



**CITY OF
BLOOMINGTON
COUNCIL MEETING
MAY 9, 2022**



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

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

PUBLIC COMMENT

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

CONSENT AGENDA

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

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

PUBLIC HEARING

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

REGULAR AGENDA

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

MAYOR AND COUNCIL MEMBERS

Mayor - Mboka Mwilambwe

City Council Members

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

City Manager - Tim Gleason

Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

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

MISSION, VISION, AND VALUE STATEMENT

MISSION

To Lead, Serve and Uplift the
City of Bloomington

VISION

A Jewel of the Midwest Cities

VALUES

Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

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

AGENDA



REGULAR SESSION CITY COUNCIL MEETING AGENDA
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
MONDAY, MAY 9, 2022, 6:00 P.M.

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

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

6. Ward 1 Appointment

- A. Consideration and action to approve the Appointment of Grant Walch to serve as the Council Member for Ward 1, as requested by Mayor Mboka Mwilambwe. *(Recommended Motion: The proposed Appointment be approved.)*
- B. Oath of Office - Ward 1 Appointee

7. Recognition/Appointments

- A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers Matthew Summers and Kerri Johnson upon their completion of the probationary period, as requested by the Police Department. *(Recommended Motion: None; presentation only.)*
- B. Proclamation for Reverend Dr. Brigitte Black, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*
- C. Proclamation for National EMS Week, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*
- D. Proclamation for Building Safety Month, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*
- E. Recognition of Boards & Commissions Appointments and Reappointments, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*

8. Consent Agenda

- A. Consideration and action to approve Bills and Payroll in the amount of \$7,177,026.98, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*
- B. Consideration and action to approve a Contract with George Gildner, Inc., for the FY23 Utility Maintenance Project (Bid #2022-32), in the amount of \$2,036,500, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*
- C. Consideration and action to approve a Contract with George Gildner, Inc., for the FY23 Street, Alley, and Sidewalk Maintenance Project (Bid #2022-34), in the amount of \$173,780, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*
- D. Consideration and action to approve a Contract with Bodine Electric of Decatur for the FY23 Traffic Signal Maintenance Project (Bid #2022-33), in the amount of \$147,500, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*
- E. Consideration and action to approve Funding for the FY23 Stabilization Installation Work for the Lake Bloomington Shoreline Stabilization Project through the Watershed Conservation Intergovernmental Agreement between the City of Bloomington, McLean County, the Town of Normal, and the McLean County Soil and Water Conservation District, in the amount of \$299,309, as requested by the Public Works Department. *(Recommended Motion: The proposed Funding be approved.)*
- F. Consideration and action on a Resolution Designating Select Firms, through the FY22 Multi-Year Professional Architectural and Engineering Services Request for Qualifications (RFQ #2022-25), that are the Most Qualified to Perform General Architectural and Engineering Services for a Three-year Period, with the Option to Requalify the Firms for Two Additional, One-year Periods, as requested by the Public Works Department and the Facilities Department. *(Recommended Motion: The proposed Resolution be approved.)*
- G. Consideration and action on a Resolution Approving Acceptance of a Grant from the Illinois Housing Development Authority's Single-Family Rehabilitation Program in the amount of \$378,000, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.)*
- H. Consideration and action on a Resolution Approving Acceptance of a Grant from the Illinois Housing Development Authority's Single-Family Rehabilitation Program in the amount of \$444,000, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.)*
- I. Consideration and action on an Ordinance Amending Chapter 2 of the Bloomington City Code Regarding Holdover Officers, as requested by the Legal Department and the Administration Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- J. Consideration and action 1) on a Resolution Authorizing the City of Bloomington to Submit a Zoning Permit Application to the McLean County Building and

- Zoning Department to Rezone Land Owned by the City of Bloomington that Houses the Water Treatment Plant, Lake Parks Maintenance Facility, Davis Lodge, and Land Leased to TTK, LLC, d/b/a Mucky Duck Marina, from R-1 Single Family Residence District to Agriculture District, and 2) to approve the updated Lake Bloomington Maintenance Facility Project Management Plan, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution and Project Management Plan be approved.)*
- K. Consideration and action on an Ordinance Approving the Final Plat of Shirk Commercial - PCSL Subdivision, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*
 - L. Consideration and action to approve the Request from The Board of Trustees of Illinois State University, d/b/a Illinois Shakespeare Festival, whose events will be held on various dates between June 3-August 6, 2022, at the Ewing Cultural Center, located at 48 Sunset Rd., for two Class LB (Limited/Beer and Wine) Liquor Licenses, as requested by the City Clerk Department. *(Recommended Motion: The proposed Licenses be approved.)*
 - M. Consideration and action to approve a Change of Ownership for Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic and American Grocery, located at 1512 W. Market St., Unit 200, as requested by the City Clerk Department. *(Recommended Motion: The proposed Change of Ownership be approved.)*

9. Public Hearing

- A. Public Hearing on the 2022 CDBG Annual Action Plan, as requested by the Economic & Community Development Department. *(Recommended Motion: None; presentation and public comment only.) (Presentation by Michael Sinnet, Community Enhancement Division Manager, 10 minutes; and City Council discussion, 10 minutes.)*
- B. Public Hearing on a Proposed Annexation Agreement with Sale Barn Properties LLC for Land Located North of West Hamilton Road and West of South Main Street, in McLean County, Illinois, Consisting of 46 Acres More or Less, as requested by the Economic & Community Development Department. *(Recommended Motion: None; presentation and public comment only.) (Presentation by Kimberly Smith, Assistant Director of Economic & Community Development, 3 minutes; and City Council discussion, 15 minutes.)*

10. Regular Agenda

- A. Consideration and action on a Resolution Approving An Annexation Agreement with Sale Barn Properties LLC for Land Located North of West Hamilton Road and West of South Main Street, in McLean County, Illinois, Consisting of 46 Acres More or Less, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.) (Presentation by Kimberly Smith, Assistant Director of Economic & Community Development, 3 minutes; and City Council discussion, 15 minutes.)*
- B. Consideration and action on 1) an Ordinance Approving the Annexation of Land Located North of West Hamilton Road and West of South Main Street in McLean County, Illinois, Consisting of 46 Acres More or Less (a/k/a Shirk Commercial-

PCSL Subdivision) to the City of Bloomington, McLean County, Illinois, and 2) an Ordinance Providing for a Zoning Map Amendment for Annexed Property Located North of West Hamilton Road and West of South Main Street, Consisting of 46 Acres More or Less (a/k/a Shirk Commercial-PCSL Subdivision) to B-1 (General Commercial) District Zoning, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinances be approved.) (Presentation by Kimberly Smith, Assistant Director of Economic & Community Development, 3 minutes; and City Council discussion, 3 minutes.)*

- C. Consideration and action on an Ordinance Approving a Site Plan and Variance for a Sports and Fitness Establishment in the B-1 (General Commercial) District, for Property Located North of West Hamilton Road and West of South Main Street in McLean County, Illinois, Consisting of 46 Acres, More or Less (a/k/a Shirk Commercial-PCSL Subdivision), as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.) (Presentation by Kimberly Smith, Assistant Director of Economic & Community Development, 3 minutes; and City Council discussion, 3 minutes.)*
- D. Consideration and action on a Resolution Establishing the Streets to be Resurfaced in Fiscal Year 2023, Additional Streets that Could be Resurfaced in Fiscal Year 2023 Using American Rescue Plan Act Funds, and the Streets to be Resurfaced in Fiscal Year 2024, Authorization to Waive the Technical Bidding Requirements, and Authorization for City Staff to Negotiate a Contract with Rowe Construction, a Division of United Contractors Midwest, for the FY 2023 General Street Resurfacing Program, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be approved.) (Presentation by Kevin Kothe, P.E., Director of Public Works, 10 minutes; and City Council discussion, 20 minutes.)*
- E. Consideration and action on an Ordinance Amending the City Code to Create the Arts and Entertainment Department to Include the Position of Director, and Renaming the Parks, Recreation and Cultural Arts Department to Parks and Recreation Department, as requested by the Administration Department. *(Recommended Motion: The proposed Ordinance be approved.) (Presentation by Tim Gleason, City Manager; and Billy Tyus, Deputy City Manager, 5 minutes; and City Council discussion, 5 minutes.)*
- F. Presentation of the Bloomington Police Department's 2021 Annual Report, as requested by the Police Department. *(Recommended Motion: None; presentation only.) (Presentation by Jamal Simington, Chief of Police, 15 minutes; and City Council discussion, 20 minutes.)*

- 11. City Manager's Discussion
- 12. Mayor's Discussion
- 13. Council Member's Discussion
- 14. Executive Session
- 15. Adjournment



ORDER OF BUSINESS ITEM NO. 6.A

FOR COUNCIL: May 9, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Appointment of Grant Walch to serve as the Council Member for Ward 1, as requested by the Administration Department.

RECOMMENDED MOTION: The proposed Appointment be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The Mayor of the City of Bloomington has nominated, and asks your concurrence in the appointment of:

Grant Walch to the Bloomington City Council. Grant would be appointed to fill the Ward 1 vacancy on the City Council. His term would be effective immediately, expiring on 4-30-2025. Grant's resume is on file in the Administration Office.

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

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

RECOGNITIONS



RECOGNITION/APPOINTMENTS ITEM NO. 7.A

FOR COUNCIL: May 9, 2022

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers Matthew Summers and Kerri Johnson upon their completion of the probationary period, as requested by the Police Department.

RECOMMENDED MOTION:
None; presentation only.

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

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

BACKGROUND: Recognizing the completion of the probationary period for Police Officers Matthew Summers and Kerri Johnson.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

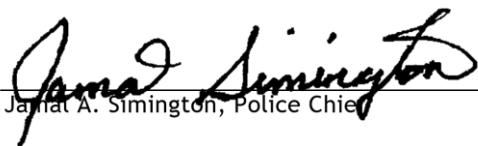
FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jennifer Bielfeldt, Office Manager

Reviewed by:


Jamal A. Simington, Police Chief

5/5/2022


Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- POL 1B K Kerri Johnson Certificate
- POL 1C Matthew Summers Certificate

City of Bloomington



Police Department

Police Officer's Commission

*By authority of the City Manager
of the City of Bloomington,
in the County of McLean, and State of Illinois,
We do hereby certify that*

Kerri L. Johnson

*Having been duly sworn
was appointed and commissioned a*

Police Officer

*On
the fourth of May, two thousand and twenty.
As Evidence thereof, we set our hand and seal*

Aboka Mwilambwe

Aboka Mwilambwe

Mayor

Tim Gleason

Tim Gleason

City Manager



Jamal Simington

Jamal Simington

Chief

Leslie Yorum

Leslie Yorum

City Clerk

City of Bloomington



Police Department

Police Officer's Commission

*By authority of the City Manager
of the City of Bloomington,
in the County of McLean, and State of Illinois,
We do hereby certify that*

Matthew D. Summers

*Having been duly sworn
was appointed and commissioned a*

Police Officer

*On
the fourth of May, two thousand and twenty.
As Evidence thereof, we set our hand and seal*

Mboka Mwilambwe

Mboka Mwilambwe

Mayor

Tim Gleason

Tim Gleason

City Manager



Jamal Simington

Jamal Simington

Chief

Leslie Yorum

Leslie Yorum

City Clerk



RECOGNITION/APPOINTMENTS ITEM NO. 7.B

FOR COUNCIL: May 9, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Proclamation for Reverend Dr. Brigitte Black, as requested by the Administration Department.

RECOMMENDED MOTION:

None; recognition only.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: The included Proclamation is a public statement that brings attention to factors that affect our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:


Billy Ryus, Deputy City Manager

5/5/2022


Tara Henry, Legislative Assistant

5/5/2022

Attachments:

- ADM 1B Reverend Dr. Brigitte Black Proclamation

PROCLAMATION

In Memory of Reverend Dr. Brigitte Black

WHEREAS, Reverend Dr. Brigitte Black began her work in the Bloomington-Normal community in 2016 as Pastor of Wayman African Methodist Episcopal (AME) Church. As the first home of the local chapter of the NAACP, Wayman has a history of fighting for justice and equality in this county and that mission is also reflected in the life and work of Reverend Dr. Black; and

WHEREAS, from the age of 5 (after learning a quote by the Reverend Jesse Jackson), Reverend Dr. Black “worked for change and justice.” She was trained in restorative justice practices and put that training to use where it was necessary; and

WHEREAS, Reverend Dr. Black worked with “Not In Our Town” by organizing community listening circles after the George Floyd incident and the elections. The community listening circles provided a safe environment to dialogue about racism; and

WHEREAS, as an advocate for human rights for all, she helped lead the charge to educate and inform the community regarding COVID-19 and helped organize getting vaccinations in the arms of African American seniors and frontline workers by bringing the vaccines to an African American church in the community; and

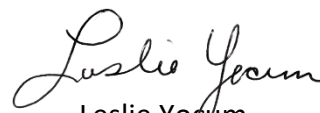
WHEREAS, Reverend Dr. Black was an exemplary pastor, leader, bible scholar, teacher, and mentor that cared deeply about the community. She served on and led numerous church committees and community boards both locally and regionally, including the City of Bloomington Public Safety and Community Relations Board; and

WHEREAS, she was the recipient of many honors for her community work, including a 2020 YWCA Woman of Distinction award, the NAACP Freedom Fund 2021 “Merlin Kennedy Community Service Award”, and the 2022 Bloomington and Normal Human Relations Commission “I Have a Dream” Award.

NOW THEREFORE, I, Mboka Mwilambwe, Mayor of the City of Bloomington, Illinois, do hereby encourage each of us to celebrate the life of **Reverend Dr. Brigitte Black** and to reflect upon her contributions in our community and beyond.



Mboka Mwilambwe
Mayor



Leslie Yocum
City Clerk



RECOGNITION/APPOINTMENTS ITEM NO. 7.C

FOR COUNCIL: May 9, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Proclamation for National EMS Week, as requested by the Administration Department.

RECOMMENDED MOTION:

None; recognition only.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: The included Proclamation is a public statement that brings attention to factors that affect our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

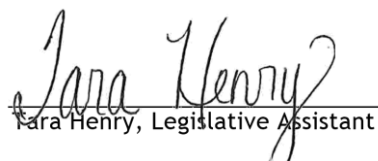
Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant & Records Manager

Reviewed by:


Billy Ryus, Deputy City Manager

5/4/2022


Tara Henry, Legislative Assistant

5/4/2022

Attachments:

- FIRE 1B EMS Week 2022 Proclamation

PROCLAMATION
In Recognition of EMS Week
May 15-21, 2022

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW THEREFORE, I, Mboka Mwilambwe, Mayor of the City of Bloomington, Illinois, do hereby proclaim the week of May 15-21, 2022, as

EMERGENCY MEDICAL SERVICES WEEK

With the EMS Strong theme, **EMS WEEK: Rising to the Challenge**, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

Mboka Mwilambwe
Mboka Mwilambwe
Mayor



Leslie Yocum
Leslie Yocum
City Clerk



RECOGNITION/APPOINTMENTS ITEM NO. 7.D

FOR COUNCIL: May 9, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Proclamation for Building Safety Month, as requested by the Administration Department.

RECOMMENDED MOTION:

None; recognition only.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: The included Proclamation is a public statement that brings attention to factors that affect our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

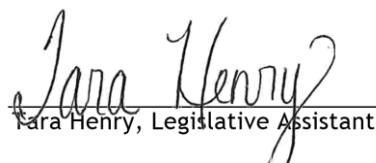
Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:


Billy Ryus, Deputy City Manager

5/4/2022


Tara Henry, Legislative Assistant

5/4/2022

Attachments:

- ADM 1B Building Safety Month_2022 Proclamation



Proclamation

Building Safety Month — May 2022

WHEREAS, our City is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings, and infrastructure play, both in everyday life and when disasters strike, and

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers, and others in the construction industry—who work year-round to ensure the safe construction of buildings, and

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods, and earthquakes, and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable, and affordable buildings that are essential to our prosperity, and

WHEREAS, “Safety for All: Building Codes in Action,” the theme for Building Safety Month 2022, encourages us all to raise awareness about planning for safe and sustainable construction; career opportunities in building safety; understanding disaster mitigation, energy conservation; and creating a safe and abundant water supply to all our benefit, and

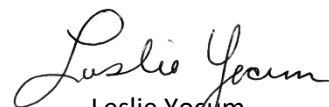
WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Mboka Mwilambwe, Mayor of the City of Bloomington, Illinois, do hereby proclaim the month of May 2022 as

Building Safety Month



Mboka Mwilambwe
Mayor



Leslie Yocum
City Clerk



RECOGNITION/APPOINTMENTS ITEM NO. 7.E

FOR COUNCIL: May 9, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of Boards & Commissions Appointments and Reappointments, as requested by the Administration Department.

RECOMMENDED MOTION:

None; recognition only.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included appointments and reappointments are representative of City Council's approval from the April 25, 2022 meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:

A handwritten signature in black ink, appearing to read 'Billy Iyus' followed by a large flourish.

Billy Iyus, Deputy City Manager

5/4/2022

A handwritten signature in black ink, appearing to read 'Tara Henry'.

Tara Henry, Legislative Assistant

5/4/2022

Attachments:

- ADM 2B Recognition of Mayoral Appointments_042522

Appointment

Joya Davis: Citizens' Beautification Committee

Appointment

Ron Frazier: Citizens' Beautification Committee

Appointment

Kim Miller: Historic Preservation Commission

Reappointment

Vivian Doctora: Human Relations Commission

Reappointment

Alicia Henry: Library Board of Trustees

Reappointment

Van Miller: Library Board of Trustees

Reappointment

Julian Westerhout: Library Board of Trustees

Reappointment

Arthur Taylor: Public Safety & Community
Relations Board

Reappointment

Jeff Woodard: Public Safety & Community
Relations Board

CONSENT AGENDA



CONSENT AGENDA ITEM NO. 8.A

FOR COUNCIL: May 9, 2022

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills and Payroll in the amount of \$7,177,026.98, as requested by the Finance Department.

RECOMMENDED MOTION:

The proposed Bills and Payroll be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved \$7,177,026.98 (Payroll total \$2,641,106.67, Accounts Payable total \$3,191,635.74, and Bank Transfers total \$1,344,284.57).

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:


F. Scott Rathbun, Finance Director

5/5/2022


Tara Henry, Legislative Assistant & Records Manager

5/6/2022

Attachments:

- FIN 1B Council Finance Summary Report

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
4/22/2022	\$ 2,084,891.34	\$ 558,368.33	\$ 2,643,259.67

09/10/2021-1/28/2022	\$ (2,000.00)	\$ (153.00)	\$ (2,153.00)
Off Cycle Adjustments			

PAYROLL TOTAL	\$ 2,641,106.67
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ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
5/9/2022	AP General	\$ 2,846,683.08
	AP JMScott	
5/9/2022	AP Comm Devel	\$ 54,483.61
5/9/2022	AP IHDA	\$ 22,125.00
5/9/2022	AP Library	\$ 80,628.42
	AP MFT	
4/28/2022-5/4/2022	Out of Cycle	\$ 187,715.63
4/1/2022-5/1/2022	AP Bank Transfers	\$ 1,344,284.57
	AP TOTAL	\$ 4,535,920.31

PCARDS

Date Range

PCARD TOTAL

GRAND TOTAL	\$ 7,177,026.98
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Respectfully,

F Scott Rathbun
Director of Finance



CONSENT AGENDA ITEM NO. 8.B

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Contract with George Gildner, Inc., for the FY23 Utility Maintenance Project (Bid #2022-32), in the amount of \$2,036,500, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Contract be approved.

STRATEGIC PLAN LINK:

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

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 2a. Better quality roads and sidewalks

BACKGROUND: Public Works is recommending the approval of a Contract with George Gildner for the FY23 Utility Maintenance Project, in the amount of \$2,036,500.

The Utility Maintenance Program includes sanitary sewer, storm sewer, force main, pump station, water main, and other City utility repairs that are emergency and non-emergency work. Due to the lack of necessary equipment or manpower, this work is beyond the capability of City crews. The budget for the FY 2023 Utility Maintenance Project is \$2,326,250.

The Public Works Department prepared the FY23 Utility Maintenance Project bid package and advertised the project for competitive bids. Bids for this contract were received until 10:00 AM on Tuesday, April 19, 2022, electronically via the City's e-Procurement Portal, OPENGOV. Staff received three (3) bids and opened them at 10:01 AM on Tuesday, April 19, 2022, via a Virtual Bid Opening. George Gildner is a local firm and, therefore, the local preference policy does not impact the recommendation. The substantial completion date for this project is in the bid documents as April 30, 2023.

Contractor	Base Bid (A)	Additive Alternative (B)	Bid Amount (Bid #2022-32)
George Gildner, Inc.	\$1,857,800.00	\$178,700.00	\$2,036,500.00
Stark Excavating, Inc.	\$2,230,738.00	\$228,922.50	\$2,459,660.50
Hoerr Construction, Inc.	\$2,565,200.00	\$269,750.00	\$2,834,950.00

Public Works did not receive any other complete bids.

The bid package included a Base Bid (A) and an Additive Alternative (B) for this project. The Additive Alternative (B) increased the Base Bid (A) quantities, which was included in this bid package in case the City received favorable pricing. Staff recommends approving a contract that includes Base Bid (A) and Additive Alternative (B).

Following review of the submitted bids, staff recommends the following final allocation as the best use of available funding. The budgeted amount is shown for reference only.

Fund	Budget	Bid Award
Storm Water	\$530,250.00	\$464,203.82
Sanitary Sewer	\$946,000.00	\$828,169.37
Water	\$850,000.00	\$744,126.81
TOTAL	\$2,326,250.00	\$2,036,500.00

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Bids was released through the City's OpenGov portal and advertised in *The Pantagraph* on April 1, 2022.

FINANCIAL IMPACT: If approved, the contract for FY 2023 Utility Maintenance Project in the amount of \$2,036,500 will be awarded to George Gildner Inc. Stakeholders can locate this in the FY 2023 Proposed Budget Book titled "Other Funds & Capital Improvement". The page numbers follow the specific accounts and dollar amounts:

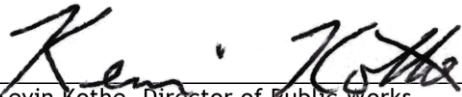
	Budget	Bid Award
Storm Water - Repair Maint. Infrastructure (53103100-70550) page 103	\$472,500.00	\$413,646.96
Storm Water - Grading & Seeding (53103100-70580) page 103	\$57,750.00	\$50,556.85
Sanitary Sewer - Repair Maint. Infrastructure (51101100-70550) page 101	\$840,000.00	\$735,372.38
Sanitary Sewer - Grading & Seeding (51101100-70580) page 101	\$106,000.00	\$92,796.99
Water - Lake Maintenance - Repair Maint. Infrastructure (50100140-70550) page 93	\$50,000.00	\$43,772.17
Water - Mechanical Maintenance - Repair Maint. Infrastructure (50100160-70550) page 96	\$300,000.00	\$262,632.99
Water- Transmission/Distribution - Repair Maint. Infrastructure (50100120-70550) page 89	\$500,000.00	\$437,721.66
Totals:	\$2,326,250.00	\$2,036,500.00

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety, and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs, UEW-1.5 Reliable water supply and distribution system that meets the needs of the current and future residents, Objective UEW-1.7. Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety, and the environment.

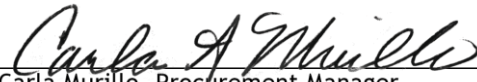
Respectfully submitted for Council consideration.

Prepared by: Ward Snarr, Civil Engineer II

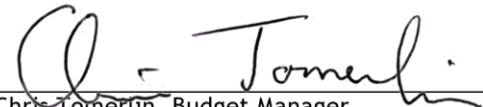
Reviewed by:


Kevin Kothe, Director of Public Works

4/26/2022


Carla Murillo, Procurement Manager

4/27/2022


Chris Tomerlin, Budget Manager

4/27/2022


Jeffrey R. Jurgens, Corporation Counsel

5/4/2022


Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 6B Contract_FY23 Utility Maintenance Program 05092022
- PW 6B Bid Tab_FY23 Utility Maintenance Program 05092022

**CITY OF BLOOMINGTON
CONTRACT WITH
George Gildner, Inc.
FOR**

FY 2023 Utility Maintenance Project

THIS AGREEMENT, dated this _____ day of May, 2022, is between the City of Bloomington (hereinafter "CITY") and George Gildner, Inc. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms / Prevailing Wage. This work was subject to the following procurement initiative by the CITY:
Bid #2022-32 FY 2023 Utility Maintenance Project (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply. This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties. This includes Public Act 100-1177 which became effective on June 1, 2019.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: FY 2023 Utility Maintenance for the repair of Water, Sewer, and Storm Water infrastructure & related items.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$_____ as set forth in the Procurement Documents.
- ☒ Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 12. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 13. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 14. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: _____
Its City Manager

ATTEST:

By: _____
City Clerk

George Gildner, Inc.

By: 
Its vice president
- Steve Gildner

By: _____
Its _____

CITY OF BLOOMINGTON
FY2023 UTILITY MAINTENANCE
 PROJECT NO. CITY # 50-18-53005-23-00
 CITY BID NO. 2022-32
BID TABULATION

Bid Opening Date: 4/19/2022 Attended By: Misty Shafer
 Bid Opening Time: 10:01 AM
 PREPARED BY: Ward Snarr

	2023 Budget				LOW BID					
Base Bid (A)	\$2,326,250.00		ENGINEERS ESTIMATE		George Gildner, Inc.		Stark Excavating, Inc.		Hoerr Construction, Inc.	
LABOR / ITEM	UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL	RATE	TOTAL	RATE	TOTAL
LABORER/CEMENT MASON	HR	11000	\$95.00	\$1,045,000.00	\$88.00	\$968,000.00	\$85.47	\$940,170.00	\$110.00	\$1,210,000.00
OPERATING ENGINEER	HR	5000	\$95.00	\$475,000.00	\$84.00	\$420,000.00	\$115.29	\$576,450.00	\$92.00	\$460,000.00
PLUMBER	HR	3000	\$80.00	\$240,000.00	\$80.00	\$240,000.00	\$96.61	\$289,830.00	\$115.00	\$345,000.00
TRUCK DRIVER	HR	3000	\$50.00	\$150,000.00	\$18.00	\$54,000.00	\$53.50	\$160,500.00	\$74.00	\$222,000.00
EMERGENCY RATES (ONLY USED IF AGREED BY CITY PRIOR TO WORK)	UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL		TOTAL		TOTAL
EMERGENCY LABORER	HR	1000	\$95.00	\$95,000.00	\$88.00	\$88,000.00	\$109.58	\$109,580.00	\$149.00	\$149,000.00
EMERGENCY OPERATING ENGINEER	HR	600	\$95.00	\$57,000.00	\$84.00	\$50,400.00	\$139.25	\$83,550.00	\$138.00	\$82,800.00
EMERGENCY PLUMBER	HR	400	\$80.00	\$32,000.00	\$80.00	\$32,000.00	\$127.52	\$51,008.00	\$157.00	\$62,800.00
EMERGENCY TRUCK DRIVER	HR	300	\$50.00	\$15,000.00	\$18.00	\$5,400.00	\$65.50	\$19,650.00	\$112.00	\$33,600.00
TOTAL BID (A) =				\$2,109,000.00		\$1,857,800.00		\$2,230,738.00		\$2,565,200.00

Additive Alternative (B)					George Gildner, Inc.		Stark Excavating, Inc.		Hoerr Construction, Inc.	
LABOR / ITEM	UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL	RATE	TOTAL	RATE	TOTAL
LABORER/CEMENT MASON	HR	1200	\$95.00	\$114,000.00	\$85.00	\$102,000.00	\$85.47	\$102,564.00	\$110.00	\$132,000.00
OPERATING ENGINEER	HR	450	\$95.00	\$42,750.00	\$80.00	\$36,000.00	\$115.29	\$51,880.50	\$92.00	\$41,400.00
PLUMBER	HR	100	\$80.00	\$8,000.00	\$78.00	\$7,800.00	\$96.61	\$9,661.00	\$115.00	\$11,500.00
TRUCK DRIVER	HR	300	\$50.00	\$15,000.00	\$10.00	\$3,000.00	\$53.50	\$16,050.00	\$74.00	\$22,200.00
EMERGENCY RATES (ONLY USED IF AGREED BY CITY PRIOR TO WORK)		UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL		TOTAL	
EMERGENCY LABORER	HR	200	\$95.00	\$19,000.00	\$85.00	\$17,000.00	\$109.58	\$21,916.00	\$149.00	\$29,800.00
EMERGENCY OPERATING ENGINEER	HR	100	\$95.00	\$9,500.00	\$80.00	\$8,000.00	\$139.25	\$13,925.00	\$138.00	\$13,800.00
EMERGENCY PLUMBER	HR	50	\$80.00	\$4,000.00	\$78.00	\$3,900.00	\$127.52	\$6,376.00	\$157.00	\$7,850.00
EMERGENCY TRUCK DRIVER	HR	100	\$50.00	\$5,000.00	\$10.00	\$1,000.00	\$65.50	\$6,550.00	\$112.00	\$11,200.00
TOTAL BID (B) =				\$217,250.00		\$178,700.00		\$228,922.50		\$269,750.00

TOTAL Base Bid (A) + Additive Alt. (B) = **\$2,326,250.00** **\$2,036,500.00** **\$2,459,660.50** **\$2,834,950.00**



CONSENT AGENDA ITEM NO. 8.C

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Contract with George Gildner, Inc., for the FY23 Street, Alley, and Sidewalk Maintenance Project (Bid #2022-34), in the amount of \$173,780, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Contract be approved.

STRATEGIC PLAN LINK:

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

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 2a. Better quality roads and sidewalks

BACKGROUND: Public Works is recommending the approval of a Contract with George Gildner for the FY23 Street, Alley, and Sidewalk Maintenance Project, in the amount of \$173,780.

The Street, Alley, and Sidewalk Maintenance Project includes maintenance and repair of streets, alleys, sidewalks, curb and gutter, and other related items on City-owned properties. Due to the lack of necessary equipment or manpower, this work is beyond the capability of City crews. The budget for the FY23 Street, Alley and Sidewalk Maintenance Project is \$200,000.

The Public Works Department prepared the FY23 Street, Alley, and Sidewalk Maintenance Project bid package and advertised the project for competitive bids. Bids for this contract were received until 10:00 AM on Tuesday, April 19, 2022, electronically via the City's e-Procurement Portal, OPENGOV. Staff received two (2) bids and opened them at 10:00 AM on Tuesday, April 19, 2022, via a Virtual Bid Opening. Both bidders were local bidders.

Contractor	Base Bid (A)	Additive Alternative (B)	Bid Amount (Bid #2022-34)
George Gildner, Inc.	\$154,300.00	\$19,480.00	\$173,780.00
Stark Excavating, Inc.	\$175,714.50	\$22,233.70	\$197,948.20

Public Works did not receive any other complete bids.

The bid package included a Base Bid (A) and an Additive Alternative (B) for this project. The Additive Alternative (B) increased the Base Bid (A) quantities, which was included in this bid package in case the City received favorable pricing. Staff recommends approving a contract that includes Base Bid (A) and Additive Alternative (B).

This is an annual maintenance contract, which includes multiple projects assigned at various times throughout the fiscal year. Therefore, the start and completion dates for each individual project will vary.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Bids was released through the City's OpenGov portal and advertised in *The Pantagraph* on April 1, 2022.

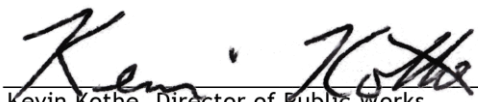
FINANCIAL IMPACT: If approved, \$173,780 will be awarded and will be paid out of the Capital Improvement (Asphalt & Concrete) Fund-Street Construction and Improvement account (40120200-72530). The budget for this project is \$200,000. Stakeholders can locate this in the FY 2023 Proposed Budget Book titled "Other Funds & Capital Improvement" on pages 69, 70, 161, 212, and 216.

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety, and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs; Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods, and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system, Objective TAQ-1.2. Data-driven transportation infrastructure policy and management; Objective TAQ-1.4. Pedestrian safety for users of all transportation facilities with a Sidewalk Master Plan, and sidewalk system that provides safe access throughout the transportation network.

Respectfully submitted for Council consideration.

Prepared by: Ward Snarr, Civil Engineer II

Reviewed by:



Kevin Kothe, Director of Public Works

4/26/2022



Carla Murillo, Procurement Manager

4/27/2022



Chris Tomerlin, Budget Manager

4/27/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 7B Contract_FY23 Street, Alley, and Sidewalk Maintenance Project 05092022
- PW 7C Bid Tab_FY23 Street, Alley, and Sidewalk Maintenance Project 05092022

CITY OF BLOOMINGTON
CONTRACT WITH
George Gildner, Inc.
FOR

FY 2023 Street Alley & SW Maintenance Project

THIS AGREEMENT, dated this _____ day of May, 2022, is between the City of Bloomington (hereinafter "CITY") and George Gildner, Inc. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. Incorporation of Bid/RFP/RFQ & Proposal Terms / Prevailing Wage. This work was subject to the following procurement initiative by the CITY:
Bid #2022-34 FY 2023 Street Alley & SW Maintenance Project (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply. This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties. This includes Public Act 100-1177 which became effective on June 1, 2019.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: FY 2023 Street Alley & SW Maintenance for the repairs pf various infrastructure & related to these items.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$_____ as set forth in the Procurement Documents.
- ☒ Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 12. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 13. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 14. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: _____
Its City Manager

ATTEST:

By: _____
City Clerk

George Gildner, Inc.

By: 
Its Vice President
- Steve Gildner

By: _____
Its _____

CITY OF BLOOMINGTON
FY2022 STREET, ALLEY & SIDEWALK MAINTENANCE

PROJECT NO. CITY # 50-16-53004-22-00

CITY BID NO. 2022-34

BID TABULATION

Bid Opening Date: 4/19/2022

Attended By: Misty Shafer

Bid Opening Time: 10:10 AM

PREPARED BY: Ward Snarr

2023 Budget					LOW BID			
Base Bid (A)	\$200,000.00		ENGINEERS ESTIMATE		George Gildner, Inc.		STARK EXCAVATING	
LABOR / ITEM	UNIT	APPROX QTY	RATE	TOTAL	RATE	TOTAL	RATE	TOTAL
CEMENT MASON	HR	150	\$95.00	\$14,250.00	\$88.00	\$13,200.00	\$86.97	\$13,045.50
LABORER	HR	1000	\$95.00	\$95,000.00	\$88.00	\$88,000.00	\$85.47	\$85,470.00
OPERATING ENGINEER	HR	600	\$100.00	\$60,000.00	\$84.00	\$50,400.00	\$115.29	\$69,174.00
TRUCK DRIVER	HR	150	\$50.00	\$7,500.00	\$18.00	\$2,700.00	\$53.50	\$8,025.00
TOTAL				\$176,750.00	\$154,300.00		\$175,714.50	

Additive Alternative (B)			ENGINEERS ESTIMATE		George Gildner, Inc.		STARK EXCAVATING	
LABOR / ITEM	UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL	RATE	TOTAL
CEMENT MASON	HR	65	\$95.00	\$6,175.00	\$88.00	\$5,720.00	\$86.97	\$5,653.05
LABORER	HR	115	\$95.00	\$10,925.00	\$88.00	\$10,120.00	\$85.47	\$9,829.05
OPERATING ENGINEER	HR	40	\$100.00	\$4,000.00	\$78.00	\$3,120.00	\$115.29	\$4,611.60
TRUCK DRIVER	HR	40	\$50.00	\$2,000.00	\$13.00	\$520.00	\$53.50	\$2,140.00
TOTAL BID (B) =				\$23,100.00	\$19,480.00		\$22,233.70	

TOTAL Base Bid (A) + Additive Alt. (B) = \$199,850.00

\$173,780.00

\$197,948.20



CONSENT AGENDA ITEM NO. 8.D

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Contract with Bodine Electric of Decatur for the FY23 Traffic Signal Maintenance Project (Bid #2022-33), in the amount of \$147,500, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Contract be approved.

STRATEGIC PLAN LINK:

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

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 2a. Better quality roads and sidewalks

BACKGROUND: Public Works is recommending the approval of a Contract with Bodine Electric of Decatur for the FY23 Traffic Signal Maintenance Project, in the amount of \$147,500.

The Traffic Signal Maintenance Project includes traffic signal mast arm, controller, and other signal equipment repairs or replacements and other work on City electric and traffic signal facilities that are both emergency and non-emergency. Due to the lack of necessary equipment or manpower, this work is beyond the capability of City crews. The budget for the FY23 Traffic Signal Maintenance & Emergency Traffic Signal Repair Project is \$150,000.

The Public Works Department prepared the FY23 Traffic Signal Maintenance Project bid package and advertised the project for competitive bids. Bids for this contract were received until 10:00 AM on Tuesday, April 19, 2022, electronically via the City's e-Procurement Portal, OPENGOV. Staff received one (1) bid and opened it at 10:05 AM on Tuesday, April 19, 2022, via a Virtual Bid Opening. Bodine Electric of Decatur does not maintain a local office; however, because they were the only bidder, the City's Local Preference Policy is not applicable to this award.

Contractor	Base Bid (A)	Additive Alternative (B)	Total Bid Amount (Bid #2022-33)
Bodine Electric of Decatur	\$147,500	\$20,750	\$168,250

Public Works did not receive any other complete bids.

The bid package included a Base Bid (A) and an Additive Alternative (B) for this project. The Additive Alternative (B) increased the Base Bid (A) quantities, which was included in this bid package in case the City received favorable pricing. Staff recommends approving a contract that includes Base Bid (A) only.

The substantial completion date for this project is in the bid documents as April 30, 2022.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Bids was released through the City's OpenGov portal and advertised in *The Pantagraph* on April 1, 2022.

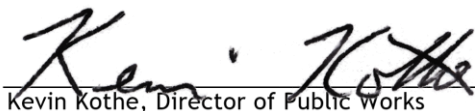
FINANCIAL IMPACT: If approved, \$147,500 will be awarded out of the Engineering-Contracted Traffic Signal Repair account (10016210-70662). Stakeholders can locate this in the FY 2023 Proposed Budget Book titled "Budget Overview & General Fund" on page 249.

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs, Objective UEW-1.7. Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety and the environment.

Respectfully submitted for Council consideration.

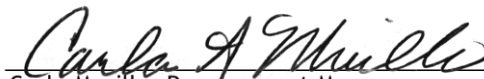
Prepared by: Ward Snarr, Civil Engineer II

Reviewed by:



Kevin Kothe, Director of Public Works

4/26/2022



Carla Murillo, Procurement Manager

5/3/2022



Chris Tomerlin, Budget Manager

5/3/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 8B Contract_FY23 Traffic Signal Maintenance Project 05092022
- PW 8C Bid Tab_FY23 Traffic Signal Maintenance Project 05092022

**CITY OF BLOOMINGTON
CONTRACT WITH
Bodine Electric of Decatur
FOR
FY 2023 Traffic Signal Maintenance Project**

THIS AGREEMENT, dated this _____ day of May _____, 2022, is between the City of Bloomington (hereinafter "CITY") and Bodine Electric of Decatur (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms / Prevailing Wage. This work was subject to the following procurement initiative by the CITY:
Bid #2022-33 FY 2023 Traffic Signal Maintenance Project (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply. This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties. This includes Public Act 100-1177 which became effective on June 1, 2019.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: FY 2023 Traffic Signal Maintenance for the repairs of traffic signals & related to these items.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$ _____ as set forth in the Procurement Documents.
- ☒ Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 12. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 13. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 14. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: _____
Its City Manager

ATTEST:

By: _____
City Clerk

Bodine Electric of Decatur

By: [Redacted]
Its VP of Construction

By: [Redacted]
Its CFO

CITY OF BLOOMINGTON
FY 2023 TRAFFIC SIGNAL MAINTENANCE
PROJECT NO. CITY # 50-17-53005-23-00
CITY BID NO. 2022-33
BID TABULATION

Bid Opening Date: 4/19/2022
Bid Opening Time: 10:05 AM
PREPARED BY: Ward Snarr

Attended By: Misty Shafer

FY2023 Budget

LOW BID

Base Bid (A)	\$150,000.00		ENGINEERS ESTIMATE		Bodine Electric of Decatur	
LABOR / ITEM	UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL
LABOR	HR	900	\$115.00	\$103,500.00	\$129.00	\$116,100.00
EMERGENCY RATES (ONLY USED IF AGREED BY CITY PRIOR TO WORK)		ESTIMATED QTY				
EMERGENCY LABOR	HR	200	\$135.00	\$27,000.00	\$157.00	\$31,400.00
TOTAL BID (A) =				\$130,500.00		\$147,500.00

Additive Alternative (B)					Bodine Electric of Decatur	
LABOR / ITEM	UNIT	ESTIMATED QTY	RATE	TOTAL	RATE	TOTAL
LABOR	HR	100	\$115.00	\$11,500.00	\$129.00	\$12,900.00
EMERGENCY RATES (ONLY USED IF AGREED BY CITY PRIOR TO WORK)		ESTIMATED QTY			RATE	TOTAL
EMERGENCY LABOR	HR	50	\$135.00	\$6,750.00	\$157.00	\$7,850.00
TOTAL BID (B) =				\$18,250.00		\$20,750.00

TOTAL Base Bid (A) + Additive Alt. (B) = \$148,750.00

\$168,250.00



CONSENT AGENDA ITEM NO. 8.E

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Funding for the FY23 Stabilization Installation Work for the Lake Bloomington Shoreline Stabilization Project through the Watershed Conservation Intergovernmental Agreement between the City of Bloomington, McLean County, the Town of Normal, and the McLean County Soil and Water Conservation District, in the amount of \$299,309, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Funding be approved.

STRATEGIC PLAN LINK:

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

STRATEGIC PLAN SIGNIFICANCE:

- Objective 2b. Quality water for the long term
- Objective 1e. Partnering with others for the most cost-effective service delivery

BACKGROUND: Public Works is recommending the approval for Funding in the amount of \$299,309 for materials, construction, installation, site prep, and project management services from McLean County Soil and Water Conservation District (SWCD) for the Lake Bloomington shoreline stabilization project. This project is part of an intergovernmental agreement between the City of Bloomington, Town of Normal, County of McLean, and McLean County SWCD, approved by Council on May 24, 2021.

The proposed project will stabilize approximately 2,450 feet of shoreline. The project was competitively bid and will be administered by the McLean County SWCD Conservation Office utilizing their Water Conservationist. The City funds the majority of that position through the Intergovernmental Agreement.

This project will utilize a proven mitigation effort (shoreline protection) that is part of the Illinois Environmental Protection Agency's (IEPA) strategy to reduce phosphorus in drinking water reservoirs. The project will diminish the



problems of sedimentation and nutrients that have been determined to impair water quality in the reservoir. This project is a continuation of several years of shoreline stabilization projects that the City has successfully completed.

This shoreline stabilization project will result in the following yearly load reductions in Lake Bloomington:

Nutrient	Reduction Achieved
Sediment	91.42 tons per year
Nitrogen	52.73 pounds per year
Phosphorus	71.47 pounds per year

The City, along with consultants, identified banks with the highest erosion rates and prioritizes these areas to be stabilized first. So far, the City has stabilized approximately 6,950 feet of shoreline at Lake Bloomington. The chart below is previous projects only.

Lake Name	Bank Length (ft)	Sediment Load (tons/yr)	Nitrogen Load (lbs/yr)	Phosphorus Load (lbs/yr)
Lake Bloomington	6,950	394	279	205
Evergreen Lake	9,900	990	792	515
Total	16,850	1,384	1,071	720



In November 2021, a portion of the City's approximate 51-year-old steel seawall collapsed. Staff hired Hanson Professional Services to determine the most effective repair options available for staff. The collapsed seawall will be removed, rock will be installed, and the earth will be sloped appropriately to provide ease of access for fishing and other recreational activities. Since the collapse, staff has restricted access to the area until the repairs are complete.

The water quality of both reservoirs is impaired by phosphorus, which can stimulate the growth of algae within the reservoirs, eventually resulting in low dissolved oxygen levels and the proliferation of nuisance organisms. Phosphorus can come from many sources, but one known source is completely natural in that phosphorus can be released into the reservoir from soil that has eroded from the shoreline. To minimize the phosphorus load into the reservoir, shoreline

erosion must be reduced. Shoreline stabilization is specified as a mitigation technique in our watershed management plans. In addition to lowering the amount of phosphorus entering the reservoirs, the project will also reduce the sediment load to the reservoirs.

The watershed plans and Total Maximum Daily Load reports for both lakes can be found at:

- <https://www.cityblm.org/home/showpublisheddocument/26851/637648939748470000>
- <http://www.epa.state.il.us/water/tmdl/report/evergreen/approved-report.pdf>
- <http://www.epa.state.il.us/water/tmdl/report/bloomington/lake-bloomington.pdf>

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: McLean County Soil and Water Conservation District

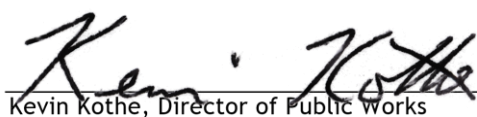
FINANCIAL IMPACT: If approved, \$299,309 will be paid for this project with \$14,700 paid out of Lake Maintenance-Architectural & Design for Capital account (50100140-70051) and \$284,609 from Lake Maintenance-Other Capital Improvement account (50100140-72620). Public Works has \$200,000 budgeted for construction and \$25,000 budgeted for design and inspection for the Multi-Year Reservoir Shoreline / Stream Erosion Control Improvements. In addition, staff budgeted \$100,000 to repair the seawall collapse. Combined, there is enough budgeted to cover the entire cost of design and construction. Stakeholders can locate this in the FY 2023 Proposed Budget Book titled "Other Funds & Capital Improvement" on pages 93, 94, 161, 219, 220, 241, 242, 247 and 248.

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety, and the environment, Objective UEW-1.5. Reliable water supply and distribution system that meets the needs of the current and future residents.

Respectfully submitted for Council consideration.

Prepared by: Joe Darter, Property Manager

Reviewed by:



Kevin Kothe, Director of Public Works

4/26/2022



Carla Murillo, Procurement Manager

5/3/2022



Chris Tomerlin, Budget Manager

5/3/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 3B Quote_FY23 Shoreline Stabilization Project 05092022

- PW 3C Project Design_FY23 Shoreline Stabilization Project 05092022
- PW 3D Project Map_FY23 Shoreline Stabilization Project 05092022
- PW 3E Previous Projects_FY23 Shoreline Stabilization Projects 05092022
- PW 3F IGA_FY23 Shoreline Stabilization Project 05092022



M c L e a n C o u n t y S W C D

402 N. Kays Drive Normal, IL 61761

Phone: 309-452-3848 ext. 3

**Lake Bloomington Shoreline Stabilization
Starkey Park
4/11/2022**

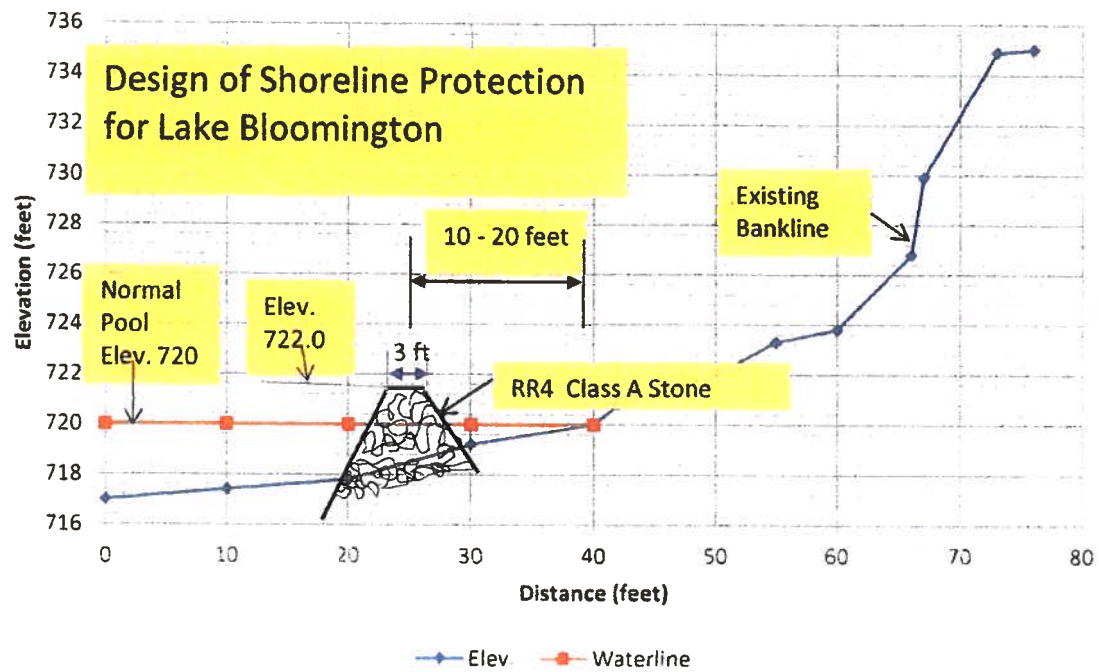
<i>Construction Supervision</i> (Site investigation, Survey, Staking, Construction Oversight, etc.)	\$14,700
<i>Construction</i>	
<u>Reach #1</u>	
Installation (private contractor)	\$72,765
Materials (McLean Co SWCD & Highway Dept.)	\$69,795
Mobilization	\$5,000
<u>Reach #2</u>	
Installation (private contractor)	\$26,829
Materials (McLean Co SWCD & Highway Dept.)	\$15,570
Mobilization	\$2,000
<i>Overall Project Management by McLean Co. SWCD</i>	\$0.00
<i>Total Project Cost</i>	<i>\$206,659</i>
Additional 850' of shoreline stabilized	\$92,650
Total	\$299,309

Approved by: _____

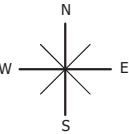
Date: _____

Tim Gleason, City Manager

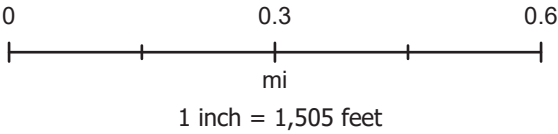
Typical Shoreline Profile - Lake Bloomington



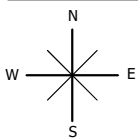
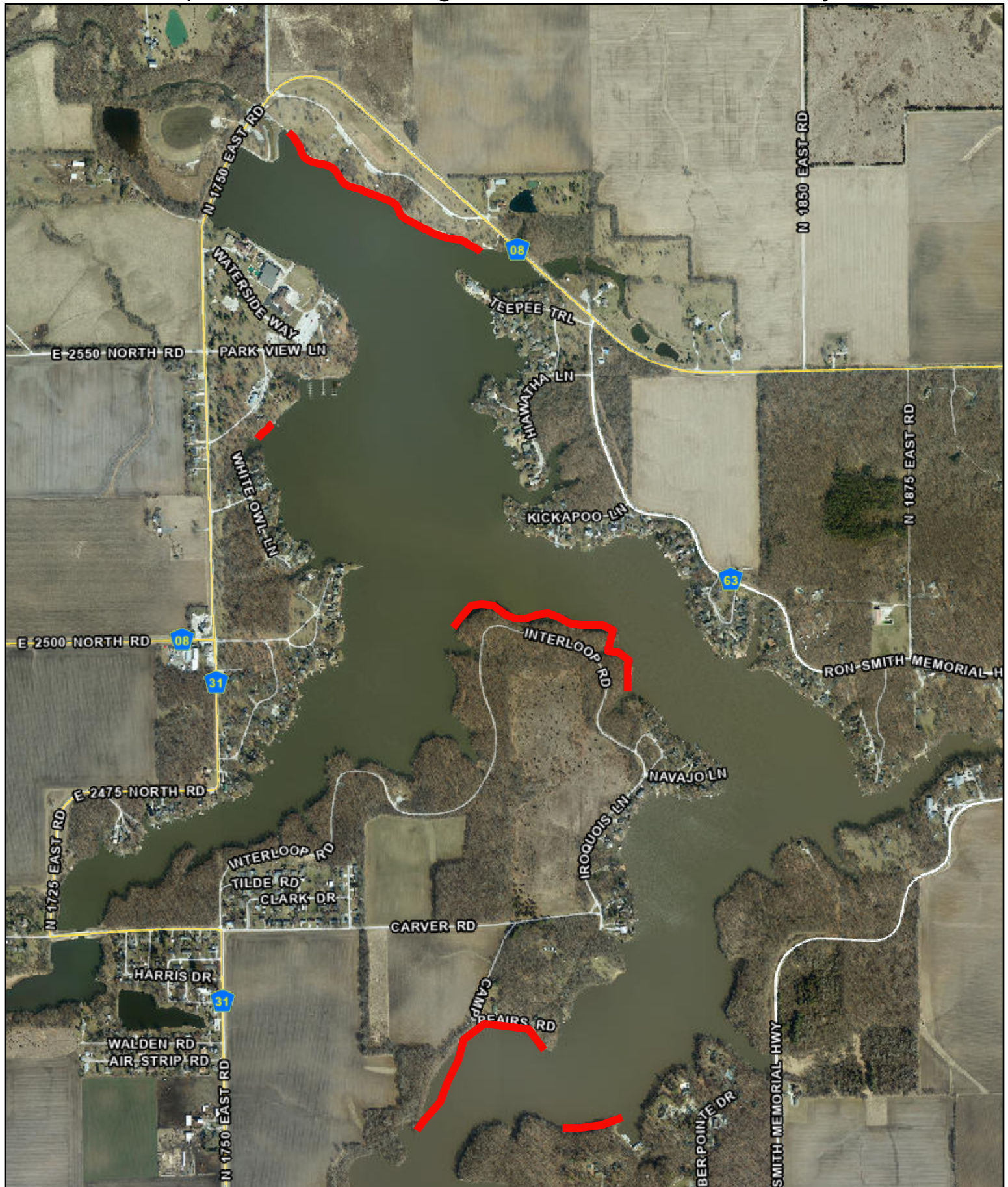
FY23 Proposed Shoreline Stabilization Projects



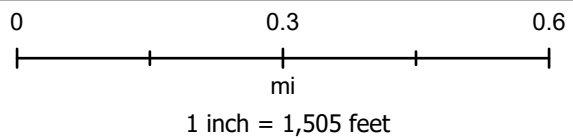
McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



Completed Lake Bloomington Shoreline Stabilization Projects



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



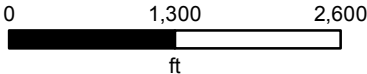
Completed Evergreen Lake Shoreline Stabilization Projects



McGIS, Melean County Museum of History



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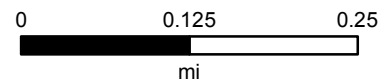


8/26/2020

Completed Evergreen Lake Streambank Stabilization Projects



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



INTERGOVERNMENTAL AGREEMENT 2021-2024

This agreement is entered into as of this 1st day of October 2021, by and between the City of Bloomington, Town of Normal and County of McLean (hereinafter referred to as the "City", "Town" and "County") and the McLean County Soil and Water Conservation district (hereinafter referred to as the "District").

A. Purpose of This Agreement:

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

B. Period of Agreement:

The period of this agreement commences October 1, 2021 and ends October 1, 2024.

C. Payment:

The City, Town and County shall pay the District the following amounts for the administrative services provided in this agreement:

- a. The first year of the agreement (2021-2022) payments of \$70,000 shall be made by the City, \$10,000 by the Town and \$10,000 by the County, by the first (1st) week of October, pending the receipt of invoices from the District by the 20th day of the preceding month.
- b. The second (2nd) year of the agreement (2022-2023), payments of \$90,000 shall be made by the City, \$10,000 by the Town and \$10,000 by the County by the first (1st) week of October, pending the receipt of invoices from the District by the 20th day of the preceding month.
- c. The third (3rd) year of the agreement (2023-2024), payments of \$90,000 shall be made by the City, \$10,000 by the Town and \$10,000 by the County by the first (1st) week of October, pending the receipt of invoices from the District by the 20th day of the preceding month.

D. Description of Services:

The District shall:

- Promote agricultural and conservation practices in the Lake Bloomington and Evergreen Lake watersheds via newsletters, news releases, social media, field days and demonstration sites.
- Work closely with producers in the Lake Bloomington and Evergreen Lake watersheds to continue nutrient management and conservation practices.
- Promote Best Management Practices (BMP) such as waterways, filter strips, nutrient management, conservation tillage, stream bank stabilization, wetlands and cover crops, through available federal and state cost share programs to producers in the Lake Bloomington and Evergreen Lake watersheds.
- Act as a liaison between conservation groups and funding agencies such as, The Nature Conservancy, Association of Illinois Soil & Water Conservation Districts, Illinois Environmental Protection Agency, Natural Resource Conservation Service, Illinois Department of Natural Resources, Ecology Action Center, Parklands, McLean County

Farm Bureau and Friends of EverBloom.

- Provide annual status reports of the implementation of the Watershed Plans to Bloomington, Normal and the McLean County.
- Prepare an update for both the Evergreen Lake and Lake Bloomington Watershed Plans.
- Work with Illinois State University to continue the valuable partnership between students, researchers, faculty to continue to improve water quality.
- Serve as liaison between all parties with lake shoreline and streambank stabilization projects. Work closely with consultant, contractors and Army Corp of Engineers to ensure successful implementation of projects and grants.
- To coordinate, oversee and bid projects, in compliance with all Federal, State, and Local laws, including the payment of prevailing wage where required, that further this agreement, on behalf of the parties and subject to funding approval by the applicable parties.

E. **Indemnification and Hold Harmless:**

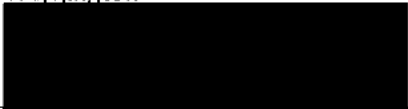
The District shall save and hold the City, Town and County, (including its officials, agents and employees) free and harmless from all liability, public or private penalties, contractual or otherwise, losses, damages, costs, attorney's fees, expenses, causes of action, claims and judgments, resulting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

F. **Additional Agreements:**

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

Mhoka Thunbunh
City of Bloomington

5/27/21
Date


Town of Normal

6/14/21
Date


County of McLean

7/8/21
Date


McLean County Soil and Water Conservation District

7/6/21
Date



CONSENT AGENDA ITEM NO. 8.F

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department and Facilities Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Designating Select Firms, through the FY22 Multi-Year Professional Architectural and Engineering Services Request for Qualifications (RFQ #2022-25), that are the Most Qualified to Perform General Architectural and Engineering Services for a Three-year Period, with the Option to Requalify the Firms for Two Additional, One-year Periods, as requested by the Public Works Department and the Facilities Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: Public Works, Facilities, and Parks, Recreation and Cultural Arts (PRCA) are recommending the approval of a Resolution designating select firms, through the FY22 Multi-Year Professional Architectural and Engineering Services Request for Qualifications, that are the most qualified to perform general architectural and engineering services for a three-year period, with the option to requalify the firms for two additional, one-year periods.

Prior to 2016, the City of Bloomington selected professional firms to provide architectural, engineering, and land surveying services on an individual project basis. Most of these selections were performed using a Professional Services Qualification Based Selection (QBS) Process. This process involves: (1) Sending out Request for Qualifications (RFQ), (2) Reviewing the submitted Statement of Qualifications based on the criteria outlined in the RFQ and narrowing the list to a few consultants, (3) Interviewing these consultants, and (4) Selecting the top consultants. To minimize individual bias, the process is performed by a committee of at least four individuals associated with the project, typically City staff. The process is time-consuming and expends considerable resources, especially when done on a project-by-project basis.

In order to increase staff efficiency, reduce limited resource expenditures, and expedite the backlog of infrastructure maintenance and repair projects, the process was modified in 2016 with the City's first-ever issuance of a multi-year general architectural and engineering RFQ.

The purpose of the 2016 RFQ, 2019 RFQ, and recommended 2022 RFQ is to provide a list of professional firms that can be readily utilized for various projects throughout the City.

Multiple firms were selected for each of the following categories: (a) Architectural, (b) Structural Engineering, (c) Potable Water Supply, Treatment, and Mechanical Maintenance, (d) Utility Infrastructure, (e) Transportation, (f) Land Surveying, (g) Asset Management, (h) Environmental, (i) Arc Flash, and (j) Geotechnical and Pavement Analysis. The categories were determined based on the past projects within City departments that often use consultants. The selected consultants can be utilized in any department, but most utilization will be from Public Works, Facilities Management, and PRCA.

Since the consultants have already been selected through the City's QBS process, when a specific project arises under one of these categories, staff will determine the most qualified firm for the specific project and then attempt to negotiate favorable contractual terms with the most qualified firm. If the contractual terms or price cannot be agreed upon, staff will then start negotiating with the firm deemed to be the second most qualified for the project. Once staff has a recommended contract, the formal approval will go through the City's standard procurement process. Utilizing this system, City staff estimates that using designated firms within these categories will result in projects being started three to four months quicker than if a separate QBS process was utilized for each project. In addition to the aforementioned benefits, this RFQ may reduce strain on City budgets by maximizing our ability to seek grants for projects.

Staff expects that individual specific RFQs will be issued for projects that are complex, unique, or include specific grant or funding requirements. Therefore, selection for most, but not all projects will fall under this Multi-Year Professional Architectural and Engineering Services RFQ.

As indicated, all of the firms were selected using the City's QBS process. The City's procurement agent was involved in this entire process to ensure that the procedure was performed in accordance with applicable standards. A list of the engineering firms that submitted Statements of Qualifications is attached. The selected architectural and engineering firms and the professional services category for which they were selected is also attached. Note that the City's Local Preference Ordinance is not applicable to this process, as the legal and federal requirements require strict adherence to selection of such professionals based on qualifications.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: RFQ 2022-25 was released through the City's OpenGov portal and advertised in *The Pantagraph* on February 7, 2022.

FINANCIAL IMPACT: Adoption of this resolution has no immediate financial impact. Contracts for projects initiated from this RFQ will be implemented in accordance with the City's procurement policy.

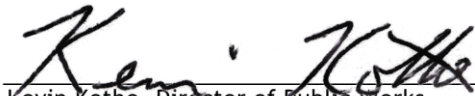
COMMUNITY DEVELOPMENT IMPACT: Goal HL-2. Ensure maximum usage of the City's parks and recreational facilities and associated resources, Objective HL-2.1. Ensure easy access and availability of park facilities for residents as well as community groups; Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety, and the environment, Objective UEW-1.5. Reliable water supply and distribution system that meets the needs of the current and future residents, Objective UEW-1.7. Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety, and the environment; Goal CF-1. Continue to provide quality public

facilities and services, Objective CF-1.1. Provide adequate City services for current and new annexations.

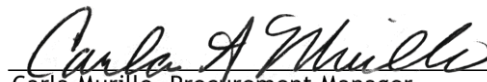
Respectfully submitted for Council consideration.

Prepared by: Robert Yehl, Assistant Director of Public Works

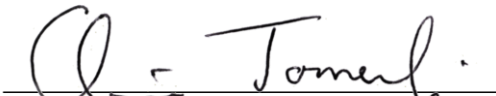
Reviewed by:


Kevin Kothe, Director of Public Works

4/27/2022


Carla Murillo, Procurement Manager

4/27/2022


Chris Tomerlin, Budget Manager

4/27/2022


Jeffrey R. Jurgens, Corporation Counsel

5/4/2022


Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 2B Resolution_FY22 Multi-Year Professional Architectural & Engineering Services Resolution 05092022
- PW 2C Resolution Exhibit A_Selected Firms_FY22 Multi-Year Professional Architectural & Engineering Services
- PW 2D Firm Submittals_FY22 Multi-Year Professional Architectural & Engineering Services
- PW 2E Categories_FY22 Multi-Year Professional Architectural & Engineering Services

RESOLUTION NO. 2022 - ____

A RESOLUTION DESIGNATING SELECT FIRMS, THROUGH THE FY22 MULTI-YEAR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES REQUEST FOR QUALIFICATIONS (RFQ #2022-25), THAT ARE THE MOST QUALIFIED TO PERFORM GENERAL ARCHITECTURAL AND ENGINEERING SERVICES FOR A THREE-YEAR PERIOD, WITH THE OPTION TO REQUALIFY THE FIRMS FOR TWO ADDITIONAL, ONE-YEAR PERIODS

WHEREAS, the City of Bloomington, Illinois (“City”) is a home-rule municipality operating and existing under the laws of Illinois and its home-rule authority and enacts this Resolution under said authority; and

WHEREAS, properly maintained public streets, sidewalks, sewers, water mains, buildings, parks, equipment, facilities, and other infrastructure are vital to the public health, public safety, and economic vitality of the community; and

WHEREAS, the City Council has received or adopted the City of Bloomington Streets, Sidewalks, Sewers, Lighting, Bicycle, Parks, Miller Park Zoo, and Facilities Master Plans; and

WHEREAS, the maintenance, repair, and construction of projects identified in these master plans, as included in the capital plan, and as arise from time to time often require professional architectural and engineering services; and

WHEREAS, the City issued a request for qualifications for the professional architectural and engineering services and have evaluated the firms deemed to be the most qualified to provide said services to the City using a QBS - Qualifications Based Selection process; and

WHEREAS, the City Council finds it to be in the best interest of the City to designate and select firms that are the most qualified to perform professional architectural and engineering services to the City;

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

SECTION 1. The recitals set forth above are incorporated in this Section 1 as if fully stated herein.

SECTION 2. The City Council hereby determines that the firms, as outlined in Exhibit A, are deemed to be the most qualified to provide services in the stated fields of general architecture, engineering, and land surveying services to the City and hereby selected accordingly.

SECTION 3. The firms outlined in Exhibit A shall be and are deemed the most qualified to provide the respective and identified professional services to the City. Except where individual specific RFQs are issued for projects that are complex, unique, or include specific grant or funding requirements, otherwise all projects where the City needs to utilize an outside professional within architectural, engineering and/or land surveying fields, it shall utilize the list attached as Exhibit A and within said categories review the submittal information from each qualified firm to determine the most qualified for the specific project. City staff shall

then negotiate with the firm it deems as most qualified for the specific project and if an agreement is reached on contractual terms and price, the proposed firm contract shall be recommended for selection and approval. If an agreement cannot be reached as to contractual terms and price with the firm selected as the most qualified, it shall then begin negotiating with the next selected firm and this process shall continue until an agreement can be reached.

SECTION 4. The determination of qualifications set forth herein shall be valid for three-years, although upon re-submission of qualifications, City staff may extend the qualifications of any of the firms listed in Exhibit A for two additional one-year periods. City's procurement manager shall send a re-submission certification letter to the firms forty- five (45) days prior to expiration of the three-year initial period. Re-qualification and extension of either period shall be demonstrated by written correspondence to the firm from the City's procurement manager.

SECTION 5. In the event that any section, clause, provision, or part of this Resolution shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 6. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 7. This Resolution shall be effective immediately.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

MULTI YEAR PROFESSIONAL ARCHITECTUAL and ENGINEERING SERVICES (RFQ 2022-25) SELECTED FIRMS																					
No.	Company	A: Architectural		B: Structural		C: Potable Water		D: Utility		E: Transportation		F: Land Survey		G: Asset Management		H: Environmental		I: Arc Flash		J: Geotech & Pavement	
		Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large
1	Bailey Edward Design	X	X																		
2	Baxter & Woodman					X	X	X	X												
3	BKV Group	X	X																		
4	CDM Smith					X	X	X	X												
5	Clark Dietz							X	X	X	X							X	X		
6	Cloudpoint													X	X						
7	CMT	X	X					X	X												
8	Cordogan Clark	X	X																		
9	Design Mavens	X																			
10	Dewberry Engineers	X	X															X	X		
11	DLZ			X	X					X											
12	Donohue			X	X	X	X	X	X												
13	Farnsworth Group	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				
14	Fehr Graham															X	X				
15	Hanson			X	X					X	X			X	X	X	X			X	X
16	Hazen					X	X							X	X						
17	Kaskaskia			X	X					X	X					X	X			X	X
18	Lewis Yockey Brown											X									
19	Lochmueller Group									X	X					X	X				
20	Midwest Engineering									X	X	X									
21	Northwater Consulting															X	X				
22	RJN Group							X	X					X	X						
23	Scharnett Architects	X																			
24	Stanley Consultants			X	X	X	X	X	X	X	X							X	X		
25	TWM			X	X					X	X	X	X								
26	Walker Consultants			X	X																
27	WHKS			X	X	X	X	X	X												

Note: Small projects are defined as those where the fees is less than \$50,000.00.
Large projects are defined as those where the fee is \$50,000.00 or greater.

MULTI YEAR PROFESSIONAL ARCHITECTUAL and ENGINEERING SERVICES (RFQ 2022-25) SELECTED FIRMS																					
No.	Company	A: Architectural		B: Structural		C: Potable Water		D: Utility		E: Transportation		F: Land Survey		G: Asset Management		H: Environmental		I. Arc Flash		J. Geotech & Pavement	
		Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large	Small	Large
1	Bailey Edward Design	X	X																		
2	Baxter & Woodman					X	X	X	X												
3	BKV Group	X	X																		
4	CDM Smith					X	X	X	X												
5	Clark Dietz							X	X	X	X							X	X		
6	Cloudpoint													X	X						
7	CMT	X	X					X	X												
8	Cordogan Clark	X	X																		
9	Design Mavens	X																			
10	Dewberry Engineers	X	X															X	X		
11	DLZ			X	X					X											
12	Donohue			X	X	X	X	X	X												
13	Farnsworth Group	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				
14	Fehr Graham															X	X				
15	Hanson			X	X					X	X			X	X	X	X			X	X
16	Hazen					X	X							X	X						
17	Kaskaskia			X	X					X	X					X	X			X	X
18	Lewis Yockey Brown											X									
19	Lochmueller Group									X	X					X	X				
20	Midwest Engineering									X	X	X									
21	Northwater Consulting															X	X				
22	RJN Group							X	X					X	X						
23	Scharnett Architects	X																			
24	Stanley Consultants			X	X	X	X	X	X	X	X							X	X		
25	TWM			X	X					X	X	X	X								
26	Walker Consultants			X	X																
27	WHKS			X	X	X	X	X	X												

Note: Small projects are defined as those where the fees is less than \$50,000.00.
Large projects are defined as those where the fee is \$50,000.00 or greater.

CATEGORIES & SPECIFIC WORK TYPE
MULTI YEAR PROFESSIONAL ARCHITECTURAL and ENGINEERING SERVICES
RFQ #2022-25

A. Architectural

1. Space Needs Analysis and Utilization Study
2. Office Space Layout and Design
3. Building Demolition Design and Coordination
4. Building Renovation and Improvement Design
5. Building HVAC Evaluation and Design
6. Building Electrical Evaluation and Design
7. Building Plumbing Evaluation and Design
8. Building ADA and Life Safety Evaluation and Design

B. Structural Engineering

1. Buildings and Related Components
2. Parking Garage Design, Repair and Restoration
3. Bridges and Related Components
4. Retaining Walls, Towers, Storage Tanks, and other Miscellaneous Structures

C. Potable Water Supply, Treatment, and Mechanical Maintenance

1. Water Treatment Technologies and Regulatory Compliance
2. Drinking Water Treatment Process, Piping, Valves, and Storage
3. System Modeling & Hydraulic Analysis
4. Chemical Storage and Feed Systems
5. Process Instrumentation & Control Systems
6. Electrical Power Systems
7. Pumps, Motors, and Controls
8. Water Analysis and Laboratory Facilities

D. Utility Infrastructure

1. Water Distribution and Transmission
2. Storm Sewers and Storm Water drainage
3. Sanitary Sewers

E. Transportation

1. Streets, Sidewalks, and Trails
 - a) Planning
 - b) Design
 - c) Construction
2. Traffic
 - a) Counts
 - b) Analysis
 - c) Intersection Design Studies
 - d) Signal Design and Network Analysis
 - e) Pavement Markings

F. Land Survey

1. Topographic Surveys
2. Right-of-way Acquisition and Construction Easement Surveys
3. Preparation of Plats and Legal Descriptions
4. Locate and / or Establish Property Boundaries
5. Right-of-way and Easement Staking

G. Asset Management

1. Condition Assessment, Facilities Management Systems, Geographic Information Systems
2. Data Collection
3. Data Analysis and Management Tools
4. Data Management and Manipulation

H. Environmental

1. Environmental, Biological, Cultural Permits
2. Environmental Site Assessments and Investigations
3. Asbestos, Lead, Mold & other Environmental Hazards Inspection, Testing & Mitigation Design
4. Permit Acquisition Assistance; IEPA, IDNR, COE, etc.
5. Stream and Wetland Assessments
6. Watershed Management

I. Arc Flash

1. Field Verification, Evaluation, and Documentation
2. Short Circuit, Coordination, and Arc-flash Studies and Reports
3. Hazard Labeling, Field Adjustments, and Record Drawing Updates
4. Training related to Hazards, Report Overview and Recommendations, Maintenance Procedures, Labeling, and PPE Selection

J. Geotechnical and Pavement Analysis

1. Soil Borings
2. Pavement Cores
3. Geotechnical and Hydrological Investigations, Studies, and Analysis
4. Density Testing of Fill, Sub-grade, and Aggregate Base Materials
5. Concrete and Asphalt Sampling and Testing
6. Pavement Analysis and Design

Additional services related to all above categories (Not an exclusive Category)

1. Preparation of Plans and Specifications
2. Preparation of Contract and Bidding Documents
3. Preparation of Construction Cost Estimate
4. Preparation of Estimate of Time
5. Coordination and Attendance of Public Meetings
6. Preparation of Record Drawings
7. Construction Observation Services
8. Permit Preparation and Acquisitions

Firms indicated on each category submission what project size, small, large or both, they were interested in being considered. Small projects are those where the fee is less than \$50,000. Large projects are those where the fee is \$50,000 or greater.



CONSENT AGENDA ITEM NO. 8.G

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Approving Acceptance of a Grant from the Illinois Housing Development Authority's Single-Family Rehabilitation Program in the amount of \$378,000, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4b. Upgraded quality of older housing stock

BACKGROUND: On February 25, 2019 City Council approved Resolution Number 2019-07 accepting the Illinois Housing Development Authority's (IHDA) Single Family Rehabilitation grant in the amount of \$378,000 and authorized the Mayor and City Clerk to execute any necessary documents. IHDA has communicated that all Round 2 SFR grantees are eligible for an additional program extension beyond the extension executed in February 2021. This extension, which appears to be the final extension for Round 2, will extend the program expiration date to 12/31/2022. IHDA requested that City Council pass the Resolution for Round 2 again given there has been a signatory change since the original document was signed.

IHDA has also extended the Round 3 program to 12/31/2022. That Resolution will appear as another item on the consent agenda. Additionally, IHDA has indicated that a new round of SFR funding would be available for application in the summer of 2022.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: H-1 Ensure the availability of safe, attractive and high quality housing stock to meet the needs of all current and future residents of Bloomington. H-2 Ensure reinvestment in the established older neighborhoods and compact development of the City.

Respectfully submitted for Council consideration.

Prepared by: William Bessler, Grant Specialist

Reviewed by:



Melissa Holt, Economic and Community Development Director

4/29/2022



Chris Tomertlin, Budget Manager

5/2/2022



Jeffrey R. Burgess, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- E&CD 3B Resolution

RESOLUTION NO. 2022 - _____

**A RESOLUTION APPROVING ACCEPTANCE OF THE ILLINOIS HOUSING DEVELOPMENT
AUTHORITY'S SINGLE FAMILY REHABILITATION GRANT**

WHEREAS, in 2017, the City of Bloomington received \$236,250 in Round 1 Single Family Rehabilitation ("SFR") funding from the Illinois Housing Development Authority ("IHDA"); and

WHEREAS, through the 2017 grant, the City completed six rehabilitation projects for income-qualified residents; and

WHEREAS, the City applied for and was awarded SFR Round 2 funding in the amount of \$378,000, which will allow the City to offer at least eight low-to-moderate income homeowners the opportunity to complete home rehabilitation; and

WHEREAS, the City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law; and

WHEREAS, the original resolution accepting the grant funds was approved on February 26, 2019 and the grant period has been extended to December 31, 2022; and

WHEREAS, the City Council finds it in the best interest of the City to accept the extension of the IHDA SFR Grant.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS THAT THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY'S SINGLE FAMILY REHABILITATION GRANT IS HEREBY ACCEPTED AND THAT THE MAYOR IS AUTHORIZED TO EXECUTE ANY NECESSARY DOCUMENTS, INCLUDING THE CONDITIONAL COMMITMENT LETTER TO EFFECTUATE ACCEPTANCE OF THE GRANT.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 8.H

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Approving Acceptance of a Grant from the Illinois Housing Development Authority's Single-Family Rehabilitation Program in the amount of \$444,000, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4b. Upgraded quality of older housing stock

BACKGROUND: On May 11, 2020 City Council approved Resolution Number 2020-18 accepting the Illinois Housing Development Authority's (IHDA) Single Family Rehabilitation grant in the amount of \$444,000 and authorized the Mayor and City Clerk to execute any necessary documents. IHDA has communicated that all Round 3 SFR grantees are eligible for a program extension. This extension, which appears to be the final extension for Round 3, will extend the program expiration date to 12/31/2022. IHDA requested that City Council pass the Resolution for Round 3 again given there has been a signatory change since the original document was signed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: H-1 Ensure the availability of safe, attractive and high quality housing stock to meet the needs of all current and future residents of Bloomington. H-2 Ensure reinvestment in the established older neighborhoods and compact development of the City.

Respectfully submitted for Council consideration.

Prepared by: William Bessler, Grant Specialist

Reviewed by:



Melissa Hall, Economic and Community Development Director

4/29/2022



Chris Tomertin, Budget Manager

5/2/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- E&CD 4B Resolution Round 3

RESOLUTION NO. 2022 - _____

A RESOLUTION APPROVING ACCEPTANCE OF A GRANT FROM THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY'S SINGLE-FAMILY REHABILITATION PROGRAM

WHEREAS, in 2017, the City of Bloomington received \$236,250 in Round 1 Single Family Rehabilitation ("SFR") funding from the Illinois Housing Development Authority ("IHDA"); and

WHEREAS, through the 2017 grant, the City completed six rehabilitation projects for income-qualified residents; and

WHEREAS, in 2019, the City of Bloomington received \$378,000 in SFR funding from IHDA; and

WHEREAS, through the 2019 grant, the City will complete at least eight rehabilitation projects for income-qualified residents; and

WHEREAS, the City applied for and was awarded SFR Round 3 funding in the amount of \$444,000, which will allow the City to offer at least nine low-to-moderate income homeowners the opportunity to complete home rehabilitation; and

WHEREAS, the City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law; and

WHEREAS, the original resolution accepting the grant funds was approved on June 24, 2020 and the grant period has been extended to December 31, 2022; and

WHEREAS, the City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law; and

WHEREAS, the City Council finds it in the best interest of the City to accept the extension of the IHDA SFR Grant.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS THAT THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY'S SINGLE FAMILY REHABILITATION GRANT IS HEREBY ACCEPTED AND THAT THE MAYOR AND CITY CLERK ARE AUTHORIZED TO EXECUTE ANY NECESSARY DOCUMENTS, INCLUDING THE CONDITIONAL COMMITMENT LETTER TO EFFECTUATE ACCEPTANCE OF THE GRANT.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 8.I

FOR COUNCIL: May 9, 2022

SPONSOR: Legal Department and Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Chapter 2 of the Bloomington City Code Regarding Holdover Officers, as requested by the Legal Department and the Administration Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: The individuals that are appointed to City boards and commissions are generally appointed to serve a three-year term. They are also limited to serving no more than three consecutive three-year terms in office (a total of 9 years). Individuals can then requalify for appointment after being off the board or commission for at least one year.

In some situations, there can be a gap between the expiration of an individual's term and either the re-appointment of the person, or the appointment of a new individual. In such cases, the Illinois Municipal Code provides that the individual currently serving in the position continues to serve until a new appointment is made and approved. Specifically, the Illinois Municipal Code, 65 ILCS 5/3.1-30-5(d), provides in pertinent part as follows:

If there is a failure to appoint a municipal officer, or the person appointed fails to qualify, the person filling the office shall continue in office until a successor has been chosen and has qualified.

A short amendment is being proposed to the City Code to clarify and reiterate that City board and commission members similarly serve as holdover officers until new appointments are made and qualified. In addition to simply re-stating the law, this amendment is designed to give clarity to any board or commission member that may find themselves in this position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:



Jeffrey R. Jurgens, Corporation Counsel

5/5/2022



Chris Tomertin, Budget Manager

5/5/2022



Tara Henry, Legislative Assistant & Records Manager

5/6/2022

Attachments:

- LGL 1B Holdover Officer Clarification Ordinance

ORDINANCE NO. 2022 - _____

**AN ORDINANCE AMENDING CHAPTER 2 OF THE BLOOMINGTON CITY CODE
REGARDING HOLDOVER OFFICERS**

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

SECTION 1. That Bloomington City Code Chapter 2, Section 31, shall be amended by adding a new Subsection D as follows:

SEC. 31: Same - appointment and terms

- D. In accordance with the Illinois Municipal Code, if there is a failure to appoint a member to any City board or commission, or the person appointed fails to qualify, the person filling the office shall continue in office until a successor has been chosen and has qualified. These holdover officers shall be considered eligible for continued service until a successor has been chosen and has qualified.

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

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

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

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

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 8.J

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action 1) on a Resolution Authorizing the City of Bloomington to Submit a Zoning Permit Application to the McLean County Building and Zoning Department to Rezone Land Owned by the City of Bloomington that Houses the Water Treatment Plant, Lake Parks Maintenance Facility, Davis Lodge, and Land Leased to TTK, LLC, d/b/a Mucky Duck Marina, from R-1 Single Family Residence District to Agriculture District, and 2) to approve the updated Lake Bloomington Maintenance Facility Project Management Plan, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Resolution and Project Management Plan be approved.

STRATEGIC PLAN LINK:

-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

-Objective 2b. Quality water for the long term

BACKGROUND: Public Works is recommending the approval of 1) a Resolution Authorizing the City of Bloomington to Submit a Zoning Application to the McLean County Building and Zoning Department to Rezone Land Owned by the City of Bloomington that Houses the Water Treatment Plant, Lake Parks Maintenance facility, Davis Lodge, Land Leased to TTK, LLC d/b/a Mucky Duck Marina from R-1 Single Family Residence District to Agriculture District, and 2) the updated Lake Bloomington Maintenance Facility Project Management Plan.

The City is planning to submit building improvement plans for a new Lake Parks Maintenance facility. However, before future building improvement plans are submitted on the 45-acre site, the McLean County Building and Zoning Department requires the City to submit a Special Use Permit or an application to rezone the land from R-1 Single Family Residence District to Agriculture District. If rezoned to Agriculture District, a Special Use Permit is not required.

On March 10, 2019, a fire destroyed the Lake Parks Maintenance facility, across from the Davis Lodge. At the October 14, 2019 Council meeting, staff presented a replacement building project management plan to the City Council. Council adopted the plan, and staff has recently contracted with Shive-Hattery for building design and bidding document assistance.

Since the original Project Management Plan was approved by Council, the proposed location and associated costs have changed due to staff adjustments to the proposed use of the structure, coordination with other Water Treatment Plant projects, and elimination of stormwater retention requirements.



Originally, the location of the building was planned to be adjacent to the Water Treatment Plant with a budget of \$1,300,000, but the FY23 budgeted amount is now \$565,000. The City received a total of \$536,581.87 in recoverable depreciation for the destroyed building.

The updated Project Management Plan incorporates these changes and is attached. Staff is requesting the approval of this new plan in order to construct the facility at its former location.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: McLean County Building and Zoning Department, TTK, LLC, d/b/a Mucky Duck Marina.

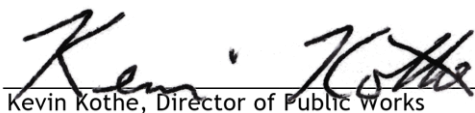
FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety and the environment, Objective UEW-1.5. Reliable water supply and distribution system that meets the needs of the current and future residents.

Respectfully submitted for Council consideration.

Prepared by: Joe Darter, Property Manager

Reviewed by:


Kevin Kothe, Director of Public Works

4/27/2022


Chris Tomertin, Budget Manager

4/29/2022


Jeffrey R. Durgens, Corporation Counsel

5/5/2022


Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 4B Resolution_Water Treatment Plant Rezoning 05092022

- PW 4C McLean County Building and Zoning Application_Water Treatment Plant Rezoning 05092022
- PW 4D Legal Description_Water Treatment Plant Rezoning 05092022
- PW 4E Zoning Maps_Water Treatment Plant Rezoning 05092022
- PW 4F Location Map_Water Treatment Plant Rezoning 05092022
- PW 4G Original Project Management Plan_Water Treatment Plant Rezoning 05092022
- PW 4H Updated Project Management Plan_Water Treatment Plant Rezoning 05092022
- PW 4I Proposed Building Location_Water Treatment Plant Rezoning 05092022

RESOLUTION NO. 2022 - ____

A RESOLUTION AUTHORIZING THE CITY OF BLOOMINGTON TO SUBMIT A ZONING PERMIT APPLICATION TO THE MCLEAN COUNTY BUILDING AND ZONING DEPARTMENT TO REZONE LAND OWNED THE CITY OF BLOOMINGTON THAT HOUSES THE WATER TREATMENT PLANT, LAKE PARKS MAINTENANCE FACILITY, DAVIS LODGE, AND LAND LEASED TO TTK, LLC, D/B/A MUCKY DUCK MARINA FROM R-1 SINGLE FAMILY RESIDENCE DISTRICT TO AGRICULTURAL DISTRICT

WHEREAS, the City of Bloomington owns approximately 45 acres of land surrounding Lake Bloomington in McLean County, Illinois, which includes the Water Treatment Plant, Davis Lodge, Lake Maintenance facility, and land leased to TTK, LLC, d/b/a Mucky Duck Marina; and

WHEREAS, 45 acres of land encompassing the Water Treatment Plant and adjacent grounds, is currently zoned as R-1 Single Family Residence District; and

WHEREAS, the Lake Parks Maintenance building was destroyed by a fire on March 10, 2019; and

WHEREAS, as part of the design development process for the replacement of the Lake Parks Maintenance facility, the County has advised the City of Bloomington to amend the current zoning designation from R-1 Single Family Residence District to Agriculture District; and

WHEREAS, the amendment to the current zoning designation is required to allow for expanded government service activities including the construction of new facilities; and

WHEREAS, staff requests to submit an application to McLean County Building and Zoning to amend the zoning designation to Agriculture District;

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

That the recitals set forth above are incorporated herein and City Manager, or designated representatives, are authorized to submit an Application for Zoning Amendment to the McLean County Building and Zoning Department, and are authorized to execute any necessary documents to effectuate the rezoning.

PASSED this 9th day of May 2022.

APPROVED this ____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

APPLICATION FOR **ZONING MAP AMENDMENT** UNDER THE REGULATIONS OF THE Mc LEAN COUNTY ZONING ORDINANCE

APPLICANT NAME: City of Bloomington ADDRESS: 109 E. Olive Street Bloomington, IL 61701 PHONE: - home: (309) 434-2225 cell: N/A	FOR OFFICIAL USE ONLY CASE NO.: ZA - -	
	FILING FEE \$ _____ RECEIPT NO. _____ PUB. COSTS \$ _____ RECEIPT NO. _____ HEARING DATE _____ HEARING TIME _____ DECISION DATE _____	FILE STAMP
OWNER NAME: City of Bloomington ADDRESS: 109 E. Olive Street Bloomington, IL 61701		
ATTORNEY NAME: Jeff Jurgens ADDRESS: 115 E. Washington Street Suite 403 Bloomington, IL 61701 PHONE: (309) 434-2315 EMAIL: jjurgens@cityblm.org		

PROPERTY INFORMATION

Permanent Parcel No.: 07-01-251-005 and 07-01-401-002 Does the site have frontage on a public road? Yes ☒ No ☐

Property Interest: Owner If no, please explain plan for access: _____

Acreage: Approximately 45 acres _____

Present Use: Government Services - Water Treatment Plant, Davis Lodge, Ranger Station, Mucky Duck Marina and Lake Parks Maintenance Building

☒ **Legal Description Attached**
Application shall be submitted with a copy of the property legal description.

AMENDMENT INFORMATION

An amendment to the McLean County Zoning District Map is requested
to change the zoning classification of the above described property

from a classification of 350-36 R-1 Single Family Residence District District

to a classification of 350-35 Agricultural District District

ADDITIONAL INFORMATION

Attachment No. 1: Legal Description of area to be rezoned

Attachment No. 2: Map showing Tract 1 (07-01-251-005), Tract 2 (07-01-401-002) and Tract 3 (07-01-401-002)

Attachment No. 3: Map showing Tracts 1-3 to be rezoned to Agricultural District from R-1 Single Family Residence District

Attachment No. 4: _____

I (we) certify that all of the above statements and information contained in any attachments, documents, or plans submitted herewith are true to the best of my (our) knowledge and belief.



Applicant Signature _____

Date _____



115 E. Washington St.
Bloomington, IL 61702-3157
www.cityblm.org/publicworks
Phone: (309) 434-2225
Fax: (309) 434-2201

Tract 1:

That part of the parcel described as,

(EX BEG NW COR NE: E656.7', S665.3', W655.6', N659.5' TO POB & EX N OF COUNTY HIGHWAY 8 AND EX .12A GRIDLEY TELEPHONE TRACT IN SE NE AND EX PT PEORIA POINT & EX THAT PART S OF COUNTY HIGHWAY 8 OF N 27.35A E 12 E 1/2 NE) NE1-25-2E, which lies north of Park View Lane, east of N 1750 East Road, and south and west of the normal pool wetted perimeter of Lake Bloomington.

Tract 2:

The entirety of the parcel described as,

POTAWATOMIE CAMP BLKS 1,2,3,4,5,6 &7

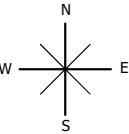
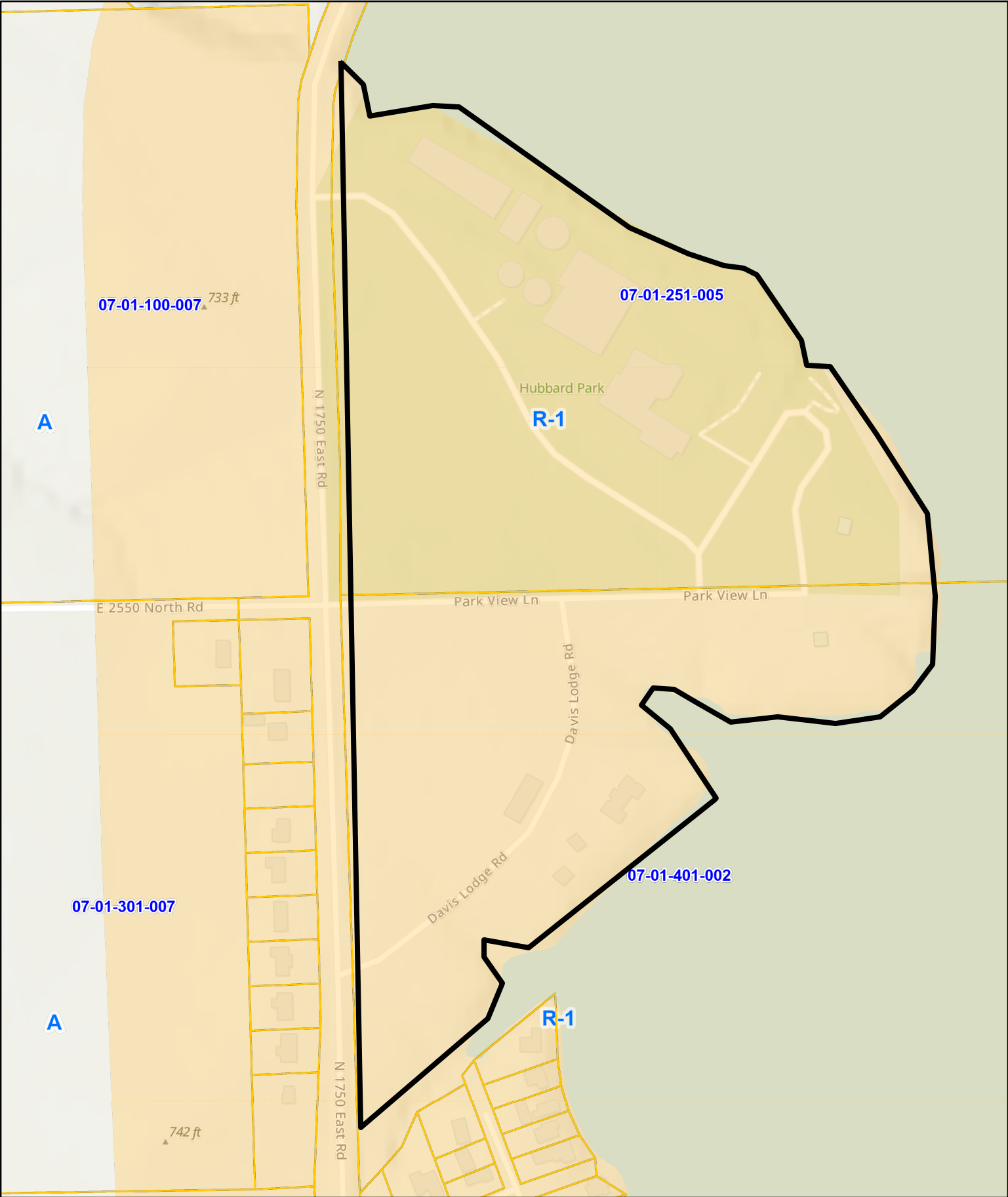
Tract 3:

That part of the parcel described as,

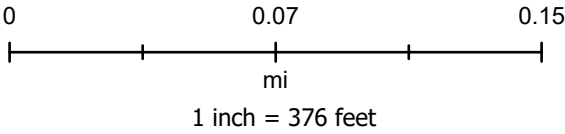
LAKE BLOOMINGTON 144.9 ACRES,

which lies south of Tract 1 (Park View Lane), and north and west of the normal pool wetted perimeter of Lake Bloomington.





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



Lake Bloomington Map



0 1,000 2,000

Feet
Date: 4/23/2021

Water Treatment Plant Area
To Be Rezoned

E 2550 North Rd Park View Ln

Waterside Way

Tepee Trl

Ron Smith Memorial Hwy

Kickapoo Ln

N 1850 East Rd

Pj Keller Hwy

N 1875 East Rd

Cherokee Ln

Interloop Rd

Iroquois Ln

E 2475 North Rd

Clark Dr
Carver Rd

E 2450 North Rd

Harris Dr
Walden Rd

N 1650 East Rd

N 1750 East Rd

Timber Pointe Dr

Hazel Ct

E 2375 North Rd

E 2350 North Rd

N 1825 East Rd

Legend

- Streets
- Lakes
- NonProfit Camp Areas Leased
- Residential Leased Lots
- City Owned

Lake Bloomington Maintenance Facility
Project Management Plan

Type of Building Process:

- ❖ Design-Bid-Build (General Contractor)

Risks:

- ❖ Grading: The land that the Public Works Department desires to construct the new maintenance building will require extensive grading improvements to allow for proper drainage of the site.
- ❖ Septic System: The City of Bloomington currently does not have a public sewer system at Lake Bloomington. Therefore, a new septic system must be built in accordance to all Local, State and Federal regulations. The Water Treatment Plant currently has a septic system that consists of a sand filter system that cannot be utilized for the expansion. New regulations prohibit the construction of and enlargements of sand filters in Illinois. The Water Division has located a suitable location to construct a new septic system that will incorporate a sub-surface discharging system approximately 350 feet from the proposed building.
- ❖ Due to the construction of two groundwater wells near the building, the septic system must meet all regulations with regards to the distance that all septic system components must be from any well head.
- ❖ Infrastructure: Any construction must consider the underground infrastructure that supplies the finished water to Bloomington. Construction must be done in a way that does not interfere or prohibit the distribution of water now and in the future. Underground City network cables must be protected.
- ❖ Utilities: All utilities must be properly located and secured in such a way to protect them from any damage during the construction process.
- ❖ Site location soil boring tests have not been completed and will need to be determined before construction begins.

Critical Issues:

- ❖ Protection/Expansion of Groundwater well network
- ❖ Master Plan items to be included
- ❖ Ensuring septic system is large enough for future growth
- ❖ How best to properly secure the entire facility
- ❖ Ensure the building meets all ADA standards

Schedule:

- ❖ October 14, 2019 – Council approval of Project Management Plan, Approval of Shive-Hattery, Inc. Contract for Cost Opinion for Destroyed Facility and Programming for New Facility.
- ❖ January 13, 2020 – Council approval of scope and fee proposal for design of new facility.
- ❖ June 8, 2020 – Council approval of construction contract.

Budge & Cost Estimate:

- ❖ Design: \$175,000 (includes Shive-Hattery proposal fee of \$21,300 then rounded up to \$175K)
- ❖ Construction Budget: \$1,200,000
- ❖ Construction Observation Budget: \$150,000
- ❖ Total Budget: \$1,525,000

Oversight:

- ❖ City of Bloomington will hire a third-party firm to provide construction oversight.

Record Keeping:

- ❖ Staff will ensure through the design/development requirements of any contract will be such that the general contractor shall acquire all records of contractors, subcontractors, warranties, training of equipment and transfer all documents and records to City of Bloomington within thirty (30) days of completion of project.

Lake Bloomington Maintenance Facility
Updated Project Management Plan

Type of Building Process:

- ❖ Design-Bid-Build (General Contractor)

Risks:

- ❖ Grading: The land that the Public Works Department desires to construct the new maintenance building will require grading improvements to allow for proper drainage of the site.
- ❖ Infrastructure: Any construction must consider the underground infrastructure that supplies the finished water to Bloomington. Construction must be done in a way that does not interfere or prohibit the distribution of water now and in the future. Underground City network cables must be protected.
- ❖ Utilities: All utilities must be properly located and secured in such a way to protect them from any damage during the construction process.
- ❖ Site location soil boring tests have not been completed and will need to be determined before construction begins.

Critical Issues:

- ❖ How best to properly secure the entire facility
- ❖ Ensure the building meets all ADA standards and McLean County and City of Bloomington building codes and regulations.

Schedule:

- ❖ May 9, 2022 – Council approval of Project Management Plan Update, Approval of rezoning of City owned property to meet building permit requirements.
- ❖ August 29, 2022 – Council approval of construction contract (tentative schedule).

Budget & Cost Estimate:

- ❖ Design: \$70,500 (approved on January 10, 2022)
- ❖ Construction Budget: \$535,000
- ❖ Construction Observation Budget: \$30,000
- ❖ Total Budget: \$565,000

Oversight:

- ❖ City of Bloomington will hire a third-party firm utilizing the City's Multi-Year Professional Architectural and Engineering Services to provide construction oversight.

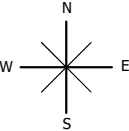
Record Keeping:

- ❖ Staff will ensure through the design/development requirements of any contract will be such that the general contractor shall acquire all records of contractors, subcontractors, warranties, training of equipment and transfer all documents and records to City of Bloomington within thirty (30) days of completion of project

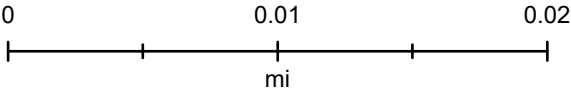
Proposed Building Location



Proposed New Building Location



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



1 inch = 47 feet





CONSENT AGENDA ITEM NO. 8.K

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: Ward 1, Ward 2

SUBJECT: Consideration and action on an Ordinance Approving the Final Plat of Shirk Commercial - PCSL Subdivision, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

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

-Objective 3a. Retention and growth of current local businesses

BACKGROUND: Public Works is recommending the approval of an Ordinance Approving the Final Plat of Shirk Commercial - PCSL Subdivision. Water, sewer, and substandard road fees have been waived per a 2009 agreement for a conveyance to the City of right-of-way and easement for Hamilton Road. The proposed final plat consists of one lot, located north of Hamilton Road and approximately 260 feet west of South Main Street. The existing Parcel Identification Number is 21-16-152-007.

The current zoning is County zoned R-1 Single Family Residence District. Another item on tonight's agenda requests approval to change the zoning as part of an annexation agreement. Upon annexation, the property is proposed to be City zoned B-1 (General Commercial) District. The proposed use, sports and fitness establishment, is a permitted use in this zoning district.

The final plat complies with City engineering standards (Manual of Practice and Chapter 24 of City Code) and qualifies for the expedited final plat procedure set forth in Chapter 24 of the Bloomington City Code. City staff has no objections to the plat.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Sale Barn Properties, LLC. Prairie Cities Soccer League (PCSL).

FINANCIAL IMPACT: Sale Barn Properties, LLC, paid all survey and plat costs. Water, sewer, and substandard road fees have been waived per a 2009 agreement for a conveyance to the city of right-of-way and easement for Hamilton Road.

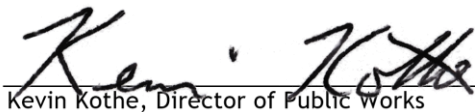
COMMUNITY DEVELOPMENT IMPACT: The Final Plat aligns with the following goals of the Comprehensive Plan: Objective ED-1.2. Leverage community assets in attracting business;

Objective ED-4.4. Evaluate commercial land use needs in the context of changing economic trends; Objective ED-5.1. Expand tourism attractions and destinations; Goal CF-1. Continue to provide quality public facilities and services; and Objective N-1.1b. Ensure sensitive transitions from residential to nonresidential.

Respectfully submitted for Council consideration.

Prepared by: Steven Law, Civil Engineer II

Reviewed by:



Kevin Kothe, Director of Public Works

5/2/2022



Chris Tomertin, Budget Manager

5/3/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- PW 5B Ordinance_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5C Ordinance Exhibit A_Surveyor Certificate_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5D Final Plat_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5E Owners Petition_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5F County Clerks Certificate_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5G Owners Certificate_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5H School District Certificate_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5I Final Plat Checklist_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5J Final Plat Map_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5K Tap-On Memo_Shirk Commercial - PCSL Subdivision Final Plat
- PW 5L Drainage Statement_Shirk Commercial - PCSL Subdivision Final Plat

ORDINANCE NO. 2022 - ____

**AN ORDINANCE APPROVING THE FINAL PLAT OF
SHIRK COMMERCIAL - PCSL SUBDIVISION**

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Shirk Commercial - PCSL Subdivision, dated April 21, 2022, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, the City Council has the authority to approve this ordinance and approve said Final Plat; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided, and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code;

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

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

SECTION 2. That the Final Plat of Shirk Commercial - PCSL Subdivision, dated April 21, 2022, is hereby approved.

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

SECTION 4. This ordinance shall be effective immediately after the date of its passage and approval.

SECTION 5. This ordinance is passed and approved pursuant to the home rule authority granted by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 9th day of May 2022.

APPROVED this ____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN)

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that the attached plat of subdivision was surveyed and prepared under my direction, in accordance with the laws of the State of Illinois, and with the Ordinances of the City of Bloomington for Sale Barn Properties, LLC and represents the following described property to wit:

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW¼ of Section 16 and a part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW¼ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Commencing at the northeast corner of Lot 15 in School Commissioners Subdivision of the NW¼ of Section 16, being the southeast corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 15, 1981 as Document No. 81-9254 in the McLean County Recorder of Deeds Office; thence S.86°-42'-18"W. 507.00 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence S.01°-17'-42"E. 260.00 feet to the Point of Beginning; thence N.86°-42'-18"E. 511.20 feet parallel with the north line of said Lot 15 to the east line of said Lot 15 in School Commissioners Subdivision in the NW¼ of Section 16; thence S.02°-13'-16"E. 1043.29 feet on the said east line of Lot 15 and southerly extension thereof to the north right way line of Hamilton Road conveyed to the City of Bloomington in Warranty Deed recorded as Document No. 2010-1209 in the McLean County Recorder of Deeds Office; thence westerly on said north line of Hamilton Road right of way 4.51 feet on a non-tangential curve concave to the northwest having a central angle of 00°-09'-59", radius of 1,553.42 feet and a chord of 4.51 feet bearing N.89°-01'-39"W. from the last described course; thence N.88°-56'-40"W. 593.14 feet on said north line of Hamilton Road; thence southwesterly on said north line of Hamilton Road right of way 263.02 feet on a tangential curve concave to the southeast having a central angle of 01°-30'-00", radius of 10,046.58 feet and a chord of 263.01 feet bearing N.89°-41'-39"W. from the last described course; thence

S.89°-33'-21"W. 677.51 feet on said north line of Hamilton Road; thence southwesterly on said north line of Hamilton Road right of way 153.63 feet on a tangential curve concave to the southeast having a central angle of 02°-42'-41", radius of 3,246.58 feet and a chord of 153.62 feet bearing S.88°-12'-00"W. from the last described course; thence S.87°-08'-33"W. 71.53 feet on said north line of Hamilton Road; thence S.85°-00'-22"W. 220.62 feet on said north right of way line of Hamilton Road to the east line of the West 33 feet of Lot 4 in said School Commissioners Subdivision of the SW¼ of Section 16; thence N.01°-10'-14"W. 968.03 feet on the east line of the West 33 feet of said Lot 4 and the east line of the West 33 feet of Lot 13 in said School Commissioners Subdivision of the NW¼ of Section 16; thence N.88°-33'-59"E. 621.20 feet; thence N.50°-54'-10"E. 189.81 feet; thence N.89°-13'-30"E. 520.00 feet; thence S.00°-46'-30"E. 85.89 feet; thence N.86°-42'-18"E. 162.64 feet to the Point of Beginning, containing 45.88 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same into one (1) lot as shown on the attached plat.

Iron monuments identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All easements designated on said plat are dedicated for public use and for the use of community antenna television systems.

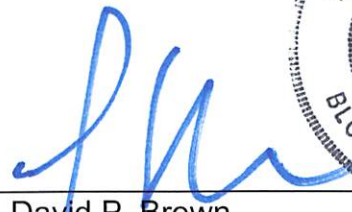
Said subdivision is to be known as Shirk Commercial - PCSL Subdivision, City of Bloomington, McLean County, Illinois.

I further certify that the foregoing plat accompanying this certificate accurately represents the above described property as subdivided.

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency on Flood Insurance Rate Map for Community Panel Number 1790311 0503E, Map Number 17113C0503E dated July 16, 2008.

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 N. Main St.
Bloomington, IL 61701

4/21/2022
Date

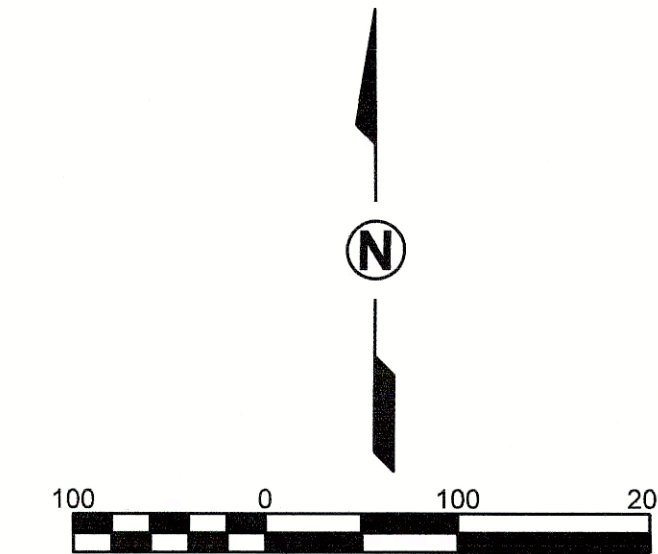
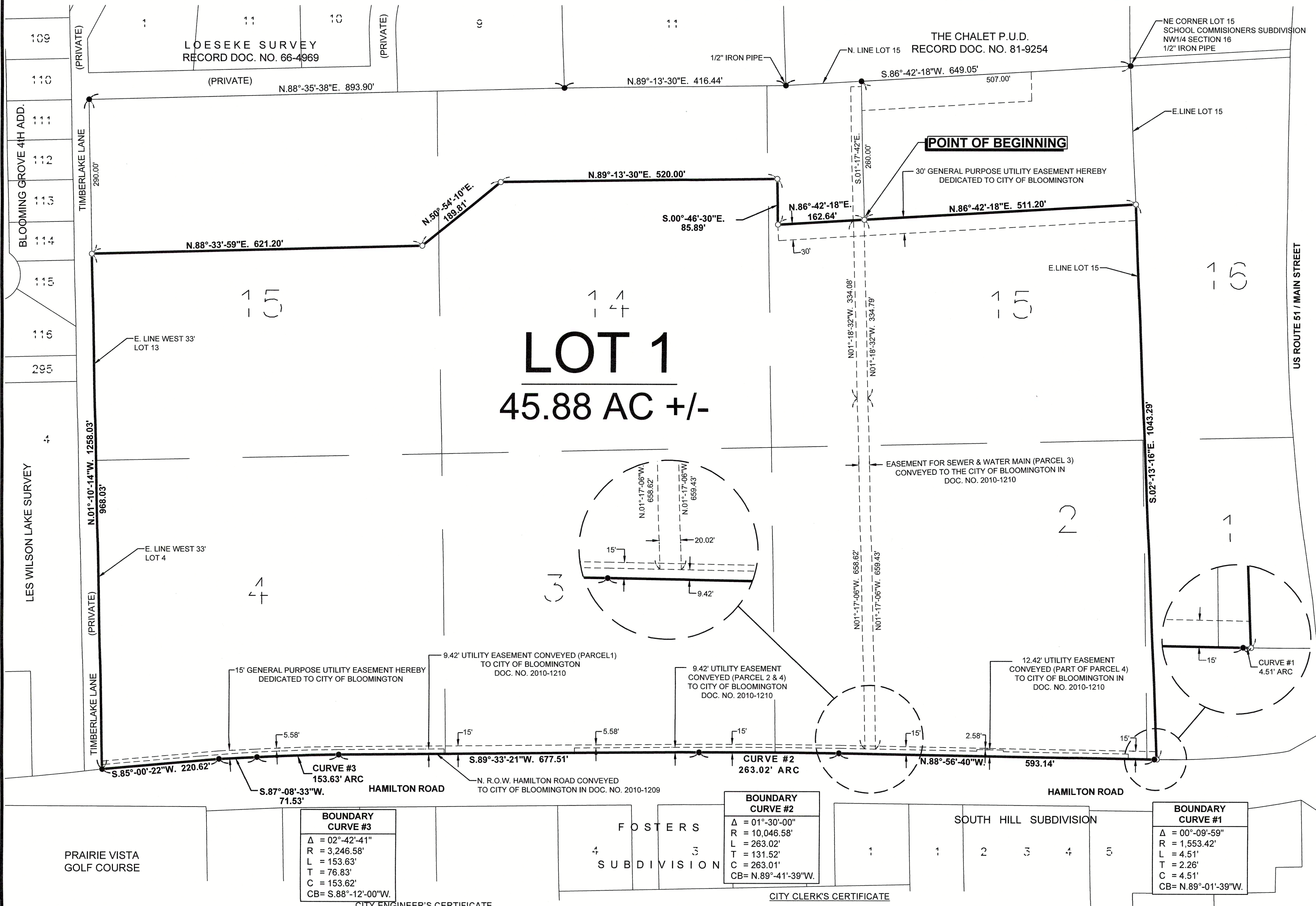

David P. Brown

Illinois Professional Land Surveyor No. 2725
License Expiration Date 11/30/2022



SHIRK COMMERCIAL-PCSL SUBDIVISION

PART OF LOTS 1, 2, 3 & 4 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE SW $\frac{1}{4}$ OF SECTION 16 & PART OF LOTS 13, 14, & 15 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16 ALL IN T.23N., R.2E., 3P.M., CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS



LEGEND
BOUNDARY OF SUBJECT PREMISES
○ 5/8" IRON ROD SET
● 5/8" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
--- UTILITY EASEMENT LIMITS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF MCLEAN) SS

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that the attached plat of subdivision was surveyed and prepared under my direction, in accordance with the laws of the State of Illinois, and with the Ordinances of the City of Bloomington for Sale Barn Properties, LLC and represents the following described property to wit:

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW $\frac{1}{4}$ of Section 16 and a part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW $\frac{1}{4}$ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Commencing at the northeast corner of Lot 15 in School Commissioners Subdivision of the NW $\frac{1}{4}$ of Section 16, being the southeast corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 15, 1981 as Document No. 81-9254 in the McLean County Recorder of Deeds Office; thence S.86°-42'-18"W. 507.00 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence S.01°-17'-42"E. 260.00 feet to the Point of Beginning; thence N.86°-42'-18"E. 511.20 feet parallel with the north line of said Lot 15 to the east line of said Lot 15 in School Commissioners Subdivision in the NW $\frac{1}{4}$ of Section 16; thence S.02°-13'-16"E. 1043.29 feet on the said east line of Lot 15 and southerly extension thereof to the north right way line of Hamilton Road conveyed to the City of Bloomington in Warranty Deed recorded as Document No. 2010-1209 in the McLean County Recorder of Deeds Office; thence westerly on said north line of Hamilton Road right of way 4.51 feet on a non-tangential curve concave to the northwest having a central angle of 00°-09'-59", radius of 1,553.42 feet and a chord of 4.51 feet bearing N.89°-01'-39"W. from the last described course; thence S.88°-56'-40"W. 593.14 feet on said north line of Hamilton Road; thence southwesterly on said north line of Hamilton Road right of way 263.02 feet on a tangential curve concave to the southeast having a central angle of 01°-30'-00", radius of 10,046.58 feet and a chord of 263.01 feet bearing N.89°-41'-39"W. from the last described course; thence S.89°-33'-21"W. 677.51 feet on said north line of Hamilton Road; thence southwesterly on said north line of Hamilton Road right of way 153.63 feet on a tangential curve concave to the southeast having a central angle of 02°-42'-41", radius of 3,246.58 feet and a chord of 153.62 feet bearing S.88°-12'-00"W. from the last described course; thence S.87°-08'-33"W. 71.53 feet on said north line of Hamilton Road; thence S.85°-00'-22"W. 220.62 feet on said north right of way line of Hamilton Road to the east line of the West 33 feet of Lot 4 in said School Commissioners Subdivision of the SW $\frac{1}{4}$ of Section 16; thence N.01°-10'-14"W. 968.03 feet on the east line of the West 33 feet of said Lot 4 and the east line of the West 33 feet of Lot 13 in said School Commissioners Subdivision of the NW $\frac{1}{4}$ of Section 16; thence N.88°-33'-59"E. 621.20 feet; thence N.50°-54'-10"E. 189.81 feet; thence N.89°-13'-30"E. 520.00 feet; thence S.00°-46'-30"E. 85.89 feet; thence N.86°-42'-18"E. 162.64 feet to the Point of Beginning, containing 45.88 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same into one (1) lot as shown on the attached plat.

Iron monuments identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All easements designated on said plat are dedicated for public use and for the use of community antenna television systems.

Said subdivision is to be known as Shirk Commercial - PCSL Subdivision, City of Bloomington, McLean County, Illinois.

I further certify that the foregoing plat accompanying this certificate accurately represents the above described property as subdivided.

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency on Flood Insurance Rate Map for Community Panel Number 1790311 0503E, Map Number 17113C0503E dated July 16, 2005.

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 N. Main St.
Bloomington, IL 61701



4/21/2022

Date

David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expiration Date 11/30/2022

STATE OF ILLINOIS)
COUNTY OF MCLEAN) SS

I, Craig Shonkwiler, City Engineer for the City of Bloomington, Illinois hereby certify that the land improvements described in the annexed plat and the plans and specifications therefore meet the minimum requirements of said City outlined in Chapter 24 of the Bloomington City Code.

Dated at Bloomington, Illinois, this _____ day of _____, 2022.

City Engineer
Bloomington, Illinois

STATE OF ILLINOIS)
COUNTY OF MCLEAN) SS

I, Leslie Yocum, City Clerk of said City, do hereby certify that the foregoing is a true and complete copy of an original final plat of Shirk Commercial - PCSL Subdivision, presented, passed and approved at a regular meeting of said City Council held on the _____ day of _____, 2022, by an affirmative vote of the majority of all members selected to said Council, the vote having been taken by yeas and nays and entered on the record of the proceedings of said Council.

Witness my hand and seal of said City of Bloomington, this _____ day of _____, A.D. 2022.

City Clerk

CITY CLERK'S CERTIFICATE

BOUNDARY CURVE #2
Δ = 01°-30'-00"
R = 10,046.58'
L = 263.02'
T = 131.52'
C = 263.01'
CB = N.89°-41'-39"W.

BOUNDARY CURVE #1
Δ = 00°-09'-59"
R = 1,553.42'
L = 4.51'
T = 2.26'
C = 4.51'
CB = N.89°-01'-39"W.

BOUNDARY CURVE #3
Δ = 02°-42'-41"
R = 3,246.58'
L = 153.63'
T = 76.83'
C = 153.62'
CB = S.88°-12'-00"W.

CITY ENGINEER'S CERTIFICATE

LYB
www.lybinc.com

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm Registration #184,00806
505 North Main Street, Bloomington, Illinois
Ph. (309) 829-2552

04/14/2022	
REVISED	-
-	-
-	-
-	-
-	-
BK.	948
DRN.	JSB
DSN.	X
APP.	DPB

FINAL PLAT
SHIRK COMMERCIAL-PCSL SUBDIVISION
CITY OF BLOOMINGTON
MCLEAN COUNTY, ILLINOIS

SHEET
1

OF: 1
JOB #:
5126.02

State of Illinois)
)ss.
County of McLean)

Now come(s) **SALE BARN PROPERTIES, LLC**

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s)^A_____ which is attached hereto and made a part hereof by this reference, of is are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner (s) seek (s) approval of the Final Plat for the subdivision of said premises to be known and described as
SHIRK COMMERCIAL-PCSL SUBDIVISION
3. That your petitioner (s) also seek (s) approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960:

Respectfully submitted,

By:

~~James A. Shirk~~

Title: Manager

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF MCLEAN)

I, Kathy Michael, County Clerk of McLean County, State of Illinois, do hereby certify that on the 21 day of April, 2022, there were no delinquent general taxes unpaid, special assessments or delinquent special assessments against the tract of land shown on the plat of the Shirk Commercial - PCSL Subdivision attached to this certificate and described in the Certificate of the Surveyor attached hereto and to said plat.

Kathy Michael
County Clerk, McLean County, Illinois

(SEAL OF SAID COUNTY)

Tax Parcel I.D. Part #21-16-152-007

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of Shirk Commercial - PCSL Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said plat to be made and that it is a true and correct plat of Shirk Commercial - PCSL Subdivision to the City of Bloomington, McLean County, Illinois as laid off into a single lot by David P. Brown, Illinois Professional Land Surveyor Number 2725; and we, the undersigned, hereby dedicate and set apart for the use of the general public forever all of the streets and highways as indicated and shown on said Plat; and we further dedicate the easements therein set forth to the City of Bloomington for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals
this 25th day of April, 2022.

Owner(s): Sale Barn Properties, LLC

BY: 

James A. Shirk
Manager

SCHOOL DISTRICT CERTIFICATE

Sale Barn Properties, LLC, owner of the property described in the Surveyor's Certificate of the tract of land platted as Shirk Commercial - PCSL Subdivision, certify that to the best of my knowledge and belief that said platted land is located within the boundaries of Community Unit School District No. 5 in McLean County, Illinois.

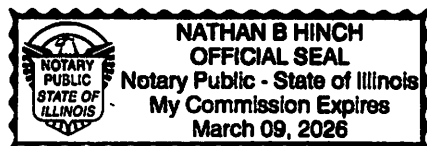
Sale Barn Properties, LLC
By: [Redacted]
James A. Shirk
Manager

Attest Kebey Robertson

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN) SS

I, the undersigned, a Notary Public in and for said County, in the state aforesaid, do hereby certify that James A. Shirk, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act.

Given under my hand and Notarial Seal this 25 day of April, 2022.



[Signature]
Notary Public



Shirk Commercial - PCSL Subdivision - Final Plat Checklist

Date Prepared: 4/26/2022

Shown on Final Plat:		Initial
	Easements shown for all public improvements	SJL
	City Engineer's Signature Block	SJL
	Clerk's Signature Block	SJL
	Areas or facilities to be dedicated to the public	N/A
	Railroad Right of Ways	N/A
	Subdivision Boundaries	SJL
	References to nearest street lines, Township, Sections lines, or monuments.	SJL
	Name of Subdivision	SJL
	Legal Description	SJL
	Existing Parcel Id Number (PIN)	N/A
	Surveyor's statement regarding any Special Flood Hazard Areas.	SJL
	Total Acreage	SJL
	Street Names	SJL
	Proposed Lot numbers (consecutively numbered)	SJL
	Front Yard Setbacks	N/A
The following shall be provided:		
	School District Certificate	SJL
	County Clerk's Certificate	SJL
	Owner's Certificate	SJL
	Drainage Statement	SJL
	Owner's Petition	SJL
	Ordinance	SJL
	Utility Company Signoffs	N/A
	Digital PDF Submittal provided to Public Works	SJL
	Digital CAD format submittal provided to Public Works	N/A
	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	N/A
	Retains the design characteristics of approved public improvement engineering plans and specifications.	SJL
	Final Plat is signed by IL licensed surveyor	SJL
	Plans for all public improvements approved by Public Works	SJL

SHIRK COMMERCIAL - PCSL SUBDIVISION



0 335 670
Feet

Date: 4/21/2022

SHIRK COMMERCIAL - PCSL SUBDIVISION

Main Street

Hamilton Road

MEMORANDUM

April 26, 2022

To: Glen Wetterow, City Planner
From: Steven J. Law, P.E.
Subject: Sale Barn Properties, LLC
Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap-On fees required from the developer before releasing for recording the final plat: Shirk Commercial – PCSL Subdivision. The final plat will be considered for approval by the City Council at the May 9th, 2022 meeting.

A. Performance Guarantee:

110% of all uncompleted public improvement construction costs:	\$ 70,460.50
Total Bond Amount Required	\$ 70,460.50

Bond/Guarantee must be in the form(s) and language provided by City Code.

B: Tap-On Fees:

Water and sewer tap-on fees have been waived per a 2009 agreement for a conveyance to the city of right-of-way and easement for Hamilton Road.

C: Guarantee Substandard Street Improvement:

Substandard road fees have been waived per a 2009 agreement for a conveyance to the city of right-of-way and easement for Hamilton Road.

cc: Kevin Kothe, Director of Public Works
Craig Shonkwiler, City Engineer
Chris Tomerlin
file

DRAINAGE ACKNOWLEDGEMENT

L. Duane Yockey, Licensed Professional Engineer, and Sale Barn Properties, LLC, being the owners of the premises heretofore platted by David P. Brown, Illinois Professional Land Surveyor No. 2725 to be and become Shirk Commercial - PCSL Subdivision to the City of Bloomington, McLean County, Illinois, do hereby acknowledge that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or planned unit development or any part thereof; or that if such surface water drainage will be changed, reasonable provisions have been made for collection and diversion of such surface waters into public areas or drains which the owner has a right to use and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision or planned unit development.

I further acknowledge that no portion of the Lot is within the Special Flood Hazard Area, as defined by the Federal Emergency Management Agency.



Licensed Professional Engineer

OWNER(S): Sale Barn Properties, LLC

BY: _____

James A. Shirk
Manager



CONSENT AGENDA ITEM NO. 8.L

FOR COUNCIL: May 9, 2022

SPONSOR: City Clerk Department

WARD IMPACTED: Ward 5

SUBJECT: Consideration and action to approve the Request from The Board of Trustees of Illinois State University, d/b/a Illinois Shakespeare Festival, whose events will be held on various dates between June 3-August 6, 2022, at the Ewing Cultural Center, located at 48 Sunset Rd., for two Class LB (Limited/Beer and Wine) Liquor Licenses, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Licenses be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The Board of Trustees of Illinois State University, Applicant, plans to host their annual Illinois Shakespeare Festival on various dates beginning June 3, 2022, and ending August 6, 2022 (64 days). The Festival will be held at Ewing Cultural Center, located at 48 Sunset Rd.

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

With the proposed event running 64 days, 4 days beyond the 60-day limitation of condition 1, the Applicant will need two licenses. The Applicant meets condition 2 and, if the licenses are approved, the two license will be their first- and second-Class LB licenses issued to the organization within the past 12 months.

The Applicant appeared before the Liquor Commission on April 12, 2022, where the Commission voted to positively recommend the application to Council.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on Tuesday, April 5, 2021, a public notice was published in *The Pantagraph*. 56 notices were mailed to properties within 500 feet of the event location.

FINANCIAL IMPACT: The current license fee for two Class LB liquor licenses is \$150, which will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2023 Proposed Budget Book titled "Budget Overview & General Fund" on page 124. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:


Leslie Yocum, City Clerk

5/4/2022


Chris Tomertin, Budget Manager

5/4/2022


Melissa Hill, Economic and Community Development Director

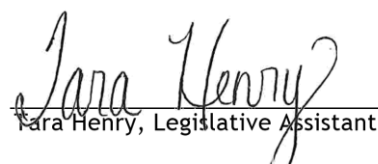
5/4/2022


Ken Bays

5/5/2022


George Boyle, Assistant Corporation Counsel

5/5/2022


Tara Henry, Legislative Assistant

5/6/2022

Attachments:

- CLK 2B Class L Liquor License App_Board of Trustees ISU (Shakespeare 2022)_Redacted
- CLK 2C DRAFT 04-12-2022 Liquor Commission - Regular Session Minutes_ISU Shakespeare

May 2, 2022

City Clerk Requirement Verification Memo

To: City Council Review

Re: Legal Name: The Board of Trustees of Illinois State University

D/B/A Name: Shakespeare Festival

Dear Reviewer,

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

- Certificate of Liability Insurance (DRAM Shop) – 07/01/2021 to 07/01/2022
- Liquor Bond in the amount of \$2,000

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

Respectfully,

Amanda Stutsman
Deputy City Clerk



Application for Class "L" Limited Liquor License

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

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

Legal Entity Name (Corporate/LLC Name)	The Board of Trustees of Illinois State University
Doing Business As (DBA) OR Establishment Name (Assumed names must be registered with the State of Illinois)	
Legal Entity Address (including City, State, and Zip)	201 S. School Street, Campus Box 1010, Normal, IL 61790
Legal Entity Phone Number	(309)438-8999
Legal Entity Email Address	generalcounsel@ilstu.edu
Establishment Address including Zip	Campus Box 5700, Normal, IL 61790
Establishment Phone Number	(309)438-8785
Establishment Email Address	mgbrig2@ilstu.edu
*Email Address for ALL City Communications:	mgbrig2@ilstu.edu

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

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

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

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

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

Name (First & Last)	City	State	Zip
Molly Briggs-Yonke			
Phone Number	Email Address		

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

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

EVENT INFORMATION

Name of Event	Illinois Shakespeare Festival
Event Address	48 Sunset Road, Bloomington, IL
Anticipated Number of Attendees:	7,000

Event Date(s)	Start Time(s)	End Time(s)
June 3-5; 7-12	5:30 pm	10:00 pm
July 1-2, 8-10, 12-17	5:30 pm	10:00 pm
July 19-24; 26-31	5:30 pm	10:00 pm
August 2-5	5:30 pm	10:00 pm
August 6	6:00 pm	11:00 pm



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

The mission of the Illinois Shakespeare Festival is to produce energetic new interpretations of theatrical works, engaging audience and artist in an impassioned exploration of the human condition, with the artistry and humanity of the Shakespearean canon as our constant touchstone.

2. Description of the proposed procedures for handling the following:
 - A. Crowd control: **Front of house staff will be trained on crowd control, certified in first aid and CPR, and will receive BASSET training. Those staff will contact local police as needed.**
 - B. Identification check: **All servers will be BASSET trained and will check IDs accordingly.**
3. Classification of Limited License: ☒ LB (Beer & Wine Only) ☐ LA (All Types)
4. ☒ Yes ☐ No Is the premises within 100 feet of any church, school, hospital, home for the aged or indigent persons, or for War Veterans, their wives or children?
5. ☒ Yes ☐ No Has the civic, service, charitable, fraternal, or social organization, group or entity applying for this license been in existence continuously for at least one year?
 - a. If so, please list Date Established: 1857
6. ☒ Yes ☐ No Is the civic, service, charitable, fraternal, or social organization, group or entity applying for this license incorporated under the laws of the State of Illinois?
 - a. If so, please list Date Incorporated: A body, corporate and politic of the state of Illinois
7. ☒ Yes ☐ No Has the civic, service, charitable, fraternal, or social organization, group or entity seeking a Limited Alcoholic Liquor License received such a licensee within the past year?
 - a. If so, please list how many: 1

I, the undersigned, swear or affirm that:

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

Date Signed: 3-7-22

President
Title

Terri Goss Kinzy
Name (Print)


Signature

Item 5.A. Consideration and action on the Request from Castle Productions, LLC, d/b/a The Castle Theatre, for approval to operate under the Chapter 6, Section 133(D)(6) of the Bloomington City Code that permits Possession of Open Alcohol in Public for the Black Dirt Music Festival to be held in Portions of Downtown Bloomington on Friday, July 22 and Saturday, July 23, 2022, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:04 p.m.

No one from the establishment was present in the hearing.

The Commissioners discussed last year's event, and both were not aware of any issues resulting from the event. Catherine Dunlap, Downtown Development Specialist; Ken Bays, Asst. Police Chief; and George Boyle, Asst. Corporation Counsel confirmed the same.

Commissioner Meister and City Clerk, Leslie Yocum, discussed whether beer and wine service was being requested or all types of liquor.

Mrs. Dunlap stated that she believed last year's event was only beer and wine, but did note that some of the materials provided stated all types of liquor.

Mrs. Yocum recommended approving all types of liquor since beer and wine would be included under the approval.

Mr. Boyle had no issues with that seeing that the previous year's event had gone well.

Commissioner Mwilambwe closed the public hearing at 4:13 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to send the application for all types of alcohol with a positive recommendation to the City Council.

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

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.B. Public Hearing and action on the Request from The Board of Trustees, d/b/a Illinois Shakespeare Festival, whose events will be held on various dates between June 3, and August 6, 2022, at the Ewing Cultural Center, located at 48 Sunset Rd., for two Class LB (Limited/Beer and Wine) Liquor Licenses, as requested by the City Clerk Department.

Commissioner Mwilambwe recused himself at 4:14 p.m. due to conflict of interest.

Commissioner Meister opened the public hearing at 4:15 p.m.

Molly Briggs-Yonke, a representative appearing on behalf of Illinois State University and the Illinois Shakespeare Festival, came forward. City Clerk, Leslie Yocum, swore her in prior to addressing the Commission. Mrs. Briggs-Yonke described the event and stated that no changes were planned for this year's festival in terms of alcohol service from previous years.

George Boyle, Asst. Corporation Counsel, stated that because Class LB liquor licenses are limited to 60-days and the festival was planned for 64-days, two license had been requested by the Applicant for consideration.

Commissioner Meister closed the public hearing at 4:18 p.m.

Commissioner Meister approved to send the application with a positive recommendation to the City Council.

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

AYES: Meister

RECUSED: Mwilambwe

Passed.

Commissioner Mwilambwe returned at 4:18 p.m.

The following item was presented:

Item 5.C. Consideration and action on a Request from Around the Corner II, Inc., d/b/a JP's Wheel & Alehouse, located at 409 N. Hershey Rd. on the accelerated stock transfer of the establishment which holds a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe introduced the item.

No one from the establishment was present in the meeting.

George Boyle, Asst. Corporation Counsel, described the stock transfer.

Commissioner Mwilambwe made a motion, seconded by Commissioner Meister, to approve the change in ownership.

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

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.D. Public Hearing and action on an Application from Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic and American Grocery, located at 1512 W. Market St., Unit 200, requesting a change in ownership for their Class RAPS (Restaurant, All Type of Alcohol, Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:25 p.m.

Tony Lewis, the accountant for Lupita's, came forward along with Luciano Perez, the new owner and proposed license holder. City Clerk, Leslie Yocum, swore them both in separately prior to addressing the Commission. Mr. Lewis spoke on behalf of Mr. Perez as there was somewhat of a language barrier. They confirmed that no changes would take place from a business perspective and that both the restaurant and grocery store would continue to serve alcohol in the same manner as it had historically.

Commissioner Meister asked if all staff handling and selling alcohol would be BASSETT trained. Mr. Lewis stated that he was not familiar with alcohol terminology and asked her to



CONSENT AGENDA ITEM NO. 8.M

FOR COUNCIL: May 9, 2022

SPONSOR: City Clerk Department

WARD IMPACTED: Ward 7

SUBJECT: Consideration and action to approve a Change of Ownership for Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic and American Grocery, located at 1512 W. Market St., Unit 200, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Change of Ownership be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: Lupita's Hispanic and American Grocery, Inc., Applicant, which is located at 1512 W. Market St., Unit 200, is requesting the approval of a change in ownership for their Class RAPS (Restaurant, All Type of Alcohol, Package and Sunday Sales) liquor license. The Applicant has requested to adjust their ownership structure to add one individual, Arturo Hernandez. This constitutes a significant change in ownership that per the City Code must be reviewed by the Liquor Commission and Council. The ownership structure changes are reflected below:

<u>Current Ownership Structure</u>		<u>Proposed Ownership Structure</u>	
Luciano Perez	100%	Luciano Perez	50%
		Arturo Hernandez	50%

The Applicant appeared before the Liquor Commission on April 12, 2022 where the Commission voted to positively recommend approval of the change in ownership request to Council.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on April 5, 2022, a public notice was published in *The Pantagraph* and 17 notices were mailed to properties adjacent to the applicant property.

FINANCIAL IMPACT: The current annual license fee for a Class RAPS liquor license is \$3,300, which will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2023 Proposed Budget Book titled "Budget Overview &

General Fund" on page 124. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

COMMUNITY DEVELOPMENT IMPACT: ED-1 Ensure a broad range of employment opportunities for all residents. ED-1.1 Focus on retention and expansion of existing businesses.

Respectfully submitted for Council consideration.

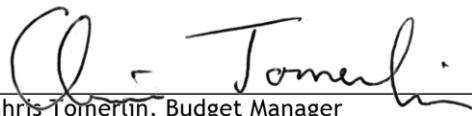
Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:



Leslie Yocum, City Clerk

5/4/2022



Chris Tomertin, Budget Manager

5/4/2022



Melissa Horn, Economic and Community Development Director

5/4/2022

George Boyle

George Boyle, Assistant Corporation Counsel

5/5/2022



Tara Henry, Legislative Assistant

5/6/2022

Attachments:

- CLK 1B Liquor License Application - Lupita's - Change of Ownership_Redacted
- CLK 1C DRAFT 04-12-2022 Liquor Commission - Regular Session Minutes_Lupitas

May 2, 2022

City Clerk Requirement Verification Memo

To: City Council Review

Re: Legal Name: Lupita's Hispanic & American Grocery, Inc.

D/B/A Name: Lupita's Hispanic & American Grocery

Dear Reviewer,

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

- Certificate of Good Standing with the State of Illinois
- A Copy of Lupita's Hispanic & American Grocery, Inc.'s Bylaws signed 01/05/2022
- Financial Documentation: 2020 Tax Return
- Certificate of Liability Insurance (DRAM Shop) – 02/19/2022 to 02/19/2023
- Liquor Bond in the amount of \$2,000 – 02/24/2022 to 02/24/2023

The following documents were previously on file:

- Articles of Incorporation
- A Lease between Snyder Real Estate and Lupita's Hispanic & American Grocery, Inc. for the term 11/01/2018 to 10/31/2023
- Bloomington/Normal Food and Beverage Tax Registration Form
- Bloomington/Normal Packaged Liquor Tax Registration Form

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

Respectfully,

Amanda Stutsman
Deputy City Clerk



Liquor License Application

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

Legal Entity Name (Corporate/LLC Name)	LUPITAS HISPANIC & AMERICAN GROCERY INC
Doing Business As (DBA) OR Establishment Name <i>(Assumed names must be registered with the State of Illinois)</i>	LUPITAS
Legal Entity Address <i>(including City, State, and Zip)</i>	1512 WEST MARKET STREET, BLOOMINGTON 61701
Legal Entity Phone Number	309-828-6400
Legal Entity Email Address	DGPerez182@GMAIL.COM
Establishment Address including Zip	1512 WEST MARKET STREET, BLOOMINGTON 61701
Establishment Phone Number	309-828-6400
Establishment Email Address	DGPerez182@GMAIL.COM
*Email Address for <u>ALL</u> City Communications:	

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

BELOW PLEASE LIST THOSE RESPONSIBLE FOR LICENSING THE ESTABLISHMENT

Primary Contact:

Name (First & Last)	City	State	Zip
LUCIANO PEREZ	BLOOMINGTON	IL	61701
Phone Number	Email Address		

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

Name (First & Last)	City	State	Zip
MARIA CHEVALIER LEWIS	WHEELING	IL	60090
Phone Number	Email Address		

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

Name (First & Last)	City	State	Zip
LUCIANO PEREZ	BLOOMINGTON	IL	60090
Phone Number	Email Address		

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

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

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

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

Status of Business Information:

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

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

☐ **Partnership** (Date of Formation: _____)
☒ **Corporation** (Inc. or Corp.)
A copy of the Articles of Incorporation must be attached.
- Attach a list including the name, age, address, and percent of ownership/stock for each owner/partner/member.
- ☒ **Yes** **If Applicant is a Corporation or LLC:** Is any individual owning more than 5% of stock in the applicant business ineligible to hold a liquor license for any reason other than citizenship or residence? *If yes, please identify the individual(s) and explain:* LUCIANO PEREZ, PRESIDENT 100% SOLE OWNER
☐ **No**
☐ **N/A**

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

- I verify that all owners, partners, officers, members, and majority stockholders:

☒ **Yes** ☐ **No** Are 21 years of age or older.
☐ **Yes** ☒ **No** Are citizens of the United States.
☒ **Yes** ☐ **No** Have never been convicted of any felony, or of the violation of any law relating to the prohibition of the sale of alcoholic liquor, or any other crime or misdemeanor (except minor traffic violations).
☒ **Yes** ☐ **No** Have never been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor.
☒ **Yes** ☐ **No** Have never been convicted of pandering or any other crime opposed to decency and morality.
- Illinois Liquor Law states the applicant individual must be a resident of the city, village or county in which the premises covered by the license is located. 235ILCS 5/6-2(a)(1)

2A ☒ **Yes** ☐ **No** Are any of the persons listed under ownership a resident of McLean County?
 2B ☒ **Yes** ☐ **No** Is the General Manager a resident of McLean County?
- ☐ **Yes** ☒ **No** Is the General Manager of the establishment unable to hold a liquor license for any reason other than citizenship or residence?
- ☐ **Yes** ☒ **No** Is the establishment located within 100 feet of any church, school, hospital, home for aged, indigent persons, or war veterans and/or their wives or children?



5. ☐ Yes ☒ No Is the premises for which the license is sought owned?
5A ☒ Yes ☐ No If not, does a valid lease to the premises for which the license is sought exist?
If so, a copy of the lease is required.
☐ Yes ☒ No Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code in connection with the proposed sale of alcoholic beverages? *If yes, please explain:* _____

Nature of License:

- What type of establishment is intended to be operated with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop) GROCERY STORE FOR PACKAGED LIQUOR AND RESTAURANT
- What class of liquor license is being sought? (See descriptions beginning on page 1.) PB AND RAP
- ☒ Yes ☐ No Will the establishment offer Sunday Sales?
- ☐ Yes ☒ No Will the establishment offer Curbside Pick-Up & Delivery of Alcohol? (Package License Holders Only)
See City Code Ch. 6 Sec. 32 for more details. <https://ecode360.com/34837503>
- ☐ Yes ☒ No Will the establishment offer an Outdoor Dining Area?
- State the reason the applicant desires a liquor license for the establishment: CHANGE OF OWNERSHIP
- If approved, how would the liquor license benefit the City and its residents? PRIOR OWNER HELD A LIQUOR LICENSE
- ☐ Yes ☒ No Will the establishment offer live entertainment in the establishment? *If yes, please explain:* _____
- ☒ Yes ☐ No Will the proposed or current establishment sell food?
- ☒ Yes ☐ No Will most of the establishment's gross revenue come from sources other than the sale of alcohol?
If yes, what sources will such revenue be derived? SALE OF GROCERIES AND FOOD
- If approved, what license renewal billing cycle would be preferred? ☒ Annual ☐ Semi-Annual

Impact of Establishment:

- What are the proposed hours of operation?

Day	Time Open	Time Close
Monday:	8 AM	9 PM
Tuesday:	8 AM	9 PM
Wednesday:	8 AM	9 PM
Thursday:	8 AM	9 PM
Friday:	8 AM	9 PM
Saturday:	8 AM	9 PM
Sunday:	8 AM	9 PM
- Describe the surrounding neighborhood within 500 ft. of the establishment (e.g. residential, commercial, mixed, etc.)
COMMERCIAL AND BUSINESSES
 - If there are office or commercial buildings nearby, approximately what are their hours of operation?
WE ARE LOCATED IN A SHOPPING CENTER ON MARKET AND BROWN
 - Is the area predominately residential, are they single or multi-family homes?
NO IT IS MOSTLY COMMERCIAL
- Describe any and all streets immediately surrounding the establishment: (e.g. approximate width, one-way, two-way, parking restrictions, etc.)
WE ARE ON MARKET STREET AND BROWN
- How much additional traffic is expected to be generated with a liquor license? THE SAME AS ALWAYS
- Describe any and all on- and off-street parking: YES PARKING IN THE SHOPPING CENTER
- How many establishments with liquor licenses are located within 500 ft. of the establishment? NO



Responsibility:

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

Please provide any additional information significant to this application:

Additional License Interests:

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

- ☐ Yes ☒ No **Sidewalk Café License** (*Downtown Area Only*) Allows use of public sidewalk for serving food and beverages on the sidewalk immediately adjacent to the establishment.
- ☐ Yes ☒ No **Catering Liquor License** Allows liquor license holders to provide catering services to private parties.
- ☐ Yes ☒ No **Video Gaming License** Allows an establishment to have video gaming terminals and to conduct video gaming on the premises as defined by the Illinois Video Gaming Act.
- ☐ Yes ☒ No **Public Dancing License** Allows a for-profit establishment to offer dance privileges to the public.
- ☐ Yes ☒ No **Tobacco License** Allows retail sale of any cigar, cigarette, snuff, chewing tobacco, manufactured product of tobacco or tobacco in any form.

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

I, the undersigned, swear or affirm that:

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

LUCIANO PEREZ

PRESIDENT

Name (Please Print)

Title

Signature

Date

1/5/2022

Lupita's Hispanic Grocery & American Grocery Inc

1512 W Market St #200

Bloomington, IL 61701

December 27, 2021

City of Bloomington

To Whom It May Concern:

This letter is to certify that beginning January 1, 2022 the owners of Lupita's Hispanic Grocery & American Grocery Inc. will be as follows:

1. Mr. Luciano Perez
[REDACTED]
Bloomington, IL [REDACTED]
President 50% ownership
2. Mr. Arturo Hernandez
[REDACTED]
Bloomington, IL [REDACTED]
Secretary 50% ownership

Acknowledged by:

Mr. Luciano Perez

Date: 12/29/21

Mr. Arturo Hernandez

Date: 12/29/21

Commissioner Meister closed the public hearing at 4:18 p.m.

Commissioner Meister approved to send the application with a positive recommendation to the City Council.

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

AYES: Meister

RECUSED: Mwilambwe

Commissioner Mwilambwe returned at 4:18 p.m.

Passed.

The following item was presented:

Item 5.C. Consideration and action on a Request from Around the Corner II, Inc., d/b/a JP's Wheel & Alehouse, located at 409 N. Hershey Rd. on the accelerated stock transfer of the establishment which holds a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe introduced the item.

No one from the establishment was present in the meeting.

George Boyle, Asst. Corporation Counsel, described the stock transfer.

Commissioner Mwilambwe made a motion, seconded by Commissioner Meister, to approve the change in ownership.

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

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.D. Public Hearing and action on an Application from Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic and American Grocery, located at 1512 W. Market St., Unit 200, requesting a change in ownership for their Class RAPS (Restaurant, All Type of Alcohol, Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:25 p.m.

Tony Lewis, the accountant for Lupita's, came forward along with Luciano Perez, the new owner and proposed license holder. City Clerk, Leslie Yocum, swore them both in separately prior to addressing the Commission. Mr. Lewis spoke on behalf of Mr. Perez as there was somewhat of a language barrier. They confirmed that no changes would take place from a business perspective and that both the restaurant and grocery store would continue to serve alcohol in the same manner as it had historically.

Commissioner Meister asked if all staff handling and selling alcohol would be BASSETT trained. Mr. Lewis stated that he was not familiar with alcohol terminology and asked her to

tell him about BASSETT certification. She explained it to him. Mr. Perez (owner) confirmed they would all be BASSETT certified.

George Boyle, Asst. Corporation Counsel, had no concerns about the business, nor did Asst. Chief Kenneth Bays.

Commissioner Mwilambwe closed the public hearing at 4:29 p.m.

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

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

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Mwilambwe then turned the floor over George Boyle, Asst. Corporation Counsel, to give an update on Items 5.E to 5.Q. Mr. Boyle shared that all the violations under each Item had been settled except for Items 5.O. which continued to have ongoing discussion regarding food and beverage taxes with Kroger. Mr. Boyle described that in early March this year, the Bloomington Police Department conducted compliance checks of 40-50 establishments; of that, 11 of the establishments failed the checks in that they sold alcohol to a minor. In addition, there were three cases set before the Commission for the afternoon for failure to pay food and beverage taxes. He then went through each of the agenda items.

The following item was presented:

Item 5.E. Consideration and action on the first Appearance for Violation Citation of Jay Goga, Inc. d/b/a Illini Liquor, located at 2402 E. Oakland Ave., Unit 6, for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.F. Consideration and action on the first Appearance for Violation Citation of MCO QSR, Inc. d/b/a Legend's Sports Bar & Grill, located at 712 S. Eldorado Rd., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.G. Consideration and action on the first Appearance for Violation Citation of Casey's General Stores, Inc., d/b/a Casey's General Store #1721, located at 3007 Gill St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

PUBLIC HEARING



PUBLIC HEARING ITEM NO. 9.A

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Public Hearing on the 2022 CDBG Annual Action Plan, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

None; presentation and public comment only.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 4e. Strong partnership with residents and neighborhood associations
- Objective 4d. Improved neighborhood infrastructure
- Objective 4c. Preservation of property/home valuations
- Objective 4b. Upgraded quality of older housing stock
- Objective 4a. Residents feeling safe in their homes and neighborhoods

BACKGROUND: On May 1, 2022, the City of Bloomington began its 48th year of administering the Community Development Block Grant (CDBG) program that is funded by the U.S. Department of Housing and Urban Development (HUD). The CDBG program is managed by the City's Economic and Community Development Department's Community Enhancement Division. Each year the City must develop an Annual Action Plan (AAP) that outlines the various activities to be performed through the program year. Activities are based on the five-year Consolidated Plan that the City adopted in 2020. Program Year 2022, which runs from May 1, 2022-April 30, 2023, is the third year of the 2020-2024 Consolidated Plan.

This AAP features community investments in housing rehabilitation, demolition of structures that cannot be rehabilitated, public services, public infrastructure, and community planning activities. Although the City does not have the annual allocation numbers from HUD, we are estimating that this allocation will be \$551,280. The City will collect an estimated \$30,100 in program income. We will use \$279,484 of prior year resources for an annual spending total of \$860,864 in Program Year 2022. CDBG is funded fully using entitlement HUD grant funds and program income from the housing rehabilitation program. Spending per annual goal is summarized below.

1. Preservation of Existing Affordable Housing Stock: \$388,000
2. Elimination of Slum and Blight Conditions: \$41,000
3. Support the Provision of Public Service Activities: \$82,500
4. Provide Quality Services and Facilities: \$258,064
5. Administer CDBG Effectively and Proficiently: \$91,300

Request for Proposals (RFP) for 2022 CDBG Program Year funding was released on 02/07/2022 and remained open until 03/18/2022. Applications for public services, public facilities and infrastructure, and planning grants were submitted using Neighborly software, which facilitates application and electronic recordkeeping for many of the Department's grants. Seven applications were received for public service activities (\$198,320.60 requested), three for community planning (\$67,000 requested), and three for public facilities and infrastructure (\$258,064 requested). The thirteen applications were scored by City staff using Neighborly software. Applications were scored on a standardized rubric, which was made available to the applicants with the RFP. The Grants Coordinator, who did not score applications, used the scores provided, community needs, the 2020-2024 Consolidated Plan, funding limitations, and CDBG regulations to make final funding decisions.

Based on the results of the public service, planning, and public facilities and infrastructure review and selection process, the following activities are being presented in the draft 2022 Annual Action Plan for citizen and City Council comment.

- Goal: Preservation of Existing Affordable Housing Stock (\$388,000)
 - Housing Rehabilitation=\$305,000
 - Lead Hazard Control Grant Match=\$50,000
 - Rehabilitation Service Delivery=\$33,000
- Goal: Elimination of Slum and Blight Conditions (\$41,000)
 - Residential Housing Demolition for Housing=\$35,000
 - Demolition Service Delivery=\$6,000
- Goal: Support the Provision of Public Service Activities (\$82,500)
 - PATH Homeless Services=\$20,000
 - PATH Emergency Services=\$15,000
 - Recycling Furniture for Families=\$5,000
 - WBRP Project Leader=\$21,000
 - OSF Peace Meals=\$5,000
 - KTB Financial Services=\$16,500
- Goal: Provide Quality Services and Facilities (\$258,064)
 - Sidewalk Improvements=\$184,000
 - MCCA ADA Improvements=\$30,000
 - Bloomington Housing Authority Security Camera for Irvin Apartments=\$44,064
- Goal: Administer CDBG Effectively and Proficiently (\$91,300)
 - Fair Housing Program with Prairie State Legal Services=\$15,000
 - Section 3 Training with the Bloomington Housing Authority=\$10,000
 - McLean County Regional Planning Commission Housing Planning=\$36,000
 - General Administration=\$30,300

There is no new CDBG-CV (CDBG COVID-19 funding) for Program Year 2022. Staff is currently evaluating options for exhausting all CDBG-CV funding.

This AAP strives to reduce the amount of carry-over funding from previous program years by investing significantly higher than the annual allocation from HUD. This carry-over is primarily the product of activities being delayed or eliminated by the COVID-19 Pandemic. Although this carry-over is a significant challenge that will likely take years to mitigate, staff is confident that carry-over funding levels can return to reasonable levels by the next Consolidated Plan.

The 2022 AAP has been available for review since May 6, 2022. The draft AAP is available on the City's website (www.cityblm.org), during normal operating hours at the HUB (115 E. Washington Street, Suite 103), and the Bloomington Public Library. A limited number of printed copies will be made available upon request.

This public hearing on the AAP is being held to allow public and City Council comment with formal action/approval set for the meeting on June 13, 2022.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Throughout development of the 2020-2024 Consolidated Plan, City staff, in partnership with the Town of Normal and McLean County Regional Planning Commission (MCRPC), completed a robust outreach campaign. Data was collected using a variety of methods including a Citizen Survey, Stakeholder Survey, key informant interviews, focus groups, and public meetings. Once the outreach process concluded, MCRPC performed an in-depth analysis of the data collected from which the City created funding priority areas for the 2020-2024 Consolidated Plan. The full analysis document can be viewed at <https://mcplan.org/cdbg>.

The 2022 draft Annual Action Plan was developed with the goals and funding priorities of the 2020-2024 Consolidated Plan in mind. A public notice was published in *The Pantagraph* on April 22, 2022, providing formal notice of this public hearing and availability of the 2022 Annual Action Plan for review starting May 6, 2022. The notice was also published in the PATH-O-Gram and the City's website and social media. Additionally, the notice was provided to community stakeholder groups. Written comments will be accepted outside of the public hearing until June 10, 2022.

FINANCIAL IMPACT: Delay or lack of approval will result in the loss of approximately \$551,280 in federal grant funding used for programs benefitting low and moderate income households within the City for Program Year 2022.

COMMUNITY DEVELOPMENT IMPACT: Goal N-1.2: Prioritize, with urgency, the revitalization of the neighborhoods in the Regeneration Area, Objective a: City should continue to use CDBG grants to support partner organizations such as the West Bloomington Revitalization Project to have a collective impact on revitalization; Goal H-1.2: Ensure an adequate supply of affordable housing for low to moderate income households, Objective H-1.2b: Work with community partners like Habitat for Humanity, MCCA and Bloomington Housing Authority to have a collective impact on affordable housing issues; Goal H-1.3: Create a life-long community by fostering housing stock that meets the needs of residents of all ages and abilities, Objective H-1.3e: Ensure neighborhoods are walkable and have access to alternative modes of transportation and other amenities to make them attractive to aging populations; Goal H-2.3: Rehabilitate housing in the designated Regeneration Area, Objective H-2.3b: Develop and maintain programs that identify substandard housing and provide a wide spectrum of options to correct housing code violations/Objective H-2.3h: Carefully evaluate the rehabilitation potential of vacant/abandoned homes before demolition; Goal HL-1.2 Protect, enhance and maintain parks and green space equitably throughout the City, Objective HL-1.2b: Update older equipment in various City parks as identified in the City's Parks Plan; Goal CWB-1: End chronic homelessness and reduce the severity of situational homelessness, Objective a: The City of Bloomington should actively partner with groups such as McLean County Continuum of Care and Human Service Council to address factors contributing to homelessness; Goal TAQ-1.4: Pedestrian safety for users of

all transportation facilities, Objective TAQ-1.4b: Provide a sidewalk system that provides safe routes to schools/Objective TAQ-1.4c: Provide pedestrians with safe access throughout the transportation network, facilitating access to facilities such as transit, businesses, parks and neighborhood centers.

Respectfully submitted for Council consideration.

Prepared by: William Bessler, Grant Specialist

Reviewed by:



Melissa Hall, Economic and Community Development Director

5/3/2022



Chris Tomertin, Budget Manager

5/3/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/4/2022

Attachments:

- E&CD 7B DRAFT CDBG AAP 05-02-2022

Executive Summary

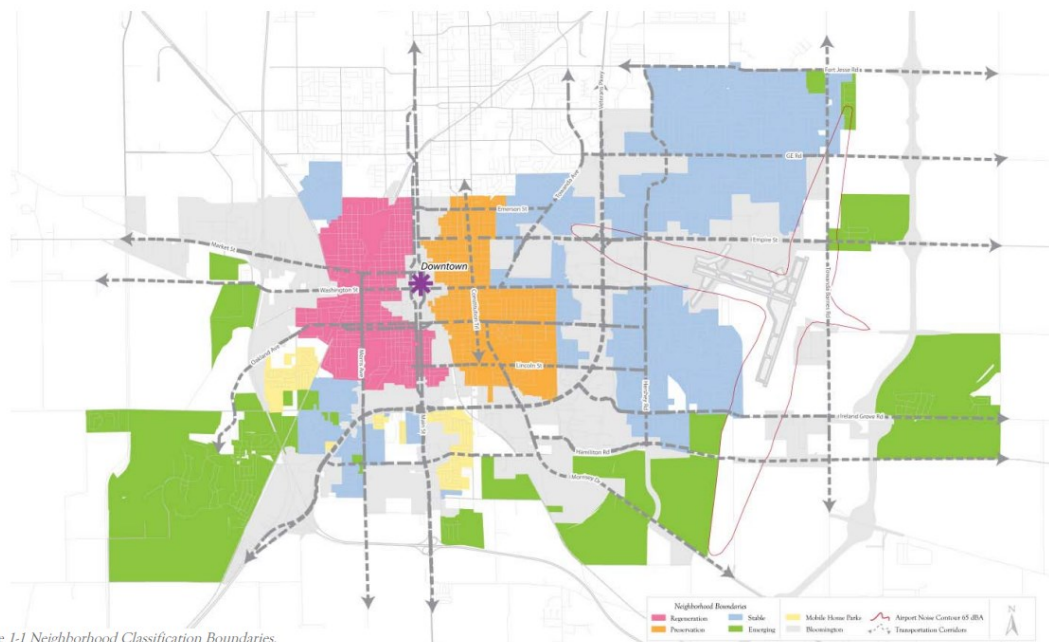
AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

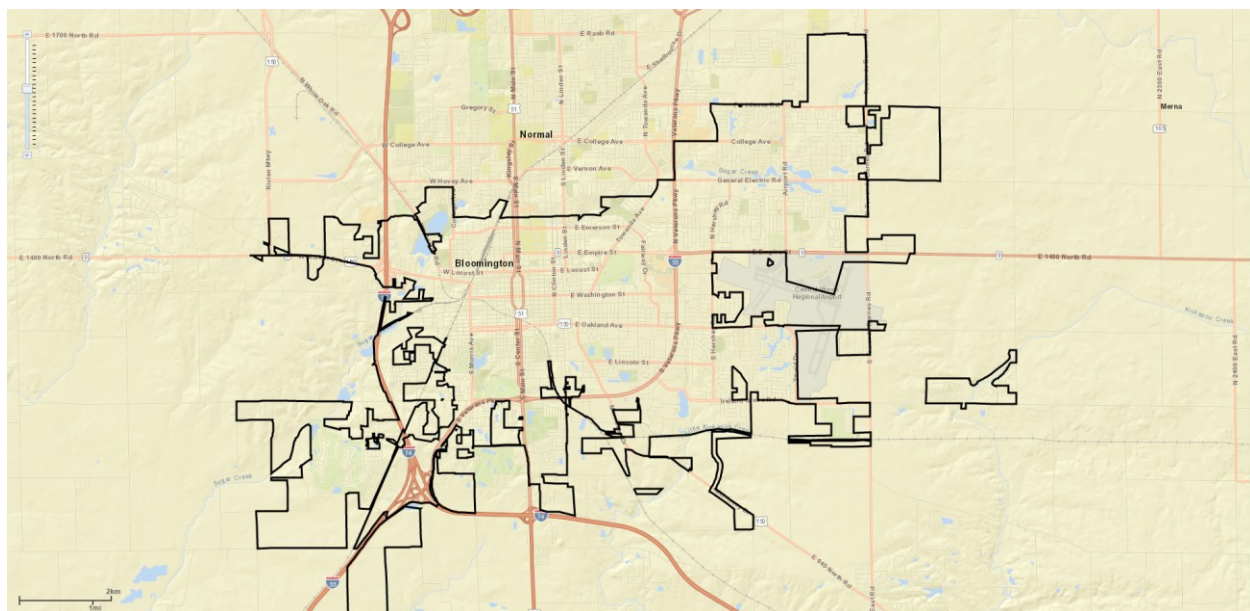
The City of Bloomington is the entity responsible for implementing the 2020-2024 Consolidated Plan, adopted by the Bloomington City Council on June 8, 2020. The Economic and Community Development department is responsible for managing the City's housing and community development efforts supported with Community Development Block Grant (CDBG) funds. Program Year 2022 will run from May 1, 2022 - April 30, 2023 and be the 48th year the City has implemented the CDBG program.

Geographically, the City of Bloomington encompasses 27.22 square miles of land area within McLean County, the largest county in Illinois. Census data from April 2021 places Bloomington's population at 78,680 or 46.02% of the total population of McLean County. It is served by 3 interstates, 2 major freight railroads, Amtrak, and the Central Illinois Regional Airport. The majority of the County's social services are located in Bloomington, primarily in or near the downtown area. Bloomington is divided into three zip codes. The 2019 Community Health Needs Assessment (CHNA) has identified 61701 as one of four zip codes within McLean County with the greatest socioeconomic needs. 61701 was the top ranked zip code with the other two Bloomington zip codes 22nd and 23rd out of 23 total codes. Through the CHNA, housing was identified as one of five social determinants influencing the health of those residing in the 61701 zip code.

The City's Comprehensive Plan divides the City into four broad areas: Regeneration Area, Preservation Area, Stable Area and Emerging Area. The programs outlined in this Annual Action Plan will occur primarily in the Regeneration and Preservation Areas, both of which are identified as priority target areas in the 2020-2024 Consolidated Plan. The Comprehensive Plan classifies the Regeneration Areas as an area in need of immediate resources. This area is home to the City's oldest housing stock and has a higher percentage of rental units than owner-occupied housing. Improving the infrastructure in this area is a priority for the City and our community. Although the Preservation Area is considered more slightly more stable than the Regeneration Area, additional resources are necessary to maintain its stability. Both areas are located within the 61701 zip code area.



Comprehensive Plan Area Map



City of Bloomington Map

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Please refer to Section AP-20 Annual Action Plan Goals and Objectives for an overview of the goals and objectives to be met during 2022 Program Year.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City chooses projects and activities based on the priority areas of the Consolidated Plan. The City, like other organizations across the nation, has battled through the COVID-19 Pandemic and associated impacts. Our organization is looking to re-set after this history changing period and improve performance. The core programs of the CDBG program each year include homeowner housing rehabilitation, demolition and clearance, public facilities and infrastructure improvements, and public services.

CDBG funds are made available to homeowner to perform critical home repairs and home modifications for accessibility improvements. In addition to CDBG, the City leverages Illinois Housing Development Authority (IHDA) rehabilitation funds through the Single Family Rehabilitation (SFR) program. These programs address the community's need to preserve the affordable housing stock. In total, the City supports approximately 20-25 housing rehabilitation projects a year.

Demolition and clearance of vacant/abandoned homes is another way the City addresses affordable housing. Once a lot is cleared, the City attempts to donate the property to Habitat for Humanity for construction of new affordable housing. If the property has never been connected to City water and sewer services, those connections are made prior to donating the property. When a property is not deemed buildable due to size or location, the City maintains the property until it can be donated to a local not-for-profit organization or sold. Approximately 2-3 demolition activities are completed each year.

In the past, public infrastructure improvements have included streets, sidewalks, sewers, and parks. During the outreach process for the 2020-2024 Consolidated Plan, the community strongly emphasized that sidewalks and parks should be the primary focus areas for CDBG. In recent years, CDBG funding has been utilized to build a new park in the Woodbury subdivision and make significant improvements to Evergreen Park. Sidewalk improvements have been made in the Dimmitt's Grove neighborhood and in West Bloomington along the W. Market corridor. Moving forward, the partnership with the City's Public Works Department will continue and public infrastructure projects that enhance multi-modal transportation options with sidewalk, park, and street improvements will be a focus.

CDBG regulations require public service activities be capped at 15% of the annual allocation. The City typically funds 5-6 public services project a year at the maximum allowed funding level. Long-standing public service partners include Providing Access To Help (PATH), Recycling Furniture for Families, Peace Meals, and the West Bloomington Revitalization Project.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

A notice of the availability of the Annual Action Plan and the public hearing was published in the Pantagraph on Monday, April 25, 2022. The notice was also published in the PATH-O-Gram and the City's website and social media pages. A virtual public hearing will be held on Monday, May 9, 2022 and public comments will be accepted through June 9, 2022.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

6. Summary of comments or views not accepted and the reasons for not accepting them

7. Summary

Sections 5-7 will be updated after the conclusion of the public comment period.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role		Name	Department/Agency
CDBG Administrator		BLOOMINGTON	Economic and Community Development Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Bloomington’s Economic and Community Development Department—Community Enhancement Division is the lead entity responsible for implementing the 2020-2024 Consolidated Plan. The Community Enhancement Division’s Grants Coordinator is responsible for preparing and submitting the Consolidated Plan, Annual Action Plans, Consolidated Annual Performance Evaluation Reports, Environmental Review Records, and other required reports. Additionally, the Grants Coordinator is responsible for overall financial monitoring/compliance, sub-recipient monitoring, applicant intake, records management, and community outreach activities related to CDBG funding.

In an effort to look at housing and community development issues on a more regional level, the City partnered with the Town of Normal (Town) and McLean County Regional Planning Commission (MCRPC) in the development of the 2020-2024 Consolidated Plan. MCRPC served as the lead agency for the consolidated plan process, providing a wealth of knowledge during the community engagement and data analysis processes. The projects and activities supported through this Annual Action Plan were selected based on the goals and priority areas established during the consolidated planning process.

Consolidated Plan Public Contact Information

Michael Sinnet

Community Enhancement Division Manager

Economic and Community Development Department

msinnet@cityblm.org

(309) 434-2450

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The Regional Housing Staff Advisory Committee served as the advisory body for the 2020-2024 Consolidated Plan. Members of this committee represent the City of Bloomington, Town of Normal, McLean County Regional Planning Commission, PATH (Continuum of Care), Bloomington Housing Authority, and the McLean County Behavioral Health Coordinating Council. This joint planning effort resulted in a robust outreach campaign that included citizens and stakeholders. Citizens were asked to participate by submitting a survey and attending a public meeting. Stakeholders were consulted via a written survey and several focus groups. Key informant interviews were also conducted. Consolidated Plan goals and priority needs were identified based on the results of the consultation efforts. The projects and activities identified in this 2022 Annual Action Plan were selected based on these goals and priority areas.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

Staff from the Community Enhancement Division participate in a variety of committees related to housing and other social service issues. CDBG funding from the City of Bloomington and the Town of Normal support community planning activities with the McLean County Regional Planning Commission.

As part of its COVID-19 Pandemic response efforts, the City actively participates in the McLean County Housing Assistance Coalition. The coalition brings together housing and service providers, local government staff, and other organizations to coordinate rent/mortgage and utility assistance for those affected by the pandemic. To date, service providers of the coalition have provided millions in assistance since the start of the COVID-19 Pandemic.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

PATH also assists the City with consolidated planning efforts. As the HMIS lead, PATH is able to provide data regarding the nature and scope of homelessness in the geographic area. The City works with other homeless service providers who receive a variety of governmental grants and private funding. Specifically, the CDBG program provides funding to PATH and Recycling Furniture for Families (RF4F) to support services for individuals experiencing homelessness or at-risk of becoming homeless. The CoC outreach team regularly visits locations unfit for human habitation known to be frequented by persons experiencing homelessness. Through these efforts, the team is able to better track homeless individuals, initiate relationships, assess needs, and help clients navigate local resources.

The first place most people go after leaving street living is emergency shelter. Shelters offer food, showers, clothing, and case management. The Salvation Army-Safe Harbor provides shelter for adult women and men. Home Sweet Home Ministries is the only family shelter in the county and will take individual men, women, and families with dependent children. The Crisis Nursery, a Children's Home and Aid program, provides emergency shelter to children from birth through six years of age. Project Oz specializes in assisting youth experiencing homelessness and provides immediate shelter to youth ages 10-22.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Emergency Services Grant (ESG) office charges the CoC with setting priorities for funding and to provide planning guidance to the regional ESG applicants. The CoC consults with ESG recipients to ensure that all applications are in alignment with funding requirements. ESG recipients submit the application to the CoC for approval. The CoC evaluates the merit of each proposal based on a preference for rapid re-housing, past performance, and relevance to the overall goals of the CoC strategic plan. Under performing organizations do not receive recommendation from the CoC for funding.

Once funding is successfully achieved, the recipients' performance is supervised through the project monitoring process, which includes an evaluation of progress towards goals, programmatic compliance, and financial review. If a compliance issue is discovered during monitoring, the CoC Board will discuss the issue with the recipient. A plan for corrective action is put in place and reviewed frequently to ensure progress towards compliance.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	PATH (Personal Assistance Telephone)
	Agency/Group/Organization Type	Services - Housing Services-Elderly Persons Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	PATH provided extensive consultation on needs of the homeless population during program development. As the HMIS lead, PATH staff frequently review data to identify gaps in services. The City selects activities to help meet these needs.
2	Agency/Group/Organization	BLOOMINGTON HOUSING AUTHORITY
	Agency/Group/Organization Type	Housing PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Both the City and Bloomington Housing Authority participate in the McLean County Housing Assistance Coalition, which focuses on addressing the housing needs of low-and moderate-income residents affected by the COVID-19 pandemic. Both organizations also serve on the McLean County Regional Housing Advisory Committee. One of the primary focus areas of the committee is to preserve the current affordable housing stock; including publicly supported housing.

3	Agency/Group/Organization	City of Bloomington - Parks and Public Works Departments
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Non-housing community development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Staff has worked with the Public Works Department to discuss sidewalk improvement needs and long-term planning. This consultation will continue throughout the 2020-2024 Consolidated Plan.
4	Agency/Group/Organization	WEST BLOOMINGTON REVITALIZATION PROJECT
	Agency/Group/Organization Type	Neighborhood Revitalization Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Neighborhood Revitalization
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	City staff work closely with the West Bloomington Revitalization Project (WBRP) to determine needs of the WBRP residents/area. The WBRP service area is within the Regeneration Area.
5	Agency/Group/Organization	McLean County Regional Planning Commission
	Agency/Group/Organization Type	Other government - County Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The McLean County Regional Planning Commission (MCRPC) was the lead organizer for the City's award-winning 2015-2035 Comprehensive Plan. MCRPC also served as the lead organization for the 2017 Regional Housing Study and development the 2020-2024 Consolidated Plan. All sources were utilized during development of this Annual Action Plan.
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Identify any Agency Types not consulted and provide rationale for not consulting

No agency types were purposefully removed from the consultation process during development of this plan.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	PATH	The Continuum of Care works to support homeless individuals achieve self-sufficiency. These goals align with the 2020-2024 Consolidated Plan.
BN Home Regional Housing Study	McLean County Regional Planning Commission	The BN Home Regional Housing Study addresses the preservation and development of affordable housing, a priority need identified in the 2020-2024 Consolidated Plan.
City of Bloomington Comprehensive Plan	City of Bloomington	The Comprehensive Plan focuses on housing, economic development, land use, transportation, health, community facilities, services, and other related topics. The Comprehensive Plan goals align closely with the 2020-2024 Consolidated Plan.
McLean County Community Health Needs Assessment	McLean County Health Department	The Community Health Needs Assessment provides data related to health and housing. Directing resources to improve the overall quality of the affordable housing stock is a priority goal of the 2020-2024 Consolidated Plan.
Bloomington Housing Authority Five Year PHA Plan	Bloomington Housing Authority	The 5-Year PHA Plan outlines the needs and priorities of the Bloomington Housing Authority. Addressing affordable housing is a priority goal of the 2020-2024 Consolidated Plan.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

The consultation process undertaken during creation of the 2020-2024 Consolidated Plan was robust and provided residents and stakeholders opportunities to participate in multiple ways. Undertaking consultation through a regional approach offered many more opportunities to engage the community than the City staff could have managed internally. The consultation resulted in the goals and priority areas used to select activities supported through this Annual Action Plan.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City of Bloomington adopted a new Citizen Participation Plan (CPP) in November 2018. It was amended in 2020 to allow for the waivers available through the CARES Act. ADD PUBLIC NOTICE DETAILS.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community				
2	Newspaper Ad	Non-targeted/broad community				
3	Internet Outreach	Social Service Agencies				

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	551,280	30,100	279,484	860,864	1,102,560	
Other	public - federal	Economic Development Public Services	0	0	0	0	0	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City will continue to leverage CDBG funding for housing rehabilitation to expand our footprint using Illinois Housing Development Authority (IHDA) funds. The source of that funding is IHDA's Single Family Rehabilitation program, which provides up to \$45,000 per unit for housing rehabilitation work (hard and soft costs). We anticipate completing 5-10 rehabilitation projects through this program in Program Year 2022.

The City receives funding to support maintenance, exterior repairs, and demolition at vacant, abandoned properties through an IHDA program as well. In 2020, IHDA announced a new program called Strong Communities Program (SCP) to help accomplish this work. The SCP program was a partner program to IHDA Abandoned Property Program (APP). Unfortunately, the APP program was ruled unconstitutional by the Illinois State Supreme Court in 2021 and the program was closed. The City will use a majority of the funds associated with SCP to accomplish demolition activities.

The City utilizes its CDBG public service dollars to support the Homeless Services program at Providing Access to Help (PATH). PATH utilizes these funds to meet the local match requirements of the Continuum of Care program. CDBG funds cover a portion of the salary and benefits for Homeless Services program staff.

Some CDBG housing rehabilitation funds will be used as match for the City's Lead Hazard Control program as well.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

At any given time, the City owns several properties slated for demolition. Once cleared, the properties are typically donated to Habitat for Humanity, another non-profit organization, or a developer for in-fill development of affordable housing. When these properties do not meet the criteria for demolition, the property is donated to a local not-for-profit organization such as YouthBuild or Dreams Are Possible for rehabilitation and resale to an income-qualified household. The non-profit also has the option of renting to an income-qualified household. Non-buildable, vacant lots are donated to non-profits for use as green space.

Discussion

As with most communities, needs are always greater than available funding. The City will continue to collaborate with other local agencies to leverage funding in an attempt to address some of the most critical needs of the community. We will focus on programs and services that enhance the quality of life for low-to-moderate income residents. We will also continue to seek non-CDBG funding to meet the priority needs, as staffing allows.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Preservation of existing affordable housing stock.
	Goal Description	The City will undertake several programs designed to preserve the existing affordable housing stock throughout the 2022 Annual Action Plan. The City has several programs that will be offered to community members. Traditional housing rehabilitation work and a roof program will be financed through 0% interest, deferred loans. Loans are typically capped at \$25,000 and include hard costs only. Soft costs will be mostly covered under rehabilitation service delivery. The City will also complete rehabilitation work on some properties that are a part of the Lead Hazard Control grant. This will be financed through grants to the homeowner. The City will also continue to its partnership with AMBUCS to build accessibility ramps during the 2022 Program Year. Water and sewer service costs will also be covered for lots that Habitat for Humanity owns and is building affordable housing units for low-to-moderate income households.

2	Goal Name	Elimination of slum and blight conditions.
	Goal Description	Demolition and clearance activities will be limited to residential properties. Rehabilitation is always considered before demolition, but most of the properties the City encounters are beyond the point where they can be rehabilitated. The City attempts to use vacant lots from demolition activities to create opportunities for affordable housing construction through Habitat for Humanity. Properties that do not meet Habitat's criteria may be offered to adjacent property owners or donated to local not-for-profits for green space. CDBG will be leveraged with other resources such as the Illinois Housing Development Authority's Strong Communities Program.
3	Goal Name	Support the provision of public service activities
	Goal Description	The City will support local non-profit organizations dedicated to providing services to low-to-moderate income residents and other special populations through the 2022 Program Year. Programs supported include PATH's Homeless Services and Emergency Grants program, the West Bloomington Revitalization Project, Recycling Furniture for Families, OSF Health Care's Peace Meal program, and KTB Financial. Services provided through these projects address the following high priority funding areas: homeless services, renter assistance, senior services, financial services, and programs for the WBRP target area.
4	Goal Name	Provide quality services and facilities.
	Goal Description	The City will address the provision of quality City services and public facilities through a security camera system installation for public housing, Americans with Disabilities Act improvements at the Mid-Central Community Action Agency, and a sidewalk project in the WBRP target area.
5	Goal Name	Administer CDBG effectively and proficiently.
	Goal Description	The City strives to improve the implementation and effectiveness of CDBG funded activities throughout the 2022 Program Year. Through the Administration and Planning goal, the City will support fair housing initiatives, Section 3 opportunities, regional housing planning efforts, and general administration of the CDBG program.

Projects

AP-35 Projects – 91.220(d)

Introduction

Activities were selected based on the relationship to the high priority funding areas identified in the 2020-2024 Consolidated Plan.

Projects

#	Project Name
1	Homeowner Housing Assistance
2	Rehabilitation Service Delivery
3	Residential Demolition
4	Public Services
5	Sidewalk Improvements
6	Non-Profit Building Improvements
7	CDBG General Administration
8	CDBG Administrative Programs
9	CDBG Planning
10	Public Housing Building Improvements

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

AP-38 Project Summary
Project Summary Information

1	Project Name	Homeowner Housing Assistance
	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Preservation of existing affordable housing stock.
	Needs Addressed	Affordable Housing Preservation
	Funding	CDBG: \$355,000
	Description	Activities completed under this project will include moderate rehabilitation, accessibility improvements and facade improvements at owner-occupied housing units. Owners will meet income qualifications.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Housing rehabilitation activities will be performed at housing units owned and/or occupied by income-qualified residents. The City typically completes 20-25 housing rehab activities under this project each year.
	Location Description	The homeowner rehabilitation program is open to all income-qualified residents in the City. Homeowner applications are accepted on a rolling cycle minus the roof replacement program. There is a waiting list at this time. All locations are to be determined.
2	Planned Activities	Housing rehabilitation requests vary depending on the specific needs. Work performed under this project can include roof, siding, door and window replacement; new soffit, fascia and gutters; new HVAC plumbing and electrical; and emergency water and sewer line replacement. Grants finance assistance for Lead Hazard Control match housing rehabilitation, emergency, and AMBUCS rehabilitation activities. General rehabilitation assistance and roof replacement assistance activities are financed through zero percent interest, five-deferred loans or grants depending on the project.
	Project Name	Rehabilitation Service Delivery
	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Preservation of existing affordable housing stock.
	Needs Addressed	Affordable Housing Preservation
	Funding	CDBG: \$33,000

	Description	This project will cover expenses related to the delivery of all rehabilitation programs performed under this Annual Action Plan. Expenses may include but not be limited to: staff expenses, training, postage, office supplies, advertising, printing, and environmental testing and clearance.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	This project supports other projects/activities under the Preservation of Affordable Housing goal. Numbers will be reported on associated activities.
	Location Description	Locations identified under other projects.
	Planned Activities	No activities outside of Rehabilitation Service Delivery will occur under this project.
3	Project Name	Residential Demolition
	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Elimination of slum and blight conditions.
	Needs Addressed	Affordable Housing Preservation
	Funding	CDBG: \$41,000
	Description	The City will address the elimination of slum and blight conditions throughout this Annual Action Plan. Demolition and clearance activities will be limited to residential properties. Rehabilitation is always considered before demolition, but most of the properties the City encounters are beyond the point where they can be rehabilitated. The City attempts to use vacant lots from demolition activities to create opportunities for affordable housing construction through Habitat for Humanity. Properties that do not meet Habitat's criteria may be offered to adjacent property owners or donated to local not-for-profits for green space.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	The estimated demolition activities will result in new housing construction through the City's partnership with Habitat for Humanity. Habitat's homeowner program is limited to households at or below 50% Area Median Income.
	Location Description	To be determined.

	Planned Activities	Demolition and clearance activities at three vacant/abandoned properties. Each property will be connected to City water and sewer services as necessary.
4	Project Name	Public Services
	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Support the provision of public service activities
	Needs Addressed	Homeless Services Senior Services Youth Services
	Funding	CDBG: \$82,500
	Description	The City will support local non-profit organizations dedicated to providing services to low-to-moderate income residents and other special populations through the 2022 Program Year.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	More than 1300 families will benefit from the other services provided through this project.
	Location Description	Most of the services will occur at the individual agencies. However, some services, such as Homeless Services, are provided on location. Agency locations are below: 201 E. Grove St, Bloomington 515 N. Center, Bloomington 724 W. Washington, Bloomington 1003 Maple Hill Rd, Bloomington (Peace Meals Bloomington Kitchen) 1301 W. Washington

	Planned Activities	Homeless services will be supported through grants to PATH's Homeless Services and Emergency Services programs and Recycling Furniture for Families. Peace Meals services in-home delivered, congregate meals, and case management for seniors. WBRP provides a wide variety of services for West Bloomington residents, including The Tool Library, Bike Co-op, Veggie Oasis, community workshops and community gardens. KTB Financial assists low-to-moderate income households with services geared towards financial security and self-sufficiency.
5	Project Name	Sidewalk Improvements
	Target Area	WBRP Service Area
	Goals Supported	Provide quality services and facilities.
	Needs Addressed	Sidewalk Improvements
	Funding	CDBG: \$188,000
	Description	This project will support sidewalk improvements in the WBRP service area.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	The sidewalks in this area connect area residents to jobs and services throughout the Bloomington-Normal community. Many public transportation routes stop along this area.
	Location Description	This activity will provide sidewalk improvements on West Market Street and on West Front Street.
	Planned Activities	This activity will provide sidewalk improvements on West Market Street and on West Front Street in the WBRP service area.
6	Project Name	Non-Profit Building Improvements
	Target Area	LMA Preservation Area WBRP Service Area
	Goals Supported	Provide quality services and facilities.
	Needs Addressed	Crime Prevention and Awareness Accessibility Improvements
	Funding	CDBG: \$30,000

	Description	This project will support ADA improvements at the Mid-Central Community Action Agency (MCCA) facility and security camera installation at the Bloomington Housing Authority's Irvin Apartments facility.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 250 residents will benefit from both the security camera installation (26) and the ADA improvements at MCCA (224).
	Location Description	The MCCA activity will take place at 1301 West Washington Street and the Bloomington Housing Authority activity will take place at 823 West Oakland Street and 810 West Jackson Street.
	Planned Activities	The security camera installation at Irvin Apartments will assist Bloomington Housing Authority staff resolve complaints and ensure compliance with behavior standards. This will also assist law enforcement gather evidence in cases of criminal activity. The MCCA ADA improvements will provide updated ADA compliant doors to increase the wellbeing of low-to-moderate income clients with disabilities seeking services with MCCA.
7	Project Name	CDBG General Administration
	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Administer CDBG effectively and proficiently.
	Needs Addressed	Crime Prevention and Awareness Housing Discrimination Services Renter Assistance Senior Services Accessibility Improvements Affordable Housing Preservation Sidewalk Improvements
	Funding	CDBG: \$30,300
	Description	This project will support general administration of the CDBG program throughout this Annual Action Plan. Expenses may include but not be limited to: staff expenses, training, postage, office supplies, grants management software, advertising and postage.

	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Program beneficiaries will be reported under other projects.
	Location Description	Administrative activities will occur within the Economic and Community Development Department, located at 115 E. Washington St., Bloomington, IL 61702.
	Planned Activities	Grant administration will be the only activity under this project.
8	Project Name	CDBG Administrative Programs
	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Administer CDBG effectively and proficiently.
	Needs Addressed	Job Training and Workforce Development Housing Discrimination Services
	Funding	CDBG: \$25,000
	Description	This project will support programs addressing administrative requirements of the CDBG program such as fair housing and Section 3 training.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	This project will support activities benefiting 50 low-to-moderate income residents. The majority will be renters.
	Location Description	Fair housing services will be offered through Prairie State Legal Services' Bloomington office at 201 W. Olive St. Section 3 training opportunities for public housing residents will be provided at locations that will be determined at a future date.
	Planned Activities	The City will partner with the Bloomington Housing Authority to offer a series of job- and life-skills training opportunities and a job fair for public housing and Housing Choice Voucher Program participants. Prairie State Legal Services will be the lead agency on a fair housing program, which will include a housing discrimination testing program.
	Project Name	CDBG Planning

9	Target Area	LMA Preservation Area WBRP Service Area LMA Regeneration Area - Outside WBRP
	Goals Supported	Preservation of existing affordable housing stock.
	Needs Addressed	Affordable Housing Preservation
	Funding	CDBG: \$36,000
	Description	This project will support planning for regional housing initiatives and other projects supported through this Annual Action Plan.
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	McLean County Regional Planning Commission, 115 E. Washington St, Bloomington, IL
	Planned Activities	McLean County Regional Planning Commission (MCRPC) will serve as the lead agency for the Regional Housing Staff Advisory Committee. MCRPC will coordinate the Affordable and Supportive Housing Committee; serve as the hub for regional housing data through the Housing Dashboard; educate policymakers, stakeholders and the general public on affordable housing issues through a series of whitepapers; assist with Consolidated Plan implementation; and support City staff with housing initiatives, as request.
10	Project Name	Public Housing Building Improvements
	Target Area	LMA Preservation Area WBRP Service Area
	Goals Supported	Provide quality services and facilities.
	Needs Addressed	Crime Prevention and Awareness
	Funding	CDBG: \$44,064
	Description	This project will support the installation of security cameras at the Bloomington Housing Authority's Irvin Apartments.
	Target Date	4/30/2023

	Estimate the number and type of families that will benefit from the proposed activities	An estimated 26 residents will benefit from this improvement.
	Location Description	This activity will take place at 823 West Oakland Street and 810 West Jackson Street (Irvin Apartments).
	Planned Activities	Security camera installation at Irvin Apartments will assist Bloomington Housing Authority staff resolve complaints and ensure compliance with behavior standards. This will also assist law enforcement gather evidence in cases of criminal activity.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

West Bloomington has a higher concentration of low-income and minority households than many other areas within the City. Infrastructure is aging and in need of replacement.

Geographic Distribution

Target Area	Percentage of Funds
LMA Preservation Area	2
WBRP Service Area	64
LMA Regeneration Area - Outside WBRP	34

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

During the outreach process conducted for the development of the 2020-2024 Consolidated Plan, West Bloomington was identified as the area most in need of revitalization. The WBRP Service Area encompasses a smaller target area formerly identified as the City's designated slum/blight area.

Discussion

The distribution of funds between the WBRP Service Area and LMA Regeneration Area - Outside WBRP may vary depending on the locations of housing rehabilitation projects. A small portion of funding will be spent in the Preservation Areas as the needs are not as significant.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Although CDBG cannot be used for new construction, the City will support affordable housing preservation through several of the projects identified in this Annual Action Plan.

One Year Goals for the Number of Households to be Supported	
Homeless	5
Non-Homeless	0
Special-Needs	0
Total	5

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	2
Rehab of Existing Units	22
Acquisition of Existing Units	0
Total	24

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The total number of households supported through this Annual Action Plan are based on the estimated numbers served through the following projects:

New Habitat for Humanity Homes: 2 Units

Homeowner Assistance (Rehabilitation): 22 Units

AP-60 Public Housing – 91.220(h)

Introduction

The Bloomington Housing Authority is committed to providing quality housing and services to its public housing and Housing Choice Voucher Program residents.

Actions planned during the next year to address the needs to public housing

CDBG funds will be provided to the Bloomington Housing Authority to install security cameras at the Irvin Apartments.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Housing Authority provides several ongoing opportunities for resident involvement. The Housing Authority has a resident services department. Resident engagement is a significant part of this department's responsibilities.

The resident services department facilitates BHA-sponsored events such as a Health and Resource Fair, on-site employment and job-readiness training, and after-school tutoring in two different computer labs at public housing sites. In addition to offering specific "in-house" resources, the Housing Authority collaborates with local partners on multiple events. These activities are opportunities for engagement in the Bloomington-Normal community, building ties among neighbors, and promoting self-advocacy. With a full-time elderly service coordinator staffed at Wood Hill Towers, elderly, disabled, and near-elderly residents have even more opportunities for resident involvement in social and community-oriented activities.

The Housing Authority is required to convene a Resident Advisory Board each year as part of the process in adopting its annual PHA plan. A public hearing is also conducted as part of this process, and it is well attended by residents, who offer their feedback and suggestions on Housing Authority goals, objectives, and programming for the coming years.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Bloomington Housing Authority is not designated as "troubled."

Discussion

The City has a long-standing partnership with the Bloomington Housing Authority. Both organizations are members of the Regional Housing Advisory Staff Committee. The City has utilized CDBG for many years to fund job and life-skills training for public housing and Housing Choice Voucher residents and to

support improvements to public housing buildings. These activities will continue during this Annual Action Plan.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City will continue to serve as a co-lead agency with PATH for the McLean County Continuum of Care. The City is the fiscal agent while PATH provides Continuum coordination, HMIS management and direct services. The Continuum of Care seeks to address the current homeless client base as well as any additional demands on the homeless system.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Through the Homeless Services CDBG program with the City of Bloomington, PATH reaches out to individuals and families experiencing homelessness that are unsheltered and in emergency shelters. Annually, the goal is to come in contact and assist 200 individuals and families per year. This involves making referrals to other agencies in the community and helping clients obtain work clothing once employment has been verified. Additionally, 80 people per year will get housing information and guidance. PATH keeps an up-to-date list of rental units in the community, which we are able to provide to clients that have an income and saving some money, especially when at an emergency shelter. While we talk about housing issues with all clients, at certain times we are able to be more specific about housing information guidance for those that are closer to becoming housed. Other actions from PATH's outreach team are to determine the barriers and challenges faced by unsheltered clients and provide this information to the CoC. This helps determine if and how services should take these factors into account.

Addressing the emergency shelter and transitional housing needs of homeless persons

Consumer Surveys at emergency shelters and transitional housing projects are an important way to get information about the needs of clients. Needs are also identified during case management. The Consumer Survey has been updated and was implemented during the 2020 Program Year. Annually, the emergency shelters' goals are to provide effective case management to all clients staying at their shelter. The goals in case management vary as the specific needs of clients vary but nearly always include referral to services and public benefits. Anyone experiencing homelessness in emergency shelter or transitional housing may receive assistance from PATH's outreach team. This team also helps connect clients with resources and benefits. Staff continue to recruit non-ESG and/or CoC funded agencies to engage with the CoC. This would allow the CoC to determine the specific needs of their clients and have a more accurate and complete picture about the needs of those in transitional housing.

Helping homeless persons (especially chronically homeless individuals and families, families

with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

A current goal of the CoC is to get more programs that are not mandated to follow the Coordinated Entry (CE) to participate in our system. For example, there are several transitional housing programs that are not CoC or ESG funded that do not pull from the CE Prioritization List. The goal is to get them to participate at a minimum level first. This means that they have access to the Prioritization List but can choose whether or not to use it. Having greater participation in the CE system can help the CoC house those identified as most vulnerable much faster. Currently, the CE system is hampered by the lack of housing opportunities to which referrals can be made. The Central Illinois CoC also plans on improving its System Performance Measures, as part of their Strategic Plan. This would provide data to better understand how and where improvements are needed in service delivery.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The goal of all CoC and ESG funded activities is to connect clients to appropriate services. If they enter into the CE system at the wrong place, they are given a referral to connect with the right resources for their given needs. That may be a referral to the Salvation Army, PATH's Homeless Services, or PATH's 211 call center. Our current goal in the CoC is to strengthen our partnerships with agencies that discharge clients (e.g., health care facilities, mental health, corrections). Currently, those referrals are made from discharging institutions, but a greater effort is being made to get them knowledgeable about CoC policy and to find gaps in services or determine if certain referrals are not successful.

Discussion

The Central Illinois CoC, like many other organizations, is going through staff transitions. These staff changes coupled with staff changes at the City will enable new partnerships to be built and lead to a re-evaluation of current operating practices. The City will continue to work with the Central Illinois CoC to determine how to best use funding to help alleviate and end homelessness in the Bloomington-Normal area.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The City strives to eliminate barriers to affordable housing throughout this Annual Action Plan and beyond. Affordable housing issues are addressed throughout several projects to be implemented during the 2020-2024 Consolidated Plan period. Staff will continue to seek new opportunities beyond those discussed below.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City operates homeowner housing rehabilitation programs for low- and moderate-income residents. These programs help homeowners complete critical repairs to their homes. Many homeowners can afford their regular monthly expenses but are unable to pay for large ticket items. By offering 0% interest terms under deferred loans or grants, homeowners can maintain the affordability of their current housing.

The City waives all building permit and inspection fees for any non-profit organization building or rehabilitating affordable housing for low- and moderate-income residents. This policy extends to all private contractors performing rehabilitation work under CDBG- or IHDA-funded projects.

In August 2015, the City of Bloomington adopted its current Comprehensive Plan with goals aimed at reducing barriers to affordable housing. While the Plan is not policy, it serves as a guide for policy decisions. The Comprehensive Plan encourages future infill development opportunities and provides a tiered system for prioritizing development.

The Regional Housing Staff Committee also monitors and encourages the Low Income Housing Tax Credit (LIHTC) tool as an option for developers. This committee provides continual updates on the number of units supported through this program to City staff as well.

Discussion:

The City will continue to look at policy changes and other programs than can further reduce barriers to affordable housing.

AP-85 Other Actions – 91.220(k)

Introduction:

The City endeavors to plan its annual program based on how to best meet the needs of the community while staying within the federal regulations for the Community Development Block Grant. When services are needed but cannot be provided directly by the City, partnerships are created/maintained to ensure the services are available to those most in need.

Actions planned to address obstacles to meeting underserved needs

The City attempts to maximize its funding to public services so that as many agencies serving vulnerable populations as possible are supported. Staff continue to look for funding resources outside of CDBG to further address the needs of special populations such as disabled and elderly homeowners. The 2020-2024 Consolidated Plan and this Annual Action Plan make resources for West Bloomington residents a priority. Having said that, there is clearly a need for public services that is beyond the capacity of our CDBG program or the City as a whole. Additional investments from sources outside of the Bloomington-Normal community would be required to eliminate obstacles to meeting the needs of the underserved.

Staff will continue to serve on committees and work groups that address the housing needs of low-to-moderate income families. The City will remain the fiscal agent for the McLean County Continuum of Care, which addresses the needs of the City's homeless as well.

The John M. Scott Health Care Trust provides funding to local service providers to ensure individuals without adequate, affordable healthcare have access to quality health services. Serving as Staff Administrator for the Commission is a part of the Grants Coordinator job duties. The Staff Administrator serves as a liaison between the John M. Scott Commission and the City in addition to operating the grants program offered by the Trust. The Bloomington City Council serves as the Trustee of the Trust. In the City's Fiscal Year 2023, which runs parallel to the CDBG Program Year, the Trust will invest nearly one million dollars into the community through grants to local organizations that provide health care services to underserved community members within McLean County.

Actions planned to foster and maintain affordable housing

Preservation of the existing affordable housing stock and the creation of new affordable housing through demolition and clearance are high priorities identified within this Annual Action Plan. In fact, nearly 50% of funding will be dedicated to these projects. Additionally, the City will continue its participation in the Regional Housing Staff Advisory Committee and the Affordable and Supportive Housing Committee. One of the continuing initiatives of the Regional Housing Staff Advisory Committee is to inventory all income-qualified housing in McLean County and track contract expiration dates. These units are a significant portion of the affordable housing stock, especially for those households with extremely low and low incomes. Additionally, these committees have begun to explore how land use

policy changes can encourage development, including affordable housing development, in established neighborhoods within the City through infill development.

Actions planned to reduce lead-based paint hazards

All CDBG contractors are required to maintain Renovation, Repair and Painting (RRP) certification. The City offers all CDBG approved contractors the opportunity to attend the RRP certification training every five years at no cost to the contractor. A training was held in April 2021 resulting in 26 new/renewed certifications. The next training will be held in April 2025. Additionally, the City's Rehab Specialist will maintain all necessary licenses and certifications to ensure that lead-based paint safety practices and regulations are being strictly adhered to on all CDBG projects. The City also has funding from the HUD Lead-Based Paint Hazard Control and Healthy Housing grant program. The period of performance for the grant started on January 4, 2021. It is a 42 month program that will address lead and health hazards in approximately 92 owner-occupied and rental housing units. Unfortunately, staff transitions and continued hurdles from the COVID-19 Pandemic have continued to delay the initial start of lead hazard reduction work.

Actions planned to reduce the number of poverty-level families

The City will continue to support the Bloomington Housing Authority's job and life-skills training program annually. The program offers job training and a job fair each year for public housing residents and Housing Choice Voucher recipients. Past training topics have included Microsoft Office Suite, how to write a resume, interview skills, and money management and budgeting. The training(s) and job fair are designed to foster job and life skills required for the local workforce and increase facetime with the businesses most likely to employ individuals with those skills.

Homeownership is traditionally the greatest source of an individual's wealth. The City's Homeowner Rehabilitation Program provides low-to-moderate income homeowners the opportunity to preserve their greatest asset. Income-qualified households can receive assistance through a 0% interest, deferred loans or grants depending on the type of project. The City also offers housing rehabilitation through the Illinois Housing Development Authority's (IHDA) Single Family Rehabilitation program. Through this program, homeowners can receive up to \$45,000 in assistance through a 5-year forgivable loan.

Actions planned to develop institutional structure

With a variety of staff transitions at key local organizations, City staff has, and will continue, to build partnerships to better serve the community. Outside of the committees associated with the McLean County Regional Planning Commission, the City continues to be a member of the Invest Health Team. This team was formed to look at the built environment and how it affects the health and well-being of City residents. Additionally, the City is currently building partnerships with organizations, such as the Bloomington-Normal Water Reclamation District, to discuss long-term public infrastructure strategies,

goals, and plans.

Through the John M. Scott Trust grant program, the City continues to build strong partnerships with community organizations serving underserved community members. A multitude of local organizations are funded each year with this program. Grants are awarded for general health care operations, capital improvements, and health care programs.

Staff will continue to foster new partnerships that will improve the institutional delivery structure of CDBG and the priorities identified in the 2020-2024 Consolidated Plan.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will continue to support the McLean County Continuum of Care, which consists of representatives from social service agencies and public housing. As a member of the Regional Housing Staff Advisory Committee, the City participates in a variety of initiatives designed to increase communication between all types of housing and service providers.

Discussion:

The City will continue to seek additional funding to support local programs in ways that CDBG is unable to do so. Interagency collaboration has been referenced throughout this Plan and will remain a key component of the City's strategy to meet the needs of the community.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

The City makes every attempt to utilize program income within the same program year it is received. Section AP-15 Expected Resources Table 5 shows \$30,000 in estimated program income, which has been budgeted to projects within this Annual Action Plan.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	80.00%

No new funding to meet urgent needs has been allocated in this Annual Action Plan.



PUBLIC HEARING ITEM NO. 9.B

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact, Ward 1, Ward 2

SUBJECT: Public Hearing on a Proposed Annexation Agreement with Sale Barn Properties LLC for Land Located North of West Hamilton Road and West of South Main Street, in McLean County, Illinois, Consisting of 46 Acres More or Less, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

None; presentation and public comment only.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 3. Grow the Local Economy
- Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 3a. Retention and growth of current local businesses
- Objective 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service
- Objective 2a. Better quality roads and sidewalks

BACKGROUND: On Wednesday, April 6, 2022, the Planning Commission held a public hearing and voted 7-0 to recommend approval of an annexation agreement proposed by Sale Barn Properties LLC., for an approximately 46-acre property generally located north of West Hamilton Road and west of South Main Street (located on a Tract of Land Being Part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, 46 Acres More or Less).



The proposed annexation agreement is for the annexation of approximately 46 acres, which will be developed as a sports and fitness establishment. As part of the agreement, the premises will be required to connect to the City's sanitary sewer and water mains, and stormwater detention will be provided. Sale Barn Properties, LLC., will be required to put in a water main to the north of the property at its cost and expense. The agreement also acknowledges that tap-on fees are paid via a previous agreement for connection to the sanitary sewer; and, the agreement waives annexation fees, in light of the intended use of the property to fill a recreational need in the community and the non-profit status of the annexing party.

Chapter 8.5 § 203 of the City Code requires that the City Council hold a public hearing prior to adopting an Annexation Agreement. That section requires that the Council approve or reject the Annexation Agreement on the basis of: (1) The facts presented at the public hearings; (2) The recommendations of the Planning Commission; and (3) The recommendations of the City Staff. The hearing is also required by the Illinois Municipal Code.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, April 6, 2022. The City published notice of the hearing in *The Pantagraph* on Monday, February 14, 2022. Courtesy notices were mailed to 178 property owners within 500 feet of the subject property. A notification sign was placed on the property. Additionally, the notice for the public hearing at City Council, the subject of this memo, was also published in the *Pantagraph* on Saturday, April 23, 2022.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this section of identifies this section of West Hamilton Road as an emerging commercial activity center. The Development Priorities map identifies this area as a Tier 2 priority, land immediately adjacent to the City's incorporated area, and with access to all City services. Comprehensive Plan goals supported are ED-1.2 Leverage community assets in attracting business, ED-4.4 Evaluate commercial land use needs in the context of changing economic trends, ED-5.1 Expand tourism attractions and destinations, and CF-1. Continue to provide quality public facilities and services.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

Reviewed by:



Melissa Holt, Economic and Community Development Director

4/29/2022



Chris Tomertin, Budget Manager

4/29/2022



Jeffrey R. Jurgens, Corporation Counsel

5/5/2022



Kara Henry, Legislative Assistant & Records Manager

5/6/2022

Attachments:

- E&CD 1B PCSL Annexation Agreement with Exhibits

ANNEXATION AGREEMENT

Pursuant to legislative authorization found in Article 11 Division 15.1 of the Illinois Municipal Code of 1961 as amended, (65 ILCS 5/11-15.1-1 et seq.) and for and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned City of Bloomington, Illinois, a Municipal Corporation, hereinafter referred to as “City” and SALE BARN PROPERTIES, LLC, an Illinois limited liability company, including any subsequent purchasers or owners of the property, hereinafter collectively referred to as “Owner,” and PRAIRIE CITIES SOCCER LEAGUE, INC., an Illinois not-for-profit corporation d/b/a FC CENTRAL ILLINOIS (“PCSL”) enter into this Annexation Agreement (“Agreement”) for the annexation of property into the City.

WHEREAS, Owner is the owner of record of the premises hereinafter described on Exhibit A, which is attached hereto and made a part hereof by this reference, and has entered into a lease with PCSL; and

WHEREAS, the Owner and PCSL are desirous of having said premises annexed to the City and the City is desirous of annexing said premises; and

WHEREAS, said premises is not within the corporate limits of any municipality, but is contiguous to the City; and

WHEREAS, the Owner and PCSL are desirous of having said premises zoned B-1 upon annexation to the City; and

WHEREAS, the City is desirous of confirming the obligations related to a certain water main located on the premises to be annexed; and

WHEREAS, the Owner and PCSL have given all notices required to be given by Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1).

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City, Owner and PCSL agree as follows:

1. ANNEXATION PETITION.

Owner and PCSL, subject to the terms and conditions set forth in this Agreement, will file a petition with the City of Bloomington, requesting annexation of the property described on Exhibit “A” to the City’s corporate limits, within 30 days of approval of this Agreement. The City has published and gave such notices and conducted such public hearings as are required for approval of this Agreement and will provide any such required notices and public hearings to annex the premises, as required by law and ordinance.

2. ANNEXATION.

Upon the filing of an annexation petition by Owner and PCSL, the City agrees, within sixty (60) days of filing of said petition, to adopt an ordinance annexing the property described on Exhibit “A” to the City of Bloomington.

3. ZONING.

City agrees to rezone the property to B-1 (general commercial) subsequent to any public hearings required by the City Code.

4. DEVELOPMENT OBLIGATIONS.

- A. With regard to the annexation, and development of the premises, the installation of public improvements within and serving the premises; and the use and development of the premises during the life of this agreement, the parties acknowledge and note that via a previous agreement between the Owner and the City, the applicable annexation and connection fees have already been paid or waived, such that the following shall apply:
- i. Sanitary Sewer. The premises will be required to connect to the City’s sanitary sewer within 12 months of execution of this Annexation Agreement. The parties acknowledge and note that via a previous agreement, the Owner has already paid any and all tap on fees for connection to the sanitary sewer, such that no further such fees shall be due and owing.
 - ii. Water. The premises shall be required to connect to the City’s water mains within 12 months of execution of this Annexation Agreement; the parties acknowledge and note that via a previous agreement, the Owner has already paid for any and all tap on fees for connection to the water mains, such that no further such fees shall be due and owing.
 - iii. Stormwater Detention. Owner and PCSL shall provide on-site detention pursuant to the City Code in place at the time of construction or may utilize the current drainage pond to the north of the property indicated on the Annexation Plat, as long as there is an easement or other agreement binding use and maintenance rights of both PCSL and the City.
- B. Owner shall be required to provide an access easement, or similar instrument, for the property north of the Annexation Plat, on or around Parcel ID No. 21-16-176-029, as a roadway to ensure no area is landlocked.
- C. PCSL shall be required final plat the annexed area within the sooner of 12 months or the legislative plan adoption.

- D. PCSL shall put in the water main to the north of the property, at its sole cost and expense, as shown on the attached Exhibit B.
- E. PCSL shall develop and maintain a soccer complex, consistent with the Prairie Cities Soccer League Site Plan Exhibit that was submitted for the site approval, dated February 8, 2022, as amended, on the property described in Exhibit A.

5. OBLIGATION TO DEVELOP PER CODE.

In the construction and use of improvements on the subject property the Owner and PCSL shall comply with all zoning subdivision, building, mechanical and other applicable codes and ordinances of the City of Bloomington in effect at that time, except as may be agreed between the parties. The parties particularly note that the Owner/PCSL has requested consideration and/or a waiver as to certain potential design requirements pertaining to the parking lot planned for the premises.

6. ANNEXATION TO OTHER TAXING DISTRICTS.

That Owner and PCSL, as soon as practicable, but not later than 30 days from the date of annexation to the City, shall file and thereafter diligently pursue the necessary petition to annex the property to the Central Illinois Regional Airport Authority and the Bloomington and Normal Water Reclamation District.

7. COVENANTS AND AGREEMENTS

The covenants and agreements contained in the Agreement shall be deemed to be covenants running with the land during the term of this Agreement, shall inure to the benefit and be binding upon the heirs, successors and assigns of the parties hereto.

8. TERM

The term of this Agreement shall be for twenty (20) years from and after the effective date of the annexation of the Subject Property.

9. NOTICES

Any and all notices required or desired to be given hereunder shall be in writing and shall be delivered personally or sent via certified or registered mail, postage pre-paid and addressed as follows:

City of Bloomington
Attn: City Manager
109 East Olive Street
Bloomington, IL 61701

Sale Barn Properties, LLC
103 N. Robinson Street
Bloomington, IL 61701

Prairie Cities Soccer League, Inc.
705 E. Lincoln Street, Suite 113
Normal, IL 61761

or to such other person or address as a party may designate in a like manner.

10. ADOPTION OF ORDINANCES

The City agrees to adopt such ordinances as may be required to give legal effect to the matters contained in this Agreement.

12. GENERAL PROVISIONS

The following general provisions shall apply to this Agreement:

- A. Time of the Essence. Time is of the essence in the performance of this Agreement.
- B. Rights Cumulative. Unless expressly provided to the contrary in this Agreement, each and every one of the rights, remedies, and benefits provided by this Agreement shall be cumulative and shall not be exclusive of any other rights, remedies, and benefits allowed by law.
- C. Non-Waiver. The City shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the City to exercise at any time any right granted to the City shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the City's right to enforce that right or any other right.
- D. Consents. Unless otherwise provided in this Agreement, whenever the consent, permission, authorization, approval, acknowledgement, or similar indication of assent of any party to this Agreement, or of any duly authorized officer, employee, agent, or representative of any party to this Agreement, is required in this Agreement, the consent, permission, authorization, approval, acknowledgement, or similar indication of assent shall be in writing.
- E. Governing Law. This Agreement shall be governed by, and enforced in accordance with, the internal laws, but not the conflicts of laws rules, of the State of Illinois.
- F. Severability. It is hereby expressed to be the intent of the parties to this Agreement that should any provision, covenant, agreement, or portion of this Agreement or its application to any Person or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any Person or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so

as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

- G. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.
- H. Interpretation. This Agreement shall be construed without regard to the identity of the party who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.
- I. Exhibits. The Exhibits attached to this Agreement are, by this reference, incorporated in, and made a part of this Agreement. In the event of a conflict between an exhibit and the text of this Agreement, the text of this Agreement shall control.
- J. Amendments and Modifications. No amendment or modification to this Agreement shall be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.
- K. Changes in Laws. Unless otherwise provided in this Agreement, any reference to the Requirements of Law shall be deemed to include any modifications of, or amendments to, the Requirements of Law that may occur in the future.
- L. Authority to Execute. The City hereby warrants and represents to the Owner and PCSL that the Persons executing this Agreement on its behalf have been properly authorized to do so by the Corporate Authorities. The Owner and PCSL hereby warrant and represent to the City (i) that Owner is the record and beneficial owner of fee simple title to the Property, (ii) except for a mortgage on the property, no other person has any legal, beneficial, contractual, or security interest in the Property and that annexing the property is not a violation of the security interests, (iii) that they have the full and complete right, power, and authority to enter into this Agreement and to agree to the terms, provisions, and conditions set forth in this Agreement and to bind the Property as set forth in this Agreement, (iv) that all legal actions needed to authorize the execution, delivery, and performance of this Agreement have been taken, and (v) that neither the execution of this Agreement nor the performance of the obligations assumed by the Owner or PCSL will (a) result in a breach or default under any agreement to which the Owner or PCSL is a party or to which it or the Property is bound or (b) violate any statute, law, restriction, court order, or agreement to which the Owner, PCSL or the Property is subject.

- M. Enforcement. The parties to this Agreement may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this Agreement, including but not limited to compelling annexation of the property; provided, however, that the Owner and PCSL agree that they will not seek, and do not have the right to seek, to recover a judgment for monetary damages against the City, or any of its elected or appointed officials, officers, employees, agents, representatives, engineers, or attorneys, on account of the negotiation, execution, or breach of this Agreement.
- N. No Third Party Beneficiaries. No claim as a third-party beneficiary under this Agreement by any Person shall be made, or be valid, against the City or the Owner or PCSL.
- O. Recording. After the Owner/PCSL has paid to the City an amount sufficient to cover the cost of recording this Agreement, all necessary plats, the affidavit of service of notice as required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the Annexation Ordinance, the City shall promptly cause this Agreement to be recorded in the office of the Recorder of McLean County.
- P. Annexation Fees. The City agrees to waive any applicable annexation fees that would otherwise be due in light of the intended use of the property to fill a recreational need in the community and the non-profit status of the annexing party.

EXECUTED and ADOPTED this_____day of May, 2022 at Bloomington, Illinois.

CITY OF BLOOMINGTON

By: _____
Mboka Mwilambwe, Mayor

Attest:

By: : _____
City Clerk

OWNER: SALE BARN PROPERTIES, LLC

PRAIRIE CITIES SOCCER LEAGUE, INC.

Exhibit A

5126.02
Annexation Legal
2/10/22
DPB

Legal Description of Subject Premises

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Lot 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16 lying north of the north line of those portions of said Lot 1, 2, 3 and 4 conveyed to the City of Bloomington in Warranty Deed recorded January 15, 2010 as Document No. 2010-1209, in McLean County, Illinois, EXCEPT that portion of Lot 1 previously annexed to the City of Bloomington described in Document No. 79-5383 recorded in McLean County, Illinois, and also EXCEPT the West 33 feet of Lot 4.

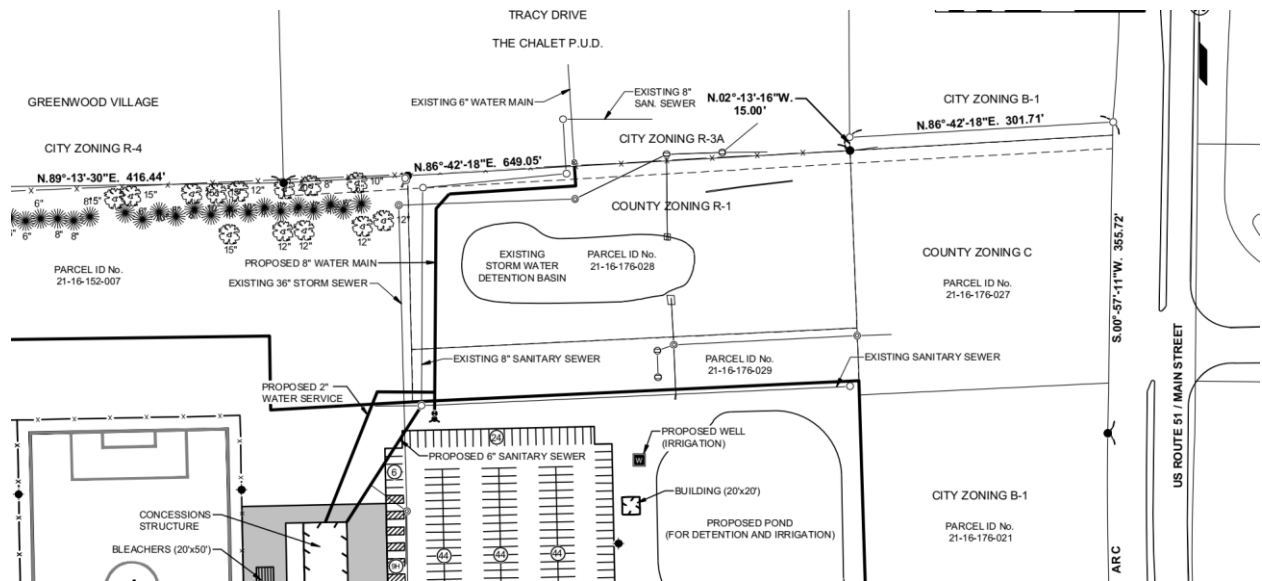
Together with:

Lot 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, EXCEPT the West 33 feet of Lot 13, and also EXCEPT, Beginning at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence East parallel with the north line of said Lot 15 to the east line of said Lot 15; thence North to the Point of Beginning.

And also EXCEPT:

Commencing at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development to the Point of Beginning; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence West 162.63 feet parallel with the south line of said Lot 15; thence North 84.51 feet to a point lying 175 feet south of the north line of Lot 13 and 14; thence West 520 feet at a right angle measured from the last described course parallel with the north line of said Lot 13 and 14; thence Southwesterly 190 feet to a point lying 290 feet south of the north line of said Lot 13 and 14, said north line of Lot 13 and 14 also being the south line of Loeseke Survey recorded as Document No. 66-4969 in the McLean County Recorder's Office; thence West 620 feet parallel with the north line of said Lot 13 and 14 and south line of said Loeseke Survey to the east line of the West 33 feet of said Lot 13; thence North 290 feet to the northeast corner of the West 33 feet of said Lot 13 on the south line of said Loeseke Survey; thence East 1,452 feet on the north line of Lot 13, 14 and 15 to the Point of Beginning.

Exhibit B



REGULAR AGENDA



REGULAR AGENDA ITEM NO. 10.A

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 1, Ward 2

SUBJECT: Consideration and action on a Resolution Approving An Annexation Agreement with Sale Barn Properties LLC for Land Located North of West Hamilton Road and West of South Main Street, in McLean County, Illinois, Consisting of 46 Acres More or Less, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 3a. Retention and growth of current local businesses

BACKGROUND: Sale Barn Properties LLC, has submitted a petition for approval of an annexation agreement for an approximately 46-acre property located north of West Hamilton Road and west of South Main Street. The agreement includes provisions for connection to sanitary sewer and water mains, and stormwater detention. Additionally, upon annexation, the property is proposed to be zoned B-1 (General Commercial) District.

On Wednesday, April 6, 2022, the Planning Commission held a public hearing and voted 7-0 to recommend approval of the annexation agreement and zoning map amendment. The recommendation is consistent with the staff recommendation.

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

Chapter 8.5 § 203 of the City Code requires that the City Council hold a public hearing prior to adopting an Annexation Agreement. That section requires that the Council approve or reject the Annexation Agreement on the basis of: (1) The facts presented at the public hearings; (2) The recommendations of the Planning Commission; and (3) The recommendations of the City Staff.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, April 6, 2022. The City published notice of the hearing in *The Pantagraph* on Monday, February 14, 2022. Courtesy notices were mailed to 178 property

owners within 500 feet of the subject property. A notification sign was placed on the property. Additionally, the notice for the public hearing at City Council was also published in the *Pantagraph* on Saturday, April 23, 2022.

FINANCIAL IMPACT: The proposed annexation and zoning map amendment will allow for investment and development of vacant property and potentially increase future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this section of identifies this section of West Hamilton Road as an emerging commercial activity center. The Development Priorities map identifies this area as a Tier 2 priority, land immediately adjacent to the City's incorporated area, and with access to all City services. Comprehensive Plan goals supported are ED-1.2 Leverage community assets in attracting business, ED-4.4 Evaluate commercial land use needs in the context of changing economic trends, ED-5.1 Expand tourism attractions and destinations, and CF-1. Continue to provide quality public facilities and services.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

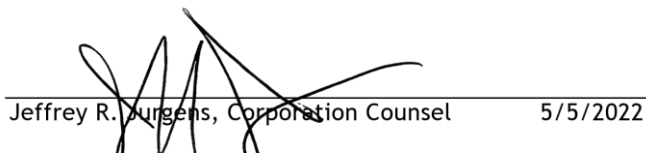
Reviewed by:


Melissa Hall, Economic and Community Development Director

5/2/2022


Chris Tomertin, Budget Manager

5/3/2022


Jeffrey R. Jurgens, Corporation Counsel

5/5/2022

Attachments:

- E&CD 1B Resolution Z-05-22
- E&CD 1C PCSL Annexation Agreement with Exhibits
- E&CD 1E Staff Report Z-05-22
- E&CD 1F Aerial Map Z-05-22
- E&CD 1G Zoning Map Z-05-22
- E&CD 1H Boundary Map Z-05-22
- E&CD 1I Z-05-22 PC DRAFT Minutes 040622

RESOLUTION NO. 2022 - _____

A RESOLUTION APPROVING AN ANNEXATION AGREEMENT WITH SALE BARN PROPERTIES LLC FOR LAND LOCATED NORTH OF WEST HAMILTON ROAD AND WEST OF SOUTH MAIN STREET, IN MCLEAN COUNTY, ILLINOIS, CONSISTING OF 46 ACRES MORE OR LESS

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a request for approval of an annexation agreement; and

WHEREAS, the legal description labelled as “Exhibit A” and a copy of the proposed agreement labelled “Exhibit B” are attached hereto, and made a part hereof by this reference; and

WHEREAS, after proper notice, the City of Bloomington Planning Commission held a public hearing on said annexation agreement and determined said agreement to be valid and sufficient, and in conformance with the requirements of the Bloomington City Code; and

WHEREAS, the Planning Commission recommended that the City Council of the City of Bloomington approve said Agreement; and

WHEREAS, the City Council finds it is in the best interests of the City to approve the proposed annexation agreement.

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

Section 1. Recitals. The above recitals are incorporated into this Section 1 as if fully stated herein.

Section 2. Annexation Agreement. The City Council hereby approves the annexation agreement and authorizes the Mayor to execute said agreement.

Section 3. Effective Date. This Resolution shall be in full force and effect upon its passage and approval.

Section 4. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

Exhibit A

5126.02

Annexation Legal

2/10/22

DPB

Legal Description of Subject Premises

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Lot 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16 lying north of the north line of those portions of said Lot 1, 2, 3 and 4 conveyed to the City of Bloomington in Warranty Deed recorded January 15, 2010 as Document No. 2010-1209, in McLean County, Illinois, EXCEPT that portion of Lot 1 previously annexed to the City of Bloomington described in Document No. 79-5383 recorded in McLean County, Illinois, and also EXCEPT the West 33 feet of Lot 4.

Together with:

Lot 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, EXCEPT the West 33 feet of Lot 13, and also EXCEPT, Beginning at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence East parallel with the north line of said Lot 15 to the east line of said Lot 15; thence North to the Point of Beginning.

And also EXCEPT:

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Exhibit B

Annexation Agreement

ANNEXATION AGREEMENT

Pursuant to legislative authorization found in Article 11 Division 15.1 of the Illinois Municipal Code of 1961 as amended, (65 ILCS 5/11-15.1-1 et seq.) and for and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned City of Bloomington, Illinois, a Municipal Corporation, hereinafter referred to as “City” and SALE BARN PROPERTIES, LLC, an Illinois limited liability company, including any subsequent purchasers or owners of the property, hereinafter collectively referred to as “Owner,” and PRAIRIE CITIES SOCCER LEAGUE, INC., an Illinois not-for-profit corporation d/b/a FC CENTRAL ILLINOIS (“PCSL”) enter into this Annexation Agreement (“Agreement”) for the annexation of property into the City.

WHEREAS, Owner is the owner of record of the premises hereinafter described on Exhibit A, which is attached hereto and made a part hereof by this reference, and has entered into a lease with PCSL; and

WHEREAS, the Owner and PCSL are desirous of having said premises annexed to the City and the City is desirous of annexing said premises; and

WHEREAS, said premises is not within the corporate limits of any municipality, but is contiguous to the City; and

WHEREAS, the Owner and PCSL are desirous of having said premises zoned B-1 upon annexation to the City; and

WHEREAS, the City is desirous of confirming the obligations related to a certain water main located on the premises to be annexed; and

WHEREAS, the Owner and PCSL have given all notices required to be given by Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1).

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City, Owner and PCSL agree as follows:

1. ANNEXATION PETITION.

Owner and PCSL, subject to the terms and conditions set forth in this Agreement, will file a petition with the City of Bloomington, requesting annexation of the property described on Exhibit “A” to the City’s corporate limits, within 30 days of approval of this Agreement. The City has published and gave such notices and conducted such public hearings as are required for approval of this Agreement and will provide any such required notices and public hearings to annex the premises, as required by law and ordinance.

2. ANNEXATION.

Upon the filing of an annexation petition by Owner and PCSL, the City agrees, within sixty (60) days of filing of said petition, to adopt an ordinance annexing the property described on Exhibit “A” to the City of Bloomington.

3. ZONING.

City agrees to rezone the property to B-1 (general commercial) subsequent to any public hearings required by the City Code.

4. DEVELOPMENT OBLIGATIONS.

- A. With regard to the annexation, and development of the premises, the installation of public improvements within and serving the premises; and the use and development of the premises during the life of this agreement, the parties acknowledge and note that via a previous agreement between the Owner and the City, the applicable annexation and connection fees have already been paid or waived, such that the following shall apply:
 - i. Sanitary Sewer. The premises will be required to connect to the City’s sanitary sewer within 12 months of execution of this Annexation Agreement. The parties acknowledge and note that via a previous agreement, the Owner has already paid any and all tap on fees for connection to the sanitary sewer, such that no further such fees shall be due and owing.
 - ii. Water. The premises shall be required to connect to the City’s water mains within 12 months of execution of this Annexation Agreement; the parties acknowledge and note that via a previous agreement, the Owner has already paid for any and all tap on fees for connection to the water mains, such that no further such fees shall be due and owing.
 - iii. Stormwater Detention. Owner and PCSL shall provide on-site detention pursuant to the City Code in place at the time of construction or may utilize the current drainage pond to the north of the property indicated on the Annexation Plat, as long as there is an easement or other agreement binding use and maintenance rights of both PCSL and the City.
- B. Owner shall be required to provide an access easement, or similar instrument, for the property north of the Annexation Plat, on or around Parcel ID No. 21-16-176-029, as a roadway to ensure no area is landlocked.
- C. PCSL shall be required final plat the annexed area within the sooner of 12 months or the legislative plan adoption.

- D. PCSL shall put in the water main to the north of the property, at its sole cost and expense, as shown on the attached Exhibit B.
- E. PCSL shall develop and maintain a soccer complex, consistent with the Prairie Cities Soccer League Site Plan Exhibit that was submitted for the site approval, dated February 8, 2022, as amended, on the property described in Exhibit A.

5. OBLIGATION TO DEVELOP PER CODE.

In the construction and use of improvements on the subject property the Owner and PCSL shall comply with all zoning subdivision, building, mechanical and other applicable codes and ordinances of the City of Bloomington in effect at that time, except as may be agreed between the parties. The parties particularly note that the Owner/PCSL has requested consideration and/or a waiver as to certain potential design requirements pertaining to the parking lot planned for the premises.

6. ANNEXATION TO OTHER TAXING DISTRICTS.

That Owner and PCSL, as soon as practicable, but not later than 30 days from the date of annexation to the City, shall file and thereafter diligently pursue the necessary petition to annex the property to the Central Illinois Regional Airport Authority and the Bloomington and Normal Water Reclamation District.

7. COVENANTS AND AGREEMENTS

The covenants and agreements contained in the Agreement shall be deemed to be covenants running with the land during the term of this Agreement, shall inure to the benefit and be binding upon the heirs, successors and assigns of the parties hereto.

8. TERM

The term of this Agreement shall be for twenty (20) years from and after the effective date of the annexation of the Subject Property.

9. NOTICES

Any and all notices required or desired to be given hereunder shall be in writing and shall be delivered personally or sent via certified or registered mail, postage pre-paid and addressed as follows:

City of Bloomington
Attn: City Manager
109 East Olive Street
Bloomington, IL 61701

Sale Barn Properties, LLC
103 N. Robinson Street
Bloomington, IL 61701

Prairie Cities Soccer League, Inc.
705 E. Lincoln Street, Suite 113
Normal, IL 61761

or to such other person or address as a party may designate in a like manner.

10. ADOPTION OF ORDINANCES

The City agrees to adopt such ordinances as may be required to give legal effect to the matters contained in this Agreement.

12. GENERAL PROVISIONS

The following general provisions shall apply to this Agreement:

- A. Time of the Essence. Time is of the essence in the performance of this Agreement.
- B. Rights Cumulative. Unless expressly provided to the contrary in this Agreement, each and every one of the rights, remedies, and benefits provided by this Agreement shall be cumulative and shall not be exclusive of any other rights, remedies, and benefits allowed by law.
- C. Non-Waiver. The City shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the City to exercise at any time any right granted to the City shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the City's right to enforce that right or any other right.
- D. Consents. Unless otherwise provided in this Agreement, whenever the consent, permission, authorization, approval, acknowledgement, or similar indication of assent of any party to this Agreement, or of any duly authorized officer, employee, agent, or representative of any party to this Agreement, is required in this Agreement, the consent, permission, authorization, approval, acknowledgement, or similar indication of assent shall be in writing.
- E. Governing Law. This Agreement shall be governed by, and enforced in accordance with, the internal laws, but not the conflicts of laws rules, of the State of Illinois.
- F. Severability. It is hereby expressed to be the intent of the parties to this Agreement that should any provision, covenant, agreement, or portion of this Agreement or its application to any Person or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any Person or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so

as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

- G. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.
- H. Interpretation. This Agreement shall be construed without regard to the identity of the party who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.
- I. Exhibits. The Exhibits attached to this Agreement are, by this reference, incorporated in, and made a part of this Agreement. In the event of a conflict between an exhibit and the text of this Agreement, the text of this Agreement shall control.
- J. Amendments and Modifications. No amendment or modification to this Agreement shall be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.
- K. Changes in Laws. Unless otherwise provided in this Agreement, any reference to the Requirements of Law shall be deemed to include any modifications of, or amendments to, the Requirements of Law that may occur in the future.
- L. Authority to Execute. The City hereby warrants and represents to the Owner and PCSL that the Persons executing this Agreement on its behalf have been properly authorized to do so by the Corporate Authorities. The Owner and PCSL hereby warrant and represent to the City (i) that Owner is the record and beneficial owner of fee simple title to the Property, (ii) except for a mortgage on the property, no other person has any legal, beneficial, contractual, or security interest in the Property and that annexing the property is not a violation of the security interests, (iii) that they have the full and complete right, power, and authority to enter into this Agreement and to agree to the terms, provisions, and conditions set forth in this Agreement and to bind the Property as set forth in this Agreement, (iv) that all legal actions needed to authorize the execution, delivery, and performance of this Agreement have been taken, and (v) that neither the execution of this Agreement nor the performance of the obligations assumed by the Owner or PCSL will (a) result in a breach or default under any agreement to which the Owner or PCSL is a party or to which it or the Property is bound or (b) violate any statute, law, restriction, court order, or agreement to which the Owner, PCSL or the Property is subject.

- M. Enforcement. The parties to this Agreement may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this Agreement, including but not limited to compelling annexation of the property; provided, however, that the Owner and PCSL agree that they will not seek, and do not have the right to seek, to recover a judgment for monetary damages against the City, or any of its elected or appointed officials, officers, employees, agents, representatives, engineers, or attorneys, on account of the negotiation, execution, or breach of this Agreement.
- N. No Third Party Beneficiaries. No claim as a third-party beneficiary under this Agreement by any Person shall be made, or be valid, against the City or the Owner or PCSL.
- O. Recording. After the Owner/PCSL has paid to the City an amount sufficient to cover the cost of recording this Agreement, all necessary plats, the affidavit of service of notice as required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the Annexation Ordinance, the City shall promptly cause this Agreement to be recorded in the office of the Recorder of McLean County.
- P. Annexation Fees. The City agrees to waive any applicable annexation fees that would otherwise be due in light of the intended use of the property to fill a recreational need in the community and the non-profit status of the annexing party.

EXECUTED and ADOPTED this_____day of May, 2022 at Bloomington, Illinois.

CITY OF BLOOMINGTON

By: _____
Mboka Mwilambwe, Mayor

Attest:

By: : _____
City Clerk

OWNER: SALE BARN PROPERTIES, LLC

PRAIRIE CITIES SOCCER LEAGUE, INC.

Exhibit A

5126.02
Annexation Legal
2/10/22
DPB

Legal Description of Subject Premises

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Lot 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16 lying north of the north line of those portions of said Lot 1, 2, 3 and 4 conveyed to the City of Bloomington in Warranty Deed recorded January 15, 2010 as Document No. 2010-1209, in McLean County, Illinois, EXCEPT that portion of Lot 1 previously annexed to the City of Bloomington described in Document No. 79-5383 recorded in McLean County, Illinois, and also EXCEPT the West 33 feet of Lot 4.

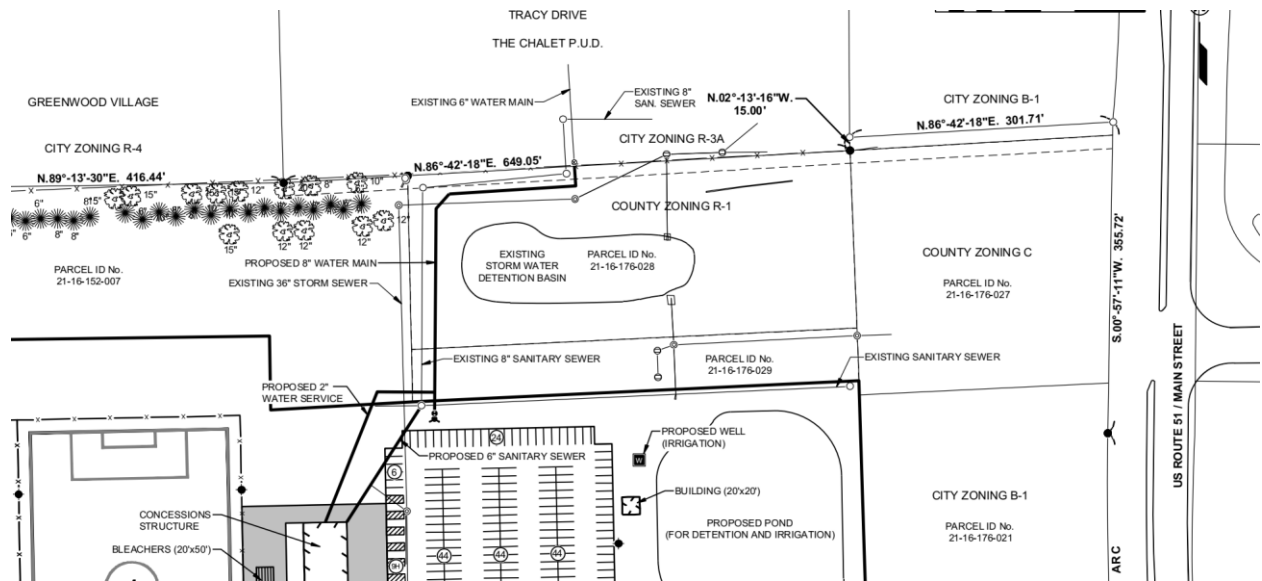
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Exhibit B





PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: April 6, 2022

CASE NO: Z-05-22, Annexation Agreement and Zoning Map Amendment

REQUEST: Public hearing, review and action on a request submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, for an Annexation Agreement with Map Amendment, for property generally located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois (PIN: 21-16-152-007).

SUMMARY OF PROPOSAL

Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, has submitted a petition for approval of an annexation agreement for approximately 55-acre property generally located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois. Additionally, upon annexation, the property is proposed to be zoned B-1 (General Commercial) District.

There are immediate plans to develop the property into a Sports and Fitness Establishment. This is depicted in the Legislative Site Plan that is being brought before the Planning Commission as a separate case to review and approve.

BACKGROUND

Property Characteristics

The subject property contains approximately 55 acres of land which is currently undeveloped farmland with a couple of soccer fields on it. Access to the property is available from West Hamilton Road to the south, and Timberlake Lane to the west.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	R-1 (Single-Family Residential District, County), R-4 (Manufacture Home Park) District, R3-A (Multiple-Family Residence) District	Single-Family Residential, Mobile Home Park, Multi-Family Home
South	R-1B (Single-Family Residence) District, B-1 (General Commercial) District	Single-Family Residential, Gas Station
East	B-1 (General Commercial) District)	Single-Family Residential
West	R-1B (Single-Family Residence) District, R-1C (Single-Family Residence) District	Single-Family Residential

Comprehensive Plan

Rezoning requests should be consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan (adopted August, 2015), Future Land Use map, identifies this section of West Hamilton Road as an emerging commercial activity center. The Land Use Priorities map identifies this area as a Tier 2 priority, land immediately adjacent to the City's incorporated area, and with access to all City services.

The portion of the property proposed for a B-1 zoning map amendment supports the following Comprehensive Plan goals:

- ED-1.2 Leverage community assets in attracting business.
- ED-4.4 Evaluate commercial land use needs in the context of changing economic trends.
- ED-5.1 Expand tourism attractions and destinations.
- CF-1. Continue to provide quality public facilities and services

ANALYSIS

*Proposed Districts**

B-1 General Commercial District

The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.

PROCEDURE AND STANDARDS FOR REVIEW

The Bloomington Planning Commission shall conduct a public hearing on the agreement and petition and make its recommendation to the City Council based on the standards outlined in Chapter 44, 8.5, 203 of the Bloomington City Code. The Planning Commission shall consider whether the amendment to the Official Zoning Map for the City of Bloomington is in the public interest or is solely for the benefit of the person requesting such amendment, and in doing so may consider the following standards:

Standards for Annexation Agreement (City Code Section 8.5-203)

1. The suitability of the subject property for uses authorized by the existing zoning;

The intent is to rezone to B-1 when the property is annexed into the City. The property is adjacent to West Hamilton Street and has direct access to West Hamilton Street. Uses permitted within the B-1 (General Commercial) District are primarily oriented to commercial uses accessed by motor vehicle which is in alignment with the intended use of property as a sports and fitness establishment.

2. The length of time the property has remained vacant as zoned considered in the context of land development in the area;

The property is currently undeveloped farmland with two existing soccer fields.

3. The suitability of the subject property for uses authorized by the proposed zoning;

The uses permitted in B-1 (General Commercial) District are intended to facilitate the development of community and regional commercial areas. The location of the property within the City makes it suitable for uses permitted with B-1 (General Commercial) District. The property is of considerable size to accommodate uses permitted within B-1 zoning and minimize any impacts on neighboring properties. The surrounding properties are commercial and residentially zoned. The uses range from single family residential to a stormwater detention facility to vacant farmland. The uses permitted in B-1 zoning would be in alignment with the uses of the surrounding properties.

4. The existing land uses of nearby property;

The existing land uses of nearby properties are single-residential, multiple-family residential, manufactured home park and commercial.

5. Existing zoning of nearby property, relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application;

If the zoning map amendment is granted, the applicant would be able to develop the B-1 (General Commercial) District zoned property in a manner that allows for the creation of sports and fitness establishment which would benefit Bloomington residents. The proposed use will generate additional property and sales tax revenue for the City.

6. The extent to which adequate streets connected to the arterial street system are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;

The property has access to West Hamilton Street and the property is adjacent to the intersection of West Hamilton Road (minor arterial) and US-51/S. Main St (Highway/Principal Arterial) and is roughly 0.5 miles from the intersection of US-55 (Interstate) and US-51 (Highway/Principal Arterial).

7. The extent to which the proposed amendment is consistent with the need to minimize flood damage and whether the development of the subject property for uses permitted in the proposed zoning classification would have a substantial detrimental effect on the drainage patterns in the area;

The proposed B-1 zoning will require the proposed use to go through a legislative site plan review. The site plan will require review and approval by the Public Works department related to stormwater detention/retention on the property.

8. The extent to which adequate services (including but not limited to fire and police protection, schools, water supply and sewage disposal facilities) are available or can be supplied to serve the uses permitted in the proposed zoning classification; and

The property is served by existing fire and police protection. The property is served by Unit 5 School District. The property has access to City water and sewer. Additional, water main is being proposed to bring main adjacent to the property to allow for service connection. This main will be put in at owner's expense.

9. The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of Chapter 44, Article I, of the Bloomington City Code - 1960, including the following specific purposes:

- a. To conserve and protect the taxable value of land and structures;

The proposed zoning and use is the highest and best use for this property. Commercial property is taxed at a higher rate and properties with a use on them are valued greater than vacant property. Both of these factors will contribute to conserving and protecting the taxable value of neighboring land and structures.

- b. To protect the air, water and land resources within the City from the hazards of pollution and misuse;

The proposed use is expected to not negatively impact the air, water and land resources. The proposed use should not result in the creation of any pollution that will impact the air water and land resources. The sports and fitness establishment will consist predominately of vegetated soccer fields which should positively contribute to the air quality. The proposed landscaping will also positively contribute to the air quality while also assisting with the protection of the water and land resources.

- c. To protect land and structures from natural hazards; including flooding and erosion;

The proposed use will require applicable permits related to stormwater detention/retention on the property.

- d. To preserve and protect historic locations, structures and groups of structures;

There are no known historic structures on the property.

- e. To preserve and protect and encourage the development of structures, groups of structures and neighborhoods of distinctive architectural character and appearance;

The property is currently vacant so there are no structures to preserve or protect. There are no significant structures included in the proposal and surrounding properties do not have a distinctive architectural character and appearance.

- f. To provide for the orderly and functional arrangement of land uses and structures;

The proposed annexation, zoning, and use are consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan, Future Land Use map, identifies

this section of West Hamilton Road as an emerging commercial activity center. The Land Use Priorities map identifies this area as a Tier 2 priority, land immediately adjacent to the City's incorporated area, and with access to all City services.

- g. To establish standards for the orderly development or redevelopment of geographic areas within the City;

Chapters 8.5, 24, and 44 of the Code of Ordinances for the City of Bloomington guide the orderly development and redevelopment. The proposed amendment meets the intent of these sections of the code as it is in alignment with these sections of the code.

- h. To secure for the public locations for housing, employment, shopping, education and recreation that are adequate in terms of health, safety, convenience and number;

The proposed amendment enable the creation of an additional sports and fitness facility.

- i. To facilitate the adequate provision of transportation, water, sewage disposal, schools, parks and other public facilities; to conserve and protect natural resources including prime agricultural land, mineral resources and areas of scientific interest;

The proposed use will be required to go through the traditional building permit process which will require submittal of engineering documents that must be approved by Public Works Department for the issuance of a building permit. The engineering documents should include adequate transportation, water, and sewage disposal. If parks are involved, then a review and approval by the Parks Department will occur prior to the issuance of any building permits. The property is currently served by the Unit 5 School District.

- j. To conserve and protect natural resources including prime agricultural land, mineral resources and areas of scientific interest;

The proposed open space use will continue to allow natural resources to be utilized at the site.

- k. To permit public involvement in the planning of private land uses which have the potential for significant impact on the use and enjoyment of surrounding property or on the public resources and facilities of the City of Bloomington; and

Chapters 8.5, and 44 of the Code of Ordinances for the City of Bloomington allow the public an opportunity for involvement and provide comment at the Planning Commission meeting on the annexation agreement and the site plan review.

- l. To promote the Official Comprehensive Plan adopted by the City of Bloomington.

The proposed annexation, zoning, and use are consistent with the Comprehensive Plan designation.

Standards for Rezoning (City Code Section 44, 17-6.E(2))

The Commission shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant.

The standards for rezoning are addressed under the standards for annexation. Please refer to the standards for annexation.

Staff finds the standards have been adequately addressed in the proposed annexation agreement.

Upon a vote, the Planning Commission will forward its recommendation to City Council. City will then conduct a second public hearing and approve or reject the Agreement on the basis of:

1. The facts presented at the public hearings; and
2. The recommendations of the Planning Commission; and
3. The recommendations of the City Staff.

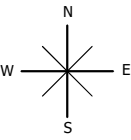
STAFF RECOMMENDATION

Staff finds that the proposed annexation agreement meets the standards for an annexation agreement (City Code Section 8.5-203) and recommends approval; and

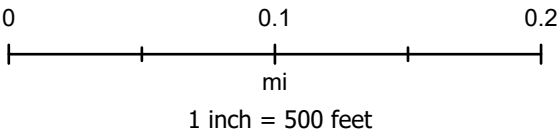
Staff additionally finds the proposed rezoning is in the public interest and not solely for the benefit of the applicant and meets the standards for rezoning (City Code Section 8.5-203 and 44, 17-6.E(2)) and recommends approval.

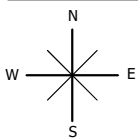
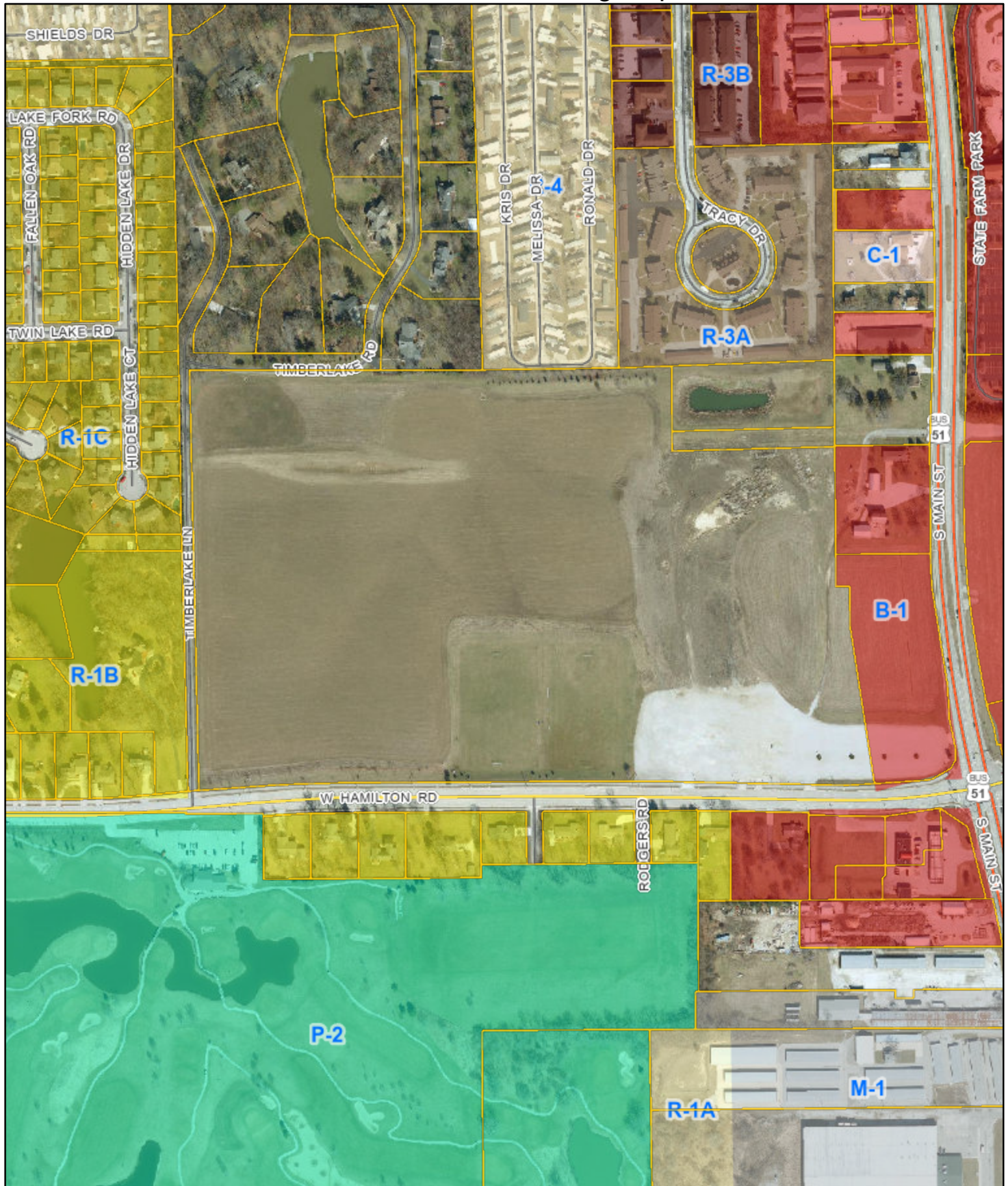
Respectfully submitted,

Glen Wetterow, City Planner

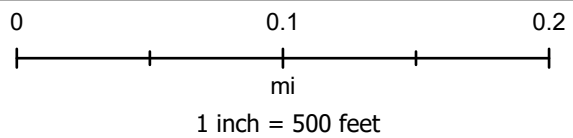


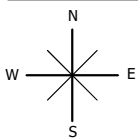
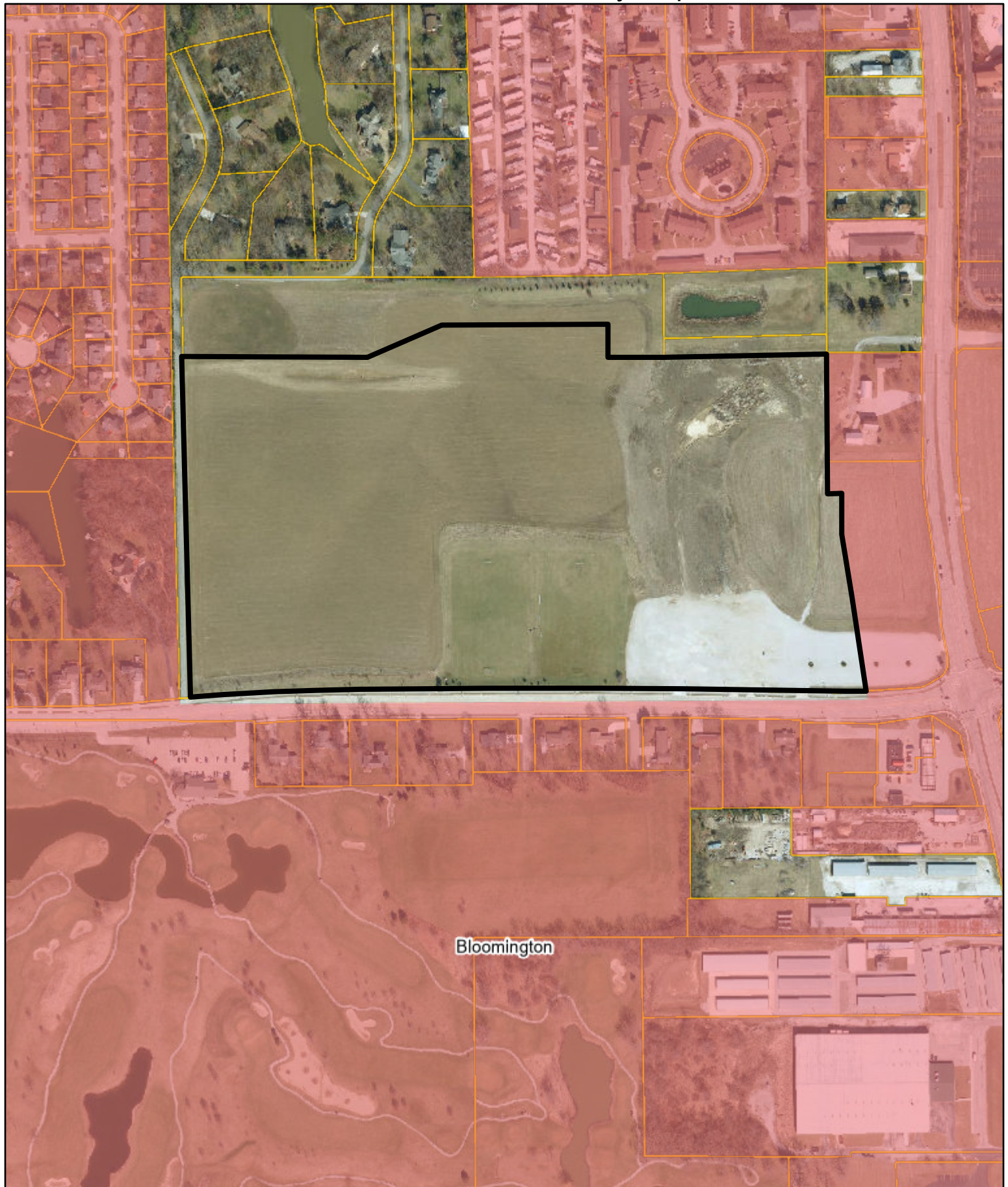
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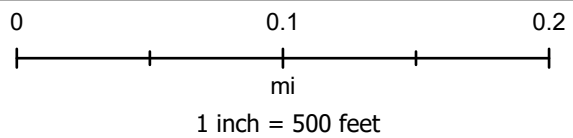


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B. Z-05-22 Public hearing, review and action on a request submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, for an Annexation Agreement with Zoning Map Amendment, for property generally located north of the 400 block of West Hamilton and west of Main Street; and described as located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois.

C. PR-02-22 Public hearing, review and action on a request submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, for Legislative Site Plan Review with potential Variances, for property generally located north of the 400 block of West Hamilton and west of Main Street; and described as located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois.

Chair Mohr requested that cases Z-05-22 and PR-02-22 be reviewed together, for clarity and time. There were no objections.

City Staff Glen Wetterow presented the staff report for Z-05-22 with a recommendation for approval.

City Staff Jon Branham presented the staff report for PR-02-22 with a recommendation for approval. He noted additional recreational requirements related to fencing children's play areas, and minimum lot area and width, have all been met. Mr. Branham stated there is one variance related to interior parking lot landscaping islands due to the lot material that has already been approved.

Mr. Boyd inquired about sidewalk locations. Additionally, he inquired if bicycle parking was included in the plan.

Mr. Branham indicated existing and proposed sidewalks and stated the Constitution Trail near the site will be maintained. He deferred to the petitioner on bicycle parking as it was not identified on the site plan.

Chairperson Mohr opened public hearing.

Jeremy Kelley - 904 Fairchild Ave., Normal, IL. Mr. Kelley, representing Prairie Cities Soccer League, noted there are approximately 2,000 children playing soccer in their club. He stated the league is losing their current field, located near the airport, as their lease is up at the end of this year; they have been working with Sale Barn to lease or lease-to-own since they cannot currently afford to purchase outright. He stated they have been working with the community, including holding an open house to review the proposal with neighbors. He stated many of the concerns expressed at that meeting are shared by the League and are being addressed. Regarding the concern of noise pollution: they will not be having major tournaments at this

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site; tournaments have been moved to Rantoul. This location is a place for the club to have for practice, train and have League games. The primary focus of use will be on team training which will occur around 5:30-9:30pm, and then there will be games on the weekends (this is similar how they operate at Community Fields.) Regarding stormwater runoff: the water flows towards the lake to the north, and the property drains to a drop box that feeds the lake. Mr. Kelley stated that the goal is to capture water and use it for irrigation to water the onsite turf. He noted the restrooms and concessions will use City water. Regarding access: he stated an existing vehicle access point on Hamilton Road will be utilized, and that they have no intent to utilize access from Timberlake Road. He also stated they will be supplementing trees along the west property edge, and posting “no parking” signs to deter parking in that area. He stated the intent is to centralize activities and keep them away from residential areas as much as possible. He stated bike parking has been added for people coming in from Constitution Trail to the site.

Mr. Galpalli asked if there are plans to place trees in the front along Hamilton Road.

Mr. Kelley noted the green areas on the plan are the landscaped areas, and also that the trees will serve as a wind and soccer ball break. These are beneficial to the site and the neighbors.

Mr. Kelley reemphasized that full tournaments will not be able to occur at the location due to size and noted the middle road is extra wide to allow for emergency vehicles and accessibility parking near the concession area.

Chair Mohr asked for additional information on the chip and tar parking material and what infrastructure was being built that the City would have a responsibility to maintain.

Mr. Kelley stated the water main would be maintained by City but would be installed at their expense. He stated the rest of the infrastructure is internal to site and would be privately maintained. He stated the surrounding sidewalks are existing. He added he would have to defer to his engineer regarding the proposed parking lot material.

Chairperson Mohr asked if any incentives were being provided by the City.

Mr. Kelley states this is a private project, and no incentives were requested. He stated the annexation fees have been waived as they are a nonprofit organization, and this is routine for the City to do for nonprofit organizations. He stated the tap-on fees were already addressed by the property owner when Hamilton Road was constructed.

Mr. Danenberger asked for clarification on the stormwater plan and details regarding the property that is not being annexed.

Mr. Kelley explained Mr. Shirk intends to keep both areas as is, or hand them over to the City for future development and management. There will be an easement for access so the retention basin is not land-locked.

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Mr. Mohr asked about property maintenance, given the large number of visitors throughout the week.

Mr. Kelley explained that they have contracts for grass mowing and waste management, and that their teams like their facilities to remain clean.

David Brown - 505 N Main St. Mr. Brown, representing Prairie Cities Soccer League (PCSL), as designer of the site plan. He stated chip and tar is liquid asphalt and small aggregate stone that is applied in layers. He said it is commonly used in rural areas. It creates a dust-free surface and reduces maintenance compared to non-managed surfaces like turf.

Chairperson Mohr asked if the material is pervious. Mr. Brown stated is not a pervious surface.

Mr. Boyd inquired about any negatives regarding the use of that type of material. Mr. Brown explained the downside might be that it needs reapplication every 3-5 years, whereas a conventional asphalt or concrete would be more durable long-term.

Chris Granning - 22 Timberlake Rd. Mr. Granning thanked Mr. Kelley for already addressing many of the concerns he has; he stated he still had concerns about the B-1 zoning designation. He stated he was also concerned about what happens if PCSL goes under or the lease expires. He said stormwater management is still a concern. He had additional questions related to noise, light pollution, traffic, and litter. He stated he would like to recommend that lights not be able to be on past 9:00 p.m. He inquired if the variance was a common request. He reemphasized his primary concern is related to the B-1 zoning.

Chair Mohr asked City Staff to address the B-1 zoning designation and the variance item.

Mr. Wetterow discussed how the proposed B-1 zoning aligned with the City's Comprehensive Plan. He noted that this type of use would not be permitted in residential zoning and required commercial zoning. Additionally, he noted that a Legislative Site Plan Review is a benefit of commercial projects, which would not be the case in other zoning districts, so if PCSL were to leave, there would be additional review of future development on the site, because of the B-1 zoning. He stated variances for parking lot items are not uncommon. He indicated there was another similar request on a different case this later in this meeting.

Chair Mohr noted that there is an entire page of City Code dedicated to lighting of which they will need to comply.

Mr. Branham added they will be required to submit photometric plan that indicated acceptable levels of footcandle measurement at the property lines.

Mr. Kelley state they are looking at directional LEDs that will contain the light to the property. He stated typically teams would practice until no later than 9:30pm. He added the location of the lights are only for the artificial turf fields and two existing fields in the center of the site.

Mr. Brown stated the range of parking recommend for this type of use is 60-90 spaces per field. He stated this is an industry standard; the City does not have a standard for this type of use.

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Commissioner Krieger left the meeting at 5:26 pm.

Lynn Weber - 601 W Hamilton Rd. Mr. Weber stated he purchased his residence due to the proximity to agricultural property. He stated the Comprehensive Plan for McLean County identifies this property as low to medium density residential. He stated he was concerned about field elevation and the potential of items rolling downhill onto his property. He inquired if lights will be on during parts of the year when it is not in use. He also inquired if there be a gate at the entrance of the parking lot to keep people out when the site is not in use.

Chair Mohr asked petitioner to address the questions provided by Mr. Weber.

Dale Kelley - 24739 E 800 North Rd. Mr. D. Kelley stated lighting levels at the soccer field are based on a low elevation above the field as to focus on the ball in play. He stated lighting levels will be contained to the walkways and the fields themselves and demonstrated on the site plan where lights would be placed. He stated the focus of use will be the interior synthetic fields. He stated they want to control access of the facility when not in use and a gate or some other means to prevent access will be provided. He stated dumpster truck access will be done in concrete for access and will be gated when not in use. He reiterated plans for addressing water, bicycle parking, and screening that have been identified by others.

Mr. Galpalli inquired about traffic flow and whether traffic could turn left or right when exiting.

Mr. D. Kelley stated the plan is to have a one-way entry and one-way exit with the option to turn left or right onto Hamilton Road for exiting.

Mr. Muncy asked for clarification regarding emergency vehicles if there was an accident at the entry.

Mr. J. Kelley explained they would encourage patrons to exit the facility by turning right on Hamilton Rd, out to Morris Street and/or Veterans Parkway. He stated there is also an exit via Main Street at northeast corner of site that could be used, if necessary, in an emergency.

Gay Dolan - 21 Timberlake Rd. Ms. Dolan stated she had walked the site in its current condition and frequently has picked up a lot of empty cans and water bottles. She expressed concerns about alcohol use and litter at the property.

Mr. J. Kelly noted that currently the fields are managed by the City, and they would expect those items to be controlled in the future.

Ernie Anderson - 12 Hidden Lake Ct. Mr. Anderson stated concerns with parking and access. He stated the amount of traffic that will be exiting onto Hamilton Road near the intersection is concerning. He is hoping a restriction can be placed on hours of operation so that the facility cannot be used after 10pm. He shared concerns about lighting issues, and what could happen in the future with regard the B-1 zoning.

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Lynn Weber - 601 W Hamilton Rd - Mr. Weber inquired if chip and tar material will track onto Hamilton Road. Additionally, he requested a berm be extended between the existing berms to help control children and equipment.

Mr. J. Kelley clarified that the site topography is currently higher in southwest corner and sloping toward northeast corner and will continue to function in that manner.

Chair Mohr closed the public.

Mr. Boyd made a motion to take a recess. Mr. Muncy seconded. Voice vote (7-0).

The Planning Commission recessed at 5:43pm.

Chair Mohr called the meeting back to order at 5:50pm.

A motion to recommend approval of the petition submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, for an Annexation Agreement with Map Amendment, for property generally located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois was made by Mr. Boyd and seconded by Mr. Muncy.

Mr. Boyd noted that the Commission has seen a couple annexations in last couple months, which has not been the norm in recent years, and is not something taken lightly, but this property is surrounded, and with the intended use, it is a benefit for the City.

Chair Mohr stated that he was opposed to the last annexation due to level of infrastructure associated, but this case does not share that issue, so he will be supporting it.

Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy-Yes, Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

Mr. Boyd does have an issue with only having one entrance/exit on the one side; not a concern that will make him vote "no," but is a concern that others have expressed as well.

The approval of this request is contingent upon the approval of the final plat and construction plans, annexation agreement, and annexation petition for the subject property.

A motion to establish findings of fact that the subject property meets the legislative site plan criteria in Chapter 44.17-9 of the City Code was made by Mr. Boyd and seconded by Mr. Danenberger.

Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

Mr. Boyd made a motion, seconded by Mr. Galpalli, to approve a Site Plan for a Sports &

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Fitness Establishment in the B-1 (General Commercial) District for the property located north of the 400 block of West Hamilton and west of Main Street; and described as located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW ¼ of Section 16, together with parts of lots 13, 14, and 15 in School Commissioners Subdivision of the NW ¼ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois (PIN: 21-16-152-007) (Ward 2),

CONTINGENT UPON the approval of the final plat and construction plans, annexation agreement, and annexation petition for the subject property, AND

WITH THE CONDITION that the water service connection is present on the property and bike parking be provided.

Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

A motion to approve a variance to allow construction of private parking lot improvements without interior parking lot landscaping, as associated with the subject site plan was made by Mr. Boyd and seconded by Mr. Muncy. Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

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REGULAR AGENDA ITEM NO. 10.B

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on 1) an Ordinance Approving the Annexation of Land Located North of West Hamilton Road and West of South Main Street in McLean County, Illinois, Consisting of 46 Acres More or Less (a/k/a Shirk Commercial-PCSL Subdivision) to the City of Bloomington, McLean County, Illinois, and 2) an Ordinance Providing for a Zoning Map Amendment for Annexed Property Located North of West Hamilton Road and West of South Main Street, Consisting of 46 Acres More or Less (a/k/a Shirk Commercial-PCSL Subdivision) to B-1 (General Commercial) District Zoning, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinances be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 3a. Retention and growth of current local businesses

BACKGROUND: Sale Barn Properties LLC has submitted a petition for approval of an annexation agreement for an approximately 46 acre property generally located North of West Hamilton Road and West of South Main Street. The 46 acres will be annexed in as a singular property with related infrastructure upgrades, with immediate plans to develop the property into a Sport and Fitness Establishment. The establishment of the Sport and Fitness Establishment is detailed in the Legislative Site Plan also seeking approval by Council. Additionally, upon annexation, the property is proposed to be zoned B-1 (General Commercial) District.

On Wednesday, April 6, 2022, the Planning Commission held a public hearing and voted 7-0-0 to recommend approval of the annexation agreement and zoning map amendment. The recommendation is consistent with the staff recommendation.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, April 6, 2022, in relation to the zoning map amendment. The

City published notice of the hearing in *The Pantagraph* on Monday, February 14, 2022. Courtesy notices were mailed to 178 property owners within 500 feet of the subject property. A notification sign was placed on the property. Notice of public hearing at City Council for the annexation agreement was also published in the *Pantagraph* on Saturday, April 23, 2022. Notice of the proposed annexation (the subject of this memo) was sent via certified mail to the required governmental entities per state statute and City requirements.

FINANCIAL IMPACT: The proposed annexation and zoning map amendment will allow for investment and development of vacant property and potentially increase future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this section of identifies this section of West Hamilton Road as an emerging commercial activity center. The Development Priorities map identifies this area as a Tier 2 priority, land immediately adjacent to the City's incorporated area, and with access to all City services. Comprehensive Plan goals supported are ED-1.2 Leverage community assets in attracting business, ED-4.4 Evaluate commercial land use needs in the context of changing economic trends, ED-5.1 Expand tourism attractions and destinations, and CF-1. Continue to provide quality public facilities and services.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

Reviewed by:


Melissa Hon, Economic and Community Development Director

5/2/2022


Chris Tomertin, Budget Manager

5/3/2022


Jeffrey R. Jurgens, Corporation Counsel

5/6/2022

Attachments:

- E&CD 1B Ordinance_Annexation Petition
- E&CD 1C Ordinance_Map Amendment
- E&CD 1D Annexation Petition
- E&CD 1E Annexation Plat
- E&CD 1F Tax Information

ORDINANCE NO. 2022 - _____

AN ORDINANCE APPROVING THE ANNEXATION OF LAND LOCATED NORTH OF WEST HAMILTON ROAD AND WEST OF SOUTH MAIN STREET IN MCLEAN COUNTY, ILLINOIS, CONSISTING OF 46 ACRES MORE OR LESS (A/K/A SHIRK COMMERCIAL-PCSL SUBDIVISION) TO THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

WHEREAS, Sale Barn Properties, LLC. (hereinafter "Owner") is the owner of record of certain real property consisting of approximately 46 acres, located in unincorporated McLean County, Illinois, and legally described in Exhibit A attached to this Ordinance (hereinafter "Unincorporated Parcel"); and

WHEREAS, the City of Bloomington and Owner have approved an annexation agreement for said premises; and

WHEREAS, no electors reside on the Unincorporated Parcel; and

WHEREAS, the City Council of the City of Bloomington has determined that said premises are contiguous to the corporate limits of the City of Bloomington and are not within the confines of any other municipality of the state of Illinois, and that the Owner has given all notices required to be given by State Law and City Code; and

WHEREAS, Owner has filed with the City Clerk a duly executed petition for annexation that seeks annexation of the Unincorporated Parcel to the City; and

WHEREAS, Owner and the City desire to have the Unincorporated Parcel annexed to the City pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8.

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

Section 1. The above recitals are hereby incorporated into this Ordinance.

Section 2. The City Council hereby approves the petition for annexation for the property described in Exhibit A, known as Shirk Commercial-PCSL Subdivision, and hereby annexes said property into the corporate limits of the City of Bloomington and the boundary of said city is hereby changed to include said premises.

Section 3. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 4. The City Clerk shall be, and is hereby, authorized and directed to record in the Office of the McLean County Clerk promptly after the effective date of this Ordinance, a certified copy of this Ordinance, including the Plat of Annexation (attached as Exhibit B), and the affidavits of service of notice as required by law. The City Clerk shall be, and is hereby, authorized and directed to notify the Election Authorities, as defined in Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the United States Post Office branches serving

the Unincorporated Parcel of the annexation by registered or certified mail within 30 days after the effective date of this Ordinance.

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

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

Section 7. This Ordinance shall be in full force and effect on and after its (i) passage, approval, and publication in pamphlet form in the manner provided by law and (ii) recordation with the McLean County Clerk's Office; provided, however, that this Ordinance shall be of no force or effect until after the Annexation Agreement has fully been executed by the City and the Owner.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT "A"

5126.02

Annexation Legal

2/10/22

DPB

Legal Description of Subject Premises

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Lot 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16 lying north of the north line of those portions of said Lot 1, 2, 3 and 4 conveyed to the City of Bloomington in Warranty Deed recorded January 15, 2010 as Document No. 2010-1209, in McLean County, Illinois, EXCEPT that portion of Lot 1 previously annexed to the City of Bloomington described in Document No. 79-5383 recorded in McLean County, Illinois, and also EXCEPT the West 33 feet of Lot 4.

Together with:

Lot 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, EXCEPT the West 33 feet of Lot 13, and also EXCEPT, Beginning at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence East parallel with the north line of said Lot 15 to the east line of said Lot 15; thence North to the Point of Beginning.

And also EXCEPT:

Commencing at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development to the Point of Beginning; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence West 162.63 feet parallel with the south line of said Lot 15; thence North 84.51 feet to a point lying 175 feet south of the north line of Lot 13 and 14; thence West 520 feet at a right angle measured from the last described course parallel with the north line of said Lot 13 and 14; thence Southwesterly 190 feet to a point lying 290 feet south of the north line of said Lot 13 and 14, said north line of Lot 13 and 14 also being the south line of Loeseke Survey recorded as Document No. 66-4969 in the McLean County Recorder's Office; thence West 620 feet parallel with the north line of said Lot 13 and 14 and south line of said Loeseke Survey to the east line of the West 33 feet of said Lot 13; thence North 290 feet to the northeast corner of the West 33 feet of said Lot 13 on the south line of said Loeseke Survey; thence East 1,452 feet on the north line of Lot 13, 14 and 15 to the Point of Beginning.

Annexation Plat



ORDINANCE NO. 2022 - _____

**AN ORDINANCE PROVIDING FOR A ZONING MAP AMENDMENT FOR ANNEXED PROPERTY
LOCATED NORTH OF WEST HAMILTON ROAD AND WEST OF SOUTH MAIN STREET,
CONSISTING OF 46 ACRES MORE OR LESS (A/K/A SHIRK COMMERCIAL-PCSL SUBDIVISION)
TO B-1 (GENERAL COMMERCIAL) DISTRICT ZONING**

WHEREAS, there has heretofore been filed with the City Clerk of the City of Bloomington, McLean County, Illinois, an Annexation Agreement between the City of Bloomington and Sale Barn Properties LLC and a Petition for Annexation to said City and Amendment of the Official Zoning Map of said City, for the premises legally described in Exhibit A, attached hereto and made a part hereof by this reference (hereinafter, “the premises”); and

WHEREAS, the City Council has approved both the annexation agreement and petition for annexation of the premises; and

WHEREAS, the Planning Commission after proper notice was given, conducted a public hearing on the request for amendment of the Official Zoning Map of the City, found said amendment to be in the best interest of the said and not the solely for the benefit of the requester and recommended to the City Council of said amendment; and

WHEREAS, the Annexation Agreement provides that, upon annexation of the premises to the City, said premises would be zoned as follows under Chapter 44 of The Code of the City of Bloomington, Illinois, 1960: B-1 (General Commercial) District as depicted in Exhibit B attached hereto and incorporated herein by reference; and

WHEREAS, the City Council of said City has the power to pass this Ordinance to zone said premises as heretofore agreed in the aforementioned Annexation Agreement; and

WHEREAS, said requested zoning map amendment is reasonable and proper and in keeping with the intent of Chapter 44 of The Code of the City of Bloomington, Illinois, 1960;

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

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

SECTION 2. That the premises described in Exhibit “A”, which is attached hereto and made a part hereof and incorporated herein by this reference, is hereby zoned as follows under Chapter 44 of The Code of the City of Bloomington, Illinois, 1960: B-1 (General Commercial) District

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

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

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

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

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

PASSED this 9th day of May, 2022.

APPROVED this _____ day of May, 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT "A"

5126.02

Annexation Legal

2/10/22

DPB

Legal Description of Subject Premises

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

Lot 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16 lying north of the north line of those portions of said Lot 1, 2, 3 and 4 conveyed to the City of Bloomington in Warranty Deed recorded January 15, 2010 as Document No. 2010-1209, in McLean County, Illinois, EXCEPT that portion of Lot 1 previously annexed to the City of Bloomington described in Document No. 79-5383 recorded in McLean County, Illinois, and also EXCEPT the West 33 feet of Lot 4.

Together with:

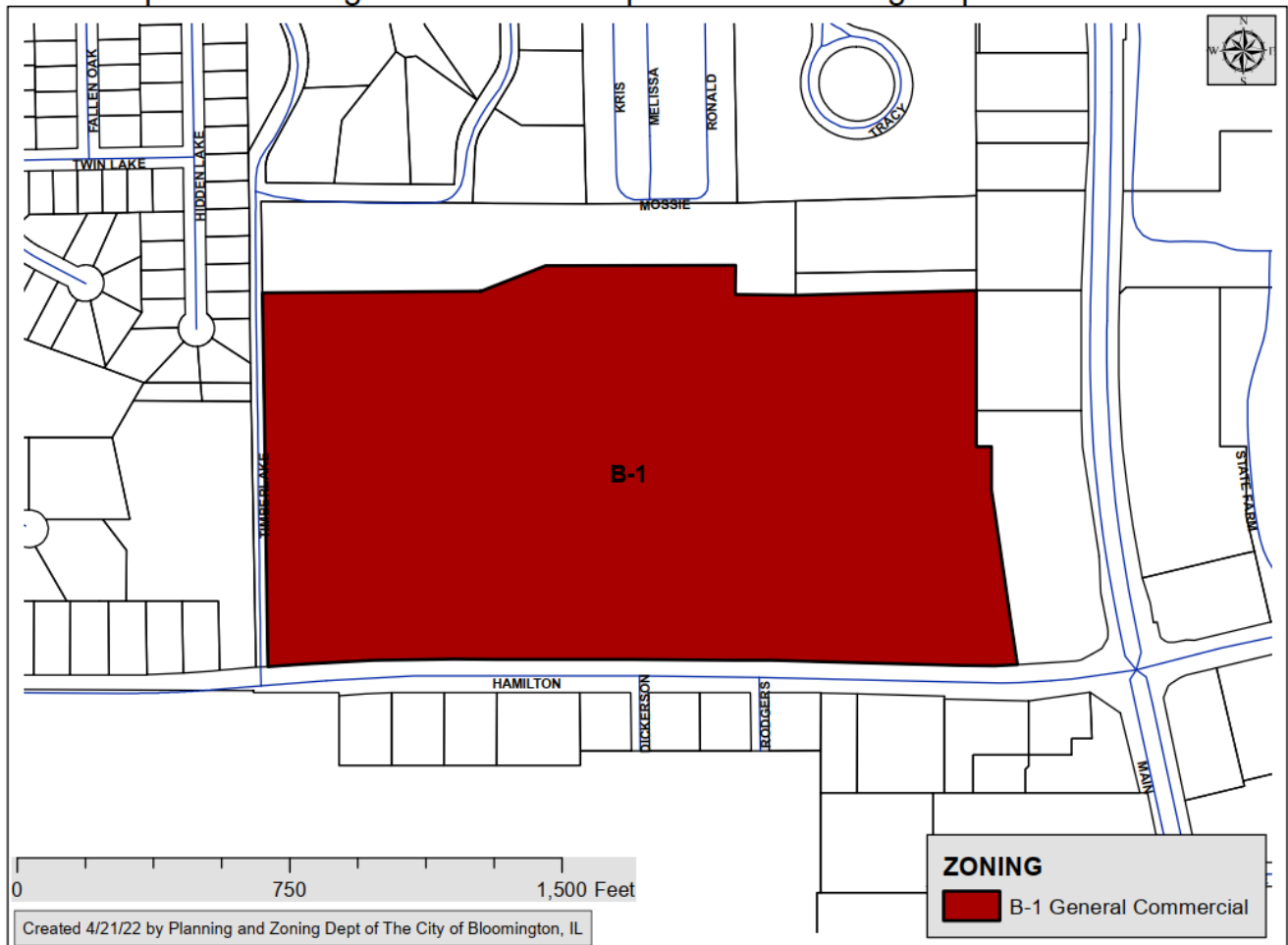
Lot 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, EXCEPT the West 33 feet of Lot 13, and also EXCEPT, Beginning at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence East parallel with the north line of said Lot 15 to the east line of said Lot 15; thence North to the Point of Beginning.

And also EXCEPT:

Commencing at the Northeast Corner of Lot 15 being the Southeast Corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 5, 1981 as Document No. 81-9254 in the McLean County Recorder's Office; thence West 507 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development to the Point of Beginning; thence South 260 feet along a line which forms an angle to the right of 92°-00' from the last described course; thence West 162.63 feet parallel with the south line of said Lot 15; thence North 84.51 feet to a point lying 175 feet south of the north line of Lot 13 and 14; thence West 520 feet at a right angle measured from the last described course parallel with the north line of said Lot 13 and 14; thence Southwesterly 190 feet to a point lying 290 feet south of the north line of said Lot 13 and 14, said north line of Lot 13 and 14 also being the south line of Loeseke Survey recorded as Document No. 66-4969 in the McLean County Recorder's Office; thence West 620 feet parallel with the north line of said Lot 13 and 14 and south line of said Loeseke Survey to the east line of the West 33 feet of said Lot 13; thence North 290 feet to the northeast corner of the West 33 feet of said Lot 13 on the south line of said Loeseke Survey; thence East 1,452 feet on the north line of Lot 13, 14 and 15 to the Point of Beginning.

EXHIBIT B
ZONING MAP

Requested Zoning for Sale Barn Properties LLC Zoning Map Amendment



State of Illinois)
) ss.
County of McLean)

Now come(s) Sale Barn Properties, LLC

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s)^A_____ which is attached hereto made and a part hereof by this reference, and is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently have a zoning classification of A_____ under the provisions of the McLean County Zoning Ordinance;
3. That there is attached hereto and made a part hereof a proposed Annexation Agreement between said City and your petitioner(s) which provides for the annexation of the premises described in Exhibit A_____ to said City;
4. That said Annexation Agreement provides that, upon annexation of said premises to said City, said premises would be zoned as follows under the provisions of Chapter 44 of the Bloomington City Code-1960, as amended:
B-1_____;
5. That your petitioner(s) hereby requests that they Honorable Mayor and City Council of the City of Bloomington, McLean County, Illinois approve said Annexation Agreement, annex said premises to said City and amend the Official Zoning Map of said City to reclassify said premises into the zoning district classification;
6. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the zoning of said premises to the A-Agriculture District; and

7. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the zoning of said premises to the A-Agriculture District.

WHEREFORE, your petitioner(s) respectfully pray(s) that said Annexation Agreement be approved, that said premises be annexed to the City of Bloomington, McLean County, Illinois, and that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above described premises to

B-1

Respectfully submitted,

By: 

Name: James A. Stick

Title: Manager

Date: 10 Feb 2002

SAMPLE

OWNER'S CERTIFICATE

State of Illinois)
)ss.
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we Sale Barn Properties, LLC, hereby certifies that it is the owner of the premises described in Exhibit A attached hereto and incorporated herein, which is the subject of a certain Petition for Annexation to the City of Bloomington, McLean County, Illinois, and for Amendment of the Official Zoning Map of the City of Bloomington, McLean County, Illinois, which is depicted by the Annexation Plat prepared by Lewis, York & Brown, LLC on _____.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this
10 day of Feb, 2022

Name: James A. Shirk
By: _____
(Seal)

NOTARY CERTIFICATE

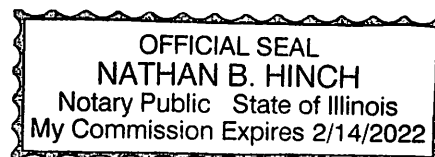
State of Illinois)
)ss.
County of McLean)

I, Nathan Hinch, a Notary Public in and for the county and State aforesaid, do hereby certify that James A. Shirk personally known to be the same person whose name is subscribed to the foregoing owner's statement, appeared before me, this day, in person and acknowledged the execution of this statement as his free and voluntary act.

Given under my hand and notarial seal this 10 day of Feb, 2022.

Nathan Hinch
Notary Public

My commission expires 2/14/2022.



State of Illinois)
) ss.
County of McLean)

Now come(s) ^{Secretary} jeremy Kelley, as ~~President~~ of Prairie Cities Soccer League, Inc.

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s)^A_____ which is attached hereto made and a part hereof by this reference, and is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently have a zoning classification of A_____ under the provisions of the McLean County Zoning Ordinance;
3. That there is attached hereto and made a part hereof a proposed Annexation Agreement between said City and your petitioner(s) which provides for the annexation of the premises described in Exhibit A_____ to said City;
4. That said Annexation Agreement provides that, upon annexation of said premises to said City, said premises would be zoned as follows under the provisions of Chapter 44 of the Bloomington City Code-1960, as amended:
B-1_____;
5. That your petitioner(s) hereby requests that they Honorable Mayor and City Council of the City of Bloomington, McLean County, Illinois approve said Annexation Agreement, annex said premises to said City and amend the Official Zoning Map of said City to reclassify said premises into the zoning district classification;
6. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the zoning of said premises to the A-Agriculture District; and

7. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the zoning of said premises to the A-Agriculture District.

WHEREFORE, your petitioner(s) respectfully pray(s) that said Annexation Agreement be approved, that said premises be annexed to the City of Bloomington, McLean County, Illinois, and that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above described premises to

B-1

Respectfully submitted,

By: 

Name:

Johnny Kelley

Title:

~~Secretary~~ Secretary

Date:

10 Feb 2022

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Sale Barn Properties, LLC, herein-
after referred to as your petitioner(s), respectfully representing and requesting as follows:

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

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from McLean County to B-1.

Respectfully submitted, 



Manager

Title

Provide Findings of Fact

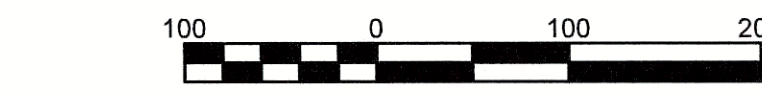
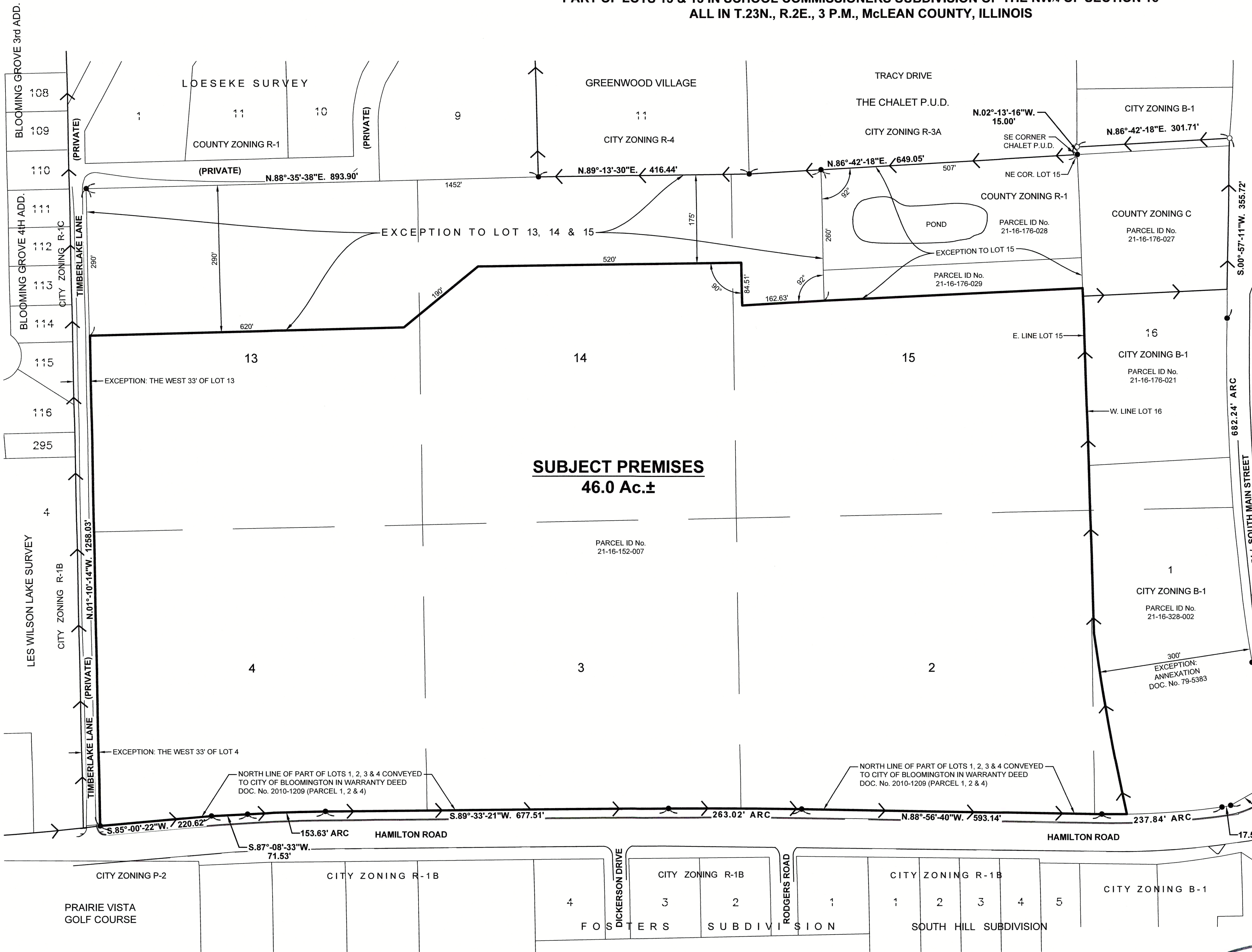
FINDINGS OF FACT

The Zoning Ordinance has “*Zoning Map Amendment Guidelines*” Please answer the following:

- 1. The suitability of the subject property for uses authorized by the existing zoning*
- 2. The length of time the property has remained vacant as zoned considered in the context of land development in the area*
- 3. The suitability of the subject property for uses authorized by the proposed zoning*
- 4. The existing land uses and zoning of nearby property*
- 5. Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application*
- 6. The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification*
- 7. The extent to which the proposed amendment is consistent with the need to minimize flood damage and the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area*
- 8. The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification*
- 9. The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set for in § 44-1701*
- 10. The extent to which property values are diminished by the particular zoning restriction*
- 11. The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public*
- 12. Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it*
- 13. Whether the City needs the proposed use*

ANNEXATION PLAT

PART OF LOTS 1, 2, 3 & 4 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE SW¼ OF SECTION 16 & ALL OF LOT 14 AND
PART OF LOTS 13 & 15 IN SCHOOL COMMISSIONERS SUBDIVISION OF THE NW¼ OF SECTION 16
ALL IN T.23N., R.2E., 3 P.M., McLEAN COUNTY, ILLINOIS



LEGEND
BOUNDARY OF SUBJECT PREMISES
CORPORATE LIMITS BOUNDARY
CITY OF BLOOMINGTON

Legal Description of Subject Premises

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW¼ of Section 16, together with part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW¼ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows:

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Together with:

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02/08/2022	
REVISED	-
02/10/2022	-
-	-
-	-
-	-

BK.	948
DRN.	MB
DSN.	
APP.	JTS

ANNEXATION PLAT
SALE BARN PROPERTIES, LLC
McLEAN COUNTY, ILLINOIS

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that to the best of my knowledge and belief the plat shown hereon is an accurate representation of lands to be annexed to the City of Bloomington, McLean County, Illinois, prepared under my direction.

2/8/2022
Date

David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expires 11/30/2022



MEMORANDUM

TO: Bloomington City Clerk
FROM: Nathan B. Hinch
DATE: April 21, 2022
RE: Sale Barn Property Annexation

Pursuant to City Code §8.5-204.A.(6), please find herewith the most recent tax bill and assessed value information for the parcel identification number at issue, being 21-16-152-007. This parcel number is new for 2022. The underlying parcel number was 21-16-152-006 which was split into: 21-16-152-007; 21-16-176-028; and 21-16-176-029.

McLEAN COUNTY ILLINOIS REAL ESTATE TAX BILL



REBECCA C. McNEIL
McLEAN COUNTY TREASURER/COLLECTOR
P.O. BOX 2400
115 E. WASHINGTON, RM M101
BLOOMINGTON, ILLINOIS 61702-2400
Ph (309) 888-5180 Fax (309) 888-5176
Office Hours: 8AM - 4:30PM, Mon. - Fri.
www.mcleancountyil.gov

Township: BLOOMINGTON
Tax Code: 0503
Prop Use Code: 0065

Legal Description
SEC 16-23-2E
SCHOOL COMMISSIONERS SUB NW LOT
13 (EX W33') & ALL LOTS 14 & 15 &
SCHOOL COMMISSIONERS SUB SW
LOT 1 LYG W OF HWY (EX E4.22 ACS), ALL
LOTS 2 & 3 & LOT 4 (EX W33') & (EX PT
FOR DRAGAGE 2002)

DUPLICATE

21-16-152-006

SHIRK, JAMES

BLOOMINGTON, IL 61702-1549

Pay by E-Check, Credit Card or Visa Debit Card at www.mcleancountyil.gov/tax
or call 1-877-647-7238. Fee applies: E-Check \$2.00 / Credit/Debit Card \$1.50+2.25%



Taxing Body	Current Rate	Current Tax	Prior Rate	Prior Tax	Difference
MCLEAN COUNTY	0.75744	\$280.88	0.00000	\$0.00	280.88
MCLEAN COUNTY PENSION	0.15642	\$58.00	0.00000	\$0.00	58.00
BLOOMINGTON TOWNSHIP	0.13700	\$50.81	0.00000	\$0.00	50.81
BLOOMINGTON TWP FIRE	0.54718	\$202.92	0.00000	\$0.00	202.92
CUSD 5 NORMAL	5.45139	\$2,021.59	0.00000	\$0.00	2021.59
CUSD 5 NORMAL PENSION	0.19565	\$72.56	0.00000	\$0.00	72.56
BLOOMINGTON TWP ROAD	0.33876	\$125.63	0.00000	\$0.00	125.63
GOLDEN PRAIRIE LIBRARY	0.15000	\$55.63	0.00000	\$0.00	55.63
HEARTLAND COMM COLLEGE 540	0.57762	\$214.20	0.00000	\$0.00	214.20
Totals	8.31146	\$3,082.22	0.00000	\$0.00	\$3,082.22

Owner Name: SHIRK, JAMES

If postmarked after 9/30, contact office.
Additional Interest & Penalties apply.

Certified funds required for payments
tendered within 30 days of the tax sale.

PENALTIES

PENALTY PER MONTH ADDED AFTER EACH
INSTALLMENT DUE DATE.
ADDITIONAL \$10 ADDED AFTER DELINQUENT
NOTICE IS MAILED

TIF BASE	0
1977 EQUALIZED	0
SR FREEZE BASE	0
FAIR CASH VALUE	68,420
TOTAL ACRES	59.07
LAND VALUE	22,804
BUILDING VALUE	0
HOME IMPROVEMENT	0
ASSESSED VALUE	22,804
STATE MULTIPLIER	1.0000
EQUALIZED VALUE	22,804
HOMESTEAD EXMPT	0
SR CITZ EXMPT	0
SR FREEZE EXMPT	0
DISABLED VET EXMPT	0
DIS VET HOMESTEAD	0
DISABLED PER EXMPT	0
RET VET HOMESTEAD	0
FARM LAND	14,280
FARM BUILDING	0
NET TAXABLE VAL.	37,084
TAX RATE	8.31146
CURRENT TAX	\$3,082.22
DRAINAGE	
PRIOR SALE/FORF	NO
TOTAL TAX DUE	\$3,082.22
TOTAL TAX PAID	\$3,082.22
TOTAL TAX DUE	\$0.00

13276

McLean County Real Estate Tax Bill

Parcel Number 21-16-152-006
Bill Number 2020-051835
Prior Sale/Forf NO

Second Installment Due Date	09/16/2021
Total Due	Paid on
2nd Install	09/16/2021
	\$0.00

2020 PAYABLE 2021

Mail is processed by our bank processing center.
Mail Payments To:
MCLEAN COUNTY COLLECTOR
P.O. BOX 843637
KANSAS CITY, MO 64184-3637

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
09/16/2021	1,541.11	23.12	1,564.23
09/30/2021	1,541.11	Contact Office	Contact Office

2

SHIRK, JAMES

BLOOMINGTON, IL 61702-1549

2



DUPLICATE

McLean County Real Estate Tax Bill

Parcel Number 21-16-152-006
Bill Number 2020-051835
Prior Sale/Forf NO

First Installment Due Date	06/16/2021
Total Due	Paid on
1st Install	06/16/2021
	\$0.00

2020 PAYABLE 2021

Mail is processed by our bank processing center.
Mail Payments To:
MCLEAN COUNTY COLLECTOR
P.O. BOX 843637
KANSAS CITY, MO 64184-3637

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
06/16/2021	1,541.11	0.00	1,541.11
07/16/2021	1,541.11	46.23	1,587.34
08/16/2021	1,541.11	69.35	1,610.46
09/16/2021	1,541.11	92.47	1,633.58
09/30/2021	1,541.11	Contact Office	Contact Office

1

SHIRK, JAMES

BLOOMINGTON, IL 61702-1549

1



DUPLICATE

PARCEL RETIRED IN TAX YEAR 2022

Property Information		
Parcel Number 21-16-152-006	Site Address 2027 S MAIN ST BLOOMINGTON, IL 61704	Owner Name & Address SHIRK, JAMES [REDACTED] BLOOMINGTON, IL, 61702-1549
Tax Year 2021 (Payable 2022) ▼		
Sale Status None	Neighborhood Code	Land Use
Property Class 0065 - Commercial with Farm	Tax Code 0503 -	Tax Status Taxable
Net Taxable Value 38,802	Tax Rate Unavailable	Total Tax Unavailable
Township BLOOMINGTON	Acres 59.0700	Mailing Address
Tract Number	Lot Size	TIF Base Value 0
Legal Description SEC 16-23-2E SCHOOL COMMISSIONERS SUB NW LOT 13 (EX W33') & ALL LOTS 14 & 15 & SCHOOL COMMISSIONERS SUB SW LOT 1 LYG W OF HWY (EX E4.22 ACS), ALL LOTS 2 & 3 & LOT 4 (EX W33') & (EX PT FOR RD AS IN 05-26729)		

No Photos or Sketches

No Structure Information

Assessments						
Level	Homesite	Dwelling	Farm Land	Farm Building	Mineral	Total
DOR Equalized	23,379	0	15,423	0	0	38,802
Department of Revenue	23,379	0	15,423	0	0	38,802
Board of Review Equalized	23,379	0	15,423	0	0	38,802
Board of Review	23,379	0	15,423	0	0	38,802
S of A Equalized	23,379	0	15,423	0	0	38,802
Supervisor of Assessments	22,804	0	15,423	0	0	38,227
Township Assessor	22,804	0	15,423	0	0	38,227
Prior Year Equalized	22,804	0	14,280	0	0	37,084

No Billing Information

Payment History			
Tax Year	Total Billed	Total Paid	Amount Unpaid
2020	\$3,082.22	\$3,082.22	\$0.00

No Redemptions

No Exemptions

Farmland

Land Type	Acres	EAV
CROPLAND	29.9900	14,346
WASTE - CONTRIBUTING	0.4500	15
NON-AGRICULTURAL	14.4000	0
OTHER FARMLAND	14.2300	1,062
Totals	59.0700	15,423

[Click to open Farmland Details](#)

Parcel Genealogy

Relationship	Parcel Number	Action	Year	Change Effective Year	Completed
Child Parcel	2116152007	Split	2022	2022	Yes
Child Parcel	2116176028	Split	2022	2022	Yes
Child Parcel	2116176029	Split	2022	2022	Yes
Parent Parcel	2116152005	Combination	2020	2020	Yes
Parent Parcel	2116176024	Combination	2020	2020	Yes
Parent Parcel	2116176025	Combination	2020	2020	Yes
Parent Parcel	2116176026	Combination	2020	2020	Yes

No Sales History Information

No Taxing Bodies Information

Disclaimer

McLean County makes every effort to produce and publish the most current and accurate information possible. The information maintained on this website is an effort to reflect that, but should not be relied upon as a replacement for your actual tax bill or proof of payment. McLean County accepts no responsibility for the consequences of the inappropriate use or interpretation of data. No warranties, expressed or implied, are provided for data herein. By proceeding with a property search, you are stating that this notice has been read and that you understand and agree with its contents.



REGULAR AGENDA ITEM NO. 10.C

FOR COUNCIL: May 9, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 2

SUBJECT: Consideration and action on an Ordinance Approving a Site Plan and Variance for a Sports and Fitness Establishment in the B-1 (General Commercial) District, for Property Located North of West Hamilton Road and West of South Main Street in McLean County, Illinois, Consisting of 46 Acres, More or Less (a/k/a Shirk Commercial-PCSL Subdivision), as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: Sale Barn Properties LLC, is requesting approval of a Site Plan for a Sports and Fitness Facility in the B-1 (General Commercial) District, for the property located west of Main Street and north of Hamilton Road, in McLean County, Illinois, Consisting of 46 Acres, More or Less, (a/k/a Shirk Commercial-PCSL Subdivision) to the City of Bloomington, McLean County, Illinois.

The approval of this request is contingent upon the approval of the annexation agreement, annexation petition, and final plat for the subject property.

Summary of Request

1. Site plan approval for construction of a Sports and Fitness Establishment. Because the property is located in the B-1 (General Commercial) zoning district, site review is subject to a legislative review process.
2. The proposed site would contain eight soccer fields with accessory uses and an associated parking area.
3. Variance to allow omission of interior parking lot landscaping requirements.

On Wednesday, April 6, 2022, the Planning Commission, held a public hearing, found the request met the standards for approval of a site plan, and voted 7-0-0 to recommend approval of the Legislative Site Plan to City Council, with the condition that a water service connection is present on the property, and bicycle parking be provided. The Commission also voted 7-0-0 to recommend approval of the requested variance.

For more detailed information, please see the attached Staff Memorandum to the Planning

Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The City published notice of the hearing in *The Pantagraph* on Monday, March 21, 2022 and courtesy notices were mailed to 70 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: Approval the proposed site plan will allow for development and investment of vacant property and potentially increase future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this section of identifies this section of West Hamilton Road as an emerging commercial activity center. The Development Priorities map identifies this area as a Tier 2 priority, land immediately adjacent to the City's incorporated area, and with access to all City services. Comprehensive Plan goals supported are ED-1.2 Leverage community assets in attracting business, ED-4.4 Evaluate commercial land use needs in the context of changing economic trends, ED-5.1 Expand tourism attractions and destinations, and CF-1. Continue to provide quality public facilities and services. The Site Plan also aligns with goal ED-4.2, Prioritize infill and redevelopment to spur growth and reinvestment in the City.

Respectfully submitted for Council consideration.

Prepared by: Jon Branham, City Planner

Reviewed by:



Melissa Horn, Economic and Community Development Director

4/29/2022



Chris Tomerlin, Budget Manager

5/2/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- EC&D 1B Ordinance PR-02-22
- E&CD 1C Ordinance Exhibit B PR-02-22
- E&CD 1D Staff Report PR-02-22
- E&CD 1E Aerial Map PR-02-22
- EC&D 1F Zoning Map PR-02-22
- EC&D 1G PC DRAFT minutes 04.6.22 PR-02-22

ORDINANCE NO. 2022 - _____

AN ORDINANCE APPROVING A SITE PLAN AND VARIANCE FOR A SPORTS AND FITNESS ESTABLISHMENT IN THE B-1 (GENERAL COMMERCIAL) DISTRICT, FOR PROPERTY LOCATED NORTH OF WEST HAMILTON ROAD AND WEST OF SOUTH MAIN STREET IN MCLEAN COUNTY, ILLINOIS, CONSISTING OF 46 ACRES, MORE OR LESS (A/K/A SHIRK COMMERCIAL-PCSL SUBDIVISION)

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting approval of a Site Plan for a Sports and Fitness Establishment in the B-1 (General Commercial) District for certain premises hereinafter described in Exhibit "A"; and

WHEREAS, said petition included a Site Plan, illustrated in Exhibit "B," hereinafter referred to as the "Plan" and attached hereto and made part hereof by this reference; and

WHEREAS, after proper notice was given, the Bloomington Planning Commission conducted a public hearing on said petition and plan, and at said public hearing, the Planning Commission made findings of fact that such Site Plan complies with the standards for granting approval of a site plan found in Chapter 44 Division 17-9 of the Bloomington City Code; and

WHEREAS, the City Council of the City of Bloomington has the power to pass this Ordinance and approve this Site Plan and variances with the recommended conditions.

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

Section 1. The above recitals are hereby incorporated into this Ordinance.

Section 2. The City Council adopts the findings of fact for the Site Plan Review as recommended by the Planning Commission.

Section 3. The City Council hereby approves the Site Plan for a Sports and Fitness Establishment, with the condition that a water service connection and bicycle parking be added to the site; and approves a variance from §44-1307C (Parking lot interior landscaping) to allow omission of interior parking lot landscaping requirements, for the property generally located west of Main Street and north of Hamilton Road, legally described in Exhibit "A" and depicted in Exhibit "B,"

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

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

Section 6. This ordinance shall be effective after and upon: (1) approval of an annexation agreement covering this property; (2) approval of an ordinance annexing the property; (3) approval of a final plat covering the property; and (4) immediately after the

date of its publication as required by law and to take place only upon approval of the annexation agreement, property annexation and final plat.

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

This Ordinance shall take effect immediately upon passage and approval.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

Exhibit A

5126.02

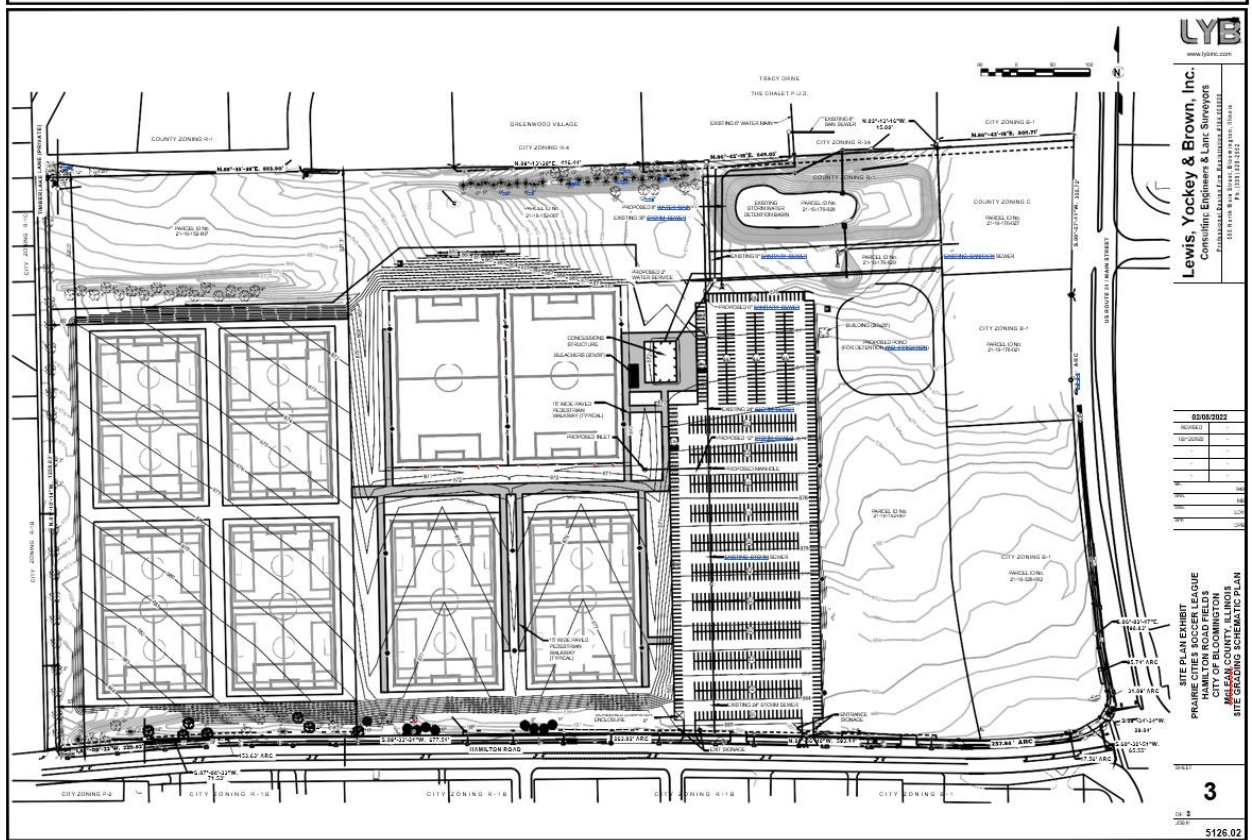
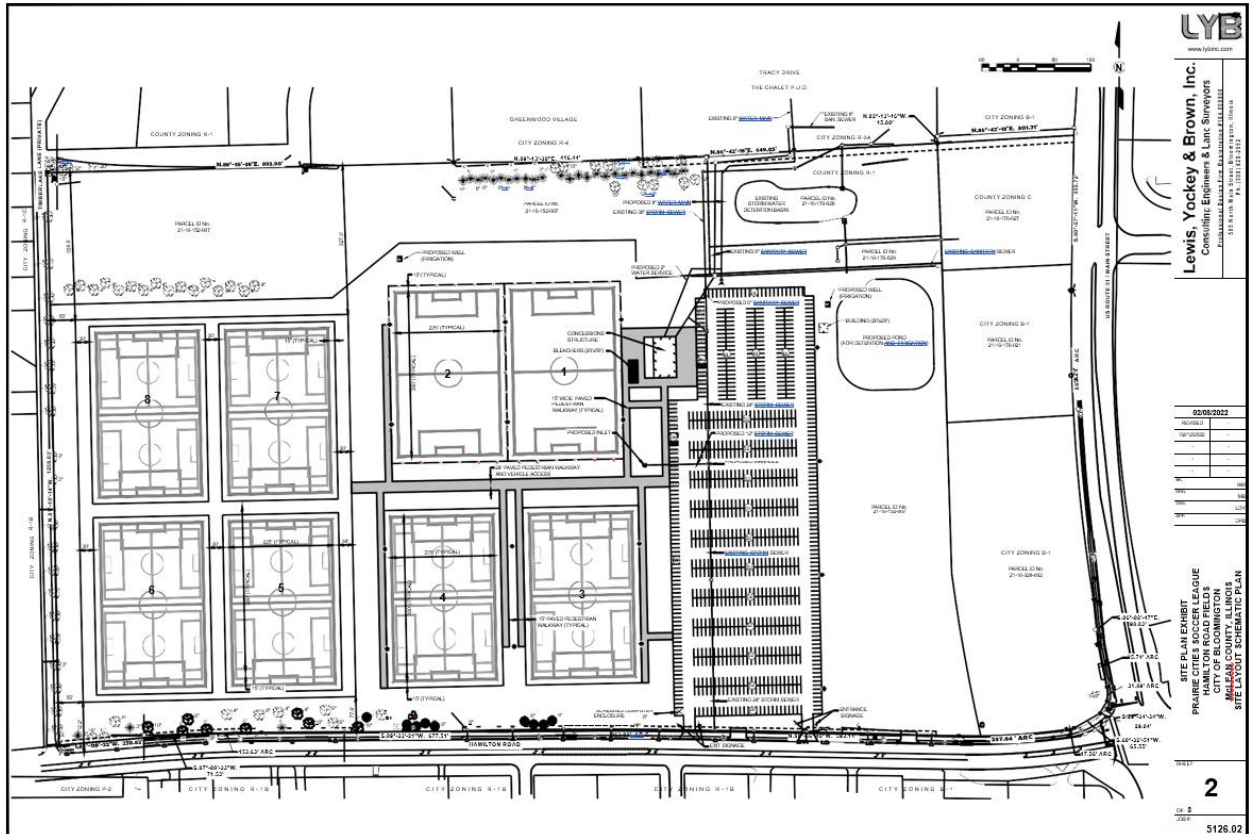
4/14/2022

DPB:kk

Subdivision Boundary

Legal Description

A part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW $\frac{1}{4}$ of Section 16 and a part of Lots 13, 14 and 15 in School Commissioners Subdivision of the NW $\frac{1}{4}$ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Commencing at the northeast corner of Lot 15 in School Commissioners Subdivision of the NW $\frac{1}{4}$ of Section 16, being the southeast corner of the Chalet Planned Unit Development in the City of Bloomington, Illinois, recorded October 15, 1981 as Document No. 81-9254 in the McLean County Recorder of Deeds Office; thence S.86°-42'-18"W. 507.00 feet on the north line of said Lot 15 and south line of said Chalet Planned Unit Development; thence S.01°-17'-42"E. 260.00 feet to the Point of Beginning; thence N.86°-42'-18"E. 511.20 feet parallel with the north line of said Lot 15 to the east line of said Lot 15 in School Commissioners Subdivision in the NW $\frac{1}{4}$ of Section 16; thence S.02°-13'-16"E. 1043.29 feet on the said east line of Lot 15 and southerly extension thereof to the north right way line of Hamilton Road conveyed to the City of Bloomington in Warranty Deed recorded as Document No. 2010-1209 in the McLean County Recorder of Deeds Office; thence westerly on said north line of Hamilton Road right of way 4.51 feet on a non-tangential curve concave to the northwest having a central angle of 00°-09'-59", radius of 1,553.42 feet and a chord of 4.51 feet bearing N.89°-01'-39"W. from the last described course; thence N.88°-56'-40"W. 593.14 feet on said north line of Hamilton Road; thence southwesterly on said north line of Hamilton Road right of way 263.02 feet on a tangential curve concave to the southeast having a central angle of 01°-30'-00", radius of 10,046.58 feet and a chord of 263.01 feet bearing N.89°-41'-39"W. from the last described course; thence S.89°-33'-21"W. 677.51 feet on said north line of Hamilton Road; thence southwesterly on said north line of Hamilton Road right of way 153.63 feet on a tangential curve concave to the southeast having a central angle of 02°-42'-41", radius of 3,246.58 feet and a chord of 153.62 feet bearing S.88°-12'-00"W. from the last described course; thence S.87°-08'-33"W. 71.53 feet on said north line of Hamilton Road; thence S.85°-00'-22"W. 220.62 feet on said north right of way line of Hamilton Road to the east line of the West 33 feet of Lot 4 in said School Commissioners Subdivision of the SW $\frac{1}{4}$ of Section 16; thence N.01°-10'-14"W. 968.03 feet on the east line of the West 33 feet of said Lot 4 and the east line of the West 33 feet of Lot 13 in said School Commissioners Subdivision of the NW $\frac{1}{4}$ of Section 16; thence N.88°-33'-59"E. 621.20 feet; thence N.50°-54'-10"E. 189.81 feet; thence N.89°-13'-30"E. 520.00 feet; thence S.00°-46'-30"E. 85.89 feet; thence N.86°-42'-18"E. 162.64 feet to the Point of Beginning, containing 45.88 acres, more or less, with assumed bearings given for description purposes only.





PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: April 6, 2022

CASE NO: PR-02-22, Site Plan Review

REQUEST: Public hearing, review, and action on a petition submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, requesting approval of a Site Plan (with potential variances) for a Sports & Fitness Establishment in the B-1 (General Commercial) District for the property generally located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW ¼ of Section 16, together with parts of lots 13, 14, and 15 in School Commissioners Subdivision of the NW ¼ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois.

BACKGROUND

Petitioners' request:

The petitioner is requesting a legislative site plan review, to develop eight soccer fields on the subject property with accessory uses and an associated parking area.

Property Characteristics:

The subject property consists of roughly 55 acres of land located in the southern region of Bloomington. The property is currently vacant. The surrounding properties is a variety of zoning districts, including residential and commercial. The surrounding uses vary from single and multi-family residential to commercial. Some surrounding properties remain vacant.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, February 14, 2022. Courtesy notices were mailed to 178 property owners within 500 feet of the subject property as part of the March meeting.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	R-1 (County) / R-4, Manufactured Home Park / R-3A, Multi-Family Residential	Single & Multi-Family Residential
South	R-1B, Single Family Residential	Single Family Residential
East	B-1, General Commercial	Vacant / Commercial
West	R-1B, Single Family Residential / R1-C, Single Family Residential	Single Family Residential

ANALYSIS

Compliance with the Comprehensive Plan

The subject property is identified as Tier 2-Infill Redevelopment Priority. The Future Land Use map shows the site as a Commercial Activity Center. Approval of the Site Plan aligns with the following goals of the Comprehensive Plan:

- Goal N-1. Enhance the livability of all Bloomington neighborhoods.
- Objective N-1.1b. Ensure sensitive transitions from residential to nonresidential.
- Goal HL-1.2. Protect, enhance and maintain parks and green space equitably throughout the City.
- Objective HL-2.3a. Increase developed outdoor parkland to reach 10 acres per 1,000 residents.

STANDARDS FOR REVIEW

Ch. 44, 17-9 Legislative site plan review

The Site Plan review process is intended to protect the public interest in safety, economy, and from adverse site development that may be detrimental to neighboring property owners and the surrounding area. The following standards and objectives shall guide the review of City staff, the Planning Commission, and the City Council in making a determination on the proposed Site Plan.

Standards for Consideration of Site Plan Review

Standard	Discussion	Finding
The extent to which potential incompatibilities between the proposed development and surrounding existing development and/or zoning is minimized by such design features as placement of buildings, parking areas, access driveways and existing or proposed topography.	The proposed development is not incompatible with the existing development in the area. The layout of the athletic fields and facilities on the site and the location of the parking lot and driveway are consistent with developments on surrounding properties. The buildings will need to meet all bulk requirements for B-1 zoning. The parking lot meets the code requirements for off-street parking and loading. A landscape plan has been submitted.	The standard is met.
The extent to which the proposal minimizes any adverse impact of the development upon adjoining land.	The proposed use will not have any adverse impacts on the development of adjoining land. The use is permitted within the zoning and is compatible with the uses of the surrounding properties. The building and landscaping shall comply with code requirements. The trash enclosure shall be fully screened as city code requires.	The standard is met.
The extent to which adequately improved streets connected to the improved arterial street system are available or can be reasonably supplied to serve the uses proposed in the development.	The site is accessible by and directly situated on West Hamilton Rd. There are existing curb cuts and aprons at the site which will not be utilized as part of the project and should be removed and repaired.	Standard is met.

Standards for Consideration of Site Plan Review (Continued)

Standard	Discussion	Finding
The extent to which the proposed development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed.	The surrounding properties are all zoned residential and commercial. The uses range from single and multi-family residential to nearby commercial uses. The site has been used for athletic activities in the past on a smaller scale for an extended time. The activities occurring at the proposed site would be complementary to the existing uses.	Standard is met.

Ch. 44. 1013, provides additional standards for community centers and sports and fitness establishments:

- A. Fencing. A forty-two-inch-high wire mesh or chain link fence shall enclose children's outdoor play areas.
- B. The following minimum lot standards shall be required of the siting and development of any community center or sports and fitness establishments:
 - a. Minimum Lot Area = 20,000 square feet
 - b. Minimum Lot Width - 100 feet

These standards have been met.

ADDITIONAL REQUESTS

Ch 44, 17-9-D, Concurrent Applications (Variances)

The applicant has requested Variances as part of the application, in accordance with Ch. 17, 17-9-D of the site plan review process. The requests are as follows:

The petitioner seeks a variance from §44-1307C (Parking lot interior landscaping), to allow construction of private parking lot improvements without interior parking lot landscaping. §44-1307C(1) states, "For parking lots consisting of 10 or more spaces, interior parking lot landscaping shall be required," and outlines the quantity, dimensions, design, and materials that shall be used for the landscaping. Exceptions are made for alternate designs that support the onsite absorption and management of stormwater.

Standard	Discussion	Finding
That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.	The applicant has reviewed the oil and chip surface treatment with the City Engineer and it has been accepted as a reasonable and effective alternative. The installation of interior islands would prove burdensome due to the unique nature of the surface treatment.	Standard is met.
That the variance would be the minimum action necessary to afford relief to the applicant.	The variance is required due to the nature of the request to not install interior parking islands required by the Code.	Standard is met.

(Variance Analysis, Continued)

Standard	Discussion	Finding
That the special conditions and circumstances were not created by any action of the applicant.	No special conditions or circumstances were created by the applicant in this situation.	Standard is met.
That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.	No special privilege has been given to the applicant in this situation.	Standard is met.
That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.	There is no expected potential impact on stormwater and drainage management and the item has been reviewed by the City Engineer. Due to the primarily interior location of the parking lot, it is unlikely to alter the essential character of the neighborhood or impair the use of adjoining properties.	Standard is met.

STAFF RECOMMENDATION

The approval of this request is contingent upon the approval of the final plat and construction plans, annexation agreement, and annexation petition for the subject property.

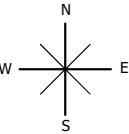
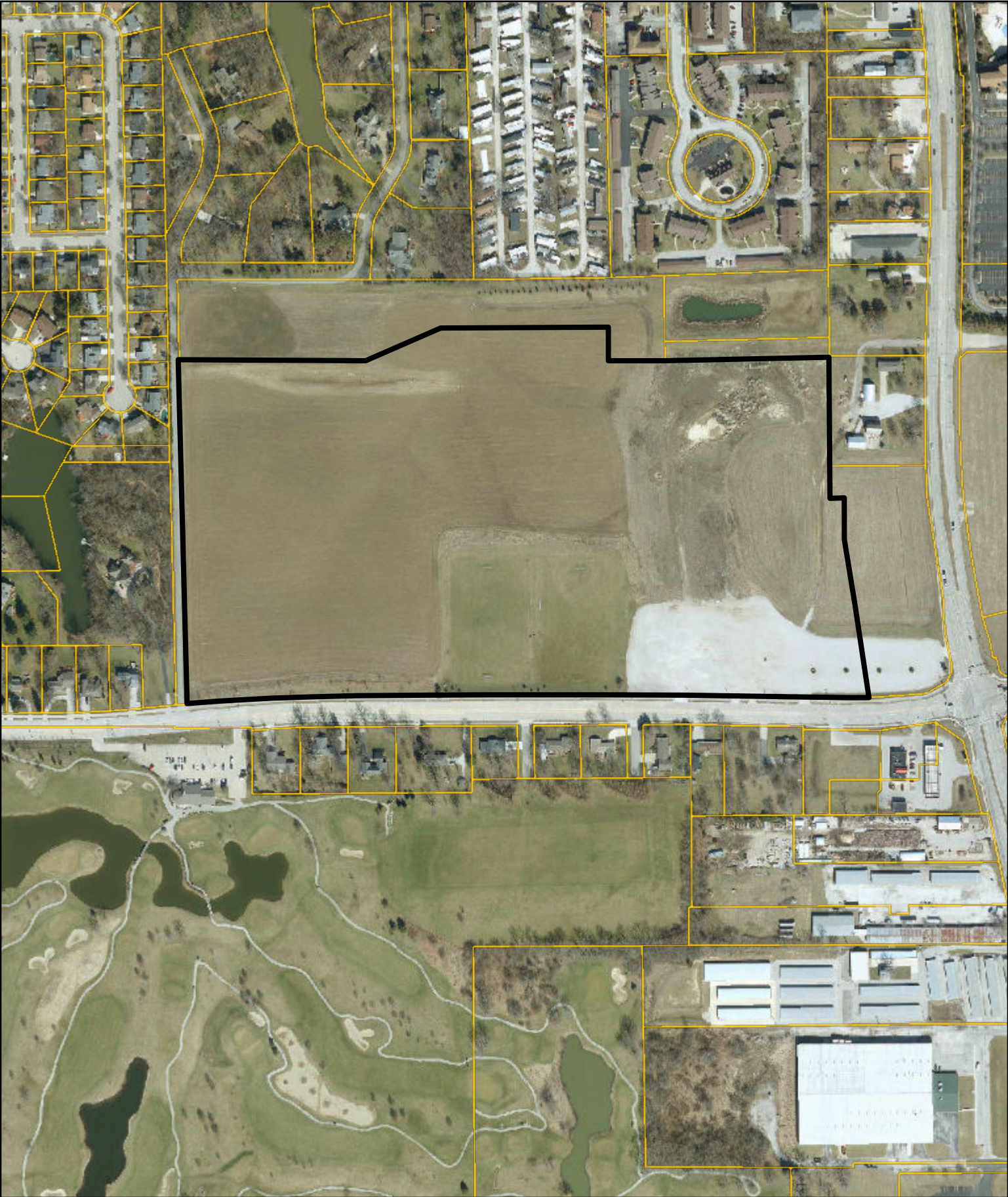
Staff finds that the application meets the standards for site plan review and recommends its approval. Staff recommends that the Commission take the following actions:

1. Motion to establish findings of fact that the submitted plan meets the legislative site plan criteria in Chapter 44.17-9 of the City Code.
2. Motion to recommend that City Council:
 - APPROVE a Site Plan for a Sports & Fitness Establishment in the B-1 (General Commercial) District for the property located north of the 400 block of West Hamilton and west of Main Street; and described as located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW ¼ of Section 16, together with parts of lots 13, 14, and 15 in School Commissioners Subdivision of the NW ¼ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois (PIN: 21-16-152-007) (Ward 2),
 - CONTINGENT UPON the approval of the final plat and construction plans, annexation agreement, and annexation petition for the subject property, AND
 - WITH THE CONDITION that the water service connection is present on the property.
3. Motion to recommend approval of the variance associated with this site plan, to allow construction of private parking lot improvements without interior parking lot landscaping.

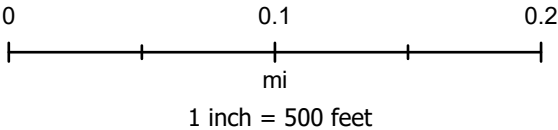
Respectfully submitted,
Jon Branham
City Planner

Attachments:

- Draft ordinance
- Site Plan
- Aerial map
- Zoning map
- Neighborhood notice and map

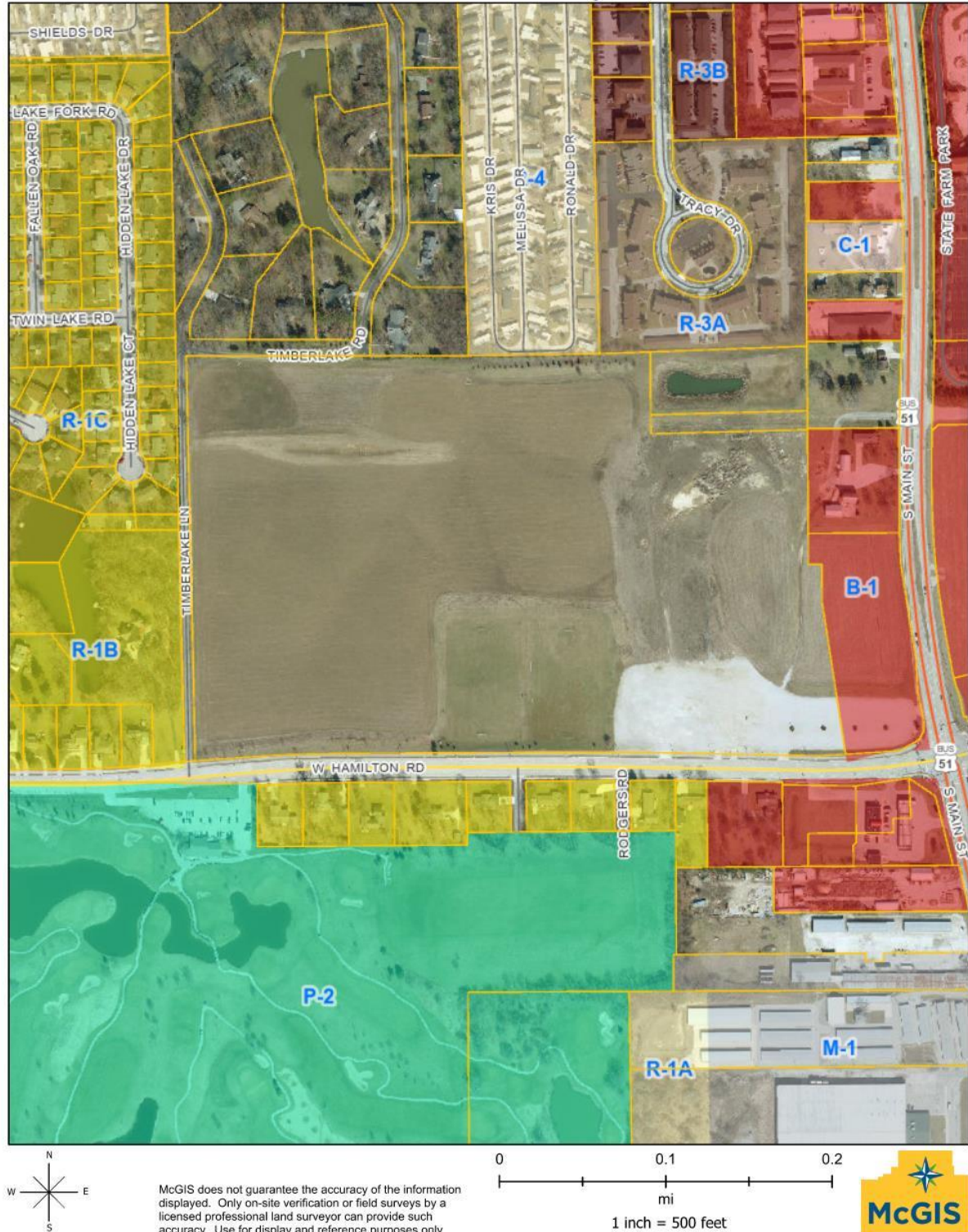


McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



4/6/2022

Case PR-02-22 - Zoning Map



C. PR-02-22 Public hearing, review and action on a request submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, for Legislative Site Plan Review with potential Variances, for property generally located north of the 400 block of West Hamilton and west of Main Street; and described as located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois.

Chair Mohr requested that cases Z-05-22 and PR-02-22 be reviewed together, for clarity and time. There were no objections.

City Staff Glen Wetterow presented the staff report for Z-05-22 with a recommendation for approval.

City Staff Jon Branham presented the staff report for PR-02-22 with a recommendation for approval. He noted additional recreational requirements related to fencing children's play areas, and minimum lot area and width, have all been met. Mr. Branham stated there is one variance related to interior parking lot landscaping islands due to the lot material that has already been approved.

Mr. Boyd inquired about sidewalk locations. Additionally, he inquired if bicycle parking was included in the plan.

Mr. Branham indicated existing and proposed sidewalks and stated the Constitution Trail near the site will be maintained. He deferred to the petitioner on bicycle parking as it was not identified on the site plan.

Chairperson Mohr opened public hearing.

Jeremy Kelley - 904 Fairchild Ave., Normal, IL. Mr. Kelley, representing Prairie Cities Soccer League, noted there are approximately 2,000 children playing soccer in their club. He stated the league is losing their current field, located near the airport, as their lease is up at the end of this year; they have been working with Sale Barn to lease or lease-to-own since they cannot currently afford to purchase outright. He stated they have been working with the community, including holding an open house to review the proposal with neighbors. He stated many of the concerns expressed at that meeting are shared by the League and are being addressed. Regarding the concern of noise pollution: they will not be having major tournaments at this site; tournaments have been moved to Rantoul. This location is a place for the club to have for practice, train and have League games. The primary focus of use will be on team training which will occur around 5:30-9:30pm, and then there will be games on the weekends (this is similar how they operate at Community Fields.) Regarding stormwater runoff: the water flows towards the lake to the north, and the property drains to a drop box that feeds the lake. Mr. Kelley stated that the goal is to capture water and use it for irrigation to water the onsite turf. He noted the restrooms and concessions will use City water. Regarding access: he stated an existing vehicle access point on Hamilton Road will be utilized, and that they have no intent to

DRAFT

MEETING MINUTES

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WEDNESDAY, APRIL 6, 2022

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utilize access from Timberlake Road. He also stated they will be supplementing trees along the west property edge, and posting “no parking” signs to deter parking in that area. He stated the intent is to centralize activities and keep them away from residential areas as much as possible. He stated bike parking has been added for people coming in from Constitution Trail to the site.

Mr. Galpalli asked if there are plans to place trees in the front along Hamilton Road.

Mr. Kelley noted the green areas on the plan are the landscaped areas, and also that the trees will serve as a wind and soccer ball break. These are beneficial to the site and the neighbors.

Mr. Kelley reemphasized that full tournaments will not be able to occur at the location due to size and noted the middle road is extra wide to allow for emergency vehicles and accessibility parking near the concession area.

Chair Mohr asked for additional information on the chip and tar parking material and what infrastructure was being built that the City would have a responsibility to maintain.

Mr. Kelley stated the water main would be maintained by City but would be installed at their expense. He stated the rest of the infrastructure is internal to site and would be privately maintained. He stated the surrounding sidewalks are existing. He added he would have to defer to his engineer regarding the proposed parking lot material.

Chairperson Mohr asked if any incentives were being provided by the City.

Mr. Kelley states this is a private project, and no incentives were requested. He stated the annexation fees have been waived as they are a nonprofit organization, and this is routine for the City to do for nonprofit organizations. He stated the tap-on fees were already addressed by the property owner when Hamilton Road was constructed.

Mr. Danenberger asked for clarification on the stormwater plan and details regarding the property that is not being annexed.

Mr. Kelley explained Mr. Shirk intends to keep both areas as is, or hand them over to the City for future development and management. There will be an easement for access so the retention basin is not land-locked.

Mr. Mohr asked about property maintenance, given the large number of visitors throughout the week.

Mr. Kelley explained that they have contracts for grass mowing and waste management, and that their teams like their facilities to remain clean.

David Brown - 505 N Main St. Mr. Brown, representing Prairie Cities Soccer League (PCSL), as designer of the site plan. He stated chip and tar is liquid asphalt and small aggregate stone that is applied in layers. He said it is commonly used in rural areas. It creates a dust-free surface and reduces maintenance compared to non-managed surfaces like turf.

DRAFT

MEETING MINUTES

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Chairperson Mohr asked if the material is pervious. Mr. Brown stated is not a pervious surface.

Mr. Boyd inquired about any negatives regarding the use of that type of material. Mr. Brown explained the downside might be that it needs reapplication every 3-5 years, whereas a conventional asphalt or concrete would be more durable long-term.

Chris Granning - 22 Timberlake Rd. Mr. Granning thanked Mr. Kelley for already addressing many of the concerns he has; he stated he still had concerns about the B-1 zoning designation. He stated he was also concerned about what happens if PCSL goes under or the lease expires. He said stormwater management is still a concern. He had additional questions related to noise, light pollution, traffic, and litter. He stated he would like to recommend that lights not be able to be on past 9:00 p.m. He inquired if the variance was a common request. He reemphasized his primary concern is related to the B-1 zoning.

Chair Mohr asked City Staff to address the B-1 zoning designation and the variance item.

Mr. Wetterow discussed how the proposed B-1 zoning aligned with the City's Comprehensive Plan. He noted that this type of use would not be permitted in residential zoning and required commercial zoning. Additionally, he noted that a Legislative Site Plan Review is a benefit of commercial projects, which would not be the case in other zoning districts, so if PCSL were to leave, there would be additional review of future development on the site, because of the B-1 zoning. He stated variances for parking lot items are not uncommon. He indicated there was another similar request on a different case this later in this meeting.

Chair Mohr noted that there is an entire page of City Code dedicated to lighting of which they will need to comply.

Mr. Branham added they will be required to submit photometric plan that indicated acceptable levels of footcandle measurement at the property lines.

Mr. Kelley state they are looking at directional LEDs that will contain the light to the property. He stated typically teams would practice until no later than 9:30pm. He added the location of the lights are only for the artificial turf fields and two existing fields in the center of the site.

Mr. Brown stated the range of parking recommend for this type of use is 60-90 spaces per field. He stated this is an industry standard; the City does not have a standard for this type of use.

Commissioner Krieger left the meeting at 5:26 pm.

Lynn Weber - 601 W Hamilton Rd. Mr. Weber stated he purchased his residence due to the proximity to agricultural property. He stated the Comprehensive Plan for McLean County identifies this property as low to medium density residential. He stated he was concerned about field elevation and the potential of items rolling downhill onto his property. He inquired if lights will be on during parts of the year when it is not in use. He also inquired if there be a gate at the entrance of the parking lot to keep people out when the site is not in use.

Chair Mohr asked petitioner to address the questions provided by Mr. Weber.

DRAFT

MEETING MINUTES

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

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Dale Kelley - 24739 E 800 North Rd. Mr. D. Kelley stated lighting levels at the soccer field are based on a low elevation above the field as to focus on the ball in play. He stated lighting levels will be contained to the walkways and the fields themselves and demonstrated on the site plan where lights would be placed. He stated the focus of use will be the interior synthetic fields. He stated they want to control access of the facility when not in use and a gate or some other means to prevent access will be provided. He stated dumpster truck access will be done in concrete for access and will be gated when not in use. He reiterated plans for addressing water, bicycle parking, and screening that have been identified by others.

Mr. Galpalli inquired about traffic flow and whether traffic could turn left or right when exiting.

Mr. D. Kelley stated the plan is to have a one-way entry and one-way exit with the option to turn left or right onto Hamilton Road for exiting.

Mr. Muncy asked for clarification regarding emergency vehicles if there was an accident at the entry.

Mr. J. Kelley explained they would encourage patrons to exit the facility by turning right on Hamilton Rd, out to Morris Street and/or Veterans Parkway. He stated there is also an exit via Main Street at northeast corner of site that could be used, if necessary, in an emergency.

Gay Dolan - 21 Timberlake Rd. Ms. Dolan stated she had walked the site in its current condition and frequently has picked up a lot of empty cans and water bottles. She expressed concerns about alcohol use and litter at the property.

Mr. J. Kelly noted that currently the fields are managed by the City, and they would expect those items to be controlled in the future.

Ernie Anderson - 12 Hidden Lake Ct. Mr. Anderson stated concerns with parking and access. He stated the amount of traffic that will be exiting onto Hamilton Road near the intersection is concerning. He is hoping a restriction can be placed on hours of operation so that the facility cannot be used after 10pm. He shared concerns about lighting issues, and what could happen in the future with regard the B-1 zoning.

Lynn Weber - 601 W Hamilton Rd - Mr. Weber inquired if chip and tar material will track onto Hamilton Road. Additionally, he requested a berm be extended between the existing berms to help control children and equipment.

Mr. J. Kelley clarified that the site topography is currently higher in southwest corner and sloping toward northeast corner and will continue to function in that manner.

Chair Mohr closed the public.

Mr. Boyd made a motion to take a recess. Mr. Muncy seconded. Voice vote (7-0).

The Planning Commission recessed at 5:43pm.

DRAFT

MEETING MINUTES

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Chair Mohr called the meeting back to order at 5:50pm.

A motion to recommend approval of the petition submitted by Nathan Hinch, Attorney, on behalf of Sale Barn Properties LLC, for an Annexation Agreement with Map Amendment, for property generally located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW1/4 of Section 16, together with parts of lots 13, 14 and 15 in School Commissioners Subdivision of the NW1/4 of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois was made by Mr. Boyd and seconded by Mr. Muncy.

Mr. Boyd noted that the Commission has seen a couple annexations in last couple months, which has not been the norm in recent years, and is not something taken lightly, but this property is surrounded, and with the intended use, it is a benefit for the City.

Chair Mohr stated that he was opposed to the last annexation due to level of infrastructure associated, but this case does not share that issue, so he will be supporting it.

Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy-Yes, Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

Mr. Boyd does have an issue with only having one entrance/exit on the one side; not a concern that will make him vote "no," but is a concern that others have expressed as well.

The approval of this request is contingent upon the approval of the final plat and construction plans, annexation agreement, and annexation petition for the subject property.

A motion to establish findings of fact that the subject property meets the legislative site plan criteria in Chapter 44.17-9 of the City Code was made by Mr. Boyd and seconded by Mr. Danenberger.

Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

Mr. Boyd made a motion, seconded by Mr. Galpalli, to approve a Site Plan for a Sports & Fitness Establishment in the B-1 (General Commercial) District for the property located north of the 400 block of West Hamilton and west of Main Street; and described as located on part of Lots 1, 2, 3 and 4 in School Commissioners Subdivision of the SW ¼ of Section 16, together with parts of lots 13, 14, and 15 in School Commissioners Subdivision of the NW ¼ of Section 16, all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois (PIN: 21-16-152-007) (Ward 2),

CONTINGENT UPON the approval of the final plat and construction plans, annexation agreement, and annexation petition for the subject property, AND

WITH THE CONDITION that the water service connection is present on the property and bike parking be provided.

Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

A motion to approve a variance to allow construction of private parking lot improvements without interior parking lot landscaping, as associated with the subject site plan was made by Mr. Boyd and seconded by Mr. Muncy. Roll call vote: Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Danenberger - Yes, Mr. Muncy Mr. Galpalli - Yes, Ms. Patino - Yes Chairperson Mohr - Yes. (7-0) Motion passed.

DRAFT



REGULAR AGENDA ITEM NO. 10.D

FOR COUNCIL: May 9, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Establishing the Streets to be Resurfaced in Fiscal Year 2023, Additional Streets that Could be Resurfaced in Fiscal Year 2023 Using American Rescue Plan Act Funds, and the Streets to be Resurfaced in Fiscal Year 2024, Authorization to Waive the Technical Bidding Requirements, and Authorization for City Staff to Negotiate a Contract with Rowe Construction, a Division of United Contractors Midwest, for the FY 2023 General Street Resurfacing Program, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods
- Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 4d. Improved neighborhood infrastructure
- Objective 2a. Better quality roads and sidewalks

BACKGROUND: A record \$8.75 million in street resurfacing and sidewalk work could be performed in 2022-2023 with the approval of this resolution, more than the City has ever planned to do in in any 12-month period, and consistent with Council direction and public requests for more investment in local streets and sidewalks. This resolution establishes streets to be resurfaced and associated sidewalk improvements and pavement preservation in Fiscal Year 2023 at a cost of up to \$7 million. It would also allow another \$1.75 million in added street and sidewalk improvements later in the year using American Rescue Plan Act (ARPA) funds, upon Council approval.

The attached preliminary resurfacing map shows the streets anticipated to be resurfaced using two separate contracts in FY23 and one contract in FY24. The first contract amount would cover streets shown in red on the attached map (labeled "FY 2023") and is based on the annual allotment of \$5,000,000 for resurfacing. The second contract amount would be for streets shown in orange (labeled "FY 2023 B") and is for an optional \$1,400,000 of street resurfacing and \$350,000 for corresponding sidewalk improvements using ARPA funds.

Information about City streets is maintained in a Geographic Information System by the

Engineering Division of the Public Works Department. The condition rating, along with other information, is used to help determine which streets will be resurfaced each year.

This resolution would authorize the City to Waive the Technical Bidding Requirements and negotiate a contract with Rowe Construction for the FY23 General Street Resurfacing Program. UCM is the company in McLean County capable of performing all the required operations and staff would bring the negotiated contract for Council approval in June. The second contract would be sent out for bids in late summer 2023 if Council decides to proceed with using ARPA funds. Streets shown in orange (labeled “FY 2023 B”), would be moved to FY25, or reprioritized against the FY24 streets (labeled “FY24”) shown in blue, to determine a new list that meets anticipated funding constraints should Council decide not to proceed with the second contract.

The projected FY23 budget for the Asphalt and Concrete Capital Improvement fund is shown below.

Program	Budget
Multi-Year Street and Alley Resurface Program	\$5,650,000
General Resurfacing	\$5,000,000
Pavement Preservation	\$650,000
Emergency Multi-Year Street, Alley & Sidewalk Repairs	\$200,000
Multi-Year Sidewalk Repair Program	\$1,150,000
Sidewalk and Curb Ramp Replacement Program	\$1,080,000
50/50 Sidewalk Replacement Cost Share Program	\$70,000
TOTAL	\$7,000,000

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

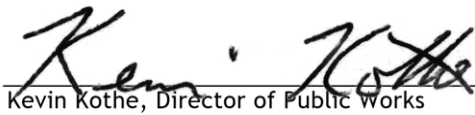
FINANCIAL IMPACT: The negotiated contract will come back to Council for approval and the financial impact will be finalized at that time. Budgeted funds are included in the Capital Improvement (Asphalt & Concrete) Fund-Street Construction Improvement account (40120200-72530). Stakeholders can locate this item in the FY 2023 Proposed Budget Book titled “Other Funds & Capital Improvement” on pages 69, 70, 161, 212, 213 and 214.

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety, and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs; Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods, and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system, Objective TAQ-1.2. Data-driven transportation infrastructure policy and management; Objective TAQ-1.4. Pedestrian safety for users of all transportation facilities with a Sidewalk Master Plan, and sidewalk system that provides safe access throughout the transportation network.

Respectfully submitted for Council consideration.

Prepared by: Craig Shonkwiler, City Engineer

Reviewed by:


Kevin Kothe, Director of Public Works

4/27/2022


Chris Tomerlin, Budget Manager

4/29/2022


Jeffrey R. Jurgens, Corporation Counsel

5/5/2022


Tara Henry, Legislative Assistant & Records Manager

5/6/2022

Attachments:

- PW 1B Resolution_FY23 General Resurfacing Bid Waiver 05092022
- PW 1C Map_Preliminary Resurfacing_FY23 General Resurfacing Bid Waiver 05092022

RESOLUTION NO. 2022 - ____

A RESOLUTION ESTABLISHING THE STREETS TO BE RESURFACED IN FISCAL YEAR 2023, ADDITIONAL STREETS THAT COULD BE RESURFACED IN FISCAL YEAR 2023 USING AMERICAN RESCUE PLAN ACT FUNDS, AND THE STREETS TO BE RESURFACED IN FISCAL YEAR 2024, AUTHORIZATION TO WAIVE THE TECHNICAL BIDDING REQUIREMENTS, AND AUTHORIZATION FOR CITY STAFF TO NEGOTIATE A CONTRACT WITH ROWE CONSTRUCTION, A DIVISION OF UNITED CONTRACTORS MIDWEST, FOR THE FY 2023 GENERAL STREET RESURFACING PROGRAM

WHEREAS, the City of Bloomington has the ability to waive the technical bidding requirements, pursuant to City Code Chapter 16, Section 50; and

WHEREAS, streets for resurfacing have been identified for fiscal year 2023 and 2024; and

WHEREAS, streets identified for Fiscal Year 2023 (“FY 2023”) in the map, attached as Exhibit 1, will be the first priority with additional streets from Fiscal Year 2024 (“FY 2024”) if funding allows; and

WHEREAS, additional streets that could be resurfaced using American Rescue Plan Act funds have been identified for fiscal year 2023; and

WHEREAS, additional streets identified for Fiscal Year 2023 (“FY 2023 B”) in the map. Attached as Exhibit 1, would be resurfaced should the Bloomington City Council decide to use American Rescue Plan Act funds for resurfacing in Fiscal Year 2023; and

WHEREAS, Rowe Construction - A Division of United Contractors Midwest (UCM) was the sole bidder on this annual contract for over 6 years; and

WHEREAS, it is anticipated UCM would be the sole bidder if the project were subject to a competitive bid; and

WHEREAS, the City staff believe that a better end product will be achieved through utilizing the bid waiver process and direct negotiations with UCM; and

WHEREAS, UCM will be able to more accurately bid the work because they will have fewer uncertainties and UCM’s prior experience and depth of knowledge about resurfacing will provide an opportunity for them to make recommendations on how the work can be accomplished in a more efficient manner; and

WHEREAS, direct negotiations with UCM will expedite the commencement of work.

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

That the recitals set forth above are incorporated herein, the City Manager, or designated representatives, are authorized to negotiate the Contract and bring the same back for formal approval by the City Council, and the streets outlined in Exhibit 1 are approved as the streets to be resurfaced.

PASSED this 9th day of May 2022.

APPROVED this _____ day of May 2022.

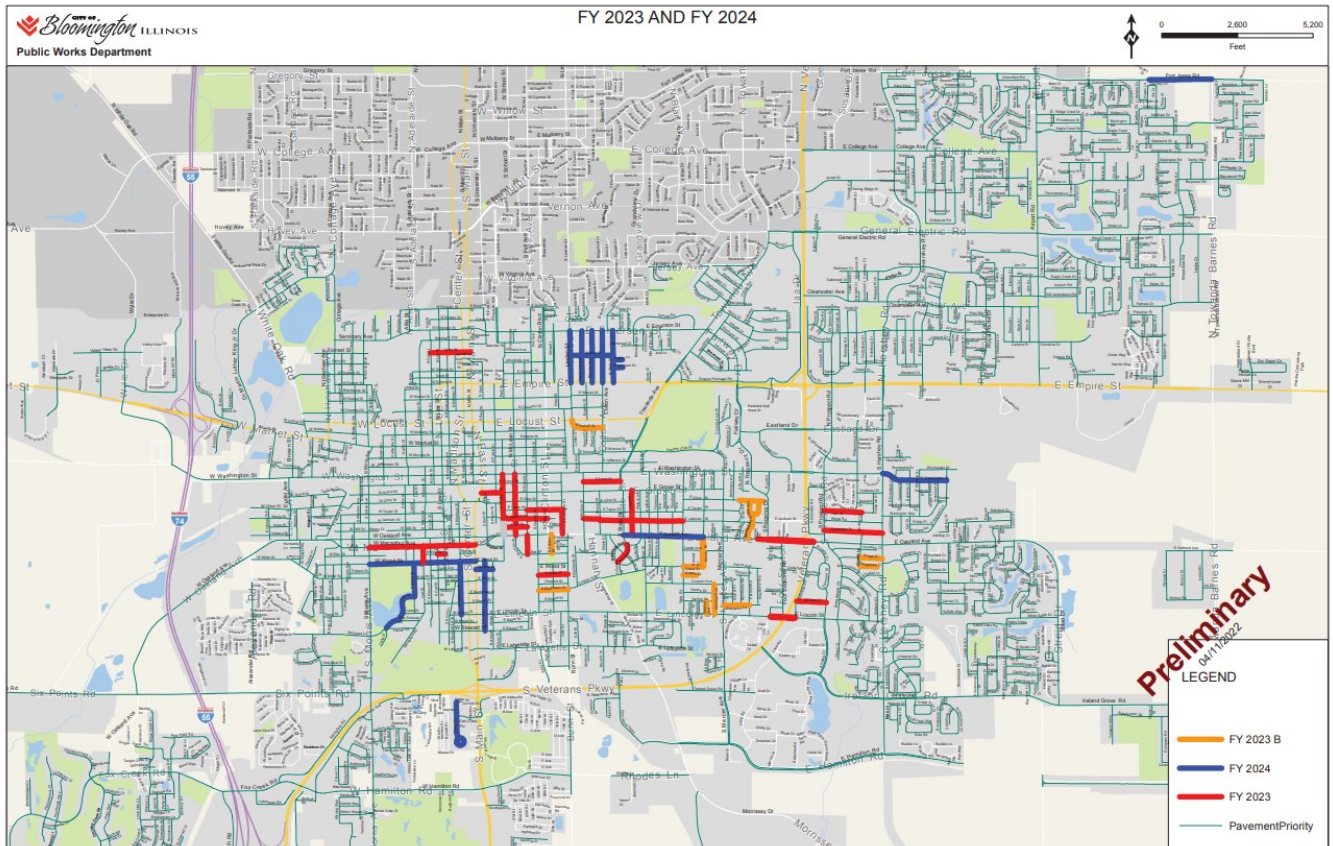
CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

Exhibit 1





REGULAR AGENDA ITEM NO. 10.E

FOR COUNCIL: May 9, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending the City Code to Create the Arts and Entertainment Department to Include the Position of Director, and Renaming the Parks, Recreation and Cultural Arts Department to Parks and Recreation Department, as requested by the Administration Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 6. Prosperous Downtown Bloomington
- Goal 5. Great Place - Livable, Sustainable City
- Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 6b. Downtown Vision and Plan used to guide development, redevelopment and investments
- Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: This item would create a City Department of Arts and Entertainment to operate both the Arena and Bloomington Center for the Performing Arts (BCPA) and create the position of Director of Arts and Entertainment to oversee, guide and plan entertainment at both venues. If approved, the City will be able to take advantage of efficiencies through sharing resources and eliminating duplications of functions across two facilities while bringing in a leader with industry experience who can position Bloomington as a Central Illinois destination for arts, entertainment and special events.

Staff also strongly believes that the City can operate under this model at a cost savings versus hiring private management. Private management companies operated the Arena with company staff pre-COVID while the BCPA has been run in-house by the Parks and Recreation Department with a separate director and staff. The City does plan to contract with a company or companies to handle some of the talent and event bookings, as is common with this kind of structure.

This agenda item would also rename Bloomington's "Parks, Recreation and Cultural Arts Department" to "Parks and Recreation Department" and allow Parks and Recreation to focus its efforts solely on running and maintaining the City's award-winning parks and recreation facilities and programs.

The Director position job description and recruitment brochure are attached for reference.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Multiple conversations with industry professionals who supported the idea of operating in-house.

FINANCIAL IMPACT: To be determined, although staff believes this model can operate at a savings over prior management structure.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Billy Tyus, Deputy City Manager

Reviewed by:



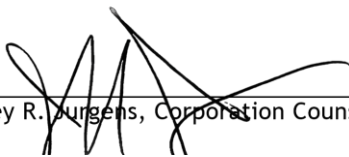
Billy Tyus, Deputy City Manager

5/4/2022



Chris Tomertin, Budget Manager

5/4/2022



Jeffrey R. Jurgens, Corporation Counsel

5/4/2022



Tara Henry, Legislative Assistant

5/6/2022

Attachments:

- ADM 3B Ordinance_Arts and Entertainment Department Creation
- ADM 3C Director of Arts and Entertainment - Final Draft for Posting 5.4.22
- ADM 3D Arts and Entertainment Director Brochure Final - 5.4.22

ORDINANCE NO. 2022 - _____

**AN ORDINANCE AMENDING THE CITY CODE TO CREATE THE
ARTS AND ENTERTAINMENT DEPARTMENT TO INCLUDE THE POSITION OF
DIRECTOR, AND RENAMING THE PARKS, RECREATION AND CULTURAL
ARTS DEPARTMENT TO PARKS AND RECREATION DEPARTMENT**

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

SECTION 1. Article III of Chapter 2 of the City Code shall be amended by amending “Parks, Recreation and Cultural Arts Department” to say “Parks and Recreation Department” and adding a new “Arts and Entertainment Department”.

SECTION 2. All references to “Parks, Recreation and Cultural Arts Department” in the City Code, including but not limited to those specifically in Chapter 31, Sections 31-101, 31-200, 31-602, 31-703, 31-901, 31-1401, 31-1401A, 31-1001, and 31-901 shall be changed to read “Parks and Recreation Department”.

SECTION 3. A new Chapter 5 to create the Arts and Entertainment Department shall be added as set forth on Exhibit A.

SECTION 4. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 5. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 6. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 7. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 8. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 9th day of May 2022.

APPROVED this ____ day of May 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

Chapter 5 Arts & Entertainment

§ 5-101 Arts and Entertainment

- A. Establishment. There is hereby created the Arts and Entertainment Department for the City. This Department shall consist of the Director and such other officers and employees as authorized by the City Council.
- B. Director of the Department - Creation. There is hereby created the position of Director of the Department who shall be appointed by the City Manager as provided by law. When this position is vacant, the City Manager, or a representative named by the City Manager, shall serve as the Acting Director or the Department until this office is filled by appointment.
- C. Director of the Department - Duties.
 - (1) The Director of the Department shall be responsible for ensuring that the functions and duties of the Department are performed by the employees of said Department.
 - (2) The Director shall have control and supervision over all officers and employees assigned to the Department, subject to the control of the City Manager.
 - (3) To ensure the Arena and Bloomington Center for the Performing Arts are utilized to their full potential, maximize community impact and minimize burden on the taxpayers of the City.
- D. Departmental Functions & Responsibilities.
 - (1) The Department shall be responsible for the operation and control of the Arena and Bloomington Center for the Performing Arts (hereinafter "Facilities"). This includes, but is not limited to management of the Facilities, event management at the Facilities, planning and securing events at the Facilities.
 - (2) The Department shall be responsible for planning community and downtown events and/or festivals as assigned by the City Manager.

DIRECTOR OF ARTS & ENTERTAINMENT

Summary: The City of Bloomington is seeking a dynamic and visionary leader with a demonstrated history of success in the entertainment and/or performing arts industries to serve as its first Director of Arts & Entertainment. Under the direction of the City Manager, the Director is responsible for leading Bloomington's arena, the Bloomington Center for the Performing Arts and driving city entertainment initiatives often in concert with community partners in Downtown Bloomington.

The ideal candidate will serve as a general manager for both facilities and be skilled in large scale Operations Management, Facility Management, Event Management, Marketing, all aspects of Event Planning and has Talent Buying experience. This position provides and oversees subject matter expertise in live music entertainment, sporting events, performance in the cultural arts and downtown entertainment events in conjunction with city departments and community partners. Success in this position requires a highly motivated, creative self-starter with the ability to deliver first-class service to entertainers and guests

Examples of Duties: This list may not include all tasks and/or knowledge which may be expected of the employee, nor does it cover all specific duties which may be required. Other duties may be assigned.

Sets the strategic plan and vision for the city's entertainment division, curating a schedule of events, activities and other initiatives positioning Bloomington as a regional entertainment hub.

Plans, coordinates and oversees daily operations and activities for the city owned 7,000 seat arena and the recently restored city owned Bloomington Center for the Performing Arts (BCPA) which includes a 1,200-seat auditorium, an 11,000 square foot ballroom and is located within the Downtown Bloomington Cultural District.

Works with talent buying agencies to bring in entertainment to the region.

Establishes customer service and revenue goals, policies and operating procedures and directs the preparation of short- and long-term plans and budgets consistent with the City Manager's direction.

Cultivates partnerships with existing long-standing venues, new locations, and the arts community to elevate the City's entertainment offerings.

Studies local conditions and develops immediate and long-range plans to meet entertainment needs of all age groups and establishes program objectives and policies.

Builds and maintains a top-notch management team. Leads, supervises, advises and coaches managers monitoring and evaluating their performance against both operational and developmental goals.

Develops and implements procedures and controls to promote communication and adequate information flow within the department and amongst other departments.

Oversees collection of revenues and spending for annual operating budget and capital budget and communicates to City Manager any variances from projected revenue and budget.

Responsible for obtaining and overseeing sponsorships, risk management and financial controls, pursuant to City policies. Responsible for oversight of cash handling procedures, payroll and accounts payable as designated by the City.

Contracts with entities wishing to rent, utilize, or perform at Bloomington Arena, Bloomington Center for Performing Arts, and other City entertainment facilities in consultation with the Legal department. Monitors contractual obligations between the Department and other agencies or businesses, including collective bargaining agreements. Works collaboratively with representatives of bargaining units to maintain positive working relationships between City and staff.

Creates and maintains a brand image standard for each venue including brand identity, website, social media and advertising. Ensures a calendar of events is maintained and shared with all marketing personnel, the Bloomington-Normal Convention and Visitors Bureau, and all event staff.

Oversees maintenance, repair, and renovation of the following in coordination with other City departments: sound/light, bathroom facilities, bar facilities, kitchens, dressing rooms, lawn/landscaping management, high speed internet connection, phones, and any other renovations necessary to facilitate a successful event.

Acts as media representative for all venues as needed in coordination with the Communications Manager; speaks publicly to community groups and other organizations on related issues, events, and operations for all venues. Develops and implements the introduction of all venues into the community at all levels as requested by the City Manager.

Selects department personnel, evaluates direct reports and disciplines staff in consultation with Human Resources and Legal departments. Oversees staff and coordinates with subcontractors to ensure safe and successful events in conjunction with the consultant, vendors and rental clients; determines resources necessary and available, such as equipment or labor, and compares with event requirements; coordinates obtainment of additional resources as needed (e.g. rental equipment, etc); develops and implements a recruiting, training, and/or internship program for seasonal, permanent, and volunteer staff.

General Skill Levels

Knowledge of and skills in:

- Event planning methods and principles.
- Event design and production methods and principles.
- Organizational leadership and problem-solving.
- Prioritizing, organizing, and managing multiple projects simultaneously.
- Applying independent judgement, personal discretion, and resourcefulness in interpreting and applying guidelines.
- Developing marketing and advertisement materials.
- Gathering and analyzing information and making recommendations based on findings and in support of organizational goals.
- Maintaining good interpersonal relationships with staff, co-workers, managers and citizens.
- Communicating effectively with a variety of individuals.

- Creativity in community programming.
- Principles and practices of budget preparation and administration for entertainment facilities/departments.
- Managing direct reports including scheduling, training, supervising, playing a part in discipline when necessary, evaluating, etc.

Required Education/Experience:

- Bachelor's degree with coursework in Sports & Entertainment or Stadium Management, Economic Development, Business Management, Public Relations, Marketing, Public Administration or other-related field or a combination of education and relevant experience.
- Minimum 5 years of experience in Arena, Stadium, or Performing Arts venue management, coordinating large special events, or related field
- At least 5 years of supervisory experience, with a large span of control
- Equivalent combination of education and experience may be accepted

Certificates and Licenses:

Driver's License – required

Physical Requirements/Working Conditions: Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of this position.

Work is typically performed in both standard office, entertainment and outdoor environments with potential exposure to adverse weather conditions. There is also occasional lifting and carrying of various objects, up to 50 pounds.

Equal Employment Opportunity

We value diversity and the many contributions that are made to our City by people from all walks of life. Therefore, it is our policy not to discriminate against any employee or applicant for employment because of race, color, religion, age, sex, sexual orientation, national origin, disability or any other attribute or characteristic protected by law.

ADAAA

It is the policy of the City to comply with all federal and state laws concerning employment of persons with disabilities and act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the policy of the City not to discriminate against qualified individuals with disabilities in regard to application procedure, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Employees shall make requests to Human Resources for reasonable accommodations.

Now Hiring: Director of Entertainment & Arts

Imagination



Innovation

Inspiration



City of Bloomington, IL

Director of Entertainment & Arts



Bloomington, IL – If you love live entertainment and filling seats with excited fans and have an established track record securing and promoting successful concerts and events, you may be just who we're looking for!

The City of Bloomington seeks an accomplished professional with significant entertainment and facilities management experience to lead its newly created Arts & Entertainment Department. The ideal candidate will be ready to cultivate entertainment for and oversee operations of the city's 7,000 seat arena, and the recently restored, city-owned Bloomington Center for the Performing Arts (BCPA) which includes a 1,200-seat auditorium, an 11,000 square foot ballroom and is located in Downtown Bloomington.

Candidate must have an established track record of securing and promoting successful live entertainment events. City leadership sees the bigger economic value to booking quality entertainment vs. measuring by tickets sold giving the selected applicant significant flexibility in setting the strategic plan and vision for both facilities and this newly created department. There is also creative freedom to craft a schedule of events, activities, and other initiatives that will position Bloomington as a regional entertainment hub.

The City is searching for someone with a record of accomplishment in Arena, Stadium, or Performing Arts venue management, and in coordinating large special events or related fields. Candidate should have a bachelor's degree (B.A. / B.S.) from a four-year college or university, with an emphasis on Sports & Entertainment or Stadium Management and at least five (5) years of supervisory experience with a large span of control. An equivalent combination of education and experience may be accepted. Candidate must have strong general management, fiscal and personnel management, leadership skills, and be oriented to the servant leadership model of management. Outstanding interpersonal and communication skills to promote community partnership and engagement throughout the City and the department are a must. Reports to the City Manager. Starting salary \$110,000DOQ.

Those interested should apply online by 06/10/2022 with a cover letter, resume and contact information for five professional references at www.cityblm.org/jobs. Questions regarding the application process should be directed to Nicole Albertson, HR Director, at 309.434.2216 or by email at nalbertson@cityblm.org. Equal Employment Opportunity.

City of Bloomington, IL

Community Background & History



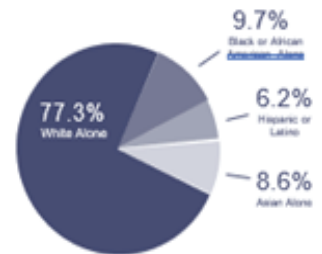
Welcome to Bloomington! A vibrant, growing community nestled in the heart of Central Illinois.

Through the years our community has been recognized as the Happiest City in America and even picked as the best place to live after the pandemic ends. Bloomington is also recognized by the business community as the place to be. State Farm Insurance ranked 39th on Fortune 500's list of America's largest companies, calls Bloomington home as does Country Financial, Beer Nuts, and Illinois Wesleyan University. In October 2021, Ferrero North America, part of the global confectionary giant, Ferrero Group, broke ground on its new chocolate processing facility in Bloomington. It is the company's third chocolate processing facility and its first outside of Europe. Soon, the smell of chocolate will be wafting through the air. In neighboring Normal, electric vehicle manufacturer Rivian Automotive produces many of its vehicles at the plant with future plans to supply delivery vehicles for Amazon.

The area offers a variety of recreation and entertainment activities. From our renowned parks, trails, and golf courses to our museums and performance venues there is always plenty to do. A full list of venues, events, and shopping information can be found at the Bloomington-Normal Area Convention and Visitor's Bureau website: www.visitbn.org. Downtown Bloomington plays host to our award-winning, year-round, Farmer's Market and if you're hungry you'll have options galore –Bloomington-Normal is ranked among the nation's top 50 cities in the U.S. per capita for dining out. In Bloomington alone, government statistics tally nearly \$176 million spent per year on food and/or beverage. At those times when you want to get away, we've got you covered! Central Illinois Regional Airport hosts daily flights to some of the nation's top destinations and offers connections that can get you around the country and across the globe.

The county seat of McLean County, Bloomington is located approximately 125 miles southwest of Chicago, 155 miles northeast of St. Louis, and 64 miles northeast of Springfield, the State Capital, and at the crossroads of 3 major interstate corridors, connecting with Indianapolis and the Quad Cities on Interstate 74, Chicago to St. Louis on Interstate 55, and Interstate 39 to Madison Wisconsin and serves as an economic center to communities across the region.

**POPULATION
ESTIMATE**
2020 CENSUS ESTIMATE
78,680



SCHOOL DISTRICTS

BLOOMINGTON SCHOOL DISTRICT 87
MCLEAN CO. UNIT DIST. 5
BOTH ARE COVERING
33 SCHOOLS
16,208 STUDENTS
9 REGIONAL PRIVATE SCHOOLS

AREA UNIVERSITIES

Illinois Wesleyan University
Illinois State University
Heartland Community College

HEADQUARTERS TO

State Farm
Country Financial
Beer Nuts
Illinois High School Association

3

INTERSTATES

4

RAIL LINES

1

REGIONAL
AIRPORT

1

AMTRACK
SERVICE

City of Bloomington, IL

Community Entertainment Venues



Grossinger Motors Arena

Grossinger Motors Arena opened its doors on April 1, 2006 and has had over 3,000,000 people attend various events over the years. Events held to date include many concerts including Drake, Taylor Swift, Chris Stapleton, and Brad Paisley, family shows, ice shows, motorsports, and trade shows. In addition, the Arena has hosted local high school graduation ceremonies, Chicago Cubs and St. Louis Cardinals caravans, Illinois High School Association's regional and state tournaments, as well as a variety of private meetings and wedding receptions.



City of Bloomington, IL



Community Entertainment Venues

Bloomington Center for the Performing Arts

The Bloomington Center for the Performing Arts is the premier arts and entertainment venue in Central Illinois. Located in the City's downtown, the Bloomington Center for the Performing Arts (BCPA) is a platform for performing arts and entertainment in the community. With a 1,200-seat auditorium and an 11,000 square foot ballroom, the recently restored, historic 1920 theater welcomes more than 40 touring artists annually and is also home to over 20 area performing arts ensembles. The center also features an outdoor summer concert stage.



City of Bloomington, IL

The Role



This list may not include all tasks and/or knowledge which may be expected of the employee, nor does it cover all specific duties which may be required. Other duties may be assigned.

Sets the strategic plan and vision for the city's entertainment division, curating a schedule of events, activities and other initiatives positioning Bloomington as a regional entertainment hub.

Plans, coordinates and oversees daily operations and activities for the city owned 7,000 seat arena, (previously known as the Grossinger Motors Arena), and the recently restored city owned Bloomington Center for the Performing Arts (BCPA) which includes a 1,200-seat auditorium, an 11,000 square foot ballroom and is located within the Downtown Bloomington Cultural District.

Works with talent buying agencies to bring in entertainment to the region, when necessary.

Cultivates partnerships with existing long-standing venues, new locations and the arts community to elevate what is a burgeoning local entertainment scene

Leads, supervises, advises and coaches managers monitoring and evaluating their performance against both operational and developmental goals. Develops and implements procedures and controls to promote communication and adequate information flow within the department and amongst other departments.

Oversees collection of revenues and spending for annual operating budget and capital budget and communicates to City Manager any variances from projected revenue and budget. Responsible for obtaining and overseeing sponsorships, risk management and financial controls, pursuant to City policies. Responsible for oversight of cash handling procedures, payroll and accounts payable as designated by the City.

In consultation with the Legal department, contracts with entities wishing to rent the Bloomington Arena, Bloomington Center for Performing Arts and other City entertainment facilities. Monitors contractual obligations between department and other agencies or businesses, including collective bargaining agreements. Works collaboratively with representatives of bargaining units to maintain positive working relationships between City and staff.

Creates and maintains a brand image standard for each venue including brand identity, website, social media and advertising. Ensures a calendar of events is maintained and shared with all marketing personnel, the Bloomington-Normal Convention and Visitors Bureau, and all event staff.

Required Education/Experience:

- Bachelor's degree with coursework in Sports & Entertainment or Stadium Management, Economic Development, Business Management, Public Relations, Marketing, Public Administration or other-related field or a combination of education and relevant experience;
- Minimum 5 years of experience in Arena, Stadium, or Performing Arts venue management, coordinating large special events, or related field
- At least 5 years of supervisory experience, with a large span of control
- Equivalent combination of education and experience may be accepted

Equal Employment Opportunity

We value diversity and the many contributions that are made to our City by people from all walks of life. Therefore, it is our policy not to discriminate against any employee or applicant for employment because of race, color, religion, age, sex, sexual orientation, national origin, disability or any other attribute or characteristic protected by law.

ADAAA

It is the policy of the City to comply with all federal and state laws concerning employment of persons with disabilities and act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the policy of the City not to discriminate against qualified individuals with disabilities in regard to application procedure, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Employees shall make requests to Human Resources for reasonable accommodations.

For a full job description, please visit the City's website at cityblm.org



REGULAR AGENDA ITEM NO. 10.F

FOR COUNCIL: May 9, 2022

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the Bloomington Police Department's 2021 Annual Report, as requested by the Police Department.

RECOMMENDED MOTION:

None; presentation only.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

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

-Objective 4e. Strong partnership with residents and neighborhood associations

-Objective 4a. Residents feeling safe in their homes and neighborhoods

BACKGROUND: This presentation will provide an overview of the National Incident Based Reporting System (NIBRS) statistics and crime occurrences during the calendar year 2021. The presentation will also compare the City's own historical data.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

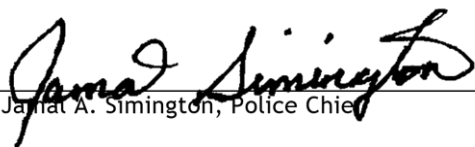
FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jennifer Bielfeldt, Office Manager

Reviewed by:


Jamal A. Simington, Police Chief

4/14/2022


Tara Henry, Legislative Assistant & Records Manager

5/5/2022

Attachments:

- BPL 1B 2021 BPD Year End_Council

2021 Crime Statistics



Jamal A. Simington
Chief of Police

The total National Incident Based Reporting System (NIBRS) statistics for calendar year 2021 was 10.9% higher than 2020, representing 186 additional reported incidents.



"TO PROTECT
AND TO SERVE"

NIBRS



YEAR TO YEAR COMPARISON

Crimes Against Persons	2020	2021
Assault Offenses	1469	1615
Homicide Offenses	1	4
Human Trafficking	1	0
Kidnapping/Abduction	27	27
Sex Offenses	<u>114</u>	<u>152</u>
Totals	1612	1798

Crimes Against Property	2020	2021
Arson	9	11
Bribery	8	0
Burglary/Breaking & Entering	159	140
Counterfeiting/Forgery	71	54
Destruction/Damage/Vandalism of Property	681	579
Embezzlement	5	1
Extortion/Blackmail	2	11
Fraud Offenses	185	399
Larceny/Theft Offenses	822	719
Motor Vehicle Theft	88	77
Robbery	25	24
Stolen Property Offenses	<u>14</u>	<u>12</u>
Totals	2069	2027

Crimes Against Society	2020	2021
Animal Cruelty Offenses	0	7
Drug/Narcotic Offenses	45	76
Gambling Offenses	0	0
Pornography/Obscene Material	20	31
Prostitution Offenses	5	4
Weapon Law Violations	<u>115</u>	<u>113</u>
Totals	185	231

	2020	2021
NIBRS Grand Total	1612	1798



REVIEW OF SELECT CRIME TYPES

IMPACT OF FRAUD IN 2021



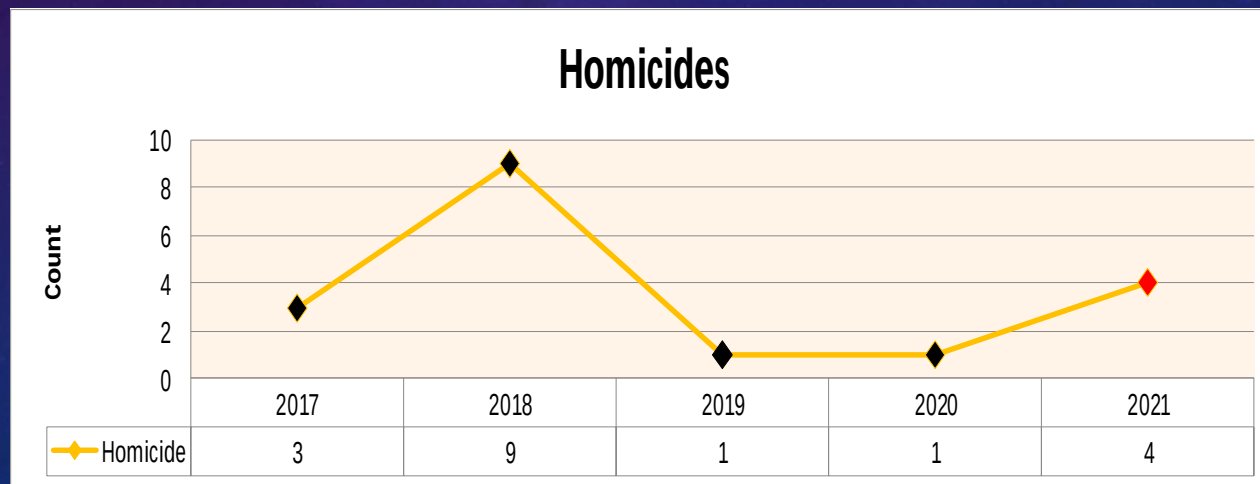
- During January, February and March of 2020, we took an average of 11 fraud reports each month.
- Near the end of March 2020, our reports began to increase, in direct correlation to fraudulent activity focused on state and federal COVID-19 financial relief.
- In January, February and March of 2021, we were taking an average of 40 fraud reports each month.
 - This increase in Fraud altered our 2021 NIBRS crime totals by +11.7 percent.
 - Without this spike in Fraud, our 2021 total NIBRS crime would have been down by -1.7%.



HOMICIDES IN 2021



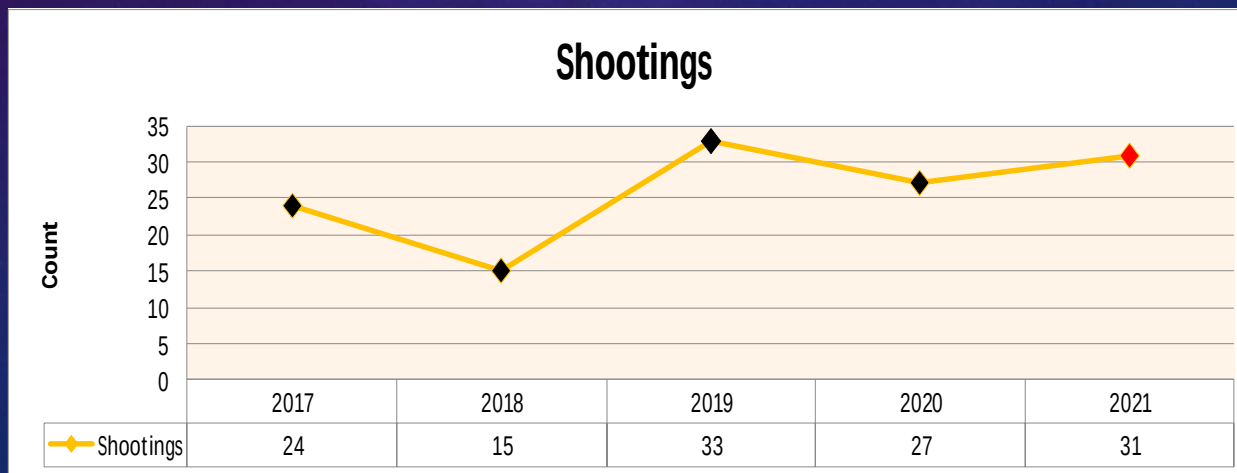
- We recorded 4 homicides in 2021.
 - o Double shooting (single homicide) in downtown Bloomington on 1-30-21. Arrest made.
 - o Single shooting homicide 2412 Clearwater on 3-7-21. Arrest made.
 - o Single shooting homicide at 808 E. Washington on 11-4-21. Investigation open.
 - o Single stabbing homicide in the 600 block of W. Seminary. Arrest made.
 - o Year to date (2022) BPD has 5 homicides.



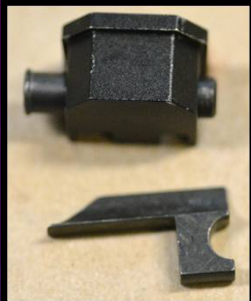
GUN VIOLENCE IN 2021



- BPD recorded 31 shootings in 2021, up from 27 in 2020.
- In 2021, 3 subjects were killed by gunfire.
- Most of the shootings involved one of three scenarios:
 - o Personal conflicts where one or more parties were armed during confrontations
 - o Gang on gang retaliation
 - o Robberies of individuals for their gun(s) or drugs (primarily marijuana)



GUNS



- Large caliber handguns continue to be the primary tool in crimes of violence.
- Higher capacity magazines are now common.
- In early 2022, BPD seized the first “switch”, a part used to convert a Glock handgun to fully automatic.
- Guns come from a mixture of local burglaries, “straw purchases” and out-of-state purchases.

	2020	2021
Seized - Handguns	45	53
Seized – Rifles/Shotguns	3	4
Stolen – Handguns	29	49
Stolen – Rifles/Shotguns	0	1

DOMESTIC VIOLENCE IN 2021



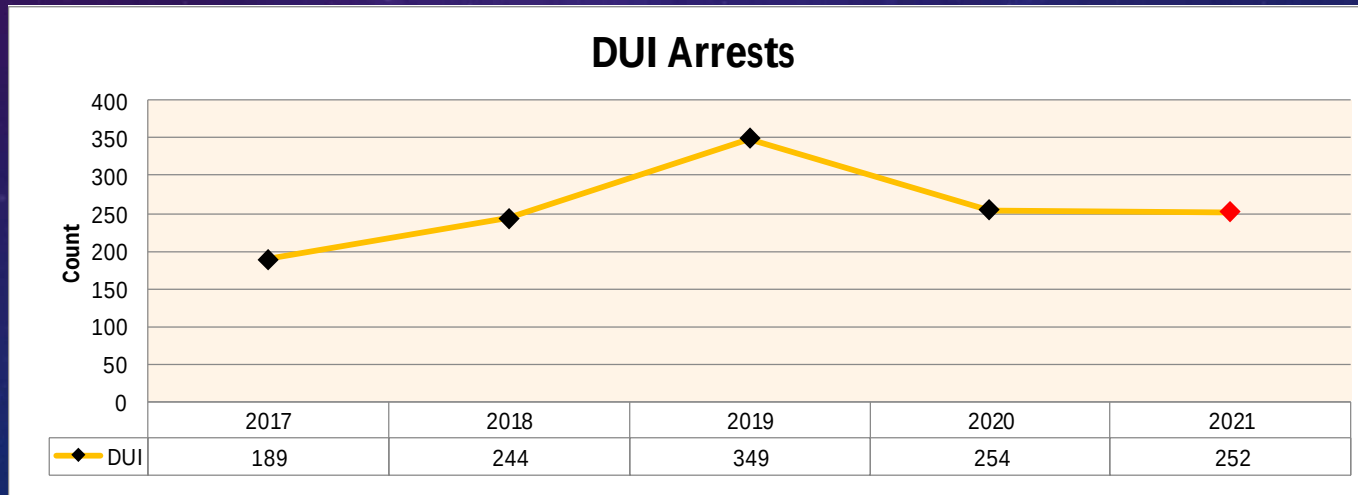
- The following data represents reports taken for both physical and non-physical domestic incidents.
- Our increase of 5.5% over 2020 is consistent with nationwide studies on the impact of COVID-19 (+8.1% - National Commission on COVID-19 and Criminal Justice, 2020).

	2019	2020	2021
Aggravated Domestic Battery	44	45	66
Domestic Battery	814	892	960
<u>Domestic Dispute</u>	<u>643</u>	<u>604</u>	<u>599</u>
Total	1,501	1,541	1,625

DUI ARRESTS IN 2021



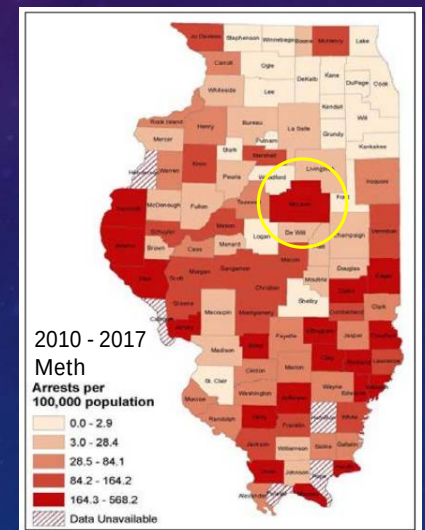
- Our total for DUI arrests (252) in 2021 is just under the five-year average of 258 DUIs.
- DUI enforcement remains a high priority at BPD.



TRENDS IN 2021



- Locally, we are seeing a continued increase in the use and dealing of Methamphetamine.
- In 2021, officers from Bloomington/Normal deployed Narcan on 43 individuals suspected of overdosing on drugs. Approximately 65% of the drug overdose deaths in this area involved drugs containing Fentanyl.
- Organized retail thefts continue to amount to large losses from local retail chains. These thefts involve organized crews of 3 to 5 subjects taking specific products.
- BPD handles on average (over 4 years), 1,903 vehicle accidents.
 - In 2021 we handled 1,873 vehicle accidents
 - In 2022 we would like to reduce this total by 10%



Questions?