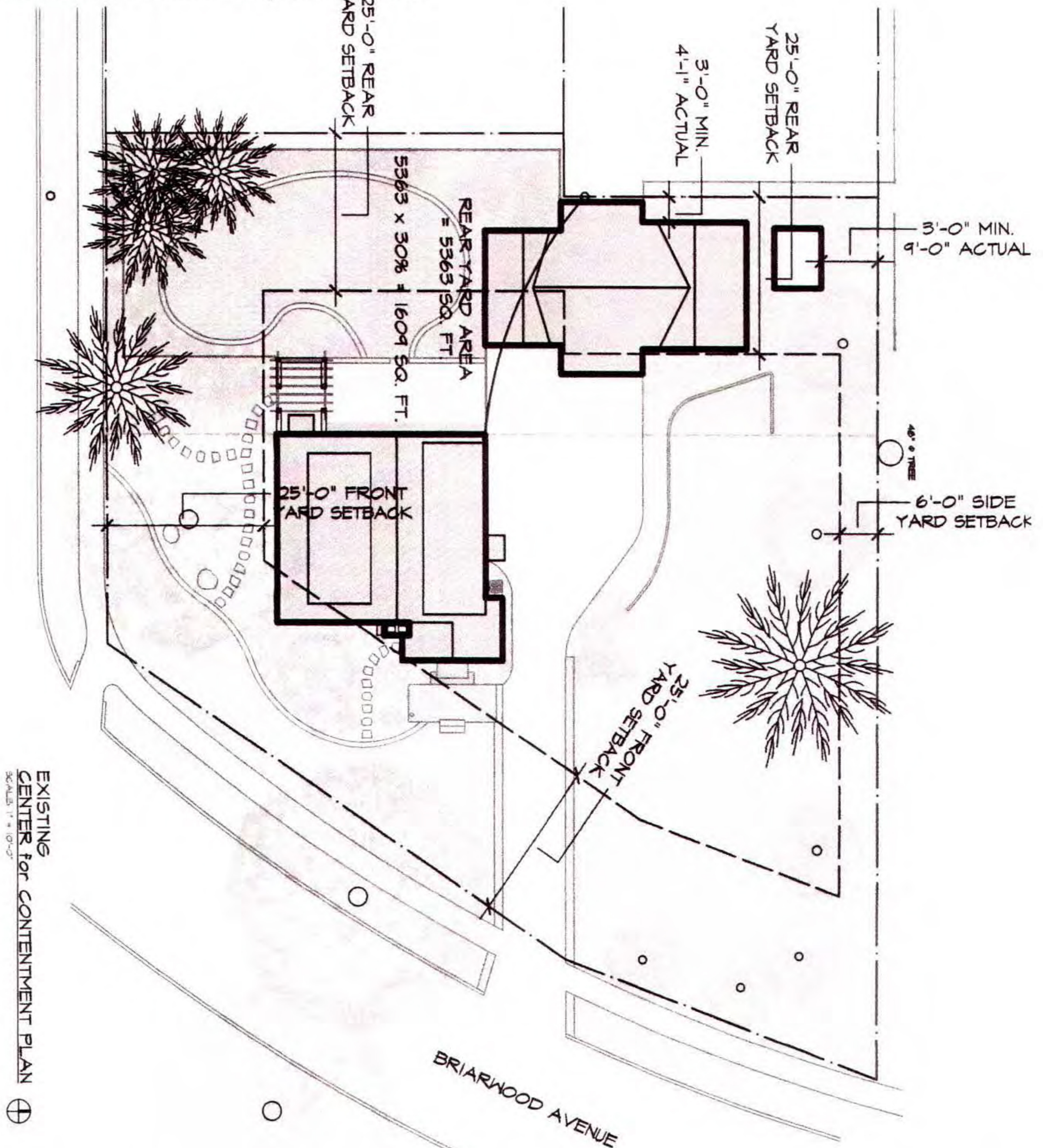
Attached, *as discussed*, are the following:

- | | | | |
|---|---|---------------------------|--------------------|
| - | Filing Fee | Check Number 34257 | \$ 125.00 |
| - | Application to Zoning Board of Appeals | | |
| - | Findings of Fact | | |
| - | Site Plan - Existing | 8 1/2" x 11" | - 1 copy |
| | | 18" x 24" | - 12 copies |
| - | Site Plan - Proposed | 8 1/2" x 11" | - 1 copy |
| | | 18" x 24" | - 12 copies |

We reviewed the **City of Bloomington City Code - Chapter 44 Zoning - Section 44.4.4 Accessory Buildings and Uses** requirements pertinent to this **Variances Requested**.

- **No accessory structure is allowed in the front or side yard**
- **No accessory structure shall be closer than 10 feet from a principal building**
- **No accessory structure shall not exceed 1 story or 14 feet in height**
- **No accessory structure shall not exceed 30 percent of the rear yard**
- **No accessory structure shall not exceed 1,000 square feet**
- **No accessory structure shall not exceed the principal building square footage**

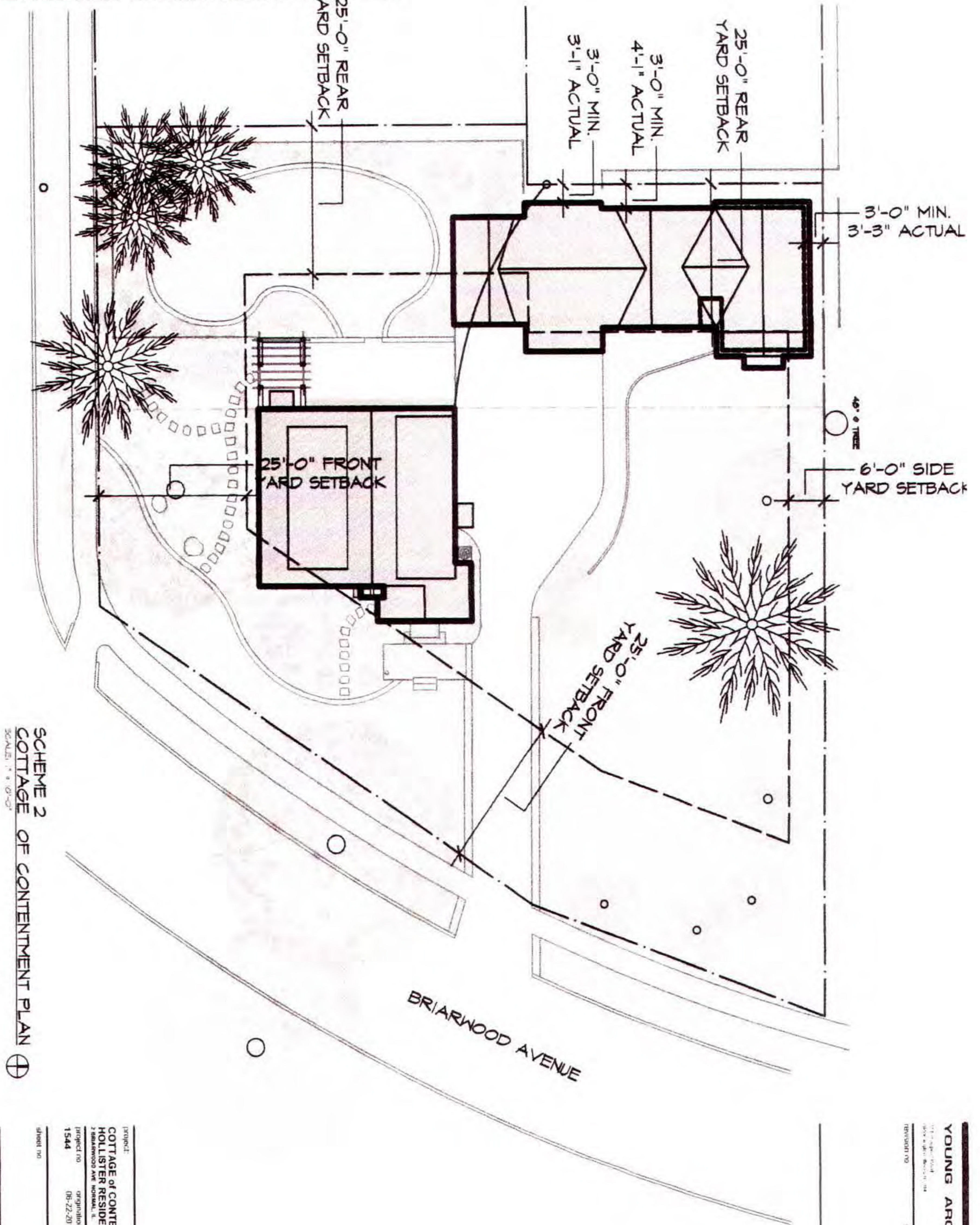
MAR 24 2017



YOUNG ARCHITECTS
1111 11th St. N.
Minneapolis, MN 55401
612.338.1111
www.youngarchitects.com

Project:
COTTAGE of CONTENTMENT
HOLLISTER RESIDENCE
2 BRIARWOOD AVE. MINNAPOLIS, MN
Project No: 1544
Origination date: 06-22-2016
Sheet No: C-1.0

MAR 24 2017



YOUNG ARCHITECTS
101 N. 1st Street
Chicago, IL 60602
TEL: 312.329.1234
FAX: 312.329.1235
WWW.YOUNGARCHITECTS.COM

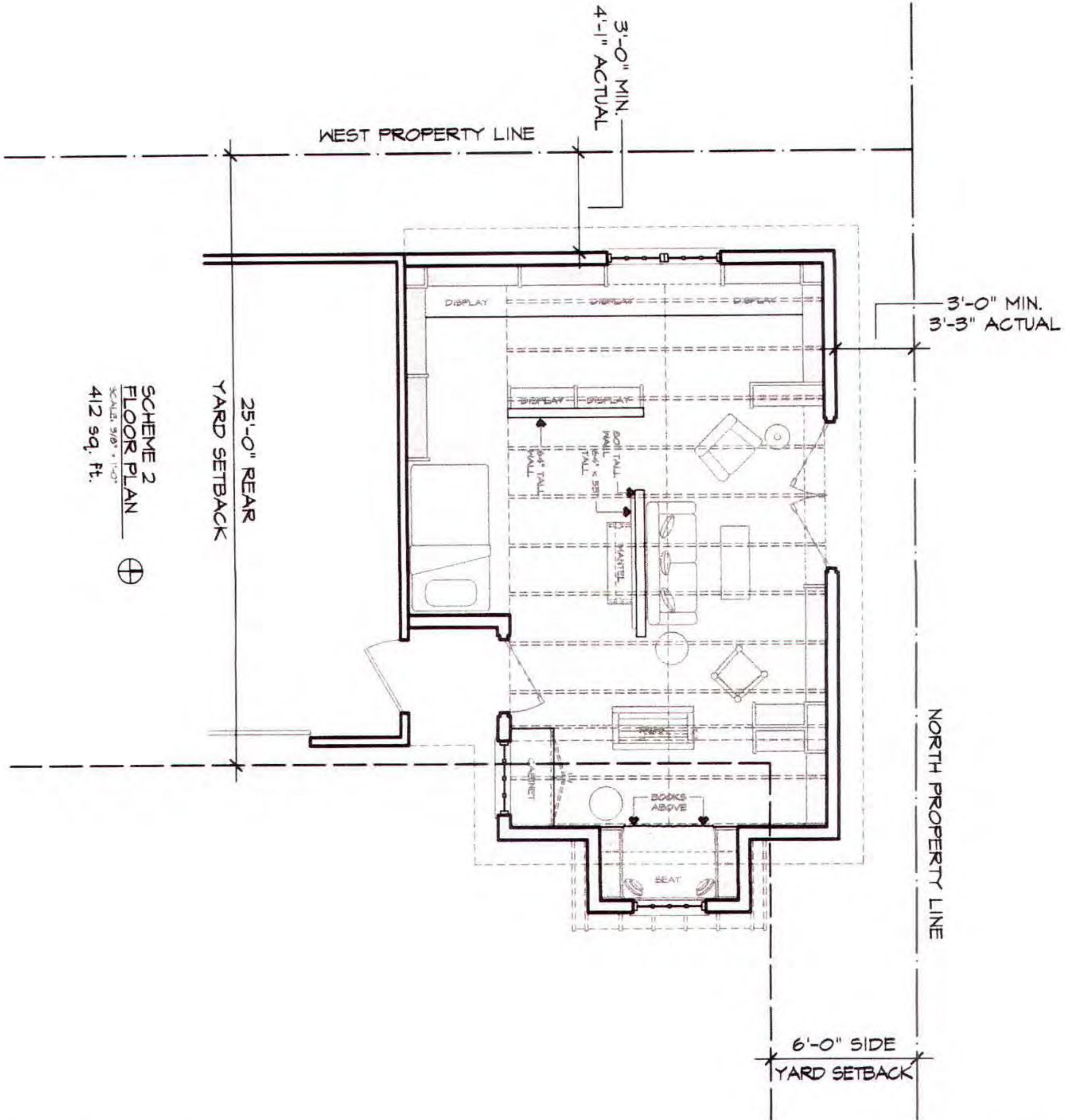
PROJECT:
COTTAGE of CONTENTMENT
HOLLISTER RESIDENCE
2 BRIARWOOD AVE. HOMER, IL

PROJECT NO. 1544
ORGANIZATION DATE 06-22-2016

SHEET NO.

C-1.2

MAR 24 2017



YOUNG ARCHITECTS
1117 Peachtree Road
Atlanta, GA 30309
404.525.8800
www.youngarchitects.com

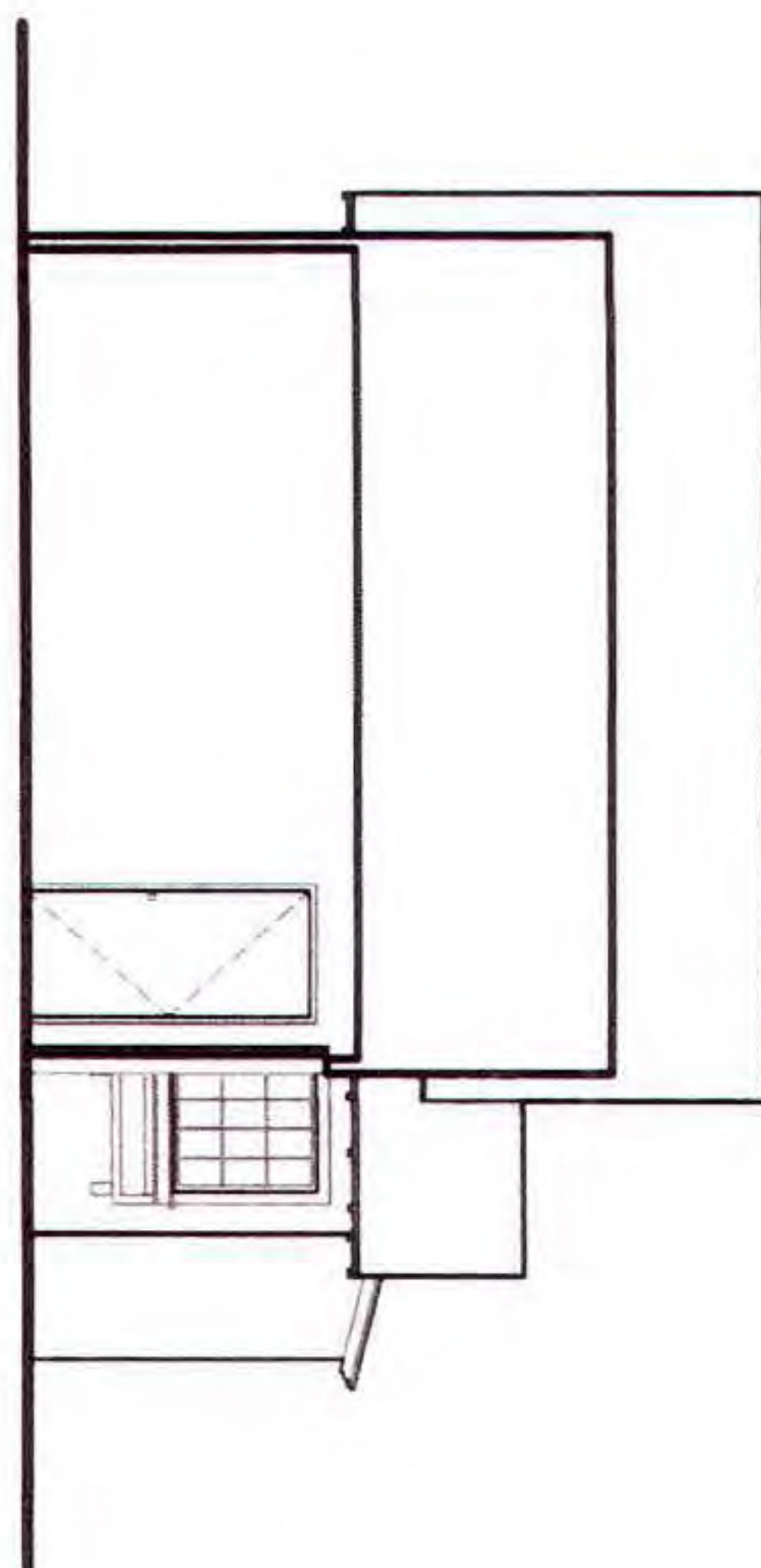
PROVISION NO. _____ DATE 08-09-2017
REDUCING SIZE
per 2015 mfg. 02-16
per 2015 mfg. 02-16

Project:
**COTTAGE of CONTENTMENT
HOLLISTER RESIDENCE**
2 BIRMINGHAM AVE. NORMAL, IL

Project no. 1544 Origination date: 06-22-2016

Sheet no. **A-1.2**

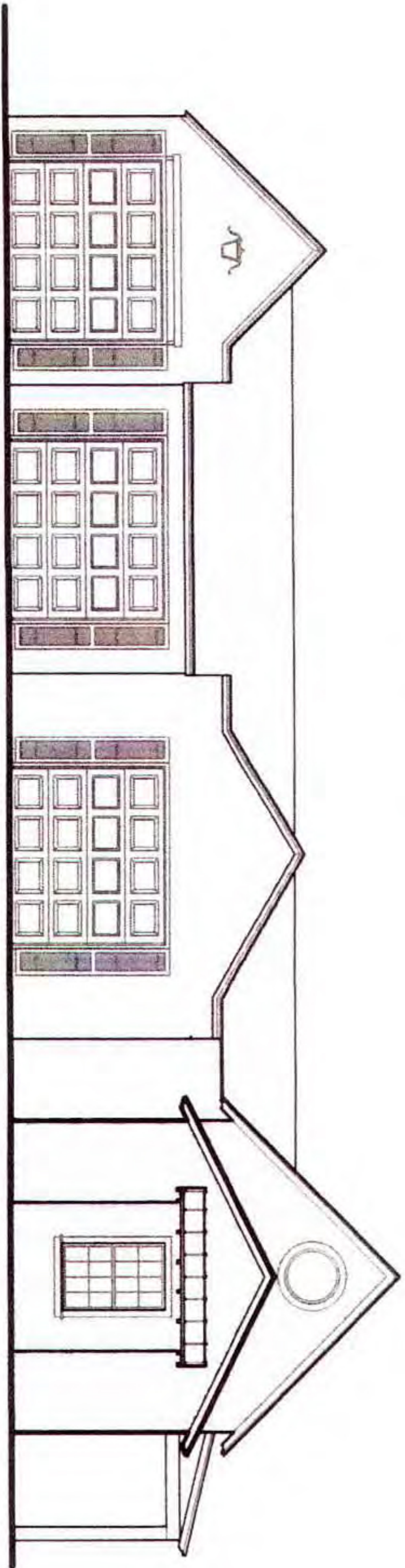
MAR 24 2017



SCHEME 2
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

EXISTING COTTAGE



SCHEME 2
EAST ELEVATION

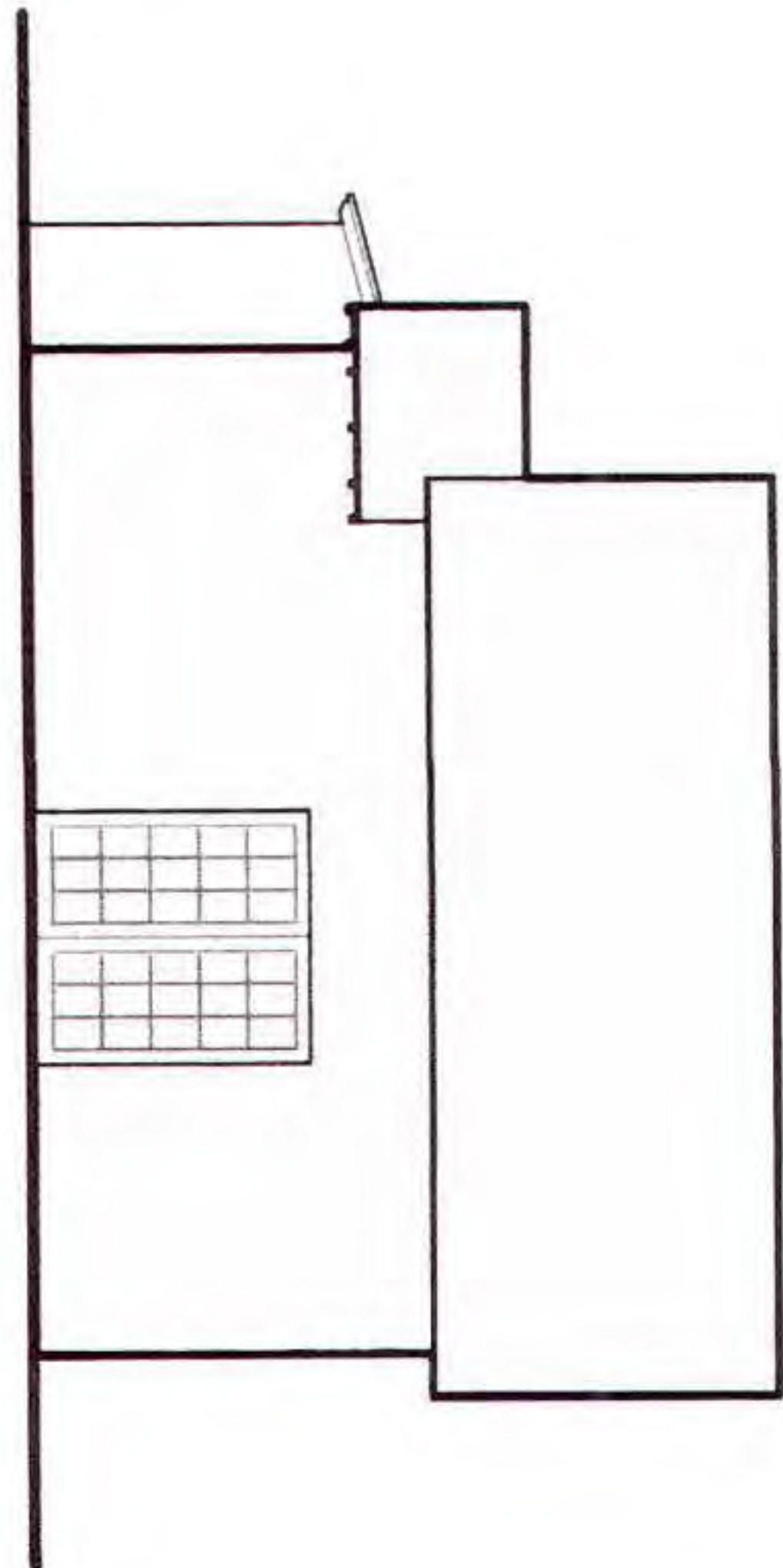
SCALE: 1/4" = 1'-0"

EXISTING COTTAGE

YOUNG ARCHITECTS
11 E. 1st Street, Suite 100
St. Louis, MO 63102
Phone: 314.241.1111
Fax: 314.241.1112
www.youngarchitects.com

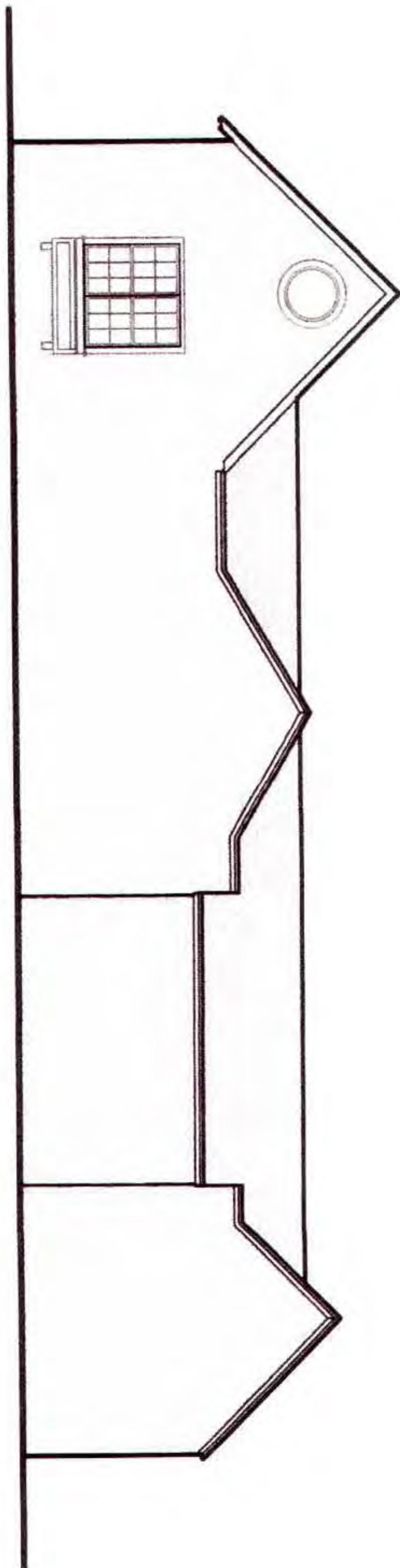
Project: COTTAGE of CONTENTMENT
HOLLISTER RESIDENCE
Architect: YOUNG ARCHITECTS
Project No.: 1544
Origination Date: 08-22-2016
Sheet No.: A-2.2

MAR 24 2017



SCHEME 2
NORTH ELEVATION

SCALE: 1/4" = 1'-0"



EXISTING  COTTAGE

SCHEME 2
WEST ELEVATION

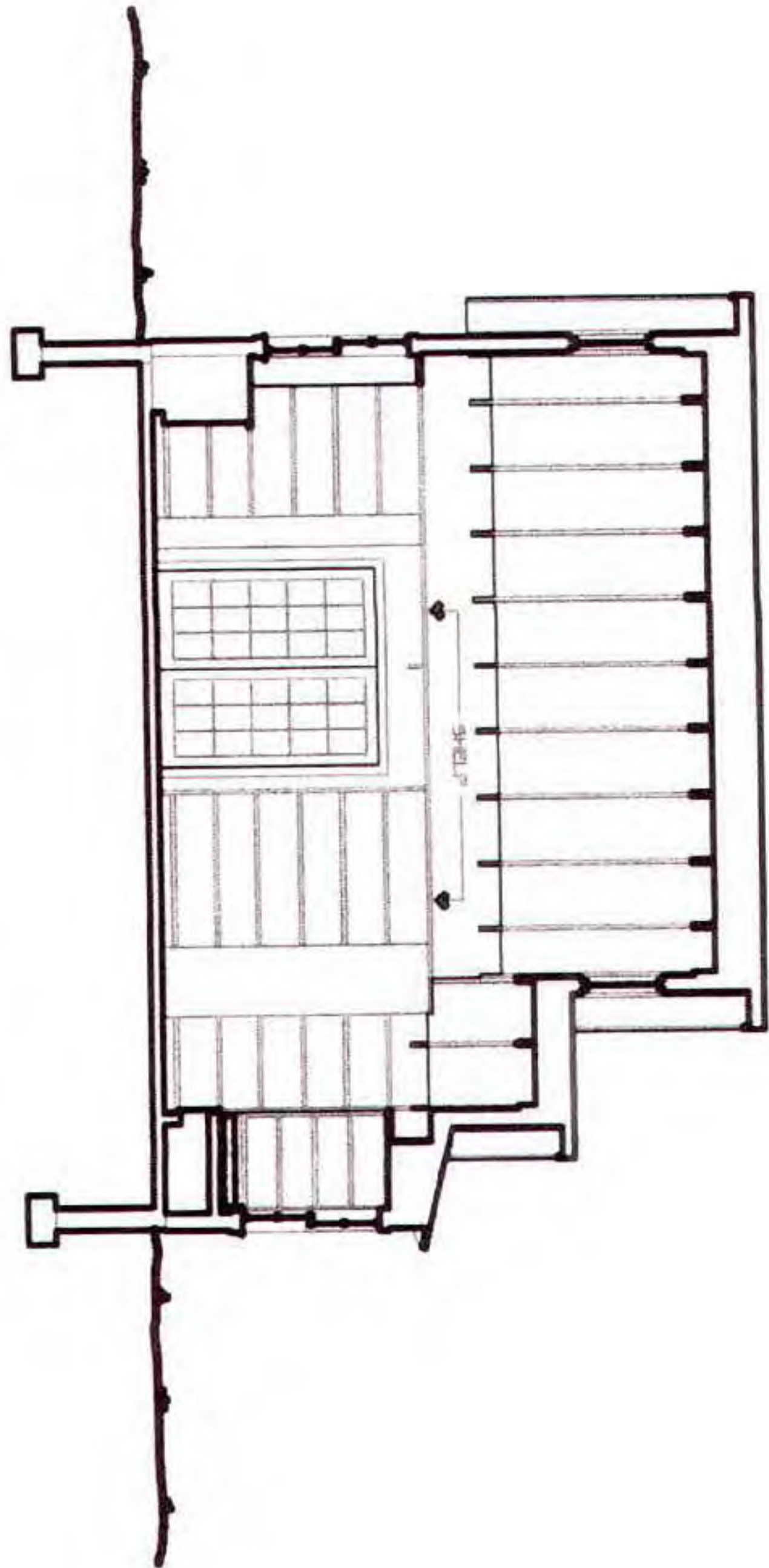
SCALE: 1/4" = 1'-0"

YOUNG ARCHITECTS
111 Duane Street
New York, NY 10038
Tel: 212.279.1234
Fax: 212.279.1235

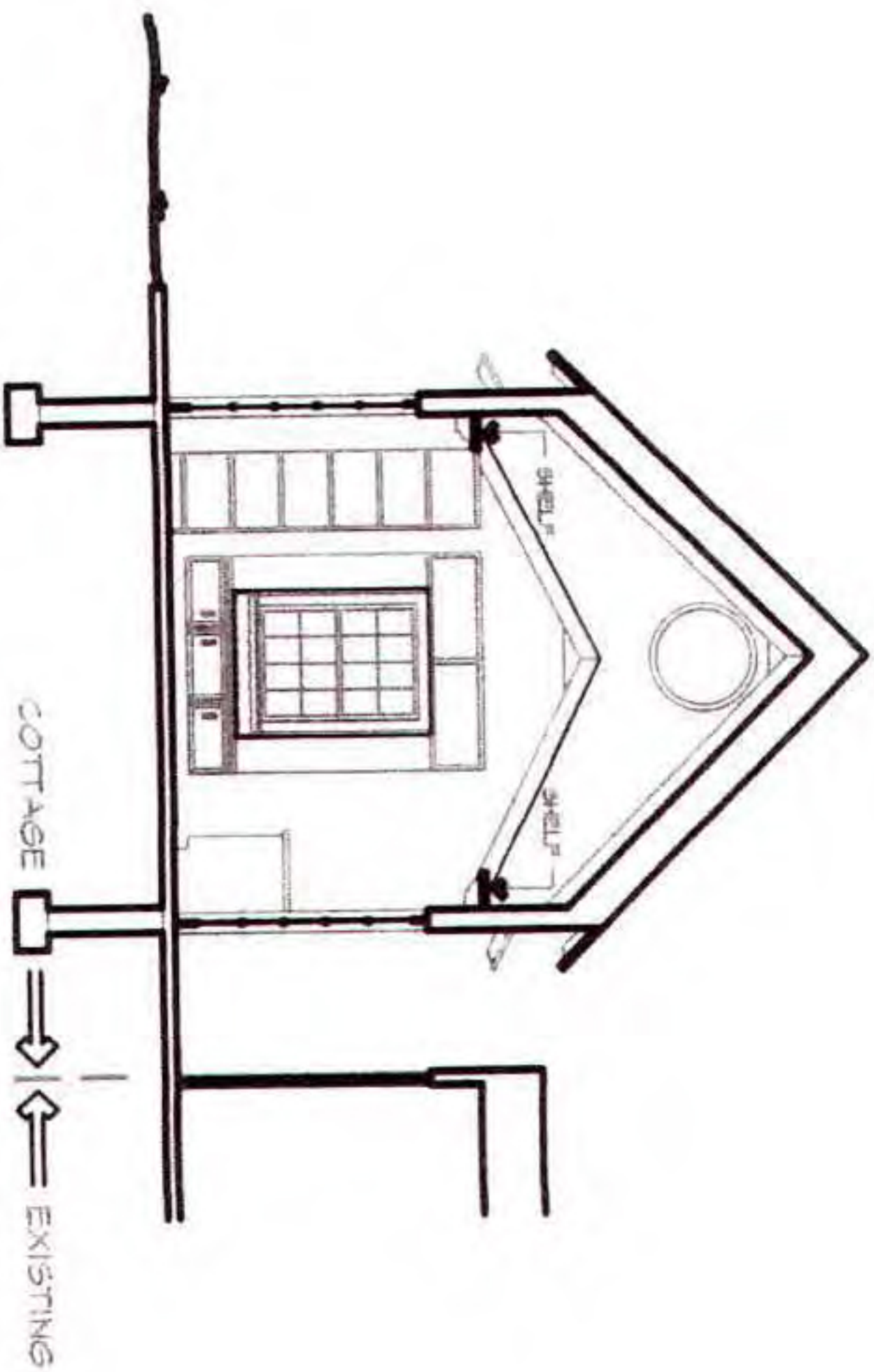
REVISION NO. date

Project: COTTAGE of CONTENTMENT
HOLLISTER RESIDENCE
2 BRANWOOD AVE. NORTH, N.Y.
Project no. 1544 Origination date: 06-22-2016
Sheet no. **A-3.2**

MAR 24 2017



A
A4.2
SCHEME 2
WEST TO EAST BUILDING SECTION - LOOKING NORTH
SCALE: 1/8" = 1'-0"



B
A4.2
SCHEME 2
NORTH TO SOUTH BUILDING SECTION - LOOKING EAST
SCALE: 1/8" = 1'-0"

YOUNG ARCHITECTS
1010 N. 1st St., Suite 100
Portland, ME 04101
Phone: 603.761.1111
Fax: 603.761.1112
www.youngarchitects.com

PROJECT:
COTTAGE of CONTENTMENT
HOLLISTER RESIDENCE
1 BROADWAY AVE. NORTON, ME
PROJECT NO: 1544
DESIGN DATE: 06-22-2016
SHEET NO: **A-4.2**

MAR 24 2017

20875678

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
APRIL 19, 2017

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, April 19, 2017 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the following petitioners requesting variance

www.pantagraph.com

Public Notices

in the regulations of the following described properties:

NAMES, LOCATION (LEGAL DESCRIPTION OF PROPERTY), REQUEST

Susan Atkins and Mark Rhodes, 206 Tanner St (SUB SE 8-23-2E W80' E160' LOT 7), requesting an accessory structure greater than 1000 sqft, a 408 sqft increase.

Stan Geison on behalf of Habitat for Humanity, 407 N. Allin St (SUBN BLK 26 WESTERN ADD S54.7' LOT 9), requesting a reduction in the required rear yard setback from 25ft to 18ft 11in, a 6ft 1in reduction.

Paul Young, on behalf of Mr. and Mrs. John Hollister, 2 Briarwood Ave (BRIARWOOD SUB E10' LOT 16 ALL LOT 17 & 18 BLK 2), requesting: 1) an accessory structure greater than 1000 sqft, a 282 sqft increase; and 2) an accessory structure greater than the principal building, a 170 sqft increase.

Jeff Dodson, 701 Marshall Ln (LES WILSON SECOND SUB LOT 29), requesting a six (6) foot fence in lieu of the four (4) foot maximum allowed in the front yard of a residential property, a two (2) foot increase.

All interested persons may present their views upon such matters pertaining to the above referenced cases at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: Monday, April 3, 2017



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

March 31, 2017

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on Wednesday April 19, 2017 at 4:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony on for the following petitioner(s) requesting variance in the regulations of the described property:

Petitioner(s)	Property Address	Legal Description
Paul Young, on behalf of Mr. and Mrs. John Hollister	2 Briarwood Ave	BRIARWOOD SUB E10' LOT 16 ALL LOT 17 & 18 BLK 2

Request: 1) an accessory structure greater than 1000 sqft, a 282 sqft increase; and 2) an accessory structure greater than the principal building, a 170 sqft increase

All interested persons may present their views upon such matters pertaining thereto at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting.

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon matters pertaining to the requested special use during the public hearing. Communications in writing in relation thereto may be filed with the Department of Community Development, or at such hearing. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

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

Sincerely,

Katie Simpson
City Planner

Attachments: Map of notified properties within 500 ft of subject property



Public Hearing for variance requests to allow 1) an accessory structure greater than 1000 sq ft and 2) an accessory structure greater than the principal structure on Wednesday April 19, 2017



0 0.07 0.1 Miles
1: 4,514

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Notes



MOORE REVOCABLE LIVING TR
% MARY MOORE AS TRUSTEE 16
NORBLOOM AVE
BLOOMINGTON IL 617011950

JANICE R DICKSON
10 BRIARWOOD AVE
BLOOMINGTON IL 61701

DAVID W MEECE
11 BRIARWOOD AVE
BLOOMINGTON IL 617011919

JOHN ARMSTRONG
12 KLEGGSTONE CIR
BLOOMINGTON IL 617041508

JOSEPH A & MARIA L JACOBS
NOVOTNY
13 NORBLOOM AVE
BLOOMINGTON IL 617011949

PAUL F & JUDITH M FELTH
1312 S LINDEN ST
NORMAL IL 617613718

RANDALL HENDRIKS
1319 S LINDEN ST
NORMAL IL 61761

SCOTT T SCHAHNER
1406 N LINDEN ST
BLOOMINGTON IL 617011940

MACKENZIE CROUCH
15 NORBLOOM AVE
BLOOMINGTON IL 617011949

BARRY L & SUZANNE KAUFMAN
1506 N LINDEN ST
BLOOMINGTON IL 61701

MELANIE LERETTE
1 DAWES PL
BLOOMINGTON IL 61701

ANITA & HAL CHIDO
1006 OAK ST
SUGAR GROVE IL 605549307

R C WURMNEST M/M
11 DAWES PL
BLOOMINGTON IL 617011925

ALICE MAGINNIS
12 NORBLOOM AVE
BLOOMINGTON IL 617011950

JACKIE D MOTT
1308 S LINDEN ST
NORMAL IL 617613718

ENRIQUE A VUELVAS
1313 S LINDEN
NORMAL IL 61761

GERARD BERTHEL
14 BRIARWOOD
BLOOMINGTON IL 61701

DOYLE MARTIN
1408 N LINDEN
BLOOMINGTON IL 61701

FRANK S HURSH
1503 N LINDEN
BLOOMINGTON IL 61701

MARK S & TANYA K RICHMOND
1507 LINDEN ST
BLOOMINGTON IL 617011941

JOSEPH & CHERYL PETELIN
1 SHALIMAR PT
BLOOMINGTON IL 617059094

KENLEY KAISERSHOT
1012 PINE MEADOWS CT
NORMAL IL 617615437

KELLY MESCH
12 BRIARWOOD AVE
BLOOMINGTON IL 617011920

ERIN E GASPERSON
13 DAWES PLACE
BLOOMINGTON IL 61701

J MARTIN AND KATHY ECKERT
1310 S LINDEN
NORMAL IL 61761

ANNE E SETTANNI
1314 S LINDEN ST
NORMAL IL 617613718

CYNTHIA J WILLIAMS
1404 N LINDEN ST
BLOOMINGTON IL 617011940

DARCY GREDE
15 BRIARWOOD AVE
BLOOMINGTON IL 61701

CASEY TOLIVER
1505 N LINDEN ST
BLOOMINGTON IL 617011941

LYNN C IRVIN
1508 N LINDEN ST
BLOOMINGTON IL 61701

STEVEN J RUBENDALL
1509 N LINDEN
BLOOMINGTON IL 61701

LORI DEVORE
1510 N LINDEN ST
BLOOMINGTON IL 617011942

ANTHONY HAROLD HAYES
1511 N LINDEN
BLOOMINGTON IL 61701

NICHOLAS & KAYLYN SHAVER
1512 N LINDEN ST
BLOOMINGTON IL 61701

IAN & AMANDA REHTMEYER MINTER
1514 N LINDEN ST
BLOOMINGTON IL 617011942

ROBERT J GLOVER
1515 N LINDEN ST
BLOOMINGTON IL 617011941

HAROLD J & EDITH LENORA LEIGHT
1516 N LINDEN ST
BLOOMINGTON IL 617011942

CHRISTIE A BUCHANAN
1518 N LINDEN ST
BLOOMINGTON IL 61701

ANDREW S KUBIAK
1520 N LINDEN ST
BLOOMINGTON IL 617011942

VALERIE FOSTER
1522 N LINDEN ST
BLOOMINGTON IL 617011942

DARIN & ANDREA MARKERT
15927 PEBBLE BEACH RD
BLOOMINGTON IL 617054705

LEARNING CENTER NOBEL
1615 W CHESTER PIKE
WEST CHESTER PA 193826223

MARTHA A JAHNKE
17 BRIARWOOD AVE
NORMAL IL 617613907

MARY E LAPHAM
18 BRIARWOOD AVE
NORMAL IL 617613908

MOLLY OROURKE
19 BRIARWOOD
NORMAL IL 61761

WILLIAM L HUTSON
1932 N LAMBERT DR
NORMAL IL 617615261

JOHN D & DIANE M HOLLISTER
2 BRIARWOOD AVE
BLOOMINGTON IL 617011920

DONNA R CHILES
2 DAWES PL
BLOOMINGTON IL 617011926

STEPHEN M PETERSEN
20 NORBLOOM AVE
BLOOMINGTON IL 61701

KAREN BECKWITH
2001 WOODFIELD RD
BLOOMINGTON IL 617042452

ADRIENNE OHLER
21 Briarwood Ave
Normal IL 617613907

JEANNE & RHONDAL MCKINNEY
HOWARD
21 NORBLOOM
BLOOMINGTON IL 61701

AUBREY FREITAG
22 BRIARWOOD AVE
NORMAL IL 617613908

SHARON S VOGL
22 NORBLOOM
NORMAL IL 61761

VINCE L SAMPSON
23 BRIARWOOD
NORMAL IL 61761

STACY L PREWITT
26 NORBLOOM AVE
NORMAL IL 61761

ROBERT C PEITHMAN
2707 NE MASON ST
PORTLAND OR 972116545

MELISA KNITTER
3 Briarwood Ave
Bloomington IL 617011919

JEREMY BRUNK
3 Dawes Pl
Bloomington IL 617011925

ROBERT EISENMANN
427 CLEARVIEW RD
EL PASO IL 617389616

VALERIE K CURTIS
5 BRIARWOOD AVE
BLOOMINGTON IL 617011919

LYNN MCCAIN
5 DAWES PL
BLOOMINGTON IL 617011925

ROGER & RITA DONOVAN
5 NORBLOOM AVE
BLOOMINGTON IL 617011949

DELBERT C & DORIS J FAGERLAND
501 MCKINLEY ST
NORMAL IL 617611525

KAREN MILLS
6 BRIARWOOD AVE
BLOOMINGTON IL 617011920

ROSE M PEEPLES
7 BRIARWOOD AVE
BLOOMINGTON IL 617011919

LORRAINE MRS OLSON
7 DAWES PL
BLOOMINGTON IL 617011925

ANDREW & MELISSA LITWILLER
7 Norbloom Ave
Bloomington IL 617011949

BARRY L TAPKE
710 E EMERSON ST
BLOOMINGTON IL 617011858

ELIZABETH R WISE
8 BRIARWOOD AVE
BLOOMINGTON IL 617011920

KENNETH H WEY
8 DAWES PL
BLOOMINGTON IL 61701

GERALD L HOUSTON
808 E ELM ST
BLOOMINGTON IL 617015453

JAMES RIDGEWAY
809 E EMERSON ST
BLOOMINGTON IL 617011907

DENNIS MILLER
812 E EMERSON
BLOOMINGTON IL 61701

MICHAEL P ENSIGN
9 BRIARWOOD AVE
BLOOMINGTON IL 61701

BEVIN COWIE
9 DAWES PL
BLOOMINGTON IL 617011925

GERRIT SINCLAIR
9 NORBLOOM AVE
BLOOMINGTON IL 617011949

JENNIFER MALTMAN
902 E EMMERSON
BLOOMINGTON IL 61701

SUSAN SCHUBER
906 E EMERSON ST
BLOOMINGTON IL 617011910

LISA R DEVER
908 E Emerson St
Bloomington IL 617011910

SHEILA E TAYLOR
9130 POLARIS DRIVE
BLOOMINGTON IL 61705

BLOOMINGTON-NORMAL
RECLAMATION DISTRICT
PO BOX 3307
BLOOMINGTON IL 617023307

FREEDOM OIL CO
PO BOX 3697
BLOOMINGTON IL 617023697

**CITY OF BLOOMINGTON
REPORT FOR THE BOARD OF ZONING APPEALS
APRIL 19, 2017**

CASE NUMBER:	SUBJECT:	TYPE:	SUBMITTED BY:
Z-10-17	2 Briarwood Ave	Variance	Katie Simpson, City Planner

PETITIONER'S REQUEST:

Section of Code: 44.4-4C Accessory Structures

Type of Variance	Request	Required	Variation
Accessory Structure > 1000 sqft	1,282 sqft	1000 sqft	282 sqft increase

Type of Variance	Request	Required	Variation
Accessory Structure>Principal Structure	1,282 sqft	1,112 sqft	170 sqft increase

**STAFF
RECOMMENDATION:**

Staff determines the **petition does not meet** the Zoning Ordinance's standards required to grant a variance (4.13-3).
*Staff recommends the Zoning Board of Appeals **deny** the variances for 2 Briarwood Ave to allow an accessory structure greater than 1000 sqft (282sqft increase) and greater than the principal structure (170sqft increase).*



N Δ

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on April 3, 2017.

GENERAL INFORMATION

Owner and Applicant: Paul Young, on behalf of Mr. and Mrs. John Hollister (property owners)

PROPERTY INFORMATION

Legal description BRIARWOOD SUB E10' LOT 16 ALL LOT 17 & 18 BLK 2

Existing Zoning: R-1C, Single family residential
Existing Land Use: Single family home with accessory structure
Property Size: Approximately 15,318 sqft (138' X 111')
PIN: 14-34-301-018

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single family residential
South: R-1C, Single family residential
East: R-1C, Single family residential
West: R-1C, Single family residential

Land Uses

North: Single family home(s)
South: Single family home(s)
East: Single family home(s)
West: Single family home(s)

Analysis

Submittals

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

1. Application for Special Use
2. Site Plan
3. Aerial photographs
4. Site visit

PROJECT DESCRIPTION

Pictured:
206 Tanner St.



Background

The subject site is commonly known as 2 Briarwood Ave and consists of two lots combined to form one larger parcel, approximately 15,318 square feet (138' X 111'). The subject property is improved with a single family home and detached garage/accessory structure. A smaller shed also exists on the property. The subject property exists within Bloomington's core and is surrounded by single family homes. It is an urban setting. Larger lots, exceeding 10,000 sqft, exist in Bloomington, however those tend to be located in more rural environments or within the R-1B and R-1A, low density single family residential zoning districts. The neighborhood was built around 1920 or 1925. It consists of smaller homes located on narrow, deep lots with smaller detached one and two car garages. The principal structure on the property is 1,112 square feet. The existing accessory structure is approximately 807 square feet.

The petitioner would like to add 412 square feet onto the existing garage. The finished accessory structure would have a gross floor area of 1,282 square feet. The petitioner proposes to remove the smaller shed.

The City of Bloomington Zoning Ordinance allows for:

- 1). up to 1000 sqft of accessory structure, or
- 2). up to 30% of the rear yard, or
- 3). or accessory structures smaller than the floor area of the principal structure, whichever is less.

The requested variances are to allow an accessory structure greater than the principal structure, a 170 sqft increase (approximately 15.2%) and to allow an accessory structure greater than 1000 square feet, a 282 sqft increase (approximately 28.2%).

Project Description:

The petitioner would like to add on to the existing accessory structure. As per city code, accessory structures are required to be three feet away from the lot lines. The existing structure is nonconforming in that it is located closer than three feet to the rear lot line. The petitioner proposes to bring the nonconforming setback into conformance with the code. They would also like to add 408 square feet to the north side of the accessory structure to be used as a library/reading room. The proposed structure would be situated at least three feet from the side and rear property lines.

The following is a summary of the requested variations:

Applicable Code Sections:

Section of Code: 44.4-4C Accessory Structures

Type of Variance	Request	Required	Variation
Accessory Structure > 1000 sqft	1,282 sqft	1000 sqft	282 sqft increase

Type of Variance	Request	Required	Variation
Accessory Structure>Principal Structure	1,282 sqft	1,112 sqft	170 sqft increase

Analysis

Variations from Zoning Ordinance

The petitioner is requesting two variances from Section 44-4C to allow for an accessory structure that would exceed the gross floor area of the principal structure by 15.2% or 170 sqft and the maximum requirement of 1000 sqft by 28.2% or 282 sqft. The variances would enable the expansion of the existing 807 sqft accessory structure.

The Zoning Board of Appeals may grant variances only in specific instances where there would be practical difficulties or particular hardships in carrying out strict adherence to the Code. Staff's findings of fact are presented below. It is incumbent on each Zoning Board of Appeals member to interpret and judge the case based on the evidence presented and each of the Findings of Fact.

FINDINGS OF FACT

The petitioner has outlined the request for variation in the attached narrative and drawings. The Zoning Ordinance requires that the petition meet the findings of fact as outlined below.

That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult; and the subject property consists of two regular lots combined under a single parcel. It exceeds the average lot size for the neighborhood as well as the minimum lot width and area of the R-1C district. The property is relatively flat with no identifiable physical characteristics posing unreasonable challenges to meet the maximum accessory structure requirements of the zoning ordinance. The lot is a corner lot but the front yard setbacks are maintained. The standard is not met.

That the variances would be the minimum action necessary to afford relief to the applicant; and the accessory structure currently complies with City Code. Additionally a 193 square foot addition would be allowed without a variance. The proposed addition could also be added to the rear of the principal structure, as long as a ten (10) foot separation between the accessory structure and principal structure was maintained. The standard is not met.

That the special conditions and circumstances were not created by any action of the applicant; and the requested variances are directly related to the proposed expansion of the structure and the petitioner's desire to add a library/reading room onto the existing accessory structure. If the addition were smaller it would comply with City Code. The special circumstances are created by the applicant and not directly related to a physical hardship or limiting, unique circumstances associated with the property. The petitioner is able to make reasonable use of the property as it exists, a smaller addition would not hinder that reasonable use nor would adding onto the existing principal structure. The standard is not met.

That granting the variation request will not give the applicant any special privilege that is denied to others by the Code; and the proposed expansion would result in an accessory structure exceeding the maximum requirements of city code. These requirements apply to all residential zoning districts and granting the variances could potentially result in precedence. Additionally, other properties in the neighborhood would not be allowed to have a structure of

this size because not only would the lot sizes not allow for it but also it would deviate from the established neighborhood character. Essentially, the 1,282 square foot accessory structure could easily be converted into a principal structure which could impact the density and character of the neighborhood. For example, if a future property owner decided to convert the accessory structure into a dwelling unit by adding a kitchen and bathroom, the three feet setbacks would not allow adequate fire separation (at least 10 feet) from this unit and any accessory structures located on neighboring properties. The standard is not met.

That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties. The neighborhood is developed with smaller single family homes on narrow lots, each with detached one and two car garages. Although the subject property is located on two lots, the accessory unit exceeds the gross floor area of the principal structure as well as other principal structures in the neighborhood. The potential of using the accessory structure as a dwelling unit exists and could essentially alter the density of the neighborhood. Additionally, the City's zoning ordinance imposes height and bulk regulations on accessory structures to protect view sheds, reduce the likelihood of converting these structures into principal units or illegal uses, and to reduce the likelihood of displacing storm water, which, if displaced enough could potentially flood neighboring properties. Although the proposed addition will maintain a height less than 14 ft, the bulk of the structure can still potentially block view sheds and could possibly, due to its mass, impact neighboring properties. An addition on the existing principal structure would align better with the neighborhood character. The standard is not met.

STAFF RECOMMENDATION:

Staff recommends the Zoning Board of Appeals deny the variances for 2 Briarwood Ave to allow an accessory structure greater than 1000 sqft (282 sqft increase) and greater than the principal structure (170 sqft increase).

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

- Variance Application
- Petitioner Statement of Findings of Fact
- Site Plan
- Aerial Map Zoning Map
- Newspaper notice (See Item A) and neighborhood notice
- List of notified property owners

**MINUTES
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, APRIL 19, 2017
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

Members present: Chairman Bullington, Mr. Briggs, Mr. Brown, Mr. Butts (arrived 4:04PM), and Mr. Kearney

Members absent: Ms. Meek, Mr. Simeone

Also present: Mr. George Boyle, Assistant Corporation Counsel
Ms. Katie Simpson, City Planner
Tom Dabareiner, Community Development Director

At 4:02PM, Mr. Dabareiner called the roll. With four members in attendance, a quorum was present.

PUBLIC COMMENT: None.

Mr. Butts at arrived 4:04PM.

MINUTES: The Board reviewed the minutes from March 15, 2017. A motion to approve the minutes was made by Mr. Briggs; seconded by Mr. Butts. The minutes were **approved** by a 4-0 voice vote.

Chairman Bullington explained the meeting procedures.

Z-08-17 Consideration, review and approval of the petition for a variance submitted by Susan Atkins and Mark Rhodes for the property located at 206 Tanner Street to allow an accessory structure greater than 1000 sqft, a 408 sqft increase

Chairman Bullington stated that the second agenda item, Case Z-09-17, has been withdrawn by the petitioner. He introduced Case Z-08-17. Mr. Mark Rhodes and Ms. Susan Atkins, 206 Tanner, were sworn in. Mr. Rhodes stated that he wants a garage in their backyard for adequate lawn care equipment storage and to restore a car. He stated that the existing garage is not large enough to accommodate this can and equipment. Mr. Briggs asked how many cars are restored; Mr. Rhodes stated just the one. Chairman Bullington asked what physical characteristics of the petitioner's property makes it unique and unable to accommodate a regular sized accessory structure; Mr. Rhodes stated other structures exist in neighboring backyards but they just have a small storage shed.

Ms. Atkins asked if the garage was attached to their house whether the same rules apply; Chairman Bullington stated that the specifics would matter but probably not.

Ms. Atkins stated there is a lot of landscaping and people cannot see into their backyard. Mr. Rhodes noted he takes a lot of pride in the landscaping and added that nothing would be

stored outside. He stated that it would not turn into a business and, with the new structure, he would get rid of the old sheds. Chairman Bullington asked the petitioner how he would access the new shed; Mr. Rhodes responded he does not need a new driveway and that there is room.

Mr. Briggs expressed concern over the access and whether the car would come and go for car shows; Mr. Rhodes stated that the restored car could then be stored up front. Mr. Briggs asked about the potential use as a business after the current owner sells the property, explaining that the variance is perpetual.

Mr. Brown asked how an emergency vehicle would access the back yard; Mr. Rhodes stated there is a double gate on the west side of the house. Mr. Briggs confirmed there is no paved path.

Mr. Kearney asked the petitioner to explain the need for the new accessory structure and why the existing garage is inadequate. Mr. Rhodes stated the existing garage is too small to work on a full size vehicle. He has four vehicles including the one he seeks to restore, which is not licensed so needs to be moved inside, and two are parked in the existing garage. Mr. Kearney confirmed Mr. Rhodes would move the lawn equipment from the old existing sheds into the new shed. Mr. Rhodes believes it will look better to remove the old sheds.

Mr. Briggs asked if the existing garage could be extended to create added room and provide paved access.

Ms. Simpson provided the staff position, which is opposed to the variance. She provided photos of the lot in her PowerPoint. She described the surrounding properties. She explained the accessory code rules for residential properties in the City, adding that the rules are in place because accessory structures are intended to be subordinate in use and size to the principle residential structure. She mentions that visual impact, location, size and use are all considered by staff when reviewing these cases. She noted the neighboring properties tended to have a single small accessory structure, except for a nearby corner lot that was granted a variance for a larger accessory structure. She described the size of the proposed accessory structure, noted concerns with access to the structure on a lot too narrow to allow two driveways. She explained the existing garage could be expanded and mentioned a couple other alternatives.

Mr. Briggs asked if the existing ten foot slope forces construction of a larger accessory structure; Mr. Simpson stated in the negative, because the slope does not impact the proposed location. She stated the petitioner could add more than 400 square feet to the existing garage without need for a variance. Ms. Simpson also expressed concern the proposed structure could easily be changed into a business, which is not consistent with the residential use. In response to Mr. Briggs' question, Ms. Simpson explained the additional 424 square feet can be added on to the garage or stand as a separate structure without the need for a variance. Mr. Boyle stated a new application is needed for the garage expansion versus what is currently proposed, based on a question from Mr. Briggs.

Mr. Kearney asked about the differences between the 2004 corner-lot cases and this case. Ms. Simpson stated did not recall but could access the case later.

Mr. Briggs asks the petitioner about expanding the existing garage; Mr. Rhodes stated it would not look right and he preferred to go with a separate building.

Chairman Bullington stated the ZBA has five factors to consider as laid out in the code.

Mr. Butts motioned for **denial** of the variance; seconded by Chairman Bullington. The motion **failed** 2-3 with the following votes: Mr. Butts—yes; Chairman Bullington—yes; Ms. Kearney—no; Mr. Briggs—no; Mr. Brown—no. Mr. Kearney motioned for **approval** of the variance; seconded by Mr. Briggs. The motion **passed** 3-2 with the following votes: Mr. Kearney—yes; Mr. Briggs—yes; Mr. Butts—no; Mr. Brown—yes; Chairman Bullington—no. Motion fails for lack of the required 4 votes needed for an affirmative action. Chairman Bullington stated the petitioner may appeal to the Council.

Z-10-17 Consideration, review and approval of the petition for variances submitted by Paul Young for the property located at 2 Briarwood Ave to allow: 1). An accessory structure greater than 1000 sqft, a 282 sqft increase, 2). An accessory structure greater than the principal structure, a 170 sqft increase.

Chairman Bullington recused himself because he is an acquaintance of the petitioner, then left the room. After some discussion and a vote, Mr. Briggs was named Acting Chairman. John and Diane Hollister, 2 Briarwood Avenue, and Paul Young, project architect, were sworn in. Acting Chairman Briggs introduced the case.

Mr. Young stated he can understand the City's position from a historical perspective. He noted he has experience sitting on various boards and commission in Bloomington and Normal. He stated he disagrees with City staff's recommendation. He referred to the state's standards rather than the City's standards, then referred to sections of the staff report he disagreed with, such as description of the general location of the property. Mr. Young explained this is a Pillsbury house and believes that given the age of the structure, certain standards would not have applied. Acting Chairman Briggs confirmed Mr. Young was talking about the principle structure. Mr. Young explained the petitioner has already reduced the size of the proposed addition to the existing accessory structure. Mr. Dabareiner asked if this is new information; Mr. Young stated that the information in the packet is the current proposal. He disagreed with staff's statement that the existing structure is nonconforming, noting that they did not know it was larger than that allowed but have agreed to remove that portion before constructing the proposed addition. Acting Chairman Briggs confirmed that Mr. Young was now describing the accessory structure. Acting Chairman Briggs stated he confirmed with Mr. Boyle that the City is a home rule community and has five standards to be met, not the three state standards referenced; Mr. Young agreed, but stated that the City's code may not be up to date.

Mr. Young agreed with staff's report that there are no physical characteristics of the property requiring this expansion, but challenged the definition of the word "unreasonable" and "challenge." Mr. Young disagreed that other options, such as adding on to the house, are possible because it is not what his clients wish. Mr. Young noted that the staff is correct in that a variance is not required if the expansion was smaller. Mr. Young disagreed that reasonable use is granted the property without this proposed expansion because it is not what his client's desire. Mr. Young stated that the average home size has increased since the client's house was built; Mr. Kearney asked Mr. Young to stick to the case. Mr. Butts stated these might be good arguments in an appeal to the City Council but are not relevant for the

ZBA. Mr. Young continued that he disagrees with staff's assessment of the number of detached accessory structures in the neighborhood.

Ms. Hollister stated she worked with the City of Peoria, including their library, until retiring five years ago and moving to Bloomington. She stated she loves books and intends on storing books in the addition. She stated she likes to give back to the community and has installed a Little Free Library in her front yard. She stated she also planned on doing hobbies in the proposed space and holding tea parties with friends. Her intention is to maintain the integrity of the charming neighborhood, which she believes is beautiful. Ms. Hollister stated she contacted Brad Williams of the Historic House Society. She stated she hopes to fill the new space with antiques. She mention keeping the integrity of the Pillsbury house. She stated she is appointed to the Library Board and was on the Police and Fire Commission. She believes the expansion will enhance the look.

Mr. Hollister responded to the concern that someone may want to make this into a house but they had rejected the idea of adding a small bathroom due to the cost. Acting Chairman Briggs conformed they had electricity but no plumbing. Mr. Hollister stated they have a deep lot and this expansion will not be visible.

Mr. Young repeated the point that the expansion will not become living quarters.

Ms. Karen Mills, 6 Briarwood Avenue, was sworn in. She distributed exhibits which were labeled for the record and distributed. Ms. Mills stated she is concerned about an old tree sharing their property line which she fears may not survive the expansion because it would cut tree roots and interrupt the tree's drip line. She stated, the tree was part of the original Jesse Fell arboretum. She asked if less invasive options were considered and mentioned some which may help protect the tree.

Ms. Simpson provided staff's recommendation against allowing the expansion as proposed. She provided photos by PowerPoint showing the existing structure with the proposed addition. She described the lot, noting it was improved around 1919-1925, and is a potential site for future historic designation pending additional study. She noted the zoning of the property and surrounding properties. She noted the accessory structure is supposed to be subordinate to the principle structure in size and use. Most of the accessory structures, whether detached or attached, in the neighborhood are for one or two cars, not like the proposed size which could accommodate almost 4 cars. She pointed out the existing accessory structure is considered nonconforming because it exceeds 1,000 square feet. She affirmed that the petitioner would remove the structure to bring it slightly below the 1,000 square feet, before adding on and returning it to a size significantly larger than the 1,000 square feet allowed or the smaller size to assure it does not exceed the size of the house.

Ms. Simpson noted Mr. Young went through her report earlier regarding adherence to the standards. Ms. Simpson stated staff concludes there is no physical hardship. She stated that without the variance, the petitioner can still make reasonable use of the property as others do in the neighborhood. She stated the need for the variance is based on the petitioner's wants and not due to any hardship preventing them from obtaining an accessory use they do not have but would make their building similar to others. She repeated that staff recommends against allowing the variance.

Acting Chairman Briggs asked to see the picture of the property displaying the two lots contained within the property. He asked if the property owner could sell off one lot; Ms. Simpson noted the setbacks required and the likely need for a shared driveway. Acting Chairman Briggs noted that once a property is denoted as historic there are restrictions as to the improvements that can be made; he asked if this could ruin the potential for it earning an historic designation. Ms. Simpson referred to the downtown area which is a designated historic district, explaining that even contributing structures need consideration and in some residential areas the garages are considered contributing. She repeated her concerns are impact on neighbors and the potential for the structure changing its use. Mr. Kearney confirmed that the historic potential did not factor into staff's recommendation.

Mr. Hollister stated he too is concerned about the old tree and it remains to be seen how the addition can be constructed. Mr. Brown asked if they considered adding on to the house; Mr. Hollister stated that they never considered adding on to the house and instead went with the option of adding on another parking bay to the accessory structure. Ms. Hollister stated she would not want to harm the status of the house by adding on to it. Mr. Kearney confirmed the library in the new space would be private.

Mr. Hollister explained that the first two parking bays are intend for cars, the third bay is his workshop, and the addition would be the library for his wife. Acting Chairman Briggs asked if one of the existing bays could be used as an alternative to the addition; Ms. Hollister stated one bay is filled with stored furniture. Acting Chairman Briggs mentioned there is storage around town that the furniture could go in. Mr. Hollister stated conversion of the space would be expensive.

Mr. Butts motioned for denial of the variances; seconded by Mr. Brown. The motion **failed** 2-2 with the following votes: Mr. Butts—yes; Mr. Brown—yes; Mr. Kearney—no; Acting Chairman Briggs—no. Then, Mr. Brown motioned for approval of the variances; seconded by Mr. Kearney. The motion **failed** 2-2 with the following votes: Mr. Brown—no; Mr. Kearney—yes; Mr. Butts—no; Acting Chairman Briggs—yes.

Acting Chairman Briggs noted the right of the petitioner to appeal to City Council. Chairman Bullington returned to the dais. There was general discussion about what exhibits needed to be kept from the prior case.

Z-11-17 Consideration, review and approval of the petition for variances submitted by Jeff Dodson for the property located at 701 Marshall Ln to allow a six (6) foot fence in the required front yard, a two (2) foot increase.

Chairman Bullington introduced the case. Jeff Dodson, 701 Marshall Lane, was sworn in. He explained that the front, south side of his property abuts the Red Roof Inn and when he sought a fence he was told it could be only four feet tall because it is in the front yard, but he requests a six foot fence to block some of the view. Chairman Bullington asked if there was physical hardship with the property, for example is the petitioner's property higher than that for the Red Roof Inn; Mr. Dodson affirmed his property is higher by about 10 feet.

Mr. Briggs asked if shrubs had previously served to block the view; Mr. Dodson stated that Red Roof cut down the shrubs which were on his property and the police were called.

Chairman Bullington stated for the record there is no one else in the room.

Ms. Simpson presented staff's recommendation in favor of the variance. She presented photos of the property and the view of the Red Roof Inn. She noted the residential zoning of the Dodson property and also described the surrounding property as B-1 Highway Business. She reviewed the types of things considered by staff, stating that this neighborhood is tucked away but the Dodson fence line had the shrubs removed in error. She also noted that other six foot fences exist in the area. She reviewed the five standards for a variance, citing the proximity to the Red Roof Inn as a hardship. She added that when this area developed the City did not have buffering and screening requirements as it now does. She concluded that the six foot fence would cause no difficulty for the public and recommended in favor of the variance.

Mr. Briggs asked if the remodeling underway at the Red Roof Inn triggered the need for screening; Mr. Dabareiner stated that if it were being rezoned to business then the landscaping requirements would be triggered.

Mr. Butts motioned for approval of the variance; seconded by Mr. Brown. The variance requests passed 5-0 with the following votes: Mr. Butts—yes; Mr. Brown—yes; Mr. Briggs—yes; Chairman Bullington—yes.

OTHER BUSINESS:

Resolution of Appreciation to Robert A. Kearney for service to the City of Bloomington Zoning Board of Appeals. Chairman Bullington read the certificate of appreciation and presented it to Mr. Kearney. Mr. Kearney thanked the City for the opportunity to serve. He encouraged the board to continue to troubleshoot the cases.

Resolution of Appreciation to Richard “Dick” Briggs for service to the City of Bloomington Zoning Board of Appeals. Chairman Bullington read the certificate of appreciation and presented it to Mr. Briggs. Mr. Briggs talked about how he started on the petitioner's side and that gave him a certain perspective. He added the Board is here to also educate the public.

NEW BUSINESS:

None

ADJOURNMENT:

Mr. Butts motioned to adjourn; seconded by Mr. Briggs. It was approved by voice vote and the meeting was adjourned at 5:54PM.

Respectfully submitted

Tom Dabareiner, AICP
Secretary



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Notes



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Notes

April 19, 2017

Hollister Permit Hearing

Karen Mills' "Statement" . . .

My name is Karen Mills and I live at 6 Briarwood Ave. My interest in the proposed Hollister building concerns the enormous Pin Oak Tree which is on the lot line that the Hollisters and I share. It is on the Hollister's North lot line (which is my South lot line).

This tree is part of the original Jesse Fell Arboretum planted before Briarwood was a golf course and subsequently a subdivision. It is of historical as well as aesthetic value to the neighborhood. I have been told by a tree trimming professional (Flynn) that it may be one of the most beautiful Pin Oaks in Bloomington.

My question regards the planned cutting of the tree's roots for the proposed foundation wall. A significant percentage of the root system will be cut off if a traditional foundation is dug. Note that the drip line extends out about 40 feet from the tree, and the foundation dig will come to about 6 feet of the tree. A root loss of 20%? 30%?

What less invasive options have been evaluated, such as a concrete tube pier footing in the area of the tree? (Something like a Sonotube, or Bigfoot style below) Or perhaps a building set on a slab instead of a dug foundation?

My intent is not to dispute the new building at all, but rather to question the options planned that will protect this magnificent tree.

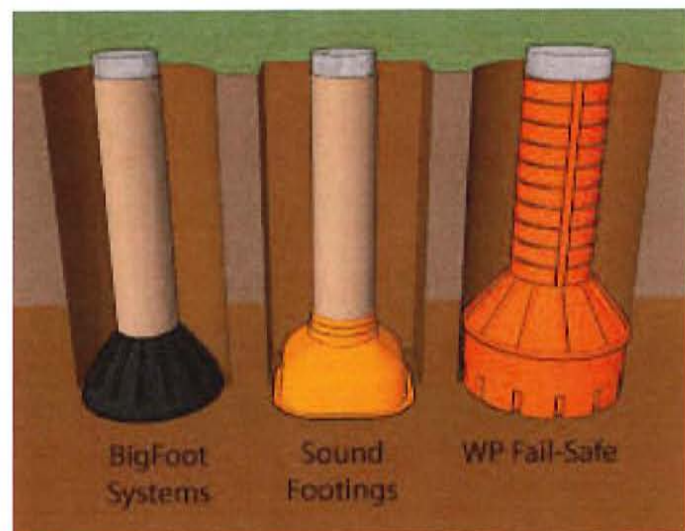
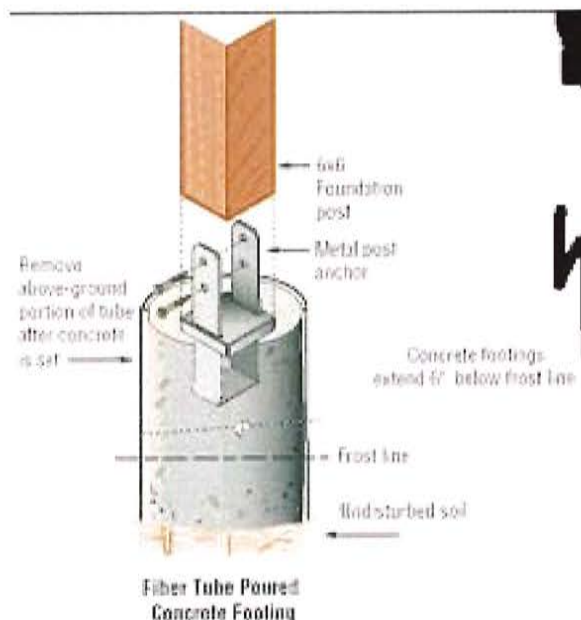


EXHIBIT B
Karen Mills

Subject: Tree Photo #2

From: John Ford (fordjp@me.com)

To: sissies4@yahoo.com;

Date: Monday, April 17, 2017 8:21 AM



Attachments

- IMG_4591.jpeg (179.15KB)

City of Bloomington
Zoning Board of Appeals
Notice of Decision

Case Number: Z-10-17

Petitioner: Paul Young, Young Architects, on behalf of John and Diana Hollister

Subject: Request to allow 1) an accessory structure greater than 1000 square feet, a 282 sqft increase, and 2) an accessory structure greater than the principal structure, a 170 square foot increase.

A public hearing was held on said Petition on April 19, 2017.

Notice of the hearing was published on Monday, April 3, 2017 in *The Pantagraph*.

Findings of Fact

1. A petition requesting two variances to allow 1) an accessory structure greater than 1000 square feet and 2) an accessory structure greater than the principal structure for the property located at 2 Briarwood Ave was submitted on March 25, 2017 by the Petitioner.
2. The Petitioner requested the variances to enable the construction of 408 sqft addition to the existing three (3) car garage; the addition would be used as a library and reading room.
3. The property is approximately 15,318 square feet (138ft X 111ft) and is improved with a historic single family home and three car garage (874 square ft).
4. The proposed structure would be positioned three (3) feet from the side property line and would be less than fourteen (14) ft tall.
6. Staff reviewed the standards for a variance outlined in Chapter 14.13-4. Staff recommended denial based upon the following findings:
 - (a) The property does not have physical characteristics that pose unreasonable challenges that make strict adherence to the code difficult.
 - (b) The variance is not the minimum action necessary because alternative designs and structures could be considered and applied without necessitating variation from the code and the existing garage could be remodeled without altering the structure.
 - (c) Conditions and special circumstances giving rise to the request for the variance were created by the Petitioner and are directly related to the desire add a 408 square library onto the existing structure.
 - (d) Granting the variation request would give the applicant a special privilege denied to the others by the Code because other properties in Bloomington and in the surrounding neighborhood are restricted to the 1000 square foot maximum

allowances and by definition an accessory structure must be subordinate to the principal structure in size and use.

- (e) Granting the request for variation would be detrimental to the public welfare or to the essential character of the neighborhood, or would unreasonably impair the use or development of adjoining properties, in that no other accessory structures of this size exist in the neighborhood and the structure could impact a 100 year old tree shared with the adjoining property owner.

- 8. The Zoning Board of Appeals voted to deny the Petition for Variance by a vote of 2 to 2, with one member recusing himself from the vote.

Decision

Wherefore, the Zoning Board of Appeals hereby denies the request for variance.

Appeal

The Petitioner is eligible for an appeal to the City Council. Bloomington City Code provides that when a Petition for Variance is rejected by the Zoning Board of Appeals by the vote of less than 5 members, the Petitioner may appeal to the City Council. To receive consideration by the Council, the Petitioner must file with the City Clerk a "Notice of Appeal" in substantially the form set forth below within 10 working days from the date of service of this Notice of Decision.

Notice of Appeal

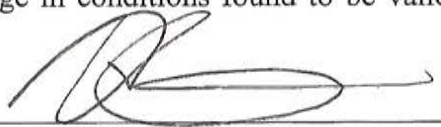
I, the undersigned, have requested and made application for a variation. Less than five (5) members of the Board of Zoning Appeals concurred in the action which rejected my application. I, therefore, request that the City Council review the record of the administrative hearing conducted by the Board of Zoning Appeals and make a final administrative determination thereon.

(Signature) _____

Reapplication

No application for variation which has been denied wholly or in part by the Board or Council shall be submitted for a period of one (1) year from the date of said order of denial, except on grounds of new evidence or proof of change in conditions found to be valid by the Board of Zoning Appeals.

Dated this 27th day of April, 2017



Tom Dabareiner, AICP
Zoning Board of Appeals Secretary



REGULAR AGENDA ITEM NO. 9B

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of an Ordinance authorizing a Redevelopment Agreement between the City of Bloomington and JNB Bloomington LP and TIF Bloomington, Inc. for the proposed redevelopment of the former Bloomington High School building at 510 East Washington Street.

RECOMMENDATION/MOTION: That the Ordinance approving a Redevelopment Agreement between the City of Bloomington and JNB Bloomington LP and TIF Bloomington, Inc. be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 3: Grow the Local Economy; Goal 4: Strong Neighborhoods; Goal 5: Great Place – Livable, Sustainable City; Goal 6: Prosperous Downtown Bloomington.

STRATEGIC PLAN SIGNIFICANCE: Objective 3a. Retention and growth of current local businesses; 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; 3c. Revitalization of older commercial homes; 3d. Expanded retail businesses; 3e. Strong working relationship among the City, businesses, economic development organizations. Objective 4c. Preservation of property/home valuations; 4d. Improved neighborhood infrastructure; Objective 5b. City decisions consistent with plans and policies; 5c. Incorporation of “Green Sustainable” concepts into City’s development and plans; 5e. More attractive city: commercial areas and neighborhoods. Objective 6a. More beautiful, clean Downtown area; 6b. Downtown Vision and Plan used to guide development, redevelopment and investments; 6c. Downtown becoming a community and regional destination; 6d. Healthy adjacent neighborhoods linked to Downtown; 6e. Preservation of historic buildings.

BACKGROUND: The 102 year old former Bloomington High School Building located at 510 East Washington Street (the “Subject Property”) was last used as a public school over 25 years ago. At the time of its construction in 1915, it was referred to as the “half-million-dollar-High School.” In September 2016, the Subject Property was acquired by Iceberg Development Group, LLC (the “Developer”) for \$400,000. The Developer is highly experienced in the renovation of historic properties and leveraging the Housing and Urban Development (HUD) Low Income Housing Tax Credit program (“LIHTC”) and the National Park Service Federal Historic Preservation Tax Incentives program to make historic renovation projects financially feasible. The Developer purchased the Subject Property with the intent to renovate the existing building into approximately 57 age-restricted apartments with commercial spaces on the ground level (the “Project”).

The Developer has requested the City support its proposed \$17 million investment in the Subject Property through multiple methods. In addition to the LIHTCs and the Historic Tax Credits that the Developer intends to apply for, the Project would not be financially feasible without local municipal financial assistance through the form of rebates of property tax increment generated by

the Subject Property as a result of the Developer's investment. The Developer has requested that the City establish a new Tax Increment Financing (TIF) District around the Subject Property. City Staff have engaged the services of PGAV (the City's Economic Development and TIF Consultant) to review the Developer's request for TIF assistance. In the attached Economic Development Incentive Binder is a memo from PGAV summarizing the Developer's proposed Project, validating the Developer's need for municipal assistance to help make the Project financially viable, and recommending a structure for the City's assistance.

In addition to TIF assistance, the Developer has also requested the City financially contribute to a Rental Assistance Program for the Project. Details of the proposed Rental Assistance Program are provided in the Financial Impact section of this memo. The Developer has also requested that the City provide a letter of support for the proposed Project to the Illinois Housing Development Authority (IHDA). IHDA will review the Developer's application for LIHTCs later this year. The IHDA LIHTC application process is a competitive process and the Developer's proposed Project will be competing with similar projects in other cities all across Illinois proposed by other developers. Local municipal support for the Project strengthens the Developer's application to IHDA for LIHTCs. As City support for the Project is vital to securing the LIHTCs which are critical to the financial viability of the Project, City Staff recommends the City support the requested Rental Assistance Program and provide the requested letter of support.

Over the last few months, City Staff have worked with PGAV and Kathleen Field Orr, the City's Special Council for Economic Development, to negotiate a redevelopment agreement that is beneficial for the Developer and for the City. As the Subject Property is a historic building that many local residents have a strong sentimental attachment to, City Staff believes that the proposed renovation of the former school building with a combination of private residences targeted to low-income seniors and publicly accessible commercial spaces is a favorable outcome for the community and is an endeavor that is worthy of municipal financial support. To ensure that the Project is carried out to the highest standards, the proposed redevelopment agreement includes a provision requiring the Developer to follow the United States Secretary of the Interior's Standards for Rehabilitation, as determined by the National Park Service, in order to receive the National Park Service's Historic Preservation Certification (Section 2G of the proposed agreement).

The proposed incentive is supported by the City's Economic Development Strategic Plan and Economic Development Incentive Guidelines, both of which were approved by the City Council on October 22, 2012. Staff is supportive of entering into a redevelopment agreement with the Developer to provide municipal assistance to help the Developer overcome the extraordinary costs that will be encountered in the redevelopment of the Subject Property. The City's Comprehensive Plan 2035 recommends that incentives be offered to promote in-fill development over greenfield development on the fringe of the City to "support the goals of compact development, leveraging Bloomington's investment in city services, and keeping growth contiguous to the City."

Demographic trends highlighted in the Comprehensive Plan indicate a future increase in the City's population of senior residents. Affordable and appropriately sized dwelling units will be needed and desired by this growing cohort. Redeveloping the Subject Property in Downtown Bloomington for low-income senior housing will meet this demand in concert with the goals outlined in the

Comprehensive Plan. Additional support for the proposed project from the Comprehensive Plan is outlined in the Community Development Impact section of this memo.

If the proposed incentive agreement is approved by the City Council and IHDA awards the proposed project with LIHTCs, the Developer has indicated that the proposed Project will proceed. If the incentive agreement is not approved by the City Council and IHDA does not award LIHTCs, the Developer has indicated that the Subject Property will be listed for sale and only minimal investment will be made until a new owner is found.

As the Subject Property is an obsolete former school building which is in a state of rapid deterioration due to years of minimal investment and maintenance due to prior owners lacking the financial resources to maintain the 150,000 plus square foot building, Staff believes that the Developer's proposed Project is the best hope for saving this prominent building and stabilizing the neighborhood. If the proposed Project does not proceed, demolition is a highly probable fate for the building however the ultimate timing of that potential outcome is uncertain. It is likely that over the past 25 years the protracted and uncertain fate of the deteriorating former school building has had a negative effect on the value of surrounding properties. It is City Staff's hope that the Developer's proposed Project, if implemented, will attract new interest and investment to surrounding properties and uplift the neighborhood which is a key gateway into the City's Downtown.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Subject Property has been a subject of concern of City Officials and the City's Office of Economic Development for quite some time. In the spring of 2015, the real estate broker for the then owner of the Subject Property, Mount Moriah Christian Church, contacted City Staff to inquire as to what economic development tools could be available to assist with the Church's active sale of the Subject Property. City Staff toured the building with Elizabeth Au from the National Development Council (the City's Economic Development Consultant at that time). Ms. Au advised that a mix of economic development tools and programs would likely need to be leveraged to assist in the redevelopment of the Subject Property. Unfortunately, the Church was not successful in finding a buyer so the Subject Property was auctioned and the bank holding the mortgage was the winning bidder. City Staff expressed to the bank's asset manager the City's desire to assist a future owner with a redevelopment project. In the fall of 2016, the bank sold the Subject Property to the Developer (Iceberg). City Staff have been in negotiations with the Developer to formulate a public private partnership that will enable the redevelopment of the Subject Property. City Staff have involved the leadership of the Bloomington Housing Authority in the negotiation process and intend to continue to partner with the Bloomington Housing Authority to support the proposed Project. City Staff have also met with the leadership of Bloomington School District 87 to discuss the proposed Project and the Project's potential positive impact on District 87.

FINANCIAL IMPACT:

Below is a table provided by the Office of Economic Development which summarizes the key dates and figures in the proposed incentive agreement:

Number of Housing Units:	Approximately 57 Age-Restricted Units
Deadline to receive LIHTC Award:	On or before December 31, 2018
Date of Construction Plans Submittal:	On or before April 15, 2019
Construction Commencement Date:	On or before June 15, 2019
Obtain Certificate of Occupancy:	On or before August 15, 2020
Total Investment:	\$17 Million
Total Incentive:	\$1.3 Million or 11.8% of the TIF-Eligible Costs
Source of Incentive:	80% of the Property Tax Increment created from parcels 21-04-408-001 and 21-04-404-001
Term of Incentive:	Until December 31, 2041
Additional Municipal Assistance:	City will financially support a Rental Assistance Program targeted to 4 units for 10 years.

As set forth in the proposed redevelopment agreement, the Developer will commit to apply to IHDA for LIHTCs and invest approximately \$17 million in the Subject Property to create approximately 57 age-restricted dwelling units. The City will commit to establishing a new TIF District (which will include the subject property) and rebate to the Developer up to \$1,300,000 or 11.8% of the total project costs (whichever is less) from the property tax increment that will be created as a result of the redevelopment project over a period ending December 31, 2041. At this time, the Developer has estimated that the entire Project will require an investment of approximately \$17 million, however only \$11 million of the \$17 million is budgeted for what are considered “TIF-eligible costs” per the TIF Act (which exclude property acquisition, developer fees, reserves, etc.).

The terms outlined in the Redevelopment Agreement are in compliance with the City’s Economic Development Incentive Guidelines and have been crafted to protect the City from any unforeseen circumstances and to motivate the Developer to proceed with the proposed project:

- The total amount of municipal assistance is capped / limited to \$1,300,000 based on a minimum investment of \$11 million of TIF-eligible costs. Should the minimum investment of \$11 million of TIF-eligible costs not be expended by the Developer, the total amount of municipal assistance will be recalculated to be 11.8% of the actual documented investment thereby allowing the City to benefit from any potential savings the Developer is able to achieve in the event the redevelopment project is less costly than originally estimated. The language in the redevelopment agreement outlining these terms is a form of a “lookback provision.”
- The City agrees to support the project through rebates of new / increased revenues generated by the project, only if those revenues materialize, and on a “pay as you go” basis:
 - Based on projections modeled by the Developer and reviewed by PGAV, the property tax increment that will be generated by the proposed redevelopment project will be sufficient to cover the proposed incentive of \$1.3 million.

- As the source of the incentive is limited to 80% of the property tax increment from the Subject Property, the remaining 20% will be deposited annually into the new TIF District's fund and can initially be used to reimburse the City for its costs to establish the TIF District. In future years, the 20% of uncommitted TIF increment from the Subject Property can be invested by the City in TIF-eligible infrastructure improvements within the boundaries of the TIF District, or declared surplus to the benefit of all of the taxing districts (including the City).
- The \$1.3 million municipal incentive will be sourced solely from 80% of property tax increment generated by the subject property, not by the full faith and credit of the City. Should the 80% of property tax increment be insufficient to cover the incentive during the term of the redevelopment agreement, the City will not be obligated to make up the difference from any other fund of the City or revenue source.
- Rental Assistance Program:
 - IHDA looks favorably upon proposed projects that have strong backing from the host municipality, therefore a key component to the success of the proposed Project is for the City to establish and financially contribute to a Rental Assistance Program for the Project. City Staff, the Developer, PGAV, Kathleen Field Orr, and the leadership of the Bloomington Housing Authority have held extensive discussions as to how to best establish a Rental Assistance Program specific to this Project. After thorough evaluation, it is the recommendation of City Staff that the City allocate funding from the City's General Fund over the next ten (10) years to support this proposed program.
 - The envisioned Rental Assistance Program will be targeted to four (4) units / apartments at the subject property. It is estimated that if the tenants that lease the four apartments have zero income (a highly improbable scenario, even among subsidized renters) that the maximum exposure to the City over the ten year program would be around \$225,000. A more likely scenario would be that the tenants have an amount of income typical of that of existing Bloomington Housing Authority tenants, which would enable the tenants to financially contribute to their rent, lowering the City's financial commitment to around \$125,000 over the ten year period.
 - Section 3D of the proposed redevelopment agreement details that the City and the Developer will work together to negotiate an agreement detailing the City's financial support of a Rental Assistance Program. City Staff intend to outsource the administration of the program to the Bloomington Housing Authority (a neutral third party) to ensure that the Developer is using the funds appropriately for qualifying tenants. The agreement between the City, the Developer, and the Bloomington Housing Authority will be presented to the City Council for consideration in the near future.

- As the redevelopment project is not anticipated to be complete until early 2020, City Staff will have sufficient time to plan for this new financial obligation during the City's future annual budgeting process.

COMMUNITY DEVELOPMENT IMPACT: The City's Comprehensive Plan 2035 (Adopted August 24, 2015) indicates that "affordable housing is critical for young professionals, college graduates, seniors on a fixed income, or people working in low paying professions such as pre-school teachers. In Bloomington nearly 13,000 households earn less than median income." The Comprehensive Plan guides City Officials "to ensure safe, decent and affordable housing opportunity for all residents and to protect the older housing stock in the City" by calling for "a diversity of housing types that are affordable and accessible."

Related Comprehensive Plan Goals:

H-1.2 Ensure an adequate supply of affordable housing for low to moderate income households.

H-1.2a Educate the policy makers and community at large on affordable housing issues.

H-1.2b Work with community partners like Habitat for Humanity, MCCA and Bloomington Housing Authority to have a collective impact on affordable housing issues.

H-1.2c Encourage collaborations among affordable housing providers.

H-1.2d Identify creative solutions for affordable housing such as home sharing, micro units, and tiny homes.

H-1.2e Increase supply of affordable rental housing, especially in areas close to job centers, schools and community facilities.

H-1.2f Identify and reduce barriers for mixed income housing.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: *NA*

Respectfully submitted for Council consideration.

Prepared by: Austin Grammer, Economic Development Coordinator

Reviewed by: Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Patti-Lynn Silva, Finance Director

Legal review by: Kathleen Field Orr, Special Counsel to the City

Recommended by:



David A. Hales

City Manager
Attachments:

- Economic Development Incentive Application Binder: 510 East Washington Street
- Ordinance Approving the Redevelopment Agreement
- Redevelopment Agreement and Associated Exhibits



Office of Economic Development

Economic Development Incentive Binder

Redevelopment of the former Bloomington High School building
at 510 East Washington Street by
JNB Bloomington LP and TIF Bloomington, Inc.
(Iceberg Development Group, LLC)

June 12, 2017

Table of Contents:

- A. Timeline of and newspaper clippings related to 510 E. Washington.
- B. April 7, 2015 National Development Council Memo on 510 E. Washington.
- C. September 23, 2015 Tranzon auction advertisement for 510 E. Washington.
- D. September 15, 2016 Deed for 510 E Washington from Pillar Properties XIII, LLC to Iceberg Development Group, LLC (Evidence of site control by Iceberg).
- E. October 26, 2016 Request for municipal assistance from Iceberg Development Group with supporting project proforma and projections.
- F. Resume of Developer's Prior Work and images of Rosenwald Courts, Chicago IL.
- G. Interior Pictures of 510 E Washington taken by City Staff on February 8, 2017.
- H. Tax year 2016 payable 2017 Property Tax Bills for 510 E. Washington & Parking Lot.
- I. Developer's preliminary floor plans for the redevelopment of 510 E Washington.
- J. March 6, 2017 PGAV memo reviewing Iceberg Development Group's Assistance Request.
- K. Proposed Economic Development Incentive Agreement & Ordinance

**Timeline of and newspaper clippings related to the former
Bloomington High School / Junior High School
at 510 East Washington Street
Compiled by the City of Bloomington Office of Economic Development
Source: Archives of The Pantagraph Newspaper unless otherwise noted.**

1915: Arthur L. Pillsbury, noted Bloomington architect, served as architect of the Bloomington City Board of Education (today known as District 87), and was in charge of planning and building five schools in the City including Bloomington High School. BHS opened in 1915 and was located at 500-510 East Washington Street. The Bloomington School Board asked Pillsbury to design the new high school to allow for areas for “teaching of woodworking, domestic science (sewing and cooking), printing, bookkeeping and stenography (writing shorthand).” Pillsbury designed it as a brick structure in the style of a 17th century English manor house. The building was also coined the “half-million-dollar-High School.” [McLean County Museum of History]

1936: Building addition. [Auction listing]

September 9, 1959: New Bloomington High School building opens on Empire Street. Former High School building at 510 E Washington is converted into use as Bloomington Junior High School.

1970: Building addition. [Auction listing]

March 1987: A consultant hired by District 87 finds the BJHS building at 510 E. Washington to be “an old facility that is not conducive to an effective program. It is totally inappropriate for middle-level education.” – Ann Grooms, President of Educational Service Institute Inc., Cincinnati.

August 1990: District 87’s new Bloomington Junior High School building opens on Colton Avenue.

November 3, 1990: Advertisement for an auction to be held at 510 E Washington to sell the contents of the building including hundreds of school desks, large oak built-in wall cabinets, a large auditorium chandelier, all kitchen equipment and “any fixtures that can be sold.” The theater-style seats in the school’s auditorium were sold during the auction.

December 12, 1990: District 87 School Board votes to sell former BJHS. Superintendent Leonard Roberts said that it is costing the district \$75,000 a year to maintain the vacant building. District 87 Administrative Assistant Ron Blake is quoted as saying “It’s a solid building. A well-built building. But it probably needs to have the roof looked at and some other things.” The minimum bid was set at \$200,000.

February 13, 1991: District 87 School Board’s first deadline for bids for former BJHS passes with no formal offers.

February 14, 1991: Local businessman Rick Feeney proposes to acquire the former BJHS from District 87 and invest \$2 million to convert the building into a 43-unit apartment complex. Feeney requests that the Downtown TIF be extended to include 510 E Washington. Feeney was the only potential buyer to attend the recent bid-opening at the District 87 office. The Downtown TIF had been created in 1986.

March 1991: District 87 School Board again advertises former BJHS, Parking Lot, and Playground for sale. Accepting sealed bids starting at \$200,000.

February 10, 1992: At a Bloomington City Council meeting, Mayor Jesse Smart reported that the United Way had surveyed local social service agencies to determine interest in relocating to the former BJHS. Commitments for 23,000 square feet of space were secured which could have potentially generated \$161,000 annually in rental revenue leaving the City looking for a way to raise \$731,000 annually if the City were to buy and lease 510 E Washington to a variety of users. \$900,000 in upgrades and operation costs were estimated for the first year of operation. 58,000 square feet of useable space had been identified (classrooms and meeting rooms) with the remaining 93,000 square feet consisting of hallways, a gymnasium, auditorium, and other spaces which could house youth recreation programs.

January 13, 1992: District 87 advertises former BJHS, Parking Lot, and Playground for sale. Accepting sealed bids with no minimum bid amount defined. All submitted bids are to be opened on February 26, 1992.

February 26, 1992: A group of three local businessmen are the successful bidders for the former BJHS: William Galloway, president of local company Nu-Air Corp., and Chip Henrichs and Scott Henrichs who operate Henrichs Building Systems. The group submitted a bid of \$30,000, but after being bid against by another person representing another group of developers, their final bid was \$80,000. No minimum bid was set by the School Board.

March 1992: District 87 Board of Education transfers ownership of 510 E Washington St and 504 E Jefferson St. to Washington Square East Limited for \$80,000.00.

April 13, 1992: Bloomington City Council approves rezoning of 510 E Washington from S-2 to B-3. [City Council Proceedings]

June 1992: Rob Knight leases the pool in 510 E Washington and opens "Rob Knight's Swim America."

July 1992: 510 E Washington building co-owner Scott Henrichs tells the Pantagraph the building is about 25% leased since purchasing the building two months earlier. Tenants at the time included the YWCA and the Twin City School of Dance.

August 1992: Blooming Grove Academy relocates from One Normal Plaza to 510 E Washington leasing 12,000 square feet of space including eight classrooms in the east wing, most of the cafeteria, and the library and office spaces.

February 2004: EAV listed in newspaper for "Washington Square East" parcels 21-04-430-013: \$9,949; 21-04-408-001: \$110,049; 21-04-404-001: \$3,867

June 2005: Mt. Moriah, a 1,000-member non-denominational church which was based at 814 Jersey Avenue in Normal acquires 510 E Washington for \$1.8 million. The church renamed the building "The Attractive Alternative." Many of the existing tenants including Twin Cities Ballet, the Urban League, the Kumon Math & Reading Center, Swim America, Blooming Grove Academy, and various studio artists are expected to remain. The church envisions adding a toddler care center, and a Christian Academy.

October 2005: Mount Moriah Christian Church, based at 510 E Washington St. registers the business known as "The Attractive Alternative."

September 2011: Blooming Grove Academy closes citing financial problems due to declining enrollment. The school had been in operation for 25 years.

December 10, 2014: 510 E Washington listed for sale on LoopNet.com [LoopNet]

March 16, 2015: An appraisal values 115 E Washington at \$1.5 million. [Auction listing]

March & April, 2015: City Staff and representative from the National Development Council tour 510 E Washington and issue memo on economic development tools that could aid in the redevelopment of the property. [City Records]

September 23, 2015: An absolute auction is held for 510 E Washington St. Busey Bank is the winner of the auction. [Auction listing]

October 27, 2015: Mount Moriah Christian Church deeds 510 E Washington to Pillar Properties XIII, LLC (Busey Bank). [McLean County Recorder]

September 15, 2016: Pillar Properties XIII, LLC deeds 510 E Washington to Iceberg Development Group, LLC. Transaction value: \$400,000. [McLean County Recorder]

New study, old news: BJHS is 'inappropriate'

By PAUL SWIECH
Pantagraph staff

An education consultant told the Bloomington District 87 school board last night something it has heard before: the junior high is an inadequate facility.

"It's an old facility that is not conducive to an effective program," said Ann Grooms, president of Educational Services Institute Inc., Cincinnati. "It's totally inappropriate for middle-level education."

The board awarded a contract for \$18,690 to ESI in December to study the district's kindergarten-through-eighth-grade program. Ms. Grooms presented the board with ESI's 50-page report last night.

She said ESI officials found at the junior high that some classrooms were too small; that space and equipment for science labs were inadequate; and that there was little space for physical education. She said instruction time is lost when students change classes because they often must go from one side of the building to the other.

Limiting the junior high to seventh- and eighth-graders also is a problem, she said. Just when students get used to the school, and teachers get used to students, they must transfer to the high school, she said. It also is bad for teachers, who lose some communication with the fifth- and sixth-grade teachers, she said.

Some research indicates that a school for sixth- to eighth-graders is a good combination, she said.

Communication between junior high and upper elementary teachers should be improved, even if they remain in separate buildings,

she said.

The report will be combined with a middle-level program study and a demographic and facilities study. That will be presented to the board next month, with options written by administrators to build a new facility or add onto or renovate existing ones, he said.

Ms. Grooms said principals report directly to Roberts and those short lines of communication were beneficial. She said the district's move to team decision-making and increased responsibility for principals was good. She also said finances would be more of a problem as enrollment continued to decline while salaries and material costs increased.

Ms. Grooms recommended that district policies and goals be more concise; that reliance on textbooks and workbooks be decreased; and that more academic learning take place in kindergarten.

Ms. Grooms said the district staff was highly motivated and thought the report would be a "launching pad" for staff improvement. Roberts agreed.

In other business last night, the board voted to advertise for bids to remove asbestos from Centennial Elementary School. The board could select a contractor April 8, and district officials hope removal will be completed this summer, Roberts said.

A January study revealed asbestos at five district schools, including Centennial, was below the concentration level that would have required action. But the district must remove asbestos at Centennial before installation of new gas pipes, which could have jarred loose some asbestos into the air.

**BLOOMINGTON JUNIOR HIGH SCHOOL
LARGE PUBLIC AUCTION
OF
ENTIRE CONTENTS OF OLD BJHS BUILDING
SATURDAY, NOV. 3—10:00 A.M. SHARP**
Located: 510 E. Washington St., Bloomington, IL
School District 87

Public Viewing Dates: Tuesday, Oct. 30—9:00 a.m.-12 noon
Wednesday, Oct. 31—5:00 p.m.-9:00 p.m.
Thursday, Nov. 1—9:00 a.m.-12 noon

**PARTIAL LISTING
HUGE AMOUNT OF MERCHANDISE**

Hundreds of late model theatre seating, in nice condition (to be sold by units with spring loaded seats); trophy cases; hundreds of school desks; teacher's desks; clocks; chairs; lockers; map displays; display racks; file cabinets; metal shelving; bookcases; large number of antique Hale oak stacking bookcases without doors; old oak desks; oak tables and chairs; large oak built-in wall cabinets; showcases; folding chairs; stacking chairs; flags; Radio Shack TRS80 computers; large oak counter with file storage; large oak storage cabinets with pull out drawers; oak laboratory tables; slate top science tables; large auditorium chandelier; several late model almond 36" gas stoves; Tappan overhead micro-oven gas range; Wurlitzer piano; captains chairs; fiberglass basketball hoops and backboards; shop tools; heavy shop tables; tables with vises; Delta lathe; Delta radial arm saw; jig saws; typewriters; shop equipment; full line of clean stainless steel cafeteria equipment including coolers and freezers; large commercial dishwasher; sinks; 3-hole sinks; work tables; commercial gas stoves and ovens; full line of stainless serving and steam table equipment; all equipment older but very clean; tables and chairs; Dukane telecom system; Herning-Hall Safe Co. 4'x7' safe insert; plus any fixtures that can be sold and many old items that have been in the school for many years.

AUCTIONEER'S NOTE: Any merchandise to be removed or disassembled will be the responsibility of the Buyers, including liability. Everything sells to the highest bidders. Doors open at 7:00 a.m. sharp sale day. Nothing to be removed until settled for; buyers responsible for items after purchase. Inventory may change by sale day, more or less. Plan to Attend. Removal of any merchandise will be under supervision of school officials.

Ronald Blake: Secretary of Board of Education

HAYCRAFT AUCTION CO.

Wapella, Illinois

Auctioneers—Liquidators—Appraisers

Ph. 217-935-6286

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Number System Used

Terms: Cash or Check

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Lunch by Corn Belt Concession Co.



The Pantagraph/MALREEN O'CONNOR

District 87 auctioned off the contents of the old Bloomington Junior High School yesterday. More than 300 people gave auctioneer Jay Haycraft of Wapella a listen as everything from band uniforms to bookcases from the school library went on the block. Haycraft said the auction was a success while Bill Barry, director of operations for District 87 said he hoped the proceeds would tally over \$20,000.

FOR SALE BY SEALED BIDS

Former Bloomington Junior High School, Parking Lot, and Playground Bloomington, Illinois

BID OPENING Wednesday, March 27,
1991, 2:00 p.m. at the Educational
Service Center, 300 East Monroe
Street, Bloomington, Ill.

Three tracts of land to be sold as one
parcel and not separately. Minimum bid
\$200,000 with right to raise bid at bid
opening.

Tract 1: Playground at corner of Clinton
and Jefferson Streets. North half of city
block consisting of approximately .80
acres.

Tract 2: Parking lot at 504 East Jefferson
Street. Two lots totaling approximately
.32 acres.

Tract 3: Former Bloomington Junior High
School at 510 East Washington Street,
with 152,528 square feet. Entire city block
consisting of approximately 1.98 acres.

FOR ADDITIONAL INFORMATION CONTACT

Bloomington Public Schools
Ronald Blake, Board Secretary
300 East Monroe Street
Bloomington, Illinois 61701
309/827-6031



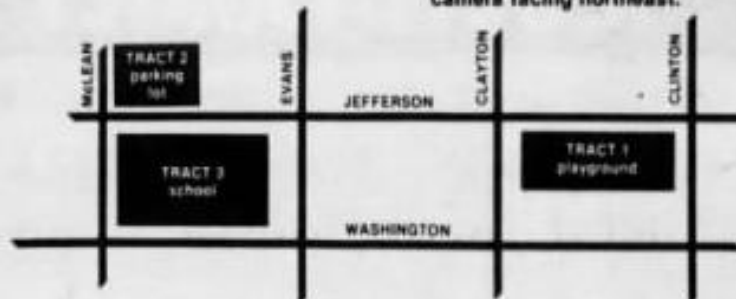
**TRACT 1 — View from Clayton Street on
west end of site. Camera facing east.**



**TRACT 2 — View from Jefferson Street,
camera facing north.**



**TRACT 3 — Front view Washington Street,
camera facing northeast.**



January 13, 1992

**NOTICE OF SALE
EAST JEFFERSON STREET
PROPERTIES
BLOOMINGTON, ILLINOIS
ON SEALED BIDS**

On Wednesday, February 26, 1992, at 1:30 p.m.

NOTICE IS HEREBY GIVEN that the undersigned Secretary of the Board of Education of Bloomington School District 87, McLean County, Illinois, will receive until 1:30 p.m. on February 26, 1992, sealed bids for the purchases of the Bloomington School District premises legally described as follows:

Tract #1: (Former Junior High School Playground) Lots 1, 2, 3, 4, and 5 in Assessor's Subdivision of Block 2 in Dimmett's Addition to the City of Bloomington and the North ½ of the vacated alley lying south of and adjoining said lots, in McLean County, Illinois. This tract of land consists of the north half of the city block bounded on the north by Jefferson Street, on the east by Clinton Street, on the south by Washington Street, and on the west by Clayton Street.

Tract #2: (Former Junior High School Parking Lot) Lots 7 and 8 in Block 1 in Evans' Addition to the City of Bloomington, in McLean County, Illinois. This tract of land consists of two city lots at the northeast corner of the intersections of McLean and Jefferson Streets, approximately 120 feet east to west along the north and south lines, and approximately 115 feet north to south along the east and west lines.

Tract #3: (Former Junior High School Site) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 in Block 4 Evans' Addition to the City of Bloomington, in McLean County, Illinois. This tract consists of the city block bounded on the north by Jefferson Street, on the east by Evans Street, on the south by Washington Street, and on the west by McLean Street.

Bids accompanied by a check in the amount of 10% of the bid shall be received by the Secretary of the Board of Education until 1:30 P.M. on February 26, 1992, and such bids shall be opened by the Secretary of the Board of Education at 1:30 P.M. on the same date in the Administrative Education Service Center, 300 East Monroe Street, Bloomington, Illinois. Bidders are invited to attend the bid opening and shall be given the opportunity to raise their bids. The right is reserved to reject any and all bids and to waive any irregularities in the bidding.

All three tracts shall be sold as one parcel and not separately.

The terms of sale shall be 10% of the bid price in cash upon the acceptance of the bid by the Board of Education and the balance in cash on or before 30 days from the date of acceptance of the bid and upon delivery of deed and possession to the successful bidder. The successful bidder shall be furnished a Chicago Title Insurance Company owner's title guaranty policy in the amount of the purchase price, subject only in easements of record and the standard and usual exceptions. The successful bidder shall be required to enter into a written contract for the purchase of the premises upon these terms.

The bids shall be presented to the Board of Education by the Board Secretary in the regular meeting of the Board of Education to be held at 7:30 P.M. on that same day.

The former Junior High School building will be open for inspection from 12 o'clock noon to 4:00 P.M. on January 20, 1992 and at other times by special arrangement with the undersigned Board Secretary.

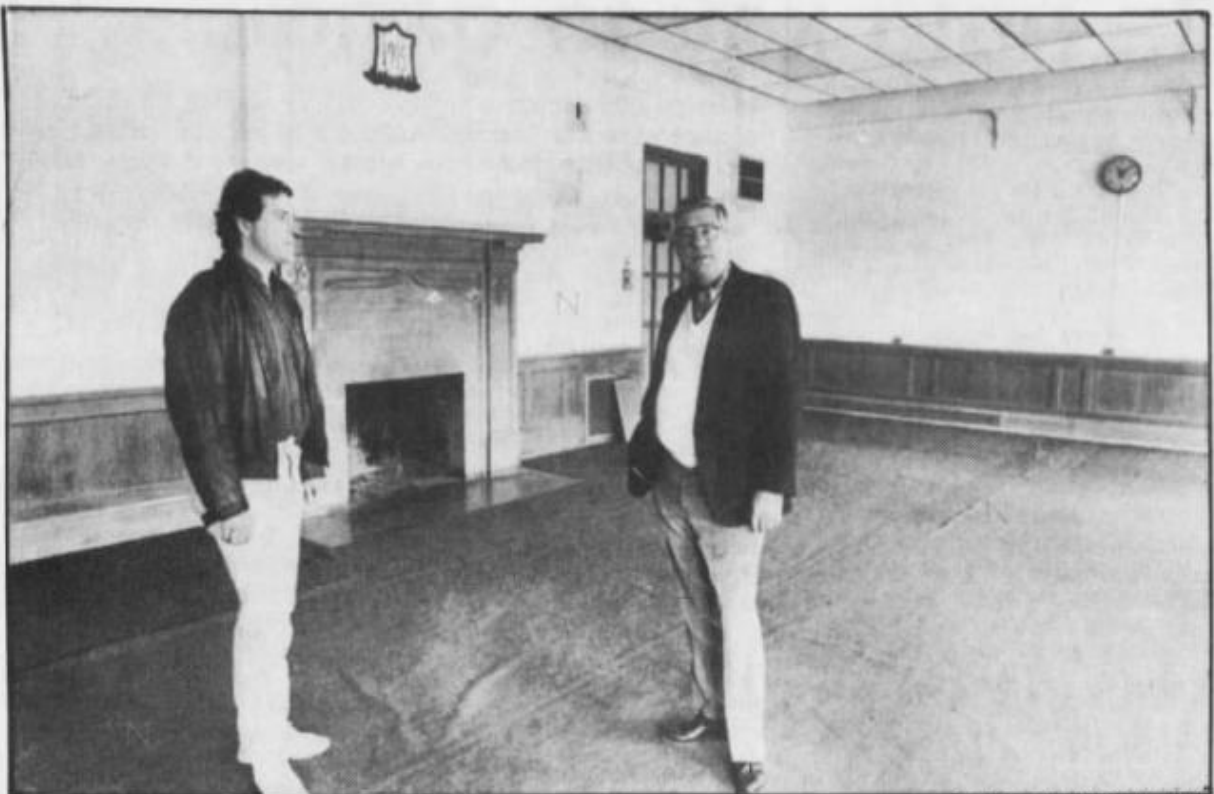
For further information, contact the Secretary or attorneys.
**BLOOMINGTON BOARD
OF EDUCATION**
School District #87
McLean County, Illinois
By: Ronald Blake, Secretary
300 East Monroe Street
Bloomington, IL 61701
Ph. (309) 827-6032

John T. Pratt
Pratt and Pratt, P.C.
200 W. Front, Suite 500B
Bloomington, IL 61701
Ph. (309) 828-2302



The Pantagraph/MAUREEN O'CONNOR

The buyers of the former Bloomington Junior High School, from left, W.L. Galloway, Scott Henrichs and Chip Henrichs, listened as spokesman Stan Zimmerman, far right, addressed the District 87 board yesterday. Zimmerman, an electrical contractor, has advised the trio on the building's condition and possible uses but is not one of the buyers.



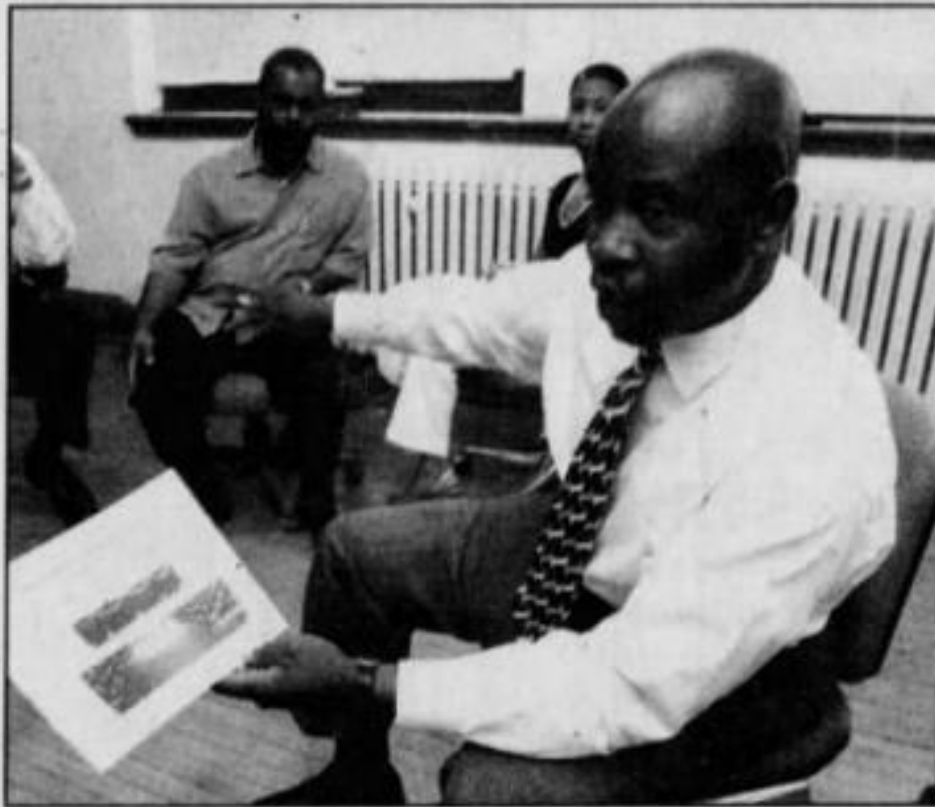
The Pantagraph/MARC FEATHERLY

Scott Henrichs, left, and William Galloway expect the old library to be the showpiece of what can be done with the former Bloomington Junior High School. The Twin City businessmen plan to make it and the adjoining room into a banquet and reception hall.



The Pantagraph/MARC FEATHERLY

Plans call for the school's auditorium to be renovated for use as a dinner theater or for other large catered events. It also could be used for speaking engagements.



The Rev. John Rayford, Mount Moriah's senior pastor, explained the church's new sanctuary will be a theater-like setting with outstanding acoustics and shared use with other tenants.

WE MUST BE ABOUT OUR FATHER'S BUSINESS

BY THE REV. JOHN RAYFORD

When Jesus was 12 years old, as recorded in Luke 2, he became separated from his mother and earthly father. When they finally found him three days later, engaged in conversation with the leaders in the temple, he told his parents, "didn't you know, I must be about my Father's business?"

His response could be construed as disrespectful or dishonoring, but one thing was very clear about Jesus: He was committed to doing what his Father sent him to do.

This thought has remained at the forefront of my mind through these almost 13 years of Mount Moriah Christian Church's existence in the Twin Cities. Through trial and error, success and failure, the call to be about our Father's business shouts loudly in my mind and echoes in the ministries here at his church. Our vision statement is "to be a hub of hope to a hurting world, calling all people to a

safe place in Christ Jesus!" The building (The Attractive Alternative) owned by the church mirrors that vision statement.

We the church can approach giving hope to a hurting world through traditional means of ministry or we can engage others, who are like-minded, and provide a safe and affordable place for all of us to flourish. We choose to do both.

That's why the building is called "The Attractive Alternative!"

It is our hope that the church and building vision statements ("our Father's business") can be seen through the collaborative relationships of each tenant and the church.

We hope you see it through the Volunteer Income Tax Assistance program

funded by the United Way of McLean County. It's one of three sites that prepare income tax returns "free" for qualified taxpayers.

Another tenant is the Immigration Project, whose mission is to help non-naturalized residents become citizens of the United States.

Then there is the first Barber College of McLean County, to open soon. Rob Knight's Swim America continues to serve the community; Ameriprise handles the financial investments of the people in this community; Illinois Peoples Action protects our rights; the NAACP educates and informs us about our rich history as a collective people and the ongoing need to embrace ourselves and our destiny; Shyreeta's La Essential Boutique is building confidence, one client at a time; and Ann Champion's "Language Connection" teaches grammar and, more importantly, communication.

These are but a few of the tenants who come alongside to help us "give hope to

a hurting world..." Some would write off the church as irrelevant; some would ask what good can come from a building built in the early 1900s (the old Bloomington High School building).

What good can come from a building in need of a new roof, updated heating and air conditioning, new windows and doors and more?

Ask the patrons, the many who come through this building weekdays and nights. Ask the many whose lives have been changed for the good because an attractive alternative was offered to them, because they came to a place that provided authentic hope for their future. It's a church, a place and model that dared embrace the interests of others to advance a cause greater than them. It's a church, a people, firmly planted in God's word and a divine calling, despite human failure, that is committed to being about our Father's business.

Rayford is senior pastor of Mount Moriah Christian Church, 510 E. Washington St., Bloomington.



John Rayford

FINANCING MEMORANDUM

TO: AUSTIN GRAMMER
FROM: ELIZABETH AU
SUBJECT: FINANCING STRATEGY – OLD BLOOMINGTON HS BUILDING
DATE: APRIL 7, 2015
CC:

Developing a financing strategy for the old Bloomington High School building will largely depend on the use of the redeveloped facility. Outlined below are some potential financing options for a mixed- income residential or mixed use facility. The use of any of the financing options outlined below will have specific rules and requirements regarding the beneficiaries of the project which include limits on household income, creation of job opportunities for low – moderate income individuals, and limits on rents etc. Further discussion of the potential use of the facility should continue in conjunction with the financing strategies to ascertain what options are most viable.

Below are federal financing options that are locally controlled and the use of these funds are dependent on availability of funds, use of the redeveloped facility, and local approval. Historically, the City has had tremendous demand for CDBG funds which could greatly impact their availability for this project.

- HOME Investment Partnerships Program – The HOME program provides formula grants to States and localities that communities use to fund a wide range of housing activities, including the development of rental housing units. Potentially HOME funds could be utilized in part to finance the affordable units in the potential development. The affordable units would be restricted to households with certain incomes and there would be limits on the maximum rent charged to these households.
- Community Development Block Grant – The CDBG program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing, and expanding economic opportunities, principally for low- and moderate income persons. These funds can be used for rehabilitation of residential and non-residential structures. Grantees are required to utilize 70% of their CDBG grant for activities that benefit low-moderate income persons, which can include housing activities and job creation or retention activities. Most likely, any CDBG funds used on the project would have to demonstrate some benefit to this population.
- HUD Section 108 Loan Guarantee Program – The Section 108 program is a loan guarantee provision of the CDBG program that provides grantees with a source of financing for economic development, housing rehabilitation, public facilities, and large –scale physical development projects. The program allows grantees to leverage a portion of their CDBG funds into a federally guaranteed loan large enough to pursue revitalization projects. The program does require local governments borrowing funds guaranteed by Section 108 to pledge their current and future CDBG allocations to cover the loan amount as security for the loan. Therefore, it is

essential that careful underwriting of the project take place. Additionally, the funds must also comply with a national objective, again most likely benefit to low-moderate income persons.

- CD Float – The CD float is an incentive that can be provided to developers and businesses that assists in reducing front – end costs for development projects. The incentive is a short-term loan provided to the developer of CDBG funds that have been committed but not yet spent. This allows the grantee to pass along very low construction interest rates to the project. The borrower must provide an irrevocable letter of credit to the grantee for security.

The Illinois Housing Development Authority (IHDA) provides funding through several programs that support the rehabilitation of buildings to support affordable housing.

- State HOME funds – IHDA also receives an allocation of HOME funds for the creation of affordable housing units, including multi-family rental housing. All applicable HOME rules and regulations apply.
- Private Activity Bonds – IHDA receives a portion of the Private Activity Bond Cap for allocation to certain private activity bonds, which include affordable multi-family housing bonds as designated by Section 7C of the Iowa Code. Bond financing is generally beneficial for larger projects, typically \$10 million or more given the carrying costs associated with issuing the bonds. The bond financing may also be paired with 4% LIHTC.
- IHDA Trust Funds – Created by the Illinois General Assembly in 1989, trust funds assist in the creation and preservation of affordable, decent and safe housing for low and very low-income households. Generally application for these funds coincide with applications for Low Income Housing Tax Credits (LIHTC).

The financing mechanisms outlined below are competitive funding opportunities administered either through a federal agency or a private agency.

- Federal Home Loan Bank Competitive Affordable Housing Program – The FHLB of Chicago provides support for affordable housing initiatives in the communities in which there are member financial institutions. The program supports subsidies to members and housing providers to assist with the purchase, construction or rehabilitation of affordable housing for low-moderate income families and individuals. The competitive grant encourages member financial institutions to partner with local governments and non-profits to secure funds for the purchase, construction or rehabilitation of affordable rental housing. Income limits do apply in addition to maximum rents. The AHP grant is often only a portion of the financing and the other financing needs to be secured in order to be competitive.

Tax credits are another large source of funding for the redevelopment of properties. Again, the use of these credits largely depend on the end use of the facility.

- Low Income Housing Tax Credits (LIHTC) – LIHTC's are federal income tax credits for the creation of affordable housing units for low to moderate income individuals.

This is a ten year tax credit and the amount of tax credits generated from a property are either 9% rate or 4% rate of the eligible uses in the development budget. These credits are both competitive and non-competitive depending on the other financing utilized in the development. These credits are administered through the state housing finance agency in each state and in Illinois, IHDA.

- Rehabilitation Tax Credits (RTC) – RTC's are also federal income tax credits on the rehabilitation of historic properties. This is a 20%, one-time credit that can be utilized, however the rehabilitation plans must be approved by the Department of the Interior.
- New Markets Tax Credits (NMTC) – NMTC's are structured completely differently than LIHTC and RTC, however they still are a federal income tax credit that investors purchase. This is a 39% credit that is received over a seven year period and the amount of the tax credit is based on the amount of other financing in the project. In order to qualify for NMTC's the project must either serve a low income population or be located in a distressed census tract as determined by the CDFI fund. Tax credits are administered on a competitive basis to Community Development Entities (CDEs) and then those entities make investments in projects. This tool is relatively competitive and therefore ensuring that a project is ready to proceed with close of financing and also has strong community impacts is relatively important.

Absolute Auction | 132,809+/-sf Office/Multiple Use Building Bloomington, Illinois

Property #: TAA-1586

Auction Date & Time:
September 23rd at 11:00 am CT

Preview Date & Time:
September 15th at 11:00 am CT

Property Location:
510 E. Washington Street
Bloomington, Illinois 61701

Auction Location:
On-site



Property Description:

- 67,036 sf +/- Rentable Space
- Partially Leased Four Story Building
- Just East of Downtown in the Culture District
- 2.3 Acres +/- Includes Parking Lot to the North
- \$1,500,000 Appraisal Available 3-16-15
- Excellent Visibility and Location
- Numerous Classrooms/Offices/Meeting Rooms
- Indoor Swimming Pool with Locker Room & Showers
- Auditorium seats 300+ with Balcony and Oversized Stage
- Gymnasium with balcony bleachers on three sides
- Tall Ceilings and Wide Hallways
- Fourth Floor could be converted into an Apartment
- Outdoor Playground
- Elevator Serves all 4 Levels
- Drone Aerial Video:
https://www.youtube.com/watch?v=nY_rq_mn3g74&feature=youtu.be
- Heavy Traffic 11,400 ADT
- Former Bloomington Jr. High School
- Built in 1915 with additions in 1936 & 1970
- Previously known as Mount Moriah Christian Church & Attractive Alternative
- Bloomington Population grew 45% between 1990 & 2010
- Zoning is B-3, Central Business District
- 2014 Property Taxes \$10,636
- On Bus Route
- All Utilities are available and connected; city water and sewer, electricity, natural gas and telephone



Directions to Property: On E. Washington Street, Bloomington

Auction Summary of Terms of Sale: All property sold in "as-is" condition. A 10% buyer's premium will be added to the high bid to determine the contract price. High bidder will execute a purchase agreement and provide a deposit of 10% of the total purchase price or \$25,000 (whichever is greater). Balance of the purchase price is due at closing on or before October 15, 2015. Seller will provide a special warranty deed at closing. Please see Terms and Conditions on separate page in the property information package.

Cooperating Broker's Fee: Tranzon Asset Advisors is offering 2% to properly registered brokers. See Broker Acknowledgement Form.



Vance Luksetich
Tranzon Asset Advisors

888-791-7307 ext. 87
vancel@tranzon.com
www.tranzon.com

Tranzon Asset Advisors, Vance Luksetich, IL Broker #471.014411
In Cooperation with Coldwell Banker Commercial Heart of America Realtors, Greg Yount



ATTENTION PROSPECTIVE BIDDERS:

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ALL ANNOUNCEMENTS MADE AT THE AUCTION TAKE PRECEDENCE OVER ANY OTHER PROPERTY INFORMATION OR PRINTED TERMS OF SALE. ITEMS MAY BE ADDED OR DELETED.

THE PROPERTY IS SOLD "AS IS, WHERE IS, WITH ALL FAULTS". THE PROPERTY WILL BE SOLD WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND, INCLUDING ANY REPRESENTATIONS REGARDING ENVIRONMENTAL CONDITIONS AFFECTING THE PROPERTY. THE PROPERTY IS OFFERED FOR SALE TO QUALIFIED PURCHASERS WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX, MARITAL STATUS OR NATIONAL ORIGIN.

THE PROPERTY SHALL BE SOLD FREE AND CLEAR OF LIENS, BUT SUBJECT TO CONDITIONS, RESTRICTIONS, RIGHTS-OF-WAY, EASEMENTS, AND RESERVATIONS, IF ANY, OF RECORD; SUBJECT TO THE RIGHTS, IF ANY OF TENANTS-IN-POSSESSION, UNDER LAW. NEITHER THE AUCTION COMPANY NOR THE TRUSTEE MAKE OR HAS MADE ANY REPRESENTATION OR WARRANTY WITH RESPECT TO THE ACCURACY, CORRECTNESS, COMPLETENESS, CONTENT OR MEANING OF THE INFORMATION CONTAINED HEREIN. ALL PROSPECTIVE BIDDERS RECOGNIZE AND AGREE THAT ANY INVESTIGATION, EXAMINATION, OR INSPECTION OF THE PROPERTY IS WITHIN THE CONTROL OF THE OWNER OR OTHER PARTIES IN POSSESSION AND THEIR AGENTS.

ANY DECISION TO PURCHASE OR NOT TO PURCHASE IS THE SOLE AND INDEPENDENT BUSINESS DECISION OF THE PURCHASER. NO RECOURSE OR CAUSE OF ACTION WILL LIE AGAINST THE SELLERS, THE AUCTION COMPANY OR THE NOTEHOLDER SHOULD PURCHASER BECOME DISSATISFIED WITH ITS DECISION, WHATEVER IT MAY BE, AT A LATER DATE.



Prepared by:

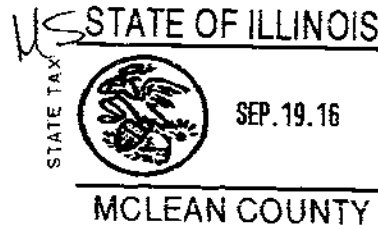
Michael R. Seghetti
Elias, Meghinnes & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61602

Mail tax statement to and
after recording return to:

Iceberg Development Group, LLC
20 Sandstone Ct.
Le Claire, IA 52753

COUNTY STAMP TAX
PAID \$200.00

Type: OFFICIAL RECORDS
Recorded: 09/19/2016 11:07:24 AM
Fee Amt: \$633.00 Page 1 of 3
IL Rental Housing Fund: \$3.00
McLean County, IL
Kathy Michael McLean County Clerk
File# 2016-00017917



0000027743

REAL ESTATE TRANSFER TAX
0040000
FP351011

MCLEAN COUNTY TITLE

1001148

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH that Pillar Properties XIII, LLC, an Illinois liability company, of Champaign, IL (the "Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, GRANTS, BARGAINS and SELLS to Iceberg Development Group, LLC, an Illinois limited liability company ("Grantee"), the real estate described on Exhibit A attached hereto and made a part hereof, hereinafter referred to as the "Premises."

Said conveyance is subject to general real estate taxes in respect of 2016 and subsequent years; easements, covenants, conditions, restrictions, dedications and reservations of record; and zoning and use ordinances, rules and regulations.

The Grantor warrants to the Grantee and its successors in title that Grantor has not, during the time Grantor held title to said real estate, created any lien, charge, or encumbrance against said real estate other than those described above; and Grantor covenants that it will defend said premises to the extent of the warranties made herein against lawful claims of all persons claiming by, through or under Grantor, but against none other.

The Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the date stated below.

Dated: 9/15, 2016

PILLAR PROPERTIES XIII, LLC

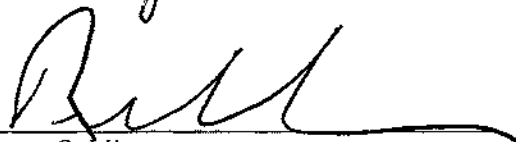
By: Buscy Bank, an Illinois banking
corporation, its sole member

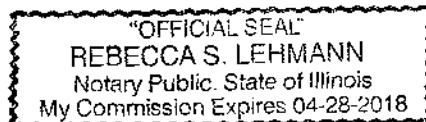
By: [Signature]
Steven E. Henderson
Senior Vice President

State of Illinois)
) ss.
County of McLean)

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that Steven E. Henderson, personally known to me to be the Senior Vice President of Busey Bank, an Illinois banking corporation and the sole member of Pillar Properties XIII, an Illinois limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Senior Vice President, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act as such Senior Vice President and as the free and voluntary act of Busey Bank, as manager of Pillar Properties XIII, LLC, for the uses and purposes therein set forth; and on his oath stated that he was duly authorized to execute said instrument.

GIVEN under my hand and notarial seal this 15 day of Sept., 2016.


Notary Public



316-2072.d1

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

TRACT NO. 1:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 4 in Evans Addition to the City of Bloomington, in McLEAN COUNTY, ILLINOIS.

TRACT NO. 2:

Lots 7 and 8 in Block 1 in Evans Addition to the City of Bloomington, in McLEAN COUNTY, ILLINOIS

PINs: 21-04-408-001 and 21-04-404-001

Street Address of Building: 502 E. Washington, Bloomington, IL

Street Address of Parking Lot: 500 E. Jefferson St., Bloomington, IL

"Problems are opportunities we have yet to see"

20 Sandstone Court
LeClaire, IA 52753

Phone: 563-505-5611
Fax: 563-594-5192
E-mail: Jim@jnbice.com



26 October 2016

David Hales
City Manager
City of Bloomington
109 East Olive Street
Bloomington, IL 61702

**RE: 510 E Washington Street
Project Overview and City Requests**

Dear Mr. Hales:

This letter is in follow-up to a call that the Iceberg Development Group team had with City Economic Development Coordinator Austin Grammer and City Special Counsel Kathleen Field Orr on Friday October 14, 2016. In that call, we provided a general overview of our company / partnership and the vision we have for the restoration and repurposing of the historic Bloomington School at 510 E. Washington.

In a separate email Brian Fritz has provided Mr. Grammer with a variety of information about my development experience. If you need anything else on that, please let me know.

We have recently purchased 510 E Washington Street as it had been foreclosed and is need of a substantial rehabilitation to maintain its integrity. As the building has a rich history and excellent architectural features, we have pursued getting a national landmark designation on the property. To date, we have filed a Project Determination Information Letter (PDIL) with the State Historic Preservation Office (SHPO), which was accepted. We have now filed the Part I Historic Application with SHPO and hope to have confirmation from the National Park Service of its success early next year. Obtaining the historic designation allows us to leverage the federal historic tax credits which enables us to cover the additional costs of meeting historic standards.

The building currently includes many of the features of the original school – specifically a pool with locker rooms, small gymnasium, large gymnasium, auditorium, wide hallways, tall ceilings and many classrooms used for offices today. Our plan for the development is to renovate the entire structure and maintain the non-profit and office uses in the basement (pool mainly) and ground floor, where there are many existing office tenants. The gymnasiums and auditorium would be available for approved community uses (outside classes and events) as well as for the future residents. The second and third floors would be renovated into approximately 47 one-bedroom and 16 two-bedroom apartments for seniors (55 years and older). The entire renovation would be completed to historic requirements.

"Problems are opportunities we have yet to see"

20 Sandstone Court
LeClaire, IA 52753

Phone: 563-505-5611
Fax: 563-594-5192
E-mail: Jim@jnbice.com



Overall, our budget is approximately \$11 million to complete this full rehabilitation. To cover these costs, we will obtain private debt, syndicate the historic tax credits, and apply for Low Income Housing Tax Credits (LIHTCs) from the Illinois Housing Development Authority (IHDA). The LIHTCs provide restrictions on the rent levels that can be charged as well as the maximum household incomes. These restrictions are set by HUD based on local economic conditions. As Bloomington is a higher income area, we are able to rent these unit to moderate income seniors. For 2016, the maximum incomes Bloomington seniors may have are \$36,840 for one person and \$42,140 for two person households.

The competition for IHDA LIHTCs is very strong. Generally, for every 10 applications submitted for small cities (Bloomington, Peoria, St Louis, Decatur, etc), IHDA can only fund 2 or maybe 3 each round. Thus, it is critical that we submit an application that obtains all potential points. For 510 E Washington to be very competitive with scoring, we need some form of rental assistance on at least 4 residential units (worth 5 points) as well as obtain TIF funding (reimbursement of property taxes) as this provides an additional 2 points for leveraging as well as the TIF fills the financial gap in the transaction.

The rental assistance is something we or our consultant have successfully worked on with other cities, including East Dundee and Yorkville. In these cases, the city provides funding that covers the difference between 30% of a residents' income and their total rent obligation. Generally, the resident has some funds to contribute toward rent (from social security or retirement income) and the village/ City funds the balance. IHDA requires a 10 year rental commitment period. The worst case scenario for rental assistance funding, assuming all 4 units are occupied by a senior with zero income, is \$216,000 over a 10 year period. More realistically, if we assume the 4 covered households obtain \$733 per month in social security, then the maximum rental assistance over this 10 year period is \$110,448.

As we discussed, we have worked with other communities in Illinois who appreciate the importance of receiving the millions of investment dollars generated by the LIHTC. As these resources are very competitive, we respectfully request that the City of Bloomington work with us on a plan to obtain rental assistance and TIF assistance as soon as possible.

For the TIF, as the project is not currently located in an existing district, we would look to the City to determine the appropriate boundaries. Per the very preliminary projections attached, the total increment generated by the project would be approximately \$1.6m. We would be seeking approximately 90% of the increment generated from our own property tax increment less the value of any rental assistance. Based on the attached estimates, the combination of the TIF rebate and rental assistance to the property would then be approximately \$1.45 million over the TIF period.

Our attorney has worked with communities to enable some of the TIF funds to be used to fund rental assistance. Thus, we would expect that the \$100k - \$200k needed to cover the rental assistance could be deducted from this total TIF request.

"Problems are opportunities we have yet to see"

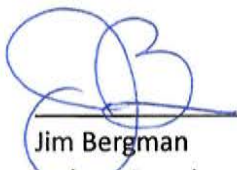
20 Sandstone Court
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Fax: 563-594-5192
E-mail: jim@jnbice.com

For timing, the IHDA application is 2/15/17 with announcements in May. IHDA has a second and final round on 6/23/17 with announcements in September. If funded in either of these rounds, we could begin construction in 2018. Our best case scenario would be to have the City provide a commitment letter for rental assistance prior to 2/15 and the City create the TIF district and execute a redevelopment agreement with us by 6/15/17.

We look forward to working with you and the City of Bloomington to move the project toward a successful rehabilitation.

Regards,



Jim Bergman
Iceberg Development

Project Overview

510 E Washington TIF Application v2

Project Overview

Developer	Iceberg/ Fritz
Location	510 E Washington St Bloomington IL 61701
# of Buildings	1

Square Footage

Site Area Sq.Ft.	87,120
Building Gross	139,390
Building Net	58,000
Commercial Space	10,000
Other Non-Residential Space	-

Schedules

Construction Loan Closing	4/1/2018
Construction Completion	05/2019
Lease-Up Begins	05/2019
100% Occupancy Date	11/2019

Tax Credit Overview

# LIHTC Units	58	Issuing Agency:	
LIHTC Allocation Amount	1,289,660	Reservation Date	06/01/2017
Price Per LI Credit	0.9000		
Est. Historic Credits	-	Rate Locked?	No
Price Per Historic Credit	NA		
When will LIHTC rate be locked?	Receipt of Reservation Letter		

Affordability Overview

Description	0 BR	1 BR	2 BR	Total
30% AMI	1	2	0	3
30% SRN	3	6	0	9
50% AMI	0	7	3	10
60% AMI	0	21	15	36
Res Mngr	0	1	0	1

Development Costs

Category	Amount	Per Unit	Per Gross SF
Acquisition	532,125	9,019	3.82
Construction	12,721,800	215,624	91.27
Construction Period	53,250	903	0.38
Professional Fees	1,583,200	26,834	11.36
Marketing & Leasing	29,500	500	0.21
Lender Fees	196,000	3,322	1.41
Developer Fee	1,502,031	25,458	10.78
Reserves	549,835	9,319	3.94
Interest	435,127	7,375	3.12
Total Uses	17,602,868	298,354	126.29

Eligible Basis	Acquisition	Construction	Historic
Building Basis	NA	13,667,615	NA
Personal Property	NA	367,771	NA
Site Work	NA	294,171	NA
Total Eligible Basis	NA	14,329,557	NA

Income & Expenses

Number of Bedrooms	# of Units	Avg. GSF	Avg. Rent	Monthly Income	Annual Income
0 BR	4	530	375	1,500	18,000
1 BR	37	620	565	20,900	250,800
2 BR	18	800	783	14,100	169,200
Gross Residential Income	59	669	619	36,500	438,000
Less Residential Vacancy			6.00%	2,190	26,280
Less Rental Allowance			0.00%	-	-
Effective Residential Income			94.00%	34,310	411,720
Effective Commercial Income				6,250	75,000
Effective Other Income				3,594	43,133
Gross Effective Income				44,154	529,853

	Annual Per Unit	Monthly	Annual
Less Operating Expenses	5,811	28,569	342,830
Less Replacement Reserves	450	2,212	26,550
Net Operating Income	2,720	13,373	160,473
Total Debt Year 1	2,366	11,632	139,584
Cash Flow Year 1	354	1,741	20,889
DCR			1.15

Permanent Sources of Funds

Lien	Loan Description	Lender	Amount	Perm Term / Amtz	Initial Perm Rate	Fixed/ Varied	Payment Year 1
1	First Mortgage - Tier A		1,300,000	16 / 35 years	6.000%	Fixed	88,950
2	First Mortgage - Tier B		575,000	100% over 20 years	6.000%	Fixed	49,434
3	HOME Loan		1,000,000	20 / Balloon	0.000%	Fixed	1,200
4	Deferred Developer Fee		770,928				
5	Tax Credit Equity		11,606,940	LIHTC Price: \$ 0.9000			
6	Historic Master LIHTC		2,350,000				
Total			17,602,868				139,584

Detailed Project Rental Income

510 E Washington TIF Application v2

Residential Unit Types - General Information

Unit Type	Avg. Rent	Unit Count	# BRs	# BAs	Gross SF	Vac Rate	Esc Rate	Comments
Studio	375	4	-	1.0	530	6.00%	2.00%	
1 BR	565	37	1	1.0	620	6.00%	2.00%	RM unit on top floor (accesssed only by stairs)
2 BR	783	18	2	1.0	800	6.00%	2.00%	
Totals	619	59			39,460	6.00%	2.00%	

Residential Income by AMI Description

Unit Type	Monthly Rent	Total Units	Monthly Rent PSF	Annual Rent PSF	Monthly Rent	Annual Rent	Vacancy	Effective Gross Income
Studio	375	1	0.71	8.49	375	4,500	(270)	4,230
1 BR	400	2	0.65	7.74	800	9,600	(576)	9,024
30% AMI	392	3	0.67	7.99	1,175	14,100	(846)	13,254
Studio	375	3	0.71	8.49	1,125	13,500	(810)	12,690
1 BR	375	6	0.60	7.26	2,250	27,000	(1,620)	25,380
30% SRN	375	9	0.64	7.67	3,375	40,500	(2,430)	38,070
1 BR	600	7	0.97	11.61	4,200	50,400	(3,024)	47,376
2 BR	700	3	0.88	10.50	2,100	25,200	(1,512)	23,688
50% AMI	630	10	0.94	11.28	6,300	75,600	(4,536)	71,064
1 BR	650	21	1.05	12.58	13,650	163,800	(9,828)	153,972
2 BR	800	15	1.00	12.00	12,000	144,000	(8,640)	135,360
60% AMI	712	36	1.03	12.34	25,650	307,800	(18,468)	289,332
1 BR	0	1	0.00	0.00	0	0	0	0
Res Mngr	0	1	0.00	0.00	0	0	0	0

Residential Income Summary

		Monthly	Annual	PSF Income
Gross Residential Income		36,500	438,000	11.10
Vacancy & Collection Loss	6.00%	(2,190)	(26,280)	(0.67)
Rental Allowance / RM Unit	0.00%	0	0	0.00
Effective Residential Income	94.00%	34,310	411,720	10.43

Detailed Project Rental Income

510 E Washington TIF Application v2

Commercial Income

Description	Gross SF	Monthly Rent	Annual Rent	Annual Rent PSF	Vacancy / Coll Loss	Effective Gross Income	Esc Rate	Tenant	Comments
East School - Ground Floor	10,000	8,333	100,000	10.00	25.00%	75,000	2.00%	To Be Determined	Excludes spaces that may be used for residential supports such as laundry, lounges, etc.
Commercial Total	10,000	8,333	100,000	10.00	25.00%	75,000	2.00%		

Other Income

Description	Income Per	Gross Annual Income	Vacancy / Coll Loss	Effective Gross Income	Years	Esc Rate	Comments
TIF Income	43,133 Year	43,133	0.00%	43,133	21	3.61%	Increment is calculated based off 3% annual increase in property taxes. Projections assume 80% of project-generated increment is used to support debt on the property; another 10% of project increment supports the rental assistance fund.
Other Income Total		43,133	0.00%	43,133		3.61%	

Grand Total Income

Type	Gross Annual Income	Vacancy / Coll Loss	Vacancy / Coll Loss Amt	Rental Allowance	Effective Gross Income	Y1 Avg. Esc Rate
Residential	438,000	6.00%	(26,280)	0	411,720	2.00%
Commercial	100,000	25.00%	(25,000)	0	75,000	2.00%
Other	43,133	0.00%	0	0	43,133	3.61%
Grand Total	581,133	8.82%	(51,280)	0	529,853	2.13%

Operating Costs

510 E Washington TIF Application v2

Budget Line Item	Amount	Per Unit
Legal	590	10
Office Supplies	2,950	50
Accounting	7,000	119
Telephone Service	4,425	75
LIHTC Monitoring Fee	1,475	25
Administration Total:	16,440	279
Advertising/Marketing	2,950	50
Marketing Total:	2,950	50
Management Fee	26,493	449
Management Fee Total:	26,493	449
Administrative	38,000	644
Maintenance	33,000	559
Payroll Total:	71,000	1,203
Real Estate Taxes	64,900	1,100
Property Insurance	22,302	378
Taxes & Insurance Total:	87,202	1,478
Elevator Contract	7,000	119
Fire Monitoring System	885	15
Pest Control	885	15
Scavenger Service	4,425	75
Carpet Cleaning	1,475	25
Decorating	2,950	50
Maintenance Supplies	5,900	100
Landscaping	5,000	85
General Repairs	8,850	150
HVAC	1,475	25
Snow Removal	1,475	25
Maintenance Total:	40,320	683
Gas	29,500	500
Water/ Sewer	17,700	300
Electricity	16,225	275
Utilities Total:	63,425	1,075
Replacement Reserve	26,550	450
Reserves Total:	26,550	450
All Commercial Related	35,000	593
Costs		
Commercial Total	35,000	593
Total Operating Costs	369,380	6,261

	Amount	Per Unit
Effective Gross Income (EGI)	529,853	8,981
Total Operating Costs	369,380	6,261
Net Operating Income (NOI)	160,473	2,720

Development Costs

510 E Washington TIF Application v2

Budget Line Item	Budget	Per Unit
Building Cost	475,000	8,051
Carrying Costs	50,000	847
Title and Transfer Taxes	<u>7,125</u>	<u>121</u>
Acquisition Total:	532,125	9,019
Net Construction Costs	10,140,000	171,864
Commercial	1,050,000	17,797
Utility Fees	40,000	678
Building Permits	275,000	4,661
Contingency	<u>1,216,800</u>	<u>20,624</u>
Construction Total:	12,721,800	215,624
Builders Risk Insurance	44,250	750
Real Estate Taxes	<u>9,000</u>	<u>153</u>
Construction Period Total:	53,250	903
Architect -- Design	683,200	11,580
Engineering Fees	120,000	2,034
Furniture Fixtures & Equipment	175,000	2,966
Legal - Organizational	125,000	2,119
Legal - Tax Credits	50,000	847
Accountant -- General	35,000	593
Plats & Surveys	25,000	424
Appraisal	15,000	254
Environmental Reports	20,000	339
Market Study	10,000	169
Consultant -- Historic	45,000	763
Title & Recording Fees	30,000	508
Consultant -- Financial	225,000	3,814
Materials Testing	<u>25,000</u>	<u>424</u>
Professional Fees Total:	1,583,200	26,834
Marketing & Leasing	<u>29,500</u>	<u>500</u>
Marketing & Leasing Total:	29,500	500
Application Fee	5,000	85
Construction Points	113,000	1,915
Lender Legal Costs	45,000	763
Permanent Loan Points	13,000	220
Construction Inspection	<u>20,000</u>	<u>339</u>
Lender Fees Total:	196,000	3,322
Developer Fee	<u>1,502,031</u>	<u>25,458</u>
Developer Fee Total:	1,502,031	25,458
Lease-Up Expense	50,000	847
Tax & Insurance Escrow	59,112	1,002
Replacement Reserve	59,000	1,000
Operating Deficit	<u>381,723</u>	<u>6,470</u>
Reserves Total:	549,835	9,319
Equity Bridge Loan	327,696	5,554
First Mortgage - Tier A	82,853	1,404
First Mortgage - Tier B	<u>24,578</u>	<u>417</u>
Interest Total:	435,127	7,375
Total Development Cost	17,602,868	298,354

Sources of Funds

510 E Washington TIF Application v2

Construction Sources of Funds

Lien	Source Description	Amount	Term	Interest Type	Avg. Interest Rate	Total Paid Interest
1	First Mortgage - Tier A	1,300,000	18 Months	Fixed	4.000%	82,853
2	First Mortgage - Tier B	575,000	18 Months	Fixed	4.000%	24,578
2	Equity Bridge Loan	8,000,000	18 Months	Fixed	4.000%	327,696
3	HOME Loan	1,000,000	18 Months	Fixed	0.000%	
4	Deferred Developer Fee	770,928	18 Months			
5	Tax Credit Equity	3,606,940				
6	Historic Master LIHTC	2,350,000				
Total Construction Sources		17,602,868				435,127

Permanent Sources of Funds

Lien	Source Description	Amount	Term	Amortization Period	Initial Interest Rate	Initial Annual Payment	DCR
1	First Mortgage - Tier A	1,300,000	16 Years	35 Years	6.000%	88,950	1.80
2	First Mortgage - Tier B	575,000	16 Years	20 Years	6.000%	49,434	1.16
3	HOME Loan	1,000,000	20 Years	Balloon	0.000%	1,200	1.15
4	Deferred Developer Fee	770,928					
5	Tax Credit Equity	11,606,940		LIHTC Price: \$ 0.9000			
6	Historic Master LIHTC	2,350,000					
Total Permanent Sources		17,602,868				139,584	1.15

Lien	Source Description	Comments
1	First Mortgage - Tier A	Interest rate estimated based on rates available in January 2017 for a 24-month forward lock commitment with minimum 15 year term.
2	First Mortgage - Tier B	Tier B is a loan that is sized so that it will be repaid with the pay-as-you-go TIF proceeds to the project, rather than being a loan that is funded up front by actual TIF dollars. It will be funded by the same lender that will be providing the Tier A loan.
3	HOME Loan	Needed soft loan from IHDA to fill gap (\$1m is limit)
4	Deferred Developer Fee	Deferred developer fee paid through project cash flow. Will apply for FHLB AHP funding to reduce DDF.
5	Tax Credit Equity	LIHTCs do not have HTC reduction in basis because structured as master lease.
6	Historic Master LIHTC	Master Lease structure so HTCs do not reduce LIHTC basis; HTCs sold at \$0.88

Operating Proforma

510 E Washington TIF Application v2

	'20 Rates	2020 Per Unit	2020	2021	2022	2023	2024	2025	2026	2027
Studio	2.00%	305	18,000	18,360	18,727	19,102	19,484	19,873	20,271	20,676
1 BR	2.00%	4,251	250,800	255,816	260,932	266,151	271,474	276,903	282,442	288,090
2 BR	2.00%	2,868	169,200	172,584	176,036	179,556	183,148	186,810	190,547	194,358
Gross Residential Income	2.00%	7,424	438,000	446,760	455,695	464,809	474,105	483,587	493,259	503,124
Ground Floor	2.00%	1,695	100,000	102,000	104,040	106,121	108,243	110,408	112,616	114,869
Gross Commercial Income	2.00%	1,695	100,000	102,000	104,040	106,121	108,243	110,408	112,616	114,869
TIF Income	3.61%	731	43,133	44,690	46,294	47,947	49,650	51,402	53,208	55,068
Gross Other Income	3.61%	731	43,133	44,690	46,294	47,947	49,650	51,402	53,208	55,068
Gross Income	2.12%	9,850	581,133	593,450	606,029	618,877	631,998	645,397	659,083	673,061
Vacancy / Collection Loss (8.82%)		(869)	(51,280)	(52,306)	(53,351)	(54,418)	(55,507)	(56,617)	(57,749)	(58,904)
Effective Gross Income	2.13%	8,981	529,853	541,144	552,678	564,459	576,491	588,780	601,334	614,157
Administration	3.00%	279	16,440	16,933	17,441	17,965	18,503	19,059	19,629	20,219
Marketing	3.00%	50	2,950	3,038	3,130	3,224	3,320	3,420	3,522	3,628
Management Fee	2.00%	449	26,493	27,023	27,563	28,115	28,677	29,250	29,835	30,432
Payroll	3.00%	1,203	71,000	73,130	75,324	77,584	79,911	82,308	84,778	87,321
Taxes & Insurance	3.00%	1,478	87,202	89,818	92,512	95,288	98,147	101,091	104,124	107,248
Maintenance	3.00%	683	40,320	41,529	42,775	44,060	45,381	46,743	48,143	49,586
Utilities	3.00%	1,075	63,425	65,328	67,288	69,305	71,386	73,527	75,733	78,005
Reserves	0.00%	450	26,550	26,550	26,550	26,550	26,550	26,550	26,550	26,550
Commercial	3.00%	593	35,000	36,050	37,131	38,245	39,393	40,575	41,792	43,046
Total Expenses	2.71%	6,261	369,380	379,399	389,714	400,336	411,268	422,523	434,106	446,035
Net Operating Income		2,720	160,473	161,745	162,964	164,123	165,223	166,257	167,228	168,122
Total Principal		499	29,448	31,190	33,041	35,004	37,089	39,303	41,653	44,147
Total Interest		1,867	110,136	108,393	106,543	104,579	102,494	100,281	97,931	95,435
Total Loan Payments		2,366	139,584	139,583	139,584	139,583	139,583	139,584	139,584	139,582
<i>Debt Coverage Ratio</i>			1.15	1.16	1.17	1.18	1.18	1.19	1.20	1.20
Cash Flow		354	20,889	22,162	23,380	24,540	25,640	26,673	27,644	28,540

Operating Proforma
510 E Washington TIF Application v2

	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Studio	21,090	21,512	21,942	22,381	22,828	23,285	23,751	24,226	24,710	25,204
1 BR	293,852	299,729	305,724	311,838	318,075	324,437	330,925	337,544	344,295	351,181
2 BR	198,245	202,210	206,254	210,379	214,586	218,878	223,256	227,721	232,275	236,921
Gross Residential Income	513,187	523,451	533,920	544,598	555,490	566,600	577,932	589,490	601,280	613,306
Ground Floor	117,166	119,509	121,899	124,337	126,824	129,361	131,948	134,587	137,279	140,024
Gross Commercial Income	117,166	119,509	121,899	124,337	126,824	129,361	131,948	134,587	137,279	140,024
TIF Income	56,984	58,957	60,989	63,082	65,238	67,459	69,746	72,102	74,529	77,028
Gross Other Income	56,984	58,957	60,989	63,082	65,238	67,459	69,746	72,102	74,529	77,028
Gross Income	687,337	701,917	716,808	732,017	747,552	763,420	779,626	796,179	813,088	830,358
Vacancy / Collection Loss (8.82%)	(60,083)	(61,284)	(62,511)	(63,760)	(65,036)	(66,336)	(67,663)	(69,016)	(70,397)	(71,805)
Effective Gross Income	627,254	640,633	654,297	668,257	682,516	697,084	711,963	727,163	742,691	758,553
Administration	20,824	21,451	22,094	22,757	23,439	24,142	24,866	25,613	26,382	27,173
Marketing	3,737	3,849	3,965	4,083	4,206	4,332	4,462	4,596	4,734	4,876
Management Fee	31,041	31,662	32,295	32,941	33,600	34,272	34,957	35,656	36,369	37,097
Payroll	89,940	92,639	95,418	98,281	101,229	104,266	107,393	110,616	113,934	117,352
Taxes & Insurance	110,465	113,779	117,192	120,708	124,329	128,059	131,901	135,858	139,933	144,132
Maintenance	51,074	52,610	54,186	55,812	57,487	59,212	60,987	62,818	64,703	66,644
Utilities	80,345	82,755	85,238	87,795	90,429	93,142	95,936	98,814	101,778	104,831
Reserves	26,550	26,550	26,550	26,550	26,550	26,550	26,550	26,550	26,550	26,550
Commercial	44,337	45,667	47,037	48,448	49,902	51,399	52,941	54,529	56,165	57,850
Total Expenses	458,313	470,962	483,975	497,375	511,171	525,374	539,993	555,050	570,548	586,505
Net Operating Income	168,941	169,671	170,322	170,882	171,345	171,710	171,970	172,113	172,143	172,048
Total Principal	46,797	49,609	52,595	55,765	59,131	62,703	66,497	70,523	74,799	79,339
Total Interest	92,787	89,975	86,989	83,819	80,453	76,881	73,087	69,059	64,784	60,244
Total Loan Payments	139,584	139,584	139,584	139,584	139,584	139,584	139,584	139,582	139,583	139,583
<i>Debt Coverage Ratio</i>	<i>1.21</i>	<i>1.22</i>	<i>1.22</i>	<i>1.22</i>	<i>1.23</i>	<i>1.23</i>	<i>1.23</i>	<i>1.23</i>	<i>1.23</i>	<i>1.23</i>
Cash Flow	29,357	30,087	30,738	31,298	31,761	32,126	32,386	32,531	32,560	32,465

510 E Washington Street, Bloomington, IL

Preliminary TIF Estimates

Year	Base Property Taxes	Anticipated Taxes	Increment	90% of Increment	Balance to TIF Fund
2017	4,500	4,500	-	-	-
2018	4,500	4,500	-	-	-
2019	4,500	35,000	30,500	27,450	3,050
2020	4,500	62,500	58,000	52,200	5,800
2021	4,500	64,375	59,875	53,888	5,988
2022	4,500	66,306	61,806	55,625	6,181
2023	4,500	68,295	63,795	57,416	6,380
2024	4,500	70,344	65,844	59,260	6,584
2025	4,500	72,454	67,954	61,159	6,795
2026	4,500	74,628	70,128	63,115	7,013
2027	4,500	76,867	72,367	65,130	7,237
2028	4,500	79,173	74,673	67,206	7,467
2029	4,500	81,548	77,048	69,343	7,705
2030	4,500	83,994	79,494	71,545	7,949
2031	4,500	86,514	82,014	73,813	8,201
2032	4,500	89,109	84,609	76,148	8,461
2033	4,500	91,782	87,282	78,554	8,728
2034	4,500	94,535	90,035	81,032	9,004
2035	4,500	97,371	92,871	83,584	9,287
2036	4,500	100,292	95,792	86,213	9,579
2037	4,500	103,301	98,801	88,921	9,880
2038	4,500	106,400	101,900	91,710	10,190
2039	4,500	109,592	105,092	94,583	10,509
TOTAL	103,500	1,723,380	1,619,880	1,457,892	161,988

Notes:

1. Base Property Taxes estimated from 2016 payments
2. Anticipated Taxes assumes income approach based on Section 42 requirements in property tax code
3. Taxes anticipated to increase 3% annually
4. 90% of increment utilized to reimburse developer for TIF-eligible project costs
5. Project is rehabilitated in 2018 and fully occupied starting 2019

Iceberg Development Group

Section 42 Tax Credit Experience

- ▣ Currently Owns/Operates over 3,000 Units
 - Has Developed over \$700 Million in Residential Projects
- ▣ 25 years of Tax Credit Experience
- ▣ Developed properties in 6 different states
 - Iowa, Illinois, Wisconsin, Missouri, Mississippi, Texas
- ▣ Licensed Tax Attorney and Certified Public Accountant
- ▣ Headquartered in Bettendorf, IA
- ▣ Experienced in working with local nonprofit development partners

Pending Projects (Awarded Tax Credits)

- ▣ Rosenwald Courts Chicago, IL
239 Unit Acquisition Rehab
\$120 Million Total Project Cost
Under Construction Est. Completion May 2016
- ▣ Villas at Fox Pointe Knoxville, IA
50 Unit Section 42 Family Tax Credit Project
\$10.5 Million Total Project Cost
Under Construction Estimated Completion May 2015
- ▣ Citrus Cove Senior Apartments Bridge City, TX
80 Unit Section 42 Family Tax Credit Project
\$8.5 Million Total Project Cost; Awarded in 2014
- ▣ Holman Place Apartments Hannibal, MO
48 Unit Section 42 Family Acquisition Rehab
\$7 Million Total Project Cost
2014 MHDC Round 1 Award; Completion TBD

New Construction Properties Since 2006

- ❑ Oswego Mill Street Station Oswego, IL
Established June 2014
63 Unit Section 42 Family Project
- ❑ Gardiner Place Senior Apartments East Dundee, IL
Established March 2014
80 Unit Section 42 Senior Independent Living
- ❑ River Haven Townhomes East Dundee, IL
Established February 2014
68 Unit Section 42 Family Project
- ❑ Thomas Place Orland Park Orland Park, IL
Established February 2013
80 Unit Section 42 Senior Independent Living

New Construction Properties (cont.)

- ❑ Thomas Place Gurnee Gurnee, IL
Established March 2012
101 Unit Section 42 Senior Independent Living
- ❑ Timberline Terrace Senior Apartments Quincy, IL
Established July 2012
57 Unit Section 42 Senior Independent Living
- ❑ Hunter's Chase Senior Apartments Rockdale, TX
Established January 2014
80 Unit Section 42 Senior Independent Living
- ❑ Green Gables Phase 2 Senior Apartments Wentzville, MO
Established August 2014
48 Unit Section 42 Senior Independent Living (48 units in phase 1 also)

New Construction Properties (cont.)

- ❑ Westport Terrace Keokuk
Established November 2011
72 Unit Section 42 Family Project
- ❑ Timberline Terrace Senior Apartments Quincy, IL
Established July 2012
57 Unit Section 42 Senior Independent Living
- ❑ Sterling Townhomes Sterling, IL
Established December 2011
22 Unit Acquisition Rehab Family Project
- ❑ JNB Badger South Apartments Scattered Site WI
Established June 2013
96 Unit Section 42 Family Rehab Project of Section 515 (5 Total Projects)

New Construction Properties (Cont.)

- Hometown Harbor Assisted Living Racine, WI
Established March 2006
110 Unit Section 42 Assisted Living Facility
- Thomas Place Senior Apartments Glenview, IL
Established August 2006
143 Unit Section 42 Senior Independent Living
- Acorn Hill Senior Assisted Living Mosinee, WI
Established October 2008
29 Unit Section 42 Assisted Living Facility
- Crown Road Estates Gulfport, MS
Established October 2008
Section 42 Family property consisting of 335 single family homes
- Thomas Place Fox Lake Senior Apartments Fox Lake, IL
Established August 2010
100 Unit Section 42 Senior Independent Living

New Construction Properties (Cont.)

- Thomas Place Bettendorf Senior Apartments Bettendorf, IA
Established November 2010
116 Unit Section 42 Senior Independent Living
- Thomas Place Waukee Senior Apartments Waukee, IA
Established March 2011
116 Unit Section 42 Senior Independent Living
- Green Gables Senior Living Wentzville, MO
Established June 2011
48 Unit Section 42 Senior Independent Living
- Waukee Family Townhomes
Established August 2011
Section 42 Family property consisting of 45 duplexes totaling 90 units
- Hometown Harbor East Moline
Established September 2011
80 Unit Section 42 Senior Independent Living

ROSENWALD COURTS

OPENING FALL 2016
47TH & MICHIGAN AVENUES
CHICAGO, IL 60653



The redevelopment of Rosenwald Courts in Chicago's Bronzeville neighborhood is intended to exemplify and honor its founder and the multitude of successful musicians, athletes, and agents for change that once were residents. In this pursuit, the development team intends to transform the Rosenwald to its former status as a beacon for opportunity and success, a status not only intended for the residents who will find homes there, but also for the Bronzeville area residents and its business community.

Building History

The Michigan Boulevard Garden Apartments was developed in 1929 by Julius Rosenwald, then president of Sears, Roebuck & Company, to provide quality, affordable housing for working African-American families living in the Washington Park and Grand Boulevard neighborhoods. At that time, the burgeoning Bronzeville area was bursting with people who had migrated north during the Great Migration and were in desperate need of quality, affordable housing.

The 400+ unit apartment complex, which the residents dubbed “the Rosenwald,” was almost exclusively rented by middle-class African-Americans who enjoyed the spacious apartments, many attached retail storefronts, massive interior courtyard and innumerable resident-organized clubs and activities. Throughout the 1960’s, the Rosenwald remained a very successful enterprise. Sadly, the 1970’s saw the building’s descent into disrepair, along with the overall decline of the neighborhood. The building was shuttered in 1999.

The Person And His Vision

Julius Rosenwald devoted substantial philanthropic resources and personal efforts to improve outcomes for African-Americans. Through a long-standing relationship with Booker T Washington, Rosenwald helped to establish thousands of rural schools throughout the South. By 1928, one in every five rural schools for black students in the South was a Rosenwald school, and these schools housed one-third of the region's rural black schoolchildren and teachers. At the program's conclusion in 1932, it had produced 4,977 new schools, 217 teachers' homes, and 163 shop buildings.

Chicago's segregated neighborhoods in that era meant that blacks had very limited housing options. As a result, they paid exorbitant rent for substandard, overcrowded housing in designated areas of the City (initially the South Side). Rosenwald believed that a market existed to provide quality apartments to black families on the South Side. That belief led to him personally bankrolling the construction of the Michigan Avenue Apartments, which consisted of over 400 spacious apartments (by 1920s standards). It was also one of the first apartment complexes to incorporate substantial retail space and an interior private courtyard. With community activist Robert Taylor as its first building manager, Rosenwald remained "the place" to live in Bronzeville for decades, while producing many creative, determined, and inspiring residents. Some of the better-known residents include:

Athletes:

Ralph Metcalfe, 4-time Olympic Medalist & Congressman

Joe Louis, Boxing Champion, World Heavyweight Champion 1937 - 1949

Jesse Owens, 4-Time Olympic Medalist

Entertainers:

Nat King Cole, Singer

Duke Ellington, Musician

Marla Gibbs, Actress

Lorraine Hansberry, Playwright & Writer

John Johnson, Publisher (founded Ebony Magazine)

Quincy Jones, Record Producer (his mother was a manager at the Rosenwald)

Community Activists:

William Dawson, Congressman from 1943 - 1970

Vivian Harsh, Library Director

Robert Rochon Taylor, Architect that assisted in the design of the building; later recruited by Julius Rosenwald to manage it; served as the chairman of the Chicago Housing Authority for 11 years advocating for desegregated public housing; he also was part of a group that started the Illinois Federal Savings and Loan Association, one of only two savings and loan institutions that provided mortgages to would-be black homeowners on Chicago's South Side.

Dr. Daniel Hale Williams, Surgeon who helped establish Provident Hospital

The Future

The redevelopment of the building is now underway. Construction began in February 2015 and will be completed in the summer of 2016. The redeveloped building maintains the innovative mix of residential, service and retail space while serving a diversity of ages and income for its residents. The development team is currently seeking partners interested in utilizing portions of the building, who share the Rosenwald ideals in the pursuits of education, workforce training, social programming, child development and community activism.

Highlights include:

Historic Renovation

The redevelopment is being completed to National Historic standards to preserve the historic texture of the building.

Residential Units:

239 one and two-bedroom units

120 units for low- income seniors; includes two senior-only entrances, elevators, community room, fitness room, computer room, and laundry lounges.

119 units for families in a series of 3-story walk ups (33 units) and the 5-story elevator building with its own entrances, elevators, community rooms, fitness room, computer room, and washers & dryers in each unit.

All units feature modern kitchens, bathrooms, and central heat and air.

Interior Courtyard

There is a 2-acre interior courtyard. It will be professionally landscaped and will include a variety of activity areas for the residents (such as picnic tables, BBQ area, and walking paths).

Retail Space

12,500 square feet of ground floor and 10,000 SF of basement retail along 47th St. Anticipated retail uses include:

Coffee Shop

Discount Grocery Store

Dry Cleaners

Restaurant

Game Stop shop (or similar)

An additional 3,000 SF space is reserved for a potential day care along 46th street.

THOMAS PLACE FOX LAKE



Thomas Place Fox Lake is a 100 unit elderly property. The building consists of one and two bedroom units. It is a Section 42 Tax Credit building located in Fox Lake, IL a northwest suburb of Chicago.









**ROSENWALD
COURTS**

A LEGACY/REBUILT AS A NEIGHBORHOOD RENEWS

3-STORY WALK-UPS



BEFORE



AFTER



**ROSENWALD
COURTS**

A LEGACY/REBUILT AS A NEIGHBORHOOD REVIEWS

5-STORY UNITS



BEFORE



AFTER



**ROSENWALD
COURTS**

A LEGACY/REBUILT AS A NEIGHBORHOOD RENOVES

SENIOR ENTRANCE



BEFORE



AFTER



ROSENWALD
COURTS

A LEGACY/REBUILT AS A NEIGHBORHOOD REVIEWS

COURTYARD



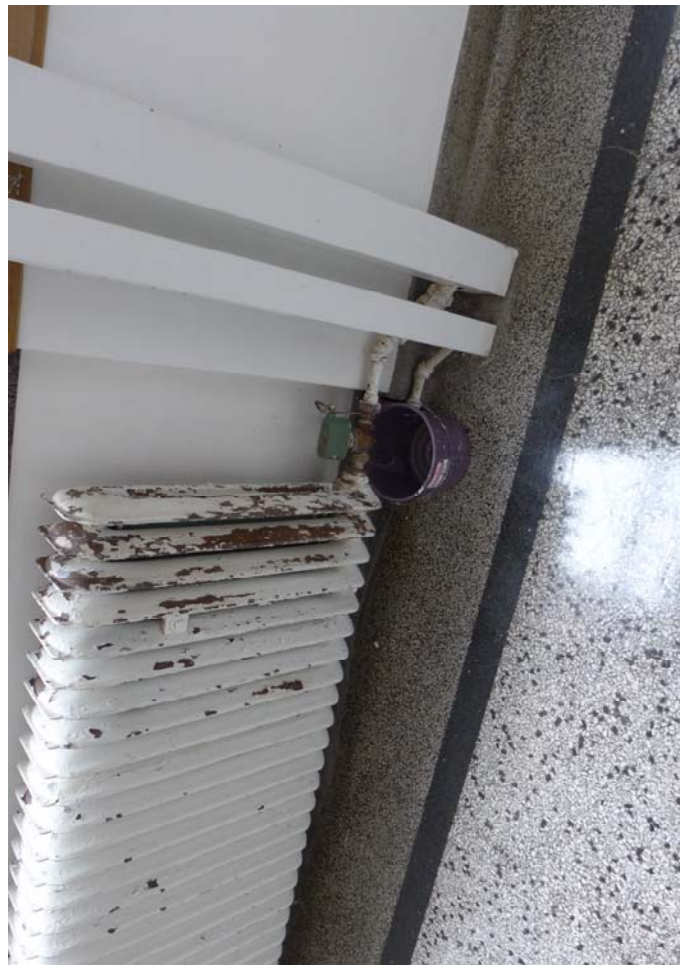
BEFORE



AFTER



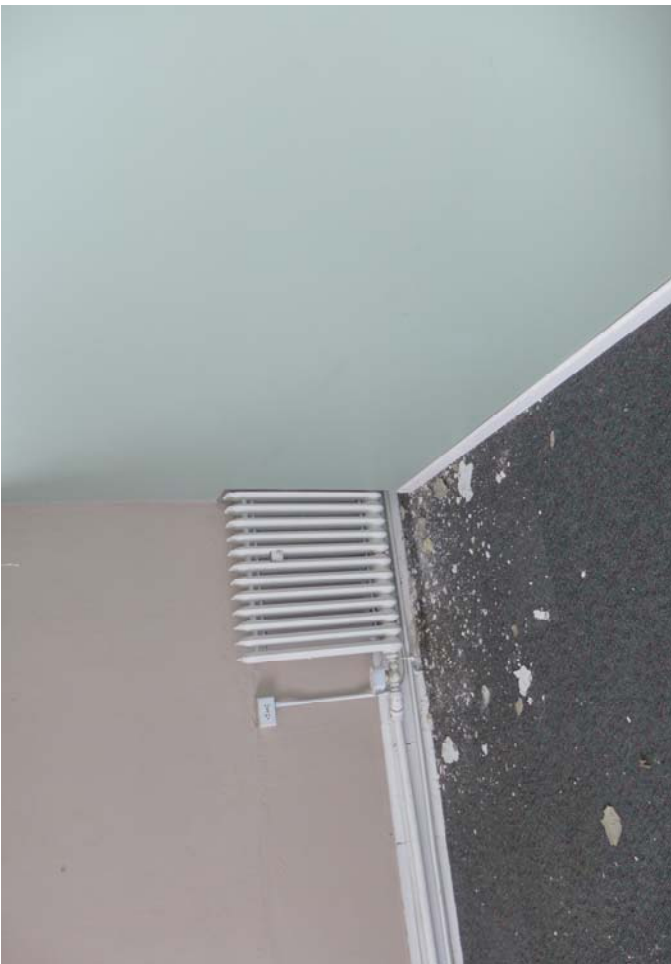
**Interior pictures of
510 E Washington Street
taken by City Staff
February 8, 2017**

















McLEAN COUNTY ILLINOIS REAL ESTATE TAX BILL



REBECCA C. McNEIL
McLEAN COUNTY TREASURER/COLLECTOR
P.O. BOX 2400
115 E. WASHINGTON, RM M101
BLOOMINGTON, ILLINOIS 61702-2400
Ph (309) 888-5180 Fax (309) 888-5176
Office Hours: 8AM - 4:30PM, Mon. - Fri.
www.mcleancountyil.gov

Township: 40
Tax Code: 4001
Prop Use Code: 0060

Legal Description
EVANS ADD BLK 4

21-04-408-001

ICEBERG DEVELOPMENT GROUP LLC
20 SANDSTONE CT
LE CLAIRE, IA 52753-9250

Pay by credit card or Visa debit card
at www.mcleancountyil.gov/tax
or call 1-877-647-7238. (A fee applies.)



DUPLICATE

Taxing Body	Current Rate	Current Tax	Prior Rate	Prior Tax	Pension	Amount Difference
MCLEAN COUNTY	0.91399	\$1,215.19	0.91836	\$1,162.85	229.87	52.34
CITY OF BLOOMINGTON TOWNSHIP	0.12166	\$161.75	0.12433	\$157.43	0.00	4.32
CITY OF BLOOMINGTON	1.08363	\$1,440.73	1.07729	\$1,364.10	814.44	76.63
B-N WATER RECLAMATION DIST	0.17931	\$238.40	0.17446	\$220.91	34.24	17.49
BLM-NRM AIRPORT AUTH	0.12442	\$165.42	0.13572	\$171.85	9.00	-6.43
CUSD 87 BLOOMINGTON	5.13998	\$6,833.81	5.15877	\$6,532.19	234.27	301.62
CITY OF BLOOMINGTON LIBRARY	0.25296	\$336.32	0.25098	\$317.80	0.00	18.52
HEARTLAND COMM COLLEGE 540	0.58840	\$782.30	0.54046	\$684.35	0.00	97.95
Totals	8.40435	\$11,173.92	8.38037	\$10,611.48	\$1,321.82	\$562.44

Owner Name: ICEBERG DEVELOPMENT GROUP LLC

If postmarked after 9/30, contact office.
Additional Interest & Penalties apply.

PENALTIES

PENALTY OF 1 1/2% PER MONTH ADDED
AFTER EACH INSTALLMENT DUE DATE.
ADDITIONAL \$10 ADDED AFTER DELINQUENT
NOTICE IS MAILED

Certified funds required for payments
tendered within 30 days of the
OCTOBER 27, 2017 tax sale.

TIF BASE	0
1977 EQUALIZED	0
SR FREEZE BASE	0
FAIR CASH VALUE	398,900
TOTAL ACRES	0.00
LAND VALUE	48,068
+ BUILDING VALUE	84,886
- HOME IMPROVEMENT	0
= ASSESSED VALUE	132,954
x STATE MULTIPLIER	1.0000
= EQUALIZED VALUE	132,954
- HOMESTEAD EXMPT	0
- SR CITZ EXMPT	0
- SR FREEZE EXMPT	0
- DISABLED VET EXMPT	0
- DIS VET HOMESTEAD	0
- DISABLED PER EXMPT	0
- RET VET HOMESTEAD	0
+ FARM LAND	0
+ FARM BUILDING	0
= NET TAXABLE VAL.	132,954
x TAX RATE	8.40435
= CURRENT TAX	\$11,173.92
+ DRAINAGE	
PRIOR SALE/FORF	NO
= TOTAL TAX DUE	\$11,173.92
- TOTAL TAX PAID	\$0.00
= TOTAL TAX DUE	\$11,173.92

1128

McLean County Real Estate Tax Bill

Parcel Number 21-04-408-001
Bill Number 2016-043542
Prior Sale/Forf NO

Second Installment Due Date	09/01/2017
Total Due 2nd Install	\$5,586.96

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
09/01/2017	5,586.96	83.80	5,670.76
09/30/2017	5,586.96	Contact Office	Contact Office

2016 PAYABLE 2017

Mail is processed by our bank processing center.
Mail Payments To:
MCLEAN COUNTY COLLECTOR
P.O. BOX 843637
KANSAS CITY, MO 64184-3637

2

ICEBERG DEVELOPMENT GROUP LLC
20 SANDSTONE CT
LE CLAIRE, IA 52753-9250

2



DUPLICATE

McLean County Real Estate Tax Bill

Parcel Number 21-04-408-001
Bill Number 2016-043542
Prior Sale/Forf NO

First Installment Due Date	06/01/2017
Total Due 1st Install	\$5,586.96

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
06/01/2017	5,586.96	83.80	5,670.76
07/01/2017	5,586.96	167.61	5,754.57
08/01/2017	5,586.96	251.41	5,838.37
09/01/2017	5,586.96	335.22	5,922.18
09/30/2017	5,586.96	Contact Office	Contact Office

2016 PAYABLE 2017

Mail is processed by our bank processing center.
Mail Payments To:
MCLEAN COUNTY COLLECTOR
P.O. BOX 843637
KANSAS CITY, MO 64184-3637

1

ICEBERG DEVELOPMENT GROUP LLC
20 SANDSTONE CT
LE CLAIRE, IA 52753-9250

1



DUPLICATE

McLEAN COUNTY ILLINOIS REAL ESTATE TAX BILL



REBECCA C. McNEIL
McLEAN COUNTY TREASURER/COLLECTOR
P.O. BOX 2400
115 E. WASHINGTON, RM M101
BLOOMINGTON, ILLINOIS 61702-2400
Ph (309) 888-5180 Fax (309) 888-5176
Office Hours: 8AM - 4:30PM, Mon. - Fri.
www.mcleancountyil.gov

Township: 40
Tax Code: 4001
Prop Use Code: 0060

Legal Description
EVANS ADD LOT 7 & 8 BLK 1

21-04-404-001

ICEBERG DEVELOPMENT GROUP LLC
20 SANDSTONE CT
LE CLAIRE, IA 52753-9250

Pay by credit card or Visa debit card
at www.mcleancountyil.gov/tax
or call 1-877-647-7238. (A fee applies.)



DUPLICATE

Taxing Body	Current Rate	Current Tax	Prior Rate	Prior Tax	Pension Amount	Difference
MCLEAN COUNTY	0.91399	\$42.72	0.91836	\$40.88	8.08	1.84
CITY OF BLOOMINGTON TOWNSHIP	0.12166	\$5.69	0.12433	\$5.53	0.00	0.16
CITY OF BLOOMINGTON	1.08363	\$50.65	1.07729	\$47.95	28.62	2.70
B-N WATER RECLAMATION DIST	0.17931	\$8.38	0.17446	\$7.77	1.20	0.61
BLM-NRM AIRPORT AUTH	0.12442	\$5.82	0.13572	\$6.04	0.32	-0.22
CUSD 87 BLOOMINGTON	5.13998	\$240.24	5.15877	\$229.62	8.23	10.62
CITY OF BLOOMINGTON LIBRARY	0.25296	\$11.82	0.25098	\$11.17	0.00	0.65
HEARTLAND COMM COLLEGE 540	0.58840	\$27.50	0.54046	\$24.06	0.00	3.44
Totals	8.40435	\$392.82	8.38037	\$373.02	\$46.45	\$19.80

Owner Name: ICEBERG DEVELOPMENT GROUP LLC

If postmarked after 9/30, contact office.
Additional Interest & Penalties apply.

PENALTIES

PENALTY OF 1 1/2% PER MONTH ADDED
AFTER EACH INSTALLMENT DUE DATE.
ADDITIONAL \$10 ADDED AFTER DELINQUENT
NOTICE IS MAILED

Certified funds required for payments
tendered within 30 days of the
OCTOBER 27, 2017 tax sale.

TIF BASE	0
1977 EQUALIZED	0
SR FREEZE BASE	0
FAIR CASH VALUE	14,020
TOTAL ACRES	0.00
LAND VALUE	4,674
+ BUILDING VALUE	0
- HOME IMPROVEMENT	0
= ASSESSED VALUE	4,674
x STATE MULTIPLIER	1.0000
= EQUALIZED VALUE	4,674
- HOMESTEAD EXMPT	0
- SR CITZ EXMPT	0
- SR FREEZE EXMPT	0
- DISABLED VET EXMPT	0
- DIS VET HOMESTEAD	0
- DISABLED PER EXMPT	0
- RET VET HOMESTEAD	0
+ FARM LAND	0
+ FARM BUILDING	0
= NET TAXABLE VAL.	4,674
x TAX RATE	8.40435
= CURRENT TAX	\$392.82
+ DRAINAGE	
PRIOR SALE/FORF	NO
= TOTAL TAX DUE	\$392.82
- TOTAL TAX PAID	\$0.00
= TOTAL TAX DUE	\$392.82

1127

McLean County Real Estate Tax Bill

Parcel Number 21-04-404-001
Bill Number 2016-043527
Prior Sale/Forf NO

Second Installment Due Date	09/01/2017
Total Due 2nd Install	\$196.41

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
09/01/2017	196.41	2.95	199.36
09/30/2017	196.41	Contact Office	Contact Office

2016 PAYABLE 2017

Mail is processed by our bank processing center.
Mail Payments To:
MCLEAN COUNTY COLLECTOR
P.O. BOX 843637
KANSAS CITY, MO 64184-3637

2

ICEBERG DEVELOPMENT GROUP LLC
20 SANDSTONE CT
LE CLAIRE, IA 52753-9250

2



DUPLICATE

McLean County Real Estate Tax Bill

Parcel Number 21-04-404-001
Bill Number 2016-043527
Prior Sale/Forf NO

First Installment Due Date	06/01/2017
Total Due 1st Install	\$196.41

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
06/01/2017	196.41	2.95	199.36
07/01/2017	196.41	5.89	202.30
08/01/2017	196.41	8.84	205.25
09/01/2017	196.41	11.78	208.19
09/30/2017	196.41	Contact Office	Contact Office

2016 PAYABLE 2017

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KANSAS CITY, MO 64184-3637

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ICEBERG DEVELOPMENT GROUP LLC
20 SANDSTONE CT
LE CLAIRE, IA 52753-9250

1



DUPLICATE

Iceberg Development Group, LLC

510 E. WASHINGTON DEVELOPMENT

510 EAST WASHINGTON
BLOOMINGTON, ILLINOIS

DRAWING INDEX

ARCHITECTURAL
A2.2 SITE PLAN
A2.1.0 BASEMENT FLOOR DEMOLITION PLAN
A2.1.1 FIRST FLOOR DEMOLITION PLAN
A2.1.2 SECOND FLOOR DEMOLITION PLAN
A2.1.3 THIRD FLOOR DEMOLITION PLAN
A1.0 BASEMENT FLOOR PLAN
A1.1 FIRST FLOOR PLAN
A1.2 SECOND FLOOR PLAN
A1.3 THIRD FLOOR PLAN
A1.4 FOURTH FLOOR PLAN
A3.1 EXTERIOR ELEVATIONS
A3.2 EXTERIOR ELEVATIONS
A3.3 ENLARGED PLANS
A5.1 WALL SECTIONS

APARTMENT TOTALS

UNIT TOTALS

APARTMENT TYPE	BASEMENT	FIRST	SECOND	THIRD	FOURTH	TOTAL
STUDIO	0	0	2	2	0	4
1 BEDROOM	0	3	13	13	0	30
2 BEDROOM	0	0	11	9	1	21
TOTAL PER FLOOR	0	3	26	42	1	80

PROPOSED AREAS (NET SQUARE FEET)

	BASEMENT	FIRST	SECOND	THIRD	FOURTH	TOTAL
RESIDENTIAL						
STUDIO (450 AVG)	0	0	800	800	0	1,600
1 BEDROOM (650 AVG)	0	1,950	8,415	7,680	0	21,465
2 BEDROOM (825 AVG)	0	0	8,800	7,320	0	16,120
MANAGER'S SUITE	0	0	0	0	1,155	1,155
COMMERCIAL	0	12,000	0	0	0	12,000
CIRCULATION	2,671	8,673	8,233	7,104	0	26,771
COMMON (GENERAL)	12,252	2,250	1,561	837	524	17,524
GYMNASIUM	6,591	3,000	0	0	0	9,591
AUDITORIUM	0	0	6,376	3,845	0	10,221
N.L.S. (NOT IN SCOPE)	20,443	0	0	0	0	20,443
TOTAL PER FLOOR	45,457	28,759	34,165	27,809	1,679	137,863

PROJECT IMAGE



LOCATION MAP



DEVELOPMENT TEAM

Developer:
Iceberg Development Group, LLC
PO Box 703
Normal, IL 61761

Architect:
Farnsworth Group, Inc.
David S. Leggett
200 W. College Street, Suite 301
Normal, IL 61761

Historic Preservation Consultant:
John D. Connor
MHA McNeel
33 West Jackson Boulevard, Suite 1142
Chicago, IL 60604

Financial Consultant:
Virginia Packer, President
LGD Lightgate Group
145 South
Dearborn St., Suite 1500A
Chicago, IL 60603

Blair Fife, Second Prince
Pioneer Property Management

PROJECT NO.: 0161438.00

Design Firm Registration #184001856

DATE: 2/24/2017

200 W. College Avenue, Suite 301 - Normal, Illinois 61761 - Phone: (309) 663-8436 / info@f-w.com

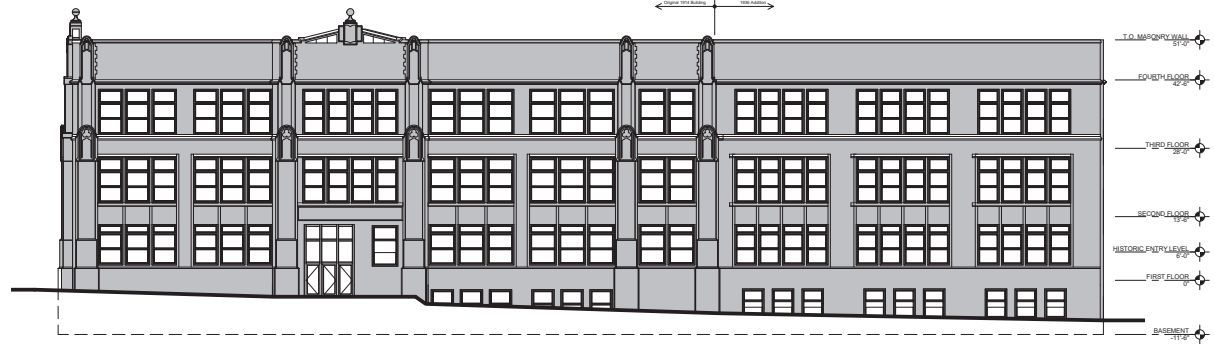


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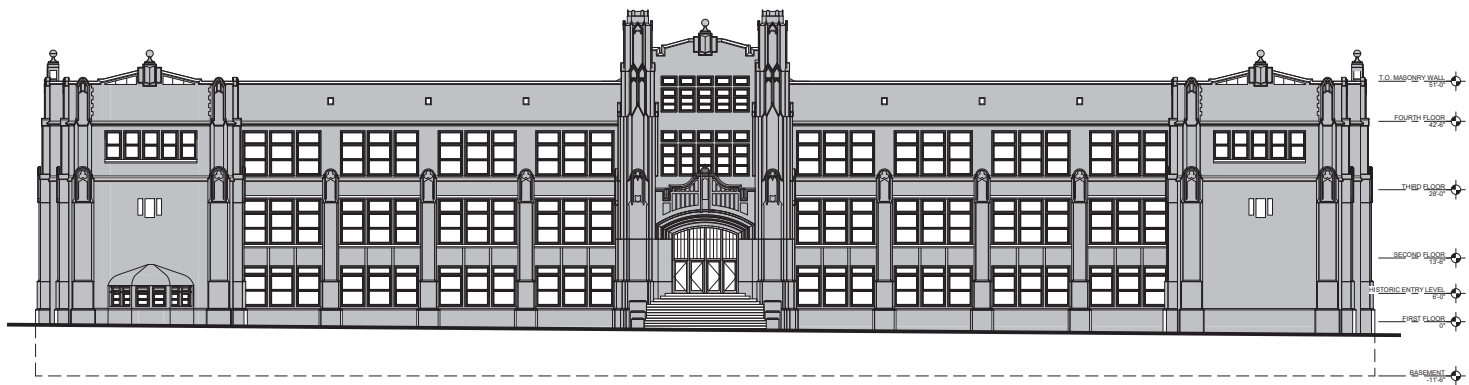
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DATE DESCRIPTION



2 EAST ELEVATION
Scale: 3/32" = 1'-0"



1 SOUTH ELEVATION
Scale: 3/32" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT
Iceberg Development Group, LLC

**510 E. WASHINGTON
DEVELOPMENT**

510 EAST WASHINGTON
BLOOMINGTON, ILLINOIS

DATE: 2/24/2017
DESIGNED/DRAWN: AMN/LRB
REVIEWED: DRL

SHEET TITLE
**EXTERIOR
ELEVATIONS**

SHEET NUMBER

A3.1

PROJECT NO. 0161438.00

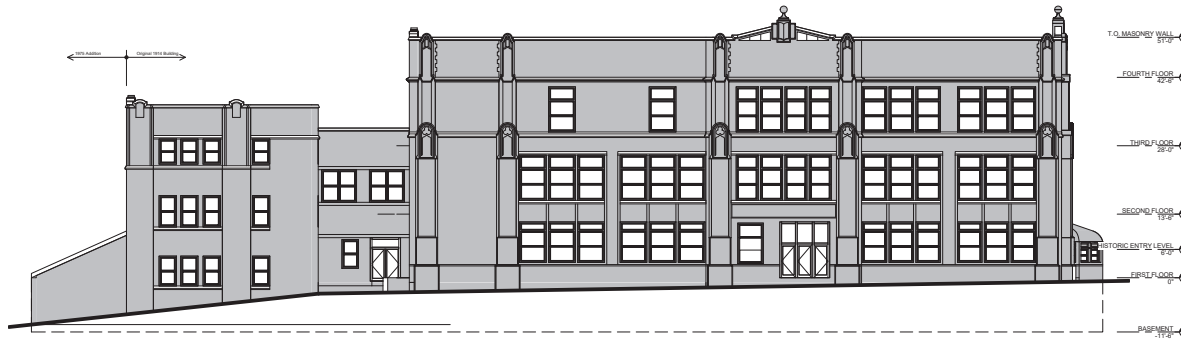


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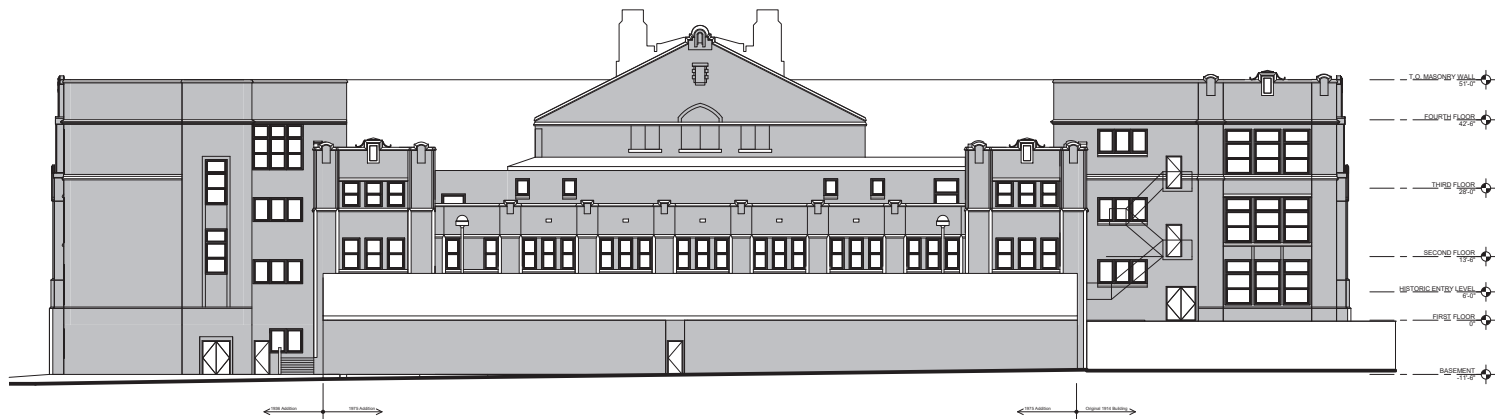
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2 WEST ELEVATION
Scale: 3/32" = 1'-0"



1 NORTH ELEVATION
Scale: 3/32" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT
Iceberg Development Group, LLC

**510 E. WASHINGTON
DEVELOPMENT**

510 EAST WASHINGTON
BLOOMINGTON, ILLINOIS

DATE: 2/24/2017
DESIGN/DRAWN: AMN/LRB
REVIEWED: DRL

SHEET TITLE
**EXTERIOR
ELEVATIONS**

SHEET NUMBER

A3.2

PROJECT NO. 0161438.00



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PRELIMINARY
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PROJECT
Iceberg Development Group, LLC

**510 E. WASHINGTON
DEVELOPMENT**

510 EAST WASHINGTON
BLOOMINGTON, ILLINOIS

DATE: 2/24/2017

DESIGN/DRAWN: AMN/LRB

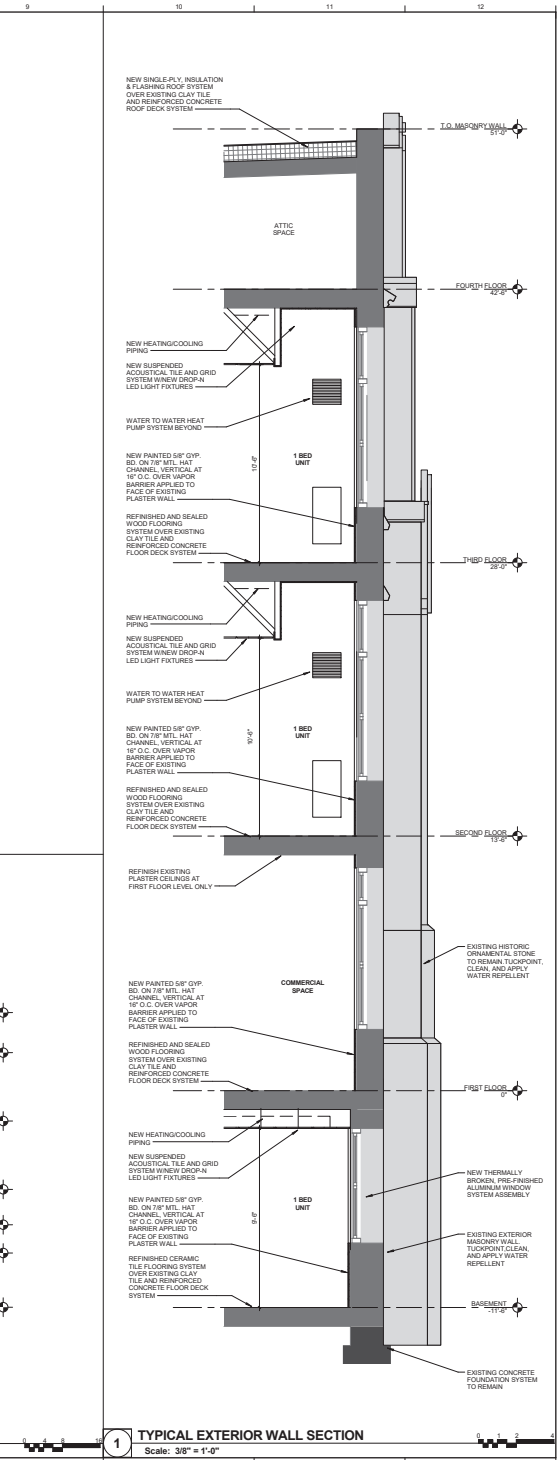
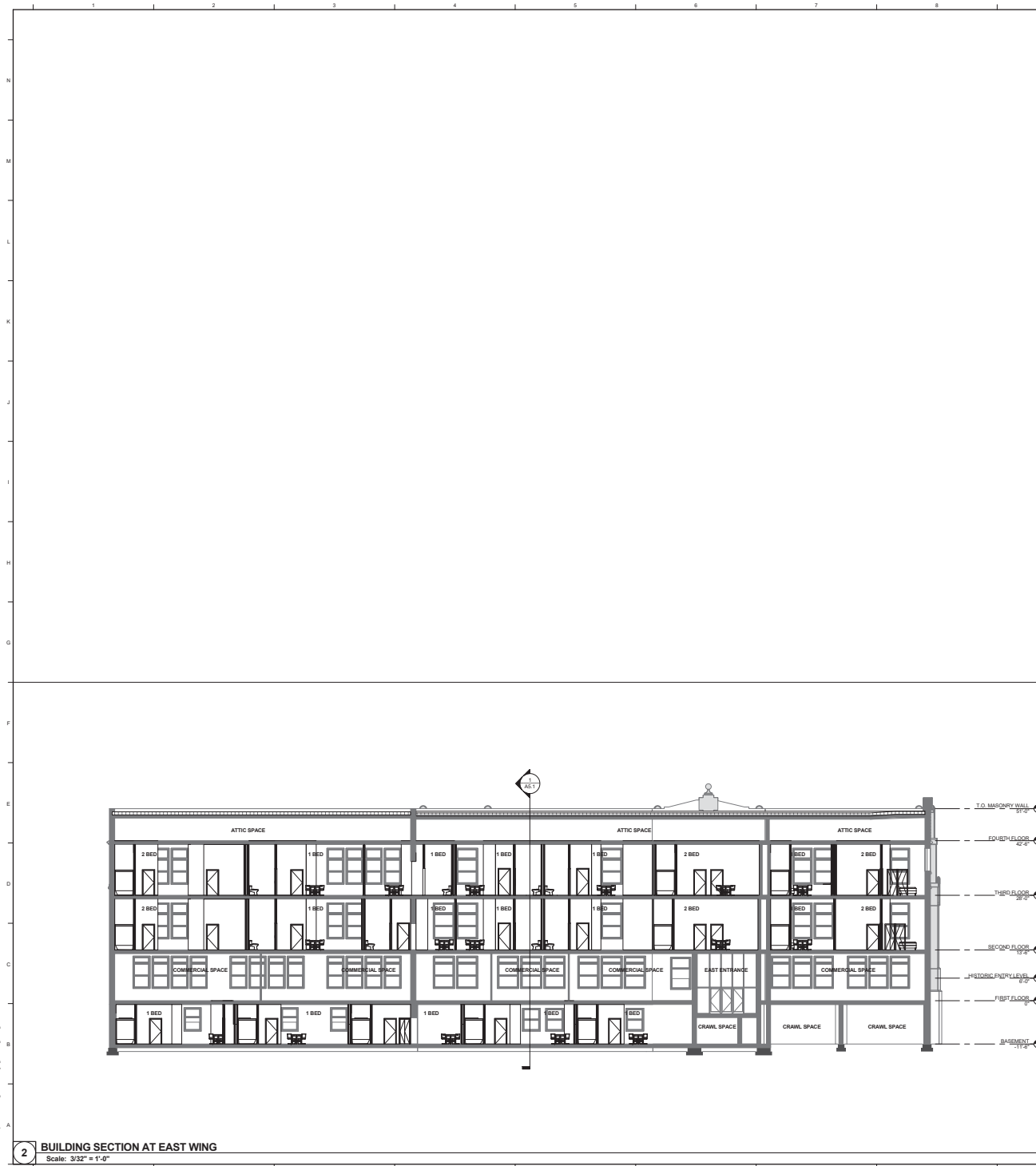
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SHEET TITLE
WALL SECTIONS

SHEET NUMBER

A5.1

PROJECT NO. 0161438.00



2/24/2017 10:17 AM
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PROJECT
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**510 E. WASHINGTON
DEVELOPMENT**

510 EAST WASHINGTON
BLOOMINGTON, ILLINOIS

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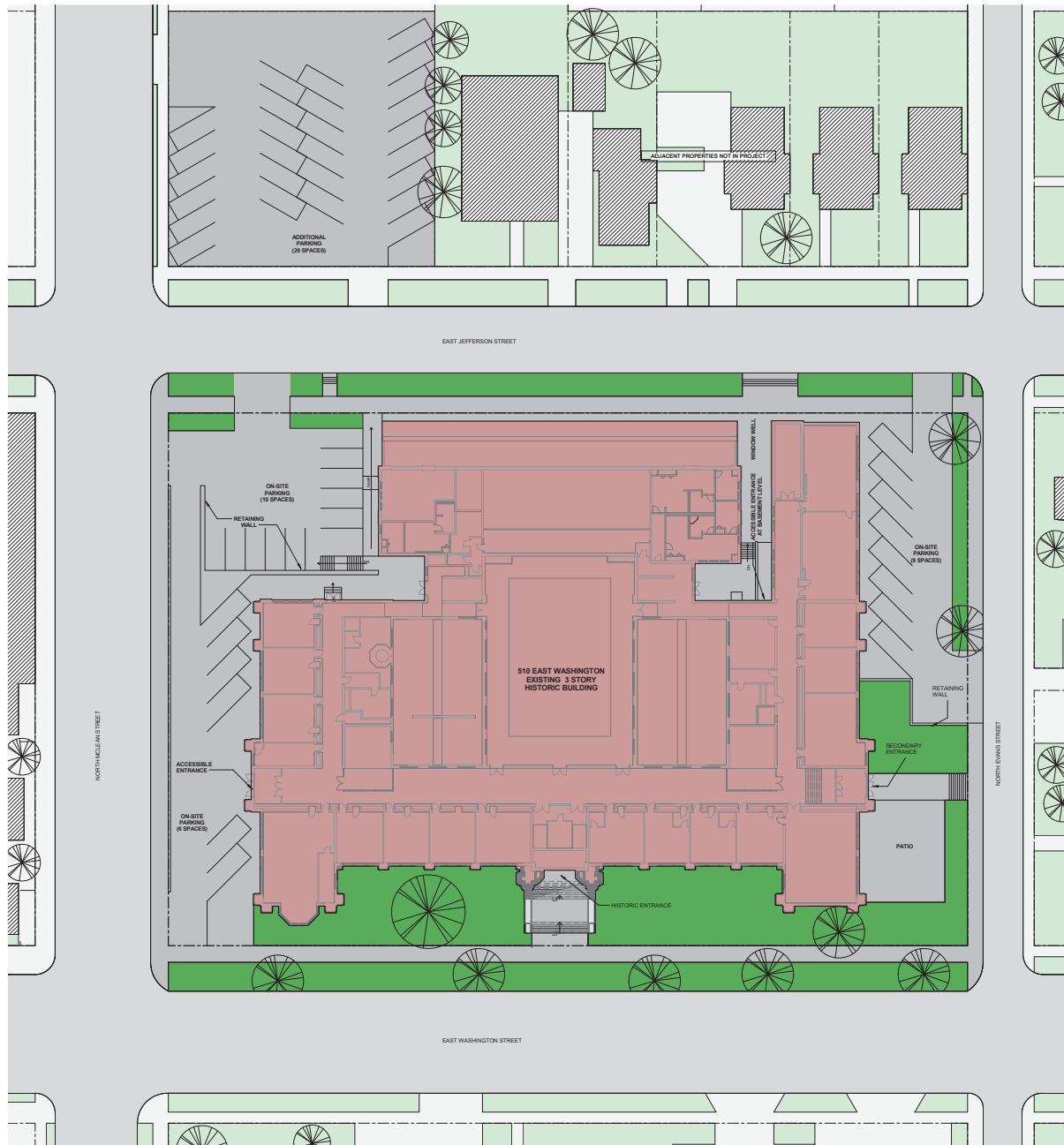
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SITE PLAN

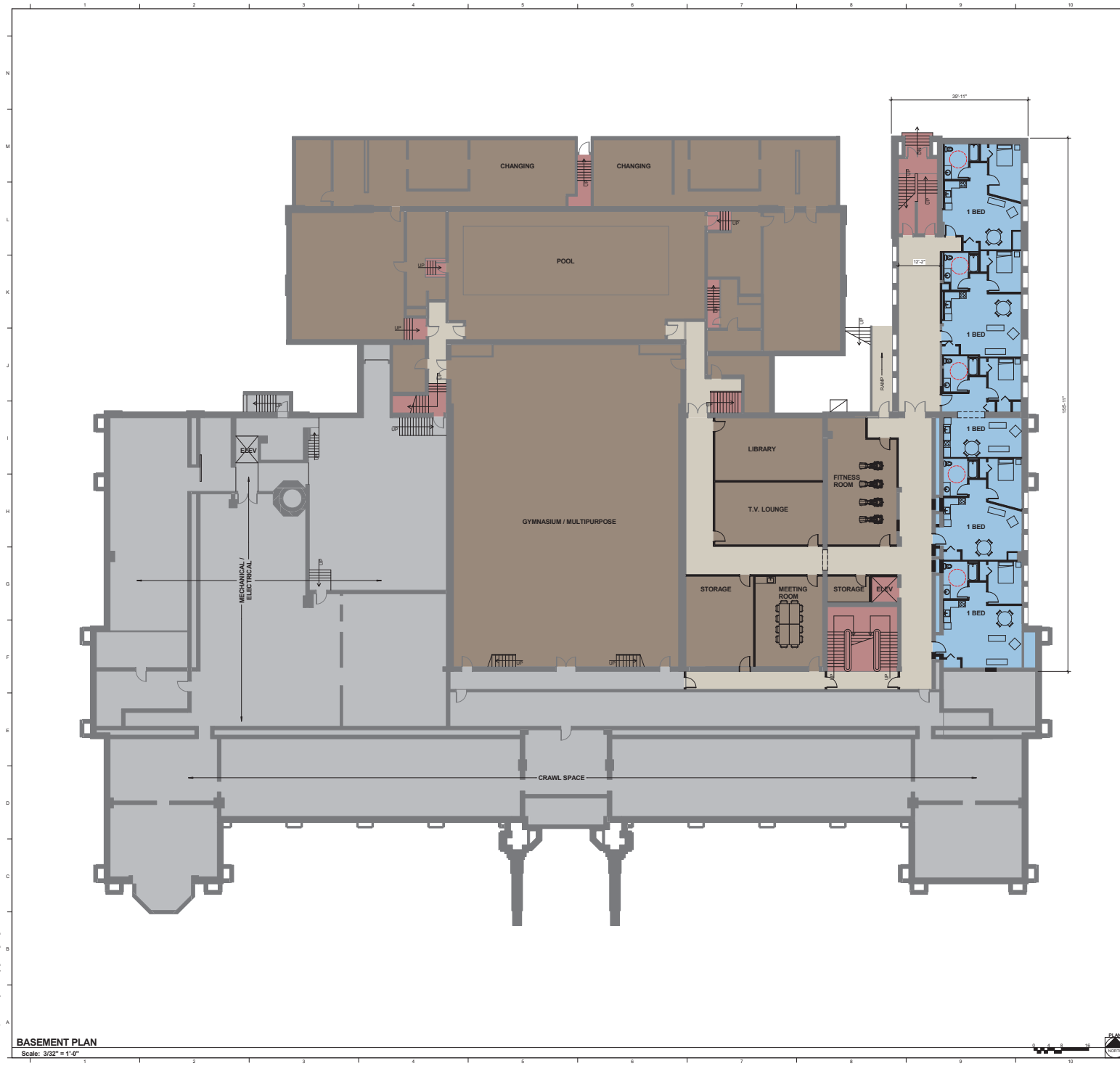
SHEET NUMBER

A0.2

PROJECT NO. 0161438.00



SITE PLAN
Scale: 1" = 20'-0"



ROOM LEGEND

STUDIO		
BASEMENT FLOOR	TOTAL: 0	
FIRST FLOOR	TOTAL: 0	
SECOND FLOOR	TOTAL: 2	
THIRD FLOOR	TOTAL: 2	
FOURTH FLOOR	TOTAL: 0	
	TOTAL: 4	
1 BED		
BASEMENT FLOOR	TOTAL: 5	
FIRST FLOOR	TOTAL: 3	
SECOND FLOOR	TOTAL: 13	
THIRD FLOOR	TOTAL: 12	
FOURTH FLOOR	TOTAL: 0	
	TOTAL: 33	
2 BED		
BASEMENT FLOOR	TOTAL: 0	
FIRST FLOOR	TOTAL: 0	
SECOND FLOOR	TOTAL: 11	
THIRD FLOOR	TOTAL: 9	
FOURTH FLOOR	TOTAL: 1	
	TOTAL: 21	
MANAGER'S SUITE		
COMMERCIAL		
CIRCULATION		
COMMON SPACES		
VERTICAL CIRCULATION		
MECHANICAL / ELECTRICAL STORAGE & OTHER		



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PROJECT
Iceberg Development Group, LLC

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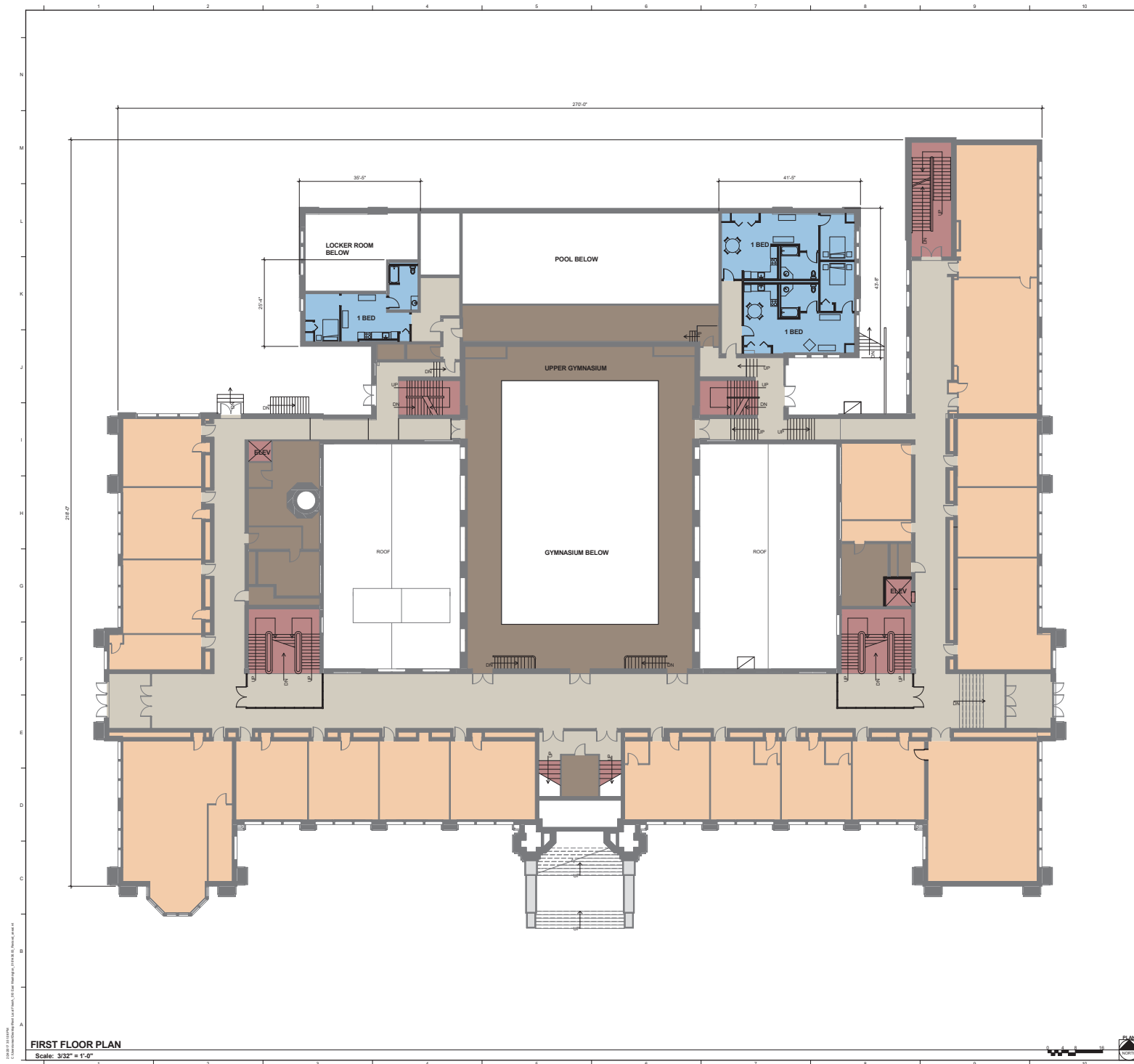
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SHEET TITLE
BASEMENT FLOOR
PLAN

SHEET NUMBER
A1.0

PROJECT NO. 0161438.00



ROOM LEGEND

	0 BED	
	BASEMENT FLOOR	TOTAL: 0
	FIRST FLOOR	TOTAL: 0
	SECOND FLOOR	TOTAL: 2
	THIRD FLOOR	TOTAL: 2
	FOURTH FLOOR	TOTAL: 0
	TOTAL: 4	
	1 BED	
	BASEMENT FLOOR	TOTAL: 5
	FIRST FLOOR	TOTAL: 3
	SECOND FLOOR	TOTAL: 13
	THIRD FLOOR	TOTAL: 12
	FOURTH FLOOR	TOTAL: 9
	TOTAL: 33	
	2 BED	
	BASEMENT FLOOR	TOTAL: 0
	FIRST FLOOR	TOTAL: 0
	SECOND FLOOR	TOTAL: 11
	THIRD FLOOR	TOTAL: 9
	FOURTH FLOOR	TOTAL: 1
	TOTAL: 21	
	MANAGER'S SUITE	
	COMMERCIAL	
	CIRCULATION	
	COMMON SPACES	
	VERTICAL CIRCULATION	
	MECHANICAL / ELECTRICAL STORAGE & OTHER	



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BLOOMINGTON, ILLINOIS

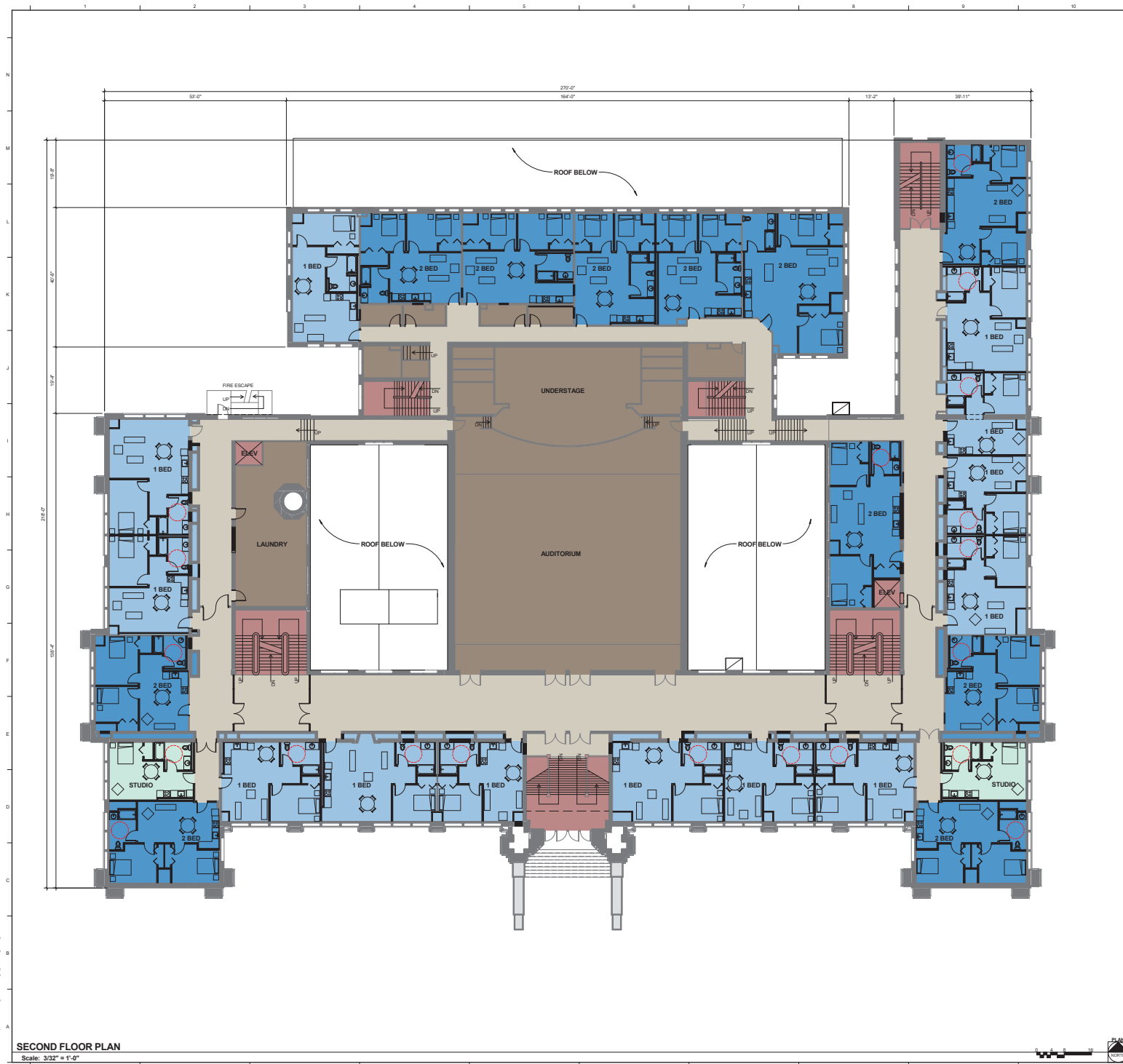
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SHEET TITLE
FIRST FLOOR PLAN

SHEET NUMBER

A1.1

PROJECT NO. 0161438.00



ROOM LEGEND

 STUDIO	
BASMENT FLOOR	TOTAL: 0
FIRST FLOOR	TOTAL: 0
SECOND FLOOR	TOTAL: 2
THIRD FLOOR	TOTAL: 0
FOURTH FLOOR	TOTAL: 0
	TOTAL: 2
 1 BED	
BASMENT FLOOR	TOTAL: 5
FIRST FLOOR	TOTAL: 3
SECOND FLOOR	TOTAL: 13
THIRD FLOOR	TOTAL: 12
FOURTH FLOOR	TOTAL: 0
	TOTAL: 33
 2 BED	
BASMENT FLOOR	TOTAL: 0
FIRST FLOOR	TOTAL: 0
SECOND FLOOR	TOTAL: 11
THIRD FLOOR	TOTAL: 9
FOURTH FLOOR	TOTAL: 1
	TOTAL: 21
 MANAGERS SUITE	
 COMMERCIAL	
 CIRCULATION	
 COMMON SPACES	
 VERTICAL CIRCULATION	
 MECHANICAL / ELECTRICAL STORAGE & OTHER	



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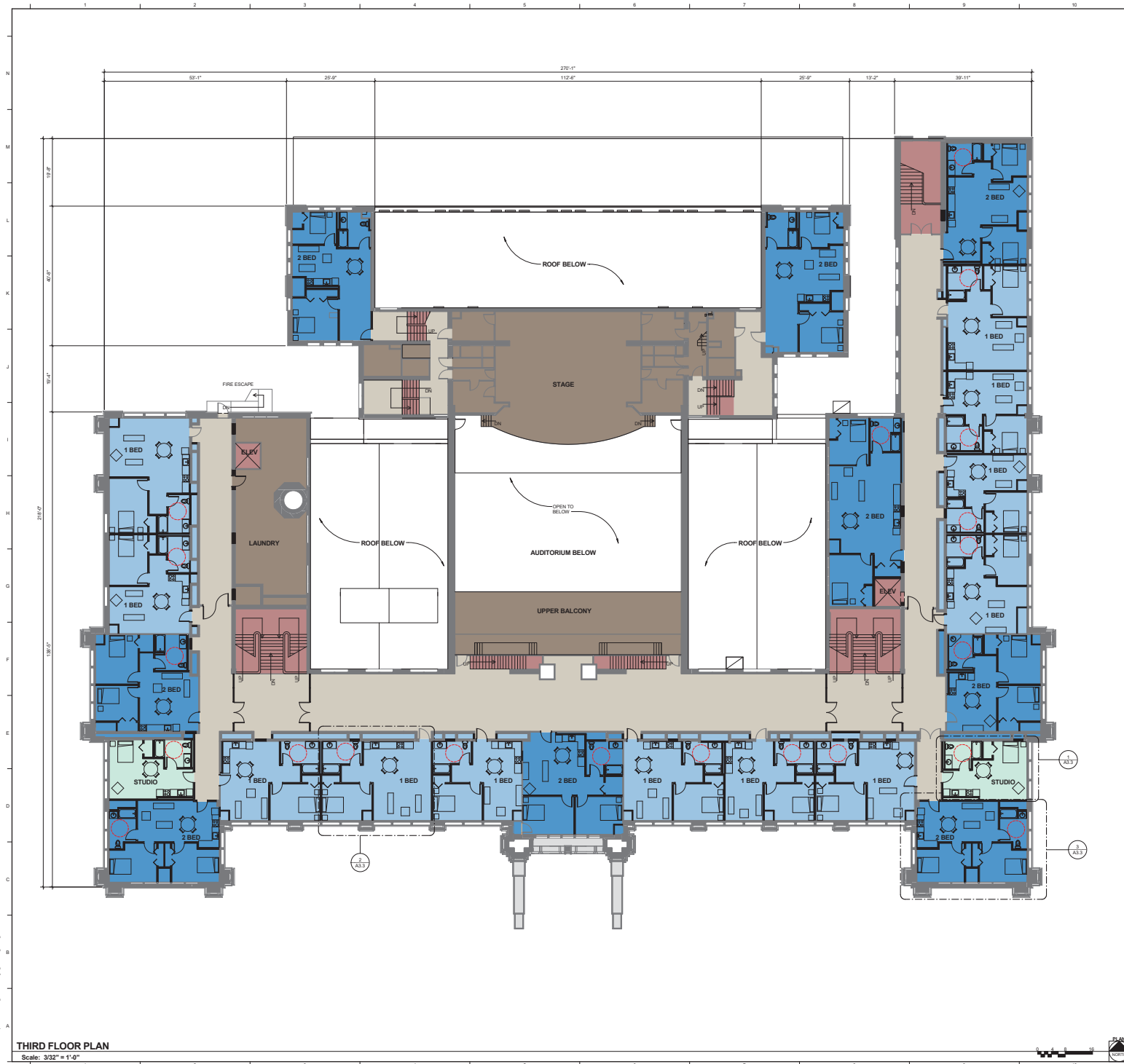
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SHEET TITLE
SECOND FLOOR PLAN

SHEET NUMBER
A1.2

PROJECT NO. 0161438.00



ROOM LEGEND

	STUDIO	
	1 BED	
	2 BED	
	MANAGERS SUITE	
	COMMERCIAL	
	CIRCULATION	
	COMMON SPACES	
	VERTICAL CIRCULATION	
	MECHANICAL / ELECTRICAL STORAGE & OTHER	

STUDIO	— TOTAL: 0
FIRST FLOOR	— TOTAL: 0
SECOND FLOOR	— TOTAL: 0
THIRD FLOOR	— TOTAL: 0
FOURTH FLOOR	— TOTAL: 0
TOTAL	0

1 BED	— TOTAL: 5
FIRST FLOOR	— TOTAL: 3
SECOND FLOOR	— TOTAL: 13
THIRD FLOOR	— TOTAL: 12
FOURTH FLOOR	— TOTAL: 9
TOTAL	37

2 BED	— TOTAL: 8
FIRST FLOOR	— TOTAL: 0
SECOND FLOOR	— TOTAL: 11
THIRD FLOOR	— TOTAL: 9
FOURTH FLOOR	— TOTAL: 1
TOTAL	21

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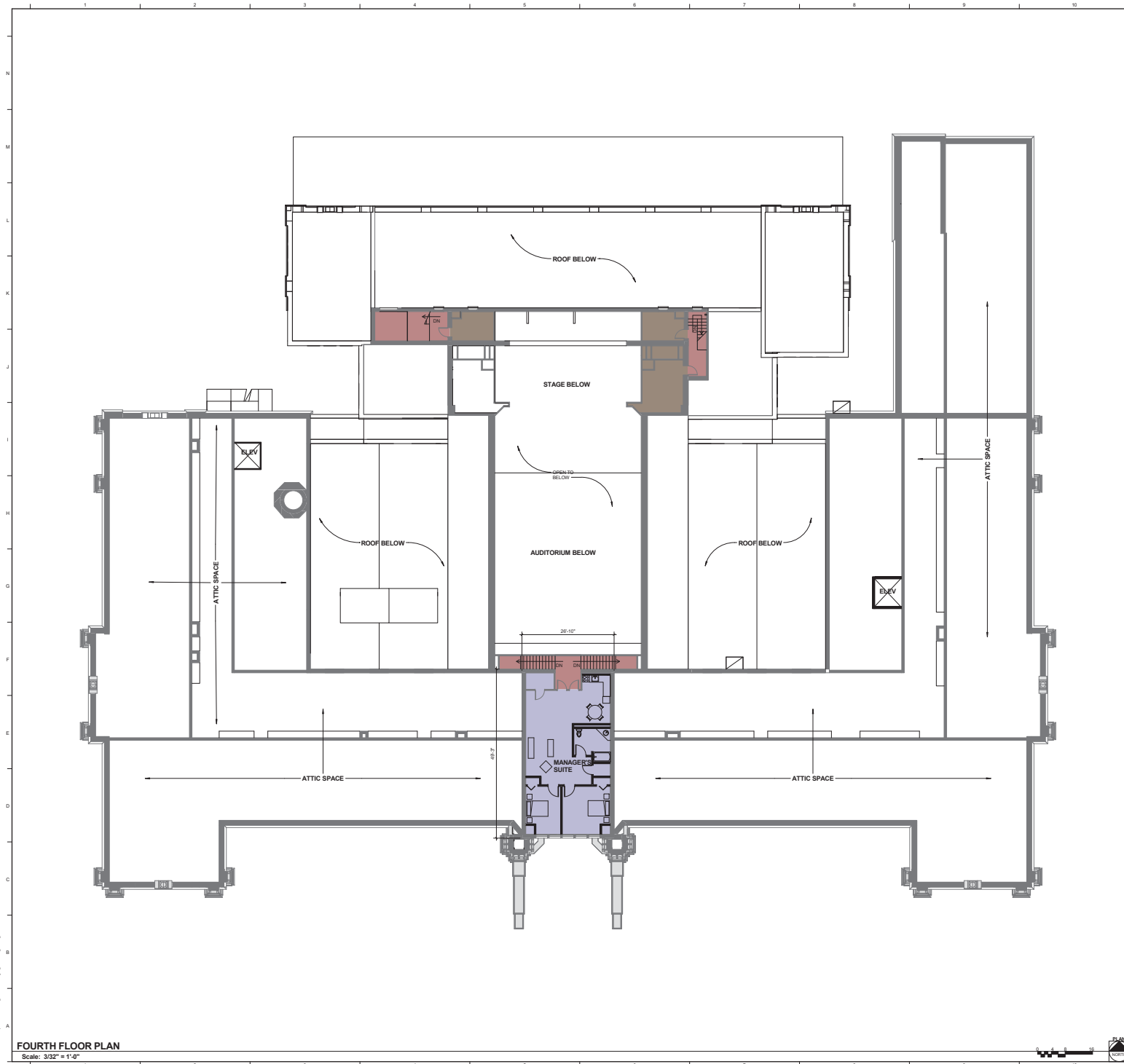
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THIRD FLOOR PLAN

A1.3

PROJECT NO. 0161438.00



ROOM LEGEND

	SUITE	
	BREASMENT FLOOR	TOTAL 0
	FIRST FLOOR	TOTAL 0
	SECOND FLOOR	TOTAL 2
	THIRD FLOOR	TOTAL 2
	FOURTH FLOOR	TOTAL 0
	TOTAL	4
	1 BED	
	BREASMENT FLOOR	TOTAL 5
	FIRST FLOOR	TOTAL 3
	SECOND FLOOR	TOTAL 13
	THIRD FLOOR	TOTAL 12
	FOURTH FLOOR	TOTAL 0
	TOTAL	33
	2 BED	
	BREASMENT FLOOR	TOTAL 0
	FIRST FLOOR	TOTAL 0
	SECOND FLOOR	TOTAL 11
	THIRD FLOOR	TOTAL 9
	FOURTH FLOOR	TOTAL 1
	TOTAL	21
	MANAGER'S SUITE	
	COMMERCIAL	
	CIRCULATION	
	COMMON SPACES	
	VERTICAL CIRCULATION	
	MECHANICAL / ELECTRICAL STORAGE & OTHER	



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 DESIGN/DRAWN: AMN/LRB
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SHEET TITLE
FOURTH FLOOR PLAN

SHEET NUMBER
A1.4

PROJECT NO. 0161438.00

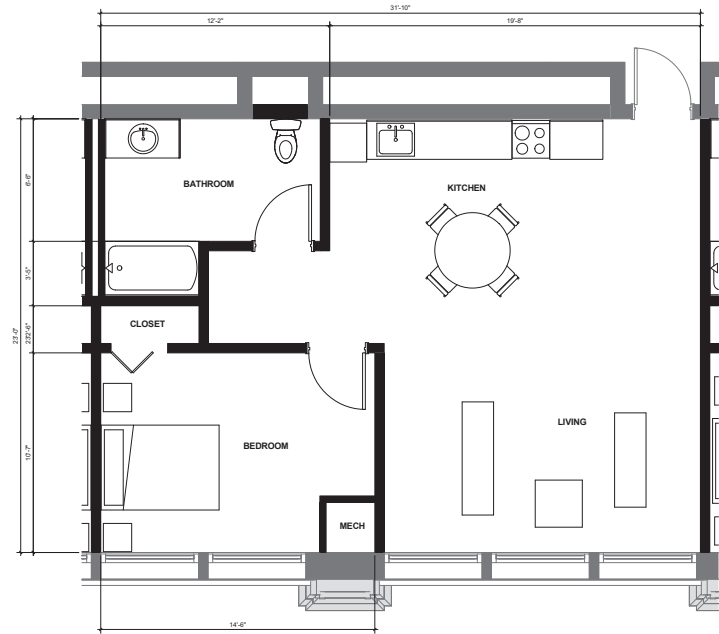


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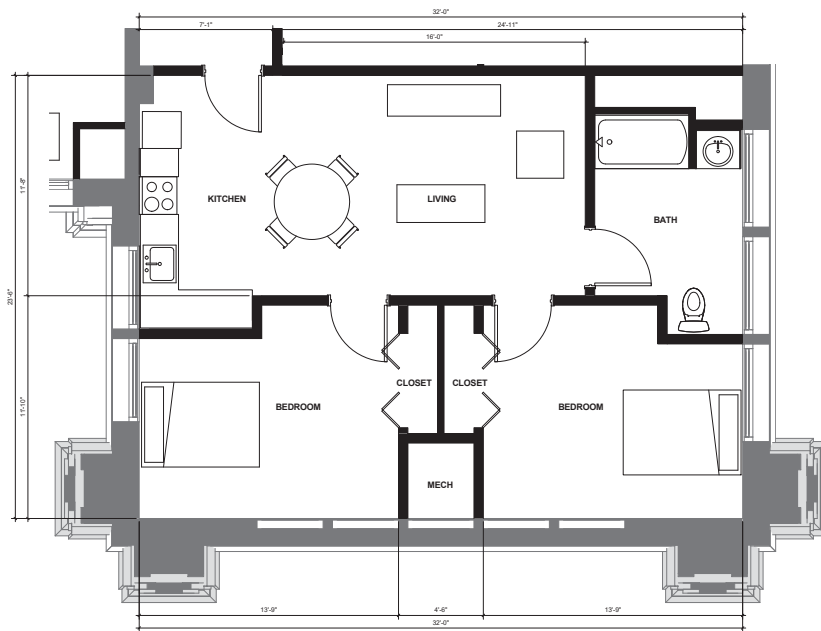
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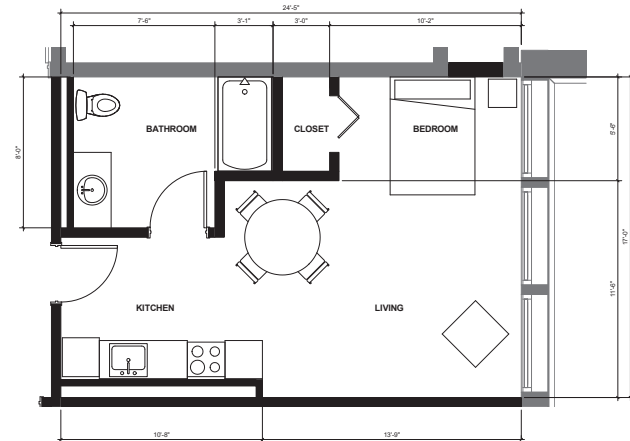
DATE DESCRIPTION



2 ENLARGED ONE BEDROOM UNIT - 720 SQ FT
Scale: 3/8" = 1'-0"



3 ENLARGED TWO BEDROOM UNIT - 750 SQ FT
Scale: 3/8" = 1'-0"



1 ENLARGED STUDIO UNIT - 400 SQ FT
Scale: 3/8" = 1'-0"

PRELIMINARY
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PROJECT
Iceberg Development Group, LLC

**510 E. WASHINGTON
DEVELOPMENT**

510 EAST WASHINGTON
BLOOMINGTON, ILLINOIS

DATE: 2/24/2017
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ENLARGED PLANS

SHEET NUMBER

A3.3

PROJECT NO. 0161438.00

MEMORANDUM

Re:	Iceberg Development Group, LLC Financial Incentive Application	To:	Austin Grammer, MBA Economic Development Coordinator City of Bloomington, IL
Date:	3/6/2017	From:	Mike Weber, Director PGAV Planners
		CC:	File 81270

PGAV has reviewed the Financial Incentive Application that the City received from Iceberg Development Group, LLC (the “Developer”), dated October 24 and 26, 2016, along with updated financial projections and other information submitted at various dates thereafter. We have the following comments and recommendations:

1. The Developer is fee title owner of two parcels of real estate that includes the former High School building located at 510 E. Washington and a parking lot located at 500 E. Jefferson (the “Property”).
2. The Developer proposes to renovate the building into a mixed-use facility with 59 apartments (58 rental units and 1 unit for a resident manager), office space and a private swimming pool (the “Project”). The apartments would be for affordable, age restricted (55 years and older), housing. The pool is located in the basement of the building and is currently operational. The building also contains a performing arts theater without fixed seating.
3. The total estimated project cost is approximately \$17.6 million of which approximately \$12.7 million (or 72%) is for hard construction costs. Included in the total project cost is a “developer fee” of approximately \$1.5 million (more on that later).
4. The Developer intends to structure the financing of the Project with private debt, syndicated historic tax credits and Low Income Housing Tax Credits (LIHTCs) from the Illinois Housing Development Authority (IHDA). These LIHTCs and historic tax credits are, in essence, the equity in the deal and represent approximately 79% of the total sources of funds (approximately \$14 million of the \$17.6 million total Project budget).

MEMORANDUM

5. The LIHTCs provide restrictions on the level of rents as well as limits on household incomes. The rent limit creates a very low margin income producing property compared to market rate housing developments. The tax credits used as equity in the Project enables the suppressed rent levels and, thus, provides an affordable housing option for households of limited financial means.
6. Because of the low margin of return, the Developer seeks to make a profit/return from the developer fee. In this case, the developer fee represents about 8.5% of the total project costs (approximately \$1.5 million of the \$17.6 million total cost). In our experience with projects involving TIF and LIHTCs, PGAV has witnessed typical developer fees of 10 to 11%. We understand developer fees at this level are standard practice in housing development projects involving LIHTCs. Note that in the instant case, the Developer is deferring a little over 50% of the developer fee (approximately \$771,000) and hopes to make it up on a positive cash flow from the project during the ensuing years.
7. In addition to the aforementioned sources of financing, **the Developer is requesting that the City establish a TIF district** that includes the Property. Once the TIF is created, the Developer requests that a TIF agreement be entered into between the Developer and the City that would **commit TIF financing on a “pay-as-you-go” basis**. The Developer is requesting a commitment of 90% of the tax increment generated by the Property (approximately \$48,500 of the total 1st year estimated total tax increment of \$54,000), proposed to be divided as follows:
 - a. 80% for reimbursing TIF eligible expenses incurred totaling approximately \$43,100 (e.g., building renovation costs); and
 - b. 10% for rental assistance to a limited number of households totaling approximately \$5,400.

With respect to the 80% share of tax increment, there would be more than enough TIF eligible expenses to reimburse. However, the rental assistance component is not a TIF eligible expense under the Illinois TIF Act. If the City were to agree to provide rental assistance, the funds for such would need to come from a different source of funds (e.g., potentially from the City’s General Fund as a grant to the Project).

The Developer is projecting over the life of a 23-year TIF (21 years of increment collection) a total of approximately \$1.55 million in tax increment. This projection has an initial tax liability of \$1,100 per apartment unit and has a growth factor in the

MEMORANDUM

anticipated taxes of 3.0% annually. PGAV's tax increment estimating model yielded approximately \$1.67 million total tax increment revenue over the life of a 23-year TIF district. PGAV's model used a valuation multiplier of 6% every quadrennial assessment year. In addition, it included value for the commercial/office portion of the project and a reduced value that would yield an initial year tax liability of approximately \$980 per apartment. The difference between the two projections was only \$120,000 over the life of the TIF. Therefore, **PGAV finds the Developer's projections to be reasonable.**

8. While TIF makes up a relatively small share of the overall project financing (approximately 8% of the annual gross effective income from the Project), it proves to be key to the project performing "in the black". Upon review of the latest pro-forma submitted by the Developer (received 2/23/17), not receiving annual TIF reimbursement payments puts the cash flow "in the red".
9. The process to secure LIHTCs from IHDA is very competitive. For every 10 applications to IHDA for such credits, only two or three applications are approved in each round. Therefore, it is important for the Developer's IHDA application to score as high as possible with respect to the IHDA's evaluation criteria. We understand from this incentive request, as well as from other LIHTC projects, that local financial support is critical. This proved to be the case in Moline and McLeansboro, Illinois, where municipal support through TIF wound up being important to securing extra evaluation points. Both applications were approved for LIHTCs. PGAV assisted McLeansboro with planning and TIF matters relating to the LIHTC application.

Conclusions and Recommendations:

1. To see a similar project, in terms of scope and financing, see <http://www.molinehighschoollofts.com>. This project is located in Moline, Illinois and involved the reuse of a former high school building. In addition, it involved the use of LIHTC's and tax increment financing.
2. One of the most critical components of financing this type of project is the Low Income Housing Tax Credits. LIHTC's represent the largest source of equity and percentage of total funding sources. However, other funding sources, including historic tax credits, debt financing, TIF and deferral of half of the developer fee will be critical to making the Project feasible.

MEMORANDUM

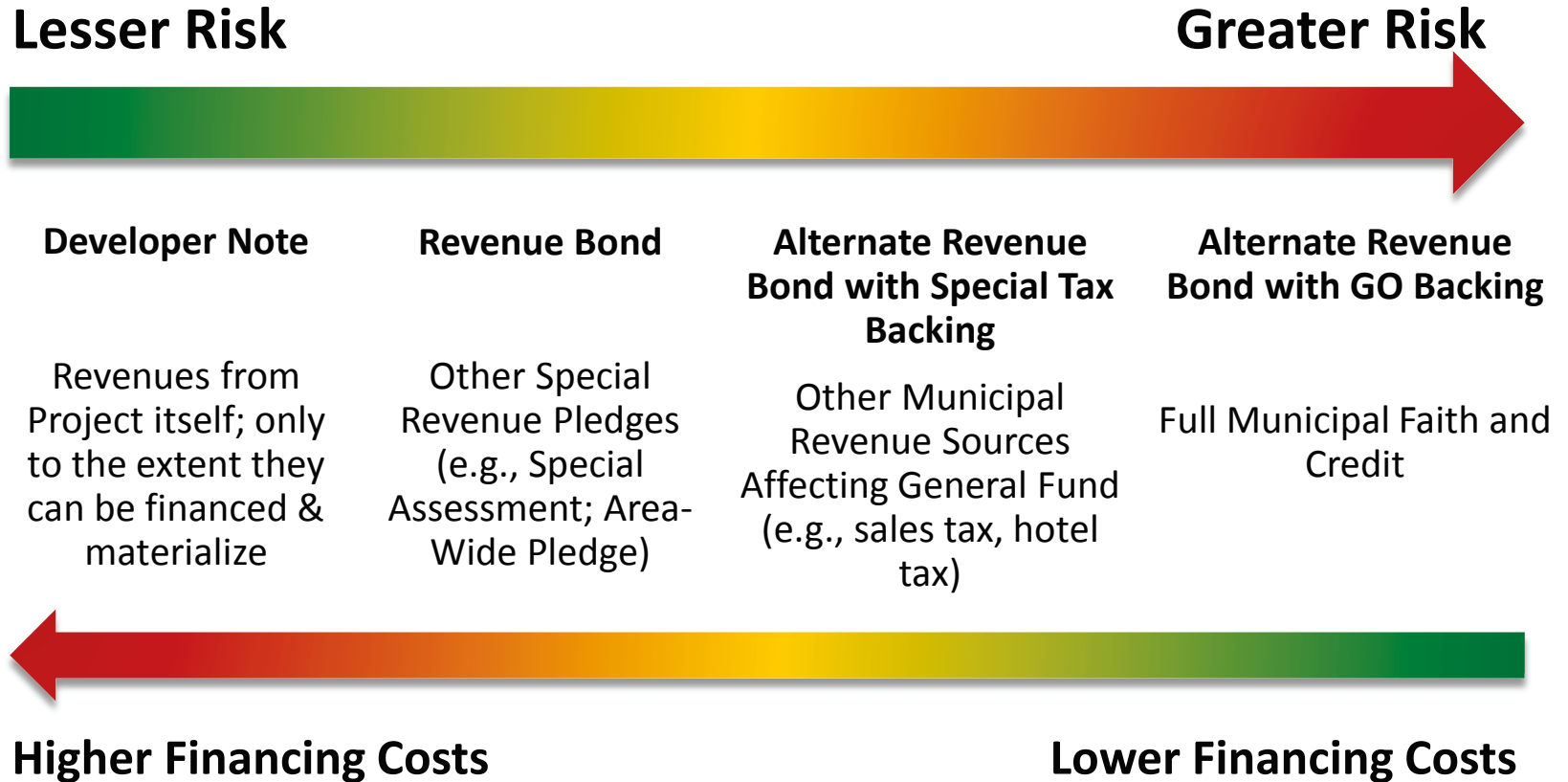
3. PGAV toured the subject Property on February 8, 2017 and our preliminary finding is that it would qualify under the definition of “conservation area” as defined in the TIF Act. Also, it appears that two other key findings under the TIF Act will be able to be made, including:
 - a. The Property has not been subject to growth and investment by private enterprise; and
 - b. The Property will not reasonably be anticipated to be developed (renovated) without the adoption of a TIF redevelopment plan.
4. The alternative would be not to establish a TIF district in support of the Project. If no tax credit or municipal support is offered for the proposed Project, we understand that the Developer will likely put the property up for sale. This would likely lead to the building remaining largely vacant and becoming further deteriorated. There are limited reuse options remaining for this Property.
5. We think that this Property is a prime candidate for TIF and clearly meets the objectives of the TIF Act. If this is the course the City chooses, we recommend the following:
 - a. Decide on the boundaries of the new TIF district. This could be a “project-driven” TIF involving just the two parcels owned by the Developer and adjoining street rights-of-way. If the City wishes to include other properties, we suggest that they include properties with near-term development/redevelopment potential.
 - b. The deadline for the second and final round of applications for LIHTC’s to IHDA is June 23, 2017. Therefore, time is of the essence. Note that there are over 10 weeks of statutorily prescribed timeframes (delays) built into the TIF Act. When taking into account the time required to prepare the TIF eligibility study and redevelopment plan documents, it can take four or more months to establish the TIF.
 - c. Concurrently with the process of establishing a TIF district, the City should negotiate the specific terms of a TIF incentive agreement to become effective when the TIF Plan is adopted and the TIF district is established. **PGAV recommends that the TIF portion of any incentive package be limited to 80% of the annual tax increment**

MEMORANDUM

generated by the project over the life of the TIF or \$1.3 million, whichever is less. The remaining 20% should be used for recovering the cost of setting up the TIF district, annual administration costs and public works improvements within the district (e.g., sidewalks, crosswalks, etc.). To the extent that 20% of the tax increment is more than needed for the aforementioned costs, it should be declared surplus and returned to the County Treasurer for distribution back to the affected taxing bodies.

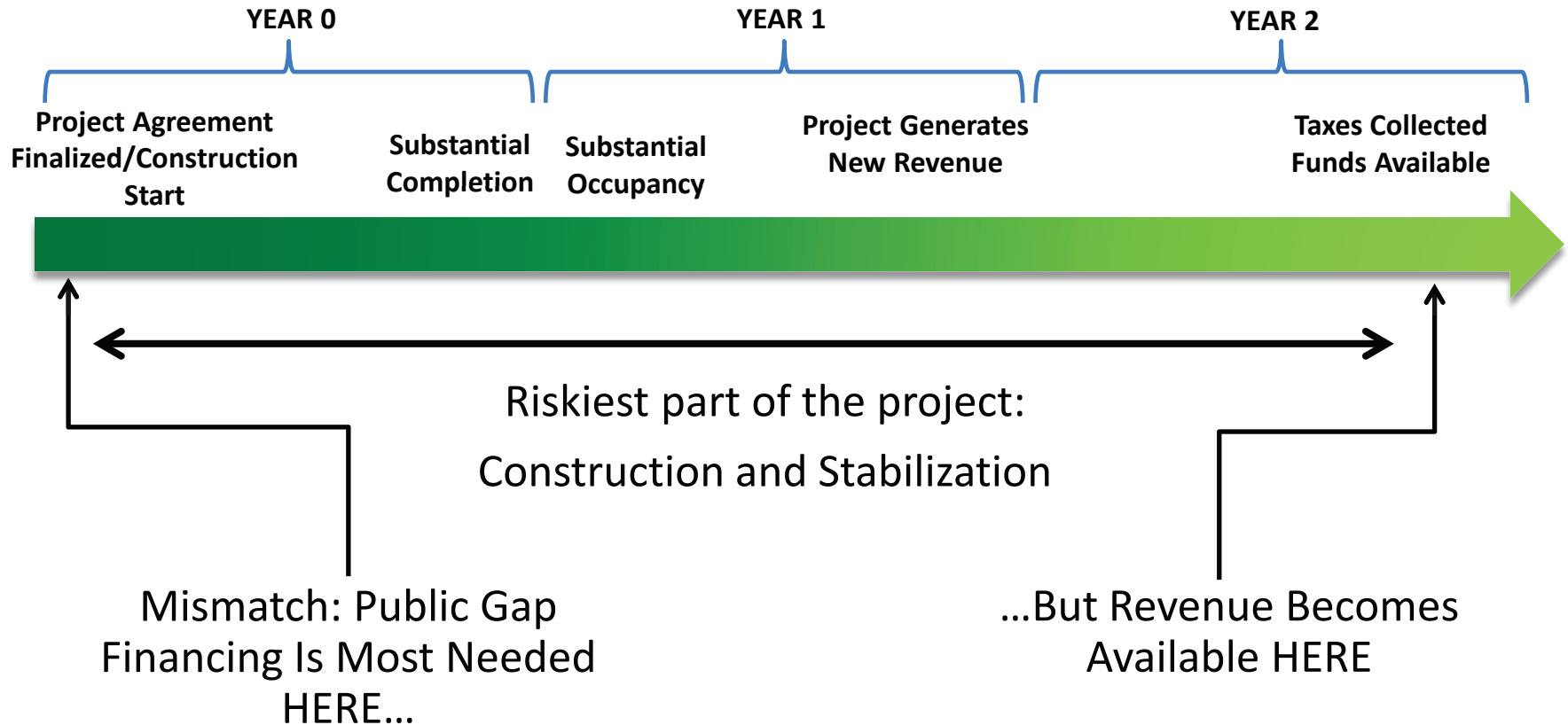
- d. It is the Developer's request that the City commit to financially support the **rental assistance program** in order to improve the Project's IHDA score to ensure the LIHC award. Since this not TIF eligible, **the City needs to decide if such will be added to the incentive package and the source of funding it.**

Municipal Risk Spectrum: Financing Mechanisms



Mixing approaches can balance risk and cost

Fundamental Timing Problem



Ordinance No. _____

**ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT BY AND AMONG
THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS AND JNB
BLOOMINGTON, LP AND TIF BLOOMINGTON, INC.**

WHEREAS, the City of Bloomington, McLean County, Illinois (the “*City*”) is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6a) of the Constitution of the State of Illinois of 1970; and,

WHEREAS, the Mayor and City Council of the City (the “*Corporate Authorities*”) have identified certain areas within the City’s boundaries where the existence of certain factors, such as obsolescence, deteriorating buildings, and deteriorating site improvements, if not addressed, will seriously impede the primary goals of the City to promote the health, safety and welfare of its citizens by encouraging private investment in order to enhance the City’s tax base, ameliorate blight and provide job opportunities for its residents; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the “*TIF Act*”) and the City’s authority and powers as a home rule unit, the Corporate Authorities are empowered to undertake the development and redevelopment of designated areas within the City’s municipal limits in which existing conditions permit such areas to be classified as a “blighted area” or a “conservation area” as defined in Section 11.74.4-3(a) of the TIF Act; and,

WHEREAS, the Corporate Authorities have authorized Peckham Guyton Alberts & Viets (“*PGAV*”) to conduct a feasibility study of certain properties within the corporate boundaries of the City (the “*Feasibility Study*”) in order to determine the eligibility of a specific area for designation as a “redevelopment project area” (the “*Proposed Project Area*”) pursuant to the provisions of the TIF Act; and,

WHEREAS, if the Feasibility Study demonstrates that the Proposed Project Area qualifies as a “redevelopment project area” under the TIF Act, the Corporate Authorities will authorize PGAV to prepare a redevelopment plan for the Proposed Project Area and thereafter proceed with the necessary steps to approve the redevelopment plan, designate the Proposed Project Area as a “redevelopment project area” and adopt tax increment financing therefor, all in accordance with the requirements of the TIF Act; and,

WHEREAS, JNB Bloomington, LP, an Illinois limited partnership (the “*Developer*”) owns certain property located within the Proposed Project Area and commonly known as 510 E. Washington St., Bloomington, Illinois (the “*Subject Property*”) and has advised the City that it is prepared to redevelop and renovate the Subject Property with an approximate investment of \$17,000,000.00 (the “*Project*”); and,

WHEREAS, the Developer has informed the City that its ability to proceed with the Project shall require financial assistance from the City for certain extraordinary costs to be incurred in connection with the Project and that it is willing to make certain commitments to the City regarding the Project contingent upon receipt of financial assistance from the City; and,

WHEREAS, TIF Bloomington, Inc., an Illinois corporation (the “*Corporation*”) is an owner of the Developer and will share in some of the costs and expenses relating to the Project in order for reimbursements made by the City to qualify as Internal Revenue Code Sec. 118 non-shareholder contributions to the capital of a corporation; and,

WHEREAS, in order to induce the Developer to proceed with the Project, the City is prepared to make certain commitments to the Developer, and, upon satisfaction by the Developer of its commitments, to reimburse the Developer via payments made to the Corporation for certain

costs incurred in connection with the required improvements to the Subject Property from revenues available to the City upon adoption of the TIF Act as applicable to the Subject Property; and,

WHEREAS, given the current condition of the Subject Property and the extraordinary costs necessary for redevelopment thereof, the Corporate Authorities believe that is in the best interests of the City and the health, safety, morals and welfare of its residents for the City to reimburse the Developer for certain costs to complete the Project in accordance with the terms and conditions as set forth in a redevelopment agreement.

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

Section 1. That the Redevelopment Agreement by and among the City of Bloomington, McLean County, Illinois and JNB Bloomington, LP and TIF Bloomington, Inc., attached hereto and made a part hereof, is hereby approved and the Mayor and City Clerk are hereby authorized to execute and deliver said Agreement and to undertake any and all actions as may be required to implement its terms on behalf of the City.

Section 2. This Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

PASSED this _____ day of _____, 2017.

APPROVED:

Mayor

AYES: _____

NAYS: _____

ABSENT: _____

Attest:

City Clerk

REDEVELOPMENT AGREEMENT
by and among
THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS
and
JNB BLOOMINGTON, LP and TIF BLOOMINGTON, INC.

(Former Bloomington High School at 510 E. Washington Street)

THIS REDEVELOPMENT AGREEMENT is entered into this ____ day of _____ 2017, by and among the City of Bloomington, McLean County, Illinois, an Illinois municipal corporation (the “*City*”), JNB Bloomington, LP, an Illinois limited partnership (the “*Developer*”), and TIF Bloomington, Inc., an Illinois corporation (the “*Corporation*”).

PREAMBLES

WHEREAS, the City is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6a) of the 1970 Constitution of the State of Illinois and as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, the Mayor and City Council of the City (the “*Corporate Authorities*”) have acknowledged that one of the primary goals of local government is to promote the health, safety and welfare of its citizens by encouraging private investment in industry, business and housing in order to enhance the City’s tax base, ameliorate blight and provide job opportunities for its residents; and,

WHEREAS, the Corporate Authorities have also acknowledged that in order to accomplish its goal to promote the health, safety and welfare of its citizens, there is often a need for economic assistance to address some of the extraordinary measures required to accomplish private investment in industry, business and housing; and,

WHEREAS, the City has identified certain areas within its municipal boundaries where the existence of certain factors, such as obsolescence, deteriorating buildings, and deteriorating site improvements, if not addressed, shall result in a disproportionate expenditure of public funds, decline of the City's tax base and loss of job opportunity for its residents; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the "*TIF Act*") and the City's authority and powers as a home rule unit, the Corporate Authorities are empowered to undertake the development and redevelopment of designated areas within its municipal limits in which existing conditions permit such areas to be classified as a "conservation area" or as a "blighted area" as defined in Section 11.74.4-3 of the TIF Act; and,

WHEREAS, the Corporate Authorities have authorized Peckham Guyton Alberts & Viets ("*PGAV*") to conduct a feasibility study within the corporate boundaries of the City (the "*Feasibility Study*") in order to determine the eligibility of a specific area for designation as a "redevelopment project area" (the "*Proposed Project Area*") pursuant to the provisions of the TIF Act; and,

WHEREAS, the Proposed Project Area includes real estate owned by the Developer and commonly known as 510 E. Washington St., Bloomington, Illinois formerly the Bloomington High School (the "*Subject Property*") legally described on *Exhibit A*; and,

WHEREAS, in the event the Feasibility Study demonstrates that the Proposed Project Area, including the Subject Property, qualifies as a "redevelopment project area" under the TIF Act, the Corporate authorities shall, thereafter, direct PGAV to proceed with the preparation of a redevelopment plan to set the goals and objectives of the City for the Proposed Project and all

other matters required by the TIF Act, and the Corporate Authorities shall then adopt the TIF Act for the benefit of the Proposed Project Area; and,

WHEREAS, the Developer, as the owner of the Subject Property, has advised the City that it is prepared to redevelop and renovate the Subject Property, as hereinafter described, and to invest approximately \$17,000,000 in the Subject Property; however, the Developer has also informed the City that its ability to proceed with the needed improvements to the Subject Property shall require financial assistance from the City for certain extraordinary costs to be incurred for such improvements; and,

WHEREAS, the Developer is prepared to make commitments to the City regarding the renovation and redevelopment of the Subject Property contingent upon receipt of financial assistance from the City; and,

WHEREAS, the Corporation is an owner of the Developer and will be sharing in some of the costs and expenses of the redevelopment and renovation of the Subject Property in order for the reimbursements made by the City as further described herein to qualify as Internal Revenue Code Sec. 118 non-shareholder contributions to the capital of a corporation; and,

WHEREAS, in order to induce the Developer to proceed with the needed improvements to the Subject Property, the City is prepared to make the commitments to the Developer, and, upon satisfaction of commitments, made by the Developer, to reimburse the Developer via payments made to the Corporation for certain costs incurred in connection with required improvements to the Subject Property from revenues available to the City upon the adoption of the TIF Act as applicable to the Subject Property, all as hereinafter set forth; and,

WHEREAS, given the current condition of the Subject Property, the Corporate Authorities believe that its renovation and redevelopment is in the best interest of the City and the health, welfare and prosperity of its residents.

NOW, THEREFORE, the parties hereto, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

Section 1. Incorporation of Recitals.

All of the recitals contained in the Preambles to this Agreement are hereby incorporated into this Agreement as if restated in this Section.

Section 2. Obligations of the Developer.

A. The Developer covenants and agrees to apply to the Illinois Housing Development Authority for Low Income Housing Tax Credits, in order to proceed with the Project as hereinafter defined, in the amount necessary to proceed with the Project, as hereinafter defined, and notify the City upon receipt of an award of such Low Income Housing Tax Credits, all being accomplished on or before December 31, 2018.

B. On or before April 15, 2019, the Developer shall have submitted to the City for its approval, detailed final construction plans to convert the Subject Property into approximately fifty-seven (57) age-restricted dwelling units (“*Residential Units*”) and additional commercial areas (the “*Commercial Space*”) (collectively, the “*Project*”).

C. On or before June 15, 2019, the Developer shall have commenced construction of the Project in accordance with all applicable City Codes and laws of the State of Illinois and have been issued a certificate of occupancy by the City for the Residential Units on or before August 15, 2020.

D. The Developer hereby covenants that, in addition to undertaking the improvements to the Commercial Space at the Subject Property to construct such signage as reasonably approved by the City in order to attract tenants with businesses compatible to the Residential Units.

E. The Developer covenants and agrees to maintain the Subject Property in accordance with all applicable City Codes and laws of the State of Illinois and to pay, when due, all fees, taxes, fines, or other amounts due to the City pursuant to its ordinances and City Code or due to the County or the State of Illinois.

F. Within thirty (30) days of execution of this Agreement, the Developer agrees to submit to the City an estimated budget for the Project and, upon completion of the Project and issuance of certificates of occupancy for the Residential Units, to submit to the City an itemized list, certified by the Developer, of all costs incurred by the Developer in connection with the Project totaling approximately \$17,000,000 (the “*Project Costs*”).

G. Developer commits that the Project will be performed in accordance with the Secretary of the Interior’s Standards for Rehabilitation, as determined by the National Park Service; and, following the completion of the Project, the National Park Service shall issue Historic Preservation Certification for the Subject Property. Developer shall provide the City with evidence of National Park Service Historic Preservation Certification for the Subject Property upon receipt.

H. The Developer covenants and agrees to comply with the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 *et seq.* (the “*Prevailing Wage Act*”), if and to the extent the Corporation’s receipt of funds from the City pursuant to this Agreement causes the Project to become subject to the Prevailing Wage Act in accordance with its terms.

Section 3. City's Obligations.

A. The City hereby covenants and agrees, upon determination that the Proposed Project Area qualifies for designation as a redevelopment project area under the TIF Act, which Proposed Project Area shall include the Subject Property, to promptly undertake all procedures as required to designate the Subject Property and the Proposed Project Area as a "Redevelopment Project Area" under the TIF Act. The Eligibility Study shall be completed within sixty (60) days of the execution of this Agreement.

B. Upon satisfaction of all of the commitments of the Developer as hereinabove set forth, the City hereby agrees to reimburse the Corporation for Redevelopment Project Costs as defined in the TIF Act in an amount equal to the lesser of: (i) 11.8% of the total Project Costs; or, (ii) \$1,300,000 payable from eighty percent (80%) of the Incremental Taxes (as hereinafter defined) generated by the Subject Property, in accordance with the conditions, limitations and procedures hereinafter set forth in Section 4. All such reimbursements shall be treated as Internal Revenue Code Sec. 118 non-shareholder contributions to the capital of the Corporation, which capital contributions shall in turn be either loaned to or contributed to the capital of the Developer by the Corporation.

For purposes of this Agreement "Incremental Taxes" shall mean the amount of ad valorem taxes, if any, paid in respect of the Subject Property and its improvements which is attributable to the increase in the equalized assessed value ("EAV") of the Subject Property and its improvements over the initial equalized value of the Subject Property at the time of the establishment of the initial EAV by McLean County calculated in accordance with the TIF Act.

C. Upon approval of this Redevelopment Agreement, the Mayor of the City of Bloomington will submit a letter endorsing the Project to the Illinois Housing Development Authority, as may be requested by the Developer.

D. As a Rental Assistance Program financed by the City for the Project is a key component to the success of the Project, within 20 business days after the adoption of this Redevelopment Agreement, the City commits to make a good faith effort to begin negotiations with the Developer to enter in into a separate agreement for the City to financially support a Rental Assistance Program that would be targeted to four (4) residential units in the Project at the Subject Property for a period of ten (10) years.

Section 4. Pledged Funds.

(a) Upon adoption of the TIF Act, the City shall establish a special tax allocation fund for the Proposed Project Area, as required by the TIF Act (the “STAF”) into which the City shall deposit Incremental Taxes as received from the Project Area as a result of the adoption of the TIF Act.

(b) On December 1 of each year (or, if later, that date which is ten (10) days following the date upon which the City receives Incremental Taxes from the final installment of real estate taxes), eighty percent (80%) of the Incremental Taxes with respect to the Subject Property shall be transferred and deposited into the JNB Bloomington Subaccount of the STAF (which Subaccount shall be automatically created by the ordinance approving this Agreement) and used solely to reimburse the Corporation for approved Redevelopment Project Costs in accordance with this Agreement.

Section 5. Procedures for and Application of Reimbursement to the Developer.

(a) The Developer or the Corporation shall advance all funds and all costs necessary to construct and complete the Project.

(b) So long as no notice of default has been issued and is outstanding, the Developer shall submit to the City Manager a written statement in the form attached to this Agreement as *Exhibit B* (a “*Request for Reimbursement*”) setting forth the amount of payment and the specific Redevelopment Project Costs for which reimbursement is sought, accompanied by such bills, paid receipts, contracts, invoices, lien waivers or other evidence as the City Manager shall reasonably require to evidence the right of the Corporation to reimbursement. All receipts shall contain the date of service, type of service, location of service, amount due, name/address/telephone number of the service provider and other information as necessary to establish the identity of the provider, type of service and amount invoice/paid. The City Manager or his designated agent shall have twenty (20) days after receipt of any Request for Reimbursement from the Developer to approve or disapprove any of the expenditures for which reimbursement is sought. If said Request for Reimbursement is not approved, the City Manager shall provide to the Developer a written explanation setting forth the reason or reasons for the denial. Provided, however, the only reasons for disapproval of any expenditure for which reimbursement is sought shall be that (i) such expenditure is not a Redevelopment Project Cost under the TIF Act; (ii) such expenditure is not an expenditure included in the itemized list of Project Costs submitted by the Developer pursuant to Section 2(E) hereof; (iii) such expenditure was not incurred and the construction was not completed by the Corporation in accordance with the Legal Requirements (as hereinafter defined) and the provisions of this Agreement, including without limitation all permits issued by the City; or (iv) there is an outstanding notice of default for failure to comply with the Legal Requirements and/or the provisions of this Agreement. In

the event the Request for Reimbursement is approved, reimbursement shall be made to the Corporation from funds available in the JNB Bloomington Subaccount. To the extent funds in the JNB Bloomington Subaccount are not sufficient to pay the total amount requested, such unpaid amount shall be paid upon the next deposit of Incremental Taxes into the JNB Bloomington Subaccount but only in the event no notice of default has been issued and remains outstanding. Reimbursement to the Corporation shall continue on an annual basis until the Termination Date as defined in Section 7 hereof.

(c) For purposes of this Agreement, Legal Requirements shall mean all applicable ordinances, regulations and laws of the City, State and Federal government, all permits, licenses and the terms of this Agreement.

Section 6. Remedies – Liability.

(a) If, in the City's judgment, the Developer is in material default of this Agreement, the City shall provide the Developer with a written statement indicating in adequate detail any failure on the Developer's part to fulfill its obligations under this Agreement. Except as required to protect against further damages, the City may not exercise any remedies against the Developer in connection with such failure until thirty (30) days after giving such notice. A default not cured as provided above shall constitute a breach of this Agreement, unless the City grants the Developer additional time to accomplish the cure. Any failure or delay by the City in asserting any of its rights or remedies as to any default or alleged default or breach shall not operate as a waiver of any such default or breach of any rights or remedies it may have as a result of such default or breach.

(b) If the Developer materially fails to fulfill its obligations under this Agreement after notice is given by the City and any cure periods described in paragraph (a) above have

expired, the City may elect to exercise any right or remedy it may have at law or in equity, including the right to specifically enforce the terms and conditions of this Agreement. If any voluntary or involuntary petition or similar pleading under any section or sections of any bankruptcy or insolvency act shall be filed by or against the Developer, or any voluntary or involuntary proceeding in any court or tribunal shall be instituted to declare the Developer insolvent or unable to pay the Developer's debts, or the Developer makes an assignment for the benefit of its creditors, or a trustee or receiver is appointed for the Developer or for the major part of the Developer's property, the City may elect, to the extent such election is permitted by law and is not unenforceable under applicable federal bankruptcy laws, but is not required, with or without notice of such election and with or without entry or other action by the City, to forthwith terminate this Agreement.

(c) If, in the Developer's judgment, the City is in material default of this Agreement, the Developer shall provide the City with a written statement indicating in adequate detail any failure on the City's part to fulfill its obligations under this Agreement. The Developer may not exercise any remedies against the City in connection with such failure until thirty (30) days after giving such notice. A default not cured shall constitute a breach of this Agreement. Any failure or delay by the Developer in asserting any of its rights or remedies as to any default or any alleged default or breach shall not operate as a waiver of any such default or breach of any rights or remedies it may have as a result of such default or breach.

(d) In addition to any other rights or remedies, a party may institute legal action against the other party to cure, correct or remedy any default, or to obtain any other remedy consistent with the purpose of this Agreement, either at law or in equity, including, but not limited to the equitable remedy of an action for specific performance; provided, however, no

recourse under or upon any obligation contained herein or for any claim based thereon shall be had against the City, its officers, agents, attorneys, representatives or employees in any amount or in excess of any specific sum agreed to be paid by the City hereunder, and no liability, right or claim at law or in equity shall be attached to or incurred by the City, its officers, agents, attorneys, representatives or employees in any amount in excess of any specific sums agreed by the City to be paid hereunder and any such claim is hereby expressly waived and released as a condition of and as consideration for the execution of this Agreement by the City. Notwithstanding the foregoing, in the event either party shall institute legal action against the other party because of a breach of any agreement or obligation contained in this Agreement, the prevailing party shall be entitled to recover all costs and expenses, including reasonable attorneys' fees, incurred in connection with such action.

Section 7. Term.

Unless earlier terminated pursuant to Section 6, the term of this Agreement shall commence on the date of execution and end upon the earlier of: (i) payment to the Corporation of an amount equal to the lesser of 11.8% of the Project Costs or \$1,300,000; or, (ii) December 31, 2041 (the "*Termination Date*").

Section 8. Verification of Tax Increment, Verification of City Sales Taxes.

The Developer shall use its best efforts to cooperate with the City in obtaining copies of all real estate tax bills for the Subject Property payable in 2017, and paid in each subsequent year during the term of this Agreement for the Subject Property.

Section 9. Time; Force Majeure.

Time is of the essence of this Agreement, provided, however, a party shall not be deemed in material breach of this Agreement with respect to any obligations of this Agreement on such

party's part to be performed if such party fails to timely perform the same and such failure is due in whole or in part to any strike, lock-out, labor trouble (whether legal or illegal), civil disorder, inability to procure materials, wet soil conditions, failure or interruptions of power, restrictive governmental laws and regulations, condemnations, riots, insurrections, war, fuel shortages, accidents, casualties, floods, earthquakes, fires, acts of God, epidemics, quarantine restrictions, freight embargoes, acts caused directly or indirectly by the other party (or the other party's agents, employees or invitees) or similar causes beyond the reasonable control of such party ("*Force Majeure*"). If one of the foregoing events shall occur or either party shall claim that such an event shall have occurred, the party to whom such claim is made shall investigate same and consult with the party making such claim regarding the same and the party to whom such claim is made shall grant any extension for the performance of the unsatisfied obligation equal to the period of the delay, which period shall commence to run from the time of the commencement of the Force Majeure; provided that the failure of performance was caused by such Force Majeure.

Section 10. Assignment.

This Agreement may not be assigned by the Developer without the prior written consent of the City, which consent shall not be unreasonably withheld.

Section 11. Developer's Indemnification.

The Developer shall indemnify and hold harmless the City, its agents, officers and employees against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, costs and expenses (including any liabilities, judgments, costs and expenses and reasonable attorney's fees) which may arise directly or indirectly from the failure of the Developer or the Corporation or any contractor, subcontractor or agent or employee thereof (so long as such contractor,

subcontractor or agent or employee thereof is hired by the Developer or the Corporation) to timely pay any contractor, subcontractor, laborer or materialman; from any default or breach of the terms of this Agreement by the Developer or the Corporation; or from any negligence or reckless or willful misconduct of the Developer or the Corporation or any contractor, subcontractor or agent or employee thereof (so long as such contractor, subcontractor or agent or employee is hired by the Developer or the Corporation). The Developer shall, at its own cost and expense, appear, defend and pay all charges of attorneys, costs and other expenses arising therefrom or incurred in connection therewith. If any judgment shall be rendered against the City, its agents, officers, officials or employees in any such action, the Developer shall, at its own expense, satisfy and discharge the same. This paragraph shall not apply, and the Developer shall have no obligation whatsoever, with respect to any acts of negligence or reckless or willful misconduct on the part of the City or any of its officers, agents, employees or contractors.

Section 12. Waiver.

Any party to this Agreement may elect to waive any remedy it may enjoy hereunder, provided that no such waiver shall be deemed to exist unless the party waiving such right or remedy does so in writing. No such waiver shall obligate such party to waive any right or remedy hereunder, or shall be deemed to constitute a waiver of other rights and remedies provided said party pursuant to this Agreement.

Section 13. Severability.

If any section, subsection, term or provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of this Agreement or the application of same to parties

or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby.

Section 14. Notices.

All notices, demands, requests, consents, approvals or other instruments required or permitted by this Agreement shall be in writing and shall be executed by the party or an officer, agent or attorney of the party, and shall be deemed to have been effective as of the date of actual delivery, if delivered personally, or as of the third (3rd) day from and including the date of posting, if mailed by registered or certified mail, return receipt requested, with postage prepaid, addressed as follows:

***To the Developer or
The Corporation*** : Jim Bergman
2205 Kimberly Road - Office
Bettendorf, Iowa 52722

With a copy to: Robert T. LeSage
226 West River Street, P. O. Box 404
Dixon, Illinois 61021

To the City : City Manager
City of Bloomington
109 East Olive Street
Bloomington, Illinois 61702

With a copy to : Kathleen Field Orr
Kathleen Field Orr & Associates
53 West Jackson Blvd., Suite 964
Chicago, Illinois 60604

Corporation Counsel
City of Bloomington
109 East Olive Street
Bloomington, Illinois 61702

Section 15. Successors in Interest.

This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective successors and assigns.

Section 16. No Joint Venture, Agency or Partnership Created.

Neither anything in this Agreement nor any acts of the parties to this Agreement shall be construed by the parties or any third person to create the relationship of a partnership, agency, or joint venture between or among such parties.

Section 17. No Discrimination – Construction.

The Developer for itself and its successors and assigns agree that in the construction of the improvements on the Subject Property provided for in this Agreement neither the Developer nor the Corporation shall not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin.

Section 18. Amendment.

This Agreement, and any exhibits attached to this Agreement, may be amended only in a writing signed by all the parties with the adoption of any ordinance or resolution of the City approving said amendment, as provided by law, and by execution of said amendment by the parties or their successors in interest. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof.

Section 19. Counterparts.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers on the above date at Bloomington, Illinois.

City of Bloomington, McLean County, an Illinois
municipal corporation

By: _____
Mayor

Attest:

City Clerk

JNB Bloomington, LP, an Illinois limited partnership

By: _____
Jim Bergman, Managing Member of the General Partner

TIF Bloomington, Inc., an Illinois corporation

By: _____
Jim Bergman, President

Exhibit A

Legal Description of Subject Property

TRACT NO. 1:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 4 in Evans Addition to the City of Bloomington, in MCLEAN COUNTY, ILLINOIS

TRACT NO. 2:

Lots 7 and 8 in block 1 in Evans Addition to the City of Bloomington, in MCLEAN COUNTY, ILLINOIS

PINs: 21-04-408-001 and 21-04-404-001

Street Address of Building: 502 E Washington, Bloomington, IL

Street Address of Parking Lot: 500 E Jefferson St., Bloomington, IL

Exhibit B

Form of Request for Reimbursement

REQUEST FOR REIMBURSEMENT

City of Bloomington
109 East Olive Street
Bloomington, Illinois 61702
Attn: City Manager

Re: Redevelopment Agreement, dated _____, 2017 (the “Agreement”), by and among the City of Bloomington, McLean County, an Illinois municipal corporation and JNB Bloomington, LP, an Illinois limited partnership (the “Developer”) and TIF Bloomington, Inc., an Illinois Corporation (the “Corporation”)

Dear Sir:

You are requested to disburse funds pursuant to Section 5 of the Redevelopment Agreement described above in the amount(s) and for the purpose(s) set forth in this Request for Reimbursement. The terms used in this Request for Reimbursement shall have the meanings given to those terms in the Redevelopment Agreement.

1. Amount to be Disbursed: \$ _____, for expenses qualifying as Redevelopment Project Costs as defined in the Agreement.
2. The amount requested to be disbursed pursuant to this Request for Reimbursement will be used to reimburse the Corporation for those Redevelopment Project Costs detailed in Schedule 1 attached to this Request for Reimbursement with paid invoices, bills of sale and mechanic lien waivers.
3. The undersigned certifies that:
 - (I) the amounts included in 1 above were made or incurred or financed and were necessary for the development of the Subject Property (as defined in the Agreement) and were made or incurred in accordance with the construction contracts, plans and specifications heretofore in effect;
 - (ii) the amounts paid or to be paid, as set forth in this Request for Reimbursement, represents a part of the funds due and payable for Redevelopment Project Costs;
 - (iii) the expenditures for which amounts are requisitioned represent eligible Redevelopment Project Costs.
 - (iv) the moneys requisitioned are not greater than those necessary to reimburse the Corporation for its funds actually advanced for Redevelopment Project Costs.
 - (v) the Developer or Corporation are not in default under the Redevelopment Agreement and nothing has occurred to the knowledge of the Developer or Corporation that would prevent the performance of its obligations under the Redevelopment Agreement.

Date: _____

By: JNB Bloomington, LP

Managing Member

TIF Bloomington, Inc., an Illinois corporation

By:

President

APPROVED:
City of Bloomington, McLean County, an Illinois
municipal corporation

*Date:*_____



REGULAR AGENDA ITEM NO. 9C

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of an Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan for the proposed Downtown East Washington Street TIF District.

RECOMMENDATION/MOTION: That the Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan for the proposed Downtown East Washington Street TIF District be approved and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 3: Grow the Local Economy; Goal 4: Strong Neighborhoods; Goal 5: Great Place – Livable, Sustainable City; Goal 6: Prosperous Downtown Bloomington.

STRATEGIC PLAN SIGNIFICANCE: Objective 3a. Retention and growth of current local businesses; 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; 3c. Revitalization of older commercial homes; 3d. Expanded retail businesses; 3e. Strong working relationship among the City, businesses, economic development organizations. Objective 4c. Preservation of property/home valuations; 4d. Improved neighborhood infrastructure; Objective 5b. City decisions consistent with plans and policies; 5c. Incorporation of “Green Sustainable” concepts into City’s development and plans; 5e. More attractive city: commercial areas and neighborhoods. Objective 6a. More beautiful, clean Downtown area; 6b. Downtown Vision and Plan used to guide development, redevelopment and investments; 6c. Downtown becoming a community and regional destination; 6d. Healthy adjacent neighborhoods linked to Downtown; 6e. Preservation of historic buildings.

BACKGROUND: Over the last few months City Staff has been in negotiations with the new owner of the former Bloomington High School building at 510 East Washington Street regarding the owner’s request for municipal assistance to help make the redevelopment of that building a financially viable project. One component of the City’s proposed support for the 510 East Washington Street project is the creation of a Tax Increment Financing (TIF) District which would include the former school building. To make the most efficient use of City resources that will be expended in the process to establish a new TIF District in this area, Staff has proactively reached out to adjacent property owners and analyzed other properties in the vicinity of the former school to determine if including additional properties in the proposed new TIF District would enable the City Council to better implement recommendations outlined in the City’s Comprehensive Plan 2035 and Downtown Strategy by leveraging the economic development tool of TIF to attract private investment to the Downtown area to assist with the redevelopment of underperforming or vacant / blighted properties.

The first step in establishing a new TIF District is for the City to engage a qualified consultant to perform a Feasibility Study of a Study Area to ensure the Study Area contains the various

qualifying factors required by the TIF Act. To engage the consultant, the City Council must approve an Ordinance authorizing a Feasibility Study. Based on the consultant's evaluation of the Study Area, if the Area qualifies, the consultant would then proceed to draft the Redevelopment Plan for the proposed TIF District. Once the Eligibility Study and Redevelopment Plan are complete, those reports would then be submitted to the City Council for its review and approval.

By including in the proposed TIF District additional properties to the west of the former high school building, it is Staff's hope that the economic development tool of TIF can be leveraged to advance the development of multiple properties in the Downtown. Private developers are often more willing to spend time and money to contemplate, evaluate, and propose redevelopment projects that, at the outset, are likely to encounter financial gaps, so long as the developers have the understanding that the local municipality is willing to consider offering municipal assistance to help "fill the gap." Including in the proposed TIF District vacant or underdeveloped properties that the City Council has identified on multiple occasions as priorities for renovation / redevelopment (including the former Coachman Motel site and multiple privately-owned surface parking lots) will send a strong signal to private developers that the City is ready and willing to partner with developers to attract investment to the Downtown. With that said, any and all future requests for municipal assistance will be thoroughly vetted by Staff and the City's economic development consultants to prove the developer's need for municipal assistance. Inclusion of a property in a TIF District is not a guarantee of municipal financial support for the renovation or redevelopment of a property. To secure financial support from the TIF District, a developer must first enter into a redevelopment agreement with the City which would be approved by the City Council.

Staff has selected the City's TIF and Economic Development consultant, Peckham Guyton Albers & Viets (PGAV) for this assignment. In August 2015 the City Council engaged the services of PGAV to assist staff with the creation of the Empire Street Corridor TIF District. PGAV was selected for that assignment through RFP #2016-19 "TIF District Consulting Services" because PGAV was determined to be the consultant best able to assist the City from amongst the four firms that submitted proposals to the RFP. Staff and officials from the affected taxing districts were very impressed with the high level of detail and research that PGAV employed in the Eligibility Study and Redevelopment Plan for the Empire Street Corridor TIF District. PGAV has also assisted the City with the creation of the Downtown-Southwest TIF District and is working with Staff on the proposed North Main Street & Chestnut Street TIF District. As Staff is familiar with PGAV's methodology, approach, and processes, Staff recommends that PGAV be retained to assist with the creation of the proposed Downtown East TIF District.

The proposed Ordinance authorizes PGAV to commence a Feasibility Study and draft a Redevelopment Plan for the proposed Downtown East Washington Street TIF District. The proposed redevelopment of the former school building at 510 East Washington Street will be the first project to benefit from the proposed TIF District (if the Council approves the proposed Redevelopment Agreement for this project which is on the agenda for the June 12, 2017 City Council meeting). After PGAV completes the Feasibility Study and Redevelopment Plan, those reports will be presented to the City Council for approval. The City Council would then be presented with an Ordinance to set a time and place for a Public Hearing (required by the TIF Act). Due to multiple statutory delays required by the TIF Act, so long as the City Council approves

subsequent related Ordinances, the TIF District could be fully approved and established before the end of 2017.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The proposed Ordinance provides interested parties with contact information related to the proposed TIF District. The Ordinance has been prepared and reviewed by the City's TIF Attorney, Kathleen Field Orr. If adopted by the City Council, a copy of the Ordinance will be sent to all taxing districts that are represented within the proposed TIF District as required by the TIF Act.

FINANCIAL IMPACT: The cost of the proposed Feasibility Study and Redevelopment Plan is anticipated to be \$34,400. The Economic Development budget has sufficient funds in the FY 2018 Adopted Budget to cover this project. The funds would be sourced from the Economic Development-Other Professional & Technical Services account (10019170-70220). Stakeholders can locate this in the FY 2018 Proposed Budget Book titled "Budget Overview & General Fund" on page 354.

COMMUNITY DEVELOPMENT IMPACT: TIF Districts are a recommended tool in the "Economic Development Incentives Toolkit" detailed on page 97 of the City's Comprehensive Plan 2035. The proposed Downtown East Washington Street TIF District is aligned with the following goals and objectives of the Comprehensive Plan 2035:

Goal ED-4 Enhance the image of Bloomington as a business friendly community.

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

ED-4.3 Facilitate and enhance pedestrian-friendly neighborhood centers to support mixed use developments

ED-4.4 Evaluate commercial land use needs in the context of changing economic trends

ED-4.5 Identify and reduce barriers for local growth and economic development

Goal D-1 Continue to build a healthy Downtown that offers a range of employment, retail, housing, cultural and entertainment opportunities for all.

D-1.1 Strengthen business recruitment and retention activities

D-1.2 Pursue catalyst projects that can serve as additional Downtown anchors

D-1.4 Develop a wide variety of Downtown housing options

Goal D-2 Market and promote the unique brand and image of Downtown Bloomington.

D-2.1 Identify and designate gateways to Downtown [East Washington Street]

Goal D-6 Reinforce the connections between Downtown and adjacent neighborhoods.

D-6.1 Encourage development on sites that will link Downtown with surrounding neighborhoods

D-6.3 Pursue public-private development opportunities with major employers seeking employee housing near offices

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: *NA*

Respectfully submitted for Council consideration.

Prepared by: Austin Grammer, Economic Development Coordinator

Reviewed by: Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Patti-Lynn Silva, Finance Director

Legal review by: Kathleen Field Orr, Special Council to the City

Recommended by:

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

David A. Hales
City Manager

Attachments:

- Proposed Downtown East Washington Street TIF Feasibility Study and Redevelopment Plan Ordinance.

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS
PROVIDING FOR A FEASIBILITY STUDY AND REPORT WITH RESPECT TO THE
DESIGNATION OF A CERTAIN AREA AS A TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT AREA
(Downtown East Washington Street)**

WHEREAS, the City of Bloomington, McLean County, Illinois (the “*City*”), is a duly organized and validly existing home-rule municipality created in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and the laws of this State; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1 et seq., as from time to time amended (the “*TIF Act*”), the Mayor and City Council of the City (the “*Corporate Authorities*”) are empowered to undertake the development or redevelopment of a designated area within the municipal boundaries of the City in which existing conditions permit such area to be classified as a “blighted area” as defined in Section 11.74.4-3(a) of the TIF Act or as a “conservation” area as defined in 11-74.4-3(b) of the TIF Act; and,

WHEREAS, the legislative purpose of the TIF Act is to encourage development through the use of incremental tax revenues derived from an increase in assessed values in the eligible areas by assisting with development or redevelopment project costs, thereby eliminating adverse and detrimental conditions that erode the tax base both within an eligible area and adjacent to such area; and,

WHEREAS, the Corporate Authorities desire to conduct a feasibility study of certain properties within the corporate boundaries of the City in order to determine the eligibility of said properties as a “redevelopment project area” pursuant to the provisions of the TIF Act, which

properties are generally described on *Exhibit A* (the “*Area*”) as shown on the map attached hereto and made a part hereof by reference as *Exhibit B*; and,

WHEREAS, the Corporate Authorities have determined that Peckham Guyton Albers & Viets possess the necessary skills and experience to determine if the Area qualifies as a “redevelopment project area” under the TIF Act and to prepare a redevelopment plan and desires to authorize Peckham Guyton Albers & Viets to undertake a feasibility study and to prepare such reports as required with respect to the eligibility of the Area as a tax increment financing redevelopment project area.

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

Section 1. The foregoing recitals are incorporated and made a part of this Ordinance as if fully set forth in this Section.

Section 2. The City Manager is directed to authorize Peckham Guyton Albers & Viets to undertake a feasibility study to determine the eligibility of the Area as a “redevelopment project area” under the TIF Act; and, to prepare a report with respect to the eligibility of the Area under the Act; and, to present a plan for development and redevelopment incorporating all of the matters required by the TIF Act. The City Manager is further authorized to execute and deliver any and all documents to Peckham Guyton Albers & Viets in the possession of the City, as deemed necessary to accomplish said tasks.

Section 3. The purpose of the report and plan is to allow the City to consider adoption of the TIF Act in order to enhance its tax base as well as the tax base for any other taxing district that has jurisdiction, provide new job opportunities for its residents, attract sound and stable commercial growth, and improve the general welfare and prosperity of the community. Pursuant

to the TIF Act, once the City adopts tax increment financing, all real estate tax revenue attributable to any increase in the assessment of property included in the redevelopment project area is distributed to the City for reinvestment in the respective Area for certain purposes permitted by the TIF Act.

Section 4. The City hereby agrees to reimburse itself for the costs incurred in connection with all studies and reports for the Area in the event the TIF Act is adopted by the City and incremental real estate taxes are available for payment of such costs pursuant to the TIF Act.

Section 5. The Corporate Authorities may consider paying for certain redevelopment project costs, as defined by the TIF Act, from incremental real estate taxes in the Special Tax Allocation Fund, as defined by the TIF Act, established for the Area through the issuance of bonds or other financing methods as permitted by the TIF Act, in the event the TIF Act is adopted. Such redevelopment project costs may include costs of studies, surveys, plans, architectural and engineering services, acquisition of land, rehabilitation of existing buildings, construction of public works, bond issuance costs, and such other items as permitted by the TIF Act.

Section 6. The City Clerk shall cause copies of this Ordinance to be mailed by certified mail or delivered by messenger to all taxing districts that would be affected by such designation in accordance with the provisions of Section 11-74.4-4.1 of the TIF Act, and that the municipal officer who can be contacted for any and all questions, comments, suggestions, or requests for information be directed to:

Austin Grammer
Economic Development Coordinator
City of Bloomington
115 East Washington Street, Suite 201
Bloomington, IL 61702-3157
Office: 309-434-2611

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED this _____ day of _____ 2017, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2017.

President

Attest:

City Clerk

EXHIBIT A

General description of the proposed Downtown East Washington Street Tax Increment Financing Project Area:

The properties that are generally within an area along East Washington Street, and bounded on the east by North Evans Street, on the west by North Gridley Street, on the south by East Front Street, and on the north by the alley that runs parallel to and is north of East Jefferson Street.

Downtown East Washington Street Study Area





REGULAR AGENDA ITEM NO. 9D

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of adoption of an ordinance approving an Annexation Agreement submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory and The Benoit Group, LLC for approximately 3.12 acres commonly located at 102 Greenwood Avenue, PIN: 21-16-101-008

RECOMMENDATION/MOTION: That an ordinance approving an Annexation Agreement submitted by Kristen Lee Jones N/K/A Kristen Lee Guillory and The Benoit Group, LLC for approximately 3.12 acres commonly located at 102 Greenwood Ave, PIN: 21-16-101-008, be adopted and the Mayor and City Clerk authorized to execute the necessary documents.

STRATEGIC PLAN LINK: 4. Financially Sound City Providing Quality Basic Services; 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: 1e. Partnering with others for the most cost-effective service delivery; 5b. City decisions consistent with plans and policies

BACKGROUND: Pursuant to the City Code, a public hearing was held on this agreement by the Planning Commission on May 10, 2017. In addition to reviewing the agreement, the Planning Commission held a hearing on the proposed zoning district, R-3B High Density Multifamily Residential, requested in the agreement. Notice for the aforementioned public hearing was published in the Pantagraph on April 24, 2017. A second public hearing on the agreement, published in the Pantagraph on May 26, 2017, occurred on June 12, 2017 before the City Council.

A petition was submitted for an annexation agreement to allow for the development of a 54 unit multifamily development. The petitioner, The Benoit Group, LLC., would like to develop the subject property, approximately 3.12 acres located south of Highland Golf Course and Greenwood Avenue in the unincorporated limits of McLean County, but adjacent to the City of Bloomington corporate limits, as affordable, mixed income housing and is seeking tax credits from the Illinois Housing Development Authority to finance the project.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This case was before the Planning Commission for a public hearing and review on May 10, 2017. No persons, other than the applicant and his attorney, spoke in favor of the agreement. Two persons spoke in opposition to the agreement. The Planning Commission recommended approval of the annexation agreement and rezoning by a 5-1 vote conditioned upon the City Council being satisfied with the additional information provided by the petitioner related to public safety concerns, and ingress/egress to the property, and access to public transportation. This recommendation is consistent with staff's recommendation for approval. Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 14 property owners

within 500 feet of the subject property. A sign alerting the neighborhood of the public hearing was also placed on the subject property.

FINANCIAL IMPACT: Adopting the proposed agreement will have no financial impact until the land is annexed into the City of Bloomington. At that time, the developer will be required to pay tap-on fees for city utilities and annexation, parkland dedication and substandard road fees. Additionally, the developer will construct public sanitary sewer to serve this development. Once sewer is constructed it will be dedicated to the City. Should the developer fail to receive tax credits and fail to acquire the land, the proposed agreement will become null and void.

COMMUNITY DEVELOPMENT IMPACT:

Link to Comprehensive Plan/Downtown Plan Goals: Affordable housing is identified as a priority in the Comprehensive Plan. It is intended to serve young professionals, college graduates, seniors on a fixed income, and people working in low paying professional positions such as a pre-school teacher.

H-1. Ensure the available of safe, attractive and high quality housing stock to meet the needs of all current and future residents.

H.1-2 Ensure an adequate supply of affordable housing for low to moderate income households.

H.1-2c. Encourage collaborations among affordable housing providers.

H.1-3 Create a life-long community by fostering housing stock that meets the needs of all residents of all ages and abilities

H.1-3a. Increase supply of housing options accessible of seniors and people with disabilities.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: NA

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Community Development review by: Tom Dabareiner, Community Development Director

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance approving an Annexation Agreement for approximately 3.12 acres commonly located at 102 Greenwood Ave
- Annexation Agreement and Exhibits A, B & C
- Plat
- See other agenda items from 8A

ORDINANCE NO. 2017 - _____

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT FOR
APROXIMATELY 3.12 ACRES LOCATED AT 102 GREENWOOD AVENUE, CITY OF
BLOOMINGTON, MCLEAN COUNTY, ILLINOIS**

WHEREAS, there has heretofore been proposed a certain Annexation Agreement between the City of Bloomington, Kristen Lee Jones N/K/A Kristen Lee Guillory and the Benoit Group, LLC, which Agreement is attached hereto and made a part hereof by this reference as Exhibit A; and,

WHEREAS, the Planning Commission of the City of Bloomington, after proper notice was given and published on April 24, 2017 in the Pantagraph, conducted a Public Hearing on said Annexation Agreement for the premises described in Exhibit B “Legal Description” and Exhibit C “Annexation Plat” (hereinafter, “the premises”); and

WHEREAS, following said public hearing, the Planning Commission concluded the said Annexation Agreement is proper and in due form according to the statutes of the State of Illinois and recommended approval of said Annexation Agreement by the City Council; and

WHEREAS, the Planning Commission has determined that the rezoning of the premises as provided in said Agreement follows the comprehensive plan and is appropriate; and

WHEREAS, the City Council, after proper notice was published on May 26, 2017 in the Pantagraph, conducted a public hearing on the Annexation Agreement; and

WHEREAS, the City Council believes the adoption and execution of the Annexation Agreement is in the best interest of the City and the City Council has the power to pass this Ordinance.

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

1. That the City Council of the City of Bloomington, Illinois, determines that the territory of the premises is not within the confines of any municipality of the State of Illinois, but is however, contiguous to the City of Bloomington;
2. That the Annexation Agreement, hereinabove referred to and hereto attached is incorporated into this Ordinance and is hereby approved, ratified and affirmed and shall be executed by the Mayor and attested to by the City Clerk;
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeffrey R. Jurgens
Corporate Counsel

ANNEXATION AGREEMENT

Pursuant to legislative authorization found in Article 11 Division 15.1 of the Illinois Municipal Code of 1961 as amended, (65 ILCS 5/11-15.1-1 et seq.) and for and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned City of Bloomington, Illinois, a Municipal Corporation, hereinafter referred to as “City” and Kristen Lee Jones, N/K/A Kristen Lee Guillory hereinafter referred to as “Current Owner” and TBG Land, LLC, a Georgia limited liability company hereinafter referred to as “Developer” (collectively, Current Owner and Developer are referred to herein as “Owner”) enter into this Annexation Agreement (“Agreement”) for the annexation of property into the City.

WHEREAS, Current Owner is the owner of record of the premises hereinafter described on Exhibit A, which is attached hereto and made a part hereof by this reference; and

WHEREAS, the Developer and the Current Owner have executed a real estate sales contract with respect to said premises; and

WHEREAS, the Owner is desirous of having said premises annexed to the City and the City is desirous of annexing said premises; and

WHEREAS, said premises is not within the corporate limits of any municipality, but is contiguous to the City; and

WHEREAS, the Owner is desirous of having said premises zoned R3B upon annexation to the City; and

WHEREAS, the Owner has given all notices required to be given by Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1).

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City and Owner agree as follows:

1. ANNEXATION PETITION.

Owner, within 30 days of conveyance of the property from Current Owner to Developer and subject to the terms and conditions set forth in this Agreement, will petition the City of Bloomington, requesting annexation of the property legally described on Exhibit “A”, attached hereto and incorporated herein by reference, to the City’s corporate limits. The City will publish and give such notices and conduct such public hearings as are required to annex the premises.

2. ANNEXATION.

Upon receipt of said petition, the City agrees to adopt an ordinance annexing the property described on Exhibit “B”, Annexation Plat, attached hereto and incorporated herein by reference to the City of Bloomington. The City agrees that it will not adopt the Annexation Ordinance unless and until the Developer delivers a written petition to the City and provided further that the City agrees to adopt an Annexation Ordinance within thirty (30) days of delivery of said petition. In the event Developer fails to petition the City for annexation on or before July 1, 2018 this Agreement shall become null and void and of no further force or effect.

3. ZONING.

City agrees to rezone the property to R3B, Multifamily Residential subsequent to any public hearings required by the City Code, and all necessary zoning approvals, and zoning relief to permit the development of a 50-unit multi-family development.

4. DEVELOPMENT OBLIGATIONS.

With regard to the annexation, and development of the premises, the installation of public improvements within and serving the premises; and the use and development of the premises during the life of this agreement, the following shall apply:

- A. Sanitary Sewer. The premises shall be required to connect to the City’s sanitary sewer within 6 months of annexation of the premises into the City. Owner is responsible for any and all tap on fees for connection to the sanitary sewer
- B. Water. The premises shall be required to connect to the City’s water mains within 6 months of annexation into the City and Owner shall be responsible for any and all tap on fees for connection to the water mains.
- C. Stormwater Detention. Owner shall provide onsite detention or pay a fee-in-lieu for storm water detention pursuant to the City Code in place within 6 months of annexation into the City. .
- D. Parkland fee. Owner shall dedicate parkland or pay a fee-in-lieu (in the amount of \$17,014) for parkland dedication pursuant to the City Code in place within 6 months of annexation into the City.
- E. Annexation Fee. Owner shall pay an annexation fee pursuant Chapter 8.5 Section 205 of the City Code in place within 6 months of annexation into the City.
- F. Substandard Road Fee. Owner agrees to reimburse City, at the time of construction for one-half the construction cost of the improvement of all public streets that are adjacent to said premises from their present condition to a 30 foot wide improved street with curb and gutter for the full extent that such streets are adjacent to said premises. For purposes of definition of this agreement, streets shall be considered adjacent to said premises if:

- a. any portion of said streets are contiguous to any portion of said premises;
or
- b. said streets are either necessary or the most convenient route for ingress to and egress from said premises.
- c. the length of the street(s) which the owner is responsible under paragraph (b) above shall not be limited to that portion which is contiguous to said premises; it shall extend to that portion of the street (s) for which the cost is fairly apportionable to said premises, using frontage, area, or other reasonable methods of determination.

G. Recapture. Owner shall be allowed to recover a portion of its costs from future beneficiaries of public sewer, water and storm sewer improvements subject to a mutually acceptable agreement approved by City of Bloomington City Council

5. OBLIGATION TO DEVELOP PER CODE.

Subject to Section 3 of this Agreement, in the construction and use of improvements on the subject property the Owner shall comply with all zoning subdivision, building, mechanical and other applicable codes and ordinances of the City of Bloomington in effect at that time.

6. ANNEXATION TO OTHER TAXING DISTRICTS.

That owner, as soon as practicable, but not later than 90 days from the date of annexation to the City, shall file and thereafter diligently pursue the necessary petition to annex the property to the Bloomington-Normal Airport Authority and the Bloomington and Normal Water Reclamation District.

7. COVENANTS AND AGREEMENTS

The covenants and agreements contained in the Agreement shall be deemed to be covenants running with the land during the term of this Agreement, shall inure to the benefit and be binding upon the heirs, successors and assigns of the parties hereto.

8. TERM

The term of this Agreement shall be for twenty (20) years from and after the effective date of the annexation of the Subject Property.

9. NOTICES

Any and all notices required or desired to be given hereunder shall be in writing and shall be delivered personally or sent via certified or registered mail, postage pre-paid and addressed as follows:

To the City:

City of Bloomington
Attn: City Manager
109 East Olive Street
Bloomington, IL 61701

To the Developer:
The Benoit Group, LLC
C/O: Torian R. Priestly
Marsh Creek Village
6780 Roswell Road NE, Suite 200
Atlanta, GA 30328

To Current Owner:

or to such other person or address as a party may designate in a like manner.

10. ADOPTION OF ORDINANCES

The City agrees to adopt such ordinances as may be required to give legal effect to the matters contained in this Agreement.

11. DORMANT SPECIAL SERVICE AREA

1. A dormant special service area will be established over the Property, with the cooperation and participation of the Owner, to provide for the on-site public improvements for the Property, as well as to pay for the costs and expenses directly or indirectly related in any way to the on-site public improvements, including, without limitation:
 - a. construction, installation, repair, or maintenance of the on-site public improvements in the event that the Owner is for any reason unable to do so and there is inadequate or unavailable security to construct and install the on-site public improvements;
 - b. legal, engineering, and construction management expenses related to the construction, installation, repair, or maintenance of the on-site public improvements;
 - c. direct and indirect administrative expenses;
 - d. payment of public liability insurance premiums; or

- e. reimbursement to the City for funds it expended or incurred to construct, install, repair, or maintain the on-site public improvements.

The Owner will pay for all costs incurred by the City in establishing the dormant special service area including, without limitation, the payment of all attorneys' fees incurred by the City in establishing the special service area as well as reimbursement to the City for any and all costs and expenses incurred by the City.

- 2. The City will have the automatic right to activate the dormant special service area and extend the taxes in association with the special service area upon the occurrence of any of the following events:
 - a. failure of the Owner for any reason to complete such public improvements;
 - b. inadequacy of the performance security established by the Owner as required by this Annexation Agreement; or
 - c. failure or refusal by the bank to fulfill or otherwise honor the performance security established by the Owner as required by this Annexation Agreement.
- 3. By purchasing a lot in the Property, each purchaser of a lot, for himself or herself and his or her respective successors in title, forever waives any right to challenge the assessment or collection of a tax or assessment imposed by the City against the lot pursuant to a special service area established in accordance with this §11, provided such special service area is not amended in any way that requires a new public hearing.
- 4. The Declaration of Covenants for all lots in the Property will include similar language regarding the establishment of the special service areas.
- 5. Nothing in this §11 will prevent the Owner or any individual lot Owner from exercising his or her statutory right to object to the establishment or amendment of the Dormant Special Service Area.
- 6. Upon the City's formal acceptance of the on-site public improvements for the Property and the expiration of any maintenance guarantee period, as provided in §11 of this Annexation Agreement, the City will take all reasonable actions to have the Dormant Special Service Area dissolved. In no event will the City seek the extension of the special service area tax after it has formally accepted the on-site public improvements for the Property and the expiration of any maintenance guarantee period.

12. GENERAL PROVISIONS

The following general provisions shall apply to this Agreement:

- A. Time of the Essence. Time is of the essence in the performance of this Agreement.
- B. Rights Cumulative. Unless expressly provided to the contrary in this Agreement, each and every one of the rights, remedies, and benefits provided by this Agreement shall be cumulative and shall not be exclusive of any other rights, remedies, and benefits allowed by law.
- C. Non-Waiver. The City shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the City to exercise at any time any right granted to the City shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the City's right to enforce that right or any other right.
- D. Consents. Unless otherwise provided in this Agreement, whenever the consent, permission, authorization, approval, acknowledgement, or similar indication of assent of any party to this Agreement, or of any duly authorized officer, employee, agent, or representative of any party to this Agreement, is required in this Agreement, the consent, permission, authorization, approval, acknowledgement, or similar indication of assent shall be in writing.
- E. Governing Law. This Agreement shall be governed by, and enforced in accordance with, the internal laws, but not the conflicts of laws rules, of the State of Illinois.
- F. Severability. It is hereby expressed to be the intent of the parties to this Agreement that should any provision, covenant, agreement, or portion of this Agreement or its application to any Person or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any Person or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.
- G. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.
- H. Interpretation. This Agreement shall be construed without regard to the identity of the party who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.
- I. Exhibits. The Exhibits attached to this Agreement are, by this reference, incorporated in, and made a part of this Agreement. In the event of a conflict

between an exhibit and the text of this Agreement, the text of this Agreement shall control.

- J. Amendments and Modifications. No amendment or modification to this Agreement shall be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.
- K. Changes in Laws. Unless otherwise provided in this Agreement, any reference to the Requirements of Law shall be deemed to include any modifications of, or amendments to, the Requirements of Law that may occur in the future.
- L. Authority to Execute. The City hereby warrants and represents to the Owner that the Persons executing this Agreement on its behalf have been properly authorized to do so by the Corporate Authorities. The Owner hereby warrants and represents to the City (i) that they are the record and beneficial owners of fee simple title to the Property, (ii) except for a mortgage on the property, no other person has any legal, beneficial, contractual, or security interest in the Property and that annexing the property is not a violation of the security interests, (iii) that it has the full and complete right, power, and authority to enter into this Agreement and to agree to the terms, provisions, and conditions set forth in this Agreement and to bind the Property as set forth in this Agreement, (iv) that all legal actions needed to authorize the execution, delivery, and performance of this Agreement have been taken, and (v) that neither the execution of this Agreement nor the performance of the obligations assumed by the Owner will (a) result in a breach or default under any agreement to which the Owner is a party or to which it or the Property is bound or (b) violate any statute, law, restriction, court order, or agreement to which the Owner or the Property is subject.
- M. Enforcement. The parties to this Agreement may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this Agreement; provided, however, that the Owners agree that they will not seek, and does not have the right to seek, to recover a judgment for monetary damages against the City, or any of its elected or appointed officials, officers, employees, agents, representatives, engineers, or attorneys, on account of the negotiation, execution, or breach of this Agreement.
- N. No Third Party Beneficiaries. No claim as a third party beneficiary under this Agreement by any Person shall be made, or be valid, against the City or the Owner.
- O. Recording. After the Owner has paid to the City an amount sufficient to cover the cost of recording this Agreement, all necessary plats, the affidavit of service of notice as required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the Annexation Ordinance, the City shall promptly cause this Agreement to be recorded in the office of the Recorder of McLean County.

EXECUTED and ADOPTED this ____ day of _____, 2017, at Bloomington, Illinois.

CITY OF BLOOMINGTON

By: _____
Tari Renner, Mayor

Attest:

By: : _____
City Clerk

OWNER:

Exhibit A
Legal Description

THE EAST 226 FEET OF LOT 3 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 23, NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCLEAN COUNTY, ILLINOIS EXCEPT ANY PORTION THEREOF PREVIOUSLY ANNEXED TO THE CITY OF BLOOMINGTON. PIN: 21-16-101-008

ANNEXATION PLAT

PART OF N.W. 1/4 SECTION 16, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

SOUTHERLY R.O.W. LINE
F.A.P. ROUTE 704
(VETERANS PARKWAY)

VETERANS PARKWAY

GREENWOOD AVENUE

226.00'

LOT 11
SOUTHWEST
ESTATES CONDOMINIUM

226'

LOT

3

W. LINE E. 226'
LOT 3

2.890 ACRES

E. LINE LOT 3

614.00'

LOT 32

LOT 33

LOT 34

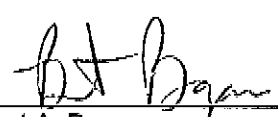
LOT 35

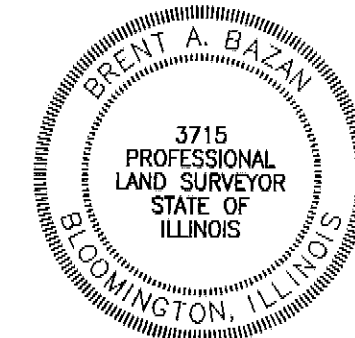
RESUBDIVISION OF LOTS 12 AND 13 FIRST
ADDITION OAK CREEK SUBDIVISION

This is a plat of a tract of land to be annexed to the City of Bloomington, Illinois, the
Bloomington and Normal Water Reclamation District and the Bloomington-Normal Airport
Authority. Said tract is more particularly described as follows:

The East 226 feet of Lot 3 in School Commissioners Subdivision of the Northwest Quarter
of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, in McLean
County, Illinois, except any portion thereof previously annexed to the City of Bloomington.

FARNSWORTH GROUP, INC.
2709 McGRAW DRIVE
BLOOMINGTON, IL 61704

By: 
Brent A. Bazan
Professional Land Surveyor No. 3715



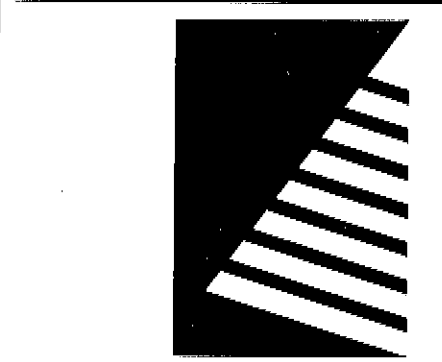
DATE: 2-28-17
EXP. DATE: 11-30-2018
DESIGN FIRM REGISTRATION
NO. 184-001856

LEGEND

--- EXISTING CORPORATE LIMITS LINE
--- LIMITS OF AREA TO BE ANNEXED

0 25 50 100

SCALE: 1"=50'



Farnsworth
GROUP

2709 McGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(309) 663-8435 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:
Date: Description:

PROJECT:
102 GREENWOOD AVENUE

BLOOMINGTON, ILLINOIS

Date: 02-28-17

Design/Drawn: DJM

Reviewed:

Book No.: 3114/59 Field:

Project No.: 0170276.00

SHEET TITLE:

ANNEXATION PLAT

SHEET NUMBER:

1

File No.: 18-2177

N.W. 1/4 SEC. 16, T.23N., R.2E., 3P.M.

Ordinance Approving an Annexation Agreement for 102 Greenwood Ave.

Exhibit B

Legal Description

THE EAST 226 FEET OF LOT 3 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 23, NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCLEAN COUNTY, ILLINOIS EXCEPT ANY PORTION THEREOF PREVIOUSLY ANNEXED TO THE CITY OF BLOOMINGTON. PIN: 21-16-101-008



REGULAR AGENDA ITEM NO. 9E

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of a Resolution authorizing a Letter of Support to the Illinois Housing Development Authority for a 54 unit multifamily affordable housing complex at 102 Greenwood Avenue proposed by The Benoit Group, LLC.

RECOMMENDATION/MOTION: That the Resolution authorizing a letter of support to the Illinois Housing Development Authority for the 54 unit multifamily affordable housing complex at 102 Greenwood Avenue proposed by The Benoit Group, LLC be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: 1. Financially Sound City Providing Quality Basic Services; Goal 3: Grow the Local Economy; 4. Strong Neighborhoods; 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: 1e. Partnering with others for the most cost-effective service delivery; 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; 3e. Strong working relationship among the City, businesses, economic development organizations; 4d. Improved neighborhood infrastructure; 5b. City decisions consistent with plans and policies

BACKGROUND: The Benoit Group, LLC (the “Developer”) proposes to construct a 54 unit multifamily affordable housing complex at 102 Greenwood Avenue (the “Project”). A proposed annexation agreement for the Project will be considered by the City Council on June 12, 2017. The Developer intends to apply to the Illinois Housing Development Authority (IHDA) for Low Income Housing Tax Credits (LIHTCs) to fund the Project and plans to partner with the Bloomington Housing Authority. Ten units will be used as supportive housing for people with disabilities and ten units are to be occupied by residents with an annual income less than sixty (60) percent of the average median income for Bloomington. The remaining 34 units will have market-rate rents. The Bloomington Housing Authority supports the proposed project. Additional details regarding the proposed Project can be found in the Council Memo regarding the proposed annexation agreement.

The Developer has requested that the City provide a letter of support for the proposed Project to IHDA. IHDA’s deadline for applications for the current LIHTC round is June 23, 2017. The IHDA LIHTC application process is a competitive process and the Developer’s proposed Project will be competing with similar projects in other cities all across Illinois proposed by other developers. Local municipal support for the Project strengthens the Developer’s application to IHDA for LIHTCs.

If the City Council approves the proposed annexation agreement with the Developer, it would be appropriate for the Council to also support the Developer’s request for a letter of support to IHDA for the proposed Project. Conversely, if the City Council does not approve the proposed annexation

agreement, no action would need to be taken by the City Council on the proposed resolution for the letter of support to IHDA as the Project would be unable to move forward without approval of the annexation agreement.

If the City Council approves the proposed resolution to provide the letter of support, this could be the second IHDA LIHTC project that the City would be supporting for the June 2017 IHDA LIHTC application round (the proposed redevelopment of the former high school at 510 E. Washington St. being the other project). IHDA representatives have assured City Staff that the two projects, 102 Greenwood and 510 E. Washington, will not be competing for the same LIHTC allocation as 102 Greenwood is a multifamily project and 510 E. Washington St. is a senior housing project. Both of these proposed projects will compete with other proposed multifamily or senior housing projects from across the state in each of the respective categories.

As City support for the Project is vital to securing the LIHTCs which are a key component to the financial viability of the Project, City Staff recommends the City provide the requested letter of support. Approval of the proposed resolution will authorize the Mayor to sign and issue a letter of support on behalf of the City for the proposed Project.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A public hearing regarding the proposed annexation and proposed residential development was held during the meeting of the Planning Commission on May 10, 2017. An additional public hearing will be held during the City Council meeting on June 12, 2017.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Link to Comprehensive Plan Goals: Affordable housing is identified as a priority in the Comprehensive Plan. It is intended to serve young professionals, college graduates, seniors on a fixed income, and people working in low paying professional positions such as a pre-school teacher.

H-1. Ensure the available of safe, attractive and high quality housing stock to meet the needs of all current and future residents.

H.1-2 Ensure an adequate supply of affordable housing for low to moderate income households.

H.1-2c. Encourage collaborations among affordable housing providers.

H.1-3 Create a life-long community by fostering housing stock that meets the needs of all residents of all ages and abilities

H.1-3a. Increase supply of housing options accessible of seniors and people with disabilities.

Respectfully submitted for Council consideration.

Prepared by: Austin Grammer, Economic Development Coordinator

Reviewed by: Katie Simpson, City Planner

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by:

George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a large initial "D" and "H".

David A. Hales
City Manager

Attachments:

- Resolution authorizing a letter of support for the multifamily affordable housing complex proposed by The Benoit Group, LLC at 102 Greenwood Avenue.

RESOLUTION NO. 2017 -

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT
FOR SUBMISSION WITH THE APPLICATION BY THE BENOIT GROUP, LLC
TO THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY FOR FUNDS
TO DEVELOP THE PROPERTY LOCATED AT 102 GREENWOOD AVENUE
IN THE CITY OF BLOOMINGTON, ILLINOIS**

WHEREAS, The Benoit Group, LLC (the “*Developer*”) has a contract to purchase 102 Greenwood Avenue, Bloomington (the “*Subject Property*”), from Kristen Lee Jones, N/K/A Kristen Lee Guillory; and,

WHEREAS, on May 10, 2017, the Developer initiated the annexation process for the Subject Property to be annexed into the City of Bloomington (the “*City*”), with the intent to construct a 54 unit multifamily affordable housing complex (the “*Project*”); and,

WHEREAS, the Developer is applying for funding from the Illinois Housing Development Authority (“*IHDA*”) to proceed with the Project; and,

WHEREAS, the Developer has requested that the City provide a letter, outlining the City’s support for the Project, to IHDA in order to enhance the Developer’s prospects of securing funding from IHDA; and

WHEREAS, the Project is consistent with the plans and goals of the City; and,

WHEREAS, the City is in support of the Project; and,

WHEREAS, the Mayor’s signature within the City’s letter of support for use in the Developer’s application to IHDA in no way approves any portion of the Project; the Project must follow all of the City’s customary review and approval processes.

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

That the Mayor is authorized to sign a letter of support for submission with Developer’s application to IHDA for funds to develop the Project at the Subject Property; provided, however, that said letter of support has been approved as to form by the City Manager and the City Attorney.

ADOPTED this ____ day of June, 2017

APPROVED this ____ day of June, 2017

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



REGULAR AGENDA ITEM NO. 9F

FOR COUNCIL: June 12, 2017

SUBJECT: Consideration of an Ordinance Amending Chapter 2 and 29 of the City Code creating a Transportation Commission.

RECOMMENDATION/MOTION: That the Ordinance Amending Chapters 2 and 29 of the City Code, be approved creating a Transportation Commission, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services; Goal 4. Strong Neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process; Objective 4e. Strong partnership with residents and neighborhood associations; Objective 4f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

BACKGROUND: In January 2017, Alderman Amelia Buragas submitted a request for consideration and resolution to increase transparency and citizen participation in street planning and design by dissolving the informal and internal Staff Traffic Advisory Committee and forming a Traffic Advisory Commission. Alderman Buragas considers this approach to be consistent with the City of Bloomington's practice with regard to zoning, planning, historic preservation, liquor licenses, etc. This request form was supported by Alderman Scott Black, Alderman Karen Schmidt, and Alderman Jim Fruin.

At the regular City Council meeting on May 22, 2017, the City Council discussed establishment of a Transportation Commission to increase transparency and community involvement in transportation planning activities. City staff made modifications to the proposed ordinance based on comments from the Council at the meeting and is bringing the ordinance back for formal consideration.

It has been the City's practice to use citizen boards, committees and commissions as a tool to increase transparency and encourage greater citizen participation. Additionally, transportation commissions are a method utilized by some municipalities to increase transparency and community involvement in transportation planning activities.

The City of Bloomington is committed to adopting policies, practices and procedures that increase transparency and encourage citizen involvement. The purpose of the Transportation Commission will be to assist, inform and serve in an advisory capacity to the administrative and elected officials of the City on matters pertaining to the transportation of people and materials within the City. The

duties and responsibilities of the Transportation Commission will be related to the overall transportation management within the boundaries and ways of the City of Bloomington.

Furthermore, creation of the Transportation Commission, which will be subject to the OMA, will provide increased transparency and citizen involvement by establishing an annual meeting schedule, opening all meetings to the public, and allowing for public comment.

Therefore, based on an Aldermanic request, Council discussion and the City's commitment to transparency and citizen engagement, the City Manager is recommending the approval of the ordinance creating the City of Bloomington Transportation Commission.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: The City's Comprehensive Plan 2035 highlights the strong public interest in transportation throughout the plan's development. It emphasizes the real diversity of users, and the balancing of vehicular and freight movement with pedestrian and bicyclist needs. This was reconfirmed when the City Council established a Complete Streets policy, several months after adopting the Comprehensive Plan. Complete Streets is not simply roads, bike lanes and sidewalks—it stems from the neighborhood preservation and place-making efforts defined in the Comprehensive Plan. The related Goals and Objectives sections follow:

Link to Comprehensive Plan/Downtown Plan Goals: Throughout the transportation goals and objectives in the Plan, the large number and diversity of Partner Agencies is recognized. Depending on the specific topic, these Partner Agencies include governmental bodies, for-profit entities and not-for-profit interests—an item specifically recognized in *TAQ-1.1c Continue and document cooperation and coordination on transportation infrastructure management among governments, nonprofits, and businesses across the region.*

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Melissa Hon, Assistant to the City Manager

Reviewed by: David Hales, City Manager

Finance review by: Chris Tomerlin, Budget Analyst

CD review by: Tom Dabareiner AICP, Community Development Director

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance Amending Chapters 2 and 29 of the City Code to Create a Transportation Commission

ORDINANCE NO. 2017 –

**AN ORDINANCE AMENDING CHAPTERS 2 AND 29 OF THE CITY CODE TO
CREATE A TRANSPORTATION COMMISSION**

WHEREAS, the City of Bloomington has more than 300 miles of streets within the City and City streets represent one of the City of Bloomington’s largest investments of taxpayer dollars; and

WHEREAS, the City of Bloomington has adopted a Complete Streets Ordinance supporting policy changes to street design and traffic safety and calming measures; and

WHEREAS, the City of Bloomington is committed to adopting policies, practices and procedures that increase transparency and citizen involvement; and

WHEREAS, the City of Bloomington uses citizen boards, committees and commissions as a tool to increase transparency and to encourage greater citizen participation; and

WHEREAS, the City Council desires to revamp the review and recommendation process to enhance citizen engagement and public review through a newly formed Transportation Commission and cease using the Staff Traffic Advisory Committee; and

WHEREAS, transportation advisory commissions are a tool used by some municipalities to increase transparency and community involvement in transportation planning activities.

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

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

SECTION 2. Article III of Chapter 2 shall be amended by adding “Transportation Commission” in Section 30 to the list of enumerated City Boards and Commissions.

SECTION 3. A new Article XXVII shall be added to Chapter 29 of the City Code establishing a Transportation Commission as set forth in Exhibit A.

SECTION 4. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 5. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 6. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 7. This ordinance shall be effective immediately after the date of its publication as required by law and the appointment of the members to the Transportation Commission.

SECTION 8. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry L. Lawson
City Clerk

EXHIBIT A

Chapter 29

Article XXVII

Transportation Commission

Section 300. PURPOSE AND CREATION

There is hereby established a Transportation Commission to assist, inform and advise the administrative and elected officials of the City on matters pertaining to the transportation of people and materials within the City. The primary areas of focus of the Transportation Commission shall consist of advising on policy level matters involving: (1) streets and highways, including all streets, alleyways, roadways, on street parking, recreational drives, bridges and grade separations located within the City; (2) pedestrian ways, including sidewalks, grade separations, shopping areas, and recreational pathways within the City; (3) bikeways, including on- and off-street routes for transportation and recreational uses within the City; (4) multi-use trails, including off-street trails for non-motorized uses within the City; and (5) materials and handling, including truck routes, truck terminals and materials loading trucks and other facilities. In conducting its reviews, the Commission shall also consider the historic nature and value of the area being served.

Section 301. MEMBERSHIP AND MEETINGS

1. The Commission shall consist of seven (7) members, appointed by the Mayor with the advice and consent of City Council. The appointments to the Commission should represent as broadly as possible geographic and/or social elements within the City, each with a demonstrated interest, knowledge, or experience in traffic management or transportation, including that three members must have a specific demonstrated interest, background or experience in one of the following:
 - a. regional public transportation, such as transit or bus service;
 - b. accessibility and ADA compliance; and
 - c. bicycle transportation.
2. The Commission shall establish an annual meeting schedule, which shall include at least one meeting per month to be held at a regular time and place. All meetings shall be open to the public and must comply with the Illinois Open Meetings Act. All meetings shall provide opportunity for public comment pursuant to local ordinances. Meeting minutes shall be prepared and maintained in accordance with local and state law.

3. A chairman and vice chairman of the Commission shall be selected to preside over meetings in accordance with the procedure set forth for the City's boards and commissions.
4. Items shall be placed on the Commission agenda by appropriate City staff including the Traffic Engineer, Public Works Director, City Engineer, Community Development Director, the City Manager, or the Mayor. City Council members may also request items be referred to the Commission by utilizing the agenda request process, which shall include formal approval and referral by the City Council.

Section 302. PRELIMINARY TRANSPORTATION REVIEWS

1. Any citizen requesting that an item, within the powers and duties of the Transportation Commission, be reviewed or considered by the Transportation Commission shall make a written request to the City Traffic Engineer or his/her designee chosen by the City Traffic Engineer, who shall determine whether to place any matter on a meeting agenda of the Transportation Commission. The Transportation Commission may, by majority vote, direct that an issue be placed on a future agenda.
2. Where appropriate or necessary for the Transportation Commission to consider an item or matter placed on its meeting agenda, the City Traffic Engineer shall prepare a report which includes (i) sufficient technical data and information for the Transportation Commission to consider the respective item or matter; and (ii) a recommendation concerning any proposed action to be taken by the Transportation Commission which may include, but not necessarily be limited to, making recommendations to the City Council.
3. All such reviews and recommendations shall be non-binding and made in consideration with applicable law and safety standards and consideration of the recommendation of the Traffic Engineer. After consideration by the Transportation Commission, the transportation matter shall be forwarded to other City Commissions as needed and then to the City Council for final consideration, evaluation, and approval.
4. No item or matter being considered by the Transportation Commission shall impede the City's ability to act independently to address immediate matters of public safety.
5. Routine matters that do not involve setting policy, such as the placement of a handicap parking sign, will be handled by staff.

Section 303. POWERS AND DUTIES

In addition to the reviews set forth in Section 302, the Transportation Commission shall also have the general authority to:

1. Make recommendations to improve transportation conditions on policy level matters, including but not limited to: (1) the implementation plan of complete streets policies and practices; (2) parking management; (3) traffic circulation; (4) vehicle speed; (5) traffic

calming practices; (6) crosswalk identification; (7) intersection configuration; (8) streetscape design; (9) directional signage; and (10) the Manual of Practice for the Design of Public Improvements;

2. Review and make recommendations regarding matters of transportation on the following plans: (1) Complete Streets Implementation Plan; (2) Transportation Improvement Plan; (3) Street Widening; (4) Brick Streets; (5) Downtown Master Plan; (6) Bicycle Master Plan; (7) Streets Master Plan; and (8) Sidewalk Master Plan;
3. Receive concerns via the City Traffic Engineer having to do with transportation matters and make recommendations on same;
4. Conduct public hearings on proposed policies and plans when considered necessary by the Commission, the City Council, or as required by City, State, or Federal law or regulation, except where a hearing on the same subject is planned or required to be conducted by another body and where the Board finds that said hearing will be an unnecessary duplication; and
5. To review, suggest and coordinate policies, programs, outreach and strategies for pedestrian and bicycle facilities, including, but not limited to, bicycle routes, multi-use trails, bicycle parking, the sidewalk network, and safe routes to school.

Section 304. ASSISTANCE AND COOPERATION FROM CITY OFFICERS

1. In the conduct of the work of the Transportation Commission, it is anticipated that certain City employees will be required to advise and otherwise support the activities of the Commission in carrying out the obligations as provided herein. To that end, the City Manager shall designate staff to provide technical support and recommendations to the Commission. Based on the subject matter of the issue before the Transportation Commission, the City Manager shall designate representatives from the appropriate City department including, but not limited to, Community Development, Economic Development, Public Works, Police and Fire. In addition, the City's Traffic Engineer shall serve as the staff liaison to the Commission and be responsible for OMA compliance.
2. The Traffic Engineer and other City staff, as designated by the City Manager, shall be entitled to attend and participate in all Commission meetings. In addition, the Traffic Engineer and designated City staff shall provide recommendations to the Commission on the matters before it and shall be entitled to make recommendations separate and apart from the Commission to the City Manager and City Council on final action items.
3. The Traffic Engineer and City staff designated by the City Manager shall assist and cooperate with the Transportation Commission and, upon request of the Commission, shall furnish information and advice on subject matters as the Commission may reasonably require in order to fulfill its functions as set forth herein. The City shall provide clerical services to the Commission where possible.