



CITY OF
BLOOMINGTON
COUNCIL MEETING
MAY 9, 2016

CONSENT AGENDA

RECOGNITION

REGULAR AGENDA

PUBLIC HEARINGS



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, MAY 9, 2016 7:00 P.M.

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call**
- 5. Recognition/Appointments**
 - A. Appointment of Justin Boyd to the Planning Commission.
 - B. Proclamation declaring May 9, 2016 as, "Father Ric Schneider Day"
 - C. Proclamation declaring May 8-14, 2016 as, "National Nursing Home Week"
 - D. Proclamation declaring May 8-14, 2016 as, "Economic Development Week"
 - E. Proclamation declaring May 15-21, 2016 as, "Emergency Medical Services Week"
 - F. Proclamation declaring May 15-21, 2016 as, "Public Works Week."
- 6. Public Comment**
- 7. "Consent Agenda"**

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

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

NOTE: Action may be taken by the City Council on the agenda's action items (those items listed on the Consent Agenda and Regular Agenda) beyond the motions listed and/or staff recommendations. Ordinances and resolutions listed on the agenda may further be amended and/or revised prior to adoption by the City Council. No action will be taken if the agenda item is listed as only informational.

- A. Consideration of approving the Minutes of the April 25, 2016 Regular City Council Meeting. *(Recommend that the reading of the minutes April 25, 2016 Regular City Council Meeting, be dispensed with and the minutes approved as printed.)*
- B. Consideration of approving Bills, Payroll, Electronic Transfers and Procurement Cards in the amount of \$ 5,336,598.15. *(Recommend that the bills, payroll, electronic transfers, and procurement cards be allowed in the amount of \$ 5,336,598.15. and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of Approving Appointments to the Planning Commission. *(Recommend that Justin Boyd be appointed to the Planning Commission effective 5/1/16 to 4/30/19.)*
- D. Consideration of approving payment for software maintenance and support agreement to Tyler Technologies for various MUNIS Modules and Enterprise Resource Planning (ERP) system. *(Recommend that the payment for software license maintenance and support agreement with Tyler Technologies, covering various modules of the City's MUNIS Enterprise Resource Planning (ERP) system, in the amount of \$163,572.91, be approved and the Purchasing Agent be authorized to issue a Purchase Order for same.)*
- E. Consideration of approving an Ordinance extending the City's Regulation of Transportation Network Companies and Their Drivers an additional six months. *(Recommend that the Ordinance be adopted, and authorize the Mayor and City Clerk to execute the necessary documents.)*
- F. Consideration of adoption of an ordinance denying the petition submitted by Interchange City West, L.L.C, to rezone 21.18 acres of the Interchange City West Subdivision located north of Valley View Drive and west of Wylie Drive from B-1, Highway Business District to M-1 Restricted Manufacturing District. *(Recommend that an ordinance be adopted denying the petition to rezone 21.18 acres of the Interchange City West Subdivision located north of Valley View Drive and west of Wylie Drive from B-1, Highway Business District to M-1 Restricted Manufacturing District.)*
- G. Consideration of adoption of an ordinance approving a petition, submitted by Interchange City West L.L.C, for the reinstatement and revision of the Third Amended Preliminary Plan for the Interchange City West Subdivision and Approving a Fourth Amended Preliminary Plan for said subdivision located north of Valley View Drive and west of Wylie Drive. *(Recommend that an ordinance be adopted for the reinstatement and revision of the Third Amended Preliminary Plan for the Interchange City West Subdivision and approving a Fourth Amended Preliminary Plan for said subdivision, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*

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- H. Consideration of approving an Ordinance approving a Petition from Interchange City West, L.L.C., for a Final Plat for Interchange City West Subdivision 15th Addition located North of Valley View Drive and west of Wylie Drive. *(Recommend that the Ordinance be approved for the Final Plat, contingent upon the Petitioner posting the required bond, paying the required tap on fees prior to recording of the final plat and approval of construction plans by the City engineer for public improvements as required by Chapter 24 of the Bloomington City Code, and authorize the Mayor and City Clerk to execute the necessary documents.)*
- I. Consideration of approving an Ordinance approving a Petition from Greyhound Properties, LLC, for an Expedited Final Plat for Morrissey Crossing Subdivision located South of Veterans Parkway and West of Morrissey Drive. *(Recommend that the Ordinance be approved for the Expedited Final Plat, and authorize the Mayor and City Clerk to execute the necessary documents.)*
- J. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on June 10, 2016. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on June 10, 2016 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*

8. “Regular Agenda”

- A. Consideration of approval of a Memorandum of Understanding (MOU) supporting a partnership with The Boys and Girls Club of Bloomington-Normal, Western-Avenue Community Center, Lawrence Irvin Neighborhood Center, the City of Bloomington, and the Town of Normal. *(Recommend that Council approve the Memorandum of Understanding, and authorize the City Manager and City Clerk to execute the MOU.) (Presentation by David Hales, City Manager and Mike Donnelly, Youth Intervention Specialist 5 minutes, Council discussion 10 minutes)*
- B. Consideration of an Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan for the proposed Downtown – Southwest TIF District. *(Recommend that the Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan be approved and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by David Hales, City Manager and Austin Grammer 10 minutes, Council discussion 15 minutes.)*
- C. Consideration of Adopting an Ordinance Approving the First Amendment to the Contract between the City of Bloomington and David A. Hales and Setting the Salary of the City Manager. *(Recommend that the Ordinance approving the First Amendment to the Contract*

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between the City of Bloomington and David A. Hales and Setting the Salary for the City Manager and Providing for Retroactive Payment be approved and the City Mayor and City Clerk be authorized to execute the Ordinance and First Amendment.) (Council discussion 10 minutes.)

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

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City Logo Design Rationale

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

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

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

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

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

City of Bloomington – Strategic Plan

Vision 2025

Bloomington 2025 is a beautiful, family friendly city with a downtown – the heart of the community and great neighborhoods. The City has a diverse local economy and convenient connectivity. Residents enjoy quality education for a lifetime and choices for entertainment and recreation. Everyone takes pride in Bloomington.

Jewel of Midwest Cities.

Mission

The Mission of the City of Bloomington is to be financially responsible providing quality, basic municipal services at the best value. The city engages residents and partners with others for community benefit.

Core Beliefs

Enjoy Serving Others

Produce Results

Act with Integrity Take

Responsibility Be

Innovative Practice

Teamwork

Show the **SPIRIT!!**

Goals 2015

Financially Sound City Providing Quality Basic Services

Upgrade City Infrastructure and Facilities

Strong Neighborhoods

Grow the Local Economy

Great Place to Live – A Livable, Sustainable City

Prosperous Downtown Bloomington

12/11/2010



2015 Strategic Plan Goals

Goal 1. Financially Sound City Providing Quality Basic Services

- Objective
- a. Budget with adequate resources to support defined services and level of services
 - b. Reserves consistent with city policies
 - c. Engaged residents that are well informed and involved in an open governance process
 - d. City services delivered in the most cost-effective, efficient manner
 - e. Partnering with others for the most cost-effective service delivery

Goal 2. Upgrade City Infrastructure and Facilities

- Objective
- a. Better quality roads and sidewalks
 - b. Quality water for the long term
 - c. Functional, well maintained sewer collection system
 - d. Well-designed, well maintained City facilities emphasizing productivity and customer service
 - e. Investing in the City's future through a realistic, funded capital improvement program

Goal 3. Grow the Local Economy

- Objective
- a. Retention and growth of current local businesses
 - b. Attraction of new targeted businesses that are the "right" fit for Bloomington
 - c. Revitalization of older commercial homes
 - d. Expanded retail businesses
 - e. Strong working relationship among the City, businesses, economic development organizations

Goal 4. Strong Neighborhoods

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

Goal 5. Great Place – Livable, Sustainable City

- Objective
- a. Well-planned City with necessary services and infrastructure
 - b. City decisions consistent with plans and policies
 - c. Incorporation of "Green Sustainable" concepts into City's development and plans
 - d. Appropriate leisure and recreational opportunities responding to the needs of residents
 - e. More attractive city: commercial areas and neighborhoods

Goal 6. Prosperous Downtown Bloomington

- Objective
- a. More beautiful, clean Downtown area
 - b. Downtown Vision and Plan used to guide development, redevelopment and investments
 - c. Downtown becoming a community and regional destination
 - d. Healthy adjacent neighborhoods linked to Downtown
 - e. Preservation of historic buildings



Item 5

RECOGNITION / APPOINTMENT

5. Recognition/Appointments

- A. Appointment of Justin Boyd to the Planning Commission.
- B. Proclamation declaring May 9, 2016 as, "Father Ric Schneider Day"
- C. Proclamation declaring May 8-14, 2016 as, "National Nursing Home Week"
- D. Proclamation declaring May 8-14, 2016 as, "Economic Development Week"
- E. Proclamation declaring May 15-21, 2016 as, "Emergency Medical Services Week"
- F. Proclamation declaring May 15-21, 2016 as, "Public Works Week."

PROCLAMATION

Declaring May 9, 2016 Father Ric Schneider Day

WHEREAS, Raymond T. Schneider, known to us as Fr. Ric, was born on July 21, 1932, as the youngest of 11 children in a devout Catholic family.

WHEREAS, Fr. Ric would listen to his four uncles, all Franciscan Priests, tell stories of their missionary work around the world and this inspired Fr. Ric to follow on their path; he was ordained as a Franciscan Priest in 1959; and,

WHEREAS, Fr. Ric has been a Franciscan Priest for 57 years serving as a teacher, dean of students, vocational director and church pastor; and,

WHEREAS, Fr. Ric was named Pastor at St. Mary's Parish in Bloomington in 1993 and has had an immense influence on the parish, parishioners, school, and community; and,

WHEREAS, Fr. Ric has dedicated his time at St. Mary's Parish to building a robust and caring faith community that has supported the needs of the less fortunate residents, regardless of their faith.

WHEREAS, Fr. Ric will be retiring in June 2016, after serving St. Mary's Parish for 23 years, leaving a legacy of Love and Compassion for all to follow; and,

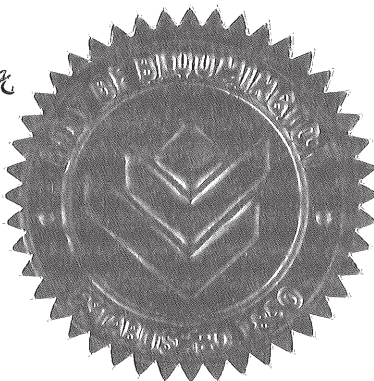
THEREFORE I, Tari Renner, Mayor of the City of Bloomington, Illinois do hereby proclaim May 9, 2016, to be

Father Ric Schneider Day

AND FURTHERMORE, I urge citizens of this community to be aware of the many efforts and the steadfast devotion of this man who has touched the lives of so many.



Tari Renner
Mayor



Cherry Lawson
City Clerk

PROCLAMATION

National Nursing Home Week May 8 – 14, 2016

WHEREAS, we honor and respect our elders and citizens of any age with physical or intellectual disabilities who reside in skilled nursing care centers in Bloomington; and,

WHEREAS, skilled nursing care centers throughout our area are holding events in observance of National Nursing Home week, May 8 - 14, using this year's theme of "It's a Small World, with a Big Heart;" and,

WHEREAS, I urge all citizens to visit a loved one, family member or friend residing in any care setting and offer a kind word, a personal touch, and time spent participating in various activities as a way to help in all walks of life in need of our continuing love and support; and,

WHEREAS, The City of Bloomington is committed to quality health care, we take this moment to embrace the spirit of the theme, "It's a Small World, with a Big Heart." Let's join all residents, patients, caregivers, nurses, other staff, and visitors in celebrating their special week; and,

NOW, THEREFORE, I, Tari Renner, Mayor of Bloomington, Illinois, proclaim

May 8 – 14, 2016

National Nursing Home Week, a week to honor our vulnerable citizens who receive care, or the dedicated ones giving care.


Tari Renner
Mayor




Cheryl Lawson
City Clerk

PROCLAMATION
May 8 – May 14, 2016
Economic Development Week

WHEREAS, *The International Economic Development Council, the world's largest professional economic development organization dedicated to serving economic developers, is celebrating its 90th anniversary in 2016; and*

WHEREAS, *Economic Developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding educational and employment opportunities that facilitate growth, enhance wealth, and provide a stable tax base; and*

WHEREAS, *Economic Developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which are the keystone of the American economy; and*

WHEREAS, *the role of Economic Developer in the City of Bloomington is not limited only to those whose title includes the phrase Economic Development, or those who work for an Economic Development agency, or those who are an elected representative of local government, but rather Economic Developers can be found in our community college educating our workforce, in our schools and university educating our youth, and in our libraries providing resources to enlighten our citizens; and*

WHEREAS, *Economic Developers in the City of Bloomington also include the owners of our many locally-based small businesses which are the engines of economic growth and job creation for the City, and the artists and entertainers who create a sense of place and fill the performance venues in the City, and the employees and volunteers of the many non-profit and charitable organizations throughout the City that seek to improve the quality of life for all of the City's residents regardless of race, creed, color, or gender; and*

NOW, THEREFORE BE IT RESOLVED *that I, Tari Renner, Mayor of the City of Bloomington, Illinois do hereby proclaim the week of May 8 – May 14, 2016, as*

Economic Development Week

THEREFORE BE IT FURTHER RESOLVED *that City of Bloomington recognizes and salutes all of the citizens and locally based organizations who play an active role in promoting the Economic Development of the City and extend thanks for their contributions which are made every day in an effort to improve the overall health, safety, comfort, and quality of life in our great City.*

THEREFORE BE IT FURTHER RESOLVED *that City of Bloomington joins The International Economic Development Council in celebrating its 90th anniversary.*


Tari Renner
Mayor




Cherry Jackson
City Clerk

PROCLAMATION

Declaring May 15-21, 2016 Emergency Medical Services Week

***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**, 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, Tari Renner, on behalf of the City of Bloomington, do hereby proclaim May 15-21, 2016, as*

EMERGENCY MEDICAL SERVICES WEEK

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


Tari Renner
Mayor




Cheryl Lawson
City Clerk

PROCLAMATION

Declaring May 15-21, 2016 Public Works Week

WHEREAS, public works services provided in our community are an integral part of our citizen's everyday lives; and,

WHEREAS, public works services are vital to our economic well-being; and,

WHEREAS, public works employees strive to provide the best possible services with the available resources; and,

WHEREAS, the Bloomington Public Works Department, the Bloomington Water Department, and the Bloomington-Normal Water Reclamation District take great care to deliver these services in Bloomington as responsible stewards of the public money and infrastructure; and

WHEREAS, a proclamation shines light upon these efforts; and

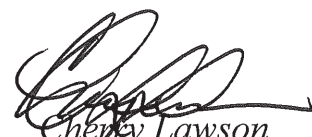
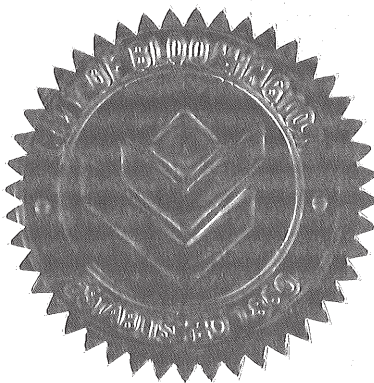
WHEREAS, May 15 through May 21st marks national Public Works Week sponsored by the American Public Works Association,

NOW, THEREFORE, I, Tari Renner, on behalf of the City of Bloomington, do hereby proclaim May 15-21, 2016, as

Public Works Week In the City of Bloomington, IL



Tari Renner
Mayor


Cheryl Lawson
City Clerk

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

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving the Minutes of the April 25, Regular City Council Meeting.

RECOMMENDATION/MOTION: That the reading of the minutes April 25, 2016 Regular City Council Meeting, be dispensed with and the minutes approved as printed.

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

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

BACKGROUND: The Regular City Council Meeting Minutes have been reviewed and certified as correct and complete by the City Clerk.

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable

Respectfully submitted for Council consideration.

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

Recommended by:



David A. Hales
City Manager

Attachments:

- April 25, 2016 Special Session Meeting

Motion: That the reading of the minutes April 25, 2016 Regular City Council Meeting, be dispensed with and the minutes approved as printed.

**SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, APRIL 25, 2016; 7:00 P.M.**

1. Call to Order

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, April 25, 2016. The Meeting was called to order by Mayor Renner.

2. Pledge of Allegiance to the Flag

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

3. Remain Standing for a Moment of Silent Prayer

4. Roll Call

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

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

Staff Present: David Hales, City Manager, Steve Rasmussen, Assistant City Manager, Jeffrey Jurgens, Corporation Counsel, Cherry Lawson, City Clerk and other City staff were also present.

5. Recognition / Appointments

The following were presented:

- A. Proclamation declaring April 25 – 30, 2016 as, “International Understanding and World Peace Week”.
- B. Proclamation declaring May 2016 as, “Building Safety Month”.
- C. Proclamation declaring May 1 – 7, 2016 as, “Municipal Clerk’s Week”.
- D. Reappointment of Michael Kerber to the Cultural District Commission.
- E. Reappointment of Van Miller to the Library Board of Trustees.
- F. Appointment of Kyle Silver to the Sister City (Japan) Committee.
- G. Appointment of Alicia Henry to the Library Board of Trustees.
- H. Presentation on Tree USA (*Jay Tetzloff, Director of Parks & Recreation, 5 minutes*).

6. Public Comment

Mayor Renner opened the meeting to receive Public Comment. The following individuals provided comments during the meeting.

Patricia Marton
Rich Buchanan
Chris Hubbard
Jeremy Studebaker
Alton Franklin
Pete Pontius
Mickey Fabrizio
Gary Lambert
Cheris Larson
Ryan Heeren
Joe Wargo

7. Consent Agenda

The following was presented:

Mayor Renner asked Council whether there were any items to be removed from the Consent Agenda for further discussion.

Alderman Fruin requested Item No. 7G be pulled from the Consent Agenda.

Alderman Buragas requested Item No. 7H be pulled from the Consent Agenda.

Motion by Alderman Painter, seconded by Alderman Schmidt, that the Consent Agenda be approved with exception of Items 7G and 7H.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7A: Consideration of approving the Minutes of the April 18, 2016 Special Session Meeting and the April 11, 2016 Regular City Council Meeting.

The following was presented:

City Council Regular Meeting Minutes
April 25, 2016; 7:00 PM
Page 2

Item 7B. Consideration of approving Bills, Payroll and Electronic Transfers in the amount of \$ 5,575,091.27.

The following was presented:

Item 7C. Consideration of approving Appointments and Reappointments to Various Boards and Commissions.

The following was presented:

Item 7D. Consideration of approving a three-year Agreement with Nugent Consulting Group (NCG) for Insurance and Consulting Services from May 1, 2016 through April 30, 2018.

The following was presented:

Item 7E. Consideration of approving a Contract with Arthur J. Gallagher for Insurance Coverage and Broker Service, and authorize Payment for Property, Liability, Excess Liability, and Excess Worker's Compensation Insurance Broker Service.

The following was presented:

Item 7F. Consideration of approving a Contract with Alternative Services Concepts (ASC) for the Fiscal Year May 1, 2016 through April 30, 2018 for providing Third Party Administrator Claims Adjustment Service.

The following was presented:

Item 7G. Consideration of approving a Professional Services Contract with Shive Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Training Facility Improvements, (RFQ 2016-04). ***Pulled from the Consent Agenda.***

The following was presented:

Item 7H. Consideration of approving a Professional Services Contract with the Farnsworth Group for Professional Engineering and Land Surveying Services for Demolition of the City Hall Annex, (RFQ 2016-04). ***Pulled from the Consent Agenda.***

The following was presented:

Item 7I. Consideration of Review and Analysis of RFQ # 2016-36 - Lift Station and Force Main Evaluation.

The following was presented:

Item 7J. Consideration of an approving an Intergovernmental Agreement between the City of Bloomington and Hudson Township Road District for equipment rental and maintenance.

The following was presented:

Item 7K. Consideration of approving the submittal of an application for Monarch Butterfly Conservation Fund Grant 2016.

The following was presented:

Item 7L. Consideration of approving a two-year agreement with the Ecology Action Center for a Bloomington-Normal Community Energy Strategic Plan.

The following was presented:

Item 7M. Consideration of approving a Resolution waiving the bidding requirements and approve a Contract with POS Partners, Inc. to Purchase a Replacement Point of Sale System for Use within the US Cellular Coliseum.

RESOLUTION NO. 2016 – 18
A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING A CONTRACT WITH POS PARTNERS, INC.

The following was presented:

Item 7N. Consideration of approving an Ordinance to Cede the City of Bloomington's Allocation of the Private Activity Bonding Cap to the Easter Illinois Economic Development Authority.

ORDINANCE NO. 2016 – 30
A SPECIAL ORDINANCE AUTHORIZING THE CEDING
OF PRIVATE ACTIVITY BONDING AUTHORITY

The following was presented:

Item 7O. Consideration of Approving an Ordinance approving a Petition for Dedication of Public Utility Easement.

ORDINANCE NO. 2016 – 31
AN ORDINANCE APPROVING THE DEDICATION
OF UTILITY EASEMENT

The following was presented:

Item 7P. Consideration of adoption of an ordinance approving a Special Use Permit for a Duplex in an R-1C, High Density Single Family Residential District for the property located at 1015 ½ E. Front St.

ORDINANCE NO. 2016 – 32
AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A
DUPLEX in the R-1C DISTRICT FOR PROPERTY
LOCATED AT: 1015 ½ E. Front Street

The following was presented:

Item 7Q. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on October 1, 2016.

ORDINANCE NO. 2016 – 33
AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION AT
MILLER PARK PAVILION ON OCTOBER 1, 2016

The following was presented:

Item 7R. Consideration of approving the Second Amendment to the Contract for Professional Services with VenuWorks for Temporary Management at the U.S. Cellular Coliseum.

The following was presented:

Item 7G. Consideration of approving a Professional Services Contract with Shive Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Training Facility Improvements, (RFQ 2016-04).

Alderman Fruin questioned hiring Consultants for surveying work. He stated an improved Intergovernmental Agreement (IGA) for financial responsibility would be beneficial for this effort as the facility was used by the Town of Normal's (Town) Police Department and McLean County (County) Sheriff's Department.

David Hales, City Manager, stated the Consultants' purpose was to determine the cost and the work required for the facility to resume indoor training.

Motion by Alderman Mwilambwe that the Council approve a Professional Services Contract with Shive Hattery, Inc. for Professional Architectural, Environmental and Land Surveying Services for Police Training Facility Improvements, (RFQ 2016-04).

Motion failed due to lack of second.

The following was presented:

Item 7H. Consideration of approving a Professional Services Contract with the Farnsworth Group for Professional Engineering and Land Surveying Services for Demolition of the City Hall Annex, (RFQ 2016-04).

Alderman Fruin questioned staff completing the project versus hiring Consultants. David Hales, City Manager, stated current staff did not have the expertise required for the design work. The building demolition was necessary and involved the following major issues: 1.) relocation of the City's fiber optic cable that runs through the building; 2.) demolition of the building; 3.) installation of a retaining wall along the north side of the building; and 4.) grading, site drainage and surface improvements to allow use for Fleet Maintenance storage and parking.

Motion by Alderman Black, seconded by Alderman Hauman, that the Council approve a Professional Services Contract with the Farnsworth Group for Professional Engineering and Land Surveying Services for Demolition of the City Hall Annex, (RFQ 2016-04).

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

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

Recused: Alderman Amelia Buragas.

[7:32 PM Minutes:] Alderman Buragas left the dais.

[7:36 PM Minutes:] Alderman Buragas returned to the Meeting.

Nays: Alderman Fruin.

Motion carried.

8. Public Hearing

The following was presented:

Item 8A. Public Hearing for Cable Television Franchise with CMN-RUS, INC. (Metronet).

- (a) Open Public Hearing
 - (i) Staff Overview
 - (ii) John Campbell, Corporate Counsel, Metronet
 - (iii) Public Comment
 - (iv) Close Public Hearing

David Hales, City Manager, stated Metronet would install a 100% fiber optic network throughout the City. Same would connect directly to customers' homes or places of business. Council should consider the following: 1.) The public need for an additional cable television franchise; 2.) The capacity of the right of ways to accommodate equipment and infrastructure required by the additional franchise; 3.) The potential disruption to existing users of public right

of ways due to the construction for or services provision pursuant to the additional franchise; 4.) The long term economic impact of the additional franchise; and 5.) Any other factors deemed appropriate.

Austin Grammer, Economic Development Coordinator, stated negotiations were conducted with Metronet representatives to achieve a fair and beneficial agreement that was compliant with the law. The proposed agreement was based on the City's existing franchise agreements and provided for franchise fee revenues as allowed under law. Minor modifications were requested by Metronet in an effort to promote increased competition which would ultimately lead to more choices for consumers, faster Internet speeds in residential areas and lower prices for consumers.

Residents had expressed a desire for the local deployment of Fiber-To-The-Home (FTTH) / Gigabit digital video and Internet service. The City's Comprehensive Plan 2035 "encouraged increased accessibility to state-of-the-art telecommunication and broadband networks" by "encouraging competition for telecommunications broadband services by prohibiting exclusionary contracts".

John Campbell, Metronet's Corporate Council, provided a brief presentation. CMN-RUS, INC. (Metronet) of Evansville, IN, had requested a Cable Television Franchise with the City to offer FTTH broadband Internet, voice, and video services. The company's customer focused motto was "Passion to Serve".

Metronet offered services to businesses, including hosted PBX, Fiber Internet, Fiber WAN (on-net and off-net), IPTV services, Firewall/Security services, etc. Benefits included World Class Broadband Networks, Gigabit City designation, an economic development tool for future growth and future proof – virtually limitless bandwidth. Metronet was privately funded. This competition should lower prices and offer better customer service.

Mayor Renner opened and closed the Public Hearing. The following members of the public provided comment:

Alton Franklin
Ryan Fiella
Gary Lambert

Alderman Hauman questioned Metronet's choosing the City. Mr. Campbell stated the quality of life, education and Universities, among others attracted the company to the community.

Alderman Black questioned the process involved with street/sidewalk repair. Mr. Campbell stated engagement with City engineers would be required along with permits. Plans would be formed with the City. Mr. Hales stated inspections would be completed to ensure the

installation quality. Proper notifications would be given to impacted citizens. Some cables would be placed on utility poles.

Alderman Mwilambwe questioned the time frame for residential service. Mr. Campbell stated work on the core infrastructure would start immediately. Once completed, service to residents would be provided.

Alderman Sage questioned right of ways used to bring service to residents' homes. Mr. Campbell stated the same easements would be used as Comcast unless obstacles were now blocking same.

Alderman Buragas questioned the cost to do business. Mr. Campbell stated there was none. Alderman Buragas questioned the franchise fee and provisions to schools and governments who request services. Mr. Campbell stated the franchise fee would mirror the incumbent's franchise fee. Metronet would provide service to any school building or governmental facility requesting same.

Alderman Lower questioned the network source along I55 as a secondary provider or if Metronet would provide their own. Mr. Campbell stated a third party with network facilities would be utilized for the back haul to the Indiana facilities.

9. Regular Agenda:

The following was presented:

Item 9A. Consideration of approving an Ordinance Ratifying a Cable Television Franchise Agreement with CMN-RUS, INC.

ORDINANCE NO. 2016 – 34
AN ORDINANCE APPROVING AND AUTHORIZING ENTERING INTO AND
EXECUTING A CABLE TELEVISION FRANCHISE BETWEEN THE CITY OF
BLOOMINGTON, ILLINOIS AND CMN-RUS, INC.
(Metronet)

Austin Grammer, Economic Development Coordinator, stated under the Illinois Municipal Code, (65 ILCS 5/11-42-11), Metronet's request to obtain a cable television franchise required holding a Public Hearing to determine whether granting an additional franchise would be appropriate. He noted that Comcast of Illinois/Indiana/Ohio, LLC, and i-TV3 Inc. have a Cable Television Franchise within the City.

Metronet was privately funded. He believed same was a great opportunity to acquire a fiber optics network.

Motion by Alderman Painter, seconded by Alderman Hauman, that the Ordinance approving and authorizing entering into and executing a Cable Television Franchise

Agreement with CMN-RUS, INC. be approved and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None

Motion carried.

The following was presented:

Item 9B. Presentation regarding Connect Transit Comprehensive Operational Analysis and Route Restructure Plan.

The following was presented:

Andrew Johnson, Connect Transit (Connect) General Manager, provided a brief presentation. Connect's goal was to strike a balance with efficiency and coverage through a Route Restructure. He believed not everyone would be satisfied with the changes. The current system did not provide good balance. A review was undertaken to improve and expand service. The community had provided feedback.

Isaac Thorn, Chief Operating Officer, stated Connect contracted with Nelson\Nygaard Consulting Associates to assist with identifying the current system's strengths and weaknesses. The Comprehensive Operational Analysis Goals included: 1.) Support and meeting the transit riders needs; 2.) Provide an attractive mobility option for as many residents and visitors as possible; 3.) Build upon recent capital investments, such as buses and amenity enhancements, including a bus tracking application; and 4.) Operate in a cost effective and efficient manner. Bus stop shelters and benches would be installed.

Guiding principles used for transit planning included: 1.) Service should be simple; 2.) Service should operate at regular intervals; 3.) Routes should operate along a direct path; 4.) Routes should be symmetrical; 5.) Routes should serve well defined markets; and 6.) Service should be well coordinated.

Input from the community included: 1.) More frequent service; 2.) Increase service hours; and 3.) More weekend service. Nelson\Nygaard used the feedback when proposing changes to the network. The proposed network would be simplified and easy to understand. Service would be bi-directional. The grid-system would have multiple transfer points. A new hub was proposed with three (3) routes to serve the City's west-side Walmart. A high-frequency route between Uptown Station and the City's Downtown would be made. Routes would be interlined to reduce directional confusion. A one-seat ride between the airport and Uptown Station/ISU would be introduced.

The proposed plan would provide a thirty (30) minute service during peak hours on most routes. The frequency on Saturday's would be scaled back. Sunday service would be provided contingent on available funding from local sales tax funds from 7:00 am to 7:00 pm.

Nelson\Nygaard concluded that fifty-seven percent (57%) of residents would have increased weekday service. There would be no disparate impact on low income or minority residents. Some outlying areas would have service eliminated. Partnership with Uber and local taxi companies to provide a "First mile/Last mile" solution was being considered. Service being eliminated included: 1.) Danbury Apartments; 2.) Hilltop Mobile Home Park; and 3.) Ironwood Gardens Apartments. "First mile/Last mile" service involved an Uber/taxi driver picking up the resident and taking them to a designated stop to connect with a bus.

Future Service Expansion included monitoring ridership on the new routes for the first (1st) year and would be based on service standards approved by the Board of Trustees. Employees would increase by thirty (30) including a trainer and supervisors for the additional day of service.

Next steps included: 1.) A Public Hearing on May 2, 2016 at 4:30 pm at the Uptown Station, fourth (4th) Floor Multipurpose Room; 2.) The route restructure final vote by the Connect Transit Board of Trustees on May 3, 2016, 4:30 pm, at the same place; 3.) If approved, the changes would take effect August 2016; and 4.) Sunday service would commence at that time. A marketing and awareness campaign was being developed for the new routes and service.

Alderman Lower questioned the ride expense to the designated stop. Mr. Johnson stated a \$2 fee was charged when using Connect Mobility. Many residents utilize Connect Transit cost free using a State program.

Alderman Mwilambwe questioned the planned service cost with Uber/taxi drivers. Mr. Johnson stated the pilot program would be subsidized partly by Connect Transit with the rider paying the remainder.

Alderman Fruin commended Connect Transit for removing reference to any particular Ward but bringing attention to the community as a whole.

Alderman Schmidt cited concern with residents west of Main St. losing service such as Project OZ, Community Action and West Bloomington Revitalization Project. She questioned the accuracy of statements made in the presentation: 1.) Residents of neighborhoods with the greatest increase in service have lower household income than the McLean County average; and 2.) No disparate impact on low income or minority residents. Petitions would be brought forth at the May 2, 2016 Public Hearing. Alderman Black cited the same concerns.

Alderman Sage questioned Connect Transit receiving funds from the local sales tax and reducing service to a large area of the City. He requested specific details on the "First Mile/Last Mile" pilot process. Mr. Johnson stated there was no contract for this as talks were ongoing. The proposed plan was: 1.) A resident would contact Uber/taxi company for a ride to the bus stop; 2.)

Uber would have a code to directly bill Connect for the fee portion; 3.) The resident would pay the balance. Connect Mobility was available for qualified residents.

Alderman Sage questioned whether the “First Mile/Last Mile” concept was due to community outreach. Mr. Johnson responded that the proposal had been brought to the foreground within the last two (2) months. Connect was close to the contract phase with Uber. He expected that the cost subsidy would be half (1/2), in accordance with the transit model. Program evaluation would occur around six (6) months. Alderman Sage cited concern as there was a subsidized housing area in the Southwest section. Same would lose access to Connect’s service. He cited the same concerns as Aldermen Schmidt and Black.

Alderman Black questioned Uber’s surge pricing with the planned pilot. Mr. Johnson stated it would not be Connect’s intent to subject anyone to surge pricing.

Item 9C. Consideration of approving an Ordinance Increasing Liquor License Fees.

ORDINANCE NO. 2016 – 35
AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 6

Mayor Renner stated the Ordinance for increasing Liquor License fees was a cost recovery mechanism. The Police Officer Downtown Hireback cost was \$130,000. Other costs incurred included: Police Officer salaries, pensions, health care, equipment such as breathalyzers, cameras, legal administrative costs, legal fees, court reporters and legal settlement costs. Taxpayers, through the General Fund, had absorbed these costs for thirty-four (34) years.

The license fee increases were designed to raise revenue to offset the cost of liquor license regulation and law enforcement activities. Alcohol use was linked to domestic violence, fights, Driving Under the Influence (DUI), and traffic accidents, among other criminal or socially undesirable behaviors. The costs associated with same were less quantifiable compared to administration and regulation. These costs have increased significantly since 1982.

Mayor Renner introduced Jim Jordan, Liquor Commissioner. He noted that Mr. Jordan had worked as a Supervisor for twenty-two (22) of twenty-five (25) years with the Normal Police Department and was a Special Agent and Investigations Supervisor for the Illinois State Liquor Board for ten (10) years.

Mr. Jordan noted that the last time liquor license fees were raised was in 1982. The proposed Ordinance would increase liquor license fees over a three (3) year period beginning January 1, 2017. The licenses with the highest fees (CA [Clubs - All Types of Alcoholic Liquor], EA [Entertainment/Recreational Sports Venue – All Types of Alcoholic Liquor], RA [Restaurant - All Types of Alcoholic Liquor], ST [Stadium] and TA [Tavern - All Types of Alcoholic Liquor] Class Licenses) would increase from \$1,760 to \$2,100 in 2017, \$2,400 in 2018, and \$2,700 in 2019.

He believed License fees should be related to the costs incurred by a Municipality in administration and regulation of licensees. As stated by the Illinois Supreme Court, “the

rule...does not apply where the license charged was imposed on those occupations which, while they were tolerated, were recognized as being hurtful to public morals, productive of disorder, or injurious to the public, such as the liquor traffic.” Sager v. City of Silvis, 402 Ill. 262 (1947).

The fee increases would be similar to those charged by the Town of Normal (Town). The cost of the restaurant or tavern license serving all kinds of alcohol in the City was \$1,760, or about fifty-nine percent (59%) less than the Town, which charged \$3,000. He explained the additional \$450 charge for Sunday sales. The fees would increase approximately ninety percent (90%) in 2019 placing same in line with the Town. The Town’s liquor licenses were available in the Town’s Municipal Code, Chapter 4: Liquor, Section 4.10: Classification and Fees; www.normal.org.

Alderman Sage questioned packaged liquor fees. Mr. Jordan stated that all liquor license holders would have a fee increase.

Alderman Lower questioned legal costs. Mayor Renner stated the maximum fine was \$3,400. Same doesn’t cover the legal costs. Alderman Lower believed the fee increase was high. He was not in favor of same.

Motion by Alderman Black, seconded by Alderman Sage, that discussion be extended for an additional fifteen (15) minutes.

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

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

Nays: None.

Motion carried.

Alderman Black questioned a monthly fee implementation along with the quarterly payment.

Alderman Mwilambwe recommended spreading the fee increase out more than three (3) years. He questioned the process after the current fee increase. Mr. Jordan believed a review after three (3) to five (5) years would be required.

Alderman Buragas stated the process had been well vetted with plenty of opportunity for comments and suggestions. She believed the proposal was well-informed and fair.

Alderman Painter believed thirty-four (34) years without a liquor license fee increase was too long. She supported spreading out the increases.

Mr. Jordan stated new liquor licenses and video gaming machines have caused a change in how many people want to get involved with same. He believed the video gaming business was profitable. He believed the City should have charged a fee for the machines from the beginning. There were establishments that were in violation of the Video Gaming Ordinance if the Video

Gaming exceed proceeds from food and beverage. Approximately \$1 million a month was being taken out of the City's economy and going to these establishments.

Alderman Sage questioned the handling of those establishments that were in violation of City codes. Mr. Jordan stated an audit would be necessary.

Alderman Painter questioned the award received by the City for having many Video Gaming Terminals (VGT).

Motion by Alderman Mwilambwe, seconded by Alderman Buragas, that the Ordinance Increasing Liquor License Fees, every other year, over a period of five (5) years, be adopted, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Mwilambwe, Hauman, Buragas, Painter and Black.

Nays: Aldermen Lower, Sage, Schmidt and Fruin.

Motion carried.

The following was presented:

Item 9D. Consideration of approving an Ordinance, Amending Chapter 6 of the Bloomington City Code to provide for Video Gaming Licensing.

ORDINANCE NO. 2016 –
AN ORDINANCE AMENDING BLOOMINGTON
CITY CODE CHAPTER 6, ARTICLE II: VIDEO GAMING LICENSE

Motion by Alderman Black, seconded by Alderman Hauman, that the Council table this item for further discussion at a Committee of the Whole within sixty (60) days.

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

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

Motion carried.

The following was presented:

Item 9E. Consideration of Approving a:

(a) Contract with Rowe Construction for the FY 2017 General Resurfacing program, (RFQ 2016-39).

(b) Contract with Rowe Construction for the FY 2017 Street and Alley Repair program, (RFQ 2016-40).

(c) Contract with J. G. Stewart Contractors, Inc. for FY 2017 Sidewalk Replacement and Handicap Ramp Program, (RFQ 2016-38).

David Hales, City Manager, stated Council could make one motion to approve the three (3) contracts as they were interrelated.

Jim Karch, Public Works Director, stated the General Resurfacing program included larger volume street resurfacing and the Linden Street widening from Locust to Empire. Motor Fuel Tax (MFT) and the quarter (1/4) cent sales tax funds would be used.

Motion by Alderman Buragas, seconded by Alderman Hauman, that the unit prices from Rowe Construction, for the FY 2017 General Resurfacing Program in the amount of \$2,395,990.71 be accepted; that the unit prices from Rowe Construction, for the FY 2017 Street and Alley Repair program in the amount of \$1,300,343.29 be accepted; that the unit prices from J. G. Stewart Contractors, Inc., for the FY 2017 Sidewalk Replacement and Handicap Ramp Program in the amount of \$900,000 be accepted, and the contracts for each contractor be approved and authorize the City Manager and City Clerk to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 9F. Consideration of Review and Analysis of Bids, and approval of the HoJo and Wittenberg Sewer Improvements Contract, City Bid No. 2016-44.

David Hales, City Manager, noted the high cost of the project, \$1.450 million.

Jim Karch, Public Works Director, stated this was the first (1st) step in a multi-year project to improve the City's sanitary and storm sewer lift stations. Same was in compliance with the Sewer Master Plan.

The HoJo Pump Station's failing condition was identified as a major priority for an upgrade due to employee safety concerns for lift station functionality, reduced operation, maintenance costs and potentially eliminate a station that required extraordinary monitoring.

The HoJo Pump Station was originally constructed in 1977 and included a concrete wet well and steel dry well. The steel dry well was about twenty (20) feet below ground and housed the pumps, valves and controls for the station. The pump station was at the end of its design life. Since the existing dry well and all controls were below grade, inspection and maintenance were difficult and required monitoring. Work on this station was considered confined space entry and made this station a safety hazard for employees who were responsible for maintenance. The project included converting and rehabilitating an existing force main connected to the HoJo lift station to a gravity sewer. Wittenberg Woods lift station would be eliminated with the installation of a new gravity sewer.

Motion by Alderman Black, seconded by Alderman Painter, that the unit prices from Stark Excavating, Inc. be accepted, and a contract awarded in the amount of \$1,450,000.00, and the City Manager and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 9G. Consideration of adoption of an ordinance amending Chapter 24 of the City Code regarding street and alley vacation and adopting a policy on same.

ORDINANCE NO. 2016 – 36
AN ORDINANCE AMENDING THE CITY CODE AND
ADOPTING A POLICY ON STREET & ALLEY VACATIONS

David Hales, City Manager, recommended formal Policy approval to set guidelines ensuring all street and alley vacation requests were handled in a uniform manner.

The streets and alleys vacation requests were governed by the Illinois Municipal Code. Section 11-91-1, allowed corporate authorities to vacate any street or alley when it was deemed to be in the public interest. Same must be completed by ordinance and passed by an affirmative three-fourths (3/4) Council vote. The ordinance was not effective until adjoining property owner paid the fair market value of the property acquired or of the benefits which would accrue to them by reason of the vacation.

Those seeking such vacations would be required to file petitions, at a \$150 cost. The City Manager, in consultation with the Public Works Department, would review the request and make a recommendation to Council. Council would hold a public hearing to determine whether the vacation would be granted. Prior to the public hearing, a fifteen (15) day notice would be published in the newspaper and notices mailed to adjoining property owners.

Compensation would be determined by utilizing a formula of three (3) times the estimated assessed land valuation (per square foot) of the adjoining property times the square feet of the area to be vacated (3 x Adjoining Land EAV x Sq. Ft. within the property to be vacated). Petitioners could have the property appraised separately. The Policy allowed for no compensation to be required where the City had requested the vacation.

Motion by Alderman Schmidt, seconded by Alderman Painter, approving an ordinance Amending the City Code, Chapter 24 and Adopting a Policy on Street & Alley Vacations, and authorize the Mayor and City Clerk to execute the necessary documents

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

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

Nays: None.

Motion carried.

City Manager's Discussion

David Hales, City Manager, had no report.

Mayor Discussion

Mayor Renner stated the one (1) year anniversary of the opening of the Route 66 Visitor Center, located at 200 N. Main St., was April 25, 2016.

City Alderman's Discussion

Alderman Fruin thanked the Public Works Department for listing the work on the last three (3) items. Same allowed Council to approve quickly.

Alderman Mwilambwe thanked Jim Karch, Public Works Director, and Bob Yehl, Water Director, for providing a resident assistance and excellent customer service with an underground water issue.

Alderman Lower requested to have item 7G. "Consideration of approving a Professional Services Contract with Shive Hattery, Inc. for Professional Architectural, Environmental and

Land Surveying Services for Police Training Facility Improvements, (RFQ 2016-04)” brought to a Committee of the Whole meeting for further discussion.

Adjournment

Motion made by Alderman Black, seconded by Alderman Schmidt, to adjourn the meeting at 10:07 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



CONSENT AGENDA ITEM: 7B

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$5,336,598.15.

RECOMMENDATION/MOTION: That the bills, payroll, and electronic transfers be allowed in the amount of \$5,336,598.15, and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$5,336,598.15 (Payroll total \$2,246,838.57, Accounts Payable total \$2,069,128.77, Electronic Transfers total \$1,020,630.81).

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Accounts Payable

Reviewed by: Jon C. Johnston, Procurement Manager

Recommended by:

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

David A. Hales, City Manager

Attachment:

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

Motion: That the bills, payroll and electronic transfers be allowed in the amount of \$5,336,598.15, and orders drawn on the Treasurer for the various amounts as funds are available.

CITY OF BLOOMINGTON FINANCE REPORT					
Council of May 09, 2016					
<u>PAYROLL</u>					
Date	Gross Pay	Employer Contribution	Totals		
4/22/2016	\$ 221,613.48	\$ 76,058.84	\$ 297,672.32		
4/28/2016	\$ 1,280,392.27	\$ 352,883.38	\$ 1,633,275.65		
4/29/2016	\$ 215,112.98	\$ 75,159.73	\$ 290,272.71		
4/27/2016-4/29/2016	\$ 23,330.95	\$ 2,286.94	\$ 25,617.89		
Off Cycle Adjustments			\$ -		
		PAYROLL GRAND TOTAL	\$ 2,246,838.57		
<u>ACCOUNTS PAYABLE</u>				<u>PCARD</u>	
Date	Bank	Total			
5/9/2016	AP General	\$ 1,707,979.28			
	AP BCPA	\$ -		PCARD GRAND TOTAL	
5/9/2016	AP Comm Devel	\$ 9,232.40			
	AP IHDA	\$ -			
5/9/2016	AP Library	\$ 44,923.99		<u>WIRES</u>	
	AP MFT			Date	Total
4/27/2016-4/29/2016	Off Cycle Check Runs	\$ 306,993.10		4/4/2016-4/30/2016	\$ 1,020,630.81
	AP GRAND TOTAL	\$ 2,069,128.77		WIRE GRAND TOTAL	\$ 1,020,630.81
		TOTAL			\$ 5,336,598.15
			Respectfully,		
				Patti-Lynn Silva	
				Director of Finance	

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

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of Approving Appointment to the Planning Commission

RECOMMENDATION/MOTION: That Justin Boyd be appointed to the Planning Commission, effective 5/1/16 to 4/30/19.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

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

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

Planning Commission: Justin Boyd of 705 W MacArthur, Bloomington, Illinois 61701 to the City of Bloomington Planning Commission. His three (3) term will be effective 5/1/16 – 4/30/19. Application is on file in the Administration Office.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration for approval.

Prepared by:

M. Beth Oakley, Executive Assistant

Recommended by:



Tari Renner
Mayor

Attachments:

- Roster

Motion: That Justin Boyd be appointed to the Planning Commission effective 5/1/16 to 4/30/19

Motion: _____ Seconded by: _____

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

Planning Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Ward	Email	Street	City	Zip					
x	Southeast	Josh	Barnett	04/30/18	02/09/15	2015	8	Barnett.Josh.W@gmail.com	55 Brookshire Green	Bloomington	61704					
x	Vice Chair/Southeast	J. Alan	Balmer	04/30/18	04/13/15	2011	3	balmer@betadigm.com	16 Fountain Lake Court	Bloomington	61704					
x	Southeast	David	Slanczak	04/30/19	03/28/16	2012	8	dsls1202@yahoo.com	6 Buckhurst Ct	Bloomington	61704					
x	Southeast	Ryan	Scratchlow	04/30/17	01/14/13	2013	1	rscriitch@hotmail.com	1005 S. Maple	Bloomington	61701					
x	Southeast	Megan	Schubert	04/30/18	04/13/15	2015	1	megschub@gmail.com	3115 Rudder Lane, #208	Bloomington	61704					
x	Southwest	Christopher	Cornell	04/30/17	10/14/13	2013	2	christophcornell@gmail.com	2605 Enlightenment Ln	Bloomington	61705					
x	Southwest	Rex	Diamond	04/30/18	04/23/12	2012		rexdiamond@gmail.com	2816 Fox Creek Rd	Bloomington	61705					
x		Kevin	Suess	04/30/17	04/14/14	2014	4	kevinsuess@gmail.com	113 Krietzler	Bloomington	61701					
x	Northeast	John	Proizman	04/30/17	08/25/14	2014	9	proiz99@msn.com	2813 Southfork Rd	Bloomington	61704					
x	Northeast	James	Pearson	04/30/18	04/13/15	2011	9	jpear764@aol.com	14 Heathstone Ct	Bloomington	61704					
	Staff	Katie	Simpson					ksimpson@cityblm.org	115 E Washington St	Bloomington	61701					
	Staff	Mary	Sellmeyer						110 E Olive St	Bloomington	61701					

Details:

Term: 4 years (3 years as of 5/1/14)
Term Limit per City Code: 3 terms/9 years
Members: 10 members
Number of members the Mayor appoints: 10
Type: Internal
City Code:
Required by State Statute: No
Intergovernmental Agreements: None
Funding budgeted from COB for FY2014: None
Meetings: 2nd and 4th Wed of each month at 4:00pm - Council Chambers

Number of Vacancies: 2
Number of Expired Board Members (Blm Appointments only): 1
Number of Expired Board Member Eligible for Reappointment: 1

Appointment/Reappointment Notes:

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving payment for software maintenance and support agreement to Tyler Technologies for various MUNIS Modules and Enterprise Resource Planning (ERP) system.

RECOMMENDATION/MOTION: That the payment for software license maintenance and support agreement with Tyler Technologies, covering various modules of the City's MUNIS Enterprise Resource Planning (ERP) system, in the amount of \$163,572.91, be approved and the Purchasing Agent be authorized to issue a Purchase Order for same.

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

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

BACKGROUND: The MUNIS ERP system is critical to the daily operations of every City department. As the ERP system is implemented, it is helping to streamline and automate many service-related processes throughout the City. The maintenance agreement is provided only directly through Tyler Technologies and is a key ongoing requirement as it provides technical support and software updates for the system.

Staff has requested Council approve the payment to Tyler Technologies for the maintenance agreement for multiple MUNIS modules. This payment provides coverage from May 2016, through April 2017. Modules included in this maintenance agreement request are:

Human Resources Mgmt.	Payroll
Bid/Contract Mgmt.	General Ledger
Accounts Payable	Accounts Receivable
Budget	General Billing
Treasury Mgmt.	Cashiering
Project Accounting	Fleet Mgmt.
Facility Mgmt.	Work Orders
Tyler Content Manager	Business Licenses
Inventory	Fixed Assets
Utility Billing	Tyler 311 CRM (Citizen Request Management)
Performance Based Budgeting	Business & Vendor Self Service
Citizen Self Service	Employee Self Service
Employee Expense Reimbursement	GASB 34 Report Writer
Maplink (GIS interface)	

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: Funds are included in the FY 2017 Budget under the Information Services-Repair/Maintenance Office & Computer Equipment Account (10011610-70530). Stakeholders can locate this in the FY 2017 Proposed Budget Book titled “Budget Overview & General Fund” on page 159.

Respectfully submitted for Council consideration.

Prepared by: Scott A. Sprouls, Information Services Director

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Invoice

Motion: _____ Seconded by: _____

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



Remittance:
Tyler Technologies, Inc.
(FEIN 75-2303920)
P.O. Box 203556
Dallas, TX 75320-3556

Invoice

Invoice No	Date	Page
045-155546	04/01/2016	1 of 3

Empowering people who serve the public®

Questions:

Tyler Technologies - ERP & Schools
Phone: 1-800-772-2260 Press 2, then 1
Fax: 1-866-673-3274
Email: ar@tylertech.com



Bill To: CITY OF BLOOMINGTON
ATTN: SCOTT SPROULS
109 E. OLIVE STREET
BLOOMINGTON, IL 61701

Ship To: CITY OF BLOOMINGTON
ATTN: SCOTT SPROULS
109 E. OLIVE STREET
BLOOMINGTON, IL 61701

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	76714		USD	NET30	05/01/2016

Date	Description	Units	Rate	Extended Price
Contract No.: BLOOMINGTON, IL				
	TYLER FORM PROCESSING SUPPORT	1	3,038.76	3,038.76
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - ACCTG/GL/BUDGET/AP	1	17,503.29	17,503.29
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - PROJECT ACCOUNTING	1	3,982.00	3,982.00
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - BID MANAGEMENT	1	2,406.71	2,406.71
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - REQUISITIONS	1	3,719.45	3,719.45
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - TREASURY MANAGEMENT	1	3,719.45	3,719.45
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - PURCHASE ORDERS	1	5,250.99	5,250.99
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - CONTRACT MANAGEMENT	1	2,406.71	2,406.71
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - ACCOUNTS RECEIVABLE	1	4,813.41	4,813.41
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - GENERAL BILLING	1	2,187.92	2,187.92
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - MUNIS OFFICE	1	3,610.06	3,610.06
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - TYLER REPORTING SERVICES	1	6,077.54	6,077.54
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - ROLE TAILORED DASHBOARD	1	3,610.06	3,610.06
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - APPLICANT TRACKING	1	1,203.35	1,203.35
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - HUMAN RESOURCES MANAGEMENT	1	2,516.10	2,516.10
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - PAYROLL WITH EMPLOYEE SELF SERVICE	1	5,141.60	5,141.60
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - TYLER CASHIERING	1	7,001.32	7,001.32
	Maintenance: Start: 01/May/2016, End: 30/Apr/2017			
	SUPPORT & UPDATE LICENSING - BUSINESS LICENSES	1	4,375.82	4,375.82



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Invoice No	Date	Page
045-155546	04/01/2016	2 of 3

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Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	76714		USD	NET30	05/01/2016
Date	Description	Units	Rate	Extended Price	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - STANDARD FUEL INTERFACE	1	831.41	831.41	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - WORK ORDERS, FLEET & FACILITIES MANAGEMENT	1	6,618.43	6,618.43	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - PERMITS & CODE ENFORCEMENT	1	9,359.40	9,359.40	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - MUNIS MAPLINK	1	3,610.06	3,610.06	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - UTILITY BILLING CIS	1	8,970.43	8,970.43	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - UTILITY BILLING INTERFACE	1	2,888.05	2,888.05	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - FIXED ASSETS	1	5,294.74	5,294.74	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - INTERFACE TO BMI TRACKING	1	831.41	831.41	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - INVENTORY	1	5,294.74	5,294.74	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - PERFORMANCE BASED BUDGETING	1	6,344.94	6,344.94	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - EMPLOYEE EXPENSE REIMBURSEMENT	1	1,969.12	1,969.12	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - TYLER INCIDENT MANAGEMENT	1	6,563.74	6,563.74	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - BUSINESS & VENDOR SELF SERVICE	1	3,719.45	3,719.45	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - CITIZEN SELF SERVICE	1	4,813.41	4,813.41	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - TYLER CONTENT MANAGER SE	1	6,563.74	6,563.74	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					
	SUPPORT & UPDATE LICENSING - CAFR STATEMENT BUILDER	1	2,735.30	2,735.30	
Maintenance: Start: 01/May/2016, End: 30/Apr/2017					



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Tyler Technologies, Inc.
(FEIN 75-2303920)
P.O. Box 203556
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Invoice No	Date	Page
045-155546	04/01/2016	3 of 3

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BLOOMINGTON, IL 61701

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	76714		USD	NET30	05/01/2016
Date	Description	Units	Rate	Extended Price	

ATTENTION

Order your checks and forms from
Tyler Business Forms at 877-749-2090 or
tylerbusinessforms.com to guarantee
100% compliance with your software.

Subtotal	158,972.91
Sales Tax	0.00
Invoice Total	158,972.91



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Remittance:
Tyler Technologies, Inc.
(FEIN 75-2303920)
P.O. Box 203556
Dallas, TX 75320-3556

Invoice

Invoice No	Date	Page
045-155547	04/01/2016	1 of 1

Questions:

Tyler Technologies - ERP & Schools
Phone: 1-800-772-2260 Press 2, then 1
Fax: 1-866-673-3274
Email: ar@tylertech.com



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BLOOMINGTON, IL 61701

Ship To: CITY OF BLOOMINGTON
ATTN: SCOTT SPROULS
109 E. OLIVE STREET
BLOOMINGTON, IL 61701

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	76724		USD	NET30	05/01/2016

Date	Description	Units	Rate	Extended Price
Contract No.: BLOOMINGTON, IL	TYLER UNLIMITED CLIENT ACCESS MAINTENANCE	1	4,600.00	4,600.00

Maintenance: Start: 01/May/2016, End: 30/Apr/2017

Registration is now open for Connect 2016 in Phoenix. Join us May 1-4 for three days of learning, networking and Arizona sunshine. Visit tylertech.com/connect2016 for more information.

Subtotal	4,600.00
Sales Tax	0.00
Invoice Total	4,600.00

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

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving an Ordinance extending the City's Regulation of Transportation Network Companies and Their Drivers an additional six months.

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

STRATEGIC PLAN LINK: 3. Grow the Local Economy and 5. Great Place – Livable, Sustainable City.

STRATEGIC PLAN SIGNIFICANCE: 3a. Retention and growth of current local businesses and 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: The City of Bloomington regulates taxicabs, downtown shuttles and transportation network company (TNC) vehicles in Bloomington-Normal pursuant to an Intergovernmental Agreement with the Town of Normal. The purpose of the regulation is to have a transportation network that is safe, reliable, affordable and accessible. Last year, the Council adopted an ordinance regulating TNCs, TNC drivers and their vehicles on a pilot project basis. The proposed ordinance extends the pilot program, which will expire June 1, an additional six months. This will extend the protections provided by the ordinance and will allow additional time for City of Bloomington staff to assess their effectiveness.

The ordinance addresses concerns raised by gaps in the Transportation Network Providers Act, the state law that regulates transportation network companies. Specifically, the state law provides no mechanism for monitoring whether a TNC or its drivers are complying with their obligations under the law. Moreover, in the event companies or drivers fail to comply with the law, state law provides no sanctions, consequences or penalties.

Briefly stated, the ordinance does the following:

1. Requires that each TNC and each TNC driver operating in Bloomington-Normal comply with the provisions of the Transportation Network Providers Act and provides for penalties if they do not;
2. Requires licensing of transportation network companies;
3. Provides that licenses may be revoked or suspended if the company does not perform its obligations under the law;

4. Provides the City with an ability to audit TNCs to ensure they are obtaining criminal background checks from their drivers, requiring vehicles to be safety checked and providing the insurance required by law.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Town of Normal staff; Uber Illinois.

FINANCIAL IMPACT: No financial impact is expected.

Respectfully submitted for Council consideration.

Prepared by: George Boyle, Assistant Corporation Counsel

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Attachments:

- Ordinance

Motion: That the Ordinance be adopted, and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

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

ORDINANCE NO. 2016 -

AN ORDINANCE AMENDING BLOOMINGTON
CITY CODE CHAPTER 40, ARTICLE XII PERTAINING TO TRANSPORTATION
NETWORK COMPANIES

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 40, Article XII shall be amended by amending Section 1216 to read as follows:

Chapter 40: Section 1216: Sunset Provision.

The provisions of this Article XII shall be effective upon passage and as provided by law and shall thereafter sunset, be repealed and no longer be effective as of January 1, 2017 ~~June 1, 2016~~.

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 she 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 ten (10) days after approval and publication.

PASSED this 9th day of May, 2016.

APPROVED this _____ day of _____, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of adoption of an ordinance denying the petition submitted by Interchange City West, L.L.C, to rezone 21.18 acres of the Interchange City West Subdivision located north of Valley View Drive and west of Wylie Drive from B-1, Highway Business District to M-1 Restricted Manufacturing District.

RECOMMENDATION/MOTION: That an ordinance be adopted denying the petition to rezone 21.18 acres of the Interchange City West Subdivision located north of Valley View Drive and west of Wylie Drive from B-1, Highway Business District to M-1 Restricted Manufacturing District.

STRATEGIC PLAN LINK: Goal 6. Great Places—Livable, Sustainable Cities

STRATEGIC PLAN SIGNIFICANCE: Objective b. City decisions consistent with plans and policies.

BACKGROUND:

The subject site is located north of Valley View Drive and west of Wylie Drive on Bloomington's west side. The property is bordered by Enterprise Drive to the north. The property is approximately 21.18 acres. In 2008, to accommodate the potential development of a Wertz Distribution Center, Council approved the rezoning of the western portion of the property, approximately 24.85 acres, from B-1 Highway Business District to M-1 Restricted Manufacturing District. The development was never carried out. The property is surrounded by the B-1 Zoning, Highway Business District. To the north, are two portions of land zoned S-2, Public and Institution Lands, and R-3B, High Density Multifamily Residential. Surrounding uses include the Interstate Center/Fair Grounds (west), Birkey's Farm Implements (west), Connect Transit (north), Movie Theatre (east), Apartments (east), and Wal-Mart/Retail (south).

PLANNING COMMISSION

This case was before the Planning Commission for a public hearing and review on April 13, 2016. No citizens, outside of the applicant, spoke in favor of the petition; one citizen shared their opposition via email. The Board recommended denial by 5-2 vote. This recommendation to deny is consistent with Staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 32 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: The denial of this rezoning should have no financial impact for the City.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, AICP, Community Development Director

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

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

Recommended by:



David A. Hales
City Manager

- Ordinance for denial of rezoning
- Exhibit A “Legal Description”
- Exhibit B “Zoning Plat”
- Rezone Petition
- Aerial Map of Subject Property
- Zoning Map of Subject Property
- List of uses permitted in B-1 and M-1 Zoning Districts
- Mailing Sample
- Mailing List
- Planning Commission Report for 4-13-16
- Planning Commission Minutes for 4-13-16

Motion: That an ordinance be adopted denying the petition to rezone 21.18 acres of the Interchange City West Subdivision located north of Valley View Drive and west of Wylie Drive from B-1, Highway Business District to M-1 Restricted Manufacturing District.

Motion: _____ Seconded by: _____

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

Alderman Lower							
				Mayor Renner			

ORDINANCE NO. 2016-__

**AN ORDINANCE DENYING THE ZONING MAP AMMENDMENT FOR
INTERCHANGE CITY WEST SUBDIVISION FROM B-1 HIGHWAY BUSINESS
DISTRICT TO M-1 RESTRICTED MANUFACTURING DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition rezoning certain premises described in Exhibit(s) A, which is attached hereto and made part hereof by this reference; and

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

WHEREAS, following said public hearing, the Planning Commission recommended denial of rezoning; and

WHEREAS, the City Council is authorized to adopt this Ordinance and deny the petition to rezone said Premises;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois that the petition to rezone the premises hereinafter described in Exhibit(s) A shall be and the same is hereby denied.

PASSED this 9th day of May, 2016.

APPROVED this _____ day of _____, 20____.

CITY OF BLOOMINGTON:

ATTEST:

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM:

Jeff Jurgens, Corporation Counsel

EXHIBIT A

[See Attached]

MAR 23 2016

4561.1121
03/11/16
Rezoning
DPB

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

A PART OF THE SW1/4 OF SECTION 31, T24N, R. 2E, 3 P.M. &
A PART OF THE SE1/4 OF SECTION 36, T24N, R. 1E, 3 P.M.
CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

[illegible]

~~Supervisory Certificate~~

I, David P. Brown, Illinois Professional Land Surveyor No. 07255, do hereby certify that to the best of my knowledge and belief the plat shown hereon is an accurate representation of a zoning plat made under my direction.

3/14/16 Date

David W. Brown
Illinois Professional Land Surveyor No. 27255
License Expires 11/30/2016



Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors

Professional Design Firm Registration #184-000806

505 North Main Street 155 South Elm
Bloomington, Illinois 01 Poso, Illinois
Ph. (309) 829-2552 Ph. (309) 952-8151

518	REZONING EXHIBIT	Sheet
JUL	INTERCHANGE CITY WEST SUBDIVISION	1
DPB	CITY OF BLOOMINGTON	of 1
DPB	MCLEAN COUNTY, ILLINOIS	

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss:
County of McLean)

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

NOW COMES INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company, hereinafter referred to as your Petitioner, respectfully representing and requesting as follows:

1. That your Petitioner is the Owner of the property described on Exhibit "A" which is attached hereto and made a part hereof by this reference.
2. That said premises presently have a zoning classification of **B-1 Highway Business District** under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That your Petitioner hereby requests that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the **M-1 Restricted Manufacturing 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 by the present zoning of said premises.

WHEREFORE, your Petitioner respectfully prays 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 **B-1 Highway Business District** to **M-1 Restricted Manufacturing District**.

Respectfully submitted,

INTERCHANGE CITY WEST, L.L.C., an
Illinois Limited Liability Company

By: Elizabeth B. Megli
Elizabeth B. Megli, Its Attorney

Attorney for Petitioner:
Elizabeth B. Megli, Esq. of
Livingston, Barger, Brandt & Schroeder, LLP
115 W. Jefferson, Ste. 400
Bloomington, IL. 61702-3457
Tel. No. (309) 828-5281

MAR 23 2016

EXHIBIT A

[See Attached]

MAR 23 2016

4561.1121
03/11/16
Rezoning
DPB

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

ORDINANCE NO. 2016- _____

AN ORDINANCE REZONING PROPERTY IN THE CITY OF BLOOMINGTON

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for Zoning Map Amendment of certain premises, legally described in Exhibit(s) A, which is attached hereto and made a part hereof by this reference; and

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

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

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

1. That the premises hereinafter described on Exhibit "A" shall be and the same is hereby rezoned from **B-1 Highway Business District** to **M-1 Restricted Manufacturing District**.
2. The Official Zoning Map of said City shall be amended to reflect these changes in zoning classification.
3. That this Ordinance shall take effect immediately upon passage and approval.

APPROVED:

Mayor

ATTEST:

City Clerk

MAR 23 2016

EXHIBIT A

[See Attached]

MAR 23 2016

4561.1121
03/11/16
Rezoning
DPB

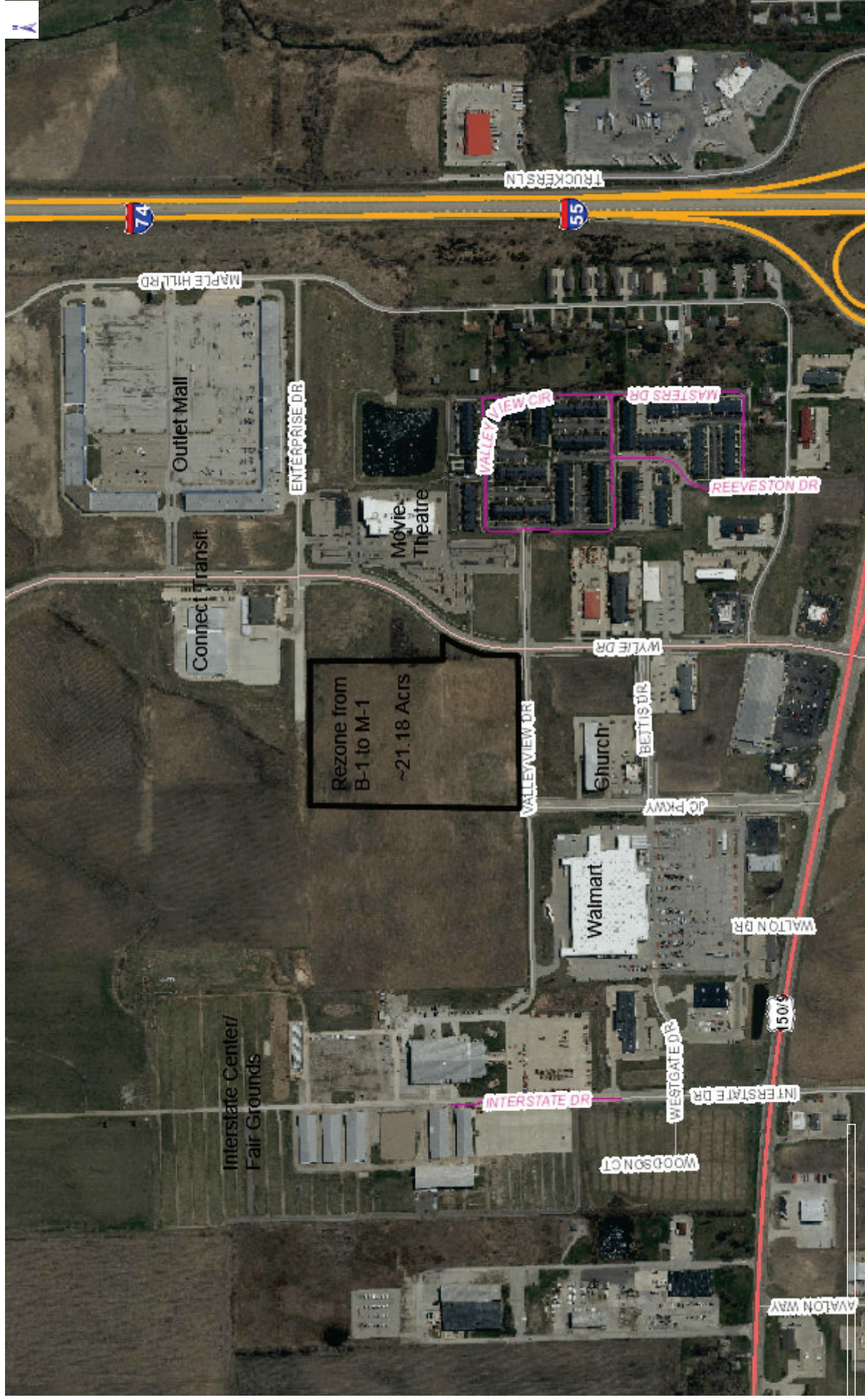
Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

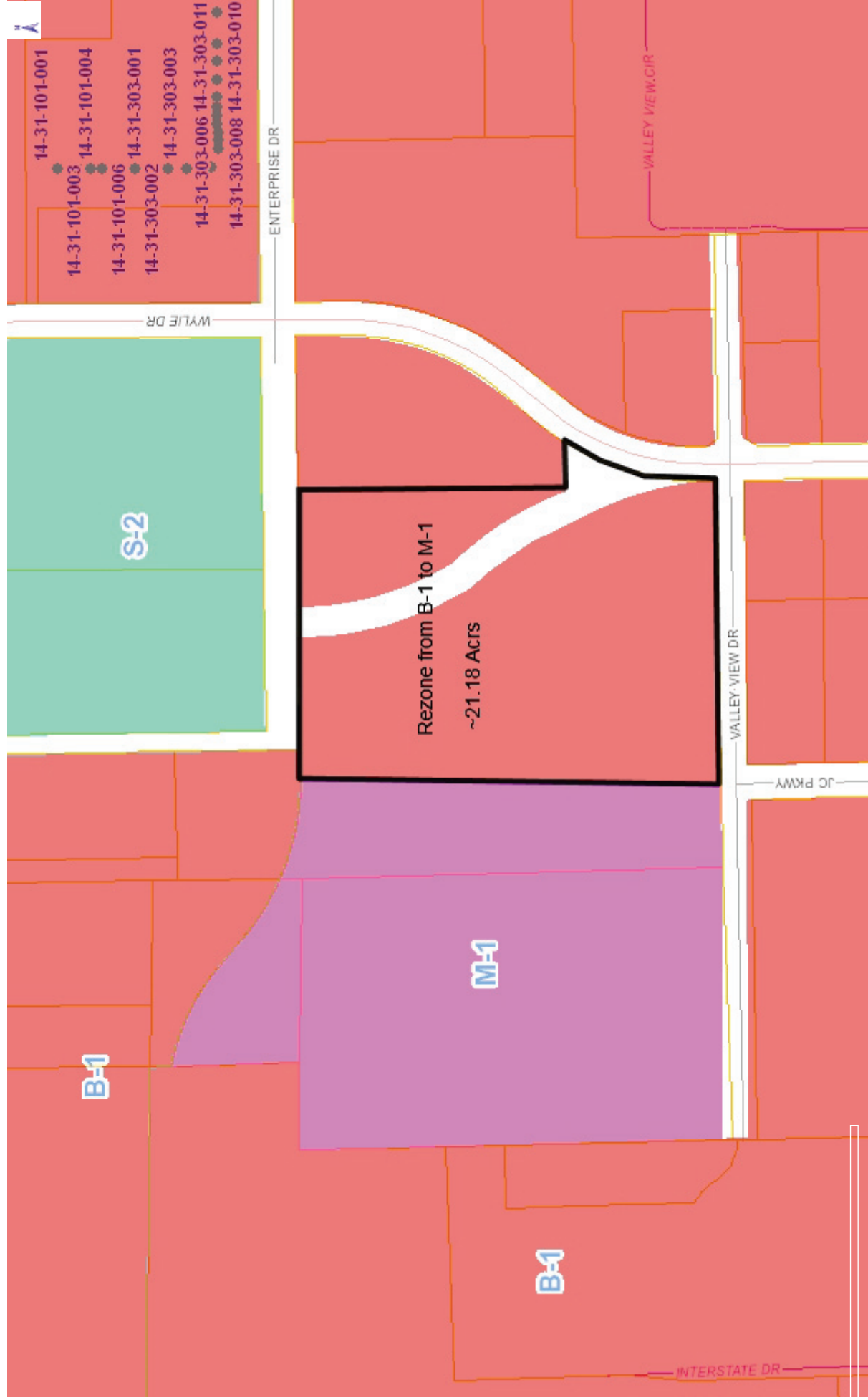


Interstate City West Subdivision Rezone-Aerial View





Interstate City West Subdivision Rezone



0 0.09 0.2 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

Notes
Area outlined in Black

1: 5,616

Printed: 3/30/2016 5:03:55 PM

Uses allowed in the M-1 District and not permitted in the B-1 District

***some allowed in the B-1 with a special use**

Adult Detention Facilities	P	Mini Warehouses*	P
Agricultural Products Storage	P	Mining, Quarrying	S
Aircraft Sales and Service	P	News Syndicate Services	P
Aircraft Storage	P	Paper and Allied Products Industry	P
Airport Passenger Terminals	S	Petroleum Products Storage	P
Alcoholic Beverage Storage	P	Professional Office Furniture Sales	P
Animal Breeding Services	P	Professional, Scientific Industries	P
Apparel, Fabrics, Leather Industries	P	Railroad Marshaling Yards	P
Camping Equipment Storage	P	Recreational Equipment Storage	P
Chemical, Plastic Products Storage	P	Refractory Lined Pit Burners	S
Composting Facility	P	Snack Food Manufacturing	P
Electricity Generation Plant	P	Steam and Heat Transfer Plants	P
Fabricated Metal Industries	P	Textile Mill Products Industries	P
Food, Tobacco Products Storage	P	Textile Products Storage	P
Furniture and Fixtures Industries	P	Wholesale Sales Establishments	P
Gas Production Plants	P	Wood Products Storage, Including Paper	P
Irrigation Channels	P		
Juvenile Detention Facilities	P		
Laboratory, Agricultural	P		
Laboratory, Dental and Medical	P		
Laboratory, Electronics	P		
Laboratory, Materials Testing	P		
Lumber and Wood Industries	P		
Marine Craft Storage, Marinas	P		
Medical Marijuana Cultivation Center	P		
Medical, Health Services	P		
Metal Products Storage	P		
Military Bases	P		
Military Bases, Storage Depots	P		
Military Communication Centers	P		

USES PERMITTED IN THE B-1 DISTRICT NOT ALLOWED IN M-1

Agency Supervised Homes P
Agency-Operated Family Homes P
Agency-Operated Group Homes P
Ambulatory Surgical Treatment Center P
Amphitheaters P
Amusement Centers S
Amusement Parks P
Antique Stores P
Apparel Shops P
Appliance Stores P
Aquariums P
Arenas, Field Houses, Stadiums P
Art Supplies, Craft Stores P
Auditoriums, Concert Halls P
Bakery Products Sales P
Ballrooms, Dance Halls P
Bed & Breakfast Establishments P
Billiard Centers, Pool Halls P
Birthing Center P
Boarding Schools P
Book, Stationery Stores, Newsstands P
Bowling Establishments P
Cameras, Photographic Supplies P
Candle Shops P
Candy Confectionery Sales P
Cemeteries P
Children's Homes, Orphanages P
China, Glassware, Metal ware Stores P
Churches, Synagogues, Temples P
Cigar, Tobacco Products Sales P
Convalescent Homes, Rest Homes P
Convenience Establishments P
Dairy Products P
Dance Studios, Music Studios P
Department Stores P
Diagnostic Imaging Center P
Diagnostic Laboratory Treatment Facility P
Domestic Violence Shelter P
Draperies, Curtains, Upholstery P
Dressmaking, Tailor Shops P
Drive-in Motion Picture Theaters S

Drug Stores P
Dry Goods, Piece Goods Stores P
Electrical Supply Sales P
Extended Stay Motel P
Fairgrounds, Agricultural Exhibits S
Farm Supply Stores P
Fishing Camps P
Florist Shops P
Funeral Parlor, Mortuary P
Furniture Stores P
Garden Supply Stores P
General Merchandise Stores P
Gift Shops P
Go-Cart Tracks S
Golf Driving Ranges P
Greeting Card Shops P
Grocery Stores, Supermarkets P
Group Homes for Parolees S
Group Homes for Parolees S
Group or Organized Camps, Resorts S
Gun Shops P
Hardware Stores P
Hobby Shops, Toy Stores P
Home for the Aged P
Hospitals, Except Animal Hospitals P
Hotels, Motels, Motor Hotels P
Institution for Child Care P
Institution for the Handicapped P
Irrigation Channels P
Jewelry Stores, Watch Repair P
Knit Goods Shops P
Leather Goods Shops P
Legitimate Theaters P
Linen Supply Stores P
Linen Supply Stores P
Liquor Stores P
Media Shops 12
Medical, Health Services P
Mental Health Facilities P
Merchandise Vending Machine Sales P
Mini Warehouses S
Miniature Golf Courses P
Monument Sales P
Motels, Hotels, Motor Hotels P

Motion Picture Studios	P	
Motion Picture Theaters	P	
Music Stores, Record Shops	P	
News Syndicate Services	P	
Nursery Schools	P	
Nursing Homes	P	
Optical Goods, Hearing Aids Sales		P
Other Specialty Shops, N.E.C.	P	
Penny Arcade	P	
Pet Shops	P	
Pharmacy	P	
Post-Surgical Recovery Care Center		P
Pottery, Ceramic Products Sales	P	
Pre-Schools	P	
Race Tracks, Grandstands	S	
Radio Broadcasting Studios	P	
Radio, Television Stores	P	
Record Shops, Music Stores	P	
Recreation Vehicle Camps	S	
Religious Education Facility	P	
Riding Stables, Riding Schools	P	
Roadside Markets	P	
Specialty Food Shops	P	
Sporting Goods, Bicycle Sales	P	
Television Broadcasting Studios	P	
Tourist Camps	S	
Townhouses	9	
Travel Trailer Camps	S	
Treatment Centers for Drug Abuse		P
Variety Stores	P	
Video Sales and Rental Stores	P	
Wholesale Sales Establishments	1	
Zoos	P	



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

March 23, 2016

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on **Wednesday, April 13, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois** for a petition submitted by **Interstate City West, LLC** requesting the 1) rezoning from B-1, Highway Business District to M-1, Restricted Manufacturing District; and 2) reinstatement and revision to a portion of the Third Preliminary Plan for Interchange City West Subdivision, located at the southeast corner of Wylie and Valley View Drive. Attached are copies of legal descriptions for the subject properties.

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested rezoning during the public hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

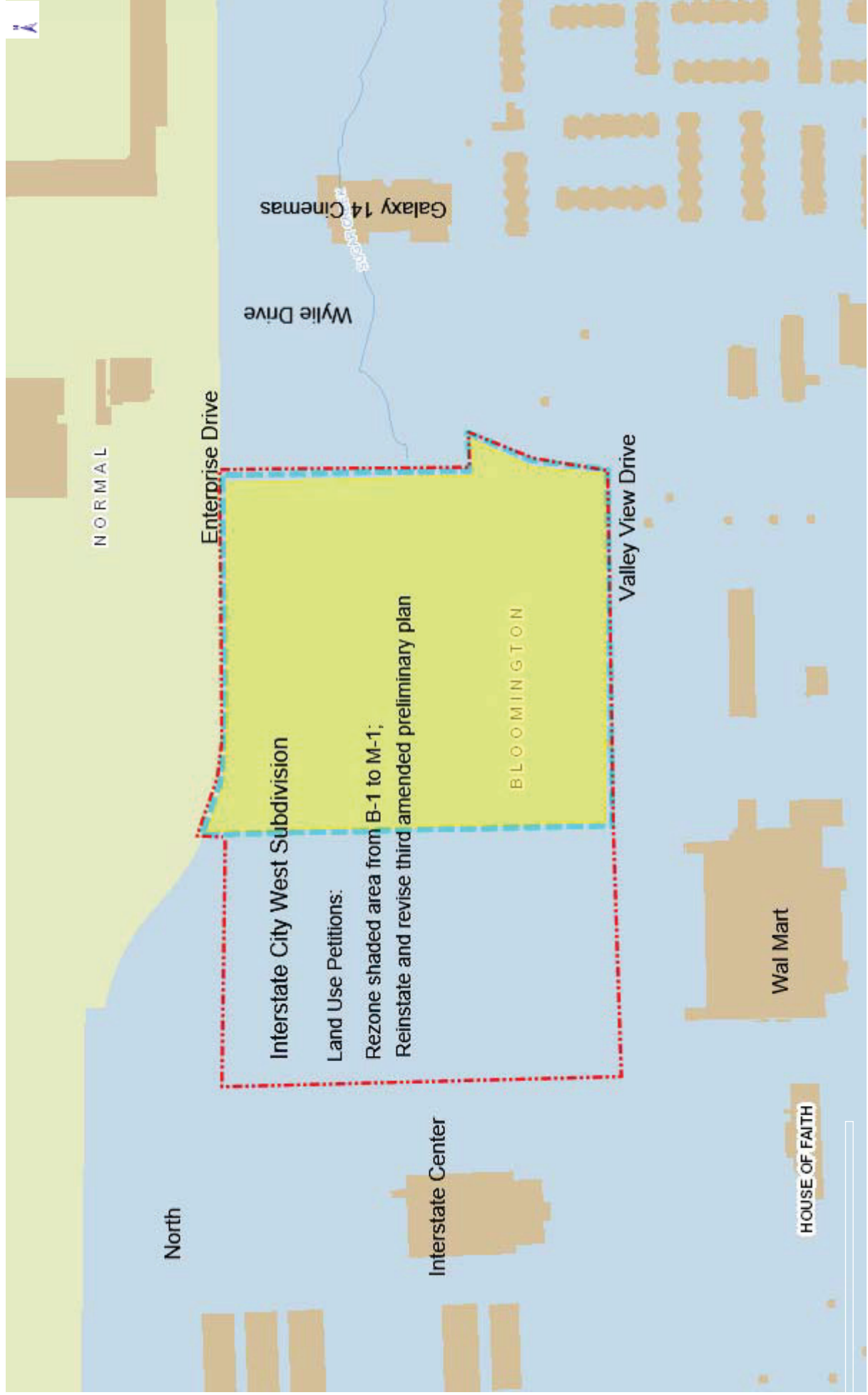
A handwritten signature in black ink, appearing to read "Katie Simpson", with a long horizontal flourish extending to the right.

Katie Simpson
City Planner

Attachments:
Location Map
Legal Description for Rezoning
Legal Description for Preliminary Plan



Interchange City West Subdivision-Petitions to Reinstate and Revise Preliminary Plan and Rezone



By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

0 0.10 0.2 Miles

1: 6,065

Notes

You are receiving this notice because you own property within 500 feet of Interstate City West Subdivision

Printed: 3/23/2016 11:33:22 AM

4561.1121
03/11/16
Rezoning
DPB

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 1705.82 feet on the north right of way line of Valley View Drive to the east line of Lot 1 in Interstate Center Subdivision, according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; thence N.00°-18'-41"W. 1113.78 feet on the east line of said Lot 1; thence S.89°-13'-45"E. 229.00 feet on the line of said Lot 1; thence N.00°-18'-41"W. 340.72 feet on the east line of said Lot 1; thence southeasterly 286.86 feet on a non-tangential curve concave to the southwest having a radius of 555.00 feet, central angle of 29°-36'-49" and a chord of 283.67 feet bearing S.63°-27'-05"E. from the last described course; thence S.48°-38'-41"E. 95.51 feet; thence southeasterly 456.87 feet on a tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 40°-35'-04" and a chord of 447.38 feet bearing S.68°-56'-13"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 46.03 acres, more or less, with assumed bearings given for description purposes only.

INTERCHANGE CITY WEST LLC
1805 W WASHINGTON ST
BLOOMINGTON IL 617013703

ATTN: MICHAEL J. SWARTZ MCLEAN
COUNTY AG EXPO
2243 WESTGATE DR STE 501
BLOOMINGTON IL 617055046

BIRKEYS FARM STORE INC
2102 W PARK CT
CHAMPAIGN IL 618212986

HEYL, ROYSTER, VOELKER & ALLEN PC
% MARK A LUDOLPH PO BOX 6199
PEORIA IL 61601

SUGAR OAK BLOOMINGTON NORMAL
LLC
481 CARLISLE DR
HERNDON VA 20170

B-N PUBLIC TRANSIT
351 WYLIE DR
NORMAL IL 617615525

VISTA SECURITIES INC
P O BOX 1452
DECATUR IL 62525

COLLEGE PARK WEST
PO BOX 10
LINCOLN IL 626560010

TURNBERRY VILLAGE TVA
10 N 15TH ST
RICHMOND IN 473743302

WYLIE PARTNERS LLC
8451 MARYLAND AVE
SAINT LOUIS MO 631053646

EVANSVILLE WEST HOTEL VENTURES
LLC
6450 S 6TH STREET RD STE A
SPRINGFIELD IL 627126877

BLOOMINGTON IL PROPERTY INC
12800 MANCHESTER RD
ST LOUIS MO 63131

CROSSROADS CHAPEL
1049 JC PKWY
BLOOMINGTON IL 617055023

WCW HOLDINGS LLLP
PO BOX 1230
OKEECHOBEE FL 349731230

WAL-MART STORES, INC.
PO BOX 8050
BENTONVILLE AR 72716

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
April 13, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
Z-09-16	Rezoning from B-1 Highway Business District to M-1, Restricted Manufacturing District,	Katie Simpson City Planner

REQUEST

The petitioner is seeking a rezoning from B-1, Highway Business District to M-1, Restricted Manufacturing District.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Interchange City West, LLC

LEGAL DESCRIPTION: A PART OF THE SW1/4 OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE SE ¼ OF SECTION 36, TOWNSHIP 24 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 8-B IN INTERCHANGE CITY WEST SUBDIVISION 1ST ADDITION; THENCE N.00°-00'-00"E. 66.00 FEET ON THE WEST RIGHT OF WAY LINE OF WYLIE DRIVE, DEDICATED AND PLATTED AS DOCUMENT NO. 92-21543 IN THE MCLEAN COUNTY RECORDER OF DEEDS OFFICE, TO THE POINT OF BEGINNING ON THE NORTH RIGHT OF WAY LINE OF VALLEY VIEW DRIVE; THENCE N.90°-00'-00"W. 1705.82 FEET ON THE NORTH RIGHT OF WAY LINE OF VALLEY VIEW DRIVE to the east line of Lot 1 in the Interstate Center Subdivision, according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; THENCE N.00°-18'-41"W. 1113.78 FEET on the east line of said Lot 1; THENCE S.89°-13'-45"E. 229.00 feet on the line of said Lot 1; thence N.00°-18'41"W. 340.72 feet on the east line of said Lot 1; thence southeasterly 286.86 feet on a non-tangential curve concave to the southwest having a radius of 555.00 feet, central angle of 29°-36'-49" and a chord of 283.67 feet bearing S.63°-27'05"E. from the last described course; thence S.48°-38'41"E. 95.51 feet, thence southeasterly 456.87 feet on a TANGENTIAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 645.00 FEET, CENTRAL ANGLE OF 40°-35'-04" AND A CHORD OF 447.38 FEET BEARING S.68°-56'-13"E. FROM THE LAST DESCRIBED COURSE; THENCE S. 89°-13'-45"E. 741.87 FEET; THENCE S.00°-00'-00"W. 690.73 FEET; THENCE S. 90°-00'-00"E. 113.89 FEET TO THE WEST RIGHT OF WAY LINE OF WYLIE DRIVE RECORDED AS SAID DOCUMENT NO. 92-21543; THENCE SOUTHWESTERLY 403.52 FEET ON SAID RIGHT OF WAY LINE ON A NON-TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 695.00 FEET, CENTRAL ANGLE OF 33°-16'-00" AND A CHORD OF 397.88 FEET

BEARING S. 16°-38'-00"W. FROM THE LAST DESCRIBED COURSE; THENCE S.00°-00'-00"W.18.77 FEET ON SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 46.03 ACRES, MORE OR LESS, WITH ASSUMED BEARINGS GIVEN FOR DESCRIPTION PURPOSES ONLY.

PROPERTY INFORMATION

Existing Zoning: B-1, Highway Business District
 Existing Land Use: Agriculture
 Property Size: approximately 21.18 acres more or less
 PIN: part of parcel 14-31-301-012

Surrounding Zoning and Land Uses

Zoning

North: B-1, Highway Business District (NORMAL)
 S-2 Public lands and Institutions (NORMAL)
 South: B-1, Highway Business District
 East: B-1, Highway Business District
 West: M-1, Restricted Manufacturing
 B-1, Highway Business District

Land Uses

Vacant
 Connect Transit Garage
 Walmart
 Multifamily homes, movie theatre
 Vacant/Agriculture
 Fair Grounds/Farm Equipment Retail

ANALYSIS

Submittals

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites

Project Description

The subject property is located Northwest of the intersection between Valley View Drive and Wylie Drive. The subject property is a portion approximately 21.18 acres of a larger 46.03 acre property. The remaining 24.85 acres were rezoned from B-1 to M-1 in 2013 to allow for the development of a Wertz Liquor Distribution Center. The development was not carried out. To the North of the property is Enterprise Drive, which has not yet been completed. As Bloomington and Normal grow, Enterprise Drive and Wylie Drive will become key arterial roads in the regional transportation system. The petitioner is in the process of reinstating and revising the third amended preliminary plan for the total 46.03 acre property. The plan consists of eleven (11) proposed lots. Uses for two of the lots are known by Staff; these uses are contemplated within both existing zoning designations. The remaining uses, including those located on the property subject to the rezoning petition, are unknown. As proposed the entire 46.03 acres could become M-1.

Compliance with the Comprehensive Plan

The intent of the M-1, Restricted Manufacturing District “is to provide for industrial uses with an absence of objectionable external effects in areas that are suitable for this type of development by

reason of topography, relative location, and adequate utilities and transportation system”. The uses should be compatible with surrounding districts and residential subdivisions are excluded in this district. The 2035 Comprehensive Plan envisions the subject property as an Employment Center that promotes offices, commercial uses, and light industrial, uses included by the current B-1 zoning district. The Plan envisions walkability, from neighboring residences and local businesses to the employment center and calls for bike and pedestrian paths and outdoor spaces. Some of the more intense uses allowed by the M-1 district are incompatible with this vision.

Nearby Zoning and Land Uses

The property is contiguous to a M-1, Restricted Manufacturing District and currently vacant. A recreational facility and wholesale distribution center are proposed for the land adjacent to the subject property. To the North, the property is bordered by the Connect Transit garage and additional vacant land owned by the same owner. Walmart and other retail is located to the South, and apartments and a movie theater are located to the east.

FINDINGS OF FACT

The Zoning Ordinance has “*Zoning Map Amendment Guidelines*” and by states, “*In making its legislative determination to zone or rezone property to a M-1 Restricted Manufacturing District, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The relationship of the subject property to various aspects of transportation system including rail, air, highway and street and pedestrian and the Impact the permitted uses would have upon these systems. Truck traffic and its impact is of major concern generally as well as the effect of vehicular travel times;* the information provided by the petitioner to Staff is inadequate to evaluate the impact a rezoning would have on the area. Staff needs more information about the densities of pedestrians and employees, as well as volume of freight and cargo expected to service the subject property. The M-1 district contemplates a variety of uses ranging greatly in intensities. The standard is not met.
2. *The extent to which surrounding zoning and land usage provides an adequate transition from the industrial development to uses of lesser intensity and the degree to which the uses authorized in the district serves as a buffer between other districts which exhibit more objectionable effects and uses of lower intensity;* the surrounding zones do not provide adequate transitions for many of the intense uses allowed in the M-1 district. Surrounding districts are zoned B-1, S-1 and R-3B and their commercial and residential uses are frequented by pedestrians. Rezoning the proposed property could have adverse effects on the aesthetics of the area as well as safety and public welfare. Although the property directly west of the subject property is currently zoned M-1, rezoning the subject property would allow for the encroachment of manufacturing into commercial and residential areas. The standard is not met.
3. *The capacity of existing and proposed public utilities to the site including water and sewer systems to serve the permitted uses which might lawfully occur on the property so zoned;* The amount of information provided regarding the intended uses is not enough for Staff to effectively gauge the amount of water and utilities that will be required if rezoned.

Without knowing the intensities and densities of the proposed uses Staff cannot determine impacts during peak hours of water consumption, amount of waste water that could be produced, treatments needed prior to drainage into public sewers. More information is needed. The standard is not met.

4. *The adequacy of public services, including police and fire protection serving the property and the impact the permitted uses would have upon these services;* the site is fitted with fire hydrants, spaced appropriately along Valley View Drive. Given the size of the proposed lots, additional on-site hydrants may be needed. However public services are adequate to serve the property. The standard is met.
5. *The impact the permitted uses would have upon the environment including noise, air, and water pollution.* The environmental impact cannot be evaluated with the amount information given by the applicant. More information is required. Some uses permitted in the M-1 district could result in adverse environmental consequences for surrounding areas, including the existing and proposed residential. The amount of noise, light pollution, and potential gasses, airborne pollutants, chemicals etc. which may result from more intense uses, like a Gas Production Plant, Steam and Heat Transfer Plants, or Railroad Marshalling yard, allowed in the M-1 district are unknown. The standard is not met.
6. *The impact any natural disasters, including flooding, would have upon the permitted uses;* the M-1 district allows for a 100% lot floor area ratio which could potentially impact the amount of detention required for the development of each site. Additionally, if any potential hazardous materials are stored, precautions will need to be made to ensure contamination does not result from potential flooding. The standard is met but changes in detention, and impacts of flooding will need to be accounted for each proposed site development.
7. *The conformance of the proposal to the Official Comprehensive Plan and Official Map (Ordinance No. 2006-137)* The 2035 Bloomington Comprehensive Plan identifies the subject property as a Tier-1, infill, development priority and anticipates the property's future use to be for employment centers. The employment center designation contemplates pedestrian friendly business parks and walkable, outdoor recreation areas. Employment Center is a designation compatible with the existing B-1 zoning designation. Given the various intensities allowed in the M-1 district, and little information about the proposed intensities, densities and uses of the property, it is difficult to determine if the property will be used in accordance with the vision outlined in the Comprehensive Plan. The standard is not met.

STAFF RECOMMENDATION:

Due to a lack of information regarding the intended uses for the property located at the intersection of Valley View and Wylie Drive, Staff determines that the requested zoning change from B-1, Highway Business District to M-1, Restricted Manufacturing is incompatible with surrounding land uses and zoning. Therefore, based on the above findings, staff recommends the Planning Commission recommend Council **deny** the petition to rezone from B-1 to M-1, case Z-09-16.

Respectfully submitted,

Katie Simpson

City Planner

Attachments:

1. Petition
2. Exhibit A-Legal Description
3. Ordinance
4. Zoning Plat
5. Zoning Map
6. Aerial View
7. Site Photos
8. Neighborhood Notice & Buffer Map
9. Neighborhood Notice List

MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 13, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Pearson, Mr. Protzman, Mr. Scritchlow, Mr. Suess, Chairman Stanczak

MEMBERS ABSENT: Mr. Cornell, Ms. Schubert

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Austin Grammer, Economic Development Coordinator

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. A quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the February 24, 2016 minutes. Mr. Suess asked for his name to be spelled correctly. There being no further changes, Mr. Pearson moved to approve the February 24, 2016 minutes; Mr. Scritchlow seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

Z-09-16. Public hearing, review and action on the petition submitted by Interchange City West LLC, requesting approval to rezone a portion of the Interchange City West Subdivision located north of Valley View Drive, west of Wylie Drive and south of Enterprise from B-1, Highway Business District, to M-1, Restricted Manufacturing District.

Chairman Stanczak introduced the case. Ms. Simpson presented City Staff's report, recommending denial of the proposed rezoning. She noted that the petitioner supplied inadequate information to allow a favorable recommendation to be made. Ms. Simpson described the subject site and surrounding uses. She noted the history of the adjacent M-1 property and the proximity of residential uses and districts. Ms. Simpson reviewed the comprehensive plan's intention for the area as an employment center.

Mr. Balmer asked about the status of the zoning ordinance comprehensive amendment, pointing out the concerns raised a few years ago over how best to zone this area. Mr. Dabareiner reported that the RFP for this work was going out next week. Mr. Protzman asked for a definition of "employment center"; Ms. Simpson referred to the Comprehensive Plan. Mr. Pearson asked if

the B-1 district fit the “employment center” definition; Mr. Dabareiner mentioned the difference between general land use categories and zoning districts, noting that B-1 uses and M-1 uses could guide development in an employment center. Mr. Dabareiner added that it is a high burden to rezone property when a public process previously occurred which established the existing zoning designation; rezoning, he mentioned, to serve a property without supporting information is not always in the City’s interest. Ms. Simpson mentioned some of the intense uses in an M-1 district not allowed in the B-1 district, which rezoning would allow. Chairman Stanzyk suggested the employment center concept is a hybrid between M-1 and B-1 districts.

Elizabeth Megli, attorney for the petitioner, was sworn in. Ms. Megli stated that the petitioner has been unable to market the subject property as B-1 so is requesting the M-1 zoning district. She noted that recent interest has come from two M-1 listed uses, a warehouse and indoor recreation activity. She indicated that the B-1 district’s retail emphasis is not practical in the location, that the adjoining property is M-1 and that the uses contemplated are compatible with M-1. She noted that R-3A to the north is vacant. Ms. Megli emphasized the stronger position her client could be in if able to market the property with an M-1 designation.

Chairman Stanzyk noted that like uses are treated in like fashion in a zoning ordinance. The problem, he noted, is that most of the uses proposed by the client are allowed in both the B-1 and the M-1 districts. Chairman Stanzyk clarified whether the warehouse and indoor sports use were moving ahead; Ms. Megli indicated they are anticipated to. Chairman Stanzyk asked if those uses could be accommodated in the B-1 district; Ms. Megli indicated in the affirmative, noting that one of the properties is located in both zoning districts. Mr. Scritchlow asked how the City reviews a property with two different districts designated; Mr. Dabareiner mentioned that different bulk requirements apply, but the location of the principal structure is important.

Mr. Pearson sought clarification on the location of the proposed rezoning and the property containing the shared zoning districts. Ms. Simpson highlighted the information and the zoning plat was presented to aid with the clarification. Mr. Dabareiner noted that when there is a specific proposed use associated with a rezoning request, an effort can be made to determine likely impacts; in this case, staff has no information, so a worst-case scenario must be considered as far as M-1 uses, including stockyards, food manufacturing, rail yards, and other impactful uses. Mr. Barnett asked why the M-1 property did not revert back to B-1 when the Wirtz Beverage distribution facility did not locate there; Mr. Dabareiner indicated that is another way to handle these kinds of uncertainties, an opinion echoed by Mr. Pearson.

Chairman Stanzyk closed the public hearing. Mr. Balmer motioned to deny the rezoning request; seconded by Mr. Pearson. The motion to recommend denial passed by a vote of 5-2 with the following votes being cast on roll call: Mr. Balmer-yes; Mr. Pearson-yes; Mr. Barnett -yes; Mr. Protzman-no; Mr. Scritchlow-no; Mr. Suess-yes; Chairman Stanczak-yes.

MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 13, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Pearson, Mr. Protzman, Mr. Scritchlow, Mr. Suess, Chairman Stanczak

MEMBERS ABSENT: Mr. Cornell, Ms. Schubert

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Austin Grammer, Economic Development Coordinator

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. A quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the February 24, 2016 minutes. Mr. Suess asked for his name to be spelled correctly. There being no further changes, Mr. Pearson moved to approve the February 24, 2016 minutes; Mr. Scritchlow seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

Z-09-16. Public hearing, review and action on the petition submitted by Interchange City West LLC, requesting approval to rezone a portion of the Interchange City West Subdivision located north of Valley View Drive, west of Wylie Drive and south of Enterprise from B-1, Highway Business District, to M-1, Restricted Manufacturing District.

Chairman Stanczak introduced the case. Ms. Simpson presented City Staff's report, recommending denial of the proposed rezoning. She noted that the petitioner supplied inadequate information to allow a favorable recommendation to be made. Ms. Simpson described the subject site and surrounding uses. She noted the history of the adjacent M-1 property and the proximity of residential uses and districts. Ms. Simpson reviewed the comprehensive plan's intention for the area as an employment center.

Mr. Balmer asked about the status of the zoning ordinance comprehensive amendment, pointing out the concerns raised a few years ago over how best to zone this area. Mr. Dabareiner reported that the RFP for this work was going out next week. Mr. Protzman asked for a definition of "employment center"; Ms. Simpson referred to the Comprehensive Plan. Mr. Pearson asked if

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Chairman Stanzyk closed the public hearing. Mr. Balmer motioned to deny the rezoning request; seconded by Mr. Pearson. The motion to recommend denial passed by a vote of 5-2 with the following votes being cast on roll call: Mr. Balmer-yes; Mr. Pearson-yes; Mr. Barnett -yes; Mr. Protzman-no; Mr. Scritchlow-no; Mr. Suess-yes; Chairman Stanczak-yes.

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of adoption of an ordinance approving a petition, submitted by Interchange City West L.L.C, for the reinstatement and revision of the Third Amended Preliminary Plan for the Interchange City West Subdivision and Approving a Fourth Amended Preliminary Plan for said subdivision located north of Valley View Drive and west of Wylie Drive.

RECOMMENDATION/MOTION: That an ordinance be adopted for the reinstatement and revision of the Third Amended Preliminary Plan for the Interchange City West Subdivision and approving a Fourth Amended Preliminary Plan for said subdivision, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: The reinstatement and revision of the 3rd Amended Preliminary Plan is linked to **Goal 3. Grow the local economy**

STRATEGIC PLAN SIGNIFICANCE: The amended preliminary plan encourages the revitalization of older commercial homes or infill development (objective c). This site is designated as a Tier 1 infill development priority in the Bloomington Comprehensive Plan 2035.

BACKGROUND:

The subject site is located north of Valley View Drive and west of Wylie Drive on Bloomington's west side. The property is bordered by Enterprise Drive to the north. The property is approximately 46.03 acres. In 2008, Council approved the third preliminary plan for this site. The plan showed twelve (12) lots and the north to south extension of a public collector street, JC Parkway. The proposed amended preliminary plan will become known as the Fourth Amended Preliminary Plan and shows eleven (11) lots with the elimination of JC Parkway, and, instead, proposed a cul-de-sac extending from Enterprise drive to the center of the property. The petitioner hopes to develop lots 4 and 6 of the amended preliminary plan. No other uses and potential developments are known by staff at this time.

PLANNING COMMISSION

This case was before the Planning Commission for a public hearing and review on April 13, 2016. No citizens, outside of the applicant, spoke in favor of the petition; no one spoke in opposition. Staff recommended in favor of the preliminary plan under the condition that the plan incorporate staff comments prior to review by Council and that a cul-de-sac be added at the north end of Valley View Drive. One citizen spoke in favor of the cul-de-sac and expressed interest that said cul-de-sac not impede access to Birkey's Farm Implements. Engineering and the petitioner have worked together to ensure the cul-de-sac will not block access to Birkey's Farm Implements. The commission recommended approval by unanimous vote, including the addition of the cul-de-sac as a condition.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137) courtesy copies of the Public Notice were mailed to approximately 32 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: Development of the property should result in increased property tax revenue for the City that is unknown at this time.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, AICP, Community Development Director

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

Legal review by: George Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

- Ordinance for Amended Preliminary Plan
- Exhibit A “Legal Description”
- Exhibit B “Site Plan”
- Exhibit C “Easement Plat”
- Exhibit D “Easement Agreement”
- Exhibit E “Deed Restriction”
- Amended Preliminary Plan Petition
- Aerial Map of Subject Property
- Mailing Sample
- Mailing List
- Planning Commission Report for 4-13-16
- Planning Commission Minutes for 4-13-16

Motion: That an ordinance be adopted for the reinstatement and revision of the Third Amended Preliminary Plan for the Interchange City West Subdivision and approving a Fourth Amended Preliminary Plan for said subdivision, and that the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

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

ORDINANCE NO. 2016- __

**AN ORDINANCE APPROVING THE REINSTATMENT AND REVISION OF
THE THIRD AMENDED PRELIMINARY PLAN FOR
INTERCHANGE CITY WEST SUBDIVISION AND APPROVING A FOURTH
AMENDED PRELIMINARY PLAN FOR SAID SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition to reinstate and revise a portion of the Interchange City West Subdivision Third Preliminary Plan, legally described in Exhibit(s) A, which is attached hereto and made part hereof by this reference; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and the ordinances of the City of Bloomington; and

WHEREAS, the Bloomington Planning Commission, after a public hearing on said petition, voted to recommend said petition be approved by the City Council; and

WHEREAS, the City Council of the City of Bloomington has the power to pass this Ordinance and reinstate the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision with revisions; and

WHEREAS, the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision should be reinstated and revised with conditions as recommended by the Planning Commission and set forth in Exhibits B, C, D, and E; and

WHEREAS, the Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision, described in Exhibit(s) B, C, D and E should be approved; and

WHEREAS, the property described in Exhibit(s) A, is subject to the restrictions described in Exhibits C, D and E.

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

1. That the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision be and is hereby reinstated;
2. The revisions to the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision are hereby approved;
3. The Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision as set forth in Exhibit B attached to said petition, is hereby approved, subject to the conditions, restrictions and limitations set forth in Exhibits C, D and E;

4. The property, described in Exhibit(s) A, is subject to the conditions, restrictions and limitations set forth in Exhibits B, C, D and E.
5. This Ordinance shall be in full force and effective upon passage and approval.

PASSED this 9TH day of May, 2016.

APPROVED this _____ day of _____, 20____.

CITY OF BLOOMINGTON:

ATTEST:

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM:

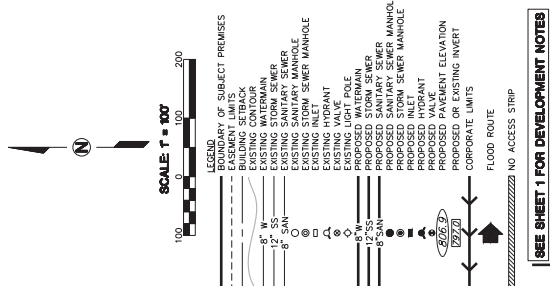
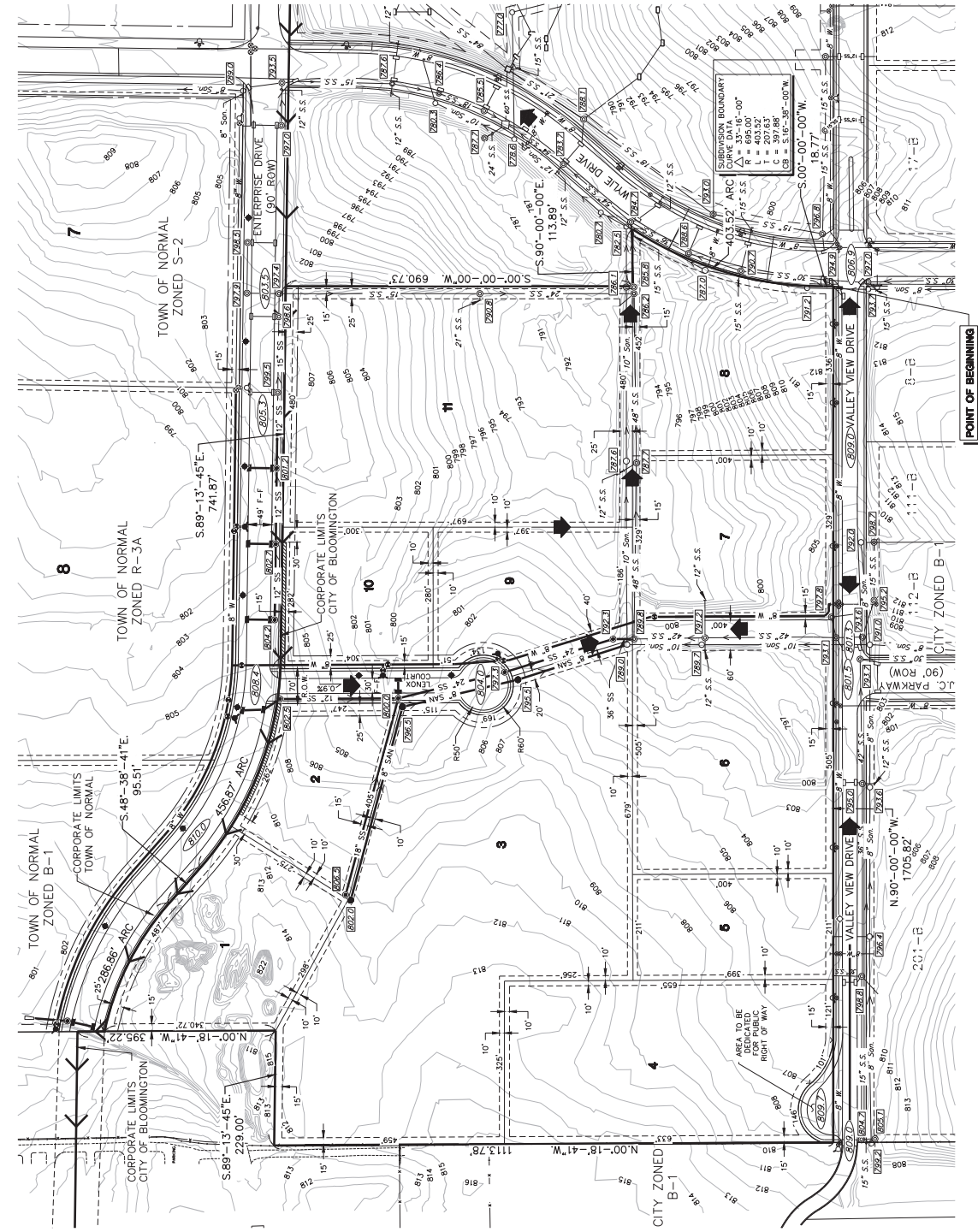
Jeff Jurgens, Corporation Counsel

EXHIBIT "A"

[See Attached]

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 1705.82 feet on the north right of way line of Valley View Drive to the east line of Lot 1 in Interstate Center Subdivision, according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; thence N.00°-18'-41"W. 1113.78 feet on the east line of said Lot 1; thence S.89°-13'-45"E. 229.00 feet on the line of said Lot 1; thence N.00°-18'-41"W. 340.72 feet on the east line of said Lot 1; thence southeasterly 286.86 feet on a non-tangential curve concave to the southwest having a radius of 555.00 feet, central angle of 29°-36'-49" and a chord of 283.67 feet bearing S.63°-27'-05"E. from the last described course; thence S.48°-38'-41"E. 95.51 feet; thence southeasterly 456.87 feet on a tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 40°-35'-04" and a chord of 447.38 feet bearing S.68°-56'-13"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 46.03 acres, more or less, with assumed bearings given for description purposes only.

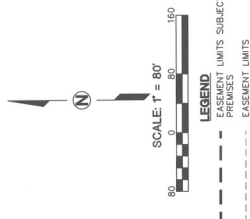


SEE SHEET 1 FOR DEVELOPMENT NOTES

Lewis, Yockey & Brown, Inc.
 Consulting Engineers & Land Surveyors
 505 North Main Street
 Bloomington, Illinois 61701
 Phone: (309) 825-2552 Fax: (309) 825-8151

DATE: 11/11/21
 SHEET: 2
 PROJECT: FOURTH AMENDED PRELIMINARY PLAN FOR A PORTION OF INTERCHANGE CITY WEST SUBDIVISION

A PART OF THE SW¹/₄ SECTION 31, T.24N., R.2E., 3 P.M.,
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS



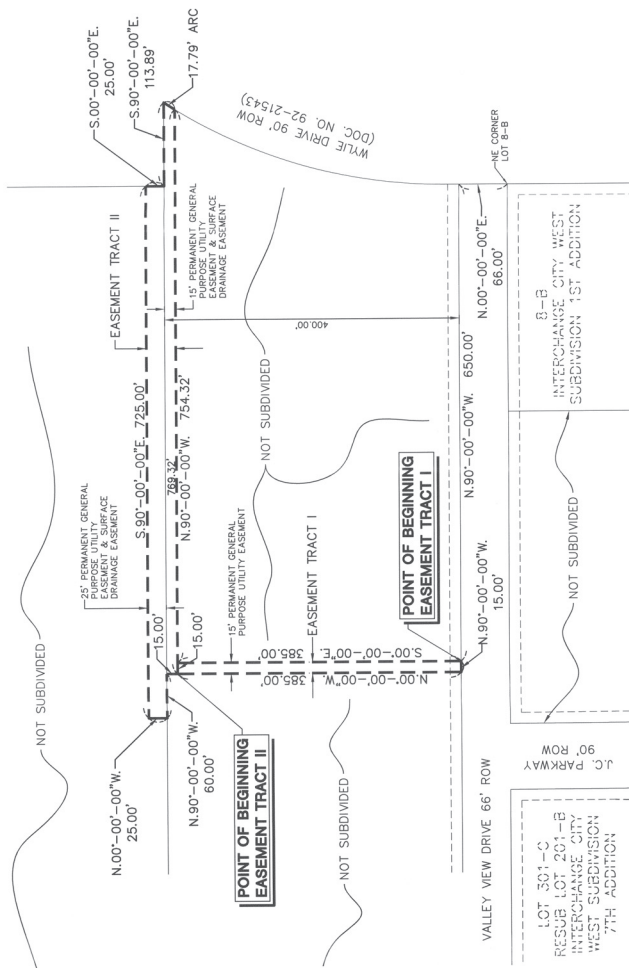
EASEMENT CURVE DATA
Δ 01°-28'-00"
R 695.00'
L 17.79'
T 8.90'
C 17.79'
CB S. 32°-32'-00"W.

Public Utility Easement Legal Description

Easement Tract I

[illegible]

Easement Tract II

[illegible]

Survivor's Certificate

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 a public utility easement to be dedicated to the City of Bloomington, McLean County, Illinois, ~~prepared~~ under my direction.

5/4/2016
Date

David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expiration 11/30/2016



Lewis, Yockey & Brown, Inc.

Consulting Engineers & Land Surveyors

Professional Design Firm Registration #184,000806

05 North Main Street 222 East Center Street 155 South Elm Street
Bloomington, Illinois O LeRoy, Illinois O El Paso, Illinois
Ph. (309) 829-2552 Ph. (309) 962-8151 Ph. (309) 527-2552

INTERCHANGE CITY WEST, LLC
PERMANENT UTILITY EASEMENT
CITY OF BLOOMINGTON
MCLEAN COUNTY, ILLINOIS

Exhibit D.

Prepared by:

Elizabeth B. Megli
Livingston, Barger, Brandt & Schroeder, LLP
115 W. Jefferson Street, Suite 400
Bloomington, IL 61701

Return to:

City of Bloomington
Office of Corporation Counsel
109 E. Olive St.
P.O. Box 3157
Phone: (309) 434-2213

This area to be used for recording information only.

UTILITY EASEMENT

IN CONSIDERATION of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the GRANTOR, INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company, (hereinafter "Grantor" or "Owner") does hereby grant and convey to the GRANTEE, the CITY OF BLOOMINGTON, an Illinois Municipal Corporation, its successors, assigns and/or designees, (hereinafter "Grantee" or "City") a non-exclusive permanent easement for the purposes of surveying, construction, operation, maintenance, testing, inspecting, repairing, removing, replacing, using and controlling an underground storm sewer and sanitary sewer, together with all appurtenant and related fixtures, systems and other equipment (collectively the "Utility") in, upon, under, across, through, over and along the real estate described on Exhibit A, attached hereto, and incorporated herein by this reference (the "Easement Area"), together with a perpetual right of access and all reasonable rights of ingress and egress across adjoining lands of the Owner necessary for the exercise of the rights granted herein.

The grants of the easements herein contained are made solely upon the conditions and limitations herein contained, and the City, by its acceptance of such grant, accepts such conditions and limitations and agrees to the full, strict and prompt observance and performance thereof.

1. **Reserved Rights.** The Owner hereby reserves the right to use the Easement Area in any manner that will not prevent or interfere with the exercise of the rights granted herein; provided, however, that the Owner shall not obstruct, permit to be obstructed, or create any hazardous condition on the Easement Area. In addition, Grantor covenants and agrees that no trees, building or structures shall be erected or constructed on the Easement Area without the Grantee's written consent.

2. Restoration. In the event that the Easement Area, or any improvement or appurtenance permitted to be placed thereon under this instrument by the Owner, any subsequent owner, or any tenant then in possession, is disturbed or damaged by the City or any of its contractors, agents or employees in connection with the rights granted to the City under this instrument, the City shall promptly restore the any part of the property damaged thereby to approximately the same condition that existed prior to the damage caused by Grantee. Grantee shall perform all work in a good and workmanlike manner and as expeditiously as possible so as to minimize interference with the use of Grantor's property, including, where applicable, the planting, harvesting and growing of agricultural crops and the flow of pedestrian and vehicular traffic.

3. Special Covenants. The Owner covenants to and with the City that, subject to existing non-exclusive easements, if any, covering the Easement Area, the Owner has good and lawful right and power, alone and without necessity of consent from any other party, to grant and convey such rights to the City under this instrument, and the Owner will forever warrant and defend title to the rights herein granted to the City and the quiet enjoyment thereof against the claims and demands of all others.

4. Access Rights. Grantor provides to Grantee the permission and authority to enter upon such portions of the Easement Area as may be reasonably necessary for the purposes of constructing, maintaining, repairing, replacing and operating the underground storm sewer and a sanitary sewer, and exercising the rights of Grantee as set forth in this easement.

5. Compliance with Laws. All construction, maintenance, alteration, replacement, operation and repair of the Easement Area by Grantee shall comply with all applicable laws, statutes, building codes and regulations of general application (collectively "Laws"). This easement does abrogate or supersede any applicable Laws requiring the parties to obtain permits, licenses, inspections or approvals in order to construct, maintain, alter, replace, operate or repair the underground water main within the Easement Area as contemplated herein.

6. No Warranties; Integration. Grantee acknowledges that Grantor has not been induced in the making, execution, and delivery of this easement by any representations, statements, warranties or agreements of Grantor. This easement embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof.

7. Hold Harmless. Except as otherwise provided herein, Grantee agrees to indemnify and hold Grantor harmless from any and all liability, damage, expense, cause of action, suits or claims of judgment arising from injury to persons and/or property on the Easement Area, which arise out of the act, or failure to act, willful and wanton misconduct, or negligence of Grantee or any of its contractors, agents or employees.

8. Binding Effect. All rights, title and privileges herein granted shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

9. Severability. The invalidity of any provision of this easement shall not impair the validity of any other provision. If any provision of the easement is determined by a court of competent jurisdiction to be unenforceable, that provision will be deemed severable and this easement may be enforced with any such provision severed or as modified by the court.

10. Limitation. This instrument is executed and accepted with the express understanding that the Grantee is not bound to do or perform any act, or provide consideration except as herein expressly provided.

11. Altering Easement Area. Upon the demand of Owner for realignment of the Easement Area, the Easement Area shall be relocated to a location mutually agreeable to Owner and City, and resolution of a mutually agreeable location shall not be unreasonably withheld or conditioned by City; provided, City shall not be responsible for any of the costs of relocation.

IN WITNESS WHEREOF, the undersigned Owner binds his/her heirs, executors, administrators and assigns to the grant of this Permanent Access Easement and all other terms and conditions contained herein.

DATED this _____ day of _____, 2016.

OWNER

INTERCHANGE CITY WEST, L.L.C., an Illinois
Limited Liability Company

By: _____
David K. Stark, Its Manager

ACCEPTED AND AGREED TO:

CITY OF BLOOMINGTON

By: _____
Its City Mayor

ATTEST

By: _____
Its Clerk

EXHIBIT A

A part of the SW¼ of Section 31, Township 24 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 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 650.00 feet on the north right of way line of said Valley View Drive to the Point of Beginning; thence continuing N.90°-00'-00"W. 15.00 feet on the north right of way line of said Valley View Drive; thence N.00°-00'-00"W. 385.00 feet; thence N.90°-00'-00"W. 15.00 feet; thence S.00°-00'-00"E. 385.00 feet to the Point of Beginning, containing 0.13 acres, more or less, with assumed bearings given for description purposes only.

Prepared by:

Elizabeth B. Megli
Livingston, Barger, Brandt & Schroeder, LLP
115 W. Jefferson Street, Suite 400
Bloomington, IL 61701

Return to:

City of Bloomington
Office of Corporation Counsel
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The grants of the easements herein contained are made solely upon the conditions and limitations herein contained, and the City, by its acceptance of such grant, accepts such conditions and limitations and agrees to the full, strict and prompt observance and performance thereof.

1. Reserved Rights. The Owner hereby reserves the right to use the Easement Area in any manner that will not prevent or interfere with the exercise of the rights granted herein; provided, however, that the Owner shall not obstruct, permit to be obstructed, or create any hazardous condition on the Easement Area. In addition, Grantor covenants and agrees that no trees, building or structures shall be erected or constructed on the Easement Area without the Grantee's written consent.

2. Restoration. In the event that the Easement Area, or any improvement or appurtenance permitted to be placed thereon under this instrument by the Owner, any

subsequent owner, or any tenant then in possession, is disturbed or damaged by the City or any of its contractors, agents or employees in connection with the rights granted to the City under this instrument, the City shall promptly restore the any part of the property damaged thereby to approximately the same condition that existed prior to the damage caused by Grantee. Grantee shall perform all work in a good and workmanlike manner and as expeditiously as possible so as to minimize interference with the use of Grantor's property, including, where applicable, the planting, harvesting and growing of agricultural crops and the flow of pedestrian and vehicular traffic.

3. Special Covenants. The Owner covenants to and with the City that, subject to existing non-exclusive easements, if any, covering the Easement Area, the Owner has good and lawful right and power, alone and without necessity of consent from any other party, to grant and convey such rights to the City under this instrument, and the Owner will forever warrant and defend title to the rights herein granted to the City and the quiet enjoyment thereof against the claims and demands of all others.

4. Access Rights. Grantor provides to Grantee the permission and authority to enter upon such portions of the Easement Area as may be reasonably necessary for the purposes of constructing, maintaining, repairing, replacing and operating the underground storm sewer and a sanitary sewer, for surface water drainage, and exercising the rights of Grantee as set forth in this easement.

5. Compliance with Laws. All construction, maintenance, alteration, replacement, operation and repair of the Easement Area by Grantee shall comply with all applicable laws, statutes, building codes and regulations of general application (collectively "Laws"). This easement does abrogate or supersede any applicable Laws requiring the parties to obtain permits, licenses, inspections or approvals in order to construct, maintain, alter, replace, operate or repair the underground water main within the Easement Area as contemplated herein.

6. No Warranties; Integration. Grantee acknowledges that Grantor has not been induced in the making, execution, and delivery of this easement by any representations, statements, warranties or agreements of Grantor. This easement embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof.

7. Hold Harmless. Except as otherwise provided herein, Grantee agrees to indemnify and hold Grantor harmless from any and all liability, damage, expense, cause of action, suits or claims of judgment arising from injury to persons and/or property on the Easement Area, which arise out of the act, or failure to act, willful and wanton misconduct, or negligence of Grantee or any of its contractors, agents or employees.

8. Binding Effect. All rights, title and privileges herein granted shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

9. Severability. The invalidity of any provision of this easement shall not impair the validity of any other provision. If any provision of the easement is determined by a court of competent jurisdiction to be unenforceable, that provision will be deemed severable and this easement may be enforced with any such provision severed or as modified by the court.

10. Limitation. This instrument is executed and accepted with the express understanding that the Grantee is not bound to do or perform any act, or provide consideration except as herein expressly provided.

IN WITNESS WHEREOF, the undersigned Owner binds his/her heirs, executors, administrators and assigns to the grant of this Permanent Access Easement and all other terms and conditions contained herein.

DATED this _____ day of _____, 2016.

OWNER

INTERCHANGE CITY WEST, L.L.C., an Illinois
Limited Liability Company

By: _____
David K. Stark, Its Manager

ACCEPTED AND AGREED TO:

CITY OF BLOOMINGTON

By: _____
Its City Mayor

ATTEST

By: _____
Its Clerk

EXHIBIT A

A part of the SW¼ of Section 31, Township 24 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 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 665.00 feet on the north right of way line of said Valley View Drive; thence N.00°-00'-00"W. 385.00 feet to the Point of Beginning; thence continuing N.00°-00'-00"W. 15.00 feet; thence N.90°-00'-00"W. 60.00 feet; thence N.00°-00'-00"W. 25.00 feet; thence S.90°-00'-00"E. 725.00 feet; thence S.00°-00'-00"E. 25.00 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of said Wylie Drive; thence southwesterly 17.79 feet on said west Wylie Drive right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 01°-28'-00" and a chord of 17.79 feet bearing S.32°-32'-00"W. from the last described course; thence N.90°-00'-00"W. 769.32 feet to the Point of Beginning, containing 0.69 acres, more or less, with assumed bearings given for description purposes only.

Exhibit E
DEED RESTRICTION LANGUAGE

The Grantee, in consideration of the execution and delivery of this Deed, covenants and agrees with and for the benefit of the Grantor, to hold the real estate described above subject to the following restrictions, rights, reservations, limitations, agreements, covenants and conditions:

- 1.) Grantee shall be responsible for satisfying all conditions, and meeting all requirements, for establishing and maintaining a dedicated hard-surface easement for ingress and egress, solely for the purpose of allowing the City of Bloomington, its employees, agents, successors and assigns, sufficient access to maintain, repair and replace its sewer, storm sewer manholes and water main appurtenances.

This language would be proposed for Lots 1, 6, 7, 8, 9 and 11.

- 2.) Grantee shall be responsible for satisfying all conditions, and meeting all requirements of the City of Bloomington, for establishing a hard surface dedicated pedestrian access across, through and along the west boundary line of the premises, which dedicated pedestrian access shall be dedicated to the City.

This language would be proposed for Lots 7 and 9.

These conditions shall be conditions precedent to approval of any site plan, shall condition and restrict ongoing use of the property, and shall run with the land.

APPROVAL OF PRELIMINARY PLAN

Date Rec'd: 3/22/16
Council Date: _____

PETITION FOR TO REINSTATE AND REVISE A PORTION OF THE THIRD
PRELIMINARY PLAN FOR SUBDIVISION KNOWN AS:

Interchange City West Subdivision

LOCATION: See Exhibit A

PETITIONER: Interchange City West, L.L.C.
ADDRESS 115 W. Jefferson St., Ste. 400
Bloomington, IL 61701

ATTORNEY: Elizabeth B. Megli
PHONE NUMBER: (309) 828-5281

DOCUMENTS SUBMITTED: Check if Yes

Petition x fy

Ordinance x fy

Legal Description x fy

2 Mylars & 28 Prints x fy

Filing Fee Paid x (\$100.00 plus \$5.00 per lot) # of lots 11

Documents on Disk _____

Development/Staff Mtg _____ Planning Commission 4/21/16

Date Notice sent to Pantagraph _____ (15 day notice)

Publication (date) _____ Publication Fee of \$ _____ Billed _____ Paid _____

City Council Mtg (date) _____ Picked up by Petitioner for Recording _____

NOTES: _____

PETITION TO REINSTATE AND REVISE A PORTION OF THE
INTERCHANGE CITY WEST SUBDIVISION THIRD PRELIMINARY PLAN

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

NOW COMES INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company., hereinafter referred to as Petitioner, respectfully representing and requesting as follows:

1. Petitioner is interested in the premises described on the attached Exhibit "A" attached hereto and made a part hereof by this reference;

2. Petitioner seeks to reinstate the "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision," heretofore approved by the City Council on May 27, 2008, as Ordinance No. 2008-37.

3. Petitioner also seeks approval of a revision of a portion of the previously approved "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision," and attaches hereto as Exhibit "B" a copy of the proposed revision.

3. Petitioners seek the following modifications of the "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision":

- (a) Modification of the existing lot configuration to meet the needs of the market place; and
- (b) Eliminating a portion of the extension of JC Parkway from Valley View Drive to a newly established cul-de-sac; and
- (c) Establishing a cul-de-sac at the southern end of the extended JC Parkway from Enterprise Drive.

WHEREFORE, Petitioner prays that the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision, heretofore approved by the City Council by Ordinance No. 2008-37, be reinstated, and that a Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision be approved as requested herein.

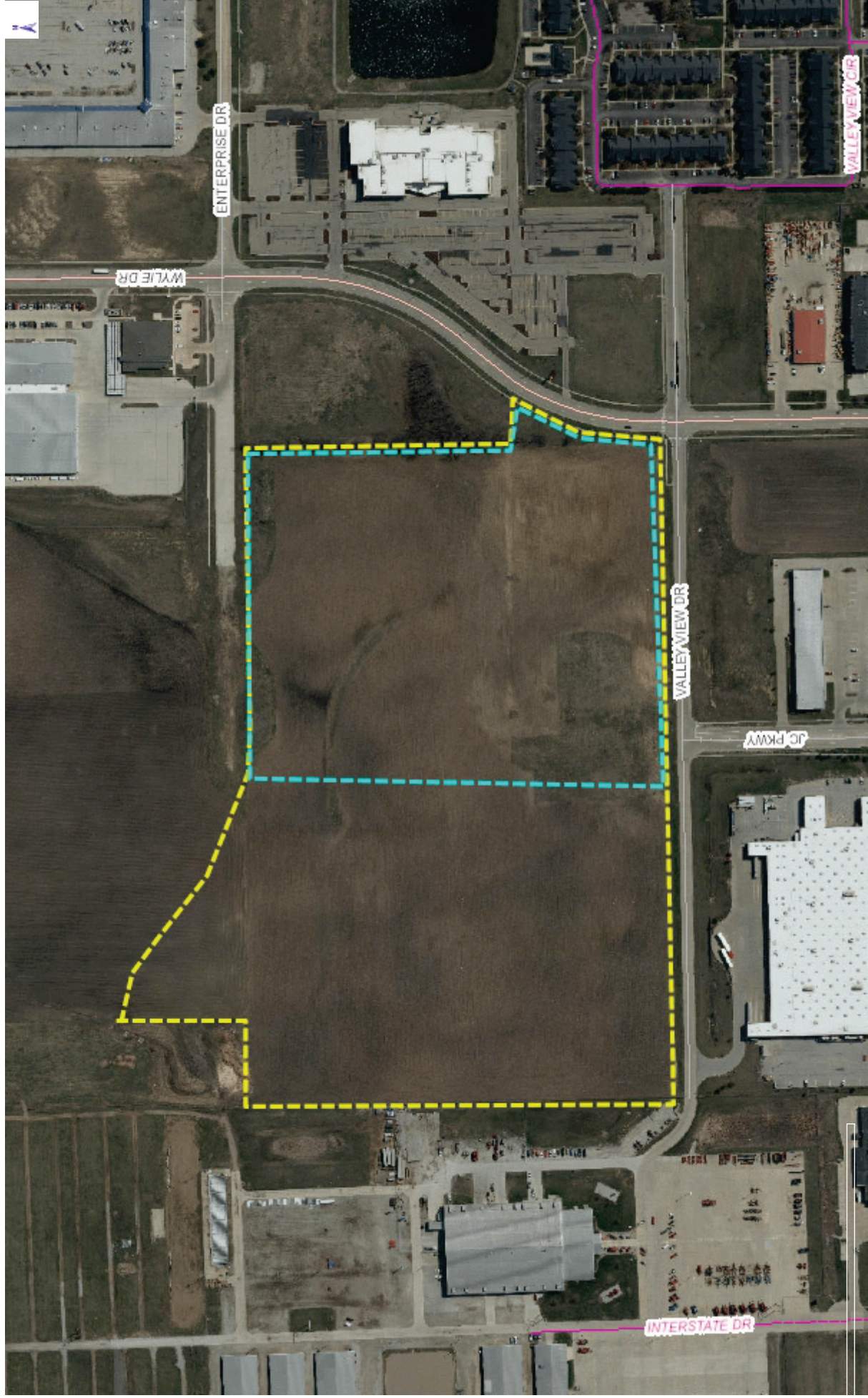
Respectfully submitted,

INTERCHANGE CITY WEST, L.L.C., an
Illinois Limited Liability Company, Petitioner

By: Elizabeth B. Megli
Elizabeth B. Megli
Its Attorney



Aerial View-Interchange City West Subdivision



0 0.09 0.2 Miles By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement: <http://www.McGIS.org/License>

1: 5,616

Notes

Property corresponding to amended preliminary plan outlined in yellow. Property to be rezoned outlined in blue

Printed: 3/23/2016 4:25:05 PM



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

March 23, 2016

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on **Wednesday, April 13, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois** for a petition submitted by **Interstate City West, LLC** requesting the 1) rezoning from B-1, Highway Business District to M-1, Restricted Manufacturing District; and 2) reinstatement and revision to a portion of the Third Preliminary Plan for Interchange City West Subdivision, located at the southeast corner of Wylie and Valley View Drive. Attached are copies of legal descriptions for the subject properties.

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested rezoning during the public hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

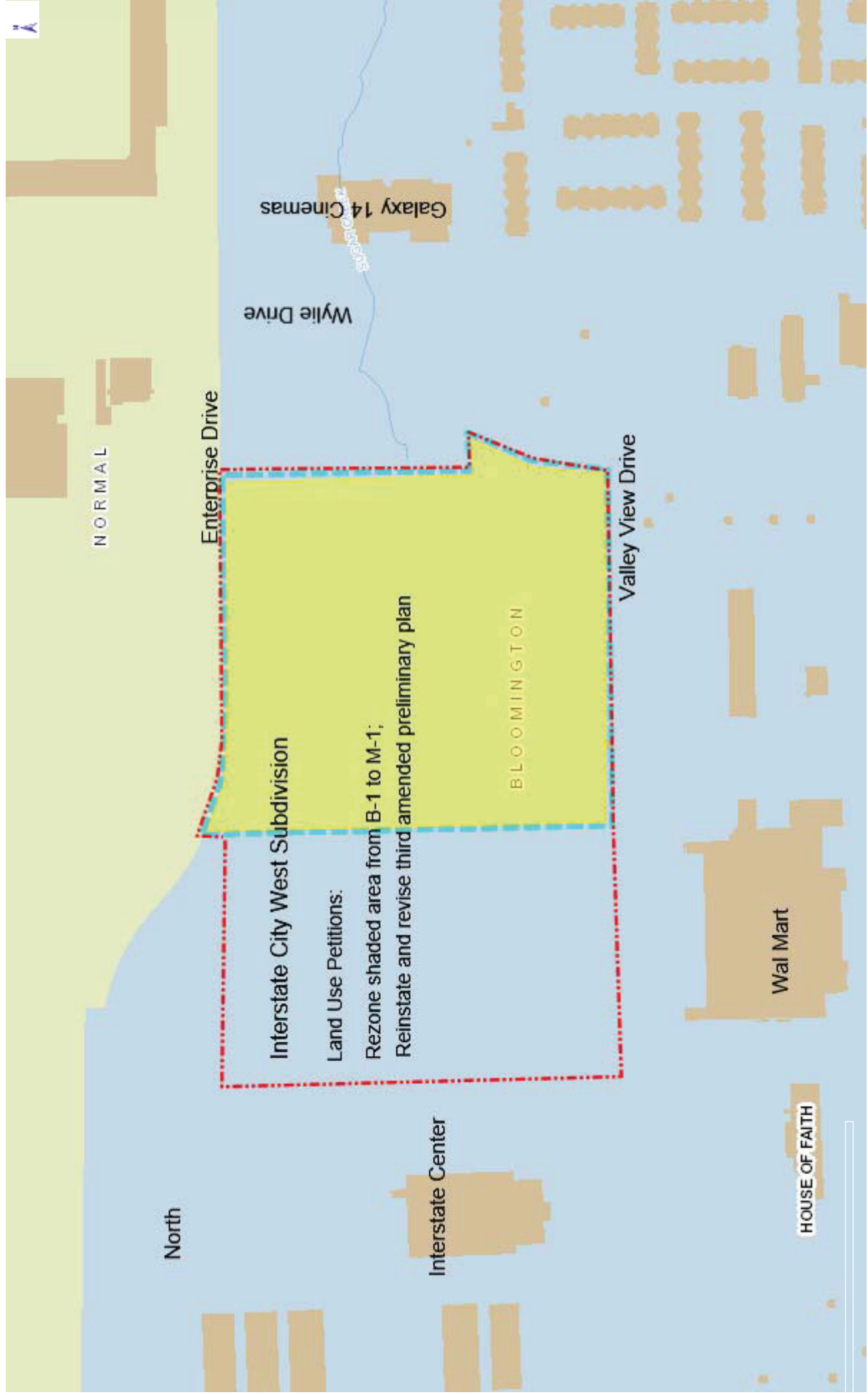
A handwritten signature in black ink, appearing to read "Katie Simpson", with a long horizontal flourish extending to the right.

Katie Simpson
City Planner

Attachments:
Location Map
Legal Description for Rezoning
Legal Description for Preliminary Plan



Interchange City West Subdivision-Petitions to Reinstate and Revise Preliminary Plan and Rezone



4561.1121
03/11/16
Rezoning
DPB

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 1705.82 feet on the north right of way line of Valley View Drive to the east line of Lot 1 in Interstate Center Subdivision, according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; thence N.00°-18'-41"W. 1113.78 feet on the east line of said Lot 1; thence S.89°-13'-45"E. 229.00 feet on the line of said Lot 1; thence N.00°-18'-41"W. 340.72 feet on the east line of said Lot 1; thence southeasterly 286.86 feet on a non-tangential curve concave to the southwest having a radius of 555.00 feet, central angle of 29°-36'-49" and a chord of 283.67 feet bearing S.63°-27'-05"E. from the last described course; thence S.48°-38'-41"E. 95.51 feet; thence southeasterly 456.87 feet on a tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 40°-35'-04" and a chord of 447.38 feet bearing S.68°-56'-13"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 46.03 acres, more or less, with assumed bearings given for description purposes only.

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
APRIL 13, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
PS-02-16 Southeast Corner of Wylie Drive and Valley View Drive;	Reinstate and Revise a portion of 3 rd Amended Preliminary Plan	Katie Simpson City Planner

REQUEST

The petitioner is seeking to reinstate and revise a portion of the third preliminary plan for the Interchange City West Subdivision.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Interchange City West, LLC

PROPERTY INFORMATION

Existing Zoning: M-1, Restricted Manufacturing and B-1, Highway Business District
Existing Land Use: The proposed changes involve modifying the existing lot configuration, eliminating a portion of the extension of JC Parkway from Valley View Drive to a newly established cul-de-sac, and establishing a cul-de-sac at the southern end of the extended JC Parkway from Enterprise Drive. The land is currently vacant and used for agriculture. The petitioner proposes to develop lots 4 and 6 with a recreational facility and wholesale distribution, respectively.

Surrounding Zoning and Land Uses

Zoning

North: S-2, Public Land and Institutions (NORMAL)
North: B-1, Business District (NORMAL)
South: B-1, Highway Business District
East: B-1, Highway Business District
West: B-1, Highway Business District

Land Uses

North: Connect Transit
North: Vacant land
South: Walmart, Church, & Vacant land
East: Movie Theatre, Apartments
West: Birkey's Implements, Fair Grounds & Interstate Center

PROJECT DESCRIPTION

The subject property is approximately 46.03 acres, located northeast of the intersection of Valley View Drive and Wylie Drive. The property is bordered by Enterprise Drive to the north. The proposed preliminary plan shows Enterprise Drive will be extended west and the addition of a cul-de-sac, JC Parkway, extending south toward the center of the property. The western portion

of the property (24.85) is currently zoned M-1 Restricted Manufacturing. The petitioner is also seeking to rezone the remaining 21.15 acres from B-1, Highway Business district to M-1. The preliminary plan proposes eleven (11) lots. The petitioner plans to develop lots 4 and 6 for a recreational facility and wholesale distribution center, respectively. Both are permitted uses in the M-1 and B-1 districts. City Staff is currently unaware of the intended uses for the remaining nine (9) lots. Much of the development will remain the same as previously approved in 2008, with the exception of one less lot and the elimination of JC Parkway as a connecting street between Valley View Drive and Enterprise Drive. City Staff and the Town of Normal are also unaware of any potential or proposed changes to other portions of the Interchange City West Subdivisions, specifically the adjacent land directly North of the subject property.

ANALYSIS

Submittals

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

1. Petition to Reinstate and Revise a portion of the Third Amended Preliminary Plan for Interchange City West Subdivision
2. Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision
3. Aerial photographs
4. Photographs of internal and adjacent sites

Compliance with the Comprehensive Plan

The 2035 Bloomington Comprehensive Plan identifies the property as a Tier-1, Infill Development Priority, and contemplates future land use for this site will be Employment Centers. Employment Centers are concentrated areas of office, commercial or light industrial uses which serve as a destination for residents and employees from the community and the neighboring areas. The Plan states efforts should be made to accommodate pedestrian and transit connections, including bike and pedestrian paths between parking lots and buildings, as well as landscaped islands to divide large parking lots into smaller surfaces.

Findings of Fact:

Section 24.2.3 of the City's Code outlines the following guidelines to be used to evaluate a proposed subdivision within the jurisdiction:

1. *To protect, provide and promote the public health, safety and general welfare of the City;* the proposed preliminary plan does not conflict with this guideline. The standard is met.
2. *To guide the future growth and development of the City, in accordance with the Comprehensive Plan;* Each site development for the subdivision should include pedestrian and bike paths, in accordance with the Comprehensive Plan's vision of an Employment Center. Additionally pedestrian and bike access should be extended across the property to allow for 1) access to the proposed recreational facility in lot 4; and 2) access from future residential in Normal to neighboring commercial properties including but not limited to Walmart. The standard is met.

3. *To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population;* the proposed preliminary plan shows adequate locations and quantities of fire hydrants. Access for larger lots, particularly lot 3, should be addressed at the time the site is developed. The standard is met.
4. *To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the community;* the two proposed uses, recreational facility and wholesale distribution, are compatible with the site's current zoning designation and neighboring uses. The standard is met.
5. *To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings;* the preliminary plan does not conflict with this guideline. The standard is met.
6. *To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities;* The City's Engineering and Water Departments reviewed the plan and their comments are attached to this report. Please address these comments before Council votes on the plan. The standard is met.
7. *To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the property location and width of streets and buildings setback lines;* The City and the Town of Normal envision Enterprise Drive and Wylie Drive as future arterial roads. The town of Normal has jurisdiction over Enterprise Drive and asks that no access on Enterprise Drive be allowed 30' east of west line of lot 2 and 30' west of east line of 10. A cul-de-sac on the end of Valley View Drive should also be added to ensure adequate turning radius and access for larger trucks typically found in the M-1 district and emergency access vehicles. The standard is met.
8. *To establish reasonable standards of design and procedures for subdivision codes and re-subdivisions, in order to further the orderly layout and use of land, and to insure property legal descriptions and monumenting of subdivided land;* the preliminary plan is in agreement with the Manual of Practice and Design. The standard is met.
9. *To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision code and area reasonably anticipated to be served by such facilities;* the capacity of public facilities is adequate. The standard is met.
10. *To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability and*

beauty of the community and the value of the land; the impacts of individual developments shall be determined at the time each lot is developed. The standard is met.

11. *To preserve the natural beauty and topography of the City and to insure appropriate development with regard to these natural features;* appropriate development with regard to natural features shall be determined at the time each lot is developed. The standard is met.

12. *To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the City's zoning ordinance (Ordinance No. 1998-42).* The density and intensity of each site shall be assessed at the time the lots are developed, the standard is met.

The provided comments from Engineering, Fire and the Town of Normal need to be addressed before the preliminary plan is considered before council.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass a motion recommending that the City Council **approve** the petition to Reinstate and Revise a portion of the Third Amended Preliminary Plan for Interchange City West Subdivision, for the property located at the southeast corner of Valley View Drive and Wylie Drive, in Case PS-02-16, condition upon the addition of a cul-de-sac built and shifted to the north side of Valley View Drive.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

1. Staff and Town of Normal Comments
2. Petition to Reinstate and Revise Preliminary Plan
3. Exhibit A-“Legal Description”
4. Exhibit B-4th Amended Preliminary Plan
5. Ordinance
6. Zoning Map
7. Aerial Map

Engineering Comments:

1. Please add a cul-de-sac at the far west dead end of Valley View Drive near Birkey's Farm Store and shifted to the north side of Valley View Drive.
2. Pedestrian access and circulation may be hindered by the cul-de-sac on Lenox. Please provide pedestrian access through the development area to allow access to JC Parkway/ Walmart area from the residential area in Normal to the north. Road connectivity is preferred.
3. Please provide paved access driveways (10' wide, 6" thick minimum) from Lenox Ct. to the sewer and storm sewer manholes and water main appertenances in the SW corner of Lot 9, SE corner of Lot 1, the mid-lot manholes on the east side of Lot 6, and the manholes located on the north side of Lots 7 and 8.
4. An access guarantee and a hold harmless agreement will also need to be provided for access to rear and side yard utility maintenance.
5. Please provide additional easement width per the Manual of Practice for the 48" storm sewer and drainage easement on the north side of Lots 7 and 8.
6. The Town of Normal shall have jurisdiction over Enterprise Dr. and shall approve road and driveway access points. Please show any ingress/easements and no access strips per Town of Normal comments.
7. The typical street section for Lenox Ct. shall be indicated as a minimum installation. A full pavement design will be required prior to completing the construction plans.
8. The water main sizing shall be verified with engineering calculations prior to completing construction plans.
9. Water main shall be a minimum of 7.5' from the edge of utility easements.
10. Any water main extension north of Valley View or south of Enterprise drive shall be connected in its entirety between the two roads. No dead end water mains will be allowed.

Fire Department Comments:

1. Lot 3 has limited accessibility for emergency vehicles. Please address emergency vehicle accessibility, some options might include: extending JC Parkway to meet Valley View Road; adding hard service accessibilities along easements, or adding a note that the access and necessary improvements will be made at the time each site is developed.

Town of Normal Comments:

1. Please include no access strips for 2 and 10 lots for frontage along Enterprise Drive. No access strips may end 30' east of the west line of lot 2 and 30' west of the east line of lot 10.

MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 13, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Pearson, Mr. Protzman, Mr. Scritchlow, Mr. Suess, Chairman Stanczak

MEMBERS ABSENT: Mr. Cornell, Ms. Schubert

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Austin Grammer, Economic Development Coordinator

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Dabareiner called the roll. A quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the February 24, 2016 minutes. Mr. Suess asked for his name to be spelled correctly. There being no further changes, Mr. Pearson moved to approve the February 24, 2016 minutes; Mr. Scritchlow seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

PS-02-16 Public hearing, review and action on the petition submitted by Interchange City West LLC, requesting approval to reinstate and revise a portion of the Third Preliminary Plan for the Interchange City West Subdivision located north of Valley View Drive, west of Wylie Drive and south of Enterprise Drive, approximately 46.03 acres in size.

Chairman Stanzyk introduced the case. Ms. Simpson indicated that staff supports this petition with several conditions, including that the plan incorporate comments from the City's engineers and the Town of Normal, along with addition of a cul-de-sac at the Subdivision's westernmost end of Valley View Drive. She provided an overview of the proposed changes to the plan, including some lot reconfigurations and eliminating the through-status of JC Parkway in lieu of creating a cul-de-sac from Enterprise Drive. She stated the Town has requested limited access to and from properties along Enterprise Drive. Ms. Simpson indicated that the petitioner is aware that staff's comments should be addressed prior to submittal of this to the City Council, but should be included as a condition today.

Mr. Scritchlow asked if the access at the western end of Valley View Drive would be retained; Ms. Simpson replied in the affirmative. Mr. Pearson clarified that the first case was a portion of this area; Chairman Stanzyk confirmed that this case is independent of any action taken in the first case.

Ms. Megli, attorney for the petitioner, reiterated her client's desire to reinstate and amend the previously approved preliminary plan, which takes into consideration a more reasonable configuration of the lots and the elimination of the fully extended JC Parkway. She indicated that many of the staff's requested changes have already been addressed in a revised set of plans, including the new Valley View Drive cul-de-sac.

Mike Swartz, manager for the McLean County Fair, was sworn in. Mr. Swartz asked that the Valley View Drive cul-de-sac design maintain an easement for access to their properties to the west. Mr. Scritchlow asked if an easement existed today; Mr. Swartz responded there is not. Mr. Scritchlow, asked since private access is allowed to the west, whether a cul-de-sac still needed; Mr. Dabareiner indicated that the easement or access to the west provides access from a public street, which ends at the property line, to private property and that the Valley View Drive cul-de-sac is needed for turning around large vehicles on the public street.

There was some additional discussion to clarify which cul-de-sacs are serving which streets. Ms. Simpson clarified the Enterprise Drive access limitations required by the Town of Normal. Mr. Barnett endorsed the concept of maintaining access to the west of the proposed Valley View Drive cul-de-sac; Mr. Dabareiner stated he would pass that along to the City's engineers.

Chairman Stanzyk closed the public hearing. Mr. Balmer motioned to approve the reinstatement and amendment of the Third Preliminary Plan with the inclusion of the conditions noted by staff, and including that the Valley View cul-de-sac design not interfere with access to properties to the west; seconded by Mr. Scritchlow. The motion to recommend passed by a vote of 7-0 with the following votes being cast on roll call: Mr. Balmer-yes; Mr. Scritchlow-yes; Mr. Pearson-yes; Mr. Barnett -yes; Mr. Protzman-yes; Mr. Suess-yes; Chairman Stanczak-yes.

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA IEM NO. 7H

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving an Ordinance approving a Petition from Interchange City West, L.L.C., for a Final Plat for Interchange City West Subdivision 15th Addition located North of Valley View Drive and west of Wylie Drive.

RECOMMENDATION/MOTION: That the Ordinance be approved for the Final Plat, contingent upon the Petitioner posting the required bond, paying the required tap on fees and approval of construction plans by the City Engineer for public improvements as required by Chapter 24 of Bloomington City Code, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 3 Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE: Objective 3.a Retention and growth of current local businesses

BACKGROUND:

This final plat consists of three lots (11.66 acres) located north of Valley View Drive and west of Wylie Drive.

The western portion of the subject plat was subject to an annexation agreement that was approved by council on October 9, 1995 and expired on October 9, 2015. The eastern portion of the subject plat was subject to an annexation agreement that was approved by council on June 10, 1991 and expired June 10, 2011.

The subject final plat is in conformance with the Fourth amended preliminary plan for Interchange City West Subdivision, also appearing on the agenda.

The subject final plat dedicates right of way for a cul-de-sac at the west end of valley view drive. This cul-de-sac is required because Valley View Drive does not continue through to the west. The cul-de-sac will allow trucks to turn around at the end of Valley View Drive.

City Code Requires that construction plans be approved by the Public Works Department prior to the recording of the final plat. The Public Works Department has not received construction plans for review for the proposed cul-de-sac and gravel paths. The contingency that the construction plans be approved prior to releasing of the final plat for recording has been incorporated into the proposed ordinance. The required bonding in the tap-on memo has been calculated from a preliminary cost estimate dated 4/13/16 from Lewis, Yockey & Brown, Inc. and may need to be revised based on the required construction plans.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Interchange City West, LLC.

FINANCIAL IMPACT: None. All survey and plat costs were paid by Interchange City West LLC.

Respectfully submitted for Council consideration.

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

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

Reviewed by: Tom Dabareiner, AICP, Community Development Director

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

Legal review by: George Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Attachment 1 - Petition
- Attachment 2 - Ordinance
- Attachment 3 - Exhibit A: Legal Description
- Attachment 4 - School District Certificate
- Attachment 5 - County Clerk's Certificate
- Attachment 6 – Surveyor's Certificate
- Attachment 7 - Owner's Certificate
- Attachment 8 - Drainage Statement
- Attachment 9 - Final Plat Checklist
- Attachment 10 - Council Map and Final Plat
- Attachment 11 - Tap on memo

Motion: That the Ordinance be approved for the Final Plat, contingent upon the Petitioner posting the required bond, paying the required tap on fees and approval of construction plans by the City Engineer for public improvements as required by Chapter 24 of Bloomington City Code, and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: _____

Seconded by: _____

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

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois)
)ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE TOWN OF NORMAL,
McLEAN COUNTY, ILLINOIS

Now come(s) Interchange City West, L.L.C., an Illinois limited liability company,

hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate thereinof 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
Interchange City West Subdivision 15th Addition

WHEREFORE, your petitioner(s) respectfully pray(s) that said Final Plat for the Interchange City West Subdivision 15th Addition submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

Interchange City West, L.L.C., an Illinois
Limited Liability Company

By: Elizabeth B. Megli
Elizabeth B. Megli, Its Attorney

ORDINANCE NO. 2016 - _____

**AN ORDINANCE APPROVING THE FINAL PLAT OF INTERCHANGE CITY WEST,
15TH ADDITION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Interchange City West, 15th Addition, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: none; 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:

1. That the Final Plat of the Interchange City West, 15th Addition is hereby approved contingent upon posting the required bond, paying the required tap on fees and approval by the City Engineer of construction plans for public improvements as required by chapter 24 of Bloomington City Code.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 9th of May, 2016.

PASSED THIS 9th DAY OF MAY, 2016.
APPROVED THIS ___ DAY OF MAY 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporate Counsel

4561.119
04/19/16
DPB
Legal Description
Subdivision Perimeter

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office to the north line of Valley View Drive; thence N.90°-00'-00"W. 665.00 feet on the north right of way line of said Valley View Drive to the Point of Beginning; thence continuing N.90°-00'-00"W. 1040.82 feet on the north right of way line of said Valley View Drive to the east line of Lot 2 in Interstate Center Subdivision according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; thence N.00°-18'-41"W. 679.95 feet on the east line of said Lot 2; thence S.90°-00'-00"E. 325.00 feet parallel with the north right of way line of said Valley View Drive; thence S.00°-18'-41"E. 279.94 feet parallel with the east line of said Lot 2; thence S.90°-00'-00"E. 717.99 feet parallel with the north right of way line of said Valley View Drive; thence S.00°-00'-00"E. 400.00 feet to the Point of Beginning, containing 11.66 acres, more or less, with assumed bearings given for description purposes only.

SCHOOL DISTRICT CERTIFICATE

This is to certify that I David K. Stark, Manager of Interchange City West, L.L.C., an Illinois Limited Liability Company, as Owner/Developer of the property herein described in the Surveyor's Certificate, which will be known as Interchange City West Subdivision 15th Addition, to the best of my knowledge, is located within the boundaries of Community Unit School District #5, in McLean County, Illinois.

Dated this 19th day of April, 2016.

INTERCHANGE CITY WEST, LLC

BY: David K. Stark

Owner/Developer

State of Illinois)
)ss.

County of McLean)

I, Karlene Dryer a Notary Public in and for the county and State aforesaid, do hereby certify that David K. Stark, Manager of Interchange City West, L.L.C., an Illinois Limited Liability Company, 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 19th day of April, 2016.

Karlene Dryer
Notary Public

My commission expires 03/09/2016.



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, 2016, there were no delinquent general taxes unpaid, special assessments or delinquent special assessments against the tract of land shown on the plat of the Interchange City West Subdivision 15th Addition to the City of Bloomington attached to this certificate and described in the Certificate of the Surveyor attached hereto and to said plat.

Kathy Michael
County Clerk, McLean County, Illinois

(SEAL OF SAID COUNTY)

PIN # Part Parcel ID# 13-36-400-012

PIN # Part Parcel ID# 14-31-301-012

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 Interchange City West, LLC and represents the following described property to wit:

A part of the SW $\frac{1}{4}$ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE $\frac{1}{4}$ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office to the north line of Valley View Drive; thence N.90°-00'-00"W. 665.00 feet on the north right of way line of said Valley View Drive to the Point of Beginning; thence continuing N.90°-00'-00"W. 1040.82 feet on the north right of way line of said Valley View Drive to the east line of Lot 2 in Interstate Center Subdivision according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; thence N.00°-18'-41"W. 679.95 feet on the east line of said Lot 2; thence S.90°-00'-00"E. 325.00 feet parallel with the north right of way line of said Valley View Drive; thence S.00°-18'-41"E. 279.94 feet parallel with the east line of said Lot 2; thence S.90°-00'-00"E. 717.99 feet parallel with the north right of way line of said Valley View Drive; thence S.00°-00'-00"E. 400.00 feet to the Point of Beginning, containing 11.66 acres, more or less, with assumed bearings given for description purposes only.

I further certify that I have subdivided the same in to three (3) lots and the public street 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 the specified public utility use designated or general public utility use and for the use of community antenna television systems.

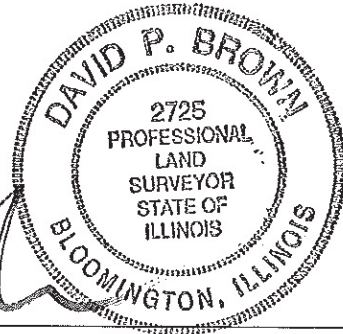
Said subdivision is to be known as, Interchange City West Subdivision 15th Addition, Bloomington, Illinois.

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

I further certify that no part of said herein described subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency as identified on FIRM Map Number 17113C0481E, Community Panel Number 170490 0481 E dated July 16, 2008.

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

4/20/16
Date



David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expires 11/30/2016

OWNER'S CERTIFICATE

State of Illinois)
)ss.
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, hereby certify that I am the owner of all the premises embodied in the attached Plat of Interchange City West Subdivision 15th Addition 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 "Interchange City West Subdivision 15th Addition" to the City of Bloomington, McLean County, Illinois as laid off in lots and streets by David P. Brown of Lewis, Yockey & Brown, Inc., Registered Illinois Land Surveyor Number 2725, and I, the undersigned, hereby dedicate and set apart to the City of Bloomington for general utility purposes, (and further dedicate the public use areas as shown on said Plat)*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 19th day of April, 2016.

(Seal)

Interchange City West, L.L.C., an Illinois
Limited Liability Company

By :

David K. Stark

Its: Manager

*where dedication is required under Section 3.5.

State of Illinois)
)ss.
County of McLean)

I, Karlene Dwyer, a Notary Public in and for the county and State aforesaid, do hereby certify that David K. Stark, Manager of Interchange City West, L.L.C., an Illinois Limited Liability Company, 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 19th day of April, 2016.

Karlene Dwyer
Notary Public

My commission expires 03/09/2018.



DRAINAGE ACKNOWLEDGEMENT

L. Duane Yockey, Registered Professional Engineer, and Interchange City West, LLC being the owner(s) of the premises heretofore platted by David P. Brown, Illinois Professional Land Surveyor No. 2725 to be and become Interchange City West Subdivision 15th Addition 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.

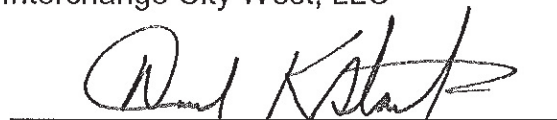
I further acknowledge that no portion of the Lot is within the Special Flood Hazard Area, as defined by the Federal Emergency Management Agency.



Registered Professional Engineer

OWNER(S): Interchange City West, LLC

By:



David K. Stark
Manager



INTERCHANGE CITY WEST SUBDIVISION 15TH ADDITION - FINAL PLAT CHECKLIST

Date Prepared: 03/14/2016

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

interchange City West Subdivision 15th Addition



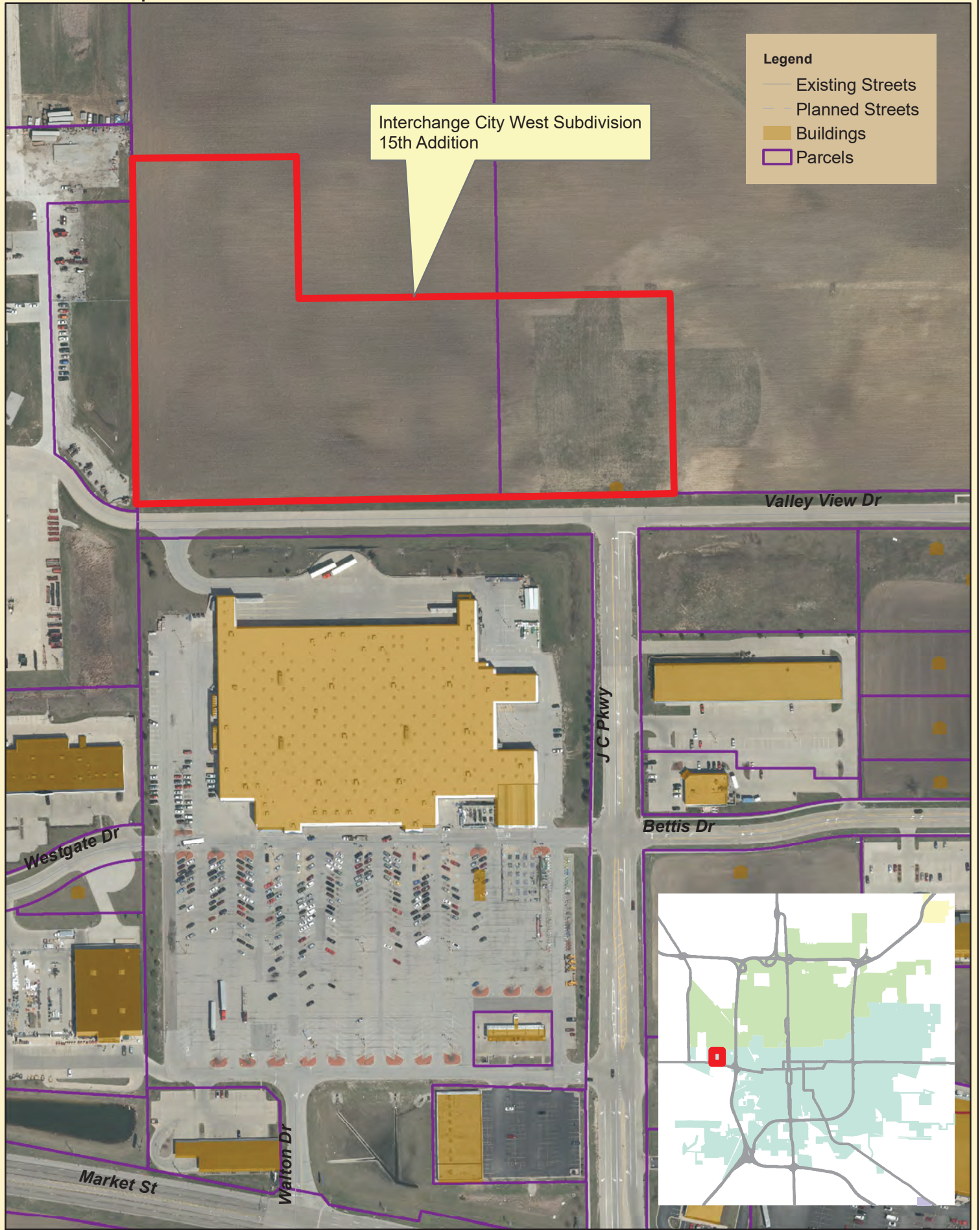
0 137.5 275 Feet

DATE 04/25/16

Interchange City West Subdivision
15th Addition

Legend

- Existing Streets
- Planned Streets
- Buildings
- Parcels



INTERCHANGE CITY WEST SUBDIVISION 15TH ADDITION

Part of the SW1/4 of Section 31, T24N, R2E, 3PM, and Part of the SE1/4 of Section 36, T24N, R1E, 3PM.
City of Bloomington, McLean County, Illinois

VALLEY VIEW DRIVE ROW CURVE #2 LOT 4 CURVE DATA
Δ 138°-42'-00"
R 68.00'
L 164.61'
T 180.43'
C 127.26'
CB S.69°-21'-00" W.

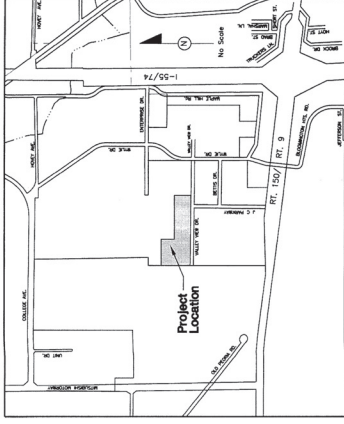
CITY ENGINEER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF MCLEAN)
I, Kevin Kothis, City Engineer for the City of Bloomington, Illinois hereby certify that the land improvements described in the annexed plat and the plans and specifications thereon, have been approved by the City Council on this 24th day of May, 2016, by an affirmative vote of the majority of all members selected to said Council. The vote having been taken by yeas and nays and entered on the record of the proceedings of said Council.

CITY CLERK'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF MCLEAN)
I, Cherry L. Lawson City Clerk of said City, do hereby certify that the foregoing is a true and complete copy of an original final plat of Interchange City West Subdivision as approved by the City Council on this 24th day of May, 2016, by an affirmative vote of the majority of all members selected to said Council. The vote having been taken by yeas and nays and entered on the record of the proceedings of said Council.

Witness my hand and seal of said City of Bloomington, this 24th day of May, 2016.

City Engineer
Bloomington, Illinois

City Clerk

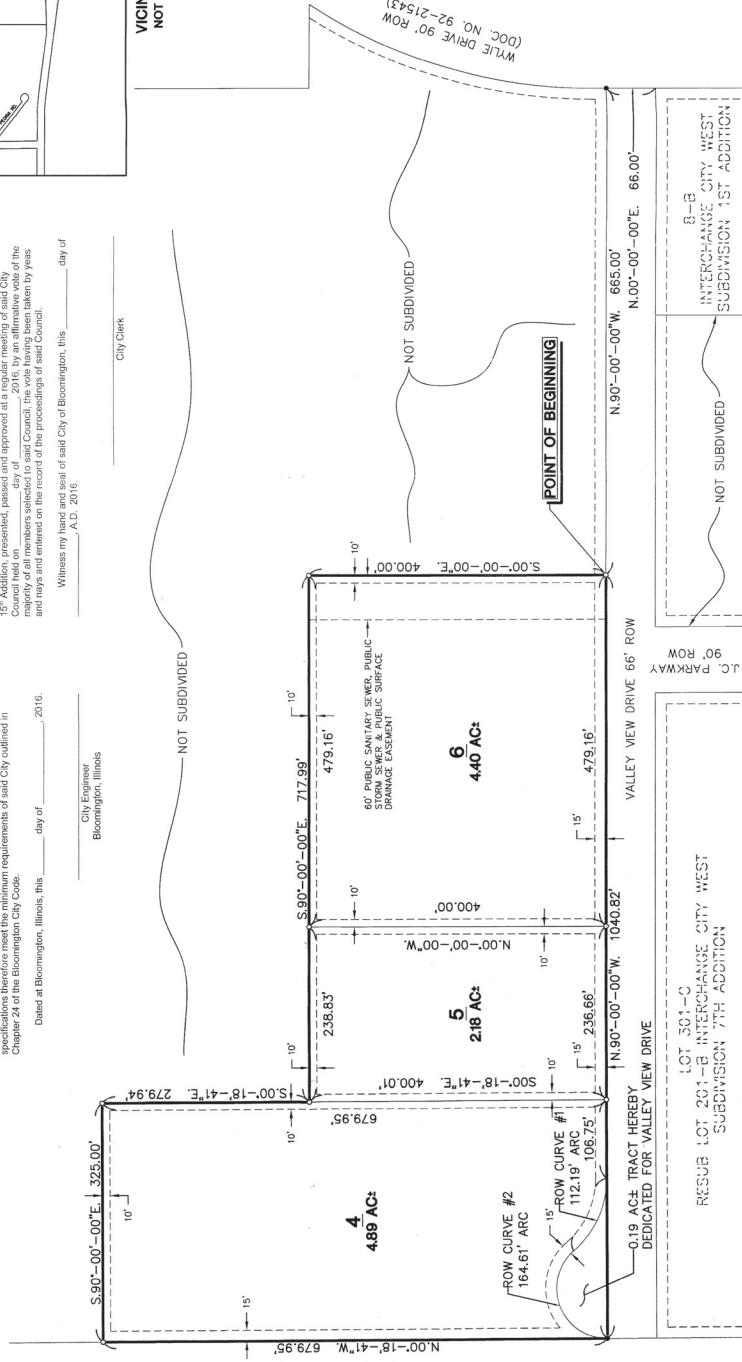


VICINITY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF MCLEAN)
I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that the attached plat of subdivision was surveyed and prepared under my supervision and in accordance with the laws of the State of Illinois, and with the Ordinances of the City of Bloomington, for Interchange City West, LLC and represents the following described property to wit:

INTERSTATE CENTER SUBDIVISION
(DOC. NO. 2004-15809)



I further certify that I have subdivided the same in to three (3) lots and the public street 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 decimal thereof. All easements designated on said plat are designated for the specified public utility use designated or general public utility use and for the use of community antenna television systems.

Said subdivision is to be known as, Interchange City West Subdivision 15th Addition, Bloomington, Illinois.

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

I further certify that no part of said herein described subdivision is located within a special flood hazard area as shown on the Flood Insurance Rate Map (FIRM) Number 170480 0481 E dated July 16, 2008.

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 North Main Street, Suite 200
Bloomington, IL 61701

4/20/2016
David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expires 11/30/2016

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm Registration #00000000
505 North Main Street, Suite 200
Bloomington, Illinois 61701
Ph: (309) 525-2552 Fax: (309) 527-2552

FINAL PLAT
INTERCHANGE CITY WEST SUBDIVISION
15TH ADDITION
BLOOMINGTON, ILLINOIS

4561.119

M E M O R A N D U M

April 25, 2016

TO: Cherry Lawson, City Clerk
FROM: Anthony Meizelis, Civil Engineer I
RE: Interchange City West Subdivision 15th Addition
Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap On fees required from the developer before releasing for recording: **Interchange City West Subdivision 15th** approved by City Council on May 9, 2016.

A. Performance Guarantee:

110% of incomplete public improvement construction costs:	\$ 89,757.80
10% of all completed public improvement construction costs:	\$ 0
Total (Amount of the bond):	\$ 89,757.80

B: Tap-On Fees:

The following tap on fees are due for **Interchange City West Subdivision 15th Addition** per the June 10th, 1991 Annexation Agreement with Midwest Properties, Ltd.:

		<u>Code</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
1	Interchange West Sewer	51101100-57320	\$13,117.50	\$7,379.20	\$20,496.70
2	Wylie Drive Watermain	50100120-57320	\$0.00	\$0.00	\$0.00
	Total		\$13,117.50	\$7,379.20	<u>\$20,496.70</u>

Subdivision Area: 11.66 acs.
Frontage on Wylie Drive: 0 ft.

- 1) Interchange West Sewer: \$1125/ac + 6% interest** from 8/95 (*)
- 2) Wylie Drive Watermain: \$17.70/ft + 6% interest** from 8/95 (*)
- 3) Fifty percent reduction of fees per Annexation Agreement; Annexation agreement expired June 10, 2011; No reduction of fees calculated.

**) Interest calculated based on the lower of 6% simple interest and CPI calculated on the principal using the BLS inflation calculator at (http://www.bls.gov/data/inflation_calculator.htm)

C: Guarantee Substandard Street Improvement (10 years Bond):

This subdivision is not adjacent to a street previously improved with public funds. Therefore, a Substandard Street Improvement fee is not required.

cc: Jim Karch, Director of Public Works
Kevin Kothe, City Engineer
Patti-Lynn Silva, Finance Dept.



Jeff Jurgens, Legal Dept.
File

Public Works Department

ENGINEERING DIVISION

115 E. Washington St., PO BOX 3157

Bloomington, IL 61702-3157

Phone: 309-434-2225

Fax: 309-434-2201

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving an Ordinance approving a Petition from Greyhound Properties, LLC, for an Expedited Final Plat for Morrissey Crossing Subdivision located South of Veterans Parkway and West of Morrissey Drive.

RECOMMENDATION/MOTION: That the Ordinance be approved for the Expedited Final Plat, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 3: Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE: Objective 3.a Retention and growth of current local businesses

BACKGROUND:

This final plat consists of two lots in the area formerly known as Brandtville. The plat also dedicates easements for several existing City owned and maintained utilities that heretofore may not have had formal easements. This area is currently zoned B-1. There is no Preliminary Plan for this area. There are no public improvements proposed or required at this time. As such there are no tap-on fees or sureties required. The proposed two lot subdivision falls under the rules for expedited Final Plats and therefore a Preliminary Plan is not required.

There is existing commercial development on lots 1 and 2. Lots 1 and 2 currently have a partial fee in lieu of detention provided. City Code compliant storm-water detention shall be provided on either of those lots at time of development where not covered by a previous fee in lieu of detention.

City council approved a similar three lot final plat for this area on October 28, 2013, but the final plat was never recorded.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Greyhound Properties, LLC.

FINANCIAL IMPACT: None. All survey and plat costs were paid by Greyhound Properties, LLC.

Respectfully submitted for Council consideration.

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

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

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

Legal review by: George Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Attachment 1 - Petition
- Attachment 2 - Ordinance
- Attachment 3 - Exhibit A: Legal Description
- Attachment 4 - School District Certificate
- Attachment 5 - County Clerk's Certificate
- Attachment 6 - Owner's Certificate
- Attachment 7 - Drainage Statement
- Attachment 8 - Final Plat Checklist
- Attachment 9 - Council Map and Final Plat
- Attachment 10 - Tap on memo

Motion: That the Ordinance be approved for the Expedited Final Plat, and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

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

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois)
)ss.
County of McLean)

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

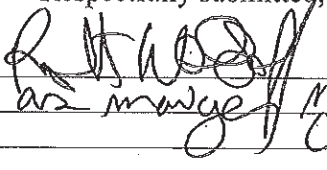
Now come(s) Greyhound Properties LLC, an Illinois Partnership, hereinafter referred to
as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate
therein of the premises hereinafter legally described in Exhibit A which is
attached hereto and made a part hereof by this reference;
2. That your petitioner (s) seek (s) approval of the Final Plat for the
subdivision of said premises to be known and described as Morrissey
Crossing, Bloomington, Illinois, which Final Plat is attached hereto and
made a part hereof;
3. That your petitioner also seeks approval of the following exemptions
or variations from the provisions of Chapter 24 of the Bloomington City
Code, 1960: _____

WHEREFORE, your petitioner respectfully prays that said Final Plat for Morrissey
Crossing subdivision submitted herewith be approved with the exemptions or variations
as requested herein.

Respectfully submitted,

By


an manager Morrissey Crossing LLC

ORDINANCE NO. 2016 - ____

**AN ORDINANCE APPROVING THE FINAL PLAT OF MORRISSEY CROSSING
SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Morrissey Crossing Subdivision, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: none; and

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

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

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

1. That the Final Plat of the Morrissey Crossing Subdivision, and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 9th of May, 2016.

PASSED THIS 9th DAY OF MAY, 2016.
APPROVED THIS __ DAY OF MAY 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporate Counsel

Morrissey Crossing Subdivision

Lot 1 in Arthur Brandt Subdivision in the City of Bloomington, according to the Plat thereof recorded June 15, 1987 as Document No. 87-11834, EXCEPT the following described real estate: Beginning at the South West corner of said Lot 1; thence East 865.79 feet along the south line of said Lot 1 to the South East corner thereof, said Corner being also the South West corner of Lot 2 in said Subdivision; thence North 503.19 feet along the West line of said Lot 2 which forms an angle to the right of 90 degrees 06 minutes with the last described course to the North West corner of said Lot 2; thence East 433.62 feet along the North line of said Lot 2 which forms an angle to the right of 269 degrees 54 minutes with the last described course to the West Right-of-Way line of S.B.I. Route 39 (marked U.S. Route 150); thence North West 52.73 feet along said West Right-of-Way Line which forms an angle to the right of 71 degrees 30 minutes with the last described course; thence West 910 feet along a line which forms an angle to the right of 108 degrees 30 minutes with the last described course; thence North West 163.10 feet along a line which forms an angle to the right of 249 degrees 14 minutes with the last described course; thence West 314.44 feet along a line which forms an angle to the right of 110 degrees 22 minutes with the last described course to the West line of said Lot 1; thence South 703.05 feet along the West line of said Lot 1 which forms an angle to the right of 90 degrees 30 minutes with the last described course to the Point of Beginning, ALSO EXCEPT That part conveyed to The State Illinois, Department of Transportation by Warranty Deed recorded January 16, 1992 as Document No. 92-1183; ALSO EXCEPT A part of Lot 1 in the Arthur Brandt Subdivision more particularly described as follows: Commencing at the Northeast corner of Lot 2 in the Arthur Brandt Subdivision (at the New Right-of-Way line of S.B.I. 39 & F.A.U. U.S. 150); thence North 20 degrees 00 minutes 00 seconds West, 52.81 feet along the Westerly Right-of-Way line of S.B.I. 39 & F.A.U. 6406. U.S. 150 to the Point of Beginning; thence, North 20 degrees 00 minutes 00 seconds West, 12.62 feet along the Westerly Right-of-Way of S.B.I. 39 and F.A.U. 6404. U.S. 150; thence, South 89 degrees 55 minutes 08 seconds West, 846.41 feet; thence, North 01 degrees 23 minutes 44 seconds West, 120.17 feet; thence South 88 degrees 06 minutes 27 seconds West, 96.65 feet; thence South 22 degrees 19 minutes 42 seconds East, 163.12 feet; thence North 88 degrees 29 minutes 53 seconds East, 888.89 feet to the Point of Beginning, ALSO EXCEPT Commencing at the Northwest corner of the Northeast 1/4 of said Section 15; thence South 88 degrees 35 minutes 29 seconds West, 369.34 feet to the Point of Beginning; thence South 88 degrees 35 minutes 29 seconds West 160.00 feet; thence South 01 degrees 16 minutes 56 seconds East, 762.58 feet; thence North 88 degrees 06 minutes 27 seconds East, 200.01 feet; thence North 01 degree 16 minutes 56 seconds West, 365.96 feet; thence south 88 degrees 43 minutes 04 seconds West, 40.00 feet; thence North 01 degree 16 minutes 56 seconds West, 394.74 feet to the Point of Beginning, ALSO EXCEPTING THEREFROM that part conveyed in Deed recorded December 26, 2008 as Document No. 2008-33227, in McLEAN COUNTY, ILLINOIS.

PIN 21-15-126-020, 21-15-126-021, 21-15-201-020, 21-15-201-023, 21-15-201-026, 21-15-201-028, 21-15-201-029, 21-15-201-030, 21-15-201-031 and 21-15-201-042.

SCHOOL DISTRICT CERTIFICATE

This is to certify that Greyhound Properties LLC, an Illinois Partnership, as Owner/Developers of the property herein described in the Surveyor's Certificate, which will be known as Morrissey Crossing, to the best of our knowledge, is located within the boundaries of Community Unit School District # 5, in McLean County, Illinois.

Dated this 17th day of March, 2016.

Robert Wolkoff
Marjorie Morrissey
Crossing

Owner

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN) SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that ROBERT WOLKOFF, as Managing Partners of Greyhound Properties, an Illinois Partnership, known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 17th day of March, 2016

Patti A. Gregory
Notary Public



SCHOOL DISTRICT CERTIFICATE

This is to certify that Greyhound Properties LLC, an Illinois Partnership, as Owner/Developers of the property herein described in the Surveyor's Certificate, which will be known as Morrissey Crossing, to the best of our knowledge, is located within the boundaries of Community Unit School District # 87, in McLean County, Illinois.

Dated this 17th day of March, 2016.

Patti A. Gregory
owner of Morrissey Crossing

Owner

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN) SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that ROBERT WOLKOFF, as Managing Partners of Greyhound Properties, an Illinois Partnership, known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 17th day of March, 2016



Patti A. Gregory
Notary Public

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF McLEAN)

I, Kathy Michael, County Clerk of McLean County, State of Illinois, do hereby certify that I have this day examined the tax records of the property shown on the attached plat and find no delinquent general taxes, unpaid current general taxes, delinquent special assessments, or unpaid current special assessments against the tract of land described in said plat, given under my hand and seal of this County on the 8 day of April, 2016

Kathy Michael
Kathy Michael, County Clerk
McLean County, Illinois

21-15-126-020
21-15-126-021
21-15-201-020
21-15-201-023
21-15-201-026
21-15-201-028
21-15-201-029
21-15-201-030
21-15-201-031
21-15-201-042

OWNERS' CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN)

SS

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 the Morrissey Crossing 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 the Morrissey Crossing Subdivision to the City of Bloomington, McLean County, Illinois, and is laid off in lots and streets by Ty W. Eshleman Illinois Professional Land Surveyor Number 3636; and we, the undersigned, hereby dedicate and set apart to the City of Bloomington for general public and utility use forever all of the streets, highways and other public areas 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 17th day of March, 2016

Robert Wolkoff
as manager of Morrissey
Crossing
LLC
Owner

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN)

SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that ROBERT WOLKOFF, as managing partners of Greyhound Properties LLC, an Illinois Partnership, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth, including the release and waiver of Homestead, and also including the dedication of all streets, highways and other public areas to the use of the general public forever, and including the grant of certain general utility easements to the City of Bloomington, Illinois.

Given under my hand and notarial seal this 17th day of March, 2016

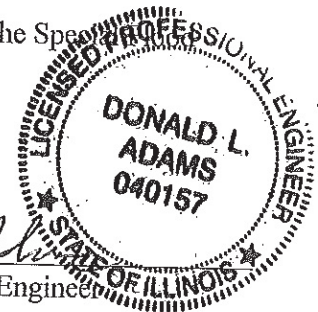


Patti A. Gregory
Notary Public
Robert Wolkoff
as manager of Morrissey
Crossing
LLC
Owner

DRAINAGE STATEMENT

I, Donald L. Adams, Registered Professional Engineer, and Greyhound Properties LLC, being the owner(s) of the premises heretofore platted by Ty W. Eshleman, Illinois Professional Land Surveyor No. 3636, to be and become "Morrissey Crossing" to the City of Bloomington, McLean County, Illinois, do hereby state that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or any part thereof; or that if such surface waters drainage will be changed, reasonable provisions have been made for collection and diversion of such surface waters into public areas or drains which the Subdivider has a right to use and that such waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

I further certify that all or portions of Lots None are within the Special Flood Hazard Area, as identified by the Federal Emergency Management Agency.



Donald L. Adams
Registered Professional Engineer

OWNER(S):

BY: [Signature]
as manager of Morrissey Crossing



MORRISSEY CROSSING SUBDIVISION - FINAL PLAT CHECKLIST

Date Prepared: 03/14/2016

Shown on Final Plat:		Initial
	Easements shown for all public improvements	TJM
	City Engineer's Signature Block	TJM
	Clerk's Signature Block	TJM
	Areas or facilities to be dedicated to the public	N/A
	Railroad Right of Ways	N/A
	Subdivision Boundaries	TJM
	References to nearest street lines, Township, Sections lines, or monuments.	TJM
	Name of Subdivision	TJM
	Legal Description	TJM
	Existing Parcel Id Number (PIN)	
	Surveyor's statement regarding any Special Flood Hazard Areas.	TJM
	Total Acreage	TJM
	Street Names	TJM
	Proposed Lot numbers (consecutively numbered)	TJM
	Front Yard Setbacks	
The following shall be provided:		
	School District Certificate	TJM
	County Clerk's Certificate	TJM
	Owner's Certificate	TJM
	Drainage Statement	TJM
	Owner's Petition	TJM
	Ordinance	TJM
	Utility Company Signoffs	N/A
	Digital PDF Submittal provided to Public Works	TJM
	Digital CAD format submittal provided to Public Works	TJM
	2 Mylar Copies	
	12 Paper Copies	
The following requirements shall be met:		
	Final plat retains the design characteristics of a valid Preliminary Plan that has not expired	N/A
	Retains the design characteristics of approved public improvement engineering plans and specifications.	N/A
	Final Plat is signed by IL licensed surveyor	TJM
	Plans for all public improvements approved by Public Works	N/A

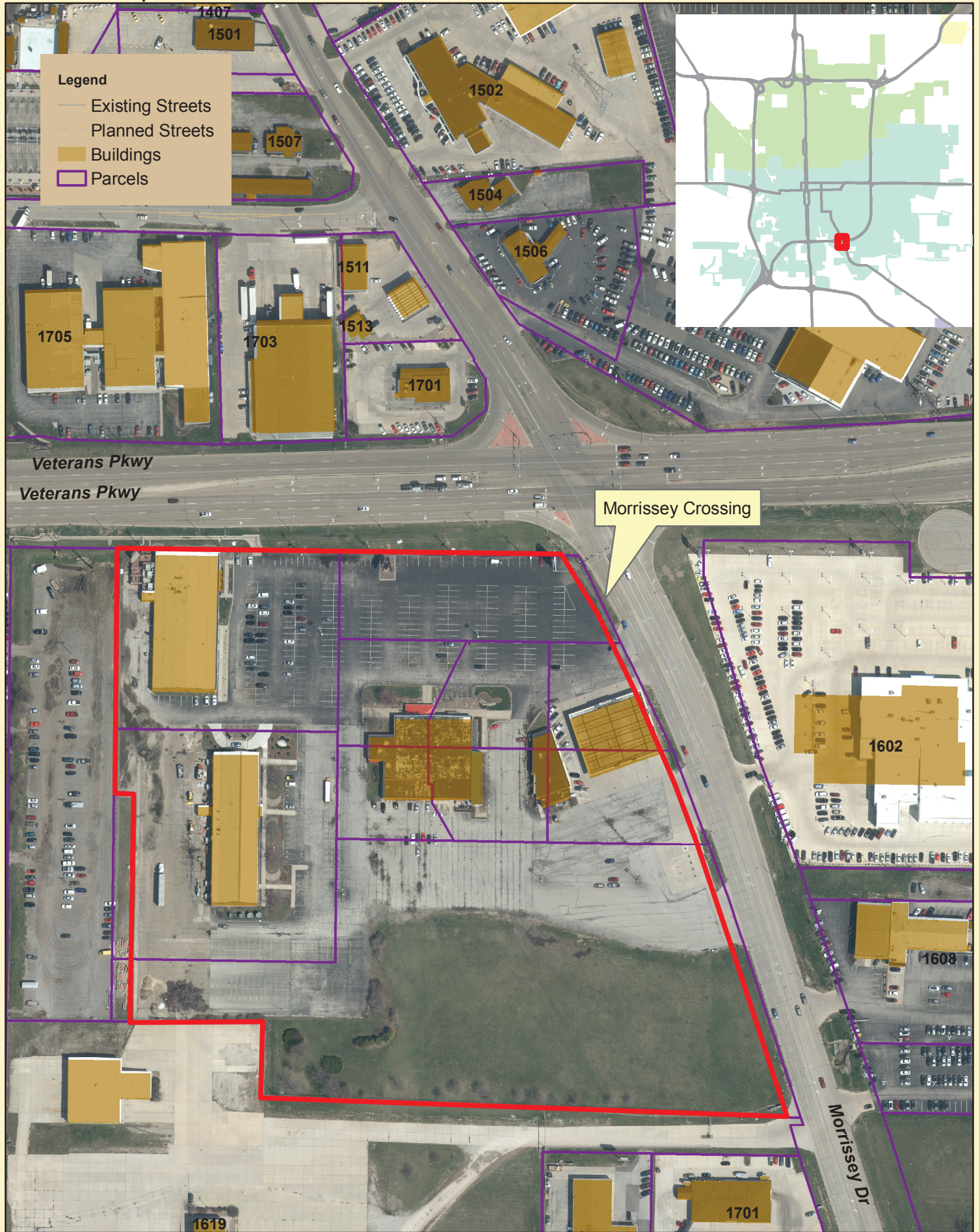
Morrissey Crossing



0 110 220 Feet

Public Works Department

DATE 04/25/16



PART OF SE 1/4 SEC 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

VETERAN'S PARKWAY
(I-55 BUSINESS LOOP)

LOT 2
14.81 ACRES

U.S. 150
MORRISSEY DR
S.B.I. RT. 39N

ARTIFICIAL

SYSTEM 100 LITERS

EXISTING 10' UTILITY EASEMENT

115410

SEE "DETAIL"

PROJECT:

1

SISSEY
SING

INGTON, ILLINOIS

06-05-13	SJB	RJM/TWE	Field: 3-1-13	0130327.00
wn:				

SION PLAT

25

24-8870

MEMORANDUM

April 25, 2016

TO: Cherry Lawson, City Clerk
FROM: Tony Meizelis, Engineering Division Public Works
RE: Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap On fees required from the developer for **Morrissey Crossing Subdivision**.

A: Tap-On Fees:

No tap on fees are required, as the subdivision is served by existing public improvements.

B: Performance Guarantee:

No public improvements are proposed for this subdivision; No performance guarantee required.

C: Bond for adjacent substandard street improvement:

There are no pending public improvements adjacent to this subdivision; No adjacent substandard street improvement bond required.

D: Detention Requirements:

Storm water detention in compliance with City Code shall be provided for all development within this subdivision occurring in areas not already covered by existing detention or fees paid in lieu of detention.

cc: Jim Karch, Director of Public Works
Kevin Kothe, City Engineer
Patti-Lynn Silva, Finance

CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM: 7J

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on June 10, 2016.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on June 10, 2016 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

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

BACKGROUND: On April 12, 2016, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Eric Lott and Summer Baughman to allow moderate consumption of alcohol at their June 10, 2016 wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Jim Jordan and Sue Feldkamp. City staff present were Asst. Corporation Counsel George Boyle, Asst. Police Chief Clay Wheeler, and Renee Gooderham, Chief Deputy Clerk.

Eric Lott addressed the Commission. Mr. Lott stated that Biaggi's Restorante Italiano would cater the reception. Beer and wine only would be served. Approximately 75 - 100 guests were anticipated.

Motion by Commissioner Feldkamp, seconded by Commissioner Renner to recommend at the May 9, 2016 City Council meeting approval of the request from Eric Lott and Summer Baughman to allow moderate consumption of alcohol at their June 10, 2016 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Feldkamp and Renner.

Abstain: Commissioner Jordan.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the April 12, 2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

Robert D. Yehl, PE, Water Director
Cherry L. Lawson, City Clerk

Reviewed by:

George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink, reading "Tari Renner". The signature is written in a cursive, flowing style.

Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING
RECEPTION AT DAVIS LODGE ON JUNE 10, 2016**

WHEREAS, Eric Lott and Summer Baughman are planning to hold their wedding reception at Davis Lodge from 3:00 p.m. to 10:00 p.m. on June 10, 2016; and

WHEREAS, Eric Lott and Summer Baughman have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property must be suspended;

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge, for the duration of the wedding reception at Davis Lodge on June 10, 2016 from 3:00 pm to 10:00 pm.

Section 2: Except for the date set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

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

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

PASSED this 9th of May, 2016

APPROVED this ____ day of May, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

Eric C. Lott & Summer S. Baughman

April 4, 2016

Normal, IL 61761

To whom it may concern,

We request that the City of Bloomington issue a permit for alcohol (beer and wine only) to be served at the wedding and reception of Eric C. Lott, and Summer S. Baughman, on June 10, 2016.

Date and time of event: June 10, 2016, 3:00 p.m. - 10:00 p.m.

Location of Event: The Davis Lodge - 25449 Davis Lodge Road, Hudson, IL 61748

Reservation Status: We reserved at the Davis Lodge for the date stated above.

Number of Guests Expected: 75-100

Catering Business: Biaggi's Ristorante Italiano

Catering Business Contact: Liz coon, 309-661-8322

Bride Information: Summer S. Baughman,

Groom Information: Eric C. Lott, :

Thank you for your consideration in this matter,

Sincerely,

Eric C. Lott & Summer S. Baughman

CITY OF
Bloomington ILLINOIS
REGULAR AGENDA ITEM NO. 8A

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of approval of a Memorandum of Understanding (MOU) supporting a partnership with The Boys and Girls Club of Bloomington-Normal, Western-Avenue Community Center, Lawrence Irvin Neighborhood Center, the City of Bloomington, and the Town of Normal.

RECOMMENDATION/MOTION: That Council approve the Memorandum of Understanding, and authorize the City Manager and City Clerk to execute the MOU.

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

STRATEGIC PLAN SIGNIFICANCE: This partnership allows the participants in this endeavor to pool resources and promote greater successes than cannot be realized individually.

BACKGROUND: During FY2016, the Bloomington Police Department created the part-time position of Youth Intervention Specialist (YIS). This position was funded by a \$25,000 grant from State Farm. Though grant funding did not continue into FY2017, the position was budgeted and approved for 2017. One of the objectives of the program was to build on partnerships and promote teamwork to address the many problems facing our community with regards to juvenile delinquency and associated issues. These partnerships allow for better bridging of services offered by the different agencies to help fill voids being experienced by youth and their families. As demonstrated by the MOU, this goal was met and has evolved into the proposed formal partnership. Each of the entities noted in the subject line have agreed to contribute funds and/or resources to the goal of providing full-time services by beginning a TEEN CLUB initiative servicing youth ages 11-18. This will greatly expand the reach of the program and exceed the limited services the police department offered in a part-time capacity during FY2016.

With the police program, the YIS worked only limited evening hours, this proposal will expand the number and flexibility of the hours, in addition to having direct connection to other valuable resources. The police department and the City of Bloomington would no longer have their own YIS as the current one would become the Director of Program Services and Community Partnerships, housed at the LINC center, and no longer be employed by the City of Bloomington. The City of Bloomington, per the MOU, would contribute the monies budgeted for the Youth Intervention Specialist position (\$25,000) to the program and have shared oversight of the director position, provide youth referrals to the Teen CLUB program, and have representation on the Teen Club Advisory Council. Many of the facets of the YIS program would still be in place allowing the program to continue to build on itself.

Please review the attached MOU for greater understanding of the various roles and contributions being made by the participating entities.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Boys and Girls Club of Bloomington-Normal, Western-Avenue Community Center, Lawrence Irvin Neighborhood Center, the City of Bloomington, and the Town of Normal.

FINANCIAL IMPACT: Funds have been included in the FY 2017 Adopted Budget in an amount not to exceed \$29,052.00. These funds are budgeted under Police-To Other Governments or Agencies (10015110-75910-31000). Stakeholders can locate this in the FY 2017 Adopted Budget Book titled "Other Funds & Capital Improvement Program".

Respectfully submitted for Council consideration.

Prepared by: Kenneth A. Bays, Asst. Chief of Police

Reviewed by: Brendan O. Heffner, Chief of Police

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Memorandum of Understanding
- PowerPoint Presentation

Motion: That Council approve the Memorandum of Understanding, and authorize the City Manager and City Clerk to execute the MOU.

Motion: _____ Seconded by: _____

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

MEMORANDUM OF UNDERSTANDING

Teen CLUB

Boys & Girls Club of Bloomington-Normal, Western Avenue Community Center/Lawrence Irvin Neighborhood Center, City of Bloomington and The Town of Normal

OVERVIEW

Teen CLUB (Connecting with community, Living positively, Uniting together, and Believing in a great future) is a comprehensive youth development program targeted at youth ages 11-18. The goal of Teen CLUB is to empower the youth who need us most to become productive and responsible citizens by ensuring they feel connected to and safe in our community. In order to engage youth, Teen CLUB provides choices and opportunities that empower youth to achieve positive growth and development, improve expectations for future success, and avoid and/or reduce risk-taking behavior.

Boys & Girls Club of Bloomington-Normal (BGCBN), and Western Avenue Community Center/Lawrence Irvin Neighborhood Center (LINC), agree to operate Teen CLUB jointly beginning May 2, 2016. The site will also operate for three (3) subsequent years through June 30, 2019. BGCBN and LINC have designed the program collaboratively, based on teen needs as well as the needs of families and the community.

Teen CLUB is inclusive of the Youth Intervention Program (YIP) designed to provide services to youth who have been involved with law enforcement or the Juvenile Court System. The program was created in 2015 by the City of Bloomington and Bloomington Police Department to decrease delinquent behavior and reduce the likelihood of further juvenile delinquency.

BGCBN and LINC will work collaboratively with the intent to implement Teen CLUB with support from the City of Bloomington and Town of Normal to meet the needs of teens, with the vision to ensure all members are on track to graduate from high school with a plan for the future, demonstrating good character and citizenship, and living a healthy lifestyle. The term of this Memorandum of Understanding shall be for a period of one (1) year from the aforementioned effective date and may be extended upon written mutual agreement of all parties.

This document outlines the roles and responsibilities and joint planning determinations of each of the entities, including BGCBN, LINC, the City of Bloomington, and the Town of Normal.

RESPONSIBILITIES AND OBLIGATIONS

BGC Responsibilities

- Chief Executive Officer and Director of Operations provide input and strategic guidance to program implementation
- Provide training for all program assistants and volunteers to maintain program quality and consistency
- Provide \$15000 to cover portion of Director of Program Services and Community Partnerships Salary and Benefits and programming cost
- Shared oversight of the Director of Program Services and Community Partnerships position.
- Act as fiscal agent for Teen CLUB funds (outside of those already dedicated to WACC) providing fiscal oversight and reporting
- Evaluation and oversight of data-gathering activities (tracking of enrollment, program participation, outcomes, etc.)
- Program/Supply Costs outside of Basketball/Sports
- Provide representation on the Teen Club Advisory Council

WACC/LINC Responsibilities

- LINC Director to provide input and strategic guidance to program implementation
- Shared oversight of the Director of Program Services and Community partnership position (LINC Advisory Board)
- Provide \$15000 to cover portion of Director of Program Services and Community Partnerships Salary and Benefits and programming cost
- LINC Director to provide case management and serve as parent/family liaison
- Building, Maintenance, Office Space, Cleaning Costs
- Basketball/Sports Programing Costs Related to Teens
- Provide vans for transportation purposes
- Provide representation on the Teen Club Advisory Council (Member of the LINC Advisory Council)

BGC/LINC-Responsibilities

- Program planning, scheduling, and implementation
- Shared use of facilities and equipment
- Sharing of member data/collection of registration forms
- Shared food cost related to Teen Club Programming
- Shared transportation cost related to Teen Club Programming
- Shared coordination of youth special events, activities, and field trips
- Shared coordination of volunteer resources and recruitment

City of Bloomington Responsibilities

- Provide \$25,000 in funding to cover a portion of Director of Program Services and Community Partnerships salary and benefits and programming
- Provide youth referrals to the Teen CLUB program
- Shared oversight of the Director of Program Services and Community Partnership position.
- Provide representation on the Teen Club Advisory Council

Town of Normal Responsibilities

- Provide \$15,000 in funding to cover a portion of Director of Program Services and Community Partnerships salary and benefits and programming
- Provide youth referrals to the Teen CLUB program
- Shared oversight of the Director of Program Services and Community Partnership position
- Provide representation on the Teen Club Advisory Council

Teen Club Advisory Council Shared Responsibilities

- Be open and honest in all communication with a focus on creating and maintaining a program that is most beneficial and impactful for our youth
- Creation of sustainability plan
- Marketing and advocating on behalf of the partnership and program
- Shared oversight of the Director of Program Services and Community Partnerships

To assure shared program oversight, the Director of Program Services and Community Partnerships, LINC Director, BGC CEO, and BGC Director of Operations will meet at least monthly to discuss program implementation, student progress and challenges, assess progress against program objectives, modify the program plan, if necessary, promote participation of program partners and develop and implement the program's sustainability plan.

Additionally, the Director of Program Services and Community Partnerships will provide at least quarterly updates to the LINC Advisory Council comprised of staff and board representatives from LINC and BGCBN, and a representative from the Bloomington and Normal Police Departments.

The Director of Program Services and Community Partnerships, annually and/or at the request of the City of Bloomington and Town of Normal will present program updates to City and Town Councilmembers and/or staff.

Also, with regard to management, the LINC Advisory Council will ensure that the Director of Program Services and Community Partnerships is meeting regularly with BGCBN and LINC staff; will ensure that BGCBN and LINC are sharing member information (as allowed by parent permission slips); will ensure that the Director of Program Services and Community Partnerships participates in trainings as recommended by the BGCBN CEO and LINC Director; will ensure that LINC and BGC representatives actively participates in the Teen Club Advisory Council. This group, meeting at least quarterly, will give direction, incorporate evaluation outcomes for continuous program improvement, help plan family activities, and assist with fundraising and sustainability from a variety of public and private source.

The linkage between BGCBN and LINC daily activities will be the Director of Program Services and Community Partnerships. Communication and collaboration between the BGCBN and LINC will be accomplished through attendance of the Director of Program Services and Community Partnerships at agreed-upon school staff meetings, such as monthly BGCBN and LINC all staff meetings, , and the Director of Program Services and Community Partnerships inclusion in board committees and activities.

AUTHORIZATION AND EXECUTION

The signing of this Memorandum of Understanding does not constitute a formal undertaking, and as such it simply intends that the signatories strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.

This agreement shall be signed by the City of Bloomington, Boys & Girls Club of Bloomington-Normal, Lawrence Irvin Neighborhood Center, and the Town of Normal and shall be effective as of the date first written below.

Sincerely,

Chair
LINC Advisory Council

Date

City Manager
City of Bloomington

Date

Chief Executive Officer
Boys & Girls Club of B-N

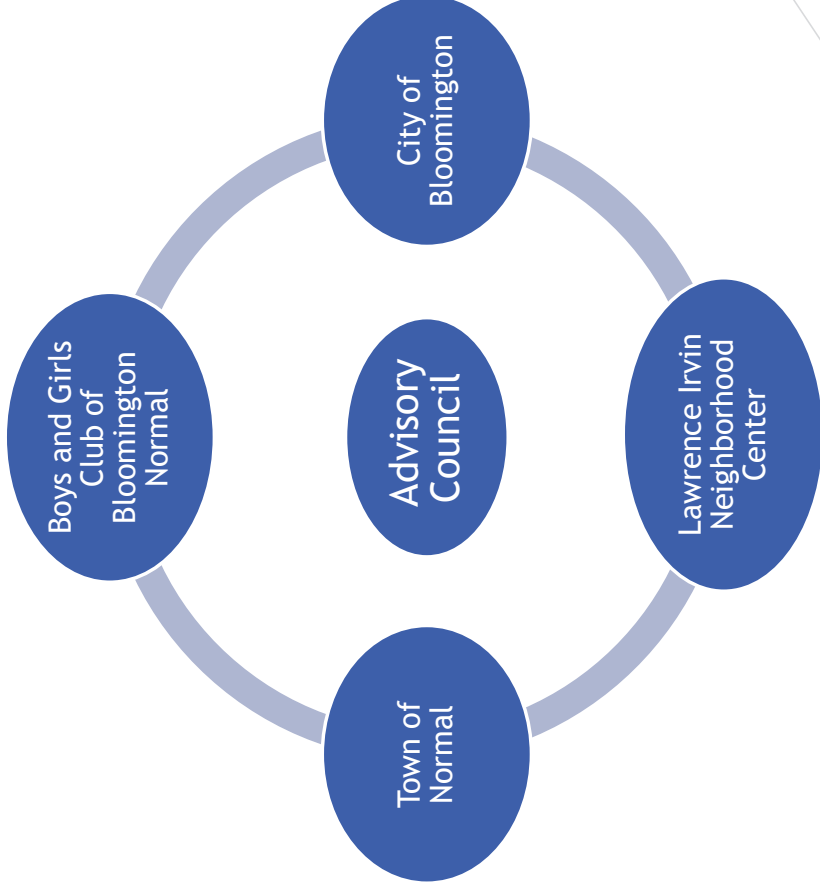
Date

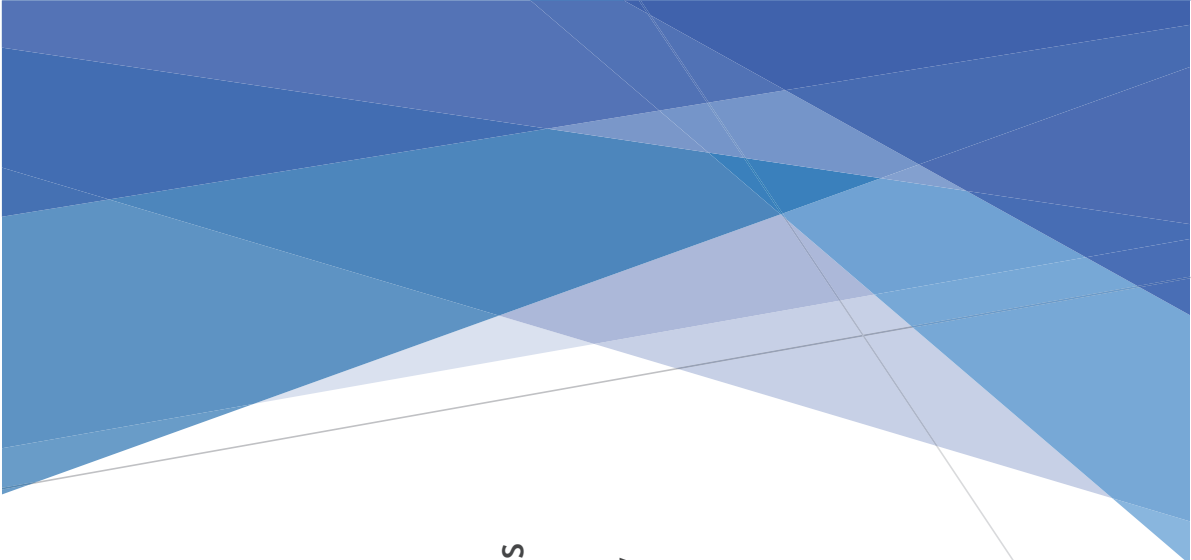
City Manager
Town of Normal

Date

Youth Outreach Program

Teen Club Collaboration





Objectives

- ▶ Build on partnerships and promote teamwork to address the many problems facing our community with regards to juvenile delinquency and associated issues.
- ▶ Increase use and community awareness of services offered both collaboratively and individually from partner agencies as they relate to teens and their families.
- ▶ Be a connection point for families to access community resources offered by current collaborative partners and external partners. (More than a referral)
- ▶ Provide youth with positive role models, mentors, and advocates.
- ▶ Create holistic service provision to have more impact with teens, that may not be gained in siloes or in a compartmentalized system.
- ▶ Create concise and consistent communication for families served, funders, and community supporters.
- ▶ Create opportunities for teens and their families to be involved and take ownership of their neighborhoods and communities.

How Did We Get Here?

- ▶ In April of 2015, the Bloomington Police Department created and hired a Youth Interventionist through a grant from State Farm. The position was a part-time position worked in the evenings typically 5pm-9pm.
- ▶ Boy and Girls Club and The Lawrence Irvin Neighborhood Center were in conversation about collaboration efforts and gained funding to hire a Co-Director to help oversee Teen Club programming and other organizational functions.
- ▶ Youth Interventionist began to refer young people to the Teen Club and provide programming/supervision at the Teen Club.
- ▶ Through conversation with Bloomington Police Department, Boys and Girls Club, and the Lawrence Irvin Neighborhood Center it was identified that all the partners had the same objectives as it relates to teens and their families.
- ▶ Representatives from the Town of Normal Council were made aware of the Teen Club program and youth being served by the program who are Normal residents.
- ▶ Town of Normal City Manager and Normal Chief of Police agreed to become a funded partner of Teen Club.
- ▶ Michael Donnelly who was the Youth Interventionist for BPD, was hired as the Director of Teen Services and Community Partnerships.



Collaborative Benefits

- ▶ Due to the timeframe of the service being provided (5pm-9pm), the Youth Interventionist was limited in the ability to provide wrap around services for youth and families. Being Full-Time will allow the Director of Teen Services to meet with families, teachers, probation officers, service providers, etc., during hours they typically work.
- ▶ While one on one mentoring can be impactful, connecting youth to positive alternatives in group settings allow them to establish positive networks/outlets outside of one on one mentoring services.
- ▶ Teen Club provides for a non-threatening approach to building relationships with teens and their families.
- ▶ Alignment of resources creates efficiencies amongst the partners, which allows for more programming dollars. A key component for program impact and retention will be exposure.
- ▶ When issues amongst teens rise, the collaboration will make for concise and consistent communication and problem-solving.
- ▶ Long Term sustainability of the service being provide is shared amongst partners versus one agency attempting to sustain the program.

Role of the Advisory Council

- ▶ Be open and honest in all communication with a focus on creating and maintaining a program that is most beneficial and impactful for our youth
- ▶ Creation of a sustainability plan
- ▶ Marketing and advocating on behalf of the partnership and program
- ▶ Shared oversight of the Director of Program Services and Community Partnerships position.

Functions of Teen Club Programming

- ▶ Transportation is provided to and from Teen Club programming and events.
- ▶ Meals are served each evening during Teen Club programming.
- ▶ Mentoring is offered by the 100 Black Men of Central Illinois and other groups/volunteers.
- ▶ Educational field trips and safe recreational activities are incorporated into the programming.
- ▶ Life Skills training, includes coping skills, leadership development, teamwork, civic and personal responsibility and decision making workshops.
- ▶ Currently there are 2 Full-Time and 6 Part-Time staff working during Teen Club programming days/hours

CITY OF
Bloomington ILLINOIS
REGULAR AGENDA ITEM NO. 8B

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of an Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan for the proposed Downtown – Southwest TIF District.

RECOMMENDATION/MOTION: That the Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan be approved and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 3: Grow the Local Economy; Goal 4: Strong Neighborhoods; Goal 5: Great Place – Livable, Sustainable City; Goal 6: Prosperous Downtown Bloomington.

STRATEGIC PLAN SIGNIFICANCE: Objective 3a. Retention and growth of current local businesses; 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; 3c. Revitalization of older commercial homes; 3d. Expanded retail businesses; 3e. Strong working relationship among the City, businesses, economic development organizations. Objective 4c. Preservation of property/home valuations; 4d. Improved neighborhood infrastructure; Objective 5b. City decisions consistent with plans and policies; 5c. Incorporation of “Green Sustainable” concepts into City’s development and plans; 5e. More attractive city: commercial areas and neighborhoods. Objective 6a. More beautiful, clean Downtown area; 6b. Downtown Vision and Plan used to guide development, redevelopment and investments; 6c. Downtown becoming a community and regional destination; 6e. Preservation of historic buildings.

BACKGROUND & OVERVIEW: On March 14, 2016, the City Council adopted Resolution 2016-09 in support of a proposed redevelopment project from Bloomington Downtown Redevelopment Partners, LLC to redevelop multiple properties on the Front ‘N Center & Elks Lodge blocks in downtown Bloomington into a hotel, conference center, and restaurant cluster. Resolution 2016-09 authorized the City Manager and staff to initiate the preparation of a TIF Eligibility Report and Redevelopment Plan for the Front ‘N Center & Elks Lodge blocks. Staff has selected the City’s TIF and Economic Development consultant, Peckham Guyton Albers & Viets (PGAV) for this assignment.

In August 2015 the City Council engaged the services of PGAV to assist staff with the creation of the recently adopted Empire Street Corridor TIF District. PGAV was selected for that assignment through RFP #2016-19 “TIF District Consulting Services” because PGAV was determined to be the consultant best able to assist the City from amongst the four firms that submitted proposals to the RFP. Staff and officials from the affected taxing districts were very impressed with the high level of detail and research that PGAV employed in the Eligibility Study and Redevelopment Plan for the Empire Street Corridor TIF District. As staff is now familiar with PGAV’s methodology, approach, and processes, staff recommends that PGAV be retained to assist with the creation of the proposed Downtown – Southwest TIF District.

Before moving forward with the Feasibility Study, the Illinois TIF Act requires the City to adopt an Ordinance authorizing a TIF Feasibility Study. The proposed Ordinance authorizes PGAV to commence a Feasibility Study and draft a Redevelopment Plan for the proposed Downtown – Southwest TIF District. As the ultimate redevelopment project for the Study Area is yet to be determined and because the ultimate development project may or may not require the assistance of TIF, it is important to note that the proposed Ordinance only authorizes a Feasibility Study and Redevelopment Plan but does not bind the City Council to move forward with creating a TIF District in this area. Approval of the Ordinance is recommended by staff as the proposed Feasibility Study and Redevelopment Plan will assist staff in determining which economic development tools are most appropriate to assist with the redevelopment of the properties in the proposed Study Area.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The proposed Ordinance provides interested parties with contact information related to the proposed TIF District. The Ordinance has been prepared and reviewed by the City's TIF Attorney, Kathleen Field Orr & Associates, and is attached. If adopted by the City Council, a copy of the Ordinance will be sent to all taxing districts that are represented within the proposed TIF District as required by the TIF Act.

FINANCIAL IMPACT: The cost of the proposed Feasibility Study and Redevelopment Plan is anticipated to be \$33,000. The Economic Development budget has sufficient funds in the FY 2017 Adopted Budget to cover this project. The funds would be sourced from the Economic Development-Other Professional & Technical Services account (10019170-70220). Stakeholders can locate this in the FY 2017 Proposed Budget Book titled “Budget Overview & General Fund” on page 400.

Respectfully submitted for Council consideration.

Prepared by: Austin Grammer, Economic Development Coordinator

Reviewed by: Tom Dabareiner AICP, Community Development Director

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

Legal review by: Kathleen Field Orr, City TIF Attorney
Jeffrey Jurgens, Corporation Council

Recommended by:



David A. Hales
City Manager

Attachments:

- Proposed TIF Feasibility Study and Redevelopment Plan Ordinance.
- Proposed Downtown – Southwest TIF Study Area Map.

Motion: That the Ordinance to authorize a Tax Increment Financing Feasibility Study and Redevelopment Plan be approved and authorize the Mayor and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

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

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS
PROVIDING FOR A FEASIBILITY STUDY AND PLAN WITH RESPECT TO THE
DESIGNATION OF A CERTAIN AREA AS A TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT AREA
(Downtown – Southwest)**

WHEREAS, the City of Bloomington, McLean County, Illinois (the “*City*”), is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the Illinois Municipal Code, as from time to time supplemented and amended; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1 et seq., as from time to time amended (the “*TIF Act*”), the Mayor and City Council of the City (the “*Corporate Authorities*”) are empowered to undertake the development or redevelopment of a designated area within the municipal boundaries of the City in which existing conditions permit such area to be classified as a “blighted area” and / or “conservation area” as defined in Section 11.74.4-3(a) of the TIF Act; and,

WHEREAS, the legislative purpose of the TIF Act is to encourage development through the use of incremental tax revenues derived from an increase in assessed values in the eligible areas by assisting with development or redevelopment project costs, thereby eliminating adverse and detrimental conditions that erode the tax base both within an eligible area and adjacent to such area; and,

WHEREAS, on March 14, 2016, pursuant to Resolution No. 2016-09, the Corporate Authorities authorized a feasibility study of certain properties within the corporate boundaries of the City in order to determine the eligibility of said properties as a “redevelopment project area” pursuant to the provisions of the TIF Act which properties are generally within a three city block

area bounded by Washington Street to the north, N. Center Street to the east, Front Street to the south and N. Lee Street to the west (the “Area”) as shown on the map attached hereto and made a part hereof by reference as Exhibit A; and,

WHEREAS, the Corporate Authorities have determined that Peckham Guyton Albers & Viets possess the necessary skills and experience to determine if the Area qualifies as a “redevelopment project area” under the TIF Act and to prepare a redevelopment plan and desires to authorize Peckham Guyton Albers & Viets to undertake a feasibility study and to prepare such reports as required with respect to the eligibility of the Area as a tax increment financing redevelopment project area.

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

Section 1. The foregoing recitals are incorporated and made a part of this Ordinance as if fully set forth in this Section.

Section 2. The City Manager is directed to authorize Peckham Guyton Albers & Viets to undertake a feasibility study to determine the eligibility of the Area as a “redevelopment project area” under the TIF Act; and, to prepare a report with respect to the eligibility of the Area under the Act; and, to prepare a plan for development and redevelopment incorporating all of the matters required by the TIF Act. The City Manager are further authorized to execute and deliver any and all documents as deemed necessary to accomplish said tasks.

Section 3. The purpose of the report and plan is to allow the City to consider adoption of the TIF Act in order to enhance its tax base as well as the tax base for any other taxing district that has jurisdiction, provide new job opportunities for its residents, attract sound and stable commercial growth, and improve the general welfare and prosperity of the community. Pursuant

to the TIF Act, once the City adopts tax increment financing, all real estate tax revenue attributable to any increase in the assessment of property included in the redevelopment project area is distributed to the City for reinvestment in the respective Area for certain purposes permitted by the TIF Act.

Section 4. The City hereby agrees to reimburse itself for the costs incurred in connection with all studies and reports for the Area in the event the TIF Act is adopted by the City and incremental real estate taxes are available for payment of such costs pursuant to the TIF Act.

Section 5. The Corporate Authorities may consider paying for certain redevelopment project costs, as defined by the TIF Act, from incremental real estate taxes in the Special Tax Allocation Fund, as defined by the TIF Act, established for the Area through the issuance of bonds, in the event the TIF Act is adopted. Such redevelopment project costs may include costs of studies, surveys, plans, architectural and engineering services, acquisition of land, rehabilitation of existing buildings, construction of public works, bond issuance costs, and such other items as permitted by the TIF Act.

Section 6. The City Clerk shall cause copies of this Ordinance to be mailed by certified mail or delivered by messenger to all taxing districts that would be affected by such designation in accordance with the provisions of Section 11-74.4-4.1 of the TIF Act, and that the municipal officer who can be contacted for any and all questions, comments, suggestions, or requests for information be directed to:

Austin Grammer,
Economic Development Coordinator
City of Bloomington
115 East Washington Street, Suite 201
Bloomington, IL 61702-3157
Office: 309-434-2226

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED this 9th day of May 2016, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 9th day of May, 2016.

CITY OF BLOOMINGTON

ATTEST

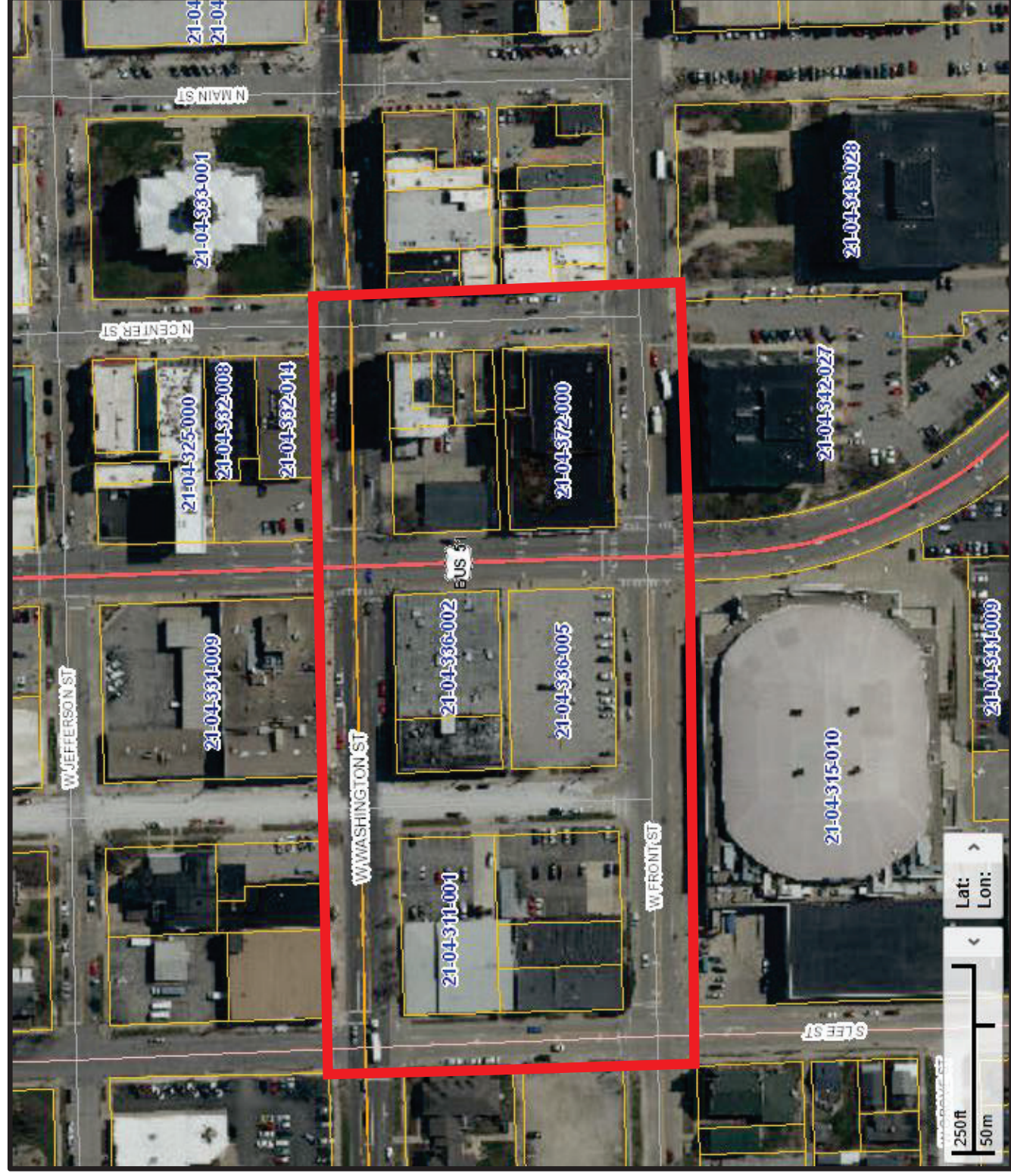
Tari Renner, Mayor

Cherry L/ Lawson, City Clerk

EXHIBIT A

Map of proposed Downtown – Southwest TIF Study Area

Exhibit A: Downtown – Southwest TIF Study Area



CITY OF
Bloomington **ILLINOIS**
REGULAR AGENDA ITEM NO. 8C

FOR COUNCIL: May 9, 2016

SUBJECT: Consideration of Adopting an Ordinance Approving the First Amendment to the Contract between the City of Bloomington and David A. Hales and Setting the Salary of the City Manager.

RECOMMENDATION/MOTION: That the Ordinance approving the First Amendment to the Contract Between the City of Bloomington and David A. Hales and Setting the Salary for the City Manager and Providing for Retroactive Payment be approved and the City Mayor and City Clerk be authorized to execute the Ordinance and First Amendment.

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

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

BACKGROUND: On December 8, 2008, the Council approved the initial employment agreement with David A. Hales, City Manager. The original contract had an expiration date of April 30, 2009. On May 11, 2009, the City entered into a second contract with Mr. Hales. This contract was set to expire on April 30, 2013, but a new contract was approved on April 22, 2013, which is set to expire on January 11, 2017.

An amendment to the April 22, 2013, contract is on the table for the Council's consideration. This amendment would extend the term of employment 18 months through July 11, 2018. The amendment also removes the language on advance determinations of further extensions and also increases the salary by 2.3% based on the City's performance review standards.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The financial terms are set forth in the attached contract.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Reviewed by: Nicole Albertson, HR Director

Attachments:

- Ordinance Approving First Amendment to Contract and Setting Salary
 - First Amendment to Contract
-

Motion: That the Ordinance approving the First Amendment to the Contract Between the City of Bloomington and David A. Hales and Setting the Salary for the City Manager and Providing for Retroactive Payment be approved and the City Mayor and City Clerk be authorized to execute the Ordinance and First Amendment.

Motion: _____ Seconded by: _____

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

ORDINANCE 2016 - ____

**AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE CONTRACT
BETWEEN THE CITY OF BLOOMINGTON AND DAVID A. HALES AND
ESTABLISHING THE SALARY FOR THE CITY MANAGER AND MAKING
RETROACTIVE SALARY ADJUSTMENTS**

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

WHEREAS, on December 8, 2008, the Council approved the initial employment agreement with David A. Hales, City Manager, which had an expiration date of April 30, 2009; and

WHEREAS, on May 11, 2009, the City entered into a second contract with Mr. Hales. This contract was set to expire on April 30, 2013, but a new contract was approved on April 22, 2013, which is set to expire on January 11, 2017; and

WHEREAS, the City Council desires to approve a First Amendment to the April 22, 2013, contract to extend the term of employment to July 11, 2018; and

WHEREAS, the performance of the City Manager in 2015 was deemed competent, which would have resulted in an increase of 2.3% in the City Manager’s base salary effective January 12, 2016.

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

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

SECTION 2. The base salary of the City Manager is established to be \$185,190.05, retroactive to January 12, 2016.

SECTION 3. The City Council hereby approves the First Amendment to the Contract Between the City of Bloomington and David A. Hales to extend the term of employment through July 11, 2018, and to identify the new salary to be paid, as identified in Section 2 above. The City Mayor and City Clerk are hereby authorized to execute said First Amendment.

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 ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

FIRST AMENDMENT TO CONTRACT
BETWEEN THE CITY OF BLOOMINGTON AND DAVID A. HALES

This First Amendment to the Contract between the City of Bloomington and David A. Hales is made on this 9th day of May, 2016, as set forth herein, between the CITY OF BLOOMINGTON, a municipal corporation in the County of McLean and State of Illinois ("City"), and David A. Hales ("Hales").

RECITALS

A. Beginning December 8, 2008, the City has been under contract with David A. Hales for him to serve as the City Manager for the City of Bloomington.

B. The employment contract has been extended from time-to-time and the latest contract, entered on April 22, 2013, is set to expire on January 11, 2017.

C. The parties desire to amend the April 22, 2013, contract to extend the term to July 11, 2018 and to adjust the salary based on the City's performance criteria.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants set forth herein, the parties hereto, intending legally to be bound, agree to incorporate the above recitals as if fully restated herein and further agree as follows:

1. The recitals set forth above shall be incorporated into the terms and conditions of this First Amendment as if fully set forth herein.

2. Section 2(C) and (E) shall be amended as follows:

C. Employee agrees to remain in the exclusive employ of Employer until ~~January 11, 2017~~ July 11, 2018, and neither to accept other employment nor to become employed by any other employer until said termination date, unless said termination date is effected as hereinafter provided.

E. ~~Employer and Employee shall give the other party notice of intent to continue employment beyond January 11, 2017. Such notice shall be provided on or before July 12, 2016. Upon receipt of such notice, the parties~~

~~shall meet to determine whether or not employment shall be extended beyond January 11, 2017, and the terms and conditions of such employment. Employer and Employee may extend the term of this Contract as they may agree in writing.~~

3. Section 6(A) shall be amended as follows:

- A. City agrees to pay Manager for services rendered pursuant hereto an annual base salary of ~~one hundred eighty one thousand and twenty six dollars and forty four cents (\$181,026.44) effective January 12, 2015,~~ one hundred eighty five thousand and one hundred and ninety dollars and five cents (\$185,190.05) effective January 12, 2016, payable in installments at the same time as other Employees of the City are paid. In addition, the Council agrees to increase said salary and/or other benefits of Manager in such amounts and to such extent as the Council may determine that it is desirable to do so on the basis of any initial or annual salary review of said Manager made at the time of the performance evaluation reviews per Section Seven. Manager shall be granted merit increases to Manager's base salary at the discretion of the Council. In the event the City adopts a practice cost of living increases or economic adjustment increases for non-bargaining unit managers and employees of the City, such increases shall be provided to Manager's base salary in the same manner as such other managers and employees. In addition, the Council may, at their sole discretion, grant bonuses and/or additional benefits or compensation for performance excellence or meritorious service. The Manager is eligible to participate in any deferred compensation programs offered by the City to its employees. In addition, the City will establish a Section 401(a) deferred compensation program for the City Manager under terms which will permit the City Manager to roll over contributions he has made to 401(a) programs established by previous employees and which will permit the City Manager to take loans from such 401(a) program.

4. In all other respects the Contract Between the City of Bloomington and David A. Hales shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Contract for Professional Services in duplicate this day and year first above written.

CITY OF BLOOMINGTON

DAVID A. HALES

By: _____
Its City Mayor

By: _____
David A. Hales

ATTEST:

By: _____
Its City Clerk