

**CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA
109 E. OLIVE STREET, BLOOMINGTON, IL 61702
MONDAY, JUNE 8, 2015 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. Public Comment**

(A Public Comment period not to exceed fifteen (15) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council, Committee of the Whole and Special Meetings of the City Council not designated as Work Sessions. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

Anyone desiring to address the Board, Commission or City Council, as applicable, must complete a public comment card available in the meeting location up to fifteen (15) minutes prior to the start of the meeting. The person must include their name, address, and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five (5) individuals desire to make a public comment, the order of the speakers shall be by random draw. (Ordinance No. 2014-82))

6. Recognition/Appointments

- A. Presentation of Awarding Certificates of Completion to Spring 2015 Bloomington 101 Participants. *(Recommend that the Mayor award the Certificates of Completion to the Spring 2015 Bloomington 101 Participants.)*

Cynthia J. Carter
Joseph Blaney
Kelley Tice
Tonya Kaberna
Delores Volle
Steve Schroeder
Paige Elliott
Ann Higgins
Jamison "Jamie" Mathy

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Kelby Cumpston
Ryan Stritchlow
Casey Pirtle
Amanda Weissgerber
Barbara Adelman
Bryan Bubulka
Ed Boyer, III
Bill Wilson

B. Appointment of Jessielee Hinshaw to the Cultural District Commission

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 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. Council Proceedings of May 26, 2015 and Work Session of May 26, 2015.
(Recommend that the reading of the minutes of the previous Council Proceedings of May 26, 2015 and Work Session of May 26, 2015 be dispensed with and the minutes approved as printed.)
- B. Consideration of approving payment for Bills and Payroll. *(Recommend that the bills and payroll be approved and orders drawn on the Treasurer for the various amounts as funds are available).*
- C. Consideration of approving an Appointment to the Cultural District Commission.
(Recommend that Council appoint Jessielee Hinshaw to the Cultural District Commission.)
- D. Consideration of review, analysis and rejection of Bid Number (2015-58) scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department. *(Recommend that all bids be rejected related to Bid No. 2015-58 scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.)*
- E. Consideration of Approving Payment for Street Lighting electrical energy and fixture rental charges through a Motor Fuel Tax (MFT) General Maintenance program. *(Recommend that the MFT Resolution and associated estimate of costs for a MFT General Maintenance Street*

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Lighting FY2016 program (16-00000-00-GM) for Street Lighting System electrical energy and fixture rental charges be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)

- F. Consideration of approving a Fourth Tolling Agreement with McLean County Land Trust CC-1 to extend the period until December 15, 2015, and to waive any defense by way of any statute of limitations which would otherwise arise during such period. *(Recommend that the Fourth Tolling Agreement with McLean County Land Trust CC-1 be approved to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period, and authorize the Mayor and City Clerk to execute the necessary documents.)*
- G. Consideration of approving an Intergovernmental Agreement between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/Downtown Shuttles and Transportation Network Services in both Bloomington and Normal. *(Recommend That the Intergovernmental Agreement be approved between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/Downtown Shuttles and Transportation Network Services in both Bloomington and Normal, and authorize the Mayor and City Clerk to execute the necessary paperwork.)*
- H. Consideration of approving the Application of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend that an RAS liquor license for Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.)*
- I. Consideration of approving an Application of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. *(Recommend that an LB liquor license for the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., be approved.)*
- J. Consideration of approving an Application of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. *(Recommend that the an RBS liquor license for Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes.)*

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- K. Consideration of Adopting an Ordinance Suspending Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge. *(Recommend that the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge be adopted.)*
- L. Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda. *(Recommend that the Lake Lease Transfer Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda be approved and authorize the Mayor and City Clerk to execute the necessary documents.)*
- M. Consideration of Adopting an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15. *(Recommend: Adopt an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15 as described in Exhibit A, conditioned upon making updates to the plan including adding sidewalks, bike paths, and the extension of Hotel Drive, along with and the rerouting of the sewers to the larger detention basin.)*
- N. Consideration of Adopting an Ordinance Approving Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy with conditions listed therein. *(Recommend: Adopt the Ordinance Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy., and the final plat approved subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.)*

8. “Regular Agenda”

- A. Presentation of the Downtown Bloomington Association Annual Report, by Tricia Stiller, (10 minutes Presentation, 10 minutes Discussion).
 - A1. Consideration of approving an Agreement with the Downtown Bloomington Association (DBA) for Fiscal Year 2016. *(Recommend that the Council accept the Downtown Bloomington Association Annual Report, and approve the FY 2016 Service Agreement with the Downtown Bloomington Association in the amount of*

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\$90,000, and authorize the Mayor and City Clerk to execute the necessary documents.)
Austin Grammer, Economic Development Coordinator (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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CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 6A

FOR COUNCIL: June 8, 2015

SUBJECT: Presentation of Awarding Certificates of Completion to Spring 2015 Bloomington 101 Participants.

RECOMMENDATION/MOTION: That the Mayor award the Certificates of Completion to the Spring 2015 Bloomington 101 Participants.

STRATEGIC PLAN LINK: Financially sound City providing quality basic services

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

BACKGROUND: Seventeen interested community members completed the spring session of Bloomington 101, the Bloomington Citizens' Academy, and learned about the various departments of the City. They have a greater understanding of the City and its various components and have provided valuable input to staff as well. The Bloomington 101 program helps to engage community members in local government. This is the second session of Bloomington 101. Another session is anticipated in the fall of this year, with applications being accepted over the summer.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: None

Respectfully submitted for Council consideration.

Prepared by: Nora Dukowitz, Communication Director

Reviewed by: David A. Hales, City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

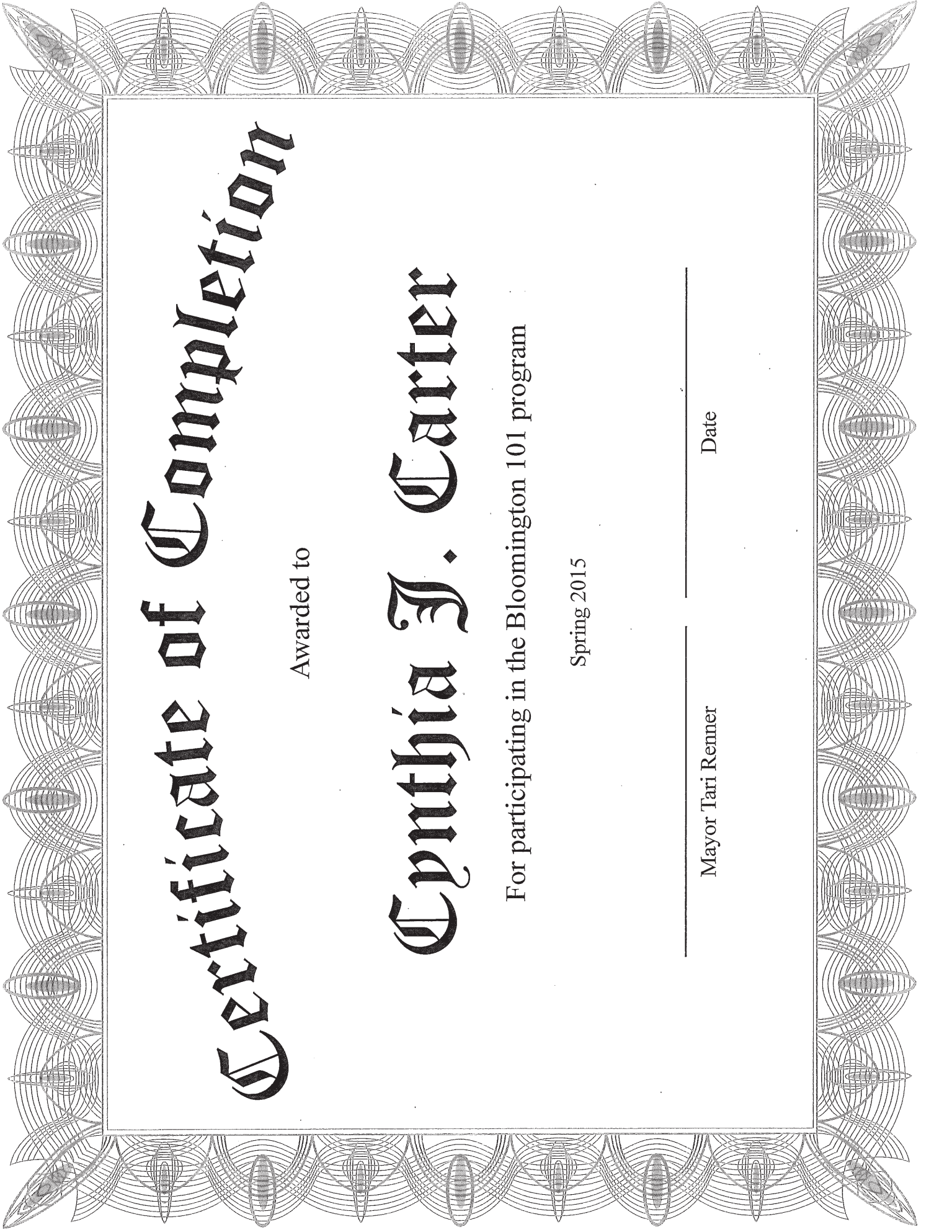
David A. Hales
City Manager

Attachments: Certificates of Award for the 17 Bloomington 101 Participants

Motion: That the Mayor award the Certificates of Completion to the Spring 2015 Bloomington 101 Participants.

Motion: _____ Seconded by: _____

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



Certificate of Completion

Awarded to

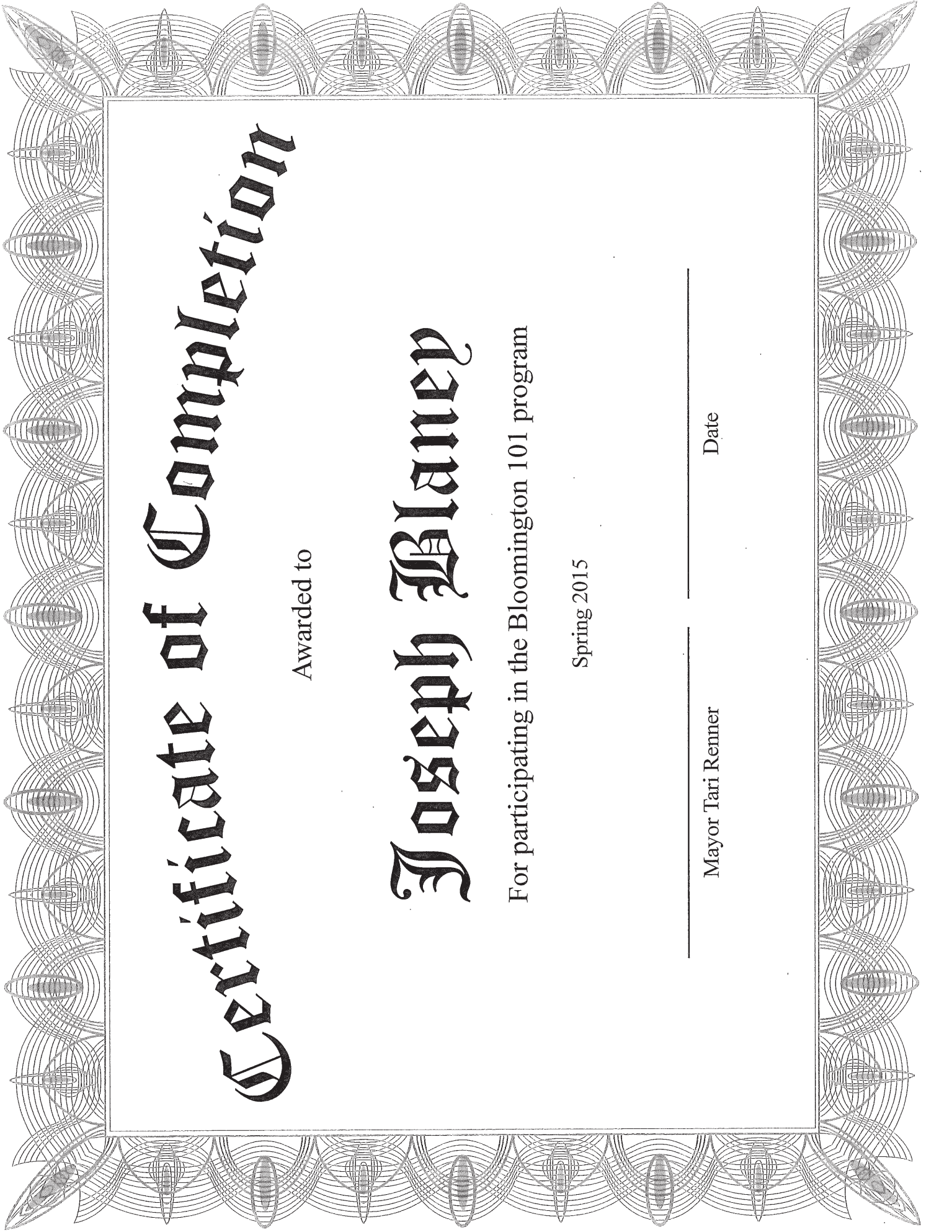
Cynthia J. Carter

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

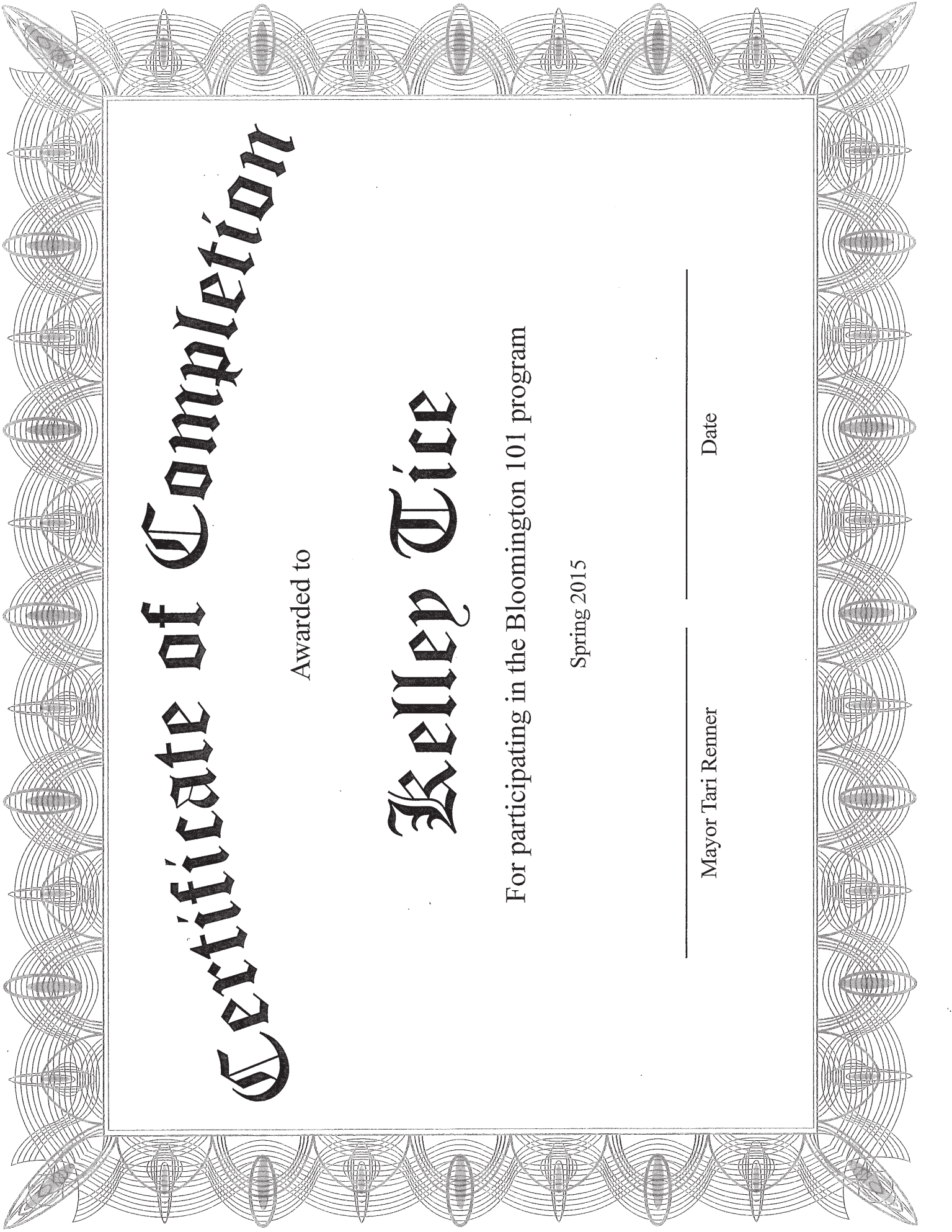
Joseph Blaney

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

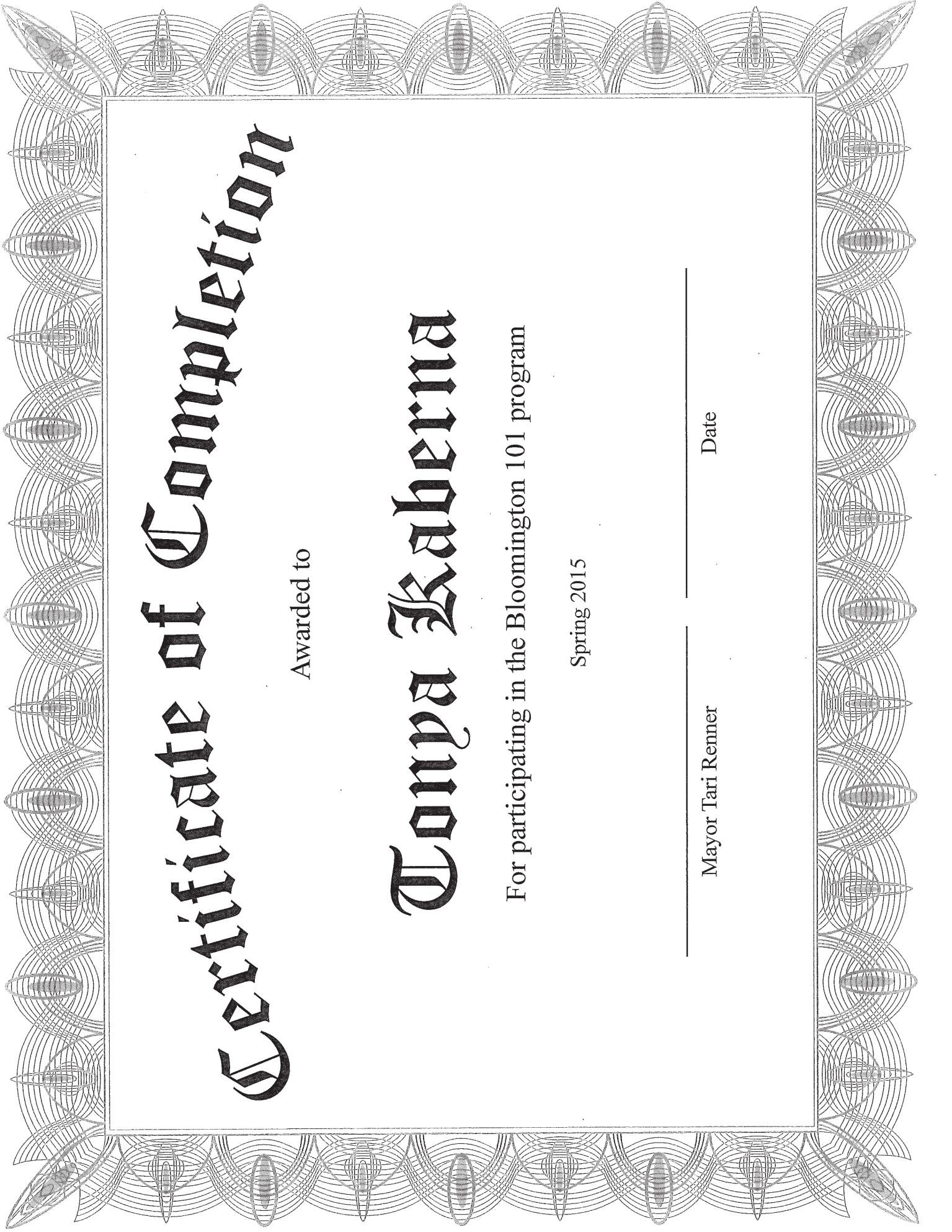
Kelley Tice

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

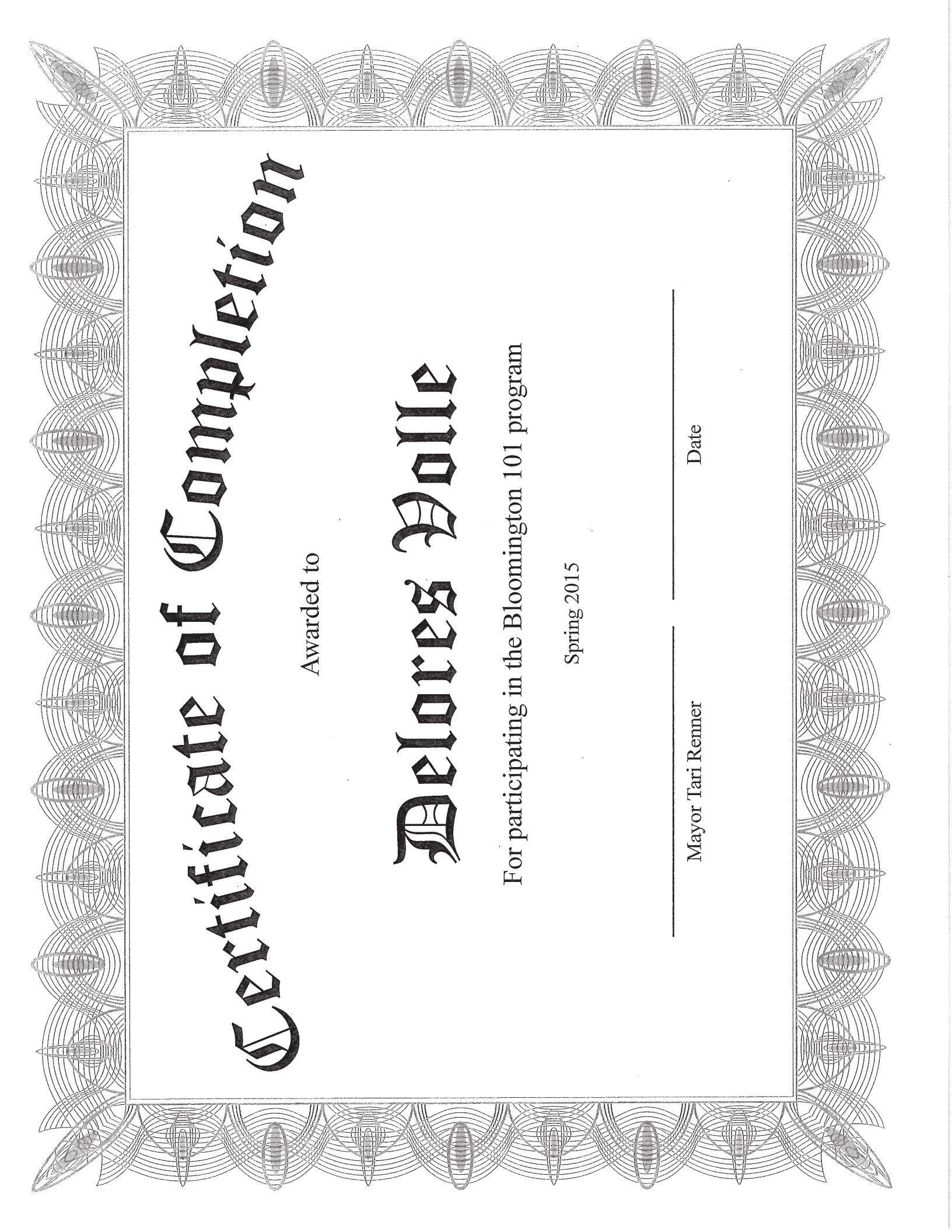
Tonpa Kaberna

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

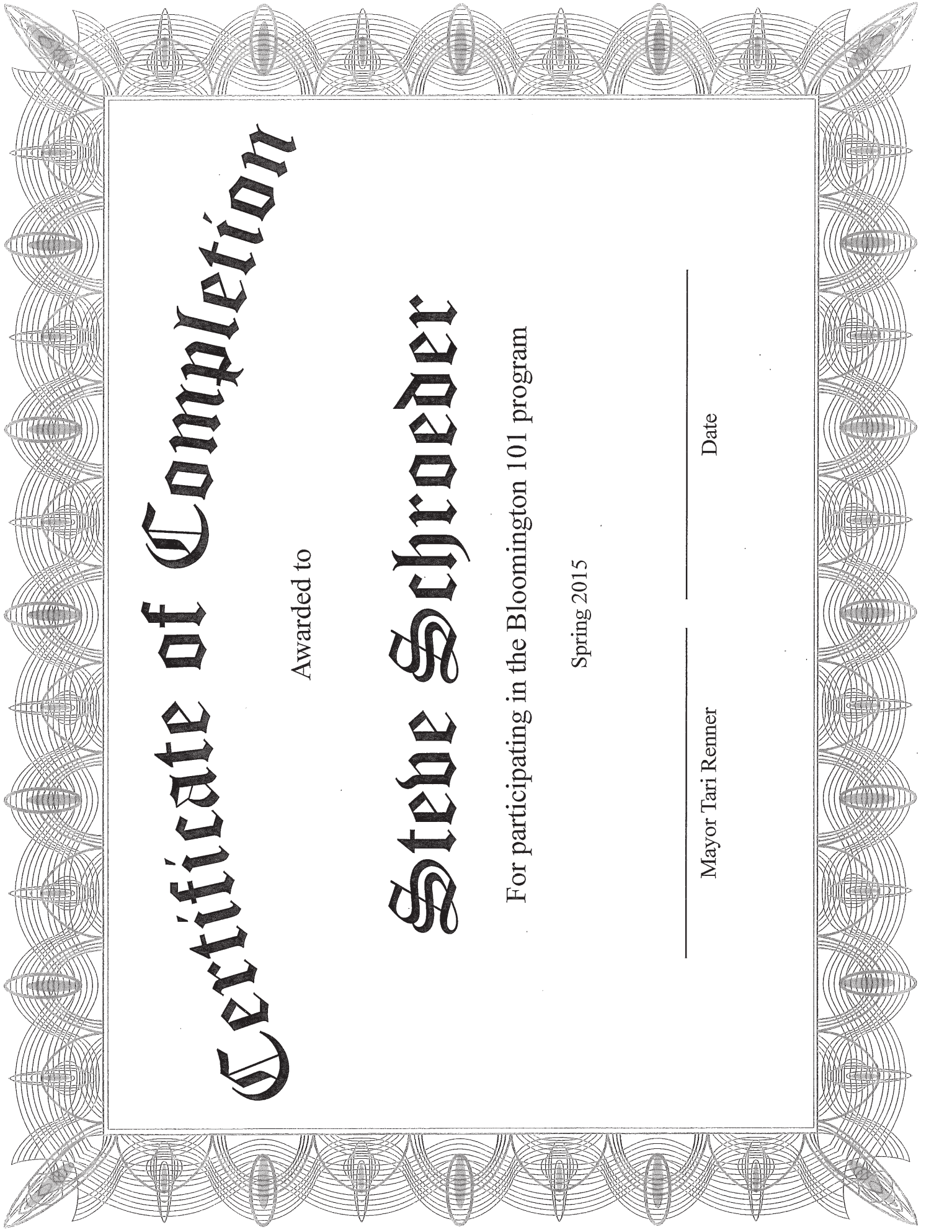
Delores Valle

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

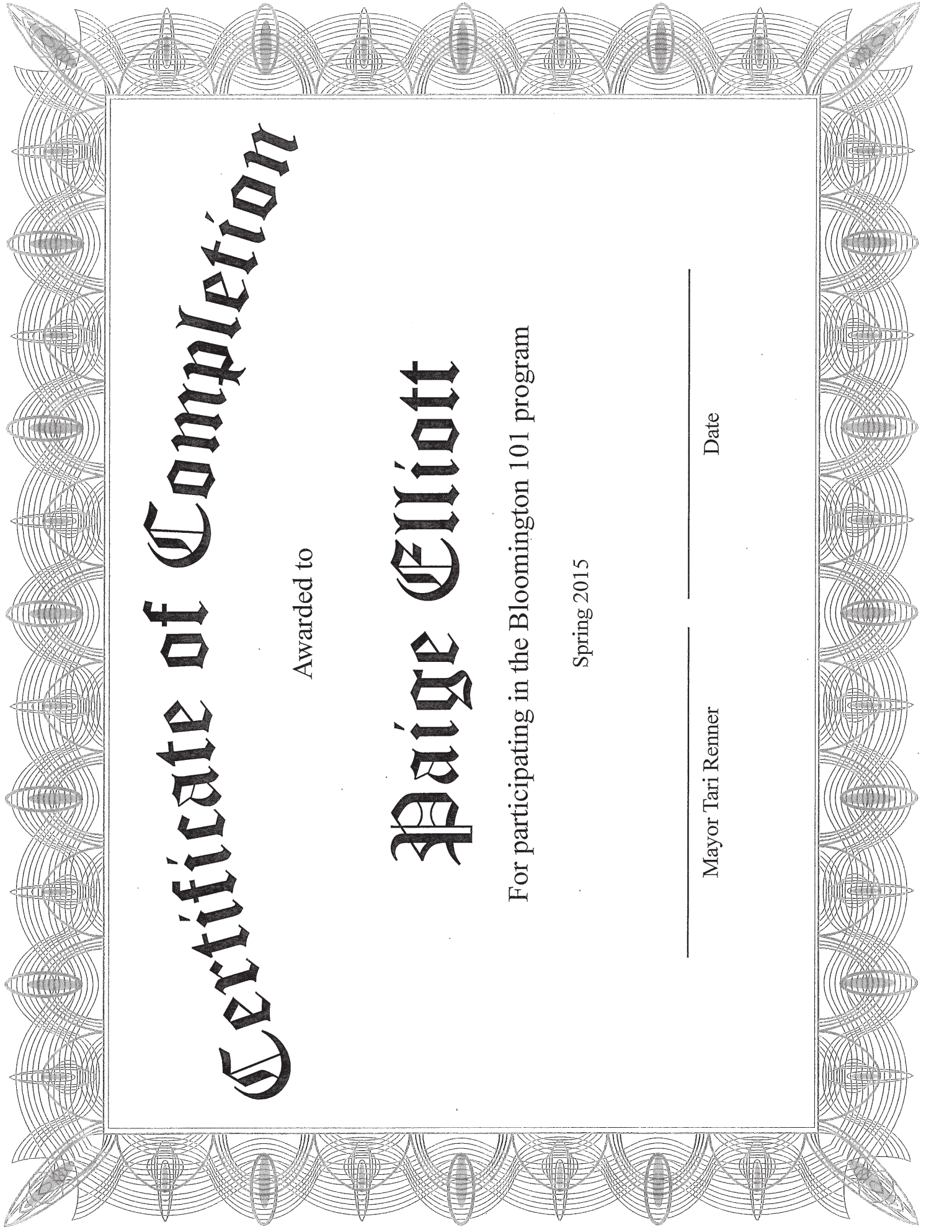
Stene Schroeder

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

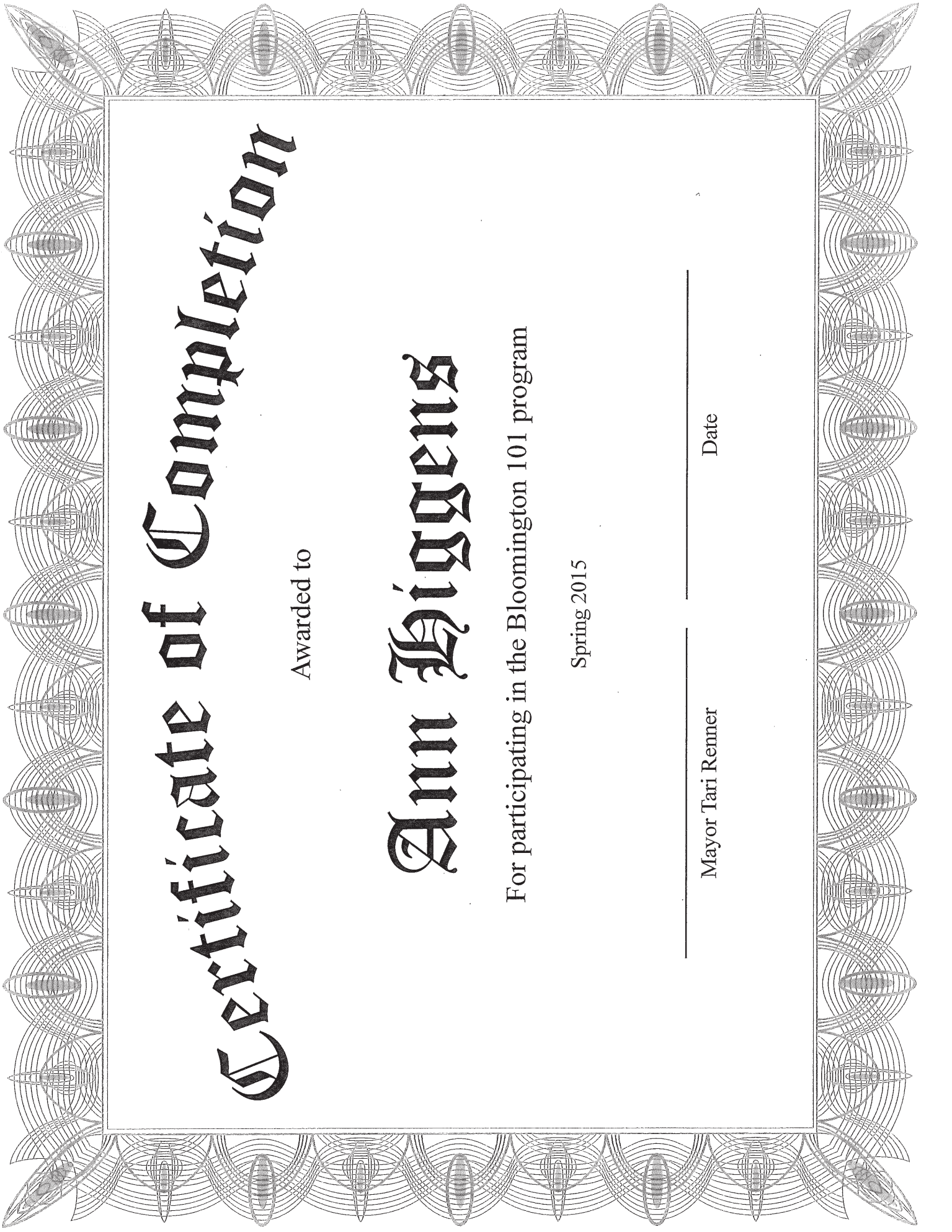
Baige Elliott

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

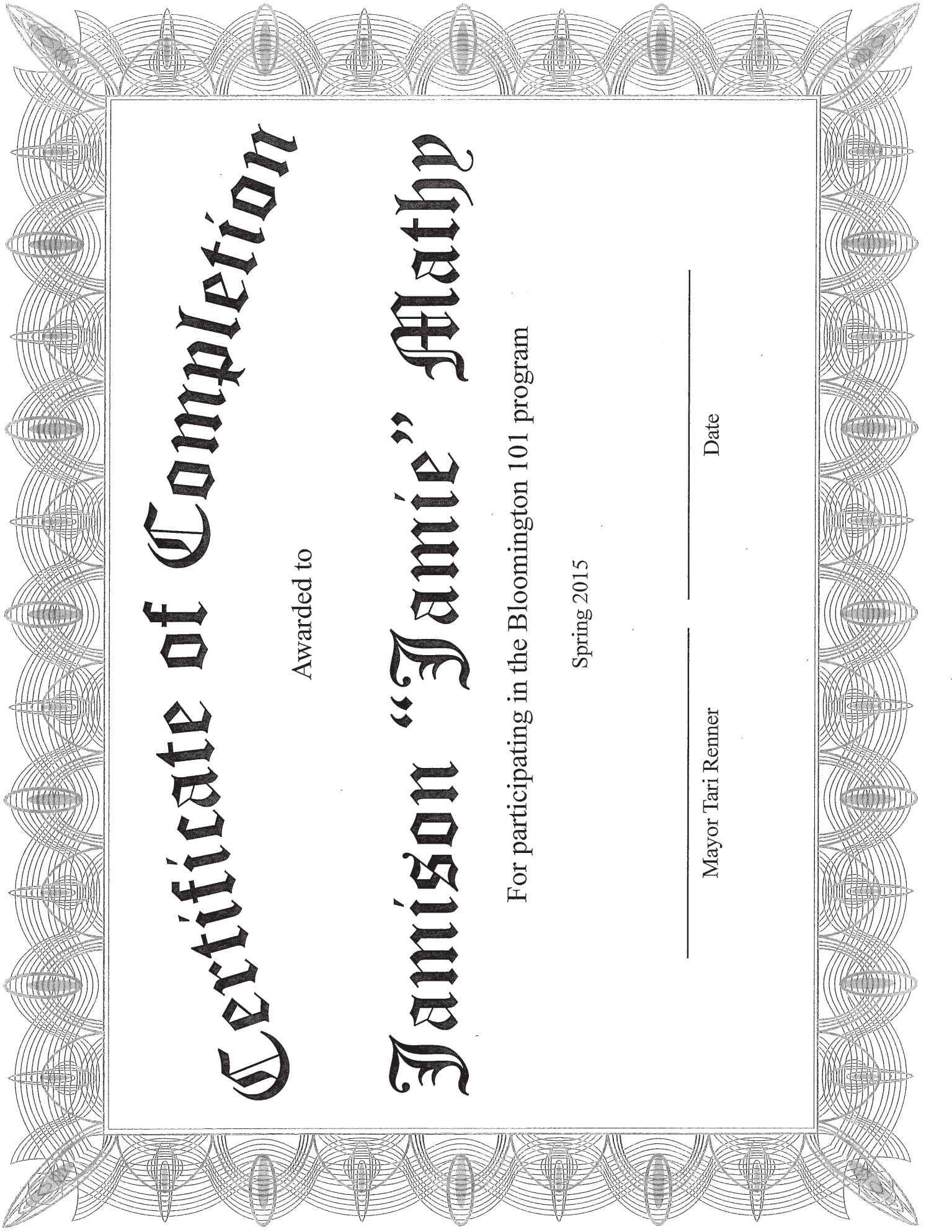
Ann Higgins

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

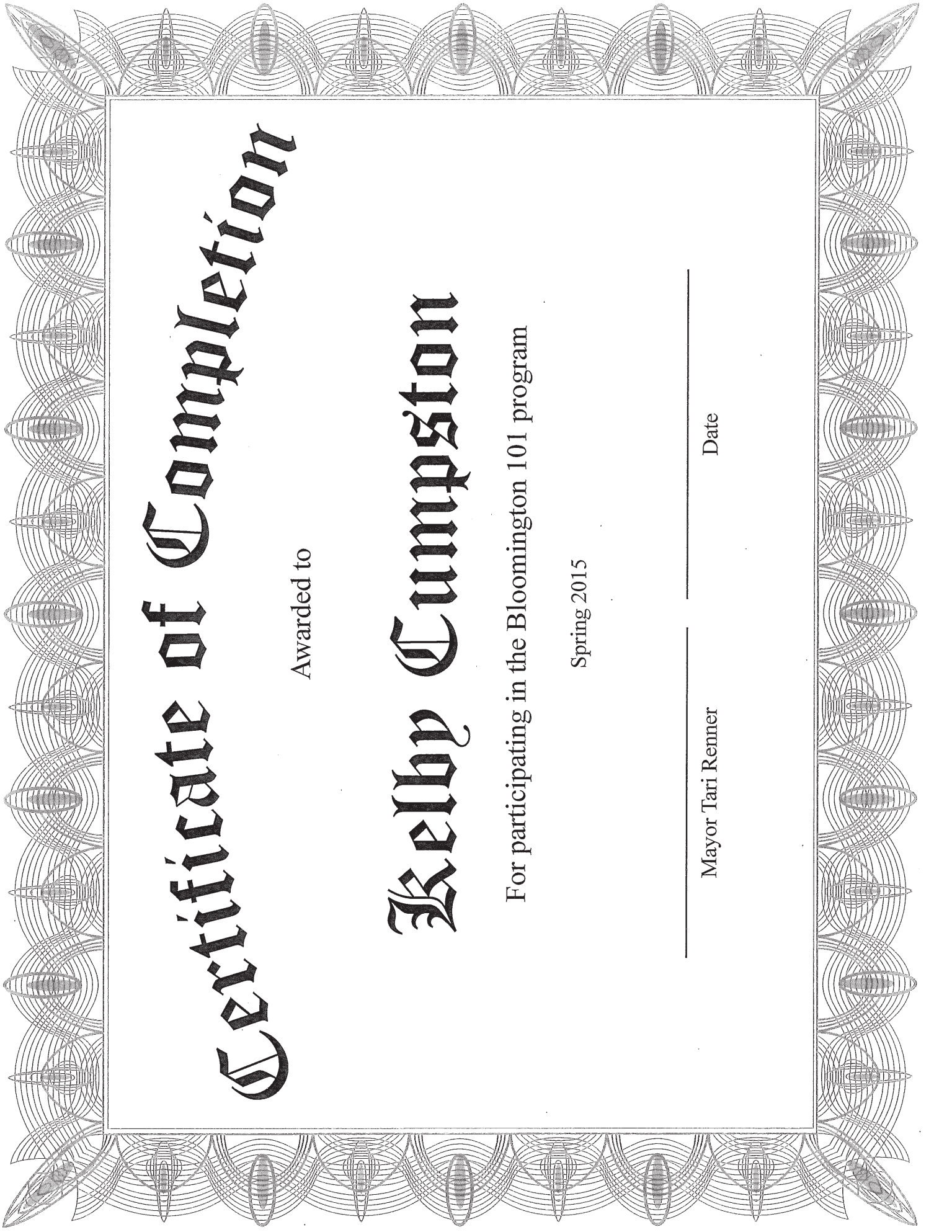
Jamison "Jamie" Mathy

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

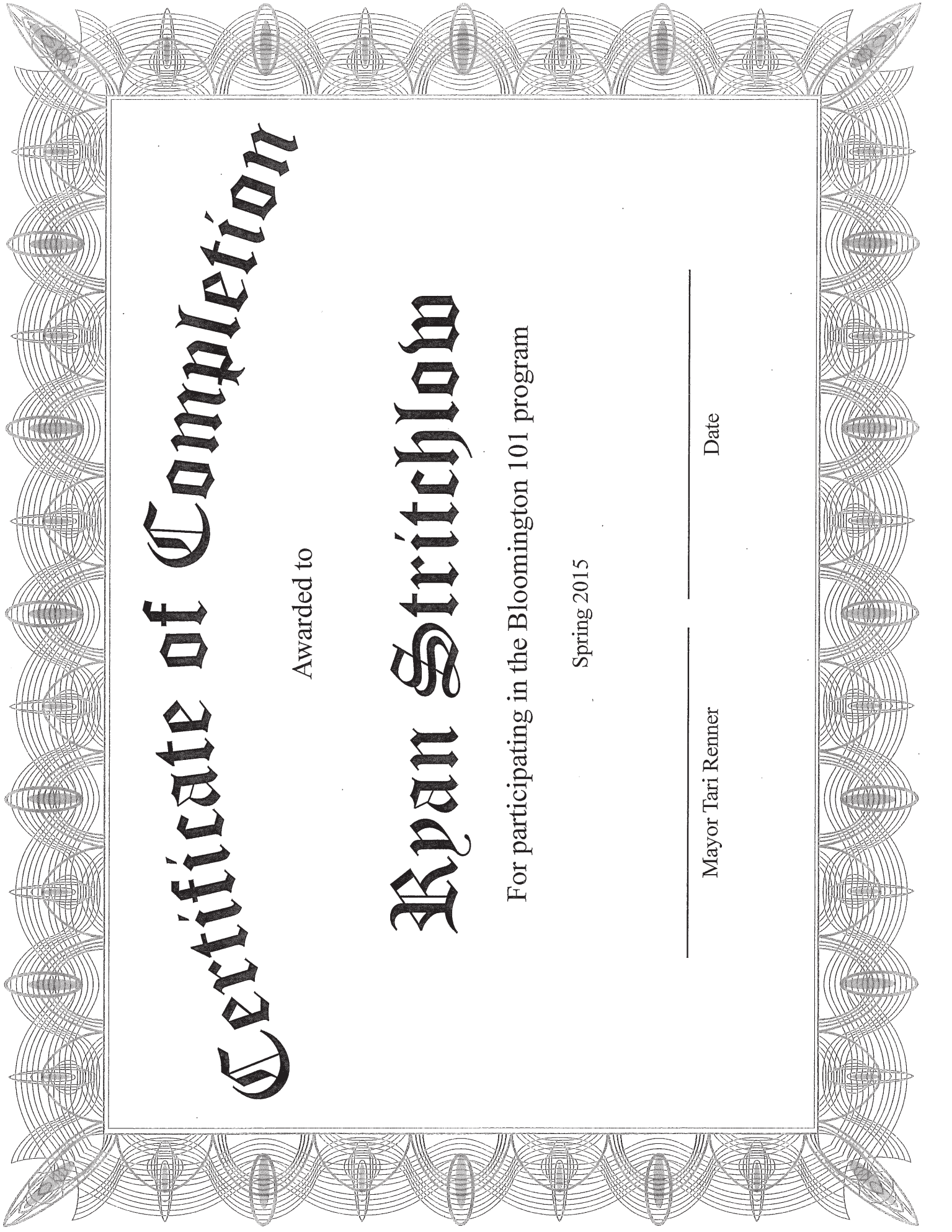
Kelby Cumpston

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

Ryan Stritchlow

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date

Certificate of Completion

Awarded to

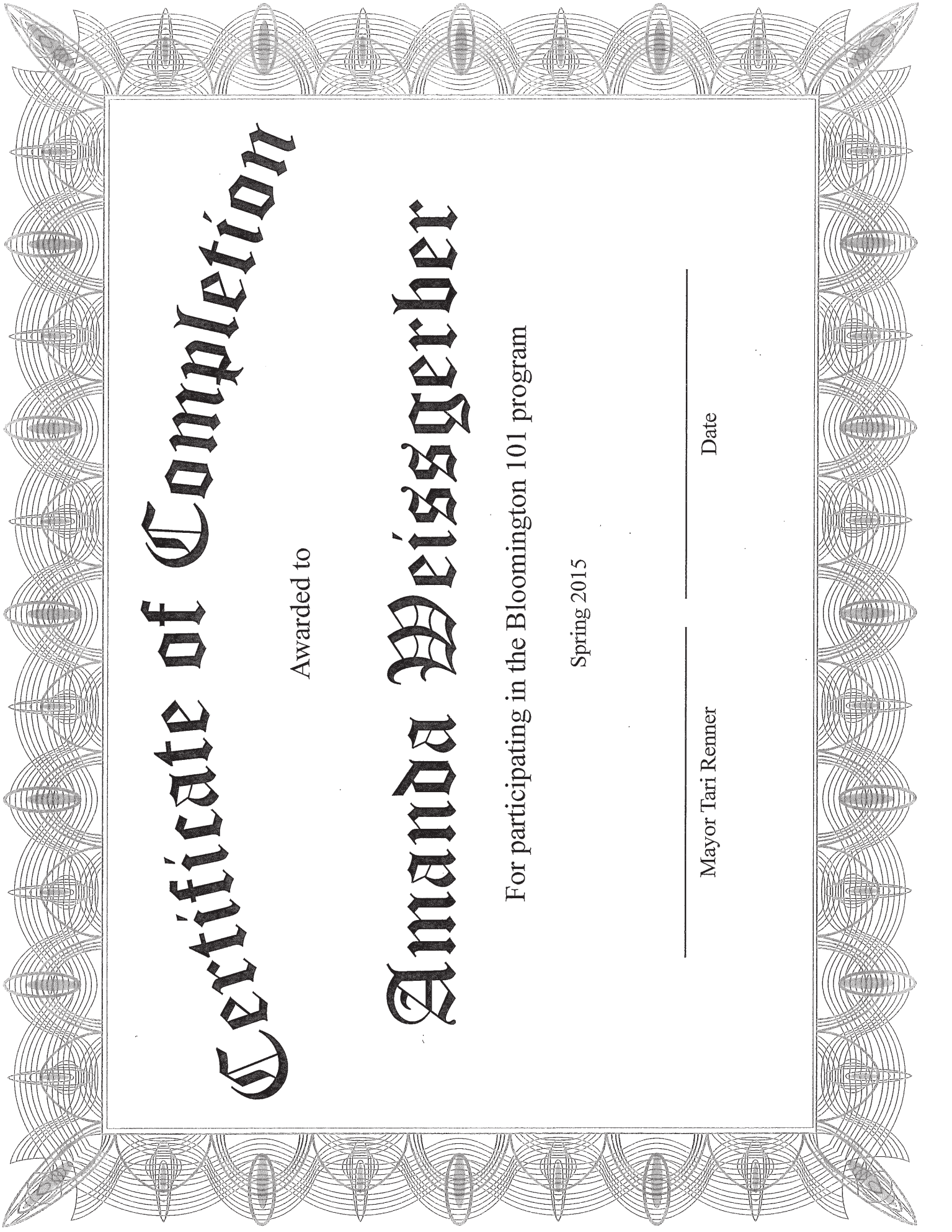
Casey Birtle

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

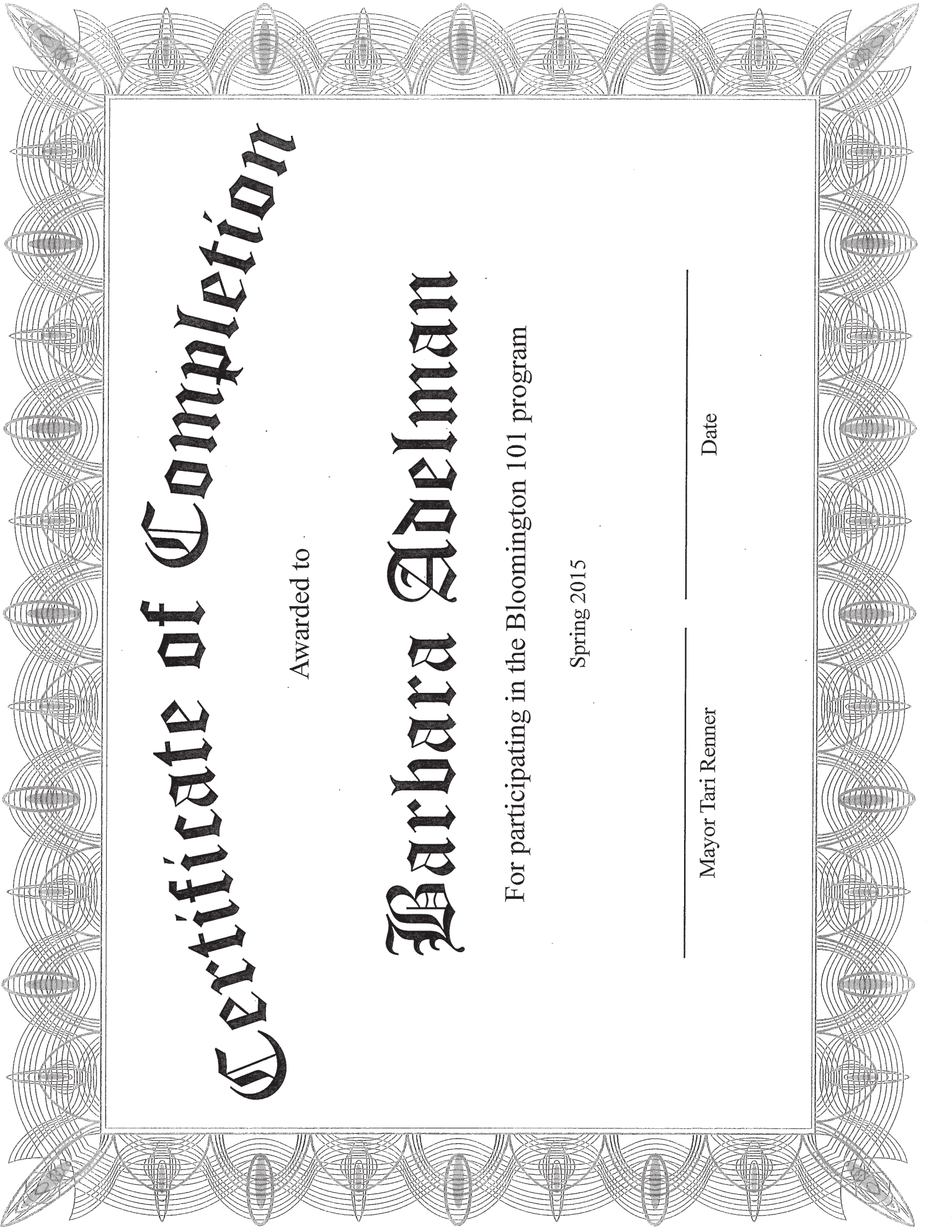
Amanda Weissgerber

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

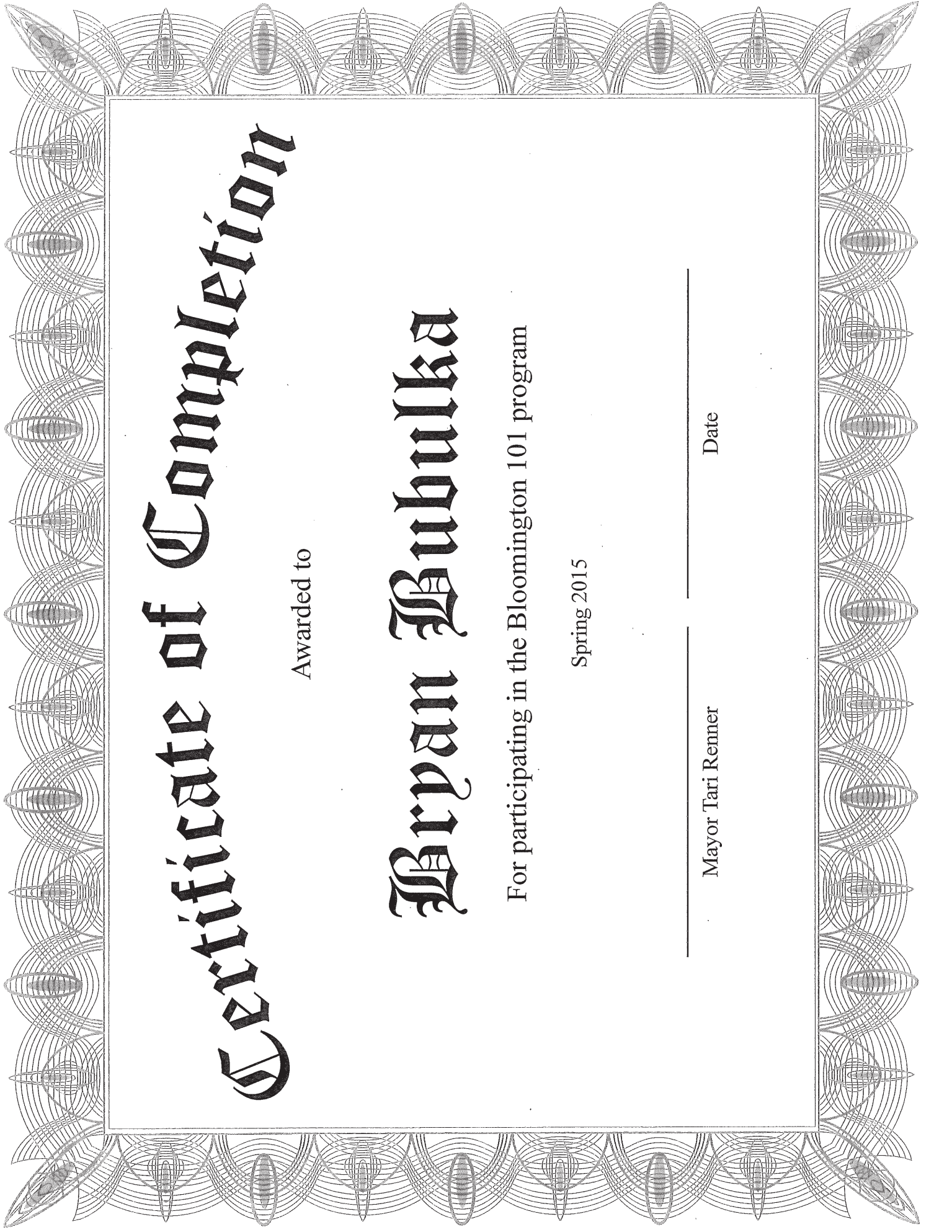
Barbara Adelman

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

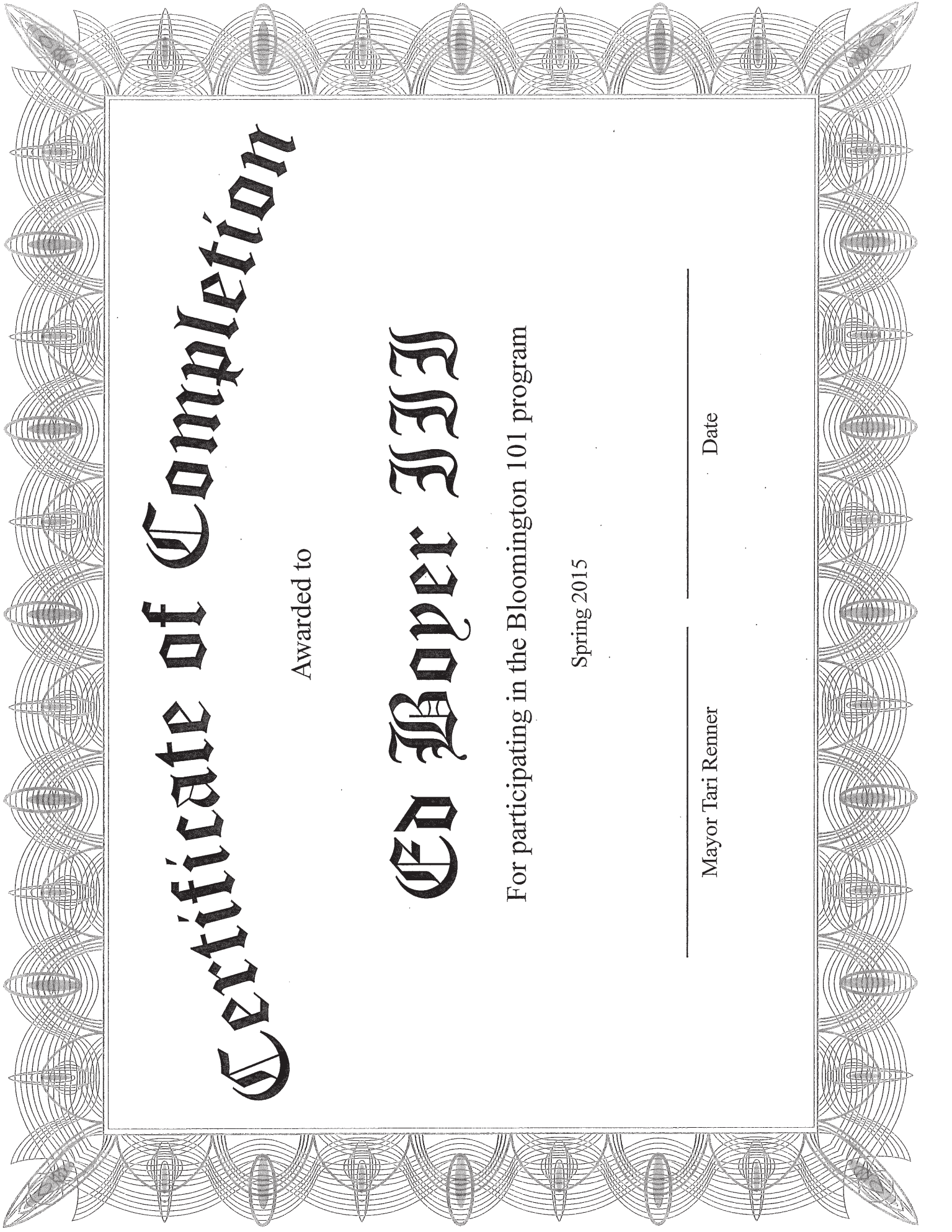
Bryan Bubulka

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

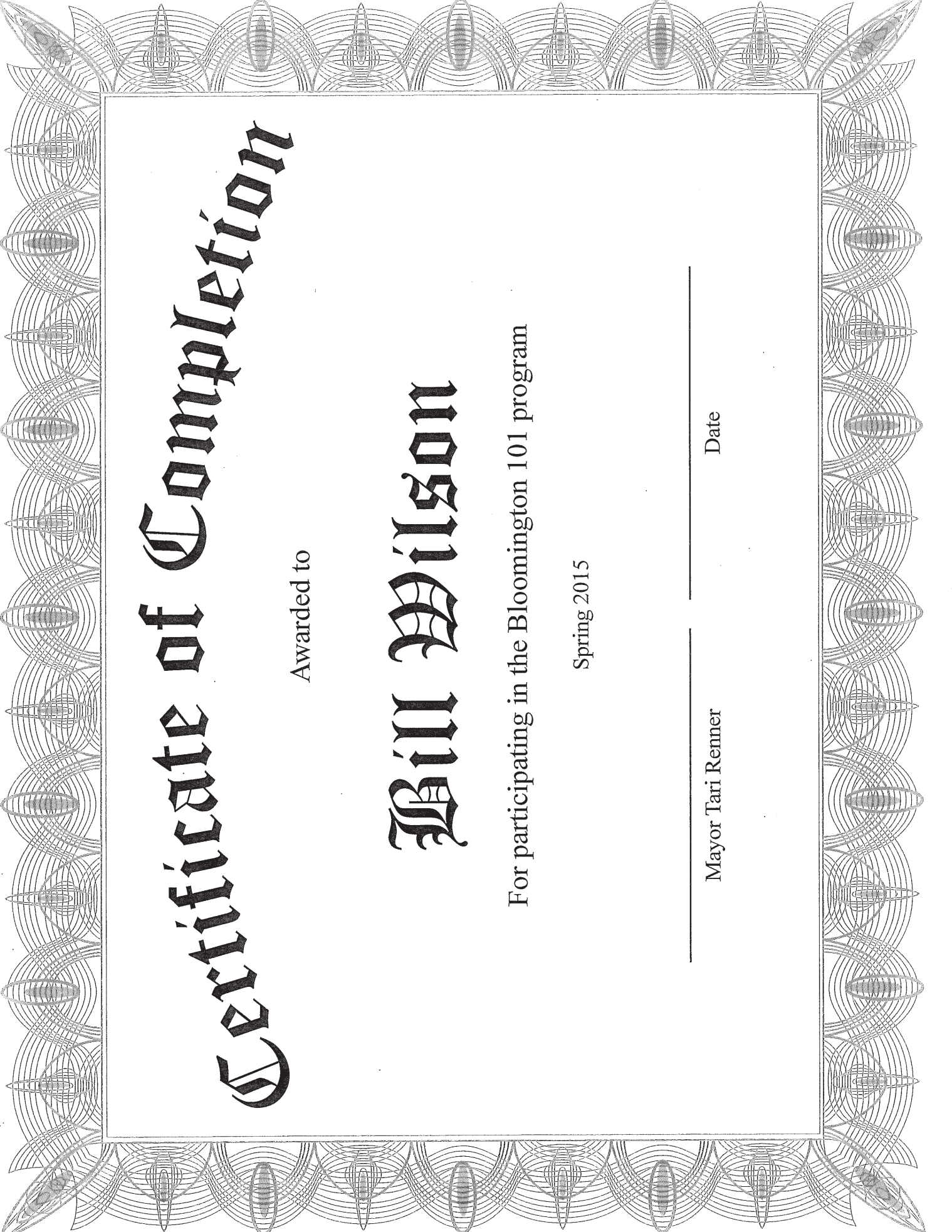
Ed Boyer III

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date



Certificate of Completion

Awarded to

Bill Wilson

For participating in the Bloomington 101 program

Spring 2015

Mayor Tari Renner

Date

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

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving the Council Proceedings of May 26, 2015 and Work Session of May 26, 2015.

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of May 26, 2015 and Work Session of May 26, 2015 be dispensed with and the minutes approved as printed.

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

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

BACKGROUND: The Council Proceedings of May 26, 2015 and Work Session of May 26, 2015 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: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk

Recommended by:



David A. Hales
City Manager

Attachments:

Attachment 1. Draft Council Proceedings for May 26, 2015
Attachment 2. Draft Work Session for May 26, 2015

Motion: That the reading of the minutes of the previous Council Proceedings of May 26, 2015 and Work Session of May 26, 2015 be dispensed with and the minutes approved as printed.

Motion: _____ Seconded by: _____

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



**REGULAR CITY COUNCIL MEETING SESSION
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
TUESDAY, MAY 26, 2015; 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., Tuesday, May 26, 2015.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

4. ROLL CALL

Aldermen: Kevin Lower, David Sage, Diana Hauman, Amelia Buragas, Scott Black, Joni Painter (Absent), Mboka Mwilambwe, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

City Manager David Hales, City Clerk Cherry L. Lawson and Corporate Counsel Angela Fyans-Jimenez and George Boyle were also present.

5. PUBLIC COMMENT

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

6. RECOGNITION/APPOINTMENTS

The following was presented:

Appointment of John Concklin to the Scott Estate Health Care Investment Committee.

The following was presented:

Appointment of Arthur Haynes to the Bloomington Housing Authority

The following was presented:

Appointment of Julian Westerhout to the Board of Library Trustees.

The following was presented:

Reappointment of John Bowman to the Public Transit Board.

7. CONSENT AGENDA

Mayor Renner asked whether there were any items that Alderman wished to have pulled from the agenda. Alderman Mwilambwe to pull Item 7J from the Consent Agenda as he had a conflict with the deliberating on the item.

**Motion by Alderman Schmidt to pull Item No. 7J from the Consent Agenda.
Alderman Black seconded the motion.**

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

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

Nays: None.

Recuse: Alderman Mwilambwe.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Council Proceedings of May 11, 2015 and Work Session of April 27, 2015

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of May 11, 2015 and Work Session of April 27, 2015 be dispensed with and the minutes approved as printed.

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

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

BACKGROUND: The Council Proceedings of May 11, 2015 and Work Session of April 27, 2015 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.

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COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk

Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Black that the reading of the minutes of the previous Council Proceedings of May 11, 2015 and the Work Session of April 27, 2015 be dispensed with and the minutes approved as printed.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Bills and Payroll

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

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$7,690,113.03, (Payroll total ~~\$2,289,166.09~~ \$2,289,166.09, and Accounts Payable total \$5,259,336.25). Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Black that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Appointments and Reappointments to the following Boards and Commissions: Scott Estate Health Care Trust Investment Committee, Bloomington Housing Authority, Board of Library Trustees, and the Public Transit Board

RECOMMENDATION/MOTION: That the appointments to the Scott Estate Health Care Trust Investment Committee, Bloomington Housing Authority, Board of Library Trustees, and the Public Transit Board be approved.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

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

BACKGROUND: I ask your affirmation of the following appointments:

Scott Estate Health Care Trust Investment Committee: Mr. John Concklin of 219 Parkview Drive, Bloomington, IL 61701 to the Scott Estate Health Care Trust Investment Committee.

On October 23, 1992, the Judge of the Circuit Court approved the Trustee recommendation for the diversification of Trust investments and requested Trustees to appoint an Investment Committee, a custodial bank, and an investment manager.

On October 28, 1999, the City Council, as Trustee of the John M. Scott Health Care Trust, adopted and approved a revised Investment Policy, entitled "John M. Scott health Care Trust Investment Procedures and Policies. This Policy states that "Individuals serving on the Investment Committee must be recommended by the Scott Commission and approved by the Trustee. As a Subcommittee of the Scott Health Care Commission, the Investment Committee must be authorized to oversee and make investment decisions, select investment managers, allocate or reallocate funds among the various types of investment or managed funds for the Trust, subject to the review and approval of the Scott Health Care Commission and the Trustee."

Bloomington Housing Authority: Arthur Haynes of 702 W Mill Street, Bloomington, IL 61701 to the Bloomington Housing Authority. His four (4) year term will be 5/1/15 – 4/30/19.

Board of Library Trustees: Julian Westerhout of 816 E Monroe, Bloomington, IL 61701 to the Board of Library Trustees. His four (4) year term will be 5/1/15 – 4/30/19.

I ask your concurrence in the reappointment of:

Public Transit Board: John Bowman of 3611 Pamela Drive, Bloomington, IL 61704 to the Public Transit Board. His four (4) year term will be 7/1/15 – 6/30/19.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Mayor contacts all recommended appointments Council approve the appointments to the Scott Estate Health Care Trust Investment Committee, Bloomington Housing Authority, Board of Library Trustees, and the Public Transit Board.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Reviewed by: Steve Rasmussen, Assistant City Manager

Recommended by:

Tari Renner
Mayor

Motion by Alderman Schmidt, seconded by Alderman Black that the Appointments be approved.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Consideration of review and analysis of Bids and Approval of a Contract with Rowe Construction in the amount of \$765,000 for General Resurfacing of Bloomington City Streets and Roadways Repairs for FY 2016 (Bid #2015-61)

RECOMMENDATION/MOTION: That the unit prices and Contract with Rowe Construction for the General Resurfacing of Bloomington City Streets and Roadway Repairs for FY 2016 through Bid #2015-61 in the amount of \$765,000 be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: The Public Works Department prepared the General Resurfacing FY 2016 proposal package and advertised the project for competitive bids. Bids for this contract were received until 1:00 p.m. Monday, May 11, 2015 in the office of the City Clerk. A lone bid was received and opened in the City Council Chambers. The single bid was submitted by Rowe Construction.

Rowe Construction – Bid Amount	\$755,215.78
Engineer’s Estimate	\$969,593.30
Total City LMFT Funds	\$765,000.00

The General Resurfacing FY 2016 proposal package was prepared by Public Works Staff to include a scope of work greater than the Local Motor Fuel Tax (LMFT) allocation amount for this contract. Staff was optimistic that by creating two (2) street resurfacing projects (General

Resurfacing and Street & Alley Repair) this year competition would increase from the contracting community for these projects and in turn reduce the unit prices from those seen in years past. Multiple contractors requested proposal packages for both of the street resurfacing projects and as shown above, the low bidder (Rowe Construction) submitted a bid that was lower than the engineer's estimate.

Based on the Local Motor Fuel Tax funding allocation shown below, Staff recommends awarding the contract for \$765,000.

The FY 2016 Local Motor Fuel Tax (LMFT) funding has been allocated as follows –

<u>Local Motor Fuel Tax (LMFT) Funding Distribution</u>	
General Resurfacing FY 2016	\$1,160,000
Street & Alley Repair FY 2016	\$765,000
Pavement Preservation FY 2016	\$75,000
Sidewalk Replacement & Handicap Ramp Program FY 2016	\$400,000
Total City LMFT Funds	\$2,400,000

A unit price comparison of the major work items is shown in the table below:

ITEM DESCRIPTION	UNITS	FY 2015 (Bond) Unit Price	FY 2016 Unit Price	Change (\$) FY 2015 - FY 2016	Change (%) FY 2015 - FY 2016
Inlets to be Adjusted	EA	\$950.00	\$1,015.69	\$65.69	6.91%
Inlets to be Reconstructed - Type 3 Frame & Grate	EA	\$1,918.86	\$2,484.29	\$565.43	29.47%
Pavement Patching	SY	\$95.86	\$92.49	(\$3.37)	-3.52%
Comb Concrete Curb & Gutter - Spot Repair	LF	\$86.27	\$87.27	\$1.00	1.16%
Polymerized HMA Surface Course	TON	\$111.61	\$106.47	(\$5.14)	-4.61%
Polymerized Leveling Binder, Machine Method	TON	\$126.66	\$112.05	(\$14.61)	-11.53%
Surface Removal, 1 3/4"	SY	\$4.80	\$3.54	(\$1.26)	-26.25%
Thermoplastic Pavement Marking Line 6"	LF	\$1.17	\$1.95	\$0.78	66.67%

Since the bid documents allow for the addition and removal of work items, contracts for the entire amount of the LMFT allocated budget amount will be awarded. The contract completion date for this project is November 13, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This work was advertised in The Pantagraph on April 27 and May 4, 2015 and a pre-bid meeting was held at 10:30 a.m. on May 4, 2015 in the Public Works Department Conference Room.

FINANCIAL IMPACT: The FY 2016 Adopted Budget includes \$2,400,000 in Local Motor Fuel Tax for pavement preservation, sidewalks, general resurfacing and street & alley repair. The \$765,000 for FY 2016 General Resurfacing is budgeted in the Capital Improvement Fund-Street Construction & Improvements Account (40100100-72530). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds & Capital Improvement Program” on pages 74, 199 and 231.

Respectfully submitted for Council consideration.

Prepared by: Robert Yehl, PE, Assistant City Engineer
Reviewed by: Jim Karch, PE CFM, Public Works Director
Reviewed by: Steve Rasmussen, Assistant City Manager
Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Legal review by: Jeffrey R. Jurgens, Corporation Counsel
Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Black that the unit prices and Contract with Rowe Construction for the General Resurfacing of Bloomington City Streets and Roadway Repairs for FY 2016 through Bid #2015-61 in the amount of \$765,000 be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Consideration of review and analysis of Bids and Approval of a Contract with Rowe Construction in the amount of \$1,350,000 for Bloomington Street & Alley Repairs for FY 2016 (Bid #2015-62)

RECOMMENDATION/MOTION: That the unit prices and contract from Rowe Construction through Bid #2015-62 for Bloomington Street & Alley Repairs FY 2016 in the amount of \$1,350,000 be approved and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: The Public Works Department prepared the Street & Alley Repair FY 2016 proposal package and advertised the project for competitive bids. Bids for this contract were received until 1:00 p.m. Monday, May 11, 2015 in the office of the City Clerk. Two (2) bids were received and opened in the City Council Chambers.

	Engineer's Estimate	Rowe Construction	HJ Eppel & Company
Base Scope	\$1,584,693.00	\$1,281,983.38	\$1,534,937.25
Alternate CDBG Catherine Street Scope	\$39,235.00	\$37,820.29	\$36,588.50
Base Scope + Alternate CDBG Catherine Street Scope	\$1,623,928.00	\$1,319,803.67	\$1,571,525.75

As shown above, the contract package included a base bid, as well as an alternate bid that utilizes Community Development Block Grant (CDBG) Funds for curb & gutter, and roadway resurfacing on Catherine Street.

The Street & Alley Repair FY 2016 proposal package was prepared by Public Works Staff to include a scope of work greater than the Local Motor Fuel Tax (LMFT) allocation amount for this contract. Staff was optimistic that by creating two (2) street resurfacing projects (General Resurfacing and Street & Alley Repair) this year competition would increase from the contracting community for these projects and in turn reduce the unit prices from those seen in years past. Multiple contractors requested proposal packages for both of the street resurfacing projects and as shown above, the low bidder (Rowe Construction) submitted a bid that was lower than the engineer's estimate.

Based on the Local Motor Fuel Tax funding allocation shown below, as well as the budgeted CDBG and Water Department funds, Staff recommends awarding the contract for \$1,350,000. The FY 2016 Local Motor Fuel Tax (LMFT) funding has been allocated as follows –

<u>Local Motor Fuel Tax (LMFT) Funding Distribution</u>	
General Resurfacing FY 2016	\$1,160,000
Street & Alley Repair FY 2016	\$765,000

Pavement Preservation FY 2016	\$75,000
Sidewalk Replacement & Handicap Ramp Program FY 2016	\$400,000
Total City LMFT Funds	\$2,400,000

A unit price comparison of the major work items (alternate not included) is shown in the table below:

ITEM DESCRIPTION	UNITS	FY 2015 (Bond) Unit Price	FY 2016 Unit Price	Change (\$) FY 2015 - FY 2016	Change (%) FY 2015 - FY 2016
Manholes to be Adjusted	EA	\$900.00	\$1,178.41	\$278.41	30.93%
Manholes to be Adjusted, Special, Type 1		\$1,200.00	\$1,146.49	(\$53.51)	-4.46%
Inlets to be Reconstructed - Type 3 Frame & Grate	EA	\$1,918.86	\$1,852.26	(\$66.60)	-3.47%
Pavement Patching	SY	\$95.86	\$74.42	(\$21.44)	-22.37%
Class D Patches, Special	SY	\$88.31	\$73.51	(\$14.80)	-16.76%
Comb Concrete Curb & Gutter - Spot Repair	LF	\$86.27	\$73.95	(\$12.32)	-14.28%
Porous Granular Embankment, Special 1	CY	\$60.75	\$62.28	\$1.53	2.52%
Hot-Mix Asphalt Surface Course	TON	\$99.59	\$88.95	(\$10.64)	-10.68%
Leveling Binder, Machine Method, Mix C N50	TON	\$110.25	\$101.76	(\$8.49)	-7.70%
Surface Removal, 1 1/2"	SY	\$4.75	\$3.40	(\$1.35)	-28.42%
Surface Removal, 2 1/4" / 2 1/2"	SY	\$5.90	\$5.55	(\$0.35)	-5.93%

Since the bid documents allow for the addition and removal of work items, contracts for the entire amount of the LMFT allocated budget amount will be awarded. The contract completion date for this project is November 13, 2015. The Catherine Street scope of work will not begin until after the sewer improvements (under separate contract) have been completed. Provisions are included in the contract to extend the completion date of this contract to 2016 in order to allow completion of sewer improvements (under a separate contract) prior to this contract's Catherine Street scope of work.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This work was advertised in The Pantagraph on April 27 and May 4, 2015 and a pre-bid meeting was held at 11:30 a.m. on May 4, 2015 in the Public Works Department Conference Room.

FINANCIAL IMPACT: The FY 2016 Adopted Budget includes \$2,000,000 in Local Motor Fuel Tax for pavement preservation, general resurfacing and street & alley repair. The \$1,350,000 for FY 2016 General Resurfacing is budgeted as follows: \$1,160,000 in the Capital

Improvement Fund-Street Construction & Improvements Account (40100100-72530), \$150,000 in the Lake Maintenance-Street Construction & Improvement Account (50100140-72530). \$150,000 will be transferred from Water Purification-Water Plant Maintenance & Construction (50100130-72590) in the FY 2016 Budget to the Lake Maintenance-Street Construction & Improvement Account (50100140-72530) to cover the Water Fund portion. The Community Development Block Grant portion will be paid out of Community Development Capital Improvement-Street Construction & Improvement Account (22402440-72530-52000). \$40,000 will be transferred from Community Development Rehabilitation Grants (22402430-79130-51000) in the FY 2016 Budget to Community Development Capital Improvement-Street Construction & Improvement Account (22402440-72530-52000) to cover Community Development share. Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on pages 74, 199 and 231.

Respectfully submitted for Council consideration.

Prepared by:	Robert Yehl, PE, Assistant City Engineer
Reviewed by:	Jim Karch, PE CFM, Public Works Director
Reviewed by:	Steve Rasmussen, Assistant City Manager
Financial & budgetary review by:	Chris Tomerlin, Budget Analyst
Legal review by:	Jeffrey R. Jurgens, Corporation Counsel
Recommended by:	

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Black that the unit prices and contract from Rowe Construction through Bid #2015-62 for Bloomington Street & Alley Repairs FY 2016 in the amount of \$1,350,000 be approved and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Consideration of review and analysis of Bids and Approval of a Contract with J.G. Stewart Contractors, Inc., in the amount of \$400,000 for the Bloomington Sidewalk Replacement and Handicap Ramp Program FY 2016 (Bid #2015-63)

RECOMMENDATION/MOTION: That the unit prices and contract with J. G. Stewart Contractors, Inc., for the Bloomington Sidewalk Replacement and Handicap Ramp Program FY 2016 through Bid #2015-63 in the amount of \$400,000 be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. This project upgrades sidewalks throughout the City, providing better pedestrian access. It also improves the infrastructure in neighborhoods, providing residents with a way to contribute to the quality of the sidewalks in their neighborhood. Objective 4d. Improved neighborhood infrastructure; Objective 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: Bids for this contract were received until 1:00 p.m. Monday, May 11, 2015 in the office of the City Clerk. Three (3) bids were received and opened in the Council Chambers.

Contractor:		Bid Amount
J.G. Stewart, Inc., Bloomington, IL	<i>Low Bid</i>	\$ 433,941.50
Stark Excavating, Inc.		\$ 502,310.50
George Gildner, Inc., Bloomington, IL		\$ 448,066.50
Engineer's Estimate:		\$ 440,172.25

This project includes the upgrade of any non-ADA compliant sidewalk access ramps and replacement of sidewalk that is not considered serviceable along the streets to be resurfaced under the General Resurfacing FY 2016 and Street and Alley Repair FY 2016 contracts.

Sidewalk ramps adjacent to pavement alterations are required to be brought into compliance with current ADA standards. Street resurfacing is considered to be a pavement alteration requiring ADA compliance. This project brings the ramps along the resurfaces streets into compliance as required.

The substantial completion date for this project is in the bid documents as November 13, 2015. The FY 2016 Local Motor Fuel Tax (LMFT) funding has been allocated as follows –

<u>Local Motor Fuel Tax (LMFT) Funding Distribution</u>

General Resurfacing FY 2016	\$1,160,000
Street & Alley Repair FY 2016	\$765,000
Pavement Preservation FY 2016	\$75,000
Sidewalk Replacement & Handicap Ramp Program FY 2016	\$400,000
Total City LMFT Funds	\$2,400,000

A unit price comparison of five (5) major work items is shown in the table below.

DESCRIPTION	UNITS	FY 2015 (bond) Unit Price	FY 2016 Unit Price	Change (\$) FY15 – FY16	Change (%) FY15 – FY16
4" sidewalk remove/replace	SF	\$6.40	\$7.47	\$1.07	14.32%
6" sidewalk remove/replace	SF	\$6.75	\$8.07	\$1.32	16.35%
saw cutting	SF	\$1.65	\$1.65	\$0.00	0.00%
curb replacement	LF	\$23.00	\$24.00	\$1.00	4.17%
retaining wall	SF	\$40.00	\$75.00	\$35.00	46.67%

Since the bid documents allow for the addition and removal of repair locations, a contract for the entire budget amount will be awarded. The contract completion date for this project is November 13, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This work was advertised in The Pantagraph on April 27 and May 4, 2015 and a pre-bid meeting was held at 9:30 a.m. on May 4, 2015 in the Public Works Department's Conference Room.

FINANCIAL IMPACT: The \$400,000 is included in the FY 2016 Adopted Budget in the Capital Improvement Fund-Sidewalk Construction Account (40100100-72560). This can be located in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on pages 74, 199, 232 and 233.

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis, P.E., Civil Engineer I

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

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Black that the unit prices and contract with J. G. Stewart Contractors, Inc., for the Bloomington Sidewalk Replacement and Handicap Ramp Program FY 2016 through Bid #2015-63 in the amount of \$400,000 be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: A Resolution authorizing a change order in the amount of \$125,000 in the contract between the City of Bloomington and Gildner, Inc., FY 2015 Utility Maintenance Contract, for the purpose of funding various meter change-outs. (Original Bid #2015-04)

RECOMMENDATION/MOTION: That the Resolution authorizing a change order in the amount of \$125,000 in the contract between the City of Bloomington and Gildner, Inc., FY 2015 Utility Maintenance Contract, for the purpose of funding various meter change-outs be approved and authorize the Mayor and City Clerk to sign the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1b. 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: On June 23, 2014, Council executed the FY 2015 Utility Maintenance Contract with George Gildner, Inc. in the amount of \$500,000. This Contract provided for any maintenance needs within the Water Department. The change order is necessary to extend the Contract to pay for the installation of two fire protectus meters at Hudson and Towanda. A portion of the change order will also cover the Water Department changing the turbine meters that are located at our wholesale customers to fire protectus meters. The new fire protectus meters will measure low and high flows with minimal flow loss to provide the best fire protection. The old turbine meters will only read down to 1 gallon on the low flow side, the new fire protectus meter will read down to 1/8 of a gallon which will produce better water accountability and more revenue for the water fund. A portion of this work has already been completed, as necessary repiping while the original work was being completed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This work was advertised in The Pantagraph on May 27th and June 2nd, 2014, and a pre-bid meeting was held at 10:00 a.m. on June 2, 2014, in the Public Works Department Conference Room.

FINANCIAL IMPACT: The change order will be paid out of the FY 2016 Budget under the Water Transmission & Distribution-Repair/Maintenance Infrastructure Account (50100120-

70550). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds & Capital Improvement Program” on page 100.

	<u>ORIGINAL</u>	<u>REVISED</u>
Storm Water (53103100-70550)	\$200,000	\$200,000
Storm Water (53103100-70556)	\$0	\$0
Sanitary Sewer (51101100-70550)	\$200,000	\$200,000
Water Transmission & Dist. (50100120-72540)	\$100,000	\$225,000
Total Contract:	\$500,000	\$625,000

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Brett Lueschen, Interim Water Director

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

Reviewed by: Steve Rasmussen, Assistant City Manager

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2015 - 19

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$125,000 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND the FY 2015 UTILITY MAINTENANCE CONTRACT

WHEREAS, the City of Bloomington has previously entered into a contract with Gildner Inc.

WHEREAS, a change order is necessary to pay for changing the turbine meters that are located at our wholesale customers to fire protectus meters. The new fire protectus meters will measure low and high flows with minimal flow loss to provide the best fire protection. The old turbine meters will only read down to 1 gallon on the low flow side, the new fire protectus meter will read down to 1/8 of a gallon which will produce better water accountability and more revenue for the water fund.

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$125,000 in the contract between the City of Bloomington and be approved.

APPROVED this 26th day of May, 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

Motion by Alderman Schmidt, seconded by Alderman Black that the Resolution authorizing a change order in the amount of \$125,000 in the contract between the City of Bloomington and Gildner, Inc., FY 2015 Utility Maintenance Contract, for the purpose of funding various meter change-outs be approved and authorize the Mayor and City Clerk to sign the necessary documents.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: A Resolution authorizing a Change Order to Gildner Excavating Inc. for the water main replacement on Parmon Ave. (Original Bid #2014-046)

RECOMMENDATION/MOTION: That the Council approve the Resolution authorizing the Change Order to Gildner Excavating Inc. be approved in the amount of \$148,784.00 and the Mayor and City Clerk be authorized to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 2b. Quality water for the long term and 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

BACKGROUND: The City Council awarded Gildner Excavating Inc. on April 28, 2014 to construct a new water main along Parmon Ave. The engineering work for the construction project was completed by Clark Dietz Inc. Due to the unexpected elevation of the water and sewer services the sewer services are in conflict with the water services. The Illinois Environmental Protection Agency requires the sewer services to be at least 18 inches vertical and at least 10 feet horizontal separation or the sewer service be constructed out of water main quality material. Staff is recommending that the contractor replace the sewer services with the water main quality material because of cost and time. The water and sewer services along Parmon Ave. are typical of what we find in the older neighborhoods, which the services were ran in the same trench.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The residents along Parmon Ave.

FINANCIAL IMPACT: The Change Order in the amount of \$148,784.00 will be paid out of FY 2016 Budget under the Water Transmission & Distribution-Water Main Construction & Improvement Account (50100120-72540). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 101.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Patti-Lynn Silva, Finance Director

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2015 - 20

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$148,784.00 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND GILDNER EXCAVATING INC. FOR THE WATER REPLACEMENT ON PARMON AVE.

WHEREAS, the City of Bloomington has previously entered into a contract with Gildner Inc.
WHEREAS, for the reason due to the unexpected elevation of the water and sewer services the sewer services are in conflict with the water services. The Illinois Environmental Protection Agency requires the sewer services to be at least 18 inches vertical and at least 10 feet horizontal

separation or the sewer service be constructed out of water main quality material. Staff is recommending that the contractor replace the sewer services with the water main quality material because of cost and time. The water and sewer services along Parmon Ave. are typical of what we find in the older neighborhoods, which the services were ran in the same trench.

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$148,784.00 in the contract between the City of Bloomington and be approved.

APPROVED this 26th day of May 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

Motion by Alderman Schmidt, seconded by Alderman Black the Council approve the Resolution authorizing the Change Order to Gildner Excavating Inc. be approved in the amount of \$148,784.00 and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: An Ordinance Suspending Portion 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 June 12, 2015

RECOMMENDATION/MOTION: That the Ordinance suspending portion 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 June 12, 2015 be adopted.

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: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the request of Benjamin Watkins and Jennifer Weber to allow moderate consumption of alcohol at their June 12, 2015 wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Assistant Corporation Counsel, George Boyle and Chief Deputy Clerk, Renee Gooderham. Benjamin Watkins, the groom.

Benjamin Watkins, the groom, addressed the Commission. He stated that Biaggi's would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Benjamin Watkins and Jennifer Weber to allow moderate consumption of alcohol at the Davis Lodge for their June 12, 2015 wedding reception be approved.

Motion carried, (viva voce).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 12, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

Recommended by:

Tari Renner
Mayor

ORDINANCE NO. 2015 - 27

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

WHEREAS, Benjamin Watkins and Jennifer Weber are planning to hold their wedding reception at the Davis Lodge from 4:00 p.m. to 11:00 p.m. on June 12, 2015; and

WHEREAS, Benjamin Watkins and Jennifer Weber 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, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with 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 for the duration of the wedding reception at the Davis Lodge on June 12, 2015 under the conditions set forth in the rental agreement.

Section 2: Except for the date of date 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, 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.

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 1960 Illinois Constitution.

PASSED and ADOPTED this 26th day of May.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

Motion by Alderman Schmidt, seconded by Alderman Black that the Ordinance suspending portion 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 June 12, 2015 be adopted.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: An Ordinance Suspending Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an Owner's Meeting at Davis Lodge on June 16, 2015

RECOMMENDATION/MOTION: That the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of City Code for an Owner's Meeting at Davis Lodge on June 16, 2015 be adopted.

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: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the request of Central Illinois Development (CID) to allow moderate consumption of alcohol at their June 16, 2015 owner's meeting to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Assistant Corporation Counsel, George Boyle and Chief Deputy Clerk, Renee Gooderham. Jeannine Sabanas, CID's business consultant.

Jeannine Sabanas, CID's business consultant, addressed the Commission. She stated that Times Past Inn would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Central Illinois Development to allow moderate consumption of alcohol at the Davis Lodge for their June 16, 2015 owner's meeting be approved.

Motion carried, (viva voce).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 12, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:	Renee Gooderham, Chief Deputy Clerk
Reviewed by:	Brett Lueschen, Interim Water Director
Reviewed by:	Steve Rasmussen, Assistant City Manager
Recommended by:	

Tari Renner
Mayor

ORDINANCE NO. 2015 - 29

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE FOR A OWNER'S MEETING AT THE DAVIS LODGE

WHEREAS, Central Illinois Development are planning to hold their owner's meeting at the Davis Lodge from 1:00 p.m. to 7:00 p.m. on June 16, 2015; and

WHEREAS, Central Illinois Development 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, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with 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 for the duration of the owner's meeting at the Davis Lodge on June 16, 2015 under the conditions set forth in the rental agreement.

Section 2: Except for the date of date 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, 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.

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 1960 Illinois Constitution.

PASSED AND ADOPTED this 26th day of May.

CITYOF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

Motion by Alderman Schmidt, seconded by Alderman Black the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of City Code for an Owner's Meeting at Davis Lodge on June 16, 2015 be adopted.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: An Ordinance providing for the Vacation of Part of a Drainage/Utility Easement in Lot 78 of Second Addition to Royal Links Subdivision Petition from Eric Micheletti for Approval of Vacation of Part of a Drainage/Utility Easement located in Lot 78, 3215 Baer Road, of Second Addition to Royal Links Subdivision

RECOMMENDATION/MOTION: That the Ordinance Providing for the Vacation of Part of a Drainage/Utility Easement in Lot 78 of Second Addition to Royal Links Subdivision Petition from Eric Micheletti for Approval of Vacation of Part of a Drainage/Utility Easement located in Lot 78, 3215 Baer Road, of Second Addition to Royal Links Subdivision.

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

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

BACKGROUND: On August 14, 2006, Council approved the Final Plat for Second Addition to Royal Links Subdivision. Lot 78, 3215 Baer Road, of the subdivision included a 20 foot drainage and utility easement along the back property line. However, construction of the subdivision did not require placement of an oversized drainage way along the back property line and a 6 foot utility easement is now adequate for all current and future needs.

As the current homeowner now desires to make improvements to the property which will encroach on the existing easement, it is now reasonable and proper to vacate the north 14 feet of the existing 20 foot easement along the south property line.

No public improvements are being constructed as part of this easement vacation.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Petitioner/Owner 3215 Baer Road.

FINANCIAL IMPACT: The cost of survey, plat and recording will be borne by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, CFM, Civil Engineer II
Reviewed by: Jim Karch, PE CFM, Public Works Director
Reviewed by: Steve Rasmussen, Assistant City Manager
Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager
Legal review by: Jeffrey R. Jurgens, Corporation Counsel
Recommended by:

David A. Hales
City Manager

**PETITION FOR VACATION OF PART OF A DRAINAGE/UTILITY EASEMENT IN
LOT 78 OF SECOND ADDITION TO ROYAL LINKS SUBDIVISION**

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

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

Now comes Eric Micheletti, owner 3215 Baer Road, hereinafter referred to as the Petitioner,
respectfully representing and requesting as follows:

1. That the Petitioner is interested as authorized representative in the premises hereinafter described in Exhibit A attached hereto and made a part hereof by this reference;
2. That the Petitioner seeks approval of the vacation of the north fourteen feet (14') of a twenty foot (20') wide drainage and utility easement along the south property line of said premises as described in Exhibit A and shown on the Easement Vacation Plat attached hereto and made part hereof by this reference ;
3. That said vacation of easements is reasonable and proper because such easements are not needed for the utilities by said City and by the utility companies either for existing or future utilities.

WHEREFORE, the Petitioner prays that said easements be vacated.

Respectfully submitted,

By: Eric Micheletti

ORDINANCE NO. 2015 - 30

**AN ORDINANCE PROVIDING FOR THE VACATION OF PART OF A
DRAINAGE/UTILITY EASEMENT IN LOT 78 OF SECOND ADDITION TO ROYAL
LINKS SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting vacation of the north fourteen feet (14') of a twenty foot (20') wide drainage and utility easement along the south property line of 3215 Baer Drive; and

WHEREAS, said petition complies in all respects with the ordinances of said City and the statutes of the State of Illinois in such case made and provided; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and grant said vacation; and

WHEREAS, it is reasonable and proper to vacate said easements as requested in this case.

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

1. That the north fourteen feet (14') of a twenty foot (20') wide drainage and utility easement along the south property line of 3215 Baer Drive, as described in Exhibit A is hereby vacated.
2. That this ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED and ADOPTED this 26th day of May, 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

EXHIBIT A

Description of Easement to be vacated

The North 14.00 feet of the South 20.00 feet of Lot 78, in the Second Addition to Royal Links Subdivision according to the plat recorded September 12, 2006 as Document No. 25260 in the McLean County Recorder's Office, except the East 5.00 feet thereof, and also except the West 5.00 feet thereof.

PIN 15-30-106-032

Motion by Alderman Schmidt seconded by Alderman Black the Ordinance Providing for the Vacation of Part of a Drainage/Utility Easement in Lot 78 of Second Addition to Royal Links Subdivision Petition from Eric Micheletti for Approval of Vacation of Part of a Drainage/Utility Easement located in Lot 78, 3215 Baer Road, of Second Addition to Royal Links Subdivision.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Lake Bloomington Lease Transfer Petition for Lot 2, Block 4 of Camp Kickapoo, from Joseph & Sally Diemer to David & Carol Waibel

RECOMMENDATION/MOTION: That the Lake Lease Transfer 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 1a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: The sewage disposal system inspection was completed in April 2015. The septic system appears to be functioning normally. The septic tank does not need to be pumped but should be checked regularly. The water level in the 1000 gal tank is at the middle seam, which is an indication that the tank may be leaking. A chlorine tablet should be placed in the chlorinator tube regularly. The age of the sewage disposal system is over twenty-five (25) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This petition will have a neutral financial impact given the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$344.31 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 2016 Proposed Budget titled “Other Funds & Capital Improvement Program” on page 104.

Respectfully submitted for Council consideration.

Prepared by: Connie Fralick, Office Manager

Reviewed by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt seconded by Alderman Black that the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

8. REGULAR AGENDA

The following was presented:

SUBJECT: An Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property during the WGLT Outdoor Concert in the Downtown on June 13, 2015

RECOMMENDATION/MOTION: 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 during the WGLT Outdoor Concert in the Downtown on June 13, 2015 be adopted

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

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

BACKGROUND: WGLT is sponsoring an outdoor summer concert in downtown Bloomington on Saturday, June 13, 2015. This will be the twelfth (12th) of what has become an annual event. The organizers have had beer and wine at the previous events and would like to have both available again this year. They would like the people who attend the event to be able to purchase a drink and move about freely within the designated event area rather than have a designated “beer garden”. Beer and wine would be sold only by Bill Hill, Inc., d/b/a Maguire’s, an existing liquor license holder, by an extension of premise for the event. Only beer and wine purchased from the event vendor can be consumed within the designated event area. Outdoor consumption would be allowed between 3:00 p.m. and 10:00 p.m.

The event organizers met with staff, including representatives from the police, legal and administrative departments to review this plan. Given the nature of the event, the type of crowd it attracts and the high degree of involvement by event staff, all concerned believe this plan could work without problems.

Staff prepared an Ordinance suspending the code as needed for this event. Council will note that the Ordinance makes the suspension effective one (1) hour before the sales begin to allow the organizers time to set up for the event and one (1) hour after the event to clean up after. Staff respectfully recommends that the Ordinance be passed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk
George Boyle, Asst. Corporation Counsel

Reviewed by: Kenneth Bays, Asst. Police Chief

Recommended by:

Tari Renner

Mayor

ORDINANCE NO. 2015 – 28

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 DURING THE WGLT OUTDOOR CONCERT IN DOWNTOWN BLOOMINGTON.

WHEREAS, WGLT will hold an outdoor concert in downtown Bloomington on June 13, 2015; and

WHEREAS, WGLT requested permission to allow sales and consumption of beer and wine during the concert on Jefferson Street between Main Street and the north/south alley between Center Street and Madison Street and on Center Street between Washington Street and the east/west alley between Jefferson Street and Monroe Street; and

WHEREAS, to allow possession of an open container of alcohol on a public street, Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits the possession of open containers of alcohol on public streets, must be suspended.

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

Section 1: That Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, is suspended on the following dates during the following hours: June 13, 2015 between 2:00 p.m. and 11:00 p.m. for Jefferson Street between Main Street and the north/south alley between Center Street and Madison Street and on Center Street between Washington Street and the east/west alley between Jefferson Street and Monroe Street. This suspension shall be effective only as to persons inside the designated area only and for alcohol purchased from an event vendor within the designated area. No alcohol may be taken out of licensed premises into the designated area, notwithstanding the fact that the premises are operated by the event vendor.

Section 2: Except for the dates, times and location set forth in Section 1 of this Ordinance, Section 26(d) of Chapter 6 of the Bloomington City Code, 1969, as amended, shall remain in full force and effect. Nothing in this ordinance shall be interpreted as repealing said Section 26(d).

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1960 Illinois Constitution.

PASSED AND ADOPTED this 26th day of May, 2015.

CITY OF BLOOMINGTON
Tari Renner, Mayor

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

Motion by Alderman Sage, seconded by Alderman Schmidt 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 during the WGLT Outdoor Concert in the Downtown on June 13, 2015 be adopted.

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

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

Nays: None.

Absent: Alderman Painter.

Recuse: Alderman Mwilambwe.

The following was presented:

SUBJECT: An ordinance Amending Chapter 40 of the Bloomington City Code to establish regulations for transportation network providers to operate transportation networks within the City

RECOMMENDATION/MOTION: That the Transportation Network Provider Ordinance be adopted and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: Effective June 1, 2015, the Transportation Network Providers Act (“Act”) becomes effective in the State of Illinois. This Act essentially provides a framework for online transportation network companies (e.g., Uber, Lyft, Sidecar, etc.) to operate within the State, including various insurance and driver eligibility requirements. The Act does not preempt home-rule authority or otherwise prohibit a municipality from further regulating Transportation Network Companies (“TNCs”). Accordingly, the proposed ordinance creates a framework for TNCs to operate within the City. The proposed ordinance mandates the same insurance and driver eligibility requirements as those within the Act. To help ensure public safety, the ordinance further requires any TNC to also certify that background checks have been performed on all drivers and that vehicles have been inspected and can safely be operated. The ordinance also enacts auditing requirements to ensure that any TNC is actually performing the necessary background and vehicle checks. To help cover the cost of enforcement and auditing, there is a \$3,000 annual fee for a TNC license.

Historically, the City has required direct registration and approval of taxicab drivers, as well as vehicle checks performed by the Police Department. Although there are certainly differences

between a taxicab and a TNC, there are also similarities. TNCs, like Uber, have typically been resistant to direct registration of their drivers and instead have promoted self-regulation with verification. As this is a new concept, the self-regulation provisions in the proposed ordinance would be done on a one-year trial basis. With such a concept, staff has attempted to draft as many regulations as possible to promote public safety. However, the public should be aware the City will now play less of a regulatory role over drivers and vehicles engaging in the transportation of passengers.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Staff met with members of the management team of Uber, Illinois on April 6 and May 12, 2015. Email input was also received from Uber regarding the draft ordinance. A meeting was held on April 8, 2015, with taxicab and vehicle for hire company owners on related issues. Additional input was received from owners by email.

FINANCIAL IMPACT: If approved user licensing fee of \$3,000 will be received in the General Fund. Accounts will be created and revenues will be tracked and reported throughout the year.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Patti-Lynn Silva, Finance Director

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2015 - 31

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 40 TO ESTABLISH PERMIT ALTERNATE LICENSING FOR TAXICAB COMPANIES

WHEREAS, the City of Bloomington is a home-rule municipality operating in the State of Illinois; and

WHEREAS, the State of Illinois recently adopted the Transportation Network Providers Act (“Act”) that permits the operation of internet transportation providers; and

WHEREAS, the City enacted additional regulations beyond the Act to ensure network providers operate in a safe and efficient manner; and

WHEREAS, the current model of network providers is to perform background checks and vehicle inspections in-house while allowing municipalities to audit said information; and

WHEREAS, the City is willing to utilize the network provider model of background checks and vehicle inspections, on a trial basis for one-year, with routine auditing by the City; and

WHEREAS, the City desires to encourage innovation in transportation but also desires to ensure those engaged in public transportation provide same in a clean and safe manner; and

WHEREAS, to maintain a level playing field with taxicab companies that operate within the area, the City will allow those providing taxicab service to elect to operate under the transportation network provider model on a trial basis.

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

SECTION 1. That the recitals set forth above are hereby adopted and made a part of this Ordinance as if specifically stated herein.

SECTION 2. That Bloomington City Code Chapter 40, Article II, is hereby amended by amending Section 201 as follows:

Section 201: Certificate Required.

Except as provided in Section 213 of this Article, no person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City of Bloomington or such other areas to which this Chapter applies pursuant to an intergovernmental cooperation agreement without having first obtained a certificate of public convenience from the City Manager.

SECTION 3. That Bloomington City Code Chapter 40, Article II, is hereby amended by adding Section 213 as follows:

Section 213: Election to be Licensed via Article XII

(a) In lieu of the certification and licensure requirements set forth in Articles II and IV of this Chapter, a taxicab company may elect to become licensed under the provisions of Article XII. Upon such election, including payment of the fees set forth in Section 1204, the taxicab company shall be required to complete and meet all the provisions of Article XII pertaining to TNCs. Any such licensure under Article XII shall be subject to the fine and penalty provisions, including revocation, set forth in that Article.

(b) Taxicab companies licensed pursuant to the provisions of Article XII shall conduct background checks as provided in that Article of all drivers operating taxis for the company and shall provide a list of drivers that have passed said background checks to the City. The City shall thereafter issue a permit for each driver meeting the standards for drivers provided in said Article. No company licensed to operate under Article XII shall permit or allow a person to drive a taxicab who has failed to meet the requirements for drivers specified in said Article. The drivers of any and all taxicabs post a driver's identification card in such a place within the taxicab as to be in full view of all passengers while such driver is operating the taxicab.

(c) Taxicab companies and drivers licensed pursuant to the provisions of Article XII shall comply with the vehicle requirements specified in Section 1214 and shall not be governed by the vehicle requirements of Section 501. Taxicab companies and drivers licensed to operate under Article XII shall be subject to all other provisions of Articles V, VI, VII and VIII of this Chapter.

(d) This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

SECTION 4. That Bloomington City Code Chapter 40, Article IV, is hereby amended by adding Section 410 as follows:

Section 410: Application of Articles to Taxicab Companies Operating Pursuant to Article XII; Sunset Provision.

Except for Section 408, the provisions of Articles II and IV shall not apply to a taxicab company that has elected to be licensed pursuant to the provisions of Article XII. This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

SECTION 5. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

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

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

SECTION 8. This Ordinance shall take effect 10 days from the date of publication by the Clerk.

PASSED AND ADOPTED this 26th day of May, 2015.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST:

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

Motion by Alderman Black, seconded by Alderman Buragas that the Transportation Network Provider Ordinance be adopted and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Schmidt, Hauman, Sage, Black, Fruin, Buragas and Mwilambwe.

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: An Ordinance Amending Bloomington City Code Chapter 40 Allowing Taxicab Companies to be Licensed Under the Same Provisions as Transportation Network Providers

RECOMMENDATION/MOTION: That the Ordinance Amending Bloomington City Code Chapter 40 Allowing Taxicab Companies to be Licensed Under the Same Provisions as Transportation Network Providers be adopted, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: To allow for a level playing field between Transportation Network Companies (“TNCs”) and taxicab companies, staff has drafted amendments to Chapter 40 of the City Code regulating taxicabs. These amendments would allow taxicab companies to take advantage of the same ability to conduct their own background checks on drivers and vehicle checks as those allowed in the TNP ordinance. As this is a new concept, the self-regulation

provisions in the proposed ordinance would be done on a one-year trial basis. With such a concept, staff has attempted to draft as many regulations as possible to promote public safety. However, the public should be aware that the City will now play less of a regulatory role over drivers and vehicles engaging in the transportation of passengers.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A meeting was held on April 8, 2015, with taxicab and vehicle for hire company owners on issues related to Transportation Network Companies and similar issues. Additional input was received from owners by email.

FINANCIAL IMPACT: No direct financial impact is expected.

Respectfully submitted for Council consideration.

Prepared by: Jeffery R. Jurgens, Corporation Counsel

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Patti-Lynn Silva, Finance Director

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2015 - 32

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 40 TO ESTABLISH PERMIT ALTERNATE LICENSING FOR TAXICAB COMPANIES

WHEREAS, the City of Bloomington is a home-rule municipality operating in the State of Illinois; and

WHEREAS, the State of Illinois recently adopted the Transportation Network Providers Act (“Act”) that permits the operation of internet transportation providers; and

WHEREAS, the City enacted additional regulations beyond the Act to ensure network providers operate in a safe and efficient manner; and

WHEREAS, the current model of network providers is to perform background checks and vehicle inspections in-house while allowing municipalities to audit said information; and

WHEREAS, the City is willing to utilize the network provider model of background checks and vehicle inspections, on a trial basis for one-year, with routine auditing by the City; and

WHEREAS, the City desires to encourage innovation in transportation but also desires to ensure those engaged in public transportation provide same in a clean and safe manner; and

WHEREAS, to maintain a level playing field with taxicab companies that operate within the area, the City will allow those providing taxicab service to elect to operate under the transportation network provider model on a trial basis.

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

SECTION 1. That the recitals set forth above are hereby adopted and made a part of this Ordinance as if specifically stated herein.

SECTION 2. That Bloomington City Code Chapter 40, Article II, is hereby amended by amending Section 201 as follows:

Section 201: Certificate Required.

Except as provided in Section 213 of this Article, no person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City of Bloomington or such other areas to which this Chapter applies pursuant to an intergovernmental cooperation agreement without having first obtained a certificate of public convenience from the City Manager.

SECTION 3. That Bloomington City Code Chapter 40, Article II, is hereby amended by adding Section 213 as follows:

Section 213: Election to be Licensed via Article XII

(a) In lieu of the certification and licensure requirements set forth in Articles II and IV of this Chapter, a taxicab company may elect to become licensed under the provisions of Article XII. Upon such election, including payment of the fees set forth in Section 1204, the taxicab company shall be required to complete and meet all the provisions of Article XII pertaining to TNCs. Any such licensure under Article XII shall be subject to the fine and penalty provisions, including revocation, set forth in that Article.

(b) Taxicab companies licensed pursuant to the provisions of Article XII shall conduct background checks as provided in that Article of all drivers operating taxis for the company and shall provide a list of drivers that have passed said background checks to the City. The City shall thereafter issue a permit for each driver meeting the standards for drivers provided in said Article. No company licensed to operate under Article XII shall permit or allow a person to drive a taxicab who has failed to meet the requirements for drivers specified in said Article. The drivers of any and all taxicabs post a driver's identification card in such a place within the taxicab as to be in full view of all passengers while such driver is operating the taxicab.

(c) Taxicab companies and drivers licensed pursuant to the provisions of Article XII shall comply with the vehicle requirements specified in Section 1214 and shall not be governed by the vehicle requirements of Section 501. Taxicab companies and drivers licensed to operate under Article XII shall be subject to all other provisions of Articles V, VI, VII and VIII of this Chapter.

(d) This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

SECTION 4. That Bloomington City Code Chapter 40, Article IV, is hereby amended by adding Section 410 as follows:

Section 410: Application of Articles to Taxicab Companies Operating Pursuant to Article XII; Sunset Provision.

Except for Section 408, the provisions of Articles II and IV shall not apply to a taxicab company that has elected to be licensed pursuant to the provisions of Article XII. This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

SECTION 5. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

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

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

SECTION 8. This Ordinance shall take effect 10 days from the date of publication by the Clerk.

PASSED AND ADOPTED this 26th day of May, 2015.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST:

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

Alderman Lower stated that he would like to hear from the public (his constituents) whether there is an economic impact to their businesses as a result of adopting this Ordinance.

Motion by Alderman Schmidt, seconded by Alderman Hauman that the Ordinance Amending Bloomington City Code Chapter 40 Allowing Taxicab Companies to be Licensed Under the Same Provisions as Transportation Network Providers be adopted, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Schmidt, Hauman, Sage, Black, Fruin, Buragas and Mwilambwe.

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: A Resolution in Support of "TIGER 2015" Discretionary Grant from the U.S. Department of Transportation (US DOT) for the joint application of Connect Transit and McLean County project which incorporates the expansion of the McLean County Law & Justice Center and Connect Transit's downtown Bloomington Multi-Modal Transportation Center

RECOMMENDATION/MOTION: That the Resolution be passed in Support of the "Tiger 2015" Discretionary Grant from the U.S. Department of Transportation (US DOT) for the joint application of Connect Transit and McLean County project which incorporates the expansion of the McLean County Law & Justice Center and Connect Transit's downtown Bloomington Multi-Modal Transportation Center.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services; Goal 2. Upgrade City infrastructure and facilities; and Goal 4. Strong neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in a cost-effective manner; 1e. Partnering with others for the most cost-effective service delivery; 2a. Better quality roads and sidewalks; and 4d. Improved neighborhood infrastructure.

BACKGROUND: On April 3, 2015, the U.S. Department of Transportation (U.S.DOT) released a “Notice of Funding Availability” for its latest round of surface transportation discretionary grant funding, called “TIGER 2015 or TIGER 7”. The TIGER program has a minimum request threshold of \$10 million and is only available for projects that can begin construction quickly upon receipt of a grant.

Connect Transit is planning on submitting, in conjunction with McLean County, a TIGER 2015 grant application that will incorporate two of the community’s 2015 “One Voice Projects” into a single integrated project. The proposed project incorporates Connect Transit’s downtown Bloomington Multi-Modal Transportation Center with the expansion of the McLean County Law & Justice Center to appropriately serve individuals with mental health requirements within the justice system.

Connect Transit’s Downtown Transportation Center currently serves 436,662 rides a year from the downtown connection point and the grant proposal will provide better convenience to passengers through construction of passenger amenities, including restrooms, bus tracking displays, ticket vending and heated waiting areas.

While moving forward with the Hamilton Road project is considered a priority for the Bloomington City Council, funding is limited in the TIGER 2015. No significant project progress has occurred since last year’s grant submission. The City’s 2014 grant application was “recommended” by the U.S.D.O.T., but only a portion of “highly recommended” projects were ultimately awarded grants.

Staff recommends not proceeding with the TIGER 2015 Discretionary Grant application for the Hamilton Road Connection Project at this time based on the need to resolve the at grade issue with the Norfolk Southern Railroad.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The support of the McLean County and Connect Transit joint project is considered to be a positive intergovernmental effort supported by the most recent One Voice trip to Washington D.C.

FINANCIAL IMPACT: The City will not be obligating funds for this grant application process. Any future requests for funding would come forward for Council consideration later.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeff Jurgens, Corporate Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2015 - 20

A RESOLUTION SUPPORTING THE CONNECT TRANSIT & McLEAN COUNTY TIGER 2015 GRANT APPLICATION AND DIRECTING STAFF NOT TO SUBMITT AN APPLICATION FOR THE HAMILTON ROAD – BUNN TO COMMERCE CONNECTION PROJECT

WHEREAS, the City of Bloomington is a home rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, on April 3, 2015, the U.S. Department of Transportation (U.S.DOT) released a “Notice of Funding Availability” for its latest round of surface transportation discretionary grant funding, called “TIGER 2015 or TIGER 7”; and

WHEREAS, the TIGER program has a minimum request threshold of \$10 million and is only available for projects that can begin construction quickly upon receipt of a grant; and

WHEREAS, a TIGER grant application was applied for in 2014 for a project involving the connection of Hamilton Road (Bunn Street to Commerce Parkway); and

WHEREAS, the Hamilton Road project is critical to improve public safety and necessary due to the traffic count of those commuting to State Farm and other businesses in the area; and

WHEREAS, the City’s 2014 grant application was “recommended” by the U.S.D.O.T., but only a portion of “highly recommended” projects were ultimately awarded grants; and

WHEREAS, Connect Transit is planning on submitting, in conjunction with McLean County, a TIGER 2015 grant application that will incorporate two of the community’s 2015 “One Voice Projects” into a single integrated project; and

WHEREAS, the County’s proposed project incorporates Connect Transit’s downtown Bloomington Multi-Modal Transportation Center with the expansion of the McLean County Law & Justice Center to appropriately serve individuals with mental health requirements within the justice system; and

WHEREAS, the Connect Transit’s Downtown Transportation Center currently serves 436,662 rides a year from the downtown connection point and the grant proposal will provide

better convenience to passengers through construction of passenger amenities, including restrooms, bus tracking displays, ticket vending and heated waiting areas; and

WHEREAS, notwithstanding the critical nature of the Hamilton Road project, funding is limited in the TIGER 2015 and the City Council finds it in the best interest of the community to support the TIGER 2015 grant application that will be submitted by McLean County and Connect Transit; and

WHEREAS, due to the critical nature of the Hamilton Road project, it remains a viable and necessary submission in the future years if additional TIGER grants available; and

WHEREAS, the corporate authority of the City of Bloomington desires to pass this Resolution to demonstrate its support for the application of the TIGER 2015 grant by Connect Transit and McLean County and to direct staff not to submit a TIGER 2015 grant application for the Hamilton Road project.

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

SECTION ONE: That staff shall not proceed with the TIGER 2015 Discretionary Grant application for the Hamilton Road Connection Project. The City Council further states its support of the grant application being submitted by McLean County and Connect Transit.

SECTION TWO: That the City Clerk be and is hereby authorized and directed to attest the signature of the Mayor on said Agreement and retain an original in the Office of the City Clerk for public inspection.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM:

Jeff Jurgens
City of Bloomington, Corporation Counsel

Mr. Hales provided an overview of the TIGER 2015 Grant that it would be subject based on federal appropriation.

Mayor Renner commented on the Grant application and how it would apply to the Hamilton Avenue repairs, that this project is not shovel ready at this time.

Alderman Black stated that there have not been any complaints on Hamilton Road at all...he ask for the status of the Hamilton Road Project.

Mr. Hales stated this is the seventh round to the TIGER Grant, subject to federal appropriation. There is no guarantee; however, the Congress has been funding some of these additional TIGER grant projects. He explained that a more detail technical review would likely occur, then a political decision by IDOT—funding is slim due to the number of requestors.

Alderman Schmidt inquired about the qualification for the TIGER Grant funding.

Mayor Renner stated that there are many different standards for qualifying, explaining the multi-modal aspect of this grant.

Alderman Sage commented on previous conversations relating to the mental health aspect, that a new facility would not necessarily be a cure-all.

Alderman Lower stated that neither of the projects are viewed as a negative. He is not sure whether it has the economic impact that Hamilton-Bunn extension actually has. In looking at a major employer for the area which dorfts most of the employment in our area. In getting those folks back and forth to one of their or several of their facilities. We do have a number of transportation and safety issues that needs to be resolved. He expressed concern with joining the two projects.

Alderman Fruin stated that he is in support of the Connect Transit Project, and acknowledged some of the work that had already been completed on the Hamilton Road as have been documented over the past several years.

Motion by Alderman Hauman, seconded by Alderman Mwilambwe recommend that the Resolution Supporting the Connect Transit & McLean County TIGER 2015 Grant Application and directing staff to not submit an application for the Hamilton Road – Bunn to Commerce Connection Project.

Mr. Karch stated that the roadwork entails 7.2 mile stretch of roadway near Fox Creek Subdivision and east Campus where it ends at State Farm. The issue is that you have one gap of a 1000 ft. road is busy, so it is projected that 15,000 vehicles per day when it is completed. It handles the major east/west roadway...

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

Ayes: Aldermen Schmidt, Hauman, Sage, Lower, Buragas, Black, and Mwilambwe.

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Draft review of the Transportation Improvement Plan (TIP) five-year (FY 16 – FY 20) annual plan to collate the improvement programs envisioned by the various local transportation entities: Town of Normal, McLean County, Bloomington, Connect Transit and Central Illinois Regional Airport.

RECOMMENDATION/MOTION: That the Council receive the draft Transportation Improvement Plan report and direct City staff accordingly.

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. Objective 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: The Transportation Improvement Plan (TIP) is a five-year plan, updated annually, to collate the improvement programs envisioned by the various local transportation actors – the state, Town of Normal, McLean County, Bloomington, Connect Transit and the Central Illinois Regional Airport. Two oversight committees will approve the FY16-20 version by July 1, the beginning of the state government fiscal year. They are the Transportation Technical Committee which creates the document and relies on technical expertise and, then, the Transportation Policy Committee, whose members stand as proxy representatives for the various governing bodies, including the Bloomington City Council.

Combined documentation: A major function is combining of the various transportation plans into a comprehensive document. The planning group does not initiate projects so much as reflect them. Bloomington projects for the ongoing City fiscal year are ones already outlined by City staff for the Council and approved by the Council.

The FY 15-19 version of the plan is available for viewing and download at www.mcplan.org, the site of the McLean County Regional Planning Commission. The new version, FY 16-20, will be published presently, and a public hearing will precede the plan's adoption. Regional Planning is the official agency overseeing the area planning group, and it is employed by the Transportation Technical Committee and the Transportation Policy Committee to oversee document creation and revision.

Federal dollars: This planning model is necessary for receipt and distribution of most federal transportation dollars. For Bloomington, the federal dollars almost exclusively target major projects. This is for strategic reasons. Federal spending has strict guidelines and documentation requirements. Fewer but bigger projects means less time and expense required for documentation, thereby maximizing the dollars. (A similar strategy is used for state Motor Fuel Tax money for the same reason.) Other governments follow this strategy. For this reason, federal dollars for streets are bundled and the recipients are rotated. Bloomington is planning to receive no special state or federal money through the TIP this year. It expects to receive \$1.1 million in Illinois Commerce Commission Grade Crossing Protection Funds in FY 2017. The City plans to

combine the money with \$5.0 million local share for the Fox Creek Road street reconstruction and railroad bridge project.

Reflects City budget:

The attached spreadsheets show Bloomington's projects included in the draft of the FY16-20 TIP. The FY2016 projects are those already in the City of Bloomington's newly approved budget.

Acronym guide for "Funding Detail" in spreadsheets

BCIF	Bloomington Capital Improvement Fund from General Fund revenue.
BMFT	State Motor Fuel Tax received by Bloomington.
ICC GCPF	Illinois Commerce Commission Grade Crossing Protection Fund (federal money for high speed rail crossing).
LMFT	Bloomington's Local Motor Fuel Tax.
SF	Sewer Fund.
SWF	Storm Water Fund.
WF	Water Fund.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Multi-agency planning groups described above.

FINANCIAL IMPACT: The FY 2016 Transportation Improvement Plan projects are all included in the FY 2016 Adopted Budget. The projects will be funded by State Motor Fuel Tax and Local Motor Fuel Tax revenues.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Mr. Hales provided a brief overview of this item indicating that this is a five-year plan that is subject to change once completed and will be brought back to Council for consideration.

Mr. Karch provided an overview of the Plan stating that this is something that the City has done for some time, and is intended to reflect our attention instead of driving it. The Council driving attention over our Capital projects through budgets that you pass and through the long-term capital plan. This is a conglomeration of a lot of stakeholders. Stated that the dated will be provided later this summer for the Transportation Improvement Plan.

Alderman Fruin stated that he agrees with everything that [we] are doing. He stated that staff should exercise caution in moving forward with the TIP.

Mr. Karch commented on acronyms that are used throughout the industry.

Motion by Alderman Black, seconded by Alderman Schmidt that the Council accept the draft Transportation Improvement Plan and acknowledged support of the plan to City staff.

**The Mayor directed the clerk to call the roll which resulted in the following:
Ayes: Aldermen Schmidt, Hauman, Sage, Lower, Buragas, Black, Fruin, and Mwilambwe.**

Nays: None.

Absent: Alderman Painter.

Motion carried.

The following was presented:

SUBJECT: Consideration of approval of an Intergovernmental Agreement between Illinois State Department of Transportation (IDOT) for a 10-year period to maintain streets within City limits that are controlled by IDOT. First year payment to the City will be \$95,174.57 and payment adjustments will occur annually based on a standardized formula outlined in the agreement

RECOMMENDATION/MOTION: That the Intergovernmental Agreement between Illinois State Department of Transportation and the City in the amount of \$95,174.57 in Year One and with the amount adjusted annually as stipulated for a 10-year period to maintain streets within City limits that are controlled by IDOT be approved and authorize Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: The City maintains most streets that are controlled by the IDOT but are located within city limits. This maintenance consists primarily of street patching and response to snow/ice events. IDOT reimburses the City for these services.

While IDOT undertakes major construction involving these streets, all of which are designated as state and/or federal roadways, the City incurs expense in patching them.

The current agreement with IDOT is a 10-year agreement in which the payment was updated for July 1, 2014, to June 3, 2015. For the state's FY 2015, the City receives \$92,597.93. IDOT has proposed another 10-year agreement. (It allows the City or the State to opt out after giving 90-days written notice.) The first year's payment would be \$95,174.57, representing a 2.71 percent increase. This is based on a formula. It is not negotiable. The City's options are to (1) accept it or to (2) cede maintenance duties back to IDOT.

Should the City reject the agreement, it is very likely that Bloomington will not later be able to opt back into it. This is explained in the attached correspondence from Amy J. Eller, P.E., Acting Engineer of Operations Bureau of Operations Illinois Department of Transportation.

Two (2) issues arise.

- A. Cost. It would be exceedingly difficult to calculate the actual cost of City maintenance of these streets. Job costing would have to include every patch and pothole fill and a calculation of cost of snow/ice response – every plow run through these streets. The City believes it spends substantially more than \$92,597.93 in a year.
- B. Level of service. During snow/ice events, IDOT concentrates its first efforts on highways, interstates and ramps. City-plowed arterials get noticeably more prompt and more frequent attention than Veterans Parkway, especially during prolonged snowfall. If the City relinquishes maintenance to IDOT for in-city roads, staff assumes response time and quality of snow/ice removal would drop. The streets involved include all or parts of Main, Center, and the Madison-East couplet around Downtown, Locust, Empire, Clinton Street, Hinshaw, Oakland and Hannah. During prolonged winter storms, safety would be reduced, commerce will be slowed and public disappointment will be vocal.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: The City will receive \$95,174.57 for the time period of 7/1/15 – 6/30/16 that is budgeted in the Street & Sewer Maintenance Revenue account (10016120-54010). The Finance Department is in the process of reviewing actuals costs of providing this service. Stakeholders can locate this revenue in the budget book titled 'Budget Overview and General Fund' on page 292.

Respectfully submitted for Council consideration.

Prepared by:

Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Mr. Hales provided a brief overview of the Intergovernmental Agreement, stating we are committed to doing a better job in collecting data and maintaining agreements with IDOT. It is the opinion of staff that we spend more money to maintain city streets than the amount that IDOT is providing to the City.

Alderman Schmidt inquired about the flexibility of the contract with IDOT in developing [our] vision.

Mr. Kothe stated that the item before Council is simply a maintenance agreement that City staff is seeking approval.

Mr. Hales stated that the City has not done a good job in meeting with IDOT, that perhaps in the future the City would explore having a joint meeting with IDOT.

Motion by Alderman Schmidt seconded by Alderman Mwilambwe that the Intergovernmental Agreement between Illinois State Department of Transportation and the City in the amount of \$95,174.57 in Year One and with the amount adjusted annually as stipulated for a 10-year period to maintain streets within City limits that are controlled by IDOT be approved and authorize Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Absent: Alderman Painter.

Motion carried.

CITY MANAGER'S DISCUSSION:

Mr. Hales stated that he did not have a report this evening; however, reminded Council of the Executive Session Meeting that follows this meeting for the purposes that are provided within the modified agenda.

MAYOR'S DISCUSSION:

Mayor Renner welcomed back Mr. Hales from vacation, and stated as of Friday, the City did receive from Jeff Giebalhausen the Downtown Bloomington Development Plan with several options and the revenue projections for placement are relatively negative. However, on the surface of it, there appears to be enough to pay for a bond to make sure that he is able to secure a bond. He thanked Alderman Sage for his leadership in organizing the Budget Task Force Meeting, as well as Alderman(s) Buragas and Black for serving on the Task Force.

ALDERMEN'S DISCUSSION:

Alderman Fruin stated on behalf of the Council, they wished to extend their sympathy and condolences on the passing of Mayor Renner's father.

Alderman Lower reminded the Council and public of the Memorial Day services at were held at the cemetery with a 21 gun salute.

Alderman Black commented on an email that is circulating energy, electricity. That it is probably time for the Council to review its Public Comment Rules of Procedures.

ADJOURNMENT:

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 8:12 p.m.

Motion carried.

Tari Renner, Mayor

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



**SUMMARY MINUTES OF THE
WORK SESSION CITY COUNCIL MEETING
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
TUESDAY, MAY 26, 2015; 5:30 P.M.**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Tuesday, May 26, 2015.

1. CALL TO ORDER

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

2. ROLL CALL

Aldermen: Kevin Lower, David Sage, Diana Hauman, Amelia Buragas, Scott Black, Joni Painter (Absent), Mboka Mwilambwe, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

STAFF PRESENT: City Manager David Hales, City Clerk Cherry L. Lawson and Corporate Counsel Angela Fyans-Jimenez and George Boyle.

3. PUBLIC COMMENT

The following spoke during Public Comment: Lee Eutsey

4. DISCUSSION TOPIC

- a. Transportation Network Provider, Corporation Council Angela Fyans-Jimenez (10 minutes Presentation, 10 minutes Discussion)*

Corporate Council Angela Fyans-Jimenez stated there has been a four month discussion on Uber—specifically speaking five different official meetings along with a joint effort with the Town of Normal. The main person representing the City of Bloomington has been Attorney George Boyle. Mr. Boyle will speak on the how the Transportation Provider Network Ordinance provides for similar regulations relating to taxicabs.

Mayor Renner provided a point of clarification on this matter, stating the City of Bloomington under an intergovernmental agreement regulates roads and closings in Bloomington and Normal. The City has been in contact with the officials in Normal throughout every phase in this process-
- Bloomington regulates or deregulate any for hire vehicles.

Mr. Boyle stated that there are two ordinances that are before the Council tonight for consideration. The first ordinance relates to Transportation Network Provider that link passengers and drivers through the use of a digital application. The second ordinance allows taxicab companies the option of being regulated under the same licensing and insurance requirements under the first ordinance of the Transportation Network Provider. This is an attempt to provide a level playing field among operators. As a taxicab company, they would have the option of operating under the regulations as the first ordinance provides.

With regards to the first ordinance, a Transportation Network Provider Act is a state statute that provides a framework for operation of Transportation Network Companies, commonly referred to as TNC. The act becomes effective on June 1, and it provides for the self-regulation on TNC's. Companies are required to conduct background checks on drivers including criminal history; for the driving history, they are required to have insurance and gap insurance for those drivers who does not provide for that level of coverage as provided in the Act.

The Act does not provide for ways to ensure that these TNC are conducting self-regulation. The state statutes, also, does not have consequences if the companies are not doing those things, or if the drivers are not abiding by the premises of the Act. The Act does allow the City as we are Home Ruled authority to strengthen our ordinance outside of the Act, and that is what the City has attempted to do with the ordinances that before the Council.

Mr. Boyle stated that the City is trying to strike a balance with accepting this new technology and business model, and the traditional regulatory rule as far as ensuring public safety by direct regulation of taxicabs. The City is looking at a network that is safe and reliable, affordable and accessible. The City is recognizing that in a setting similar to Normal, it is possible that Transportation Network Companies to play a vital role in the transportation system. The proposed Ordinances incorporates the standards of the Transportation Network Providers Act, and it actually has higher standards in some instances. It incorporates those standards that the City will be able to monitor whether those standards are being met, and provides consequences when those standards are not being met.

This ordinance focuses on verification, accountability and consequence. Some revisions of the proposed ordinance attempted to secure these objectives for the licensing of Transportation Network Companies. This means that the companies have qualified according to the specifics described in the Act and in the ordinance. If they do not qualify under the state law or ordinance, the TNC license can be suspended or revoked. Companies will also have to name a designated person or an agent for service that is available in case of an emergency. There is a requirement that not only does background checks needs to be conducted, but that there is a plan to submit them be provided by the company. Then for there to be a mechanism in place for the City to audit at least twice per year to ensure that the company is conducting those checks that are done. The company is required to maintain records relating to drivers driving record, investigations as well as their own procedures and background checks.

With regards to taxicab companies, we are interested in providing them the same opportunity of operating under the licensing regulations as Transportation Network Companies. One important

aspect of this proposed ordinance is that it is a pilot program that sunsets in one year, and will allow the City to determine whether the regulations are operating in a manner that benefits and protects the community.

Secondly referring to the Uber ordinance, the City is not attempting to draft an ordinance for Uber. Rather, we have written an ordinance for the public. It takes into account not only Uber, but those Transportation Network Providers wishing to conduct business in the City.

Mayor Renner stated that if taxicab companies wish to continue to operate under current ordinance, the City is not forcing taxicab companies to change the manner in which they operate. He stated that some cities in Illinois chose not to regulate this practice, whereas other cities like Chicago is extensively involved in regulating TNC.

Alderman Sage commented on the meeting on April 8, 2015 with taxicab companies and vehicles for hire and asked for a summation of that meeting. He asked whether there were any concerns expressed or consensus reached with current operations/business owners.

Mr. Boyle stated that three company owners attended the meeting. This is a new model, they were interested in a level playing field, and in keeping abreast of what was next to happen. He could not say whether there was a consensus in terms of where it should go, about a level playing field, or whether a company would survive. Other issues were expressed, which may bring forth amendments to the taxicab ordinance.

Alderman Sage asked with respect to the proposed ordinances, is there a perception of between current business owners and operators that there is some relative parity between them and other transportation companies like Uber when doing business in Bloomington.

Mr. Boyle stated that he could not speak to that as there is a broad spectrum of opinion on this issue.

Alderman Sage asked from a self-regulation standpoint is the burden on the owner/operator to be in compliance from that aspect of the ordinance. He asked whether there a process for auditing—a category; a criteria, will it be announced or not. Sage stated that he is attempting to ascertain the specifics surrounding an audit.

Mr. Boyle responded audits are capped at twice per year. There is not a requirement that they be conducted twice per year unless there is/are specific complaints with the driver or allegations of illegal activity. The type of records that needs to be kept pertain to the driver, his/her driver history any investigations or complaints, and trip information.

Mayor Renner stated that particular issue was a sticking point at first, as Uber did not wish to release drivers' names as it was proprietary to the operation of their business. However, the City has a policy regarding the release of this type of information.

Alderman Sage expressed concern with this being a no win for the Council in trying to regulate this process that may likely impact the rider and the driver.

Mayor Renner stated that in the manner that Uber or other TNC will conduct background checks, the public will not be able to come into City Hall and complete a FOIA for that information, as it may also be a way to poach-off the company's employees.

Mr. Boyle commented on the background check and the use of the last four digits of the driver license and last name, along with having a million dollars in insurance coverage.

Mayor Renner stated that this is a new venture in providing transportation and that it is only a pilot program to which it is sunset after one year to all the City of Bloomington and Normal to see whether this is working for the community.

Mr. Boyle expressed concern regarding existing regulations of the operations of a brick and mortar taxicab companies versus an Internet based type companies.

Alderman Schmidt expressed concern over difficulties that the City may experience in regulating consistencies between regular taxicab companies who have bricks and mortar invested...how do we know about the other drivers? She stated that it sounds as though Uber has a fairly sophisticated operation base.

Mayor Renner stated that they use two different companies for background checks.

Mr. Boyle stated that the companies used by Uber are approved by the National Association of Background Screeners.

Alderman Schmidt asked whether there were any opportunities for hiring rouge drivers.

Mayor Renner stated we hope. That doesn't mean that some do not. We do not have a statistically significant number of people who were really cab drivers across the country who may have had a similar complaint.

Alderman Schmidt stated that it does not provide a lot of confidence for drivers to be operating out there without a license.

Alderman Lower expressed a couple of concerns. He asked for understanding in the differences between a commercial insurance requirements of current cab companies and what would be required of new service providers.

Mr. Boyle stated that the insurance that is required of cab companies is generally a little less than those of TNC's. For Transportation Network Companies regarding insurance requirements, the State Statute [word-for-word] is in our ordinance. It appears as though there are three different levels of insurance requirements. The first is when the driver is driving privately. The second, is whether the driver is in the network. Third is the drive portion of when a passenger is in the vehicle. In the respect is it different than a cab situation, whereby the cab company insures its vehicles for operator purposes. The levels on insurance on the driver, network or the drive of passengers are different in State Statutes depending on each of those stages. He stated that the

best part of the statute is that if there is a gap in the drivers insurance in model B or C; the network or the driver, the Transportation Network Company is required to fill that gap.

Alderman Lower stated that it does helps in providing an intrinsic understanding on the City's behalf.

Mr. Boyle stated that there is one thing that the City did include within the ordinance, that before a TNC obtains a license, they have to provide to the City their levels of insurance coverage.

Alderman Lower stated that from an economic standpoint he is concerned over whether the community would lose a few of the current cab companies due to the TNC's coming into the City. He commented on the differences between the two business models of the transportation industry, and whether there is a need to continue to set rates in cab companies. He stated that he understands that we do not have much leverage in this situation; however, he does not want to see the competitive nature of the cab companies to falter.

Alderman Hauman asked whether the Council could sunset this ordinance earlier than one year if the City does not like what is occurring with this business model.

Mr. Boyle stated that this is a legislative act. It was one of the concerns discussed in the vehicles for hire and cab meeting. That Council can review and revisit this issue during the period. He stated that there may be some changes to the Taxicab Ordinance in future.

Alderman Hauman asked whether this ordinance precludes any other Uber like company from starting up in the community.

Mayor Renner stated that it does not—Uber is the main one.

Alderman Hauman related an experience of being stranded by a cab company who did not show, but is willing to look at the new transportation models.

Alderman Mwilambwe asked that the parking situation in the downtown area be discussed.

Mr. Boyle stated that no issue was expressed by the owners at the meeting that held the other day. However, there would be more cars in the downtown area as Uber drivers on the road; that would be the downside. The upside to this is it would be easier for people to get from downtown as there would be more transportation providers. In terms of Mr. Eutsey comment regarding parking in the area, there are designated parking areas.

Alderman Black stated that it can be a madhouse in the evening in the downtown area.

b. TIGER Grant Application for McLean County and Connect Transit, Bill Wasson, McLean County Administrator

Mayor Renner introduced Mr. Wasson, State Sheriff, and Jim Souter from the County Board, and the State Attorney, Jason Schaffer.

Mr. Wasson thanked the Council for inviting him to present, and recognized Kyle Bow with Connect Transit staff. Unfortunately, Connect Transit is meeting this evening as well and I may be joined by Ryan Whitehouse of Connect Transit later when their meeting adjourns. He provide a brief overview of the projects that are included under the TIGER GRANT application.

Those projects include the following: Expansion and renovation to our facilities, the Health Connections, Jail and Law and Justice Center. Those facilities are located between Front and Olive and East Street. He highlight the diagram of the projects and stated that at this time, it is just a concept. The County has received a needs assessment and a pre-architectural report approximately 30 days ago, and has engaged a separate firm to conduct a peer review of the report that was submitted, in an effort to evaluate cost projections of the report. The County Board will determine the direction that we move in with this project.

Mr. Wasson stated that one of the things that they had found in working with the consultants is on the needs assessment, pre-architectural, that in urban areas it is not recommended that any corrections facility be located on the ground floor of an urban jail. He stated that it is true of the 1976 original Law and Justice construction and the 1990s addition. There are no jail holding facilities on the first floor. He explained their process of evaluating the expansion of the jail; that is, to evaluate the construction possibilities for the first floor of the expansion process. That through many scenarios, they ended up with a section of the North portion of the expansion process towards Front Street, that was left in a shell in most of the designs, so that it could provide for a couple of different alternatives. He explained that at that time, the community did not have a crisis intervention center, no facilities to stabilize an individual in a mental health crisis situation and to receive treatment for a period of time before being released back into the community. As they proceed with the design of this project, the County took into consideration was a space for that type of facility. The consultants have spent a great deal of time communicating with agencies that provide that type of service to determine whether it made sense to have such a center to handle that level of crisis care. A part of the decision by the County was to designate a facility location for a crisis stabilization facility.

Mr. Wasson stated that they were lucky enough to work with the State of Illinois, and with one of our community partners Chestnut Health Systems to deal with a crisis management center. This took place over 12 months, and was a scenario that the County did not have a specific use for. In addition, the County has been in talks with Connect Transits options for improving the transfer station locations that currently exists on Front Street. They have attempted to identify opportunities to improve the facilities to make it more attractive for the public use mass transit in accessing the downtown area. He explained that the application for the TIGER grant, through the Department of Transportation, is to assist in approving these areas within the downtown area.

Mr. Wasson explained some of the opportunities that the County believed the Department of Transportation was looking for that is an intergovernmental agreement approach for community services with transit in any type of application submitted for consideration of a TIGER grant—social, community and transportation services. He stated that although this is a concept of the opportunities that exists between community partners, it is a concept that could work for that site.

Alderman Sage thanked Mr. Wasson for the presentation and asked whether there would be any other County operations housed in the Government Center that would likely be moved to the new facility, or would it be solely purposed for the care and treatment of mental health care.

Mr. Wasson stated that the upper floors...there are different build-out scenarios that the County Board may concern as they move forward. He stated those are available, and provided for those individuals that need to have different types of housing due to their medical conditions. Also ensuring the County has the right capacity to deal with those situations.

Alderman Black stated that he likes the provocative concept. He will have a hard time reconciling place a bus station and transfer station inside of a mental health facility.

Mr. Wasson stated that he does not believe so; there will be expansions of the Law and Justice Center. Although, there are components that are a part of our corrections facility, and a part of the building. I really think that as part of the expansion facility, it will provide access to those available and necessary services.

Alderman Black asked how security would look in light of having a transfer station outside of the jail.

Mr. Wasson stated that as part of the evaluation process the County has been working with Connect Transit law enforcement, and the City Police Department. Generally speaking, we were informed that transit facilities like this would have that sort of presence by law enforcement personnel.

Mayor Renner thanked Mr. Wasson for his presentation.

5. ADJOURNMENT

Mayor Renner asked for a motion to adjourn the meeting.

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

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

Nays: None.

Absent: Painter

Motion carried.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 6:34 p.m.

Motion carried.

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

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

FOR COUNCIL: June 8, 2015

SUBJECT: Bills and Payroll

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

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$6,043,015.26, (Payroll total \$2,255,724.69, and Accounts Payable total \$3,787,290.57).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:



David A. Hales
City Manager

Attachment: Attachment 1. Bills and Payroll on file in the Clerk's office. Also available at www.cityblm.org.
Attachment 2. Summary Sheet Bills and Payroll Report

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

Motion: _____ Seconded by: _____

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

Council of June 08, 2015

Date	Gross Pay	Employer Contribution	Totals
5/28/2015	\$ 1,257,879.89	\$ 329,829.85	\$ 1,587,709.74
5/29/2015	\$ 247,425.42	\$ 80,080.13	\$ 327,505.55
6/5/2015	\$ 258,765.01	\$ 81,744.39	\$ 340,509.40
			\$ -
			\$ -
Off Cycle Adjustments			\$ -
		PAYROLL GRAND TOTAL	\$ 2,255,724.69

Date	Bank	Total
6/8/2015	AP General	\$ 3,680,353.28
	AP BCPA	
6/8/2015	AP Comm Devel	\$ 23,002.86
	AP IHDA	
6/8/2015	AP Library	\$ 63,167.60
6/8/2015	AP MFT	\$ 6,019.56
5/27/2015-6/3/2015	Off Cycle Check Runs	\$ 14,747.27
	AP GRAND TOTAL	\$ 3,787,290.57
	PCARD GRAND TOTAL	
	WIRES	
	Date	Total
		\$ -
	WIRE GRAND TOTAL	

Patti-Lynn Silva
Director of Finance

TOTAL	\$	6,043,015.26
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 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving an Appointment to the Cultural District Commission

RECOMMENDATION/MOTION: That Jessielee Hinshaw be appointed 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: I ask your concurrence in the appointment of:

Jessielee Hinshaw of 1410 Fell Avenue, Bloomington, IL 61701 to the Cultural District Commission. Her three (3) year term will be 5/1/15 – 4/30/18. Application is on file in the Administration Office.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration for approval.

Prepared by:

M. Beth Oakley, Executive Asst.

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Board Roster

Motion: That Jessielee Hinshaw be appointed to the Cultural District Commission.

Motion: _____

Seconded by: _____

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

Cultural District Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Email	Street	City	Zip	Home Phone	Work Phone	Cell Phone	Fax Number	Reappointment
x		Ryan	Huette	04/30/18	05/11/15	2015	rvanh@nuway.com	1502 Kickapoo Creek Rd.	Bloomington	61705	317-610-7581				
x		David	Hauman	04/30/17	04/14/14	2014	hauman48@aol.com	48 Kenfield Ct	Bloomington	61704	662-6765		838-4707		
x		Alex	Cardona	04/30/16	05/13/13	2010	alex.cardona.lowa@statefarm.com	9697 Windgate Dr	Bloomington	61705	824-2105	766-6294			
x		Roger	Elliott	04/30/16	05/13/13	2007	normalrog@aol.com	212 Doud Dr	Normal	61761	454-7524	827-6968			
x		Sherry	Galbreath	04/30/18	04/13/15	2012	sherry@solutionsbyacme.com	3 Mallard Ct	Bloomington	61704			287-1804		
x		Matthew	Giordano	04/30/18	04/13/15	2012	matthew_a_giordano@hotmail.com	2 Turtleback Ct	Bloomington	61705	664-9652		242-9004		
x		Neeraj	Joshi	04/30/16	10/14/13	2013	noshiz@slu.edu	1 Ashling Ct	Bloomington	61704	825-6495	664-2778			
x		Mike	Kerber	04/30/16	05/13/13	2009	mkerber44@frontier.com	406 N Linden	Bloomington	61701	826-1500				
x		Judy	Markowitz	04/30/15	??/2012	2006	citylady@aol.com	326 Vista Dr	Bloomington	61701	663-2074				
x		Carole	Ringer	04/30/16	05/13/13	2010	caroleringer@gmail.com	110 Hawthorne Lake Dr	Bloomington	61704	863-5446	820-1650	826-0288		
x		Karen	Schmidt	04/30/17	05/12/14	2008	karen61701@gmail.com	409 E Grove	Bloomington	61701	829-6318	766-9831			
x		Vicki Lynn	Tilton	04/30/18	02/23/15	2012	vltfx@fox-n-hounds.com	200 W Monroe, #501	Bloomington	61701	242-4951				
x		Dr. Curtis	Trout	04/30/15	??/??/2012	2009	trout@lwi.edu	1104 S Fell	Normal	61761	888-4587	556-3315			
x		Jamie	Mathy	04/30/17	05/12/14	2014	jamie.mathy@mavidea.com	611 E Washington	Bloomington	61701			706-9891		
	Staff	Thia	Salamone				tsalamone@cityblm.org					434-2764			
	Staff	Brandy	Maloney				bmalonev@cityblm.org					434-2765			

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 7:30am - Creativity Center Conference Room
Number of Vacancies: 0
Number of Expired Board Members (Blm Appointments only): 3
Number of Expired Board Members Eligible for Reappointment:

Appointment/Reappointment Notes:

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

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of review, analysis and rejection of Bid Number (2015-58) scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.

RECOMMENDATION/MOTION: Staff recommends that all bids be rejected related to Bid No. 2015-58 scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.

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

STRATEGIC PLAN SIGNIFICANCE: In order to be responsive to citizen needs, adequate resources must be provided to employees to fulfill the goal of providing quality basic services.

BACKGROUND: Bids were opened on April 10th at 2:00 PM. A total of 5 submissions were received of which 1 was a no Bid. The results are as follow:

Vendor	Knuckle Boom Loader, Dump Body & Chassis
Rush Truck Centers	\$174,800
Central Illinois Trucks	\$186,155
Truck Center Inc.	\$189,788
EJ Equipment	\$135,996
Drake-Scruggs	No Bid

The Parks Department currently has a grapple boom, and though it is aged, the Department was asked by Administration to delay this \$174 K purchase as an effort to economize as we move into planning for the FY 17 budget. The aged grapple boom can be made to service for another year and the debt service can be used toward funding other much needed infrastructure repair. If not purchased this year staff will certainly look at purchasing next year.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

FINANCIAL IMPACT: The Parks Maintenance Division of the Parks, Recreation and Cultural Arts Department had \$160,130.00 budgeted last fiscal year in the FY 2014 Capital Lease-Capital Outlay Licensed Vehicle Account (40110130-72130) which will not be spent lowering the City's debt obligation.

Respectfully submitted for Council consideration.

Prepared by: Rob Krones, Superintendent of Fleet Maintenance

Reviewed by: Stephen Rasmussen, ACM

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments: None.

Motion: That all bids be rejected related to Bid No. 2015-58 scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.

Motion: _____ Seconded by: _____

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



CONSENT AGENDA ITEM NO. 7E

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of Approving Payment for Street Lighting electrical energy and fixture rental charges through a Motor Fuel Tax (MFT) General Maintenance program.

RECOMMENDATION/MOTION: That the MFT Resolution and associated estimate of costs for a MFT General Maintenance Street Lighting FY2016 program (16-00000-00-GM) for Street Lighting System electrical energy and fixture 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 historically uses the General Fund to pay for street lighting energy and fixture rental charges throughout Bloomington. Costs are incurred to Ameren and Corn Belt Energy for these charges. State Motor Fuel Tax historically is designated for street and bridge repair, street extensions and intersection improvements including installation of traffic signals.

However, staff looked at other options to pay for street lighting for FY16 because of the City's overall budget situation this fiscal year. One option is use of state Motor Fuel Tax money. MFT money is eligible for this use when the following two conditions are met:

1. It is used only for street lighting along improved streets – that is, streets within the City that conform to basic, uniform standards, and are in satisfactory condition. This covers most lighting costs.
2. The City passes a resolution and the Illinois Department of Transportation approves the program. This chain of events occurs with all state MFT expenditures (but not with the local Motor Fuel Tax).

An official from the Illinois Department of Transportation (IDOT) provided preliminary approval of draft material for the street lighting MFT general maintenance program. Now, IDOT needs a final document and approval of a City Council resolution. Staff would like the program to be in place by August 1, 2015. A review of past Ameren and CornBelt street lighting system invoices indicates the City pays approximately \$79,000 per month for these charges. Staff therefore anticipates that passage of the resolution now will provide enough time for IDOT to approve the general maintenance program so that the City can use \$500,000 in MFT money for eligible street lighting charges this fiscal year, as budgeted by the City Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Benjamin Setzer and Tim Roark, Illinois Department of Transportation.

FINANCIAL IMPACT:

The FY 2016 Bloomington budget projects \$1,881,354 in revenue from the state Motor Fuel Tax. The City Council budgeted for \$500,000 of that to be used for street lighting and maintenance in Motor Fuel Tax-Electricity (20300300-71320). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds & Capital Improvement Program” on page 10.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

Reviewed by: Kevin Kothe, City Engineer

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

Legal review by: Jeffery R. Jurgens, Corporate Counsel

Recommended by:

David A. Hales
City Manager

Attachments: Attachment 1. Council Resolution
Attachment 2: Cost estimate sheet for IDOT

Motion: That the MFT Resolution and associated estimate of costs for a MFT General Maintenance Street Lighting FY2016 program (16-00000-00-GM) for Street Lighting System electrical energy and fixture rental charges be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

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



**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, 2015
(Date)
to April 30, 2016.
(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 8, 2015
(Council or President and Board of Trustees) Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 8th day of June 2015.

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

Approved _____ Regional Engineer Department of Transportation _____ Date



Local Public Agency: City of Bloomington
County: McLean

Section Number: 16-00000-00-GM

[illegible]

Regional Engineer

Date

CITY OF
Bloomington
ILLINOIS

CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving a Fourth Tolling Agreement with McLean County Land Trust CC-1 to extend the period until December 15, 2015, and to waive any defense by way of any statute of limitations which would otherwise arise during such period.

RECOMMENDATION/MOTION: That the Fourth Tolling Agreement with McLean County Land Trust CC-1 be approved to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period, and authorize the Mayor and City Clerk to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks, and Objective 5b. City decisions consistent with plans and policies.

BACKGROUND: The City and McLean County Land Trust CC-1 are parties to several annexation agreements from the 1990s related to the development of the Fox Creek Subdivision area. The Third Amendment is the final amendment to the Fox Creek Annexation Agreement, and effectively replaced the original annexation agreement and the first two amendments, and became the parties' agreement. The City contends that pursuant to the parties' agreements, the owner owes the City development fees and additional work on a detention basin and on sidewalks in the 12th addition of the Fox Creek Subdivision. Paragraph 18 of the Third amendment provided that: "This Agreement shall be enforceable for a period of 20 years from the date of passage of the annexation ordinance contemplated by this agreement." Ordinance No. 1994-41, which ratified the Third Amendment, was passed on April 25, 1994 and approved on April 26, 1994. The effective term of the parties' annexation agreement arguably ends on April 24, 2014. Section 11-15.1-4 of the Illinois Municipal Code provides that a "lawsuit to enforce and compel performance of the [annexation] agreement must be filed within the effective term of the agreement or within 5 years from the date the cause of action accrued, whichever is later".

On April 14, 2014, the City approved a tolling agreement to waive a right to claim that litigation should be dismissed due to the expiration of a statute of limitations. This agreement gave the parties an additional six-month period during which the parties were able to work together in good faith to resolve their differences and reach resolution. During the tolling period, the parties also waive any defense by way of any statute of limitations which would otherwise arise during such period. The term of that tolling agreement expired on April 14, 2014. A Second Tolling Agreement was entered into at that time which is set to expire on January 13, 2015, and a Third Tolling Agreement was approved on January 12, 2015, set to expire on June 13, 2015.

Although the parties have resolved nearly all of the outstanding issues, additional time is needed to draft the necessary amendments to the annexation agreements and to finalize certain details. Accordingly, the parties desire to enter into a third tolling agreement to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Snyder Development, A. Clay Cox.

FINANCIAL IMPACT: It is estimated McLean County Land Trust CC-1 currently owes the City \$562,194.78 in development fees. There are other “punch list” items that are covered by this agreement that have not yet been estimated.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Fourth Tolling Agreement

Motion: That the Fourth Tolling Agreement with McLean County Land Trust CC-1 be approved to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period, and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: Seconded by:

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

FOURTH TOLLING AGREEMENT

This Fourth Tolling Agreement is made and entered into on this 8th day of June, 2015, by and between the City of Bloomington, McLean County, Illinois, herein referred to as “City” and David Fedor, as Trustee of McLean County Land Trust CC-1 dated September 1, 1993, herein referred to as “Owner”.

WHEREAS, David Fedor is the successor in interest to Mercer Turner, as Trustee of McLean County Land Trust CC-1 dated September 1, 1993 and to both First of America Trust Company, as trustee of the land trust The Peoples Bank, as trustee of land trust 21-040000 and PBB-232, dated January 25, 1991;

WHEREAS, the parties entered into an original annexation agreement dated December 10 and 11, 1990, which was amended on February 25, 1991, August 24, 1992 and February 25, 1994;

WHEREAS, the third amendment to the original annexation agreement effectively replaced the original annexation agreement and the first two amendments, and became the parties’ agreement;

WHEREAS, sole beneficiary of the Owner is Fox Creek, Inc.;

WHEREAS, the annexation ordinance contemplated by the annexation agreement was passed by the Bloomington City Council on April 25, 1994;

WHEREAS, the City contends that pursuant to the parties’ agreements the Owner owes the City development fees and additional work on a detention basin and on sidewalks in the 12th addition of the Fox Creek Subdivision;

WHEREAS, the effective term of the parties’ annexation agreement arguably ends on April 24, 2014;

WHEREAS, section 11-15.1-4 of the Illinois Municipal Code provides that a “lawsuit to enforce and compel performance of the [annexation] agreement must be filed within the effective term of the agreement or within 5 years from the date the cause of action accrued, whichever is later”; and

WHEREAS, the parties previously entered into three different Tolling Agreements to allow additional time to negotiate a resolution to the outstanding issues; and

WHEREAS, the parties are working together in good faith to resolve their differences, and believe that they should be able to resolve some or all of their differences shortly and believe that it would not be in either parties’ interest to engage immediately in litigation; and

WHEREAS, to allow the parties time to finalize a resolution to the pending issues, including the adoption of any necessary amendments to the annexation agreement, the parties desire and find it in their best interests to enter into this Fourth Tolling Agreement to allow an additional six months of negotiation and finalize and approve any necessary documents.

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

1. The “Effective Date” shall mean the date of April 14, 2014.
2. The “Termination Date” shall mean the date of December 15, 2015.
3. With respect to any claims arising out of the annexation agreement, as amended, that the Parties may have against each other, the Parties agree that any applicable statute(s) of limitations, statute(s) of repose, laches, or any other defense(s) applicable are tolled during the period of time from the Effective Date to the Termination Date. The period of time from the Effective Date until the Termination Date shall not be taken into account in calculating the period of any applicable statute(s) of limitations, statute(s) of repose, or laches.

4. Any claims instituted before or on the Termination Date will be deemed to have been filed on the Effective Date for purposes of any statute(s) of limitations, statute(s) of repose, laches, or any other defense(s) applicable to the time within which the claims arising out of the annexation agreement, as amended, are filed between the Parties.

5. The parties acknowledge that it is the desire and intention of both parties to execute a full amendment of the Annexation Agreement for the sole purpose extending the enforcement date of the Annexation Agreement but that there is insufficient time meet all statutory requirements for approval of such amendment before April 25, 2014 and/or the extension dates within any previous Tolling Agreements executed between the parties.

6. All parties will cooperate to meet the statutory requirements for approval of an amendment of the annexation agreement and as soon as all statutory requirements for approval of an amendment to the annexation agreement have been met, the parties will execute a fourth amendment to the annexation agreement on terms identical to those set forth on the attached Exhibit A. Adoption of the Exhibit A attached hereto, and the requirements for same, shall replace the requirements in paragraph 6 of the Tolling Agreement dated April 14, 2014 and Second Tolling Agreement dated October 13, 2014.

**City of Bloomington, Illinois,
A Municipal Corporation**

By: _____
Tari Renner, Mayor

**McLean County Land Trust CC-1 Dated
September 1, 1993**

By: _____
David Fedor, as Trustee

ATTEST

Cherry L. Lawson, City Clerk

EXHIBIT A

FOURTH AMENDMENT TO ANNEXATION AGREEMENT

This Agreement is made and entered into on this 8th day of June, 2015, by and between the City of Bloomington, McLean County, Illinois, herein referred to as “City” and David Fedor, as Trustee of McLean County Land Trust CC-1 dated September 1, 1993, herein referred to as “Owner”.

WHEREAS, David Fedor is the successor in interest to Mercer Turner, as Trustee of McLean County Land Trust CC-I dated September I, 1993 and to both First of America Trust Company, as trustee of the land trust The Peoples Bank, as trustee of land trust 21-040000 and PBB-232, dated January 25,1991;

WHEREAS, this is the fourth amendment to the original annexation agreement dated December 10 and 11, 1990, which was previously amended on February 25, 1991, August 24, 1992 and February 25, 1994;

WHEREAS, the third amendment to the original annexation agreement effectively replaced the original annexation agreement and the first two amendments, and became the parties' agreement;

WHEREAS, sole beneficiary of the Owner is Fox Creek, Inc.; and

WHEREAS, the parties desire to amend their agreement to extend the period of time during which their agreement may be enforced to provide an additional period of time as set forth herein to try and reach agreement with respect to outstanding issues concerning fees owed, a detention basin and completion of the punch list for the 12th addition of the Fox Creek Subdivision.

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

7. Paragraph 18 of the April 25, 1994 third amendment to the original annexation agreement dated December 10 and 11 is amended by eliminating the current language and replacing it in its entirety with the following language:

18. This Agreement shall be enforceable up through and including December 15, 2015. This Agreement is binding upon the parties hereto, and their heirs, successors and assigns.

8. Except as amended as set forth above, all of the provisions of the April 25, 1994 third amendment to the original annexation agreement dated December 10 and 11, 1991 are unchanged and remain enforceable.

**City of Bloomington, Illinois,
A Municipal Corporation**

By: _____
Tari Renner, Mayor

**McLean County Land Trust CC-1 Dated
September 1, 1993**

By: _____
David Fedor, as Trustee

ATTEST

Cherry L. Lawson, City Clerk



CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving an Intergovernmental Agreement between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/Downtown Shuttles and Transportation Network Services in both Bloomington and Normal.

RECOMMENDATION/MOTION: That the Intergovernmental Agreement be approved between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/Downtown Shuttles and Transportation Network Services in both Bloomington and Normal, and authorize the Mayor and City Clerk to execute the necessary paperwork.

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

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

BACKGROUND: In June, 1978, the City of Bloomington and the Town of Normal entered into an Intergovernmental Agreement providing that the City of Bloomington would regulate taxicab service throughout the Bloomington-Normal area. The proposed Intergovernmental Agreement updates the language and provides specifically for the City to regulate taxicabs, transportation network companies and vehicles for hire/downtown shuttles throughout Bloomington-Normal.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Intergovernmental Agreement was drafted in collaboration with Town of Normal staff. The same agreement is to be presented to the Normal Town Council.

FINANCIAL IMPACT: None

Respectfully submitted for Council consideration.

Prepared by: George D. Boyle, Assistant Corporation Counsel

Reviewed by: Jeffrey R. Jurgens, Corporation Counsel

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments: Attachment 1.

Motion: _____ Seconded by: _____

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

INTERGOVERNMENTAL COOPERATION AGREEMENT -- TAXICAB, VEHICLE
FOR HIRE/DOWNTOWN SHUTTLE AND TRANSPORTATION
NETWORK PROVIDER LICENSING AND REGULATION

BE IT AGREED by and between the CITY OF BLOOMINGTON, (hereinafter, “the City”) and TOWN OF NORMAL, (hereinafter, “the Town”), as follows:

1. That this Agreement replaces and supersedes a previous Intergovernmental Cooperation Agreement entered into on June 26, 1978 by and between the governments of the City and the Town entitled “Intergovernmental Cooperation Agreement – Taxicab Franchising, Licensing and Regulation”.

2. That the Town transfers to the City and the City accepts and agrees to exercise all power and authority possessed or which may be possessed by the Town over the licensing and regulation of taxicabs, vehicles for hire/downtown shuttles, transportation network companies and their drivers operating within or using the public streets or ways of the Town;

3. That the City agrees that it will exercise the power and authority conferred on it by this Agreement in the same manner as it exercises its own power and authority over taxicabs, vehicles for hire/downtown shuttles, transportation network companies and drivers operating within or using the public streets and ways of the City of Bloomington and that in exercising that authority the City will give foremost and paramount consideration to the safety and welfare of the inhabitants of the entire Bloomington-Normal community;

4. That the City agrees to perform and exercise the power and authority conferred by this Agreement without compensation from the Town of Normal;

5. That the City agrees to notify the Town not less frequently than once a year of the taxicab, vehicle for hire/downtown shuttle and transportation network company licenses then outstanding; to seek the counsel, input and advice of the Town prior to altering or amending the provisions of the Bloomington City Code pertaining to the licensing and regulation of said entities, vehicles and their drivers; and to invite the Town to participate in matters relating to license applications, renewals, suspensions and revocations;

6. That nothing in this Agreement shall be interpreted or construed to eliminate or transfer the Town’s authority to adopt, alter or enforce its own traffic or parking regulations as they pertain to individual vehicles operating within the Town’s corporate limits nor to preclude the Town, its officers, agents and employees from bringing charges through the Bloomington Police Department against any taxicab, vehicle for hire/downtown shuttle or transportation network company operation or operator for violation of the provisions of the Bloomington City Code pertaining to their licensing and regulation;

7. That this Agreement may be terminated by either municipality by giving thirty days written notice to the other municipality of its intent to terminate;

8. That this Agreement shall be effective upon its execution by both municipalities.

EXECUTED this _____ day of June, 2015.

City of Bloomington, Illinois

By: _____
Tari Renner, Mayor

Attest:

Cherry Lawson, City Clerk

EXECUTED this _____ day of June, 2015.

Town of Normal, Illinois

By: _____
Chris Koos, Mayor

Attest:

Wendellyn Briggs, Town Clerk



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of Approving the Application of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That an RAS liquor license for Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called the hearing to order to hear the request of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk, Julia Davis, registered agent/attorney for the applicant and Brandon Fried, owner/operator.

Julia Davis and Brandon Fried addressed the Commission. Mr. Fried noted that he was the owner/operator of the Fireside Inn, located in Lexington, IL.

Commissioner Renner questioned the difference between the new proposal and the former Main St. Grill, which had been located at the same premises. Mr. Fried stated that Catch 22 would be a full service restaurant. The beach volleyball court would be removed to offer more outdoor seating. He would market to the lunch time crowd and late night dinners.

Commissioner Renner questioned video gaming. Mr. Fried stated that two (2) machines would be removed.

Mr. Fried noted that he was BASSETT (Beverage Alcohol Sellers and Servers Education) certified. The four (4) bartenders would also receive certification.

Commissioner Jordan questioned the number of employees. Mr. Fried stated 8-10.

Commissioner Tomkins noted that the manager should be a Bloomington resident. Mr. Fried stated that he resides in Bloomington.

Commissioner Jordan questioned when food would be available. Mr. Fried stated the hours would be 11:00 a.m. to 11:00 p.m. He noted that there will be a late night menu.

Motion by Commissioner Tomkins, seconded by Commissioner Jordan that the application of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged Mr. Fried to attend.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on May 4, 2015 in accordance with City Code. In accordance with City Code, approximately 173 courtesy copies of the Public Notice were mailed on May 4, 2015. In addition, the Agenda for the May 12, 2015 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: The annual fee for an RAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

George D. Boyle, Assistant Corporation Counsel

Recommended by



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License – Findings

Motion: That an RAS liquor license for Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.

Motion: _____

Seconded by: _____

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

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)



CONSENT AGENDA ITEM NO. 71

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving an Application of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That an LB liquor license for the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., be approved.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk and John Poole, Illinois Shakespeare Festival representative.

John Poole, Illinois Shakespeare Festival representative, addressed the Commission. Illinois State University Foundation's Ewing Cultural Center hosted the Shakespeare Festival in the 438 seat theater located on the grounds. Patrons are allowed to picnic on the grounds. Bottle beer and wine would be offered for sale. Annual attendance at the Festival was 9,000 – 10,000. The property was fenced and gated. The gates were manned by Festival employees/volunteers. The Festival is held from July through August. Illinois State has held a liquor license for the Festival since 2008.

Mr. Poole noted that there was a parking agreement between the Festival and St. John's Lutheran Church, located at 1617 E. Emerson St. Festival employees assist patrons with parking and crossing Emerson St.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan, that the application of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged Mr. Firkins to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 12, 2015 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: Annual fee for an LB liquor license is \$500.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License – Findings
Attachment 2: Application and Map

Motion: That an LB liquor license for the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., be approved.

Motion: _____ Seconded by: _____

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

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)

APPLICATION FOR CLASS "L" LIMITED ALCOHOLIC LIQUOR LICENSE

Check Appropriate Category ☒ LB (Beer & Wine Only) ☐ LA (all types)

1. Name of Civic, Service, Charitable, Fraternal or Social Organization, Group or Entity seeking license:

THE BOARD OF TRUSTEES OF ILLINOIS STATE UNIVERSITY ON BEHALF OF ITS
COLLEGE OF FINE ARTS' ILLINOIS SHAKESPEARE FESTIVAL

2. Names and Addresses of 3 to 5 responsible current members, officers or directors of the organization, group or entity:

JAMES MAJOUR, DEAN, COLLEGE OF FINE ARTS - ILLINOIS STATE UNIVERSITY
JANET JILSON, PRODUCER/DIRECTOR, SCHOOL OF THEATRE & DANCE ILLINOIS STATE UNIVERSITY
JOHN POOLE, MANAGING DIRECTOR, ILLINOIS SHAKESPEARE FESTIVAL

3. Description of location at which the limited alcoholic liquor license will be utilized: BLINK CULTURAL
CENTER, 40 SUNSET ROAD, BLOOMINGTON, IL 61701

4. Is the premises within 100 feet of any church, school, hospital, home for the aged or indigent persons, or for War Veterans, their wives or children? ☒ Yes ☐ No ST. JOHN'S LUTHERAN CHURCH

5. Dates on which the Limited alcoholic liquor license will be utilized: JUNE 30, 2015 - AUGUST 8, 2015

6. Hours during which alcohol will be sold: 5:30 - 9:30 P.M.

7. Description of the activity or event in connection with which the limited alcoholic liquor license will be utilized, specifying the nature of the proposed entertainment, if any: ILLINOIS SHAKESPEARE FESTIVAL

8. Estimate of number of persons expected to attend: 450 - 475 PER EVENING

9. Description of the proposed procedures for handling the following:

Sale of Alcoholic Liquor: COUNTRYARD

(attach sketch plan showing location of alcohol sales area)

Crowd control: COUNTRYARD BRICK ENCLOSURE PERIMETER FENCE AROUND MANOR

Identification Check: ALL TO BE CORDONED OFF TO EACH PURCHASER

Traffic Check: N/A - PARKING BEHIND EMBERSON @ ST. JOHN'S LUTHERAN CHURCH

Vehicle Parking: ALL PARKING @ ST. JOHN'S LUTHERAN CHURCH

Pedestrian Control: 2-3 PATROLS @ CORNER OF TOLSON & EMBERSON

Site & Vicinity Cleanup: FESTIVAL EMPLOYEES WILL CLEAN UP AREA.

10. a. Has the civic, service, charitable, fraternal or social organization, group or entity applying for this license been in existence continuously for at least one year? ☒ Yes ☐ No

Date Established 1959

b. Is the civic, service, charitable, fraternal or social organization, group or entity applying for this license incorporated under the laws of the State of Illinois? ☐ Yes ☒ No

Date Incorporated

11. Has the civic, service, charitable, fraternal or social organization, group or entity seeking a Limited Alcoholic Liquor License received such a licensee within the past year ☒ Yes ☐ No

If yes, how many? 1 (LAST SUMMER'S FESTIVAL)

12. Submit completed application to City Clerk not more than 60 days or less than 30 days prior to the date on which license, if granted, will be utilized.

13. The following shall be furnished the City Clerk following the approval of application and prior to the issuance of license: (The license will not be issued unless all requested items are received).

a. Dram Shop Insurance Policy insuring the licensed group, organization or entity, each of the responsible individuals named as co-licensees and as named insureds. The amounts of coverage shall not be less than:

\$100,000 bodily injury per person
\$300,000 bodily injury per occurrence
\$100,000 means of support
\$100,000 property damage

- b. Surety bond in the amount of \$2,000 in favor of the City of Bloomington guaranteeing applicants' faithful observance of all of the provisions of the City of Bloomington Liquor Code, State and Federal laws regulating the sale and service of alcohol.
- c. Completed City of Bloomington Special Event form, if applicable.
- d. The \$100/\$150/\$200 nonrefundable license fee.

14. The applicant must notify the McLean County Health Department of the pending activity and request a health inspection of the premises on which the license will be issued, if appropriate.

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

The undersigned, being first duly sworn, on oath depose and say that all matters and things set out on this application are true and correct, and that all items enumerated on this application will be complied with.

SIGNATURES OF ALL RESPONSIBLE CURRENT MEMBERS OF THE ORGANIZATION, GROUP OR ENTITY NAME AS CO-LICENSEES.

MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC.

[Signature]

Subscribed and sworn to before me, a Notary Public, in and for the County of McLean and State of Illinois, Normal, Illinois this 10th day of MAY, 2015

My commission Expires: 08-04-15

[Signature]
Notary Public



FOR OFFICE USE ONLY

RECOMMEND
APPLICATION BE APPROVED: _____

RECOMMEND
APPLICATION BE DISAPPROVED: _____

REASONS/SPECIAL CONDITIONS: _____

Mayor/Liquor Commissioner

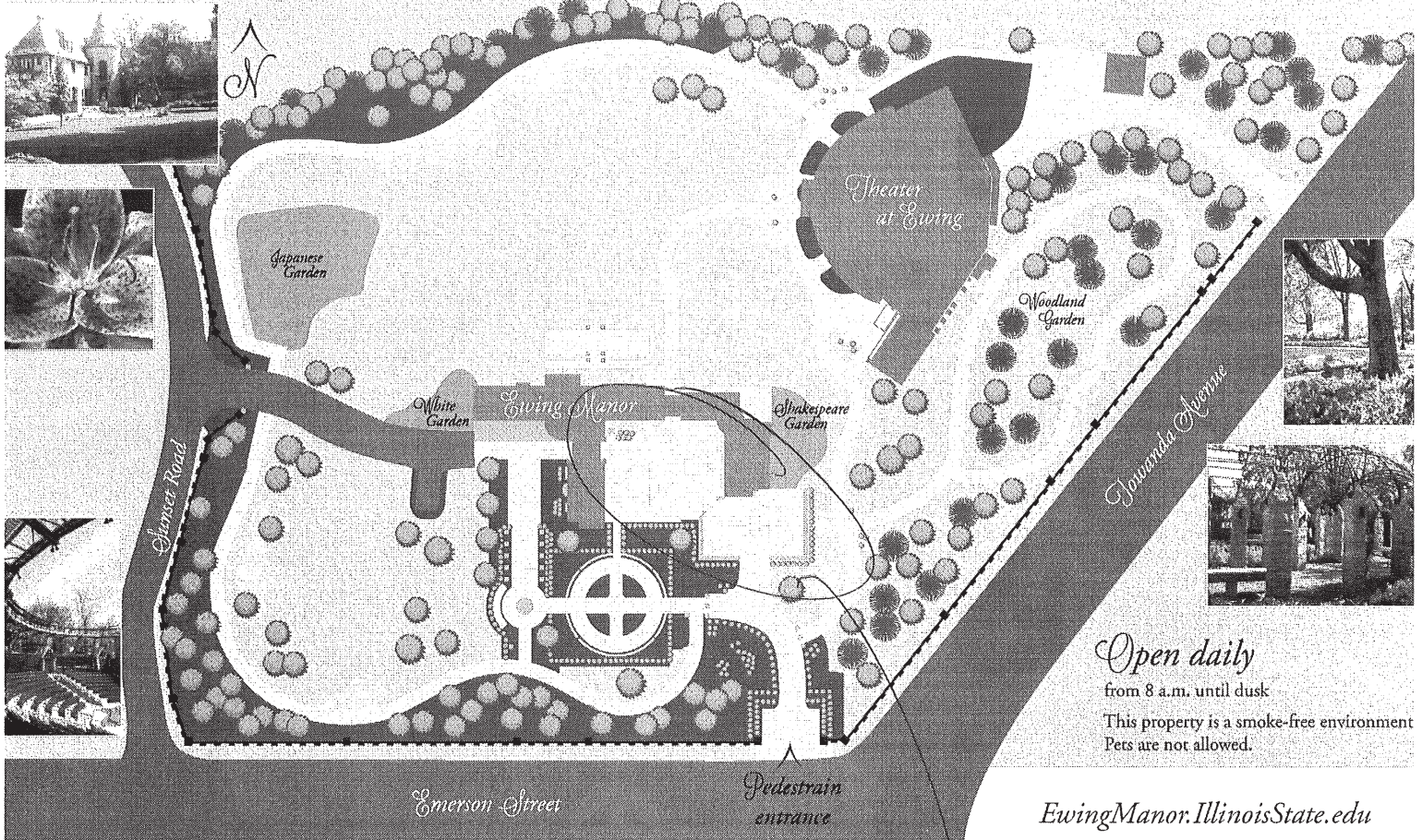
Reviewed and Approved
as to legal form
Office of General Counsel

EWING CULTURAL CENTER

genevieve green gardens
at Ewing Cultural Center
Illinois State University Foundation



ILLINOIS STATE
UNIVERSITY
Foundation



Open daily

from 8 a.m. until dusk

This property is a smoke-free environment
Pets are not allowed.

EwingManor.IllinoisState.edu

48 Sunset Rd.
Bloomington, IL

This property is owned by the Illinois State
University Foundation.



*Parking for Ewing Manor and Genevieve Green Gardens is
located across the street at St. John's Church parking lot.*

Continued



CONSENT AGENDA ITEM NO. 7J

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving an Application of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That an RBS liquor license for Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk and Denny Firkins, owner/operator.

Mr. Firkins addressed the Commission. He stated that beer and wine would be served Monday through Sunday. Ninety percent (90%) of sales would be generated from food.

Commissioner Tomkins questioned familiarity with Chapter 6, Alcoholic Beverages. Mr. Firkins responded negatively. He was BASSETT (Beverage Alcohol Sellers and Servers Education) certified.

Commissioner Jordan questioned the number of employees. Mr. Firkins responded two (2) cooks and four (4) servers.

Motion by Commissioner Tomkins, seconded by Commissioner Jordan, that the application of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd, requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all applicable health and safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged Mr. Firkins to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on April 6, 2015 in accordance with City Code. In accordance with City Code, approximately twenty – two (22) courtesy copies of the Public Notice were mailed on April 6, 2015. In addition, the Agenda for the May 12, 2015 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: Annual fee for an RBS liquor license is \$1,110.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

George D. Boyle, Assistant Corporation Counsel
David A. Hales, City Manager

Recommended by



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That an RBS liquor license for Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes.

Motion: _____ Seconded by: _____

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

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)

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM: 7K

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of Adopting an Ordinance Suspending Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge.

RECOMMENDATION/MOTION: That the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge be adopted.

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: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the request of Robert Ameday and Ariel Amante to allow moderate consumption of alcohol at their August 14, 2015 rehearsal dinner and at their August 15, 2015 wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, Commissioners; George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk and Robert and Ameday and Ariel Amante groom and bride.

Robert Ameday and Ariel Amante, groom and bride, addressed the Commission. They stated that Biaggi's would be catering the event. Beer and wine only would be served.

Motion by Commissioner Jordan, seconded by Commissioner Tomkins that the request of Robert Ameday and Ariel Amante to allow moderate consumption of alcohol at their August 14, 2015 rehearsal dinner and at their August 15, 2015 wedding reception to be held at Davis Lodge be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged them to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 12, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

Brett Lueschen, Interim Water Director
George D. Boyle, Assistant Corporation Counsel
David A. Hales, City Manager

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Ordinance
Attachment 2. Letter

Motion: That the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge be adopted.

Motion: _____ Seconded by: _____

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

ORDINANCE NO. 2015 -

**AN ORDINANCE SUSPENDING A PORTION OF SECTION 701 OF CHAPTER 31
AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR AN AUGUST 14,
2015 REHEARSAL DINNER AND AN AUGUST 15, 2015 WEDDING RECEPTION AT
DAVIS LODGE**

WHEREAS, Robert Ameday and Ariel Amante are planning to hold their rehearsal dinner on August 14, 2015 from 4:00 p.m. to 11:00 p.m. and wedding reception on August 15, 2015 from 6:00 p.m. to 11:00 p.m. at the Davis Lodge; and

WHEREAS, Robert Ameday and Ariel Amante 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, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with 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 for the duration of the rehearsal dinner on August 14, 2015 and wedding reception on August 15, 2015 at the Davis Lodge under the conditions set forth in the rental agreement.

Section 2: Except for the dates of date 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, 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.

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 1960 Illinois Constitution.

PASSED and ADOPTED this 8th day of June.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

From: Ariel Amante & Robert Ameday
3 Stortz Dr. Apt. C9
Bloomington, IL 61701
(309) 826-6008
roblovesariel@gmail.com

To: City of Bloomington Liquor Commission
Attn: Tracey Covert, City Clerk
109 E Olive St
Bloomington, IL 61701
(309) 434-2240
tcovert@cityblm.org

Monday, April 27, 2015

Dear Ms. Tracey Covert,

Please accept this letter as our request for alcohol to be served at Davis Lodge on the two dates listed below and we would like to apply for a spot on the Liquor Commission meeting agenda. Our contact information is listed first:

Bride & Groom Name: Ariel Amante and Robert Ameday
Address: 3 Stortz Dr. Apt. C9, Bloomington, IL 61701
Phone Numbers: (309) 826-6008 and (309) 826-2006
Email Address: roblovesariel@gmail.com

EVENT #1

Date: Saturday, August 15, 2015
Time: 4:00pm-11:00pm
Reason: Wedding
Location: Davis Lodge, 25449 Davis Lodge Rd, Hudson, IL 61748
(The event location has been reserved.)
Number of Guests Expected: Approximately 80
Name of Alcohol Provider: Biaggi's, 1501 N Veterans Pkwy, Bloomington, IL 61704
Alcohol Provider Contact Name: Elizabeth Coon
Alcohol Provider Contact Info: (309) 287-2719 / ecoon@biaggis.com
Name of Food Caterer: Destihl, 318 S. Towanda Ave, Normal, IL 61761
Food Caterer Contact Name: Lyndsey Raycraft
Food Caterer Contact Info: (309) 862-2337 / lraycraft@destihl.com

EVENT #2

Date: Friday, August 14, 2015
Time: 6:00pm-9:00pm
Reason: Rehearsal Dinner
Location: Davis Lodge, 25449 Davis Lodge Rd, Hudson, IL 61748
(The event location has been reserved.)
Number of Guests Expected: Approximately 25
Name of Alcohol Provider: Biaggi's, 1501 N Veterans Pkwy, Bloomington, IL 61704
Alcohol Provider Contact Name: Elizabeth Coon
Alcohol Provider Contact Info: (309) 287-2719 / ecoon@biaggis.com
Name of Food Caterer: self

Thank you,



Ariel Amante and Robert Ameday

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7L

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda.

RECOMMENDATION/MOTION: That the Lake Lease Transfer Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda be approved 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 sewage disposal system inspection was completed in May, 2015. The septic system appears to be functioning normally. The septic tank does not need to be pumped but should be checked regularly. A chlorine tablet should be placed in the chlorinator tube regularly as needed. The age of the sewage disposal system is over twenty-five (25) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$486.79 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 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 104.

Respectfully submitted for Council consideration.

Prepared by: Connie Fralick, Office Manager

Reviewed by: Brett Lueschen, Interim Water Director

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

Legal review by:

Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments:

- Maps of the area
- Lake Lease Agreement
- Lake Bloomington Lease Transfer Petition
- Quit Claim Deed
- Consent to Assignment

Motion: That the Lake Lease Transfer Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda be approved and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

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

MEMO

TO: Connie Fralick, Water Dept.
FROM: Andrew Coffey, Support Staff IV
DATE: May 14, 2015
SUBJECT: Lake Bloomington Lease Transfer

A Petition and Lake Lease Transfer request has been submitted for Lot 2 in Block 10 in Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda. Attached please find the Lake Lease Transfer documents.

EAV for this property is \$121,697.00. The Lake Lease is currently at a 0.40 rate. The lake lease rate will remain at 40 cents per \$100 EAV, generating \$486.79 in revenue. The PIN number is 07-01-455-002.

Please prepare a Council memorandum for the June 8, 2015 meeting. The deadline for this meeting is **Wednesday, May 27 at 12:00 pm.**

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 2 Block 10 of Camp POTOWATOMIE

I respectfully petition the City Council of the City of Bloomington, Illinois to approve the transfer of the Lease on the above property:

From: DUSTIN BRUCKER AND DAGAN BRUCKER (Sellers Name)

To: MARK A. CSANDA CAROL M. CSANDA (Buyers Name)

X Dagan Brucker DUSTIN BRUCKER BY DAGAN BRUCKER
X Dagan Brucker ATTORNEY IN FACT
(Signatures of Seller) DAGAN BRUCKER

To the Honorable Mayor and City Council of the City of Bloomington, Illinois:

Now comes MARK A. CSANDA AND CAROL M. CSANDA (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of

DAGAN BRUCKER AND DUSTIN BRUCKER (Seller) In and to the Lease made on the (Date) 6/10/14 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)

DAGAN BRUCKER AND DUSTIN BRUCKER has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore TO 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,

Mark A. Csanda
Carol M. Csanda
(Signature of Buyer(s))

*****W

RITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT 2
BLOCK 10 CAMP POTOWATOMIE, 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) DAGAN BRUCKER & DUSTIN BRUCKER and to the premises known as Lot 2 Block 10 in Camp POTOWATOMIE, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

Said consent to said assignment and transfer however, is with the express understanding that the said Lessor retains all right in said leases provided, and particularly its right to the payment of any unpaid rental thereon with all legal remedies incidental thereto.

Executed this _____ day of _____, _____.

Mayor

EVALUATION REPORT FOR A MCLEAN COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM

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: Dagan Brucker

Address: 40293 E 2250 North Rd
Cropsey, IL 61731

Phone #: Day - - Home - -

2. Requestor Information:

Name: Mark Csanda

Address: 1004 Sterling Glenn
Normal, IL 61761

Phone #: Day 309-242-1311 Home - -

3. Property Information:

Parcel Number (Tax ID): () 07-01-455-002 Date Evaluation Performed: 05-04-15

Address of property evaluated: 25227 White Owl Ln. Hudson Sub. & Lot: Lake Blm P-153

Permit available from Health Dept.: Yes ☒ No ☐ Permit #: 92-8451

4. Interview Information:

Person interviewed: _____

Original owner: Yes ☐ No ☐

Age of home (years): _____

Intended for seasonal use: Yes ☐ No ☐

Date last occupied: _____

Number of occupants: _____

Has tank ever been pumped: Yes ☐ No ☐

If yes, how often: _____

5. Interior Evaluation:

Number of bedrooms: 4

Garbage disposal: Yes ☒ No ☐

Toilet tanks and other fixtures have evidence of leakage or overflow: Yes ☐ No ☒

Water softener discharges to: n/a

Clothes washer discharges to: septic

Dishwasher discharges to: septic

Hot tub discharges to: n/a

Basement plumbing fixtures:

Discharge locations:

a. all

a. ejector pit

b. ejector pit

b. septic

c. _____

c. _____

d. _____

d. _____

Basement floor drains discharge to: ejector pit

Garage floor drains discharge to: n/a

Sump pit/pump discharges to: ground surface

Downspouts discharge to: ground 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: 4 inches			Depth of soil to top of tank: 12 inches		
Tank has access within 12" of ground surface	☒	☐	Tank has access within 12" of ground surface	☒	☐
Size: 1000 gallons Type:			Size: 1000 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: _____ inches to _____ inches
 Square feet of field: _____ 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 : _____ 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 bed : _____ inches		

E. SAND FILTER -- This Section N/A ☐

Minimum soil cover depth to top of sand filter: 30 inches

Square feet of sand filter: 810 square feet

Is water standing in the distribution pipes or in the rock that surrounds the pipe:

Meets current code sizing requirements:

Seepage standing on ground surface over filter:

Lush vegetation on or near sand filter:

Evidence if water has ponded over sand filter:

Sand filter vented as required:

Vent in good repair:

Chlorinator with screw on cap present:

Chlorinator tube with corrosion resistant handle present:

Evidence of chlorination:

Evidence of restricted flow in chlorinator:

Sample port with screw on cap present:

Yes No

☐	☒
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☒	☐
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☐	☒
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☐	☒
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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.): rock trench

F. PUMP OR LIFT STATION -- This Section N/A ☒

Pump chamber an approved design:

Chamber volume 1.5 times the daily flow:

Is there a dual pump:

Alarm present:

Alarm location: _____

Alarm properly working with audio and visual functions:

Yes No

☐	☐
--------------------------	--------------------------

☐	☐
--------------------------	--------------------------

☐	☐
--------------------------	--------------------------

☐	☐
--------------------------	--------------------------

☐	☐
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G. AEROBIC UNIT -- This Section N/A ☒

Manufacturer: _____ Model number: _____

Size of unit: _____ gallons

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:

Yes No

☐	☐
--------------------------	--------------------------

☐	☐
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☐	☐
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☐	☐
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☐	☐
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☐	☐
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☐	☐
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Where does the contact tank discharge to: (Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.): _____

Include all distances as described below.

NOTE: Be sure to attach drawing to this report.

The following distances must be verified to ensure all the information is correct and available in the future.

*Well or cistern to: N/A ☐	*Geothermal unit to: N/A ☐	*Building to:
Septic tank: _____ feet	Septic tank: _____ feet	Septic tank: _____ feet
Seepage system: _____ feet	Seepage system: _____ feet	Seepage system: _____ feet
Sand filter: _____ feet	Sand filter: _____ feet	Sand filter: _____ feet
Effluent tile: _____ feet	Effluent tile: _____ feet	Effluent tile: _____ feet
Effluent discharge: _____ feet	Effluent discharge: _____ feet	Effluent discharge: _____ feet
Geothermal unit: _____ feet	Aerobic unit: _____ feet	Geothermal unit: _____ feet
Aerobic unit: _____ feet		Aerobic unit: _____ feet
*Water line to:	*Body of water to: N/A ☐	
Septic tank: _____ feet	Septic tank: _____ feet	
Seepage system: _____ feet	Seepage system: _____ feet	
Sand filter: _____ feet	Sand filter: _____ feet	
Effluent tile: _____ feet	Effluent tile: _____ feet	
Effluent discharge: _____ feet	Effluent discharge: _____ feet	
Aerobic unit: _____ feet	Aerobic unit: _____ feet	

Comments:

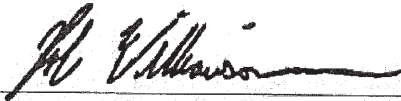
This section is to include any maintenance (pumping) repairs or problems in the history of the septic system. Write any observations and/or conclusions made by probing or excavating the seepage field or sand filter. A serial distribution system must include the condition of each level of field or trench.

The septic tanks do not need to be pumped at this time but both tanks should be checked regularly and pumped as needed in the future. A chlorine tablet should be placed in the chlorinator tube regularly as needed. The retention chamber has a slip on cap rather than a screw on cap. The vent tee is functional but cracked. This septic system appears to be functioning normally at this time. The house is vacant so the septic system may evaluate differently under normal water usage.

This is the condition I found the septic system on this day. This evaluation is not and should not be considered a guarantee nor does it imply warranty of how the sewage disposal system may function at any time in the future.

Rob Williamson

Inspector's Name (print)



Signature

05-05-15

Date

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the _____ day of _____, 2015, between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called CITY and Mark A. Csanda & Carol M. Csanda (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 the Town of Normal, County of McLean, State of Illinois, hereinafter called "Lessee,"

WITNESSETH

In consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following described real estate owned by the City in the vicinity of Lake Bloomington, Illinois as follows:

Lot 2 in Block 10 in Camp Potawatomie according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.
PIN# (18) 07-01-455-002

2. TERM OF LEASE. The term of this Lease shall be for a term commencing (~~cross out the one that does not apply~~) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.
3. RENT.

(SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.)

- A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each year, the amount designated hereafter:

~~1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, including land and improvements, as determined by the Supervisor of Assessments of McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.~~

2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will re-

main in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

~~3) If the Lessee is not eligible for the 15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV rental rate, the rent shall be charged at the rate of _____¢ (\$._____) per \$100 EAV.~~

SELECT THE RENT TO BE PAID BY CORSSING OUT 2 OF THE 3 RENT OPTIONS.

B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the. United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.
6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.
7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the 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

Lessee Name and Mailing Address

City of Bloomington
City Hall
109 E. Olive Street
Bloomington, IL 61701

Mark A. Csanda & Carol M. Csanda
25227 White Owl Lane
Hudson, Illinois 61748-7500

This Document prepared by:
David S. Dunn, Attorney at Law
P.O.Box 1445
Bloomington, IL 61702-1445
(309) 8201576
Fax: (866) 390-4131

Lessee Billing Address
Mark A. Csanda & Carol M. Csanda
25227 White Owl Lane
Hudson, Illinois 61748-7500

18. BINDING EFFECT. This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

SIGNATURE BLOCK FOLLOWS ON PAGE 5

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: _____

City Clerk

Mark A. Gial
Carol M. Gial

QUIT CLAIM DEED

Mail To

COPY

Taxpayer Name & Address

No. 15065-S Brucker

THIS INDENTURE WITNESSETH, that the GRANTOR(s), Dustin Allen Brucker a married
person, of Ankeny, Polk County, Iowa, and Dagan Andrew Brucker,
a married person, of Cropsey, McLean County, Illinois, for and in consideration of
Ten Dollars (\$10) and other good and valuable consideration in hand paid, ASSIGN, CONVEY AND QUIT
CLAIM to the GRANTEES, Mark A. Csanda and Carol M. Csanda, husband and wife, as Tenants by the
Entirety, all of the Grantors' interest in the Grantors' Lease from the City of Bloomington DATED June 10,
2014, recorded July 3, 2014 in McLean County, Illinois as Document No. 2014-00010776, concerning the
following described Real Estate:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT

(and incorporated herein by this reference)

(Parcel Number 07-01-455-002) situated in the County of McLean, in the State of Illinois, together with all
improvements which may be located thereon, hereby releasing and waiving any and all rights under and by
virtue of the Homestead Exemption Laws of the State of Illinois.

Grantor(s) warrant(s) the property conveyed is not a homestead of any other person.

In testimony whereof the undersigned has/have affixed his/her/their signature(s) this 17th day of
July, 2015.

Dagan Brucker
Dustin Allen Brucker, by Dagan Andrew Brucker, Attorney-in-fact

Dagan Brucker
Dagan Andrew Brucker

Exempt under the provisions of subparagraph
() of 35 ILCS 200/31/45

Legal Description Exhibit
QUIT CLAIM DEED

Dustin Allen Brucker and Dagan Andrew Brucker, Grantor(s), to Mark A. Csanda and Carol M. Csanda,
Grantee(s)
25227 White Owl Lane, Hudson, Illinois 61748-7500
Parcel Number 07-01-455-002

LEGAL DESCRIPTION

A leasehold estate for a term of years to be set by the City of Bloomington, a municipal corporation, of McLean County, Illinois, for the following real property, and conveyance of the improvements located thereon, subject to the terms of said lease:

Lot 2 in Block 10 in Camp Potawatomie according to a private unrecorded Plat of the ground belonging to the City of Bloomington, in Hudson and Money Creek Townships, in McLean County, Illinois
Parcel Number 07-01-455-002

PREPARED BY:

DAVID S. DUNN
ATTORNEY AT LAW
P.O. BOX 1445
BLOOMINGTON, ILLINOIS 61702-1445
309-820-1576
Fax: 866-390-4131

DAVID S. DUNN

ATTORNEY AT LAW

P.O.Box 1445

BLOOMINGTON, ILLINOIS 61702-1445

DDunn@DavidSDunn.com

PHONE 309-820-1576

FAX 866-390-4131



Nancy,

This form assigns the Bruckers' current lease to the buyers. That requires City Council approval. I want this Consent signed by the City in case we close before the effective date that the City uses when they approve the new lease. We can't have the buyers taking possession without lease rights, and that is the purpose of this Assignment.

Please just give it to the City with the other forms, and this note of explanation. If they don't want to approve it for some unforeseen reason, fine, but we need to ask.

The Deed has been signed as represented in the Petition. A signed copy is included with these forms.

A handwritten signature in cursive script, appearing to read "David S. Dunn".

P.S. BOTH COPIES ARE ORIGINALS.
BOTH SHOULD GO TO THE CITY
CSANDAS CAN SIGN LATER,
AFTER THE CITY SIGNS THIS.

ASSIGNMENT

Dagan Andrew Brucker and Dustin Allen Brucker, being the Lessees under a real estate lease dated June 10, 2014, whereunder the City of Bloomington, Illinois, is the Lessor of the following described real estate:

Lot 2 in Block 10 in Camp Potawatomie according to a private unrecorded Plat of the ground belonging to the City of Bloomington, in Hudson and Money Creek Townships, in McLean County, Illinois
Parcel No. (18) 07-01-455-00

commonly known as 25227 White Owl Lane, Hudson, McLean County, Illinois, do hereby assign all right, title and interest in the foregoing Lease to Mark A. Csanda and Carol M. Csanda, contingent upon the following:

- (a) The consent to this assignment by the City of Bloomington, Illinois;
- (b) The Acceptance of Assignment of said Lease; and
- (c) The closing by the parties under and according to the terms of the Contract of Sale between them, to include but not limited to the delivery of deed as required therein, payment of the consideration required by said Contract of Sale, and transfer of the improvements located thereon to Mark A. Csanda and Carol M. Csanda.


Dagan Andrew Brucker 5/11/15
Date


Dustin Allen Brucker 5/11/15
Date

By Dagan Andrew Brucker, Attorney in Fact

CONSENT TO ASSIGNMENT

The City of Bloomington, Illinois, hereby consents to this assignment of the above identified Lease.

Attested by:

ACCEPTANCE OF ASSIGNMENT

Mark A. Csanda and Carol M. Csanda, jointly and severally accept this assignment of Lease subject to the contingencies stated hereinabove, and do hereby agree, to the extent required by the City of Bloomington, to execute a new Lease from the City of Bloomington for the premises above described, on substantially the same terms as the Lease hereby assigned, albeit for a new term commencing on the date of closing of our purchase from the Assignors.

Mark A. Csanda

Carol M. Csanda

PREPARED BY:

DAVID S. DUNN
ATTORNEY AT LAW
P.O. BOX 1445
BLOOMINGTON, ILLINOIS 61702-1445
309-820-1576
Fax: 866-390-4131

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Dagan Andrew Brucker and Dustin Allen Brucker, being the Lessees under a real estate lease dated June 10, 2014, whereunder the City of Bloomington, Illinois, is the Lessor of the following described real estate:

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Parcel No. (18) 07-01-455-00

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Date


Dustin Allen Brucker 5/11/15
Date
By Dagan Andrew Brucker, Attorney in Fact

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Mark A. Csanda

Carol M. Csanda

PREPARED BY:

DAVID S. DUNN
ATTORNEY AT LAW
P.O. BOX 1445
BLOOMINGTON, ILLINOIS 61702-1445
309-820-1576
Fax: 866-390-4131

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the _____ day of _____, 2015, between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called CITY and Mark A. Csanda & Carol M. Csanda **(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 the Town of Normal, County of McLean, State of Illinois, hereinafter called "Lessee,"

WITNESSETH

In consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following described real estate owned by the City in the vicinity of Lake Bloomington, Illinois as follows:

Lot 2 in Block 10 in Camp Potawatomie according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.
PIN# (18) 07-01-455-002

2. TERM OF LEASE. The term of this Lease shall be for a term commencing ~~(cross out the one that does not apply)~~ (on the date of this Lease) ~~(on January 1 following the date of this Lease)~~ and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.
3. RENT.

(SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.)

- A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each year, the amount designated hereafter:

~~1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, including land and improvements, as determined by the Supervisor of Assessments of McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.~~

2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will re-

main in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

~~3) If the Lessee is not eligible for the 15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV rental rate, the rent shall be charged at the rate of _____¢ (\$._____) per \$100 EAV.~~

SELECT THE RENT TO BE PAID BY CORSSING OUT 2 OF THE 3 RENT OPTIONS.

B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the. United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.
6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.
7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the 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

Lessee Name and Mailing Address

City of Bloomington
City Hall
109 E. Olive Street
Bloomington, IL 61701

Mark A. Csanda & Carol M. Csanda
25227 White Owl Lane
Hudson, Illinois 61748-7500

This Document prepared by:
David S. Dunn, Attorney at Law
P.O.Box 1445
Bloomington, IL 61702-1445
(309) 8201576
Fax: (866) 390-4131

Lessee Billing Address
Mark A. Csanda & Carol M. Csanda
25227 White Owl Lane
Hudson, Illinois 61748-7500

18. BINDING EFFECT. This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

SIGNATURE BLOCK FOLLOWS ON PAGE 5

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

Wm. A. Crank

By: _____

Its Mayor

Carol M. Crank

25227 White Owl Ln
Lot: 2
Block: 10
Camp: Potawatomie

25239

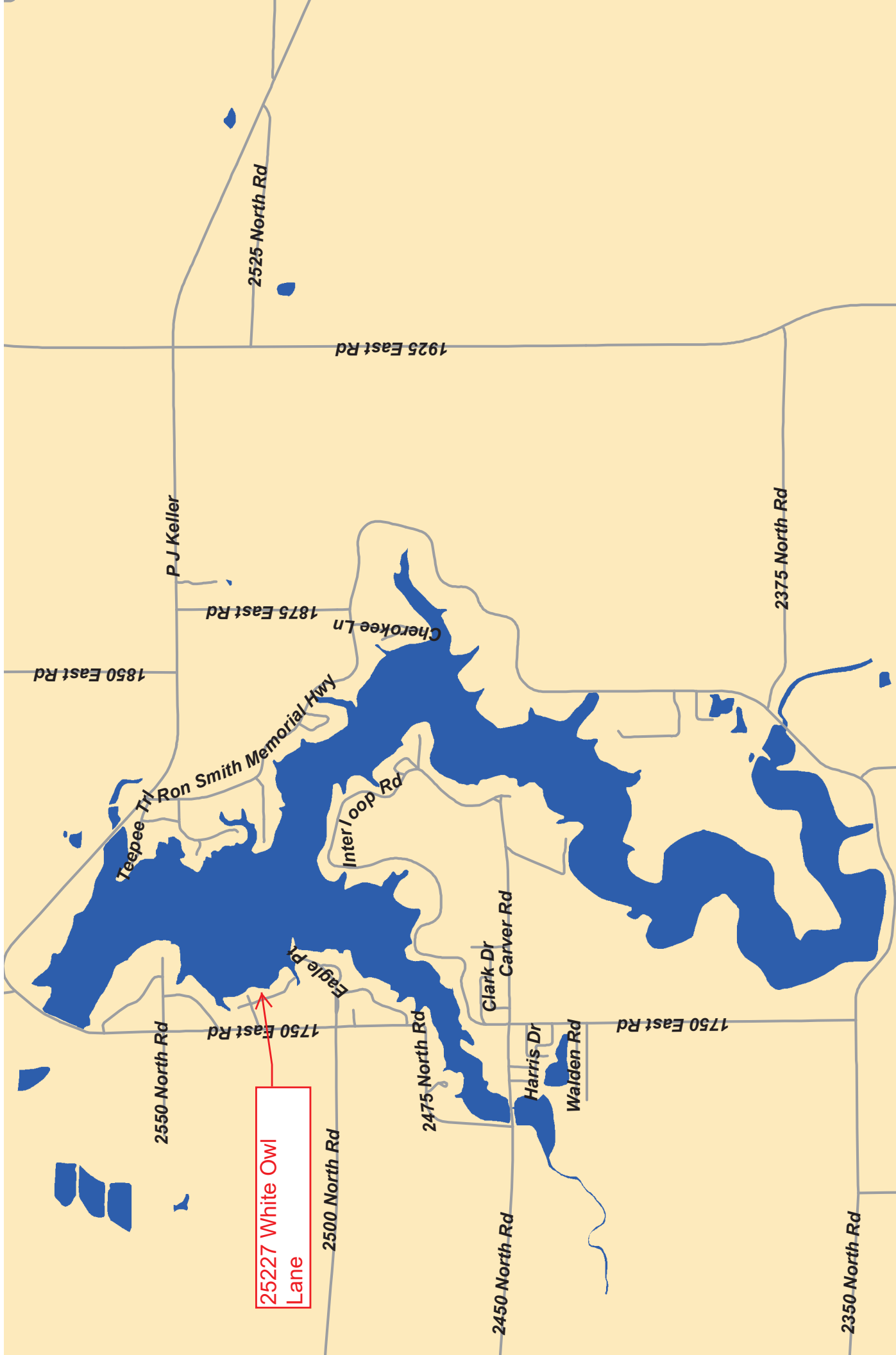
25227

25221

Hepatica Ln

White Owl Ln

25234



25227 White Owl
Lane



CONSENT AGENDA ITEM NO. 7M

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of Adopting an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15.

RECOMMENDATION/MOTION: That the City Council adopt an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15 as described in Exhibit A, conditioned upon making updates to the plan including adding sidewalks, bike paths, and the extension of Hotel Drive, along with and the rerouting of the sewers to the larger detention basin.

STRATEGIC PLAN LINK: The amended preliminary plan is linked to Goal 3, Grow the Local Economy and Objective D, Expanded Retail Businesses.

STRATEGIC PLAN SIGNIFICANCE: The amended preliminary plan will facilitate the objective of expanded retail businesses by allowing new commercial businesses on vacant land in the Parkway Village development. This will include a financial institution and a retail strip center with up to six tenants.

BACKGROUND:

The Parkway Village Planned Unit Development (PUD) currently has three businesses in place, namely a pharmacy, a restaurant and a hotel. If the amended preliminary plan is approved the construction of a financial institution and a retail strip center will begin this summer. The development has direct access to Mercer Avenue, Ireland Grove Road and Loop Road.

Most of the development will remain as previously approved. On the eastern portion of Parkway Village, lot 303 is being split into two lots, namely lots 402 and 403. A retail strip center is proposed for lot 402 with a similar design as to what was planned for lot 301 to the northeast. Lot 403 has no proposed development. In the north, lots 301 and 302 are proposed to be combined into one lot, namely lot 401. The financial institution intends to build on lot 401. The streets will remain private and no new access points are proposed to City streets and Veteran's Parkway. There are also some changes to the easements required due to the lot reconfigurations, which staff agrees with.

PLANNING COMMISSION

This case was before the Planning Commission for a public hearing and review on May 13, 2015. Staff explained the proposed changes to the PUD and why Hotel Drive needs to be fully extended. The extension will prevent a long dead end street which will help circulation and emergency vehicles. The new streets need to include bike lanes and sidewalks, as provided now in other parts of the development. Staff recommended approval condition upon complying with these items.

The engineer for the developer explained the detention basin south of the retail strip center is being filled in and deleted. He said it is addressed in the construction plans. He said the final plan will be revised and the basin to the northeast will be sufficient to handle the storm water. He also

explained they were not planning to extend Hotel Drive in this phase because they were waiting for the parcel to the west of the strip center to be developed. He requested that there be a waiver until that time and not incur that cost for this small strip center. No one else from the public spoke regarding the petition.

The Planning Commission felt the road extension should be included because otherwise it would be a long distance for anyone wanting to get to the new development. The Planning Commission recommended approval by a vote of 9-0 conditioned on updating the plan to include sidewalks, bike paths, the extension of Hotel Drive, and the rerouting of the sewers to the larger detention basin. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

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 29 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

FINANCIAL IMPACT:

If the amended preliminary plan is approved, there should be an increase in property and sales taxes for the city as the site is developed.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments: Attachment 1.

Motion: That the City Council adopt an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15 as described in Exhibit A, conditioned upon making updates to the plan including adding sidewalks, bike paths, and the extension of Hotel Drive, along with and the rerouting of the sewers to the larger detention basin.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			

Alderman Lower				Alderman Buragas			
Alderman Painter							
				Mayor Renner			

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
MAY 13, 2015

SUBJECT:	TYPE:	SUBMITTED BY:
PS-01-15 Southeast Corner of Mercer Avenue and Veterans Parkway	Amendment to Parkway Village PUD Preliminary Plan Phase 4	Mark Woolard City Planner

REQUEST

The petitioner is seeking an Amendment to the Parkway Village PUD Preliminary Plan, Phase 4.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Parkway Partners-One, Inc.

PROPERTY INFORMATION

Existing Zoning: B-1, Highway Business District
Existing Land Use: The proposed changes involve vacant land in the partly developed Parkway Village Planned Unit Development (PUD). The developed sites include a hotel, a drug store and a fast food restaurant.

Surrounding Zoning and Land Uses

Zoning

North: C-1, Office District
North: R-3B, High Density Multi-Family Residence
South: B-1, Highway Business District
East: B-1, Highway Business District
East: M-1, Restricted Manufacturing District
West: B-1, Highway Business District

Land Uses

North: Bank
North: Senior Housing
South: Offices
East: Vacant
East: Office
West: Restaurant, Car Rental Business

PROJECT DESCRIPTION

The petitioner is seeking approval of an amendment for the Preliminary Plan for Parkway Village Planned Unit Development. Much of the development will remain the same as previously approved and some of the lots are already developed. The major changes are in the northern and eastern portions of the site. In the north, lots 301 and 302 are proposed to be combined into one lot, namely lot 401. An unidentified tenant intends to build on lot 401. On the eastern portion of Parkway Village, lot 303 is being split into two lots, namely lots 402 and 403. A retail strip center is proposed for lot 402 with a similar design as to what was planned for lot 301 to the northeast. Lot 403 has no proposed development. The streets will remain private and

no new access points are proposed to the city streets and Veteran's Parkway. There are also some changes to the easements that engineering has no comments on.

ANALYSIS

Submittals

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

1. Petition for Preliminary Plan Amendment
2. Preliminary Plan for Parkway Village
3. Aerial photographs
4. Photographs of internal and adjacent sites

Compliance with the Comprehensive Plan

The property is designated regional/highway commercial in the Comprehensive Plan. This designation would be consistent with the intended uses by the petitioner.

Site Layout and Design

The existing Hotel Drive needs to be extended to the north to connect Village Lane to the unnamed street which is parallel to Veterans Parkway. This will prevent a long dead end and provide the proper circulation for the public and emergency vehicles.

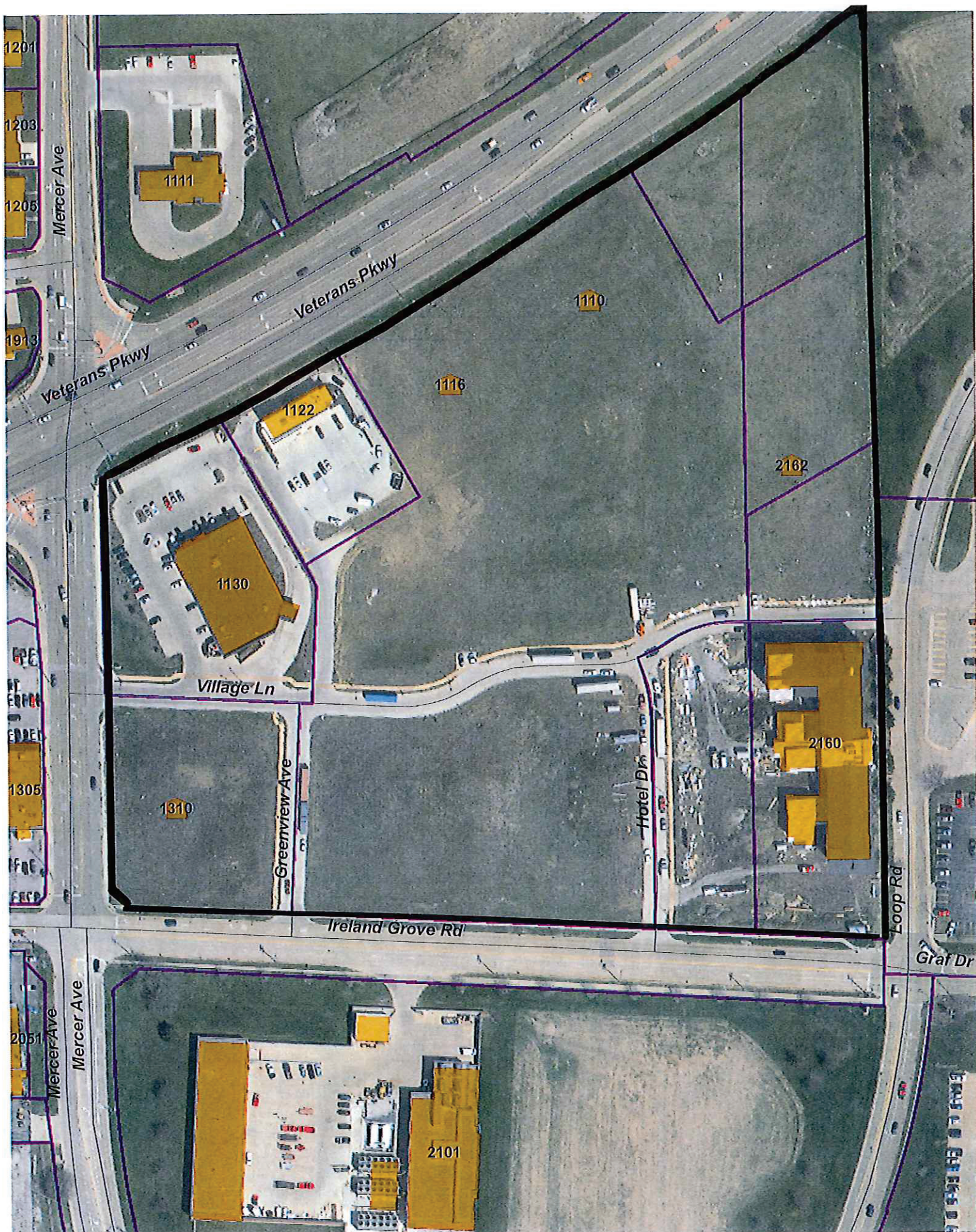
Hotel Drive and the unnamed street both need to have sidewalks and a bike lane. This will create a more pedestrian and bike friendly Parkway Village.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass a motion recommending that the City Council approve the Amended Preliminary Plan for Parkway Village Phase 4 PUD Subdivision, for the property located at the southeast corner of Mercer Avenue and Veterans Parkway Drive, in Case PS-01-15, condition upon Hotel Drive be fully extended, and the sidewalks and bike lanes be added to all new streets.

Respectfully submitted,

Mark Woolard
City Planner



**UNAPPROVED MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MAY 13, 2015, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Cornell, Mr. Diamond, Mr. Protzman, Ms. Schubert, Mr. Scritchlow, Mr. Stanczak, Mr. Suess

MEMBERS ABSENT: Mr. Pearson

OTHERS PRESENT: Mr. Bob Yehl, Assistant City Engineer
Mr. Mark Woolard, City Planner

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.
Chairman Stanczak welcomed the new Planning Commissioners.

ROLL CALL: Mr. Woolard called the roll. A quorum was present.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the April 22, 2015 minutes. On page three the following will be added for the nominations: Mr. Pearson nominated Mr. Balmer for the Chairman and Vice-Chairman, for the Chairman Mr. Wills nominated Mr. Stanczak and Mr. Protzman nominated Mr. Pearson. Mr. Scritchlow moved to approve the April 22, 2015, minutes as altered. Mr. Diamond seconded the motion which passed by a vote of 9-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -abstain; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Cornell-yes; Ms. Schubert-abstain; Mr. Suess-yes.

REGULAR AGENDA:

PS-01-15 Public hearing and review on the petition submitted by Parkway Partners-One, Inc., requesting the approval of an Amendment for the Preliminary Plan for the Parkway Village PUD Phase 4, for the property located at the southeast corner of Mercer Avenue and Veterans Parkway, consisting of approximately 5 acres.

Chairman Stanczak introduced the case. Mr. Woolard identified the location and the adjacent zoning and land uses. He explained the proposal will combine two lots in the north. Southeast of there one lot will be split into two lots. Most of the development will have no change. There are no new street locations or access points to the city streets. He explained Hotel Drive needs to be fully extended. This will prevent a long dead end which will help for circulation and emergency vehicles. Also the newly built streets need to have the bike lanes and sidewalks. He stated staff is recommending approval condition upon complying with these two items. There was discussion on the stubs that are in place and how they may be for streets or driveways. There was discussion on the detention basins. Mr. Woolard stated the bike lanes are not a code requirement but with planned unit developments we can ask for improvements as part of the approval process. The

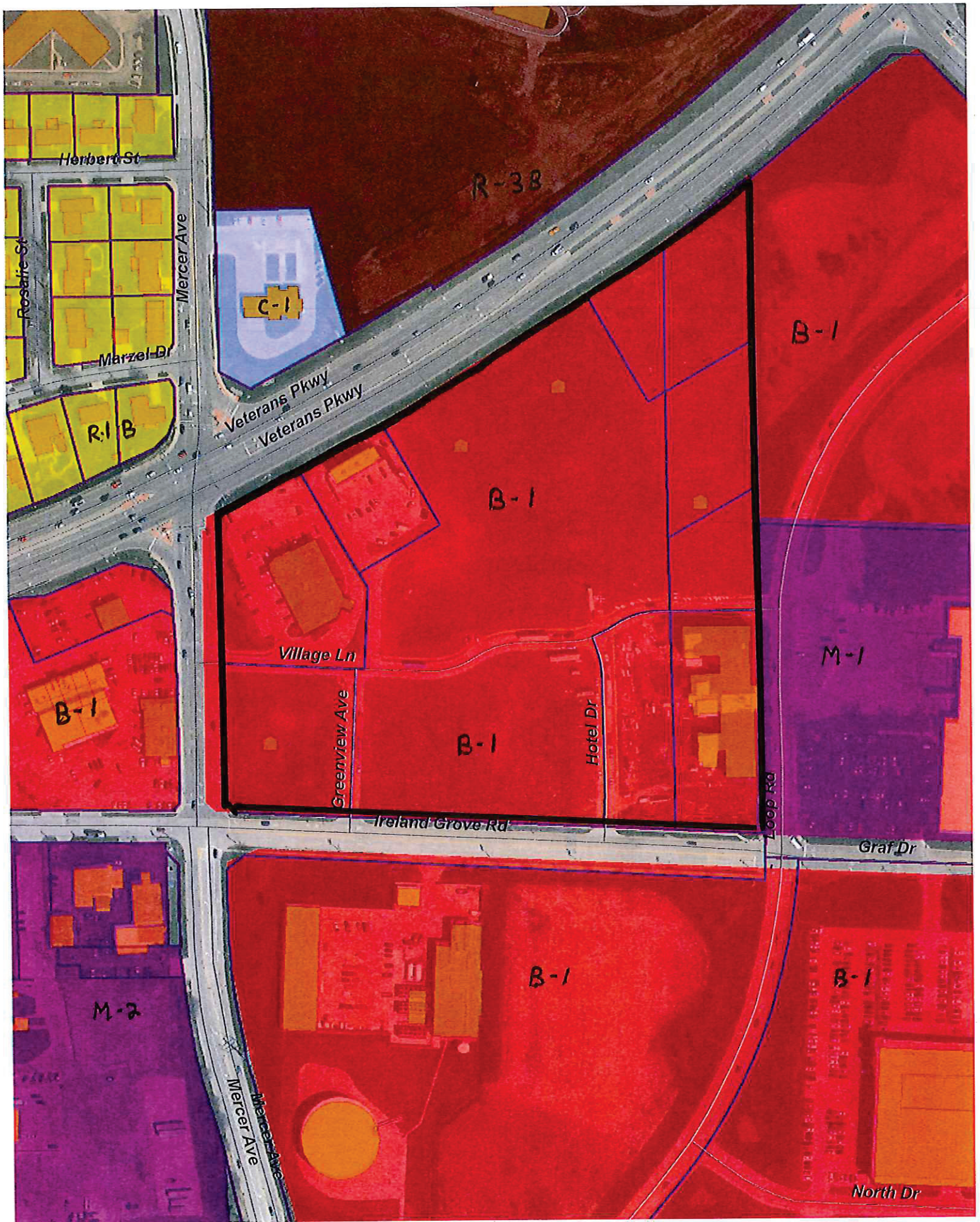
developer can ask for waivers of code requirements and in turn the city can ask for items that would not normally be required. Mr. Balmer stated that the Bike Plan has been adopted and will be part of future development. Mr. Suess stated there already are bike lanes out there so this will not be like there will be bike lanes in an area that has none.

Chairman Stanczak opened the public hearing. Mr. Michael Shamsie, with Landmark Engineering, was sworn in. He stated he is the engineer for the developer. He said the detention basin south of the retail strip center is being filled in and deleted. That was presented at the last review which was phase three when the storm water management report was approved. It is addressed in the construction plans. He said the final plan will be revised. The basin to the northeast will be sufficient to handle the storm water. He said the combining of the two lots occurred because it was sold to one party which pushed the strip retail center to the southeast. They were not originally planning to extend Hotel Drive in this phase because they were waiting until the parcel to the west of the strip center is developed. They request that there be a waiver until that time and not incur that cost for this small strip center. Mr. Balmer stated that should be included. Chairman Stanczak stated that if Hotel Drive is not extended that anyone wanting to get to the new development at lot 401 they will have to go around to Greenview and up to get there. Mr. Protzman questioned what is planned for 401 with all that parking and said he is concerned about the traffic flow with one access. Mr. Shamsie stated he thought they should also have two access points with that much parking but that design has not been finalized. Chairman Stanczak said that Hotel Drive needs to be extended for access for the strip center. Mr. Shamsie stated the access will be off the road extended along lot 401. There was discussion on the whether the bike lanes were wanted with the original development by the developer.

Chairman Stanczak asked if there was anyone in opposition, in favor of or had questions regarding the petition and no one spoke. Mr. Shamsie requested that they be allowed to extend Hotel at a future phase. Chairman Stanczak closed the public hearing.

Mr. Balmer stated that all we are really doing is swapping out some lots from what was already approved. He said as long as we include the requests by staff regarding sidewalks and bike lanes in conjunction with the street installation he sees no reason to oppose the request.

Mr. Balmer moved in regards to PS-01-15 Parkway Partners-One, Inc., requesting the approval of the current Amendment for the Preliminary Plan for the Parkway Village PUD Phase 4, to recommend to the City Council pending updates to the plan including recommendations by the city staff for sidewalks, bike paths, the extension of Hotel Drive, and rerouting of the sewers to the larger detention basin be approved. Mr. Scritchlow seconded the motion which passed by a vote of 9 to 0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Balmer-yes; Mr. Protzman-yes; Ms. Schubert -yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Cornell-yes; Mr. Suess-yes.



ZONING MAP

% CVS CAREMARK CORPORATION ATTN:
PROPERTY MANAGEME HIGHLAND PARK
CVS, LLC
1 Cvs Dr
Woonsocket, RI 02895-6146

STATE FARM MUTUAL AUTO INS
1 STATE FARM PLAZA
BLOOMINGTON, IL 61701

JOHN P PENN
1104 ROSALIE ST
BLOOMINGTON, IL 61701-7120

STEVEN BURTON
1105 ROSALIE ST
BLOOMINGTON, IL 61701-7119

KYLE GREEN
1106 ROSALIE ST
BLOOMINGTON, IL 61701-7120

JEFFREY D WILSON
1201 S MERCER AVE
BLOOMINGTON, IL 61701-7111

GERALD W MILLER
1203 S MERCER
BLOOMINGTON, IL 61701

ROSEMARY T KELLEY
1205 S MERCER AVE
BLOOMINGTON, IL 61701-7111

STEVE & SHANNON PATTERSON
1305 S Mercer Ave
Bloomington, IL 61704-7113

BENITA PAYNE
1905 MARZEL
BLOOMINGTON, IL 61701

KELLY & MICHELE SPENCE
1907 MARZEL DR
BLOOMINGTON, IL 61701-7105

CLARA L & JAMES L MOORE
1908 MARZEL DR
BLOOMINGTON, IL 61701-7144

DENNIS A ABBOTT
1909 MARZEL DR
BLOOMINGTON, IL 61701-7105

STACY PAUL
1911 MARZEL DR
BLOOMINGTON, IL 61701-7105

VIOLA M ALEXANDER TRUSTEE
1913 MARZEL
BLOOMINGTON, IL 61701

VILLAGE WESTMINSTER
2025 E LINCOLN ST
BLOOMINGTON, IL 61701-5995

MCLEAN COUNTY LAND TRUST
2030 IRELAND GROVE RD
BLOOMINGTON, IL 61704-7104

IRELAND PROPERIES LLC
2045 IRELAND GROVE ROAD
BLOOMINGTON, IL 61704

IRELAND PROPERTIES LLC
2045 IRELAND GROVE ROAD
BLOOMINGTON, IL 61704

EDWIN B SMILEY
2049 IRELAND GROVE RD
BLOOMINGTON, IL 61704-7103

JUDITH L SMILEY
20502 E 950 NORTH RD
BLOOMINGTON, IL 61704

ENTERPRISE RENT A CAR COMPANY
MIDWEST
4509 N BRADY ST
DAVENPORT, IA 52806-4051

ATTN JAMES L MANN PARKWAY
PARTNERS LLC
5 SHENANDOAH AVE
JACKSONVILLE, IL 62650-1073

PARKWAY PARTNERS-ONE INC
5 SHENANDOAH AVE.
JACKSONVILLE, IL 62650

ATTN: HAROLD JENKINS TRI-JEN, INC.
7211 N KNOXVILLE AVE
PEORIA, IL 61614-2077

BUSINESS SERVICES CITIZENS EQUITY
FIRST CREDIT UNION
7900 N University St
Peoria, IL 61615-1839

BUSEY BANK VETERANS
ATTN: ACCOUNTS PAYABLE PO BOX 17430
URBANA, IL 61803-7430

PARKWAY PARTNERS-ONE INC
5 SHENANDOAH AVE.
JACKSONVILLE, IL 62650

% CVS CAREMARK CORPORATION ATTN:
PROPERTY MANAGEME HIGHLAND PARK
CVS, LLC
1 Cvs Dr
Woonsocket, RI 02895-6146

ATTN: HAROLD JENKINS TRI-JEN, INC.
7211 N KNOXVILLE AVE
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STATE FARM MUTUAL AUTO INS
1 STATE FARM PLAZA
BLOOMINGTON, IL 61701

STATE FARM MUTUAL AUTO INS
1 STATE FARM PLAZA
BLOOMINGTON, IL 61701

ATTN JAMES L MANN PARKWAY
PARTNERS LLC
5 SHENANDOAH AVE
JACKSONVILLE, IL 62650-1073

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PARTNERS LLC
5 SHENANDOAH AVE
JACKSONVILLE, IL 62650-1073

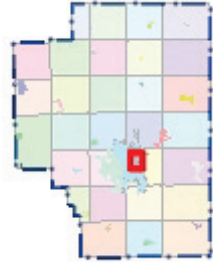
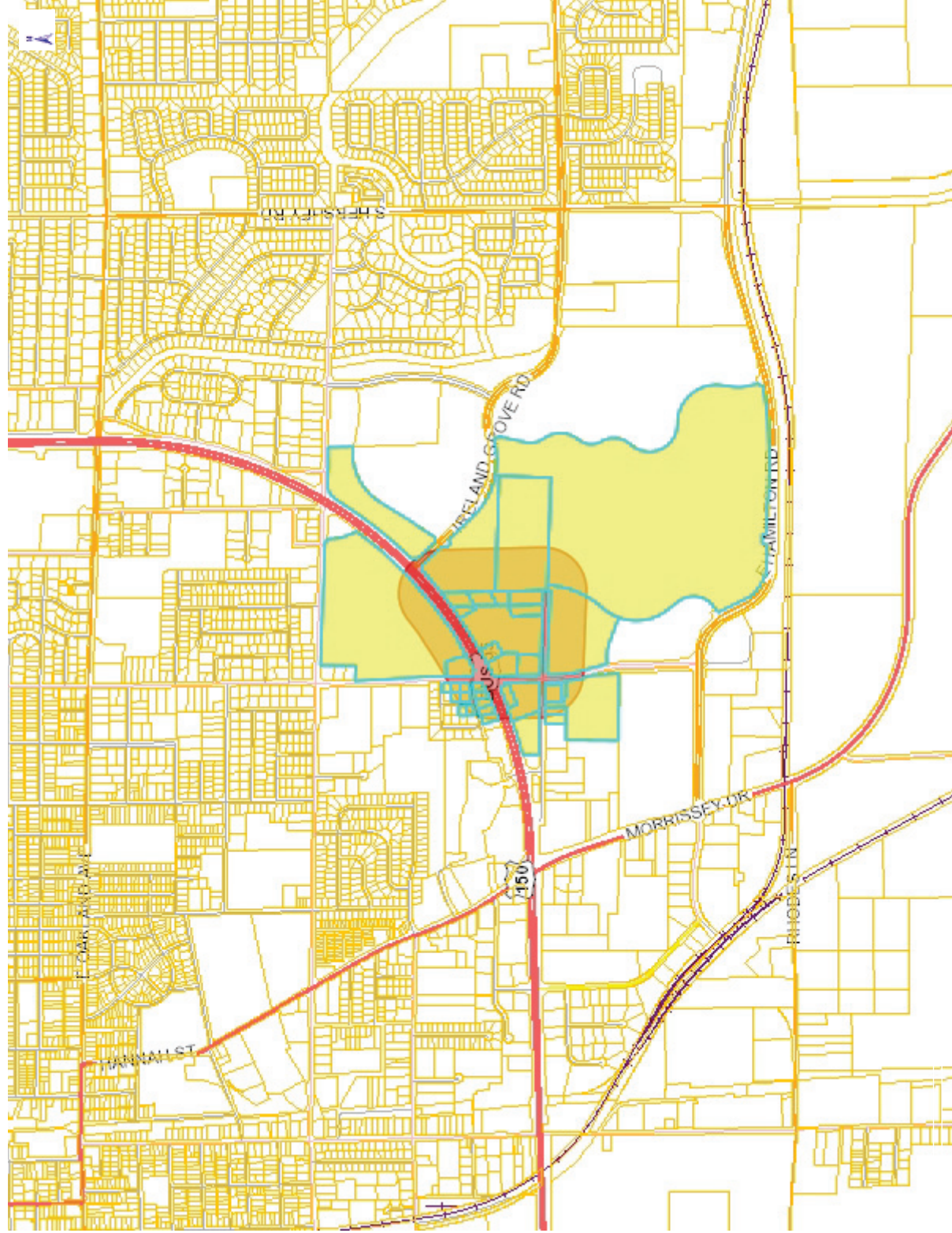
PARKWAY PARTNERS-ONE INC
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PARKWAY PARTNERS-ONE INC
5 SHENANDOAH AVE.
JACKSONVILLE, IL 62650



Property Owners Notified within 500" of Parkway Village PUD



- Legend
- Parcels
 - Interstates
 - US_Highways
 - State_Highways
 - County_Highways
 - Minor_Arterial
 - Major_Collector
 - Minor_Collector
 - Local_Road_Street
 - Railroad
 - County

Notes

By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

0.9 Miles

0.44

1: 27,788

Printed: 4/29/2015 10:27:17 AM

APPROVAL OF PRELIMINARY PLAN

Date Rec'd: 4/23/15
Council Date: _____

PETITION FOR PRELIMINARY PLAN FOR SUBDIVISION KNOWN AS:

Parkway Village PUD Amendment - Phase 4

LOCATION: SE Corner of Mercer Avenue & Veterans Parkway

PETITIONER: Parkway Partners – One Inc. ATTORNEY: Ms. Julia Davis 828-7331

ADDRESS: 5 Shenandoah Avenue, Jacksonville, IL 62650

PHONE NUMBER: (217) 245-2220

DOCUMENTS SUBMITTED: Check if Yes

Petition

X original being mailed

Ordinance

X on

Legal Description

X

~~2 Mylar &~~ 22 Prints

X 19

Filing Fee Paid

X (\$100.00 plus \$5.00 per lot) # of lots 3

Documents on Disk

Development/Staff Mtg _____

Planning Commission 5/13/15

Date eleven (11) copies of plats & one (1) copy of documents sent to PACE 4/24/15

Date Notice sent to Pantagraph 4/23/15 (15 day notice)

Publication (date) 4/28/15 Publication Fee of \$506.90 Billed 5-5-15 Paid _____

City Council Mtg (date) _____ Picked up by Petitioner for Recording _____

NOTES: TC to Ms Davis w/ft msg

PETITION FOR APPROVAL of PRELIMINARY PLAN for a SUBDIVISION

State of Illinois)
) ss.
County of McLean)

To: **The Honorable Mayor and City Council of the City of Bloomington, Illinois.**

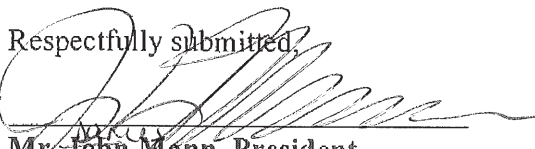
Now come(s) **Parkway Partners – One Inc.** hereinafter referred to as your
Petitioner(s) respectfully representing and requesting as follows:

1. That **Parkway Partners – One Inc.** as petitioner is interested as Developer &
Owner in the premises hereinafter in Exhibit(s) attached hereto and made a part
hereof to be known by this reference;
2. That **Parkway Partners – One Inc.** as Petitioner seeks approval of the
Preliminary Plan for a subdivision of said premises to be known and described
as **Parkway Village PUD Amendment - Phase 4** which Preliminary Plan is
attached hereto and made a part hereof;
3. That your Petitioner(s) also seek(s) approval of the following exemptions or
variations from the provisions of Chapter 24, of the Bloomington City Code:

No Variances Requested

WHEREFORE, your Petitioner(s) pray(s) that the Preliminary PUD Plan Amendment for
the **Parkway Village PUD Amendment - Phase 4** subdivision submitted herewith be
approved with the exemptions or variations as requested herein.

Respectfully submitted,


Mr. John Mann, President
Parkway Partners – One Inc.
5 Shenandoah Avenue
Jacksonville, IL 62650

**PETITION FOR APPROVAL of PRELIMINARY
PLAN for a SUBDIVISION**

State of Illinois)
) ss.
County of McLean)

To: **The Honorable Mayor and City Council of the City of Bloomington, Illinois.**

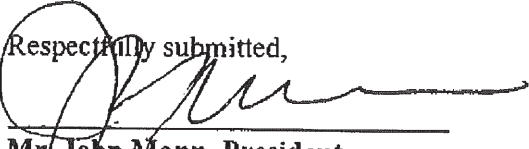
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Petitioner(s) respectfully representing and requesting as follows:

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3. That your Petitioner(s) also seek(s) approval of the following exemptions or
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No Variances Requested

WHEREFORE, your Petitioner(s) pray(s) that the Preliminary PUD Plan Amendment for
the **Parkway Village PUD Amendment - Phase 4** subdivision submitted herewith be
approved with the exemptions or variations as requested herein.

Respectfully submitted,



Mr. John Mann, President
Parkway Partners – One Inc.
5 Shenandoah Avenue
Jacksonville, IL 62650

ORDINANCE NO _____

AN ORDINANCE APPROVING THE PRELIMINARY PLAN
of the
Parkway Village PUD Amendment - Phase 4 Subdivision

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition for approval of the Preliminary Plan of **Parkway Village PUD Amendment - Phase 4** Subdivision, legally described in Exhibit(s) attached hereto and made a part hereof by this reference;

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended: **No Variances Requested** and;

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and the Preliminary Plan attached to said Petition was prepared in compliance with the requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision code, Chapter 24 of the Bloomington City Code, 1960, as amended.

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

1. That the Preliminary Plan of the **Parkway Village PUD Amendment - Phase 4** Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as the time of its passage on this _____ day of _____, 20_____.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT A

THAT PART OF THE SOUTHWEST QUARTER SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

LOT 401

INCLUDES ALL OF LOTS 301 & 302 IN PARKWAY VILLAGES PHASE 3, RECORDED FEBRUARY 25, 2015 AS DOCUMENT 2015-3032 CONTAINING 95,687.91' S.F. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

LOT 402

INCLUDES THAT PART OF LOT 303 IN PARKWAY VILLAGE PHASE 3 RECORDED FEBRUARY 25, 2015 AS DOCUMENT 2015-3032: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 303; THENCE N.58°51'53"E., 305.02 FEET; THENCE N.87°49'27"E., 60.11 FEET TO A LINE 15.00 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF STATE FARM SOUTH SUBDIVISION (1ST ADDITION); THENCE N.02°10'33"W. ALONG SAID PARALLEL LINE 279.82 FEET; THENCE N.54°13'31"W., 46.17 FEET TO THE SOUTH RIGHT OF WAY OF VETERAN'S' PARKWAY (US RTE 66); THENCE NORTHERLY ALONG A TANGENTIAL CURVE TO THE LEFT FOR AN ARC LENGTH OF 56.60 AND A RADIUS OF 4995.61 FEET; THENCE S.02°41'12"E., 6.30 FEET; THENCE N.50°17'40"E. ALONG AN ARC OF A CURVE TO THE LEFT FOR A LENGTH OF 8.01 FEET FOR A RADIUS OF 5000.61 FEET TO THE SAID WEST LINE OF STATE FARM SOUTH SUBDIVISION (1ST ADDITION); THENCE S.02°10'33"E. ALONG SAID WEST LINE, 341.05' FEET; THENCE S.87°49'27"W., 60.11 FEET; THENCE S.58°51'53"W., 305.02 FEET ALONG THE NORTHLINE OF LOT 303 TO THE POINT OF BEGINNING. CONTAINS: 73,510 SF. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

LOT 403

BEING THAT PART OF LOT 303 OF PARKWAY VILLAGE PHASE 3, RECORDED FEBRUARY 25, 2015 AS DOCUMENT 2015-3032 AND ALL OF LOT 200 OF PARKWAY VILLAGE PHASE 2 RECORDED NOVEMBER 1, 2010 AS DOCUMENT 2010-2743: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 303; THENCE N.02°10'33"W., ALONG THE EAST LINE OF SAID LOT 200, 235.40 FEET; THENCE S.58°51'53"E., 190.32 FEET; THENCE S.87°49'27"W., 130.05 FEET TO THE WEST LINE OF SAID LOT 303; THENCE S.02°10'33"W., ALONG SAID WEST LINE, 183.03 FEET TO THE CENTERLINE OF VILLAGE LANE (A PRIVATE ROAD); THENCE NORTHEASTERLY ALONG A TANGENTIAL CURVE TO THE LEFT FOR AN ARC LENGTH OF 31.79 FEET AND A RADIUS OF 150.00 FEET TO A POINT OF REVERSE CURVATURE; THENCE CONTINUING NORTHEASTERLY ALONG A TANGENTIAL CURVE TO THE RIGHT FOR AN ARC LENGTH OF 88.04 FEET AND A RADIUS OF 150.00 FEET; THENCE N.87°49'27"E., 185.37 FEET TO THE POINT OF BEGINNING CONTAINS: 51,757 SF. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

NOTICE

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on the Petition filed by Parkway Partners – Once Inc., requesting approval of a Preliminary Plan Petition for Parkway Village PUD Amendment, Phase 4, for property commonly located southeast corner of Mercer Ave., and Veterans Parkway, consisting of approximately 5 acres.

LEGAL DESCRIPTION: Exhibit A

Notice is hereby given that a Public Hearing will be held upon said Petition on Wednesday, May 13, 2015 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois, at which time 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 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.

Renee Gooderham
Interim City Clerk

Published: April 28, 2015

From: Renee Gooderham/Cityblm
To: Lori Fickes <lfickes@herald-review.com>
Cc: Andrew Coffey/Cityblm@Cityblm

Date: Thursday, April 23, 2015 04:14PM
Subject: Preliminary Plan Noitce

Lori,

Attached is a preliminary plan notice and exhibit A for same. This is a one time notice and should be invoiced on account #60072323.

I'm going to be out of the office until Monday. Please send the proof to Andrew Coffey at acoffey@cityblm.org

Thank you,
Renee Gooderham
Interim City Clerk
(309) 434-2240

Attachments:

Prelimpl.doc

Parkway Village PUD Legal - Phase 4.docx



LETTER OF TRANSMITTAL

Engineering Group, Inc.

Civil and Environmental Engineering and Land Surveying

3440 38th Avenue – Suite 4

Moline, IL 61265

PHONE: 309-755-3400

FAX: 309-755-5522

DATE April 23, 2015

JOB NO: 01-15-1275

ATTN: Renee Gooderham – Interim City Clerk

RE: Parkway Village PUD Amendment – Phase 4

TO: City of Bloomington

109 E. Olive Street

Bloomington, IL 61701

WE ARE SENDING YOU

☐ Enclosed

☐ VIA U.S. Mail

☐ VIA FedEx

☒ Delivery

☐ Pick-Up

COPIES	DATE	NUMBER	DESCRIPTION
22			Parkway Village PUD Amendment – Phase 4
1			Application & Petition Package

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ For Approval

☐ Approved as submitted ☐ Resubmit _____ copies for approval

☐ For your use

☐ Approved as noted

☐ Submit _____ copies for distribution

☐ As requested

☐ Returned for corrections

☐ Return _____ corrected prints

☒ For Review and Comment

☐ For Bids Due _____

REMARKS

If you have any questions, please feel free to call me at (309) 755-3400 @ Ext. 102.

Thank you.

SIGNED: Michael R. Shamsie, P.E.

President/CEO

Pantagraph Publishing

The Pantagraph

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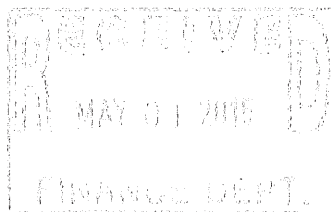
STATE OF ILLINOIS,
COUNTY OF MCLEAN
CITY OF BLOOMINGTON

} SS:

The Pantagraph Publishing Co. hereby certifies that it is now and has been for more than one year continuously, d/b/a **The Pantagraph**, a daily secular newspaper of general circulation in said County, published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that **The Pantagraph** is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true copy, has been regularly published in said paper.

By Janette Johnson

Date 04-28-2015



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20725318
NOTICE

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on the Petition filed by Parkway Partners - One Inc., requesting approval of a Preliminary Plan Petition for Parkway Village PUD Amendment, Phase 4, for property commonly located southeast corner of Mercer Ave., and Veterans Parkway, consisting of approximately 5 acres.

THAT PART OF THE SOUTH-WEST QUARTER SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE A RADIUS OF 150.00 FEET; THENCE N.87°49'27"E. 185.37 FEET TO THE POINT OF BEGINNING CONTAINS: 51,757 SF. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

Notice is hereby given that a Public Hearing will be held upon said Petition on Wednesday, May 13, 2015 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive Street, Bloomington, Illinois, at which time 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 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.

Renee Gooderham
Interim City Clerk

Published: April 28, 2015

Before you sell your Copy

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7N

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of Adopting an Ordinance Approving Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy with conditions listed therein.

RECOMMENDATION/MOTION: Adopt the Ordinance approving Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy., and the final plat approved subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: This Planned Unit Development (PUD) commercial subdivision is located south of Veterans Pkwy, and east of Mercer Ave. The Final Plat is in conformance with the amended Preliminary PUD Plan to be approved by Council tonight. This Final Plat re-plats part of Phase 3 in preparation for a proposed financial institution along Veterans Pkwy, and a proposed retail strip mall north of the existing Residence Inn Hotel.

As provided with the Bloomington City Code, Chapter. 24: Section 3.5.5: Recording that within seven (7) days from the date of adoption of an Ordinance approving the final plat, or within seven (7) days from the date on which the last event referred to this Code or characterized in the Ordinance as a prerequisite to recording of the final plat occurs, whichever is later, the City Clerk shall record a copy of the final plat, a certified copy of the Ordinance approving the Final Plat, and any supporting certificates necessary to accomplish the recording in the Office of the Recorder of Deeds of McLean County. If such final plat is not recorded within ninety (90) days of City Council approval such plan shall become null and void.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Parkway Partners-One, Inc., Landmark Engineering Group.

FINANCIAL IMPACT: The cost of all public improvements, platting, and recording will be borne by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis PE, Civil Engineer I.

Reviewed by: Tom Dabareiner, Director, Planning and Code Enforcement

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments: Attachment 1.

Motion: Adopt the Ordinance Approving Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy., and the final plat approved subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat

Motion: _____ Seconded by: _____

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



Parkway Village Phase 4 FINAL PLAT CHECKLIST

Date Prepared: 5/26/2015

Shown on Final Plat:		Initial
	Easements shown for all public improvements	TJM
	City Engineer's Signature Block	TJM
	Clerk's Signature Block	TJM
	Areas or facilities to be dedicated to the public	TJM
	Railroad Right of Ways	N/A
	Subdivision Boundaries	TJM
	References to nearest street lines, Township, Sections lines, or monuments.	TJM
	Name of Subdivision	TJM
	Legal Description	TJM
	Existing Parcel Id Number (PIN)	NOT SHOWN
	Surveyor's statement regarding any Special Flood Hazard Areas.	TJM
	Total Acreage	TJM
	Street Names	TJM
	Proposed Lot numbers (consecutively numbered)	TJM
	Front Yard Setbacks	N/A
The following shall be provided:		
	School District Certificate	TJM
	County Clerk's Certificate	NOT SIGNED
	Owner's Certificate	TJM
	Drainage Statement	TJM
	Owner's Petition	TJM
	Ordinance	TJM
	Utility Company Signoffs	(future easement plat
	Digital PDF Submittal provided to Public Works	TJM
	Digital CAD format submittal provided to Public Works	NONE PROVIDED
	2 Mylar Copies	
	12 Paper Copies	
The following requirements shall be met:		
	Final plat retains the design characteristics of a valid Preliminary Plan that has not expired	TJM
	Retains the design characteristics of approved public improvement engineering plans and specifications.	TJM
	Final Plat is signed by IL licensed surveyor	TJM
	Plans for all public improvements approved by Public Works	TJM

PETITION FOR APPROVAL of FINAL PLAT

State of Illinois)
) ss.
County of McLean)

To: **The Honorable Mayor and City Council of the City of Bloomington, Illinois.**

Now come(s) **Parkway Partners – One Inc, 5 Shenandoah Ave., Jacksonville, IL 62650** hereinafter referred to as your Petitioner(s) respectfully representing and requesting as follows:

1. That your petitioners are the owners of the freehold or lessee estate therein of the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference, of is a mortgage or vendee in possession, assignee of rents, receiver, executor, tree, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Parkway Village PUD Amendment – Phase 4 Subdivision in the City of Bloomington, McLean County, Illinois
3. That your Petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24, of the Bloomington City Code, 1960: **No Variances Requested**

WHEREFORE, your Petitioners prays that said Final Plat for the ParkwayVillage PUD Amendment – Phase 4 Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

Mr. John Mann, President
Parkway Partners – One Inc.
5 Shenandoah Avenue
Jacksonville, IL 62650

ORDINANCE NO _____

AN ORDINANCE APPROVING THE FINAL PLAT of the Parkway Village PUD Amendment - Phase 4 Subdivision

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat Preliminary Plan of **Parkway Village PUD Amendment - Phase 4** Subdivision, legally described in Exhibit attached hereto and made a part hereof by this reference;

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended: **No Variances Requested** and;

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and the Final Plat attached to said Petition was prepared in compliance with the requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision code, Chapter 24 of the Bloomington City Code, 1960, as amended.

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

1. That the Final Plat of the **Parkway Village PUD Amendment - Phase 4** Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. Prior to the recording of the Final Plat, all City requirements in regards to the City's acceptance and filing of final plats must be completed, including but not limited to the posting of final plat payment, the provision of a performance and workmanship bond; the provision of an adjacent substandard roadway improvement guarantee, and related security documents and reserves, and any other fees or charges paid as provided by City Code, making of any required public land dedications or cash contribution in lieu thereof and obtaining and filing with the City of any off-site easements or right of way for public improvements serving the site.
3. The Final Plat will expire if not recorded within ninety (90) days as provided by City Code.
4. That this Ordinance shall be in force and effective as of the time of its passage and approval.

PASSED AND ADOPTED this 8th day of June, 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

City of Bloomington Corporate Counsel

EXHIBIT A

THAT PART OF THE SOUTHWEST QUARTER SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

LOT 401

INCLUDES ALL OF LOTS 301 & 302 IN PARKWAY VILLAGES PHASE 3, RECORDED FEBRUARY 25, 2015 AS DOCUMENT 2015-3032 CONTAINING 95,687.91' S.F. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

LOT 402

INCLUDES THAT PART OF LOT 303 IN PARKWAY VILLAGE PHASE 3 RECORDED FEBRUARY 25, 2015 AS DOCUMENT 2015-3032: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 303; THENCE N.58°51'53"E., 305.02 FEET; THENCE N.87°49'27"E., 60.11 FEET TO A LINE 15.00 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF STATE FARM SOUTH SUBDIVISION (1ST ADDITION); THENCE N.02°10'33"W. ALONG SAID PARALLEL LINE 279.82 FEET; THENCE N.54°13'31"W., 46.17 FEET TO THE SOUTH RIGHT OF WAY OF VETERAN'S' PARKWAY (US RTE 66); THENCE NORTHERLY ALONG A TANGENTIAL CURVE TO THE LEFT FOR AN ARC LENGTH OF 56.60 AND A RADIUS OF 4995.61 FEET; THENCE S.02°41'12"E., 6.30 FEET; THENCE N.50°17'40"E. ALONG AN ARC OF A CURVE TO THE LEFT FOR A LENGTH OF 8.01 FEET FOR A RADIUS OF 5000.61 FEET TO THE SAID WEST LINE OF STATE FARM SOUTH SUBDIVISION (1ST ADDITION); THENCE S.02°10'33"E. ALONG SAID WEST LINE, 341.05' FEET; THENCE S.87°49'27"W., 60.11 FEET; THENCE S.58°51'53"W., 305.02 FEET ALONG THE NORTHLINE OF LOT 303 TO THE POINT OF BEGINNING. CONTAINS: 73,510 SF. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

LOT 403

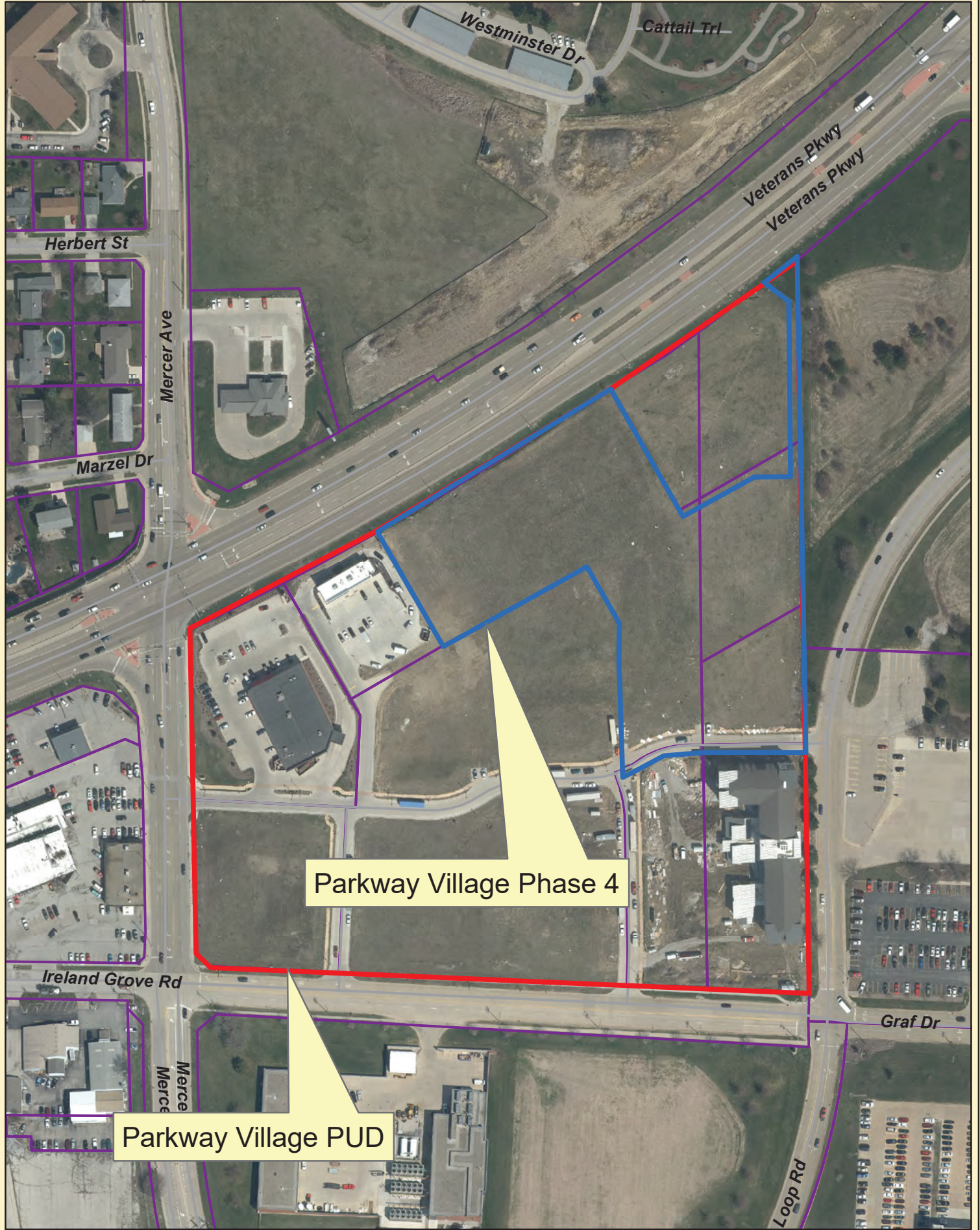
BEING THAT PART OF LOT 303 OF PARKWAY VILLAGE PHASE 3, RECORDED FEBRUARY 25, 2015 AS DOCUMENT 2015-3032 AND ALL OF LOT 200 OF PARKWAY VILLAGE PHASE 2 RECORDED NOVEMBER 1, 2010 AS DOCUMENT 2010-2743: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 303; THENCE N.02°10'33"W., ALONG THE EAST LINE OF SAID LOT 200, 235.40 FEET; THENCE S.58°51'53"E., 190.32 FEET; THENCE S.87°49'27"W., 130.05 FEET TO THE WEST LINE OF SAID LOT 303; THENCE S.02°10'33"W., ALONG SAID WEST LINE, 183.03 FEET TO THE CENTERLINE OF VILLAGE LANE (A PRIVATE ROAD); THENCE NORTHEASTERLY ALONG A TANGENTIAL CURVE TO THE LEFT FOR AN ARC LENGTH OF 31.79 FEET AND A RADIUS OF 150.00 FEET TO A POINT OF REVERSE CURVATURE; THENCE CONTINUING NORTHEASTERLY ALONG A TANGENTIAL CURVE TO THE RIGHT FOR AN ARC LENGTH OF 88.04 FEET AND A RADIUS OF 150.00 FEET; THENCE N.87°49'27"E., 185.37 FEET TO THE POINT OF BEGINNING CONTAINS: 51,757 SF. IN BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

Parkway Village Phase 4



0 125 250 Feet

DATE 05/26/2015



MEMORANDUM

May 26, 2015

TO: Cherry Lawson, City Clerk
FROM: Anthony Meizelis,
RE: Parkway Village PUD – Phase 4
Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap On fees required from the developer before releasing for recording: **Parkway Village P.U.D Phase 4** approved by City Council on June 8, 2015.

A. Tap-On Fees:

There are no tap-on fees due from Parkway Village P.U.D. Phase 4. The sanitary sewers and water mains in Mercer Avenue and Ireland Grove Road adjacent to Parkway Village P.U.D. were previously paid for by special assessment.

B: Performance Guarantee:

On February 17, 2015, Bond was posted for the Final Plat for Phase 3. On February 16, 2015 the City received an engineer's estimate for the Phase 3 improvements. The public utilities for Phase 3 have not been constructed to date. Since Phase 4 essentially covers the same area as Phase 3, the public improvements for Phase 3 are unchanged for Phase 4. A performance guarantee as per section 24-4.6.1 of City Code shall be submitted prior to recording of the final plat for the following amount:

110% of incomplete public improvement construction costs as of 5/26/15:	\$ 35,200.00
10% of all completed public improvement construction costs:	\$ <u>0.00</u>
Total (Amount of the bond):	\$ 35,200.00
Bond received from Phase 3 final plat	\$ 24,206.00
Remaining Bond Required:	\$ 10,994.00

C: Substandard Adjacent Roadway Improvement Payment:

No substandard roadway improvement fees are due.

cc: Jim Karch, Director of Public Works
Kevin Kothe, City Engineer
Patti-Lynn Silva, Finance Dept.
Jeff Jurgens, Legal Dept.
file

FINAL PLAT OF PARKWAY VILLAGE - PHASE 4

PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH
RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS



GRAPHIC SCALE 1" = 60'
0 20 40 60 80 100 120



GENERAL NOTES

1. BASIS OF BEARINGS ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE, 1983 ADJUSTMENT.
2. BOUNDARY DIMENSIONS ARE SHOWN ON BOUNDARY PLAT PREPARED BY FARMWORTH GROUP, ROBERT J. MONTOSH, CIVIL ENGINEER, DATED NOVEMBER 7, 2007 AND REVISED BY THIS SURVEY.
3. VEHICULAR ACCESS TO MERCER AVENUE, IRELAND GROVE ROAD AND LOOP ROAD SHALL BE RESTRICTED TO THE GREENVIEW AVENUE AND HOTEL DRIVE. NO ACCESS WILL BE ALLOWED TO VETERAN'S PARKWAY.
4. OUTLOT 300 TO BE DEED TO THE PARKWAY VILLAGE L.L.C. TRANSFER TO BE COMPLETED AT THE TIME OF TITLE TRANSFER BY THE SUBDIVIDER.
5. ALL LOT CORNERS WITHIN PAVED SURFACES WILL BE LOCATED AFTER CONSTRUCTION.
6. SIDEWALK TO BE CONSTRUCTED BY PARCEL (LOT) OWNER AS EACH PARCEL IS DEVELOPED.
7. OUTLOT 300 IS A COMMONS AREA EASEMENT.
8. ALL PREVIOUSLY RECORDED EASEMENTS ON LOT 301, 302 AND 303 TO BE VACATED.

DESIGN FIRM REGISTRATION NUMBER 184-001611
CIVIL ENGINEERING AND LAND SURVEYING
Landmark
3440 34TH AVENUE, SUITE 4
MCKINLEY, IL 61703
KAC (088) 150-0022



PARKWAY VILLAGE - PHASE 4 BLOOMINGTON, ILLINOIS

SURVEY LEGEND

- = 5/8" ROD STAKE FOUND
 - = 5/8" ROD STAKE W/ ORANGE CAP
 - No. 3102 SET
 - X = SET "OUT CROSS" IN CONCRETE
- FIELD WORK PERFORMED: MARCH 2014

LEGEND

BOUNDARY LINE	---
EXISTING PROPERTY LINE	---
ACCESS EASEMENT	---
EXISTING 12' LANDSCAPING EASEMENT	---
EXISTING 1' GTE MID RIGHT OF-WAY EASEMENT	---
AS-CONSTRUCTED WATERMAIN AND 6" OF A 15' WIDE EASEMENT TO THE CITY OF BLOOMINGTON OR THE CITY OF BLOOMINGTON VILLAGE PROPERTY OWNER'S ASSOCIATION	---
AS-CONSTRUCTED SANITARY SEWER OR SERVICE SEWER AND 6" OF A 15' WIDE EASEMENT TO THE CITY OF BLOOMINGTON OR THE CITY OF BLOOMINGTON VILLAGE PROPERTY OWNER'S ASSOCIATION	---
AS-CONSTRUCTED STORM SEWER OR SERVICE SEWER AND 6" OF A 15' WIDE EASEMENT TO THE CITY OF BLOOMINGTON OR THE CITY OF BLOOMINGTON VILLAGE PROPERTY OWNER'S ASSOCIATION	---

DATE 01/15/2015
PRINT DATE 02/07/15

2
SHEET 2 OF 2

01-15-1275

CITY OF
Bloomington ILLINOIS
REGULAR AGENDA ITEM NO. 8A

FOR COUNCIL: June 8, 2016

SUBJECT: Presentation of the Downtown Bloomington Association Annual Report, by Tricia Stiller.

8A-1. Consideration of approving an Agreement with the Downtown Bloomington Association (DBA) for Fiscal Year 2016.

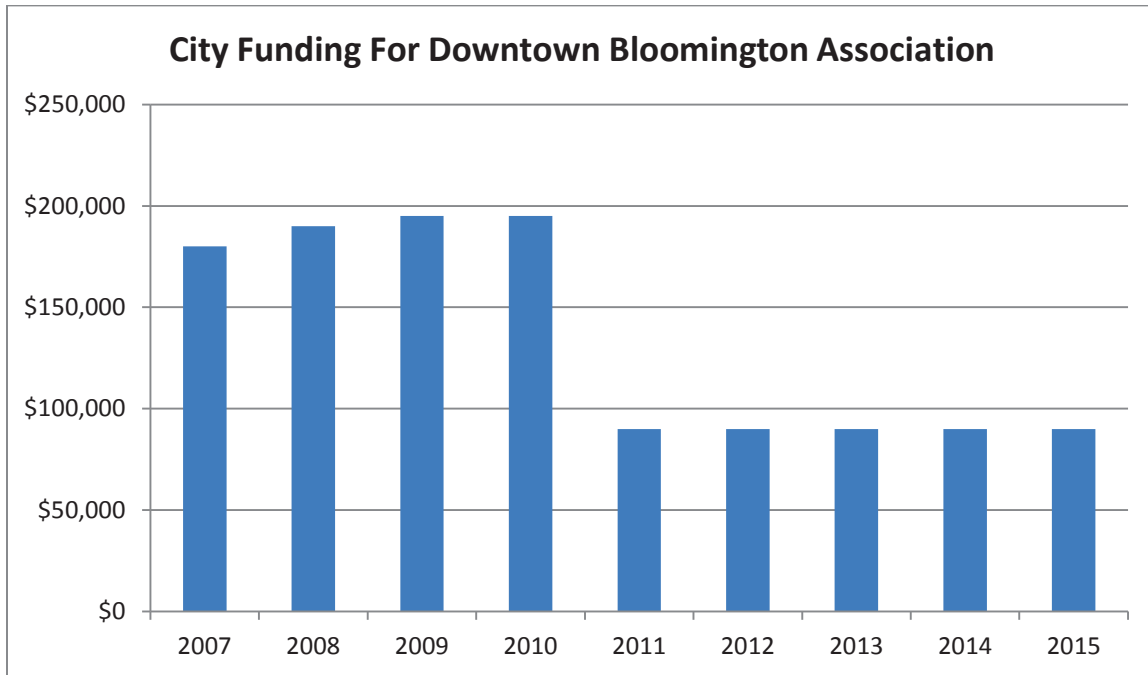
RECOMMENDATION/MOTION: That the Council accept the Downtown Bloomington Association Annual Report, and approve the FY 2016 Service Agreement with the Downtown Bloomington Association in the amount of \$90,000, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 3. Grow the local economy, and Goal 6. Prosperous Downtown Bloomington.

STRATEGIC PLAN SIGNIFICANCE: Objective 3a. Retention and growth of current local businesses; Objective 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; Objective 3c. Revitalization of older commercial homes; Objective 3d. Expanded retail businesses; Objective 3e. Strong working relationships among the City, businesses, economic development organizations; Objective 6a. More beautiful, clean Downtown area; Objective 6b. Downtown Vision and Plan used to guide development, redevelopment and investments; Objective 6c. Downtown becoming a community and regional destination; Objective 6d. Appropriate leisure and recreational opportunities responding to the needs of residents; and Objective 6e. Preservation of historic buildings.

BACKGROUND: Over the last twenty years, the City has partnered with several different organizations and programs in the Downtown area. These include Bloomington Unlimited, Uniquely Bloomington and, currently, the Downtown Bloomington Association (DBA). These partnerships have involved both financial and in-kind support aimed at developing the Downtown area as a unique neighborhood within the community.

For some years prior to 2006, the City had an agreement with Uniquely Bloomington which provided for that organization to receive \$200,000 per year of Downtown TIF (Tax Increment Finance) funds. After Uniquely Bloomington dissolved, the DBA was created and the City provided \$50,000 in funding. In 2006, the City provided \$75,000. On May 14, 2007, the Council approved a five year agreement with the DBA that included a performance clause with annual renewals based upon City staff’s recommendation, with threshold dollar amounts remaining in place. An illustration of funding patterns for the DBA is shown below.



Fewer dollars were requested in 2011 due to the DBA's efforts to form a Special Service Area which was ultimately not created.

The DBA office staff consists of the Executive Director and Marketing Coordinator. The financial terms proposed within the Funding Agreement with the DBA are based on the following considerations:

1. Fixed cost, (salaries, rent and utilities);
2. Salary and benefits for the DBA's Executive Director and Marketing Coordinator;
3. Administration of the Farmers Market, including the Thanksgiving and indoor Farmer's Markets and Artist Show Case;
4. Outreach: number of activities, building renovations, public and private reinvestments statistics, design assistance projects and private partnerships that could include a formal sidewalk snow removal and refuse collection contracts;
5. Oversight of Downtown refuse/litter program through partnership with Mclean County Adult Services (probationers);
6. Further develop the existing DBA information directory;
7. Serve as a conduit for Downtown businesses and representatives for the purpose of sharing City related information and activities including, but not limited to, ordinances and fine schedules on litter, snow removal, and refuse collection for residences;
8. Create a Downtown Ambassador program;
9. Special Events would include events that would benefit all Downtown merchants;

10. Performance Measurements and Economic Development: DBA will be responsible for tracking and reporting of all Performance Measurements, including:
 1. Number of DBA members
 2. Number of reoccurring events
 3. Golden Broom Awards
 4. Number of new events
 5. Number of new businesses in the Downtown community
 6. Revitalization efforts (including building renovation and public and private reinvestments statistics)
 7. Number of private partnerships (including trash and snow removal)
 8. Vendors for the Farmers' Market

Performance measurement data will be submitted to the City Manager's Office on a monthly basis for inclusion in the City Manager's Monthly Performance Data Report;

11. Monthly Report to be submitted to the City Manager's Office by the 15th of each month;
12. Monthly meetings are to be held with the DBA's Executive Director and the City staff liaison to ensure "immediate accomplishments";
13. Maintain the Illinois Main Street designation;
14. The agreement would be in effect, commencing on May 1, 2015 and terminating on April 30, 2016.

It is important to note that the Downtown Bloomington Association (DBA) is considered a sole source provider as there is only one such organization in the City of Bloomington.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: DBA Executive Director, DBA Board President and Downtown Property Owners President.

FINANCIAL IMPACT: The FY 2016 Budget (approved by Council on April 13, 2015) appropriated \$90,000, under Economic Development-To Downtown Bloomington Association Account (10019170-75012). Stakeholders can locate this in the FY 2016 Proposed Budget document titled "Budget Overview and General Fund" on page 327.

Respectfully submitted for Council consideration.

Prepared by: Austin Grammer, Economic Development Coordinator

Reviewed by: David A. Hales, City Manager

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

Legal review by: Jeffery R. Jurgens, Corporate Counsel

Recommended by:

David A. Hales
City Manager

Attachments: Attachment 1. Funding Agreement between the City of Bloomington and the Downtown Bloomington Association
Attachment 2. Backup Materials

Motion: That the Council accept the Downtown Bloomington Association Annual Report, and approve the FY 2016 Service Agreement with the Downtown Bloomington Association in the amount of \$90,000, and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

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

FUNDING AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND THE DOWNTOWN BLOOMINGTON ASSOCIATION

This Agreement is made and entered into this 8th day of June, 2015 by and between the City of Bloomington, a municipal corporation organized under the laws of the State of Illinois (hereinafter referred to as “City”), and the Downtown Bloomington Association, a not-for-profit membership-based organization (hereinafter referred to as “DBA”).

Recitals

WHEREAS, the DBA is a not-for-profit membership-based organization representing business, property owners and residents, to enhance the vitality and livability of downtown Bloomington; and

WHEREAS, the DBA has served the Bloomington community in a variety of ways over the last several years, generating awareness and increased business traffic in downtown Bloomington with various events including the Farmers’ Market, which has proven to be one of the largest markets in central Illinois, providing opportunities for people to come downtown for fresh fruit and vegetables, as well as for local shopping; and

WHEREAS, in March 2005, the DBA was accepted into the Illinois Main Street Program, which provides technical assistance and, in partnership with the Illinois Historic Preservation Agency, provides design assistance to downtown business and property owners; and

WHEREAS, the DBA receives financial support from private sponsors, contributing members and the City; and

WHEREAS, the City Council has approved Agreements with the DBA for financial support in the following amounts: 2007 = \$180,000; 2008 = \$190,000; 2009 = \$195,000; 2010 = \$195,000; 2011 = \$90,000; 2012 = \$90,000; 2013 = \$90,000; and

WHEREAS, in 2014, the City Council provided financial support to the DBA in the amount of \$90,000, which expires April 30, 2015; and

WHEREAS, the City now desires to enter into a Funding Agreement with the DBA and agrees to provide financial support in the amount of \$90,000 in Fiscal Year 2016.

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the City and the DBA do hereby agree as follows:

Section 1: Funding. The City, subject to the terms and conditions of this Agreement, hereby agrees to provide the DBA the sum of ninety-thousand dollars (\$90,000) for FY2016. None of these funds shall be utilized for political activities, or in any other manner that is inconsistent with the vision, goals and objectives of the City.

Monthly payments shall be made to the DBA by the first of each month and shall be in the amount of \$7,500. The last payment shall be in April 2016.

Section 2: Term. The term of said agreement shall be May 1, 2015 through April 30, 2016.

Section 3: DBA Responsibilities. During the funding period outlined in Section 1, the DBA's responsibilities shall include, but not be limited to, the following: 1) coordinate Bloomington's downtown revitalization efforts; 2) provide design assistance to property owners; 3) manage business recruitment activities; 4) plan and oversee the Farmers' Market from May until October of each year, the Thanksgiving Farmers' Market and the indoor Farmers' Market; 5) oversee trash and litter from the sidewalks; 6) increase DBA membership; 7) continue to work towards identifying external funding sources; 8) further develop the existing DBA information directory; 9) serve as a conduit for downtown businesses and representatives for the purpose of sharing City related information and activities including, but not limited to, ordinances and fine schedules on litter, snow removal, and trash pick-up for residences/business; and 10) create a downtown Ambassador Program. The DBA shall provide other services on an on-going and "as requested" basis as agreed upon by the City of Bloomington and the DBA Board of Directors.

Section 4: Performance Measurements. The DBA shall be responsible for the tracking and reporting of the following performance measurements: 1) number of DBA members; 2) number of reoccurring events; 3) Golden Broom Awards; 4) number of new events; 5) revitalization efforts (including building renovation and public and private reinvestments statistics); 6) number of private partnerships (including trash and snow removal); and 7) vendors for the Farmers' Market.

Section 5: Records and Reports. The DBA shall provide the performance measurement data outlined in Section 3 to the Office of the City Manager by the 15th of each month of the funding period for inclusion in the City Manager Monthly Performance Data Report.

Section 6: Board Representation. The DBA Board of Directors shall provide balanced representation across the downtown Bloomington area. The City Manager and/or their designees shall serve as ex officio members of the DBA Board of Directors.

Section 7: Termination. This Agreement may be terminated by the City immediately and without notice for any of the following reasons: 1) violation of the terms and conditions of this Agreement by the DBA; and/or 2) if the DBA enters into an arrangement for satisfaction of its creditors, receivership, or bankruptcy under the laws of the United States or the State of Illinois, either voluntarily or involuntarily.

Section 8: Dissolution of the DBA. In the event the DBA is dissolved for any reason after payment of all debts and obligations of the DBA, the City's funds for the then current fiscal year shall, to the extent permitted by law, be returned to the City in a pro-rated amount.

Section 9: Waiver. Waiver by any party of any breach of any term, condition, or covenant contained in this Agreement shall not be deemed a waiver of any other term, condition or covenant herein.

Section 10: Assignability. It is agreed that neither the City nor the DBA shall have the right to assign this Agreement, in whole or in part, without the written consent of the other party.

Section 11: Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the City and the DBA and their respective successors and assigns.

In Witness Whereof, the parties hereto have executed this Agreement on the date first appearing above.

**City of Bloomington, Illinois,
a Municipal Corporation**

Downtown Bloomington Association

By: _____
Tari Renner, Mayor

By: _____

Attest:

Attest:

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

(Name, Title)

APPROVED AS TO FORM:

City of Bloomington Corporate Counsel



**National Main Street
Center**

a subsidiary of the
National Trust *for* Historic Preservation

THE NATIONAL MAIN STREET CENTER

and

ILLINOIS MAIN STREET

certify that

Downtown Bloomington Assoc.

has been accredited as a

2015 National Main Street Program

for meeting the ten standards of performance for a Main Street organization in 2014

Patrice Frey
President & CEO
National Main Street Center

Hannah White
Interim Manager of Programs and Services
National Main Street Center

Downtown Bloomington Association

2014 Annual Report



Inside this report:

Financial Report	2
2014 Highlights	2
Committees	3
2015 Priorities	3
2013-14 Members	4

About the Downtown Bloomington Association

The Downtown Bloomington Association (DBA) is a non-profit membership-based organization founded in 1999. Our primary focus is to enhance the viability and livability of Downtown Bloomington, which we do through events, outreach, special projects and civic engagement.

The DBA receives financial support from private sponsors, contributing members and the City of Bloomington.

In March 2005, the DBA was accepted into the Illinois Main Street Program. We continue to maintain that prestigious designation.

2014 Board of Directors

Troy Clark-President
Chuck Stuckey- V. President
Russel Francois-Historian
Nancy Ammerman - Treasurer
Nora Dukowitz, Secretary
Ex-Officio—Jamie Mathy,
Carl Teichman

Gemma Billings
Martha Burk
Bobby Castillo
Nora Dukowitz
Ruth Haney
Jan Lancaster
Dave Park
Steve Parker
Carlo Robustelli
Karen Schmidt
Tim Tilton
Bobby Vericella
Jeff Woodard

2014 Staff

Tricia Stiller
Executive Director

Marisa Brooks
Events & Outreach Manager

Conner Bulta
Farmers' Market Intern

2014 Committee Members

Organization: Tricia Stiller, Jamie Mathy, Jack Bataoel, Justin Boyd, Jonell Kehia, Michelle Pugh, Joel Neal

Economic Restructuring: Chuck Stuckey, Chair
Reg Bernard, Larry Johnson, John Whalen. Ruth Haney, Amy Denham, Dave Park, Carl Teichman, bobby Castillo

Promotions: Carmen Shaffer, Chair
Marisa Brooks
Morgan Schulte
Levi Champion
Nora Dukowitz
Lua Travis

Design: Martha Burk, Chair
Joann Goetzinger
Karen Schmidt
Valerie Dumser
Kathi Bulta
Jan Lancaster
Lori Manning
Nancy Isaacson
Amy Krause
Marlene Gregor
Tricia Stiller

Farmers' Market:

Gemma Billings
Derrick Billings
Marisa Brooks
Troy Clark
Jim Due
Lindsey Powell
Cindy Sears
Don Necessary
Theresa Necessary
Rachel Wickart



**DOWNTOWN
BLOOMINGTON**

Plan some *DOWN* time...

Downtown Bloomington Association
106 W. Monroe Street
Bloomington, IL 61701

(309) 829-9599

www.DowntownBloomington.org



Ruthie Cobb was presented with the Jean Anderson award by 2013 recipient, Valerie Dumser

Jean Anderson Award & Minnie Award Winners

Congratulations to Ruthie Cobb, winner of the 2014 Jean Anderson Downtown Improvement Award, and to Rachel Wickart, winner of the Farmers' Market Minnie Award. Your efforts on behalf of Downtown Bloomington are greatly appreciated!



Theresa Necessary, Rachel Wickart and Conner Builta

Income

City Contribution	\$ 90,000.00
Events Income/FM	\$ 39,179.76
Membership	\$ 4,375.00
Ad Sales	\$ 6,576.54
Public Art Fundraisers	\$ 1800.33
Grant	\$ 1638.54

Total Income \$ 143,570.17

Expenditures

Payroll	\$ 65,227.04
Marketing	\$ 26,747.29
Insurance	\$ 13,444.00
Rent/Utilities	\$ 11,087.30
Operational costs	\$ 9,774.43
Marcfirst	\$ 7,000.00
Event Costs	\$ 10,397.15
Prof. Development	\$ 1,913.63
	\$ 138,590.84

2014 Highlights



In recognition and celebration of our Farmers' Market food justice program, and our participation and acceptance of LINK cards at the market, Lt. Governor Sheila Simon visited our Farmers Market, and played her banjo with our local musician of the day, Chris Corkery. The DBA Farmers' Market was the among the first cities in Illinois to accept the LINK card program.



The DBA Design Committee, in partnership with the City of Bloomington reinstated the lighting of the giant evergreen at Wither's Park for the Holidays, as part of the DBA Once Upon a Holiday weekend. The ceremonial tree lighting was accompanied by community groups who caroled throughout the downtown.



DBA Farmers' Market



**Downtown Bloomington
Association Farmers' Market**

200 block of N. Main St. to 100 block of W. Jefferson St. to 200 block of N. Center St., Bloomington, IL 61701

Founded in 1974. Re-established in 1997.

Every Saturday May to October from 7:30 am to 12 pm

SHOP

Average of **3,000 shoppers** per Saturday during the outdoor season.

The indoor season averages **300 shoppers** per Saturday.

\$23,500 annual average of sales for LINK, Credit, and Debit

On average, **\$6,000** in nutrition assistance benefits are sold within a season with **85%** of these benefits being redeemed in the same season.

An average of **8 dogs** visit the market hourly each weekend.

GROW

In 2015, **37 local foods events** will be hosted by market staff and volunteers.

In 2014, activities involving education, wellness, and enrichment were provided by **63 partner organizations**.

SELL

Of our **105 vendors**:

23 are farmers, **18** are artists, **5** are prepared goods vendors, **27** are non-profit bake sales, **6** are community organizations, and **27** are local musicians.

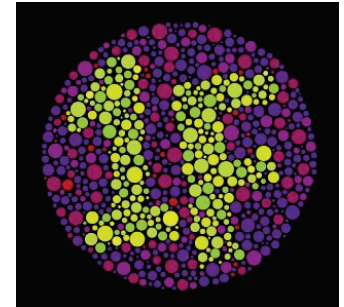
15 organizations provided kids' wellness activities.

26% of the farmers are under the age of 40.

EAT

Food sold travels an average of **18 miles** from origin.

135 certified organic products
Available from two farms.



Plan Some Down Time... 2014 Events

First Fridays

it's art.
it's action.
it's entertainment.
see and be seen.
Every First Friday!
5-8 pm

Downtown Bloomington Farmers' Market

The market runs every Saturday mid-May-October and features local produce, meats, cheeses, prepared foods and art!

Check our website for a complete listing of 2015 events!

DowntownBloomington.org





Plan some DOWN time...

106 W. Monroe Street
Bloomington, IL 61701

A Big THANK YOU to our **sponsor** members:



Parker
Builders Inc.

Karen
Schmidt

Welcome to our New Downtown Businesses!

Alley Kats Art and Antiques
Beluga Press Studio
Coffee Grindery
Cruisin' With Lincoln on 66 Visitors Center
A Dash of Splash
Iron and Ink Custom Tattoos
Jazz UpFront
Meltdown Creative Works
Mid City Raceway (Formerly Ted's Raceway)
Mike Smedley Photography
North Prairie Street Historic Synagogue
Open Source Classroom - 3D Printing
Pub America
Rain Dog Books and Prints
Retrofit Culture
Squeaky Clean Soaps
Swirl Comics
Three Square Studio and Gallery
Top Notch Event Planning
Wilson's Cycle
Windy City Weiners

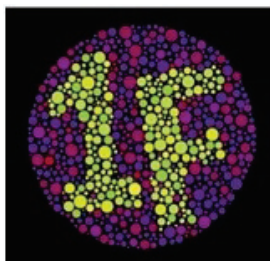
Thank You To Our 2013 -2014 Members!

A Renee
Bill's Key and Lock Shop
Blm. Public Library
BN Area CVB
Chamber of Commerce
EDC of McLean Co.
Kelly's Bakery and Café
Mavidea Technology
Pantagraph Printing
The Pantagraph
Gregor Gallery
Connoisseur Media
McLean Co. Arts Center
McLean Co. Museum
Eaton Gallery
Ronda Glenn Law
Jimmy John's
Monroe Centre
Fox & Hounds
Tim & Vicki Tilton
Angel Ambrose Studio
Child Protection
Network

Merle & Carol Huff
David Davis Mansion
Francois Associates
Nancy Isaacson
Char Huff Property Shop
Timothy Kent Gallery
Joann Goetzinger
Martha Burk
Robert Varney Law
Heritage Enterprises
Pat Fruin
Gryfalia's Aerie
Six Strings
Jon and Susan Thetard
Jim and Susan Fruin
Checker Cab
Midstate Limousine
Harold Boyd
Rhea Edge
Jonell Kehias
RJV Properties
Crossroads Fair Trade
Illinois Wesleyan

Chuck Stuckey
Commerce Bank
Business Furniture
Another Word For
Sugar Mama
Mike McNeil
Dunbar - Breitweiser
Johnson Law Group
Frank Hoffman
The Copy Shop
Greg Yount
Smokers Den
Grey Dove Gallery
Coffee Hound
Troy Clark
Bobzbay
Apex Systems
Bradley Higgenbotham
Top Notch Event
Planning
Meltdown Graphics
He Clicks, She Clicks

Cygnat Properties
Ruth and Joe Haney
Hobbyland
Neighborhood Thrift
Judy Markowitz
CM Promotions
Mike and Susan Temple
Jack Bataoel—
Real Estate Group
Inside Out: Accessible
Art
Harold & Marlene Gregor
Kevin and Sue Chien
Fat Jack's
Lancaster's
The Bistro
Rosie's
BCPA





Downtown Bloomington Association
Performance Measure Summary
2014

January 2014

Special Events:

Indoor Farmers' Market at the Coliseum January 18.

First Friday co-promotion with the BCPA – Screening of the Disney film “Frozen”

Private Sector Reinvestment:

Building Rehabilitation - \$0

New Businesses: New owners at Illinois Brewing Company

Volunteers – 40. Total Volunteer hours, 47

Staff Awards, Recognition, Training and Education:

Director attended Day long Revitalization Conference in Dwight, offered through NIU. Received 5 hours continuing education credits.

Director selected to serve as member of Central Illinois Main Street Task Force – Completed initial conference with directors from Quincy, Pekin, Carbondale and Momence.

Farmers' Market Manager selected to serve on McLean County Wellness Coalition

New Businesses:

Mid-City Salon and Spa

Windy City Wieners

Anju Above (at Epiphany Farms)

February 2014

Special Events:

Indoor Farmers' Market February 15

First Friday, Tour de Chocolat' with Chocolate Challenge Culinary competition

Private Sector Reinvestment:

Building rehabilitations – 2; 32,000.00

Buildings sold – 0

Volunteers – 57. Total Volunteer hours, 114

Staff Awards, Recognition, Training and Education: Director attended 3 Day Educational Conference in the Quad Cities Director selected to serve as member of Central Illinois Main Street Task Force serving with directors from Quincy, Pekin, Carbondale and Momence.

Director will be participating in Illinois Main Street Day at the State Capitol on April 1&2 to lobby lawmakers for additional support for participating communities.

Farmers' Market Manager hosting Regional Chef and Farmer Mixer in cooperation with Illinois Stewardship Alliance.

March 2014

Special Events:

Indoor Farmers' Market, March 15

First Friday "March Madness" theme

Private Sector Reinvestment:

Building Rehabilitations – 2; \$35,183.00

Volunteers – 60. Total Volunteer hours, 85

April 2014

Special Events:

Indoor Farmers' Market April 19.

First Friday – "Shop Hop" retail focused promotion/scavenger hunt

DBA Trivia Night Fundraiser, April 24

Private Sector Reinvestment:

Building rehabilitations: - 3; 72,100.00

Volunteers – 65. Total Volunteer hours, 132

Staff Training – Organization and Promotions – Pontiac Illinois

May 2014

Special Events:

Outdoor Farmers' Market opened May 3. Markets held on May 3, 10, 17, 24, and 31

First Friday – Area Artist Showcase and Sale – 2 day event

Staff Training – 3 days at Illinois Main Street National Conference in Detroit

Private Sector Reinvestment

Building Rehabilitations: - 3; \$91,000.00

Volunteers – 45. Volunteer hours, 90

June 2014

Special Events: Outdoor Farmers' Markets held on June 7, 14, 21 and 28.

* Lt. Governor Sheila Simon visited our Farmers' Market Saturday, June 14 in recognition of our market's participation in the LINK UP Illinois program. (Bloomington was the 3rd city in the State to accept LINK Cards)

First Friday: Tour de Metro – showcase of upper story lofts

Additional Event – Bloomington Route 66 Cruise In (Rain)

Private Sector Reinvestment:

Building Rehabilitations: 3 @ \$18,342.00

Public Works Investment – \$424,476.08 as reported, for parking deck repairs

New Businesses 2

New jobs created 3 full time, 2 part time

Staff Awards, Recognition, Training and Education:

Director named to the Chamber of Commerce Small Business Initiative, "Make your Money Mean More"

Director named to the Museum of History Tourism Advisory Board Lt. Governor Sheila Simon visited our Farmers' Market Saturday, June 14 in recognition of our market's participation in the LINK UP Illinois program. (Bloomington was the 3rd city in the State to accept LINK Cards)

New Businesses Opened:

Swirl Comics – 411 N. Main

Dash of Splash – 614 N. Main

Change of Ownership

Gryfalia's Aerie – 309 N. Main

Volunteers – 60. Volunteer hours – 105

July 2014

Special Events:

Outdoor Farmers' Markets held July 5, 12, 19, and 26

First Friday – Happy Birthday America – picnic

Taste of Summer Pub Crawl/ Taste of Bloomington with the Bar Owners Association (Rain)

Private Sector Reinvestment:

Building Rehabilitations: 6; \$20,674.00

Volunteers – 35 Volunteer hours – 87

August 2014

Special Events:

Outdoor Farmers' Markets held August 2, 9, 16, 23, and 30

First Friday – Dog Days of Summer

Criterium Bike Race (Rain)

Private Reinvestment:

Building Rehabilitations: 4; \$138,757.00

Volunteers – 66. Volunteer hours 91

September, 2014

Special Events:

Outdoor Farmers' Markets held September 6, 13, 20, and 27

First Friday – "Back to School"

Downtown Mural Project – Artist Selected for original work to be applied to Illinois House wall in Spring of 2015. (Continuing Partnership with MCAC)

Awards and Recognition – DBA received its Main Street Designation from the National Trust.

Private Reinvestment:

Building rehabilitation: 3; \$78,872.00

New Businesses – 1

Jobs created – 3 full time, 2 part time

Volunteers – 66. Volunteer hours, 106

October 2014

Special Events:

Outdoor Farmers' Markets held October 4, 11, 18, 25

First Friday – Fall Fling/ Adopt a Pot Scarecrow contest

Downtown Trick or Treat Event

Downtown Mural Project – 2nd Artist selected for original work to be applied to Center for Human Services spring/summer 2015

Building rehabilitations: 4@ 93,908.00

Jobs created – 2 full time, 6 part time

Volunteers – 46. Hours given - 109

November 2014

Special Events:

Indoor Thanksgiving Farmers' Market

First Friday – Autumn Art Walk Around the Corner

Additional events:

Small Business Saturday

Downtown Holiday Decoration "Deck the Halls" gathering

Private reinvestment

Building Rehabilitations: 1 @ 3,750.00

Volunteers – 70. Volunteer hours, 82

December 2014

Special Events:

Indoor Farmers Market December 20

First Friday – Once Upon a Holiday including live window vignettes, visits with Santa, carriage rides, carolers, and the Lighting of the Wither's Park Christmas Tree

Annual Jean Anderson Award and volunteer appreciation reception

Private Building rehabilitations: \$0

DATE	MUSICIAN	BAKE SALE
5/3	Armadillo Brothers	Bloomington-Normal Jaycees
5/10	Quickdraw & Whiskers	West Side Neighborhood Block Party
5/17	Island Time Music	Sigma Alpha Iota
5/24	Luke Krollkowski	City of Refuge
5/31	Garden Party	Park United Methodist Church
6/7	David Berchtold	McLean County Civil Air Patrol
6/14	Chris Corkery	North Linn Amish Mennonite School
6/21	Shuga Beatz	HSCI
6/28	TOMB – The Old Men Boys	St. Jude's Bloomington Run
7/5	Wagon Load a Trouble	Twin Cities School of Ballet & Dance
7/12	John Till	B-N Sunset Rotary
7/19	Garden Party	Central Illinois Raw-Vegan Meetup Group
7/26	Stripped by Hippies	Dimmitt's Grove Neighborhood Association
8/2	Chris Corkery	Center for Youth & Family Solutions
8/9	X – Ray Men	PEO Chapter AW
8/16	John Till	Park United Methodist Church
8/23	Toocan	Prairie Pride Coalition
8/30	Quickdraw & Whiskers	PEO Chapter LO
9/6	Brian Choban Jazz Quintet	Homes of Hope, Inc.
9/13	Shuga Beatz	Really Really Free Market
9/20	Stripped by Hippies	McLean County MissFits
9/27	Andrew Hedges	Wish Bone Canine Rescue
10/4	Pork Bellies	A Child's View Cooperative Preschool
10/11	Bones Bach	Washington Elementary PTO
10/18	Armadillo Brothers	Friends of Downtown Bloomington
10/25	Jack Dupp & the Empty Bottles	ABC Counseling & Family Services



The Downtown
Bloomington
Association Farmers'
Market accepts LINK,
Credit, and Debit
Cards!



With a swipe of your card
on our terminal, we will give
you tokens that work just
like cash! All vendors
accept the tokens.



Mercado El Downtown
Bloomington
Asociación de
Agricultores acepta
ENLACE, de crédito, y
tarjetas de débito!



Con un golpe de su tarjeta
en nuestro terminal, le
daremos fichas que
funcionan como dinero en
efectivo! Todos los
vendedores aceptan las
fichas.



INFORMATION

Visit us on the web at
www.downtownbloomington.org
* Product Search
* Interactive Market Map
* News Bulletins
* Farmer & Artist Blogs

Thanksgiving Market at the U.S. Cellular Coliseum
101 S. Madison, in Downtown
Saturday, November 22
10 am – 1 pm

Indoor Market
Location for 2014 – 2015 TBD
Every third Saturday, December to April
10 am – 12 pm



Artwork by Natalie Roseman

Downtown Bloomington
Around the Museum Square
Every Saturday May to October
7:30 am – 12 pm

Follow us
@DBFarmersMarket



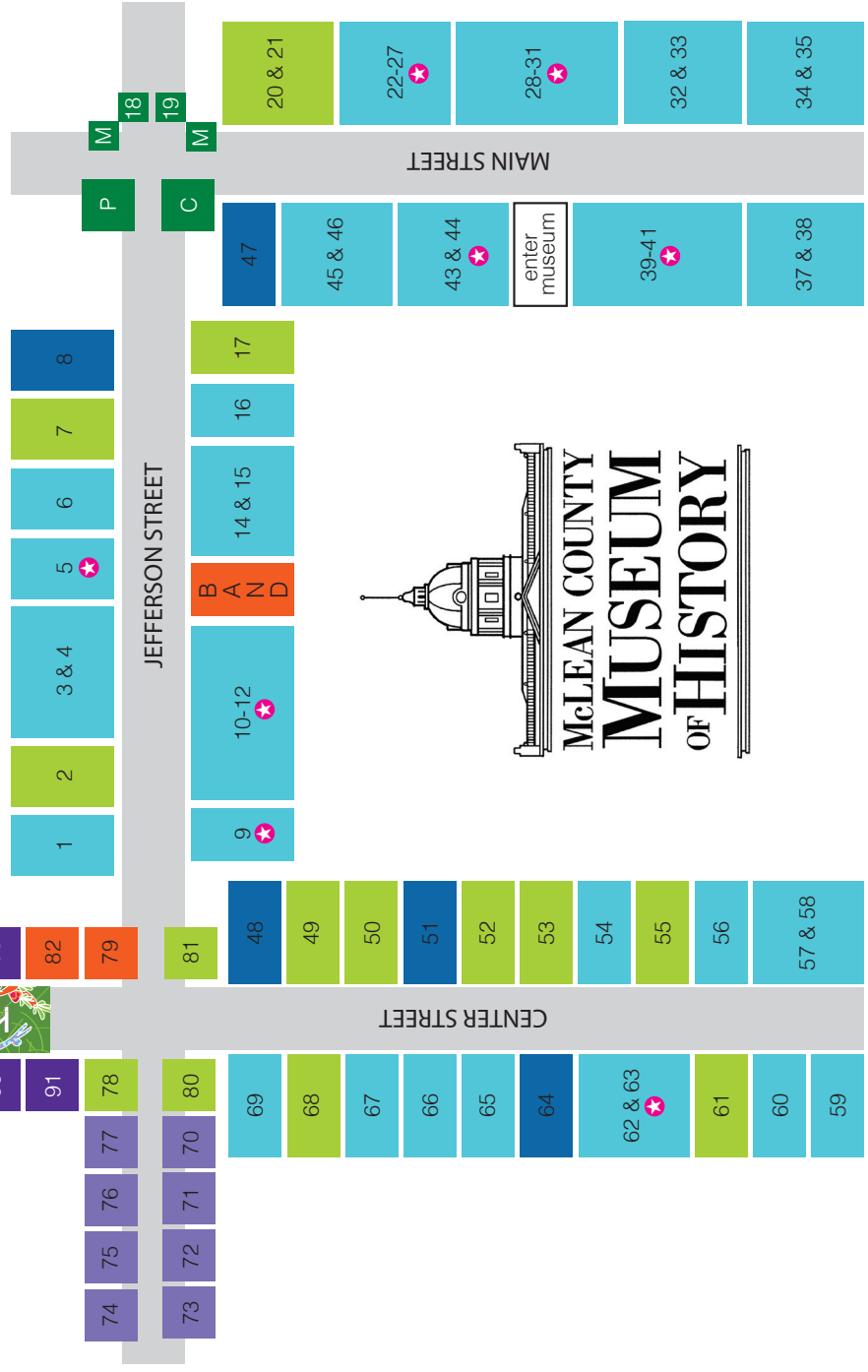
Like us
/DBAFarmersMarket



www.downtownbloomington.org

KIDS' ZONE

- | | | | | | |
|------------|----|----|----|----|----|
| 86 | 85 | 84 | 83 | 82 | 79 |
| KIDS' ZONE | | | | | |
| 87 | 88 | 89 | 90 | 91 | 78 |
| | | | | | 77 |
| | | | | | 76 |
| | | | | | 75 |
| | | | | | 74 |



McLEAN COUNTY
MUSEUM
OF HISTORY

- | | |
|----|--------------------------|
| 8 | Gathered Illusions Glass |
| 47 | Mike McNeil |
| 48 | yellowdragonfly designs |
| 51 | Amber Bee Pottery |
| 64 | Joe's Custom Crafts |

**MCLEAN COUNTY
MUSEUM
OF HISTORY**

Can be found in spaces throughout the Market.

- Abraham Adams Photography
Art 2 Wear
Bags n More
Big Smile Designs
Dep-Art
Farmboy Artworks
Jeremy Williams
Julie Williams
Lee Hahn
Liz Salta Art
Nathan's Spray Money
Photos by Lyndon
Prairie Maple
Roberts Trophies
Rose Grampp
Susan Teoro
Through the Looking Glass
Vicki Wilken
Wild Daisy Aprons

1 Shofner Family Farms

Can be found in spaces 83 – 91.

- Bloomington Parks & Recreation
Center for Healthy Lifestyles
Funbelievable Balloons
McLean County Wellness Coalition

Head Creative
Certified
ified Pro

- | | |
|----|---------------------------------|
| P | Pantagraph |
| C | Community Space |
| M | DBA Member |
| 18 | Master Gardeners |
| 19 | Information: Link, Credit Cards |

- Community Bake Sale
Musician
(See schedule)

- | FARMERS | | |
|---------|-------------------------------------|---------------------------------------|
| 1 | Shofner Family Farms | 39 – 41 |
| 3-4 | Cook Farm | 43 – 44 |
| 5 | Hartz Produce | 45 – 46 |
| 6 | Merrick Farm | 54 |
| 9 | Harvey Homestead | 56 |
| 10 – 12 | Brown's Fresh Produce | 57 – 58 |
| 14 – 15 | Dearing Country Farms | 59 |
| 16 | Ludwig Farmstead Creamery | 60 |
| 22 – 27 | PrairieEarth Farm Certified Organic | 62 – 63 |
| 28 – 31 | Ackerman Certified Organic | 65 |
| 32 – 33 | Ropp Cheese | 66 |
| 34 – 35 | The Abbey Normal Produce Company | 67 |
| 37 – 38 | Green Acres Herb Farm | 69 |
| | | Appleridge Produce Farm |
| | | O'Rourke Family Gardens |
| | | Huelskoetter Pork |
| | | Sangha Farms |
| | | Paradox Farm |
| | | Salt Spring Orchard & Garden |
| | | Meadowbrook Organic Farm |
| | | Nebeshonoe Garden |
| | | Troyer Family Gardens |
| | | Grani's Acres |
| | | Destiny Meats |
| | | Native Plants of Illinois & Smoothies |
| | | Olive Berry Acres |
| | | Accents WIC and Senior Checks |



Community, State and Federal Partnerships 2014 – 2015

City of Bloomington

Illinois Prairie Community Foundation – Friends of Downtown Bloomington Fund

McLean County Arts Center – Public Art/Mural program

McLean County Museum of History

McLean County Regional Planning

SCORE

Economic Development Council

McLean County Chamber of Commerce

BN Convention and Visitors Bureau

Illinois Stewardship Alliance

Illinois Wellness Coalition

Green Top Grocery

National Trust for Historic Preservation

DCEO

2014 Reinvestment Statistics for Illinois Main Street

Private reinvestment	Buildings	New Businesses	Events	Volunteer Hours	Public \$	Jobs FT	Jobs PT
0	0	2	2	40		3	3
32,000.00	2	0	3	114		0	0
35,183.00	2	-1	2	85		0	0
72,100.00	3	-1	3	132		0	0
91,000.00	3	1 expansion	6	90			2
18,342.00	3	2	5	105	424,476.08	1	5
20,674.00	6	1	5	87	250,000.00	1	2
138,757.00	4	-2	5	91			-8
78,872.00	3	1	5	108		2	1
93,908.00	4	1	5	109		2	2
3,750.00	1	-1	3	175		0	0
0.00	0	1	3	109		1	2
\$ 584,586.00	31	4	47	1245	674,476.08	5	9
*Listed by Month					Reflects information		
					shared by public works		
					that was budgeted for		
					the year for DT projects		
					Including parking deck		
					repairs.		



CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA ADDENDUM I
109 E. OLIVE STREET, BLOOMINGTON, IL 61702
MONDAY, June 8, 2015 7:00 P.M.

ADDITION TO THE CONSENT AGENDA

- Item 7O. Consideration of cost modifications associated with the Stark Excavating, Inc. Contract for Relocation of the two (2) 24" Transmission Mains in the Town of Normal at the Main Street Bridge. *(Recommend that the City Manager be authorized to enter into a change order with Stark Excavating, Inc. on its Contract for Relocation of the two (2) 24" Transmission Mains in the Town of Normal at the Main Street Bridge to account for changes in costs due to delays in construction of the project, and approve a resolution authorizing same, and to authorize the City Manager to any and all other actions, including execution of documents, necessary to authorize the work with the modified costs.)*

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 70

FOR COUNCIL: June 8, 2015

SUBJECT: Consideration of cost modifications associated with the Stark Excavating, Inc. Contract for Relocation of the two (2) 24" Transmission Mains in the Town of Normal at the Main Street Bridge.

RECOMMENDATION/MOTION: Recommend that the City Manager be authorized to enter into a change order with Stark Excavating, Inc. on its Contract for Relocation of the two (2) 24" Transmission Mains in the Town of Normal at the Main Street Bridge to account for changes in costs due to delays in construction of the project, and approve a resolution authorizing same, and to authorize the City Manager to any and all other actions, including execution of documents, necessary to authorize the work with the modified costs.

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

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

BACKGROUND: The IDOT is replacing the Main St. Bridge that crosses Sugar Creek in the Town of Normal. The City has two (2) 24" transmission mains located under the bridge. With the bridge replacement the City has to relocate these two (2) mains. The mains will need to be relocated before IDOT can start the bridge work in the spring of 2015. The transmission mains provide water from the Fort Jesse pump station to the underground storage reservoirs at the Division St. Pump Station.

Requests for bids for the above-mentioned project were advertised and fourteen (14) plan sets were picked up by interested contractors. On February 9, 2015, the City Council awarded the contract to the low bidder, Stark Excavating. However, the contract approval was contingent upon the City completing acquisition of necessary easements which were acquired on May 29, 2015. Per the bid documents, the bid prices were to remain accepted for 60 days following the bid opening. Due to the delay in acquiring the easements, over 130 days have passed since the bid opening and construction has been delayed. As a result, there have been increases in both labor and supply costs necessitating a change order or contract alteration to cover the additional expenses. The final amounts of the increase will be updated on Monday, June 8, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Stark Excavating, Inc.

FINANCIAL IMPACT: Payment for the Relocation of the Transmission Mains was budgeted in the Water Transmission & Distribution-Water Main Construction & Improvements (50100120-72540) account. The funds for \$326,640 were encumbered on Purchase Order 20150240 from FY 2015 to FY 2016. The additional change order amount of \$XX,XXX will be paid from the same account where funds are available. Stakeholders can locate this in the FY

2016 Proposed Budget Book titled "Other Funds and Capital Improvement Program" on page 101.

Respectfully submitted for Council consideration.

Prepared by:

Jeffrey R. Jurgens, Corporation Counsel
On behalf of Brett Lueschen, Interim Water Director

Recommended by:



David A. Hales
City Manager

Attachment 1. Resolution

Motion: That the Resolution be approved authorizing a change order with Stark Excavating, Inc. on its Contract for Relocation of the two (2) 24" Transmission Mains in the Town of Normal at the Main Street Bridge to account for changes in costs due to delays in construction of the project, and approval of a resolution authorizing same and to authorize the City Manager to any and all other actions, including execution of documents, necessary to authorize the work with the modified costs.

Motion: _____ Seconded by: _____

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

RESOLUTION NO. 2015 - _____

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF
(\$ _____) ASSOCIATED WITH THE CONTRACT BETWEEN THE CITY OF
BLOOMINGTON AND STARK EXCAVATING, INC.**

WHEREAS, the City of Bloomington has previously authorized a contract with Stark Excavating, Inc. for Relocation of the two (2) 24" Transmission Mains in the Town of Normal at the Main Street Bridge; and

WHEREAS, approval of the original contract was contingent upon the City acquiring the necessary easements, which took longer than anticipated; and

WHEREAS, the original bid documents provided that the bid prices were to remain accepted for 60 days following the bid opening and the over 130 days have now passed since the bid opening; and

WHEREAS, as a result in the delay of starting construction, the contractor has incurred increased labor and supply costs; and

WHEREAS, for the reasons set forth in the Council Memo dated June 8, 2015, the change order is germane to the initial contract; and

WHEREAS, it is the finding of the City Council that the decision to approve the change order is in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of (\$ _____) in the contract between the City of Bloomington and Stark Excavating, Inc. is approved and may be executed by the City Manager or his designee.

PASSED AND APPROVED this 8th, of June 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM:

Jeffery R. Jurgens, Corporation Counsel