CITY OF Bloomington ILLINOIS

CITY OF BLOOMINGTON COUNCIL MEETING

FEBRUARY 24, 2020

CITY OF Bloomington ILLINOIS

COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

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

PUBLIC COMMENT

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

CONSENT AGENDA

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

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

PUBLIC HEARING

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

REGULAR AGENDA

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

MAYOR AND COUNCIL MEMBERS

Mayor, At-Large - Tari Renner

City Council Members
Ward 1 - Jamie Mathy
Ward 2 - Donna Boelen
Ward 3 - Mboka Mwilambwe
Ward 4 - Julie Emig
Ward 5 - Joni Painter
Ward 6 - Jenn Carrillo
Ward 7 - Scott Black
Ward 8 - Jeff Crabill
Ward 9 - Kim Bray

City Manager - Tim Gleason
Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

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

MISSION, VISION, AND VALUE STATEMENT

MISSION
To Lead, Serve and Uplift the City of Bloomington

VISION
A Jewel of the Midwest Cities

VALUES
Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

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

AGENDA

CITY OF Bloomington ILLINOIS

REGULAR SESSION CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, FEBRUARY 24, 2020, 6:00 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. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officer Freshour, upon his completion of an eighteen-month probation, as requested by the Police Department. *(Recommended Motion:* Recognition only.*)*

6. **Public Comment**
7. **Consent Agenda**

   Electronic Roll Call Vote

   A. Consideration and action to approve the Minutes of the January 27, 2020 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion:* The proposed Minutes be approved.*)*

   B. Consideration and action to approve the Minutes of the February 1, 2020 Legislative Update Special Session, as requested by the City Clerk Department. *(Recommended Motion:* The proposed Minutes be approved.*)*

   C. Consideration and action to approve Bills and Payroll in the amount of $7,124,434.57, as requested by the Finance Department. *(Recommended Motion:* The proposed Bills and Payroll be approved.*)*

   D. Consideration and action on a License Agreement between the City of Bloomington and Sunnyside Community Garden and Food Forest, Inc., as requested by the Administration Department. *(Recommended Motion:* The proposed License Agreement be approved.*)*

   E. Consideration and action on a Resolution Authorizing a Change Order and First Amendment in the Amount of $347,700 to the FY2020 Utility Maintenance Contract between the City of Bloomington and George Gildner, Inc., Bid No. 2019-28, for the purpose of funding additional utility maintenance projects at various locations, as requested by the Public Works Department. *(Recommended Motion:* The proposed Resolution be approved.*)*

F. Consideration and action to approve a Contract with Brenntag Mid-South, Inc., for the Purchase of Cationic and Anionic Polymer, in the amount of $76,500, as requested by the Public Works Department. *(Recommended Motion:* The proposed Contract be approved.*)*

G. Consideration and action on an Ordinance Approving a Zoning Map Amendment for 3204-3212 Gerig Drive and 3216 Gerig Drive, Approximately 5.04 acres, from B-1 General Commercial District to B-2 Local Commercial District, as requested by the Community Development Department. *(Recommended Motion:* The proposed Ordinance be approved.*)*

8. Regular Agenda

Electronic Roll Call Vote

A. Presentation by the U.S. Census Bureau regarding the 2020 Census purpose, process, and timeline, as requested by the Administration Department. *(Recommended Motion:* Presentation only.*)* (Presentation by Caryl Riley/Senior Partnership Specialist, U.S. Census Bureau, 20 minutes; and City Council discussion, 20 minutes.)

B. Consideration and action on Classified (non-union) IMRF Retirement awareness, as requested by the Human Resources Department. *(Recommended Motion:* Informational only, as required pursuant to the Local Government Wage Increase Transparency Act, 50 ILCS 155/1.*)* (Presentation by Tim Gleason, City Manager, 5 minutes; and City Council discussion, 5 minutes.)

C. Presentation of FY2021 Proposed Budget, as requested by the Finance Department. *(Recommended Motion:* Presentation and Discussion only.*)* (Presentation by Scott Rathbun, Finance Director, 20 minutes; and City Council discussion, 20 minutes.)

9. Finance Director's Report

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

10. City Manager's Discussion

11. Mayor's Discussion

12. Council Member's Discussion

13. Executive Session - Cite Section

Clerk-led Roll Call Vote

14. Adjournment

Voice Vote

RECOGNITIONS

RECOGNITION/APPOINTMENTS ITEM NO. 5.A

FOR COUNCIL: February 24, 2020

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officer Freshour, upon his completion of an eighteen-month probation, as requested by the Police Department.

RECOMMENDED MOTION: Recognition only.

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

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

BACKGROUND: Recognizing the completion of the eighteen-month probationary period for Police Officer Alex Freshour. He will be officially sworn in by the City Clerk.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Reviewed by:

Daniel A. Donath

Dan Donath, Assistant Police Chief 2/14/2020

Tara Henry

Tara Henry, Legislative Assistant 2/18/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- PD 1B Freshour Commission Certificate_Redacted

City of Bloomington Police Department

City Hall & Police Station Circa 1882

Police Officer's Commission

By authority of the Board of Fire and Police Commissioners
of the City of Bloomington,
in the County of McLean, and State of Illinois,
We do hereby certify that

Alex J. Freshour

Having been duly sworn
was appointed and commissioned a

Police Officer

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

[redacted]
Tari Renner
Mayor

[redacted]
Daniel Donath
Chief of Police

[redacted]
Dean Messinger
Chairman

[redacted]
Leslie Yocum
City Clerk

CONSENT AGENDA

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7.A

FOR COUNCIL: February 24, 2020

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the January 27, 2020 Regular City Council Meeting, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Minutes be approved.

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

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Reviewed by:

Leslie Yocum

Leslie Yocum, City Clerk 2/18/2020

Tara Henry

Tara Henry, Legislative Assistant 2/19/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- CLK 1B 01272020 Regular Session Council Meeting Minutes_Draft

MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
MONDAY, JANUARY 27, 2020, 6:00 P.M.

Roll Call

The Council convened in Regular Session in the City Council Chambers, City Hall Building at 6:00 p.m., Monday, January 27, 2020. The Meeting was called to order by Mayor Tari Renner.

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Present	
Jamie Mathy	Ward 1	Present	
Donna Boelen	Ward 2	Present	
Mboka Mwilambwe	Ward 3	Present	
Julie Emig	Ward 4	Present	
Joni Painter	Ward 5	Present	
Jennifer Jazmin Carrillo	Ward 6	Present	
Scott Black	Ward 7	Present	
Jeff Crabill	Ward 8	Present	
Kim Bray	Ward 9	Remote	6:03 PM

Recognition/Appointments

A. Proclamation recognizing February 2, 2020 to be Health for Humanity Yogathon Day, as requested by the Administration Department.

Mayor Renner read the proclamation aloud and welcomed anyone present for the proclamation to come forward to be recognized. A representative came forward to thank the Mayor and Council for the proclamation and provided a brief background of the event and the organization.

B. Recognition of the Appointment of Michael Straza to the Board of Zoning Appeals, as requested by the Administration Department.

Mayor Renner recognized Michael Straza's appointment to the Board of Zoning Appeals.

Public Comment

Mayor Renner opened the floor for public comment and the following people came forward: (1) Scott Stimeling and (2) De Urban.

Consent Agenda

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

Council Member Carrillo made a motion, seconded by Council Member Emig, that the Consent Agenda, including all items listed below, be approved as presented:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried

Item 7.A. Consideration and action to approve the Minutes of the December 16, 2019 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion:* The proposed Minutes be approved.*)*

Item 7.B. Consideration and action to approve Bills and Payroll in the amount of $5,936,433.15, as requested by the Finance Department. *(Recommended Motion:* The proposed Bills and Payroll be approved.*)*

Item 7.D. Consideration and action to approve updates to the John M. Scott Health Care Commission's By-laws and Grants Program Policies and Procedures, and new Finance Policies and Procedures, as requested by the Community Development Department. *(Recommended Motion:* The proposed Updates, Financial Policies, and Procedures be approved.*)*

Item 7.E. Consideration and action to approve the John M. Scott Annual Court Reports for fiscal years 2018 and 2019, as requested by the Community Development Department. *(Recommended Motion:* The proposed Annual Court Reports be approved.*)*

Item 7.F. Consideration and action on the purchase of a 2020 Ford F-550 4WD, Horton Model 623 (173") Type I All-Aluminum Modular Ambulance from Foster Coach, Sterling, IL, through the Northwest Municipal Conference (NWMC) Joint Purchasing Cooperative, in the amount of $275,103, and authorization to dispose of a 2012 International 4300 Ambulance (Medic 7) by Online Auction, as requested by the Fire Department. *(Recommended Motion:* The proposed Purchase and Disposal be approved.*)*

Items Pulled from the Consent Agenda

The following item was presented:

Item 7.G. Consideration and action to approve a Resolution Authorizing Waiving the Technical Bidding Requirements and Approving the Contract between the Board of Trustees of Illinois State University and the City of Bloomington for the Understanding and Monitoring of Local Water Quality Program, in the amount of $175,000, as requested by the Public Works Department.

Item 7.G. was pulled from the Consent Agenda by Council Member Mwilambwe.

Council Member Mwilambwe pulled the item in order to recuse himself (6:16 p.m.).

Council Member Crabill asked if this whether outsourcing would be more beneficial than using staff. City Manager Gleason responded affirmatively.

Council Member Black made a motion, seconded by Council Member Painter, that the proposed Resolution and Contract be approved, which resulted in the following:

AYES: Mathy, Boelen, Emig, Painter, Carrillo, Black, Crabill, Bray

RECUSED: Mwilambwe

Motion carried

Council Member Mwilambwe returned at 6:17 p.m.

The following item was presented:

Item 7.C. Consideration and action to approve a multi-year Agreement with Ferguson Enterprises, LLC, for the Ferguson Back Office Solution application, in the amount of $25 per meter, up to a maximum of 3,000 meters per year, as requested by the Public Works Department.

Item 7.C. was pulled from the Consent Agenda by Council Member Mathy.

Council Member Mathy noted that the item was for scheduling software that aids in the on-going replacement of water meters throughout the City.

Mr. Gleason asked Billy Tyus, Deputy City Manager, to come forward to address questions.

Council Member Mathy pointed out that the fee for the contract was significant and noted that the agreement was open-ended. He asked the status of the water meter replacement program and requested a timeline for completion. Mr. Tyus stated that replacement of meters would be a continuous effort as meters aged, but pointed out that the software would not be used indefinitely. Mr. Tyus discussed several uses and advantages of using the software. Council Member Mathy questioned the role staff would have with the new technology. Mr. Tyus responded that existing staff would be better utilized due to no longer requiring manual entry of data. Council Member Mathy and Mr. Tyus discussed the need for water leak detecting software/technology and/or frequent system checks by staff, as well as providing an annual program update to Council.

Council Member Crabill confirmed details of the replacement program and inquired about the number of manual meters still in operation and replacement rates. Mr. Tyus responded that he did not have those numbers off-hand, but could provide the information to him at a later date.

Council Member Mathy made a motion, seconded by Council Member Black, that the proposed Agreement be approved, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried

Regular Agenda

The following item was presented:

Item 8.A. Consideration and action on Classified (non-union) IMRF Retirement awareness, as requested by the Human Resources Department.

City Manager Gleason pointed out that the City was required under the Local Government Wage Increased Transparency Act to announce publicly any staff members that would retire and take advantage of the sick leave buy back option, which was the purpose of the item presented.

Council Member Boelen asked if staff were aware of any others that would be retiring under sick leave buy back. Mr. Gleason asked Josh Hansen, Compensation and Benefits Manager, to address the Council. Mr. Hansen stated there were three classified non-union employees and five union employees that would be impacted. He also noted that negotiations with Lodge 1000 would be completed in Spring 2020 and would follow a similar process.

Council Member Mathy noted that Council and staff were prepared for the impact of the retirements and mentioned the cost savings of ending the sick leave buyback program.

The following item was presented:

Item 8.B. Consideration and action on a Resolution Authorizing the Initiation of Map Amendments to the Official Zoning Map for Properties in the City of Bloomington, to Amend Errors and Make the Map Consistent with the Previously Adopted Comprehensive Text Amendment to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code, as requested by the Community Development Department.

City Manager Gleason provided a brief background of the decision to place the item on the Regular Agenda verses the Consent Agenda. He introduced Katie Simpson, City Planner, and asked her to come forward to address Council.

Ms. Simpson stated the amendment was a routine change and explained the purpose of the recent text amendment to the Zoning Code. She described the properties that were re-zoned or consolidated over the past year. She explained the elimination of the B3 District and the creation of three new Downtown Districts. Ms. Simpson noted that 401 properties were affected by the changes, but upon staff review, only 373 properties were properly notified. She detailed the discrepancies with the GIS database and discussed how staff remedied the issue. Ms. Simpson concluded by explaining the next steps in order to adopt the new zoning map.

Council Member Black thanked Ms. Simpson and staff for their work on the zoning updates. He also noted his appreciation for the clarity and visual assistance in the presentation in order to educate the public on why and how the City operates in reference to zoning.

Council Member Mathy agreed with Council Member Black that the amount of communication and explanation of the process was beneficial. He asked for a status update on the Dimmitt's Grove zoning district. Ms. Simpson stated staff were still in review on the district, but that it should appear on the February Planning Commission Agenda.

Council Member Emig asked if the changes would affect taxation. Ms. Simpson responded affirmatively. Council Member Emig inquired whether the new zoning map would be cleaned up by March 31, 2020 or if the GIS program would need continuous attention. Ms. Simpson stated staff would review the GIS program frequently and would continuously work to update the system.

Council Member Emig made a motion, seconded by Council Member Carrillo, that the proposed Resolution be approved, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried

City Manager's Discussion

City Manager Gleason discussed multiple downtown events. He reminded Council and the community of the Legislative Meeting to be held on Saturday, February 1, 2020 at 9:00 a.m. in the City Hall Council Chambers, and discussed topics that would be covered.

A. Finance Director's Report:

City Manager Gleason introduced Scott Rathbun, Finance Director, and asked him to come forward to address Council. Mr. Rathbun presented, discussing general fund revenues and expenditures. He ended his presentation with a summary of the Enterprise Funds.

Mayor's Discussion

Mayor Renner commended the Chamber of Commerce's Annual Gala for the 2019 Business Excellence Awards that he attended and noted the Chinese New Year and Martin Luther King holidays.

Council Member's Discussion

Council Member Boelen noted the opportunity she had over the past weekend where she brought a Boy Scout troop for a mock City Council Meeting. She also discussed public comment policies and encouraged the public to reach out to her should they wish to discuss items.

Council Member Mathy mentioned the Visitor's Bureau's Route 66 E-sports Tournament and applauded the well thought-out events.

Council Member Crabill reminded citizens of events at the BCPA and encouraged all to attend.

Council Member Carrillo reminded citizens of additional upcoming events.

Council Member Emig noted an upcoming workshop for self-defense and cyber security.

Executive Session - Cite Section

No executive session was held.

Adjournment

Council Member Carrillo made a motion, seconded by Council Member Crabill, that the meeting be adjourned.

Motion carried (viva voce)

The meeting adjourned at 7:00 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Tari Renner, Mayor	Leslie Yocum, City Clerk

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7.B

FOR COUNCIL: February 24, 2020

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the February 1, 2020 Legislative Update Special Session, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Minutes be approved.

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

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Reviewed by:

Leslie Yocum

Leslie Yocum, City Clerk 2/19/2020

Tara Henry

Tara Henry, Legislative Assistant 2/20/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- CLK 2B 02012020 Special Session Legislative Update Minutes_Draft

MINUTES
SPECIAL MEETING - LEGISLATIVE UPDATE
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
SATURDAY, FEBRUARY 1, 2020, 9:00 AM

Roll Call

The Council convened in Special Session for a Legislative Update with the City's Illinois State Representatives and Senators in the City Council Chambers, City Hall Building at 9:00 a.m., Saturday, February 1, 2020. The meeting was called to order by Mayor Tari Renner.

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Present	
Jamie Mathy	Ward 1	Present	
Donna Boelen	Ward 2	Present	
Mboka Mwilambwe	Ward 3	Present	
Julie Emig	Ward 4	Late	9:12 AM
Joni Painter	Ward 5	Present	
Jennifer Jazmin Carrillo	Ward 6	Absent	
Scott Black	Ward 7	Present	
Jeff Crabill	Ward 8	Present	
Kim Bray	Ward 9	Absent	
Jason Barickman	Senator	Late	9:07 AM
Bill Brady	Senator	Present	
Dan Brady	Representative	Present	
Keith Sommer	Representative	Present	

Public Comment

Mayor Renner opened the floor for public comment. No one came forward.

Legislative Work Session

Mayor Renner started the meeting by welcoming all of the State Representatives and Senators present for taking time out on a Saturday to address Council and the citizens of the City. He was very honored to have them present and for the chance to have open dialogue on opportunities for the City of Bloomington. He went on to introduce and thank the City's Lobbyist, Julie Curry, for all her assistance in pushing the City's initiatives forward at the capital. He turned the meeting over to Tim Gleason, City Manager.

Mr. Gleason thanked everyone in attendance, discussed goals of the meeting and walked through the City's four main requests of the State: (1) an Economic Development investment of $3.5 million; (2) an Emergency Operations Center; (3) a Road Project - Hamilton to Bunn to Commerce; and (4) O'Neil Pool.

Senator Barickman arrived at 9:07 a.m.

Senator Brady thanked everyone for the opportunity to attend the meeting. He touched on what he considered "wins" made in the prior legislative session and moved on to discuss the City's Hamilton/Bunn/Commerce road project. He confirmed that the City's requests mentioned had been forwarded on to the Governor's office and he described his approach to viewing the State's budget.

Senator Barickman apologized for being tardy. He described his view on last year's budget and walked through a few items that he believed would make passing a balanced budget difficult this year. He was happy to attend the meeting and excited about the discussion to be had.

Representative Brady began by complimenting the team at the City of Bloomington, placing emphasis on Tim Gleason, Billy Tyus, and Julie Curry. He discussed the approach taken last legislative session to address budgetary needs including motor fuel tax, etc. He stated that he was well aware of the City's requests mentioned and felt encouraged by the road project in particular. He appreciated the City's new approach in focusing on the real needs of the City.

Representative Sommer stated that his primary focus with the City of Bloomington was to emphasize maintaining a great working relationship. He complimented the Governor and was encouraged by the funding allocated thus far regarding the Hamilton road project. He requested the meeting be filled with specific requests, not just focused on infrastructure, but with items of true importance to the City.

Mrs. Curry recommended that an important item to be discussed be funding opportunities that would be or could be dispersed regarding the City's infrastructure requests.

Senator Brady addressed the different types of funding involved in allocating funds and pointed out that some of the projects are funded by revenue not yet to be collected. He used cigarette taxes and gaming as an example.

Council Member Boelen asked Mrs. Curry to restate her comments. Mrs. Curry did so accordingly.

Council Member Black expressed appreciation for the everyone in attendance and expressed gratitude to the State representatives and senators for taking time out of a Saturday to attend. He emphasized that O'Neil pool was a priority and needed to remain a project of focus.

Representative Brady touched back on Mrs. Curry's comments by further addressing allocations of revenue.

Council Member Boelen was concerned as to whether funds collected from gambling would come in as anticipated. She also discussed safety concerns she had regarding the Hamilton road project.

Council Member Mathy thanked everyone for the discussion. He discussed critics of Illinois and mentioned how often Illinois' biggest critics are residents. He encouraged the Representatives and Senators present to keep up the good fight. He discussed issues surrounding 5G and requested that the power of regulation be turned back to municipalities. He highlighted the Route 9 road project coming up and described a variety of technology installations that could be completed during the project that could generate a large savings to the State and City if completed in conjunction with the project.

Council Member Crabill was grateful for everyone in attendance. He asked that the Representatives and Senators discuss the combining of Police and Fire pensions, as well as provide cannabis updates.

Senator Brady asked Mr. Gleason if he knew of any updates on the combination of the Police and Fire pensions, as Mr. Gleason sits on a State Police Board. Mr. Gleason responded by stating that the approach currently was a waiting game.

Representative Brady also commented on combining pensions and mentioned details on future benefits that may be realized.

Senator Barickman provided additional information on combining pensions and went on to describe his understanding of cannabis licensing, as well as clarifications he anticipated coming from the State.

Council Member Black asked that Senator Barickman talk more about public consumption, to which Senator Barickman responded accordingly.

Council Member Black left the meeting at 9:46 a.m., returning at 9:49 a.m.

Representative Sommer agreed with Mr. Gleason the Police and Fire pension combining being "a waiting game." He mentioned that he was not an expert on cannabis, but provided insight from his viewpoint.

Council Member Emig apologized for being late and thanked two good Samaritans who had assisted her in getting to the meeting. She stressed her strong support for the Bloomington Public Library and moved on to discuss poverty rates in McLean County. She expressed concern for how the census would impact poverty rates and welcomed any input regarding the matter from anyone in attendance. Lastly, she stressed the importance of education.

Senator Brady discussed and emphasized how important the upcoming census truly is to the State, City, and all citizens. He encouraged the City to do all that they could to bolster participation, tying the census to funding, education, unemployment, job creation, etc. He discussed fair mapping and asked for everyone present to participate in turning the State of Illinois around.

Representative Brady mentioned the poverty rate in McLean county and discussed the recently approved increase in minimum wage. He also touched on the importance of education and mentioned unfunded mandates.

Mayor Renner made additional comments to the importance of the Census.

Senator Barickman addressed poverty and mental health issues being experienced by the State. He discussed the need for additional psychiatrists across the State and provided an example of how the State has been impacted. He believed that education would continue to be a focus of the State, but addressed issues involved surrounding property taxes.

Representative Sommer also commented on poverty and described his involvement on Bloomington’s west side and at Irving Elementary School. He talked about the need to focus on more than just providing lunches and addressed the social aspects of education. He stressed the importance of providing opportunities for real education beyond just books to those impacted by poverty and social injustices.

Mayor Renner recommended that a 10-minute break be taken and for the meeting to be reconvened at 10:15 a.m. Mayor Renner reconvened the meeting at 10:16 a.m.

Council Member Painter thanked those present for attending the meeting and for listening to Council's concerns. She expressed concerns with the Department of Child and Family Services (DCFS) backing her statements with statistics.

Representative Brady thanked her for bringing up such an important topic. He commented on issues with the agencies involved and stressed the importance of the Department learning to understand how the nuclei of families today have changed.

Senator Brady believed that the issue had been taken very seriously and would continue to be. He mentioned that Representative Sommer sits on a State committee centered on the issue.

Representative Sommer described the work that he and his colleagues take on the committee mentioned. He anticipated a large amount of legislation being brought forward in the next legislative session. He recognized statewide issues with current processes, as well as the need for change.

Council Member Painter brought up funding from property taxes and requested information on how funding would be distributed.

Senator Barickman responded by discussing the changes that had already occurred at the State level and described improvements Illinois had experienced on a national ranking level.

Mayor Renner turned the discussion back to the State Representatives and Senators by asking them 'What Council could do to assist them?'

Representative Brady believed the City Council was doing a great job and that he and his colleagues had seen great improvements from the City in recent years. He complimented the addition of Julie Curry to the City's team as the City's lobbyist.

Senator Barickman also complimented the City Council, City staff, and placed additional emphasis on Mrs. Curry's work.

Representative Sommer reiterated his State colleagues' statements about Council, staff, and Mrs. Curry.

Mayor Renner again thanked everyone present, as well as the elected officials.

City Manager Gleason was extremely appreciative of the participation from all at the meeting and he asked Deputy City Manager, Billy Tyus, to add any closing comments.

Mr. Tyus thanked everyone for giving up their Saturday morning and expressed sincere gratitude for the partnerships the City has at the local and State level.

Mrs. Curry was also grateful for the relationships between those in attendance and spoke fondly of the work she does for the City of Bloomington.

Adjournment

Council Member Black made a motion, seconded by Council Member Boelen, that the meeting be adjourned.

Motion carried (viva voce)

The meeting adjourned at 10:35 a.m.

CITY OF BLOOMINGTON	ATTEST
Tari Renner, Mayor	Leslie Yocum, City Clerk

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7.C

FOR COUNCIL: February 24, 2020

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills and Payroll in the amount of $7,124,434.57, as requested by the Finance Department.

RECOMMENDED MOTION: The proposed Bills and Payroll be approved.

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

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved $7,124,434.57 (Payroll total $2,563,039.47, Accounts Payable total $2,789,055.56, Bank Transfers total $1,654,560.33, and Procurement Card Purchases total $117,779.21).

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:

F. Scott Rathbun, Finance Director	2/19/2020	Tara Henry, Legislative Assistant	2/19/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- FIN 1B Council Finance Summary Report

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
2/14/2020	$ 2,032,174.59	$ 530,864.88	$ 2,563,039.47

Off Cycle Adjustments

	PAYROLL GRAND TOTAL	**$ 2,563,039.47**

ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
2/24/2020	AP General	$ 2,262,928.18
	AP JM Scott	
2/24/2020	AP Comm Devel	$ 86,560.33
2/24/2020	AP IHDA	$ 315.21
2/24/2020	AP Library	$ 93,393.66
2/24/2020	AP MFT	$ 5,478.77
2/7/2020-2/14/2020	Out of Cycle	$ 340,379.41
10/30/2019-1/30/2020	AP Bank Transfers	$ 1,654,560.33
	AP GRAND TOTAL	**$ 4,443,615.89**

PCARDS

Date Range	Total
1/1/2020-1/31/2020	$ 117,779.21
PCARD GRAND TOTAL	**$ 117,779.21**

TOTAL	**$ 7,124,434.57**

Respectfully,

F. Scott Rathbun
Director of Finance

City of Bloomington Illinois

CONSENT AGENDA ITEM NO. 7.D

FOR COUNCIL: February 24, 2020

SPONSOR: Administration Department

WARD IMPACTED: Ward 6

SUBJECT: Consideration and action on a License Agreement between the City of Bloomington and Sunnyside Community Garden and Food Forest, Inc., as requested by the Administration Department.

RECOMMENDED MOTION: The proposed License Agreement be approved.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods
-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
-Objective 5c. Incorporation of "Green Sustainable" concepts into City's development and plans
-Objective 4e. Strong partnership with residents and neighborhood associations

BACKGROUND: For the last several years the entity now incorporated as the Sunnyside Community Garden and Food Forest has operated a community garden at the west end of Illinois Street adjacent to Sunnyside Park on less than 2 acres of a roughly 9-acre City owned parcel of land. The program provides gardening education to youth, promotes economic and environmental sustainability and often supplies healthy food alternatives to underserved residents in Bloomington. As part of its outreach the program, fresh fruits and vegetables are often donated to local food banks and to a number of other organizations including the Boys & Girls Club, Home Sweet Home Ministries, The Salvation Army, Veggie Oasis and to residents in need during regular giveaways.

The program enhances what is fast becoming a community campus designed to serve the neighborhood and the community as a whole with the sale of parts of the adjacent Sunnyside Park for expansion of Boys & Girls Club and new playground equipment and basketball courts added by the City of Bloomington in recent years.

This license agreement, if approved, would formalize the agreement between Sunnyside and the City, allowing the organization to pursue grants and other funding opportunities necessary for its future operations and growth. The agreement would allow for the land to be operated as a community garden would be effective through December 31, 2022, unless terminated sooner by the terms of the agreement. It would automatically extend for additional 1-year periods unless the City provides written notice of termination at least 6 months prior to end of any calendar year.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Sunnyside Community Gardens and Food Forest, as well as various other partners.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Billy Tyus, Deputy City Manager

Reviewed by:

Chris Tomerlin, Budget Manager 2/19/2020

Jeffrey R. Jurgens, Corporation Counsel 2/19/2020

Leslie Yocum, City Clerk 2/19/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- ADM 1B Sunnyside Park License Agreement FINAL

LICENSE AGREEMENT

This License Agreement is made by and among the **City of Bloomington, Illinois** (“City”), and the **Sunnyside Community Garden and Food Forest**, an Illinois corporation.(“Garden”).

RECITALS

WHEREAS, City owns vacant property located at the west end of Illinois Street in the City of Bloomington, Illinois, as roughly sketched on the attached **Exhibit A** (the “Property”);

WHEREAS City has allowed and desires to continue to allow Garden to use the Property as a community garden by a not-for-profit entity providing healthy food alternatives to the underserved residents of Bloomington;

WHEREAS, Garden desires to continue to use the Property for community garden purposes and; and

WHEREAS, the parties desire to formalize the understandings among them as to the Property by executing this License Agreement;

NOW, THEREFORE, in consideration of the mutual covenants, agreements and stipulations contained in this License Agreement, the parties agree as follows:

1. **License.** For the term specified below, City grants to Garden the exclusive right and privilege of operating a community garden on the Property. Garden agrees that this grant is a revocable license given at the discretion of City and shall in no way be construed as giving Garden a real property interest in the Property.

2. **Term.** This License Agreement shall commence on February 24, 2020, and shall be effective through December 31, 2022 unless sooner terminated. The agreement shall automatically extend for additional one year period (s) unless City provides written notice of termination not less than 6 months prior to of the end of the calendar year of any current term. Garden may terminate this License Agreement at any time by giving City 30 days’ written notice.

3. **Operation.** Use of the Property shall be as follows:
   a) The Property shall be used as a community garden, including cultivating, planting, weeding, and harvesting vegetables, fruits, and flowers, as a reasonably prudent gardener or farmer, and for gardening instruction to community members. Garden shall not allow the Property to be used for any other purpose.
   b) Fresh produce harvested from the community garden shall be provided to underserved individuals and families within the City or donated to local organizations that benefit similar populations.
   c) Garden shall not make any alterations, additions, or improvements to the Property without City’s consent; provided, however, Garden may erect one or more “hoop

houses" with no foundations and secured by metal poles inserted into the ground no more than two feet subject to city construction requirements.

4. **Surrender.** At the termination of this License Agreement, Garden shall surrender and deliver the Property to City in a state of repair and condition comparable to the state of repair and condition of the Property at the beginning of the term. All hoop houses or other structures, trees, and plantings shall be removed by Garden unless the City agrees in writing that a portion or all such structures, trees and plantings shall remain. City shall have no obligations whatsoever to perform any maintenance, repairs, or other services in connection with the Property or this license.

5. **Maintenance and Repair.** Garden shall keep the Property and surrounding area in a clean, sanitary, and orderly condition consistent with the operation of a community garden.

6. **Utilities.** Garden currently accesses water to operate its community garden on the Property via a spigot. Any increase in existing use shall require Garden to install at their expense a water meter by which water use can be measured and paid by Garden. .

7. **Real Estate Taxes.** The Property is exempt from real estate taxes as City-owned. The license granted under this License Agreement is without financial gain to City and is not a lease made with a view to profit. The license granted herein is consistent with City goals and purposes to provide healthful programs benefitting the community without profit to the City; however, City makes no claim or warranty that the Property cannot be subject to real estate taxes under this License Agreement. If for any reason the Property becomes subject to real estate taxes, Garden agrees to pay all such taxes when due.

8. **Insurance.** Throughout the term of this License Agreement, Garden shall carry and maintain, at their sole cost and expense, commercial general liability insurance of an "occurrence" type against all claims arising out of liability of Garden for injury to persons or property occurring in or about the Property or arising out of the use thereof, with limits of not less than $1,000,000 per occurrence and $1,000,000 as a general aggregate. Any policy of insurance required to be obtained shall be issued in form acceptable and by an insurance company acceptable to City and shall name City as an additional insured.

9. **Indemnification.** Garden shall indemnify, defend, and hold harmless City and City's council members, officers or employees, from and against all claims, demands, liabilities, losses, costs, damages, or expenses resulting or arising from any and all injuries to, including death of, any person or damage to any property caused by the use of the Property by Garden and/or the acts or omissions of its agents, employees, or contractors. City shall not be liable to Garden for any inconvenience or loss to Garden in connection with any repair, maintenance, damage, destruction, or restoration of the Property. City may but shall have no obligation to insure the Property or otherwise be liable for any damage to or destruction.

10. **Waiver of Subrogation.** Anything in this License Agreement notwithstanding and to the extent permitted by applicable law, Garden does hereby release and waive all claims, rights

of recovery, and causes of action that Garden or any party claiming by, through, or under them by subrogation or otherwise, may now or hereafter have against City and City's council members, officers, employees, or agents for any loss or damage that may occur to the Property or any personal property thereon by reason of force majeure or any other cause, excluding willful misconduct.

11. **Default.** If Garden fails to perform any covenant or obligation set forth in this License Agreement, City shall give Garden written notice of such default. If Garden fails to cure such default within 30 days after receipt of notice, this License Agreement shall terminate without any further notice required and City shall repossess the Property. Garden and shall have the responsibility to notify City and provide proof in writing that any default under this License Agreement has been cured within 30 days.

12. **Mechanic's Liens.** Garden shall not permit any mechanic's liens to be filed against the Property. Garden shall pay and release of record any such liens arising as a result of Garden's activities on the Property and without cost to City within 30 days following delivery by City to Garden of written notice regarding the existence of any such lien.

13. **Inspection.** City and its employees may enter onto the Property at any reasonable time for the purpose of inspection or any other purpose necessary to protect City's interest in the Property.

14. **Assignment and Sublicense.** Garden may not assign this License Agreement without the prior written consent of City.

15. **Acceptance of Property.** City and Garden, recognize, stipulate and agree that Garden has accepted the subject of this License Agreement in "as-is" condition and without any warranty, representation, expressed or implied, concerning the condition of the Property or its fitness for the operation of Garden's community garden.

16. **Notice.** All notices and correspondence under this License Agreement shall be given by certified or registered U.S. mail to the parties as follows:

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

If to Garden:
Sunnyside Community Garden and Food Forest
c/o Illinois Prairie Community Foundation
915East Washington Street, Suite 2
Bloomington, IL 61701

17. **Entire Understanding.** This License Agreement constitutes the entire understanding of the parties with respect to the operation of a community garden on the Property. Any amendment shall not be binding on the parties unless it is in writing, dated subsequent hereto, and duly executed by all parties.

This License Agreement is executed as of this ____ day of _____________, 2020.

CITY OF BLOOMINGTON, ILLINOIS
By: ______________________________________
Its: City Manager

SUNNYSIDE COMMUNITY GARDEN AND FOOD FOREST

By: ______________________________________
Its:

Exhibit A attached.

10/31/2019 EXHIBIT A

McLean County GIS Consortium

EXHIBIT A

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

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7.E

FOR COUNCIL: February 24, 2020

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Authorizing a Change Order and First Amendment in the Amount of $347,700 to the FY2020 Utility Maintenance Contract between the City of Bloomington and George Gildner, Inc., Bid No. 2019-28, for the purpose of funding additional utility maintenance projects at various locations, as requested by the Public Works Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

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

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5b. City decisions consistent with plans and policies
-Objective 5a. Well-planned City with necessary services and infrastructure
-Objective 4d. Improved neighborhood infrastructure
-Objective 2c. Functional, well maintained sewer collection system
-Objective 2b. Quality water for the long term

BACKGROUND: Public Works is recommending the approval of a Resolution and Change Order, which will add $347,700 to the FY2020 Utility Maintenance contract with George Gildner, Inc. for a total of $1,198,700. This program includes sanitary sewer, storm sewer, force main, pump station, water main, and other City utility repairs that are not emergencies. Due to the lack of necessary equipment or manpower, this work is beyond the capability of City crews.

The budget for the FY2020 Utility Maintenance contract is $1,120,000.00. On April 22, 2019, Council approved a Contract with George Gildner, Inc. for $851,000, based on the bid received, which left $269,000 of the budgeted amount unencumbered. Based on the proposed maintenance projects, which are greater than the remaining contract value, staff recommends adding the unencumbered funds from the Utility Maintenance contract and the Emergency Utility Repair budget. The Emergency Utility Repair budget includes $54,106 from the Sanitary Sewer Fund and $24,594 from the Storm Water Fund.

To date, projects coordinated by staff have paid out approximately $583,147 of the awarded funds for this contract. There are numerous additional repairs, maintenance items, and improvements that have been identified by staff, and history shows there will likely be more projects that will develop during the remainder of the fiscal year. The work will be scheduled and completed as priorities are determined. The following chart summarizes the contract finances and changes to this contract.

Fund	FY 2020 Budgeted Amount	Awarded Amount	Remaining Contract Value	Added Funds	New Contract Total
Sanitary Sewer (51101100-70550)					
Utility Maintenance	$325,000	$246,942	$14,490	$78,058	$325,000
Emergency Repair	$54,106	-	-	$54,106	$54,106
Storm Sewer (53103100-70550)					
Utility Maintenance	$125,000	$94,978	$16,240	$30,022	$125,000
Emergency Repair	$24,594	-	-	$24,594	$24,594
Storm Sewer – Sump (53103100-72550)	$100,000	$75,982	$49,689	$24,018	$100,000
Water – Trans/Dist. (50100120-70550)	$250,000	$189,955	$57,246	$60,045	$250,000
Water – Meter Serv. (50100150-72620)	$100,000	$75,982	$33,522	$24,018	$100,000
Water – Lake Maint. (50100140-70550)	$50,000	$37,991	$23,323	$12,009	$50,000
Water – WTP (50100130-70550)	$170,000	$129,170	$73,343	$40,830	$170,000
Totals:	**$1,198,700**	**$851,000**	**$267,853**	**$347,700**	**$1,198,700**

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved the change order for $347,700 will be paid out of the following accounts listed below. Stakeholders can locate this in the FY 2020 Budget Book titled "Other Funds & Capital Improvement". Corresponding page number locations are listed after each item.

1. $60,045 out of Water Trans. and Dist. - Repair/Maintenance Infrastructure account (50100120-70550). Page 116
2. $40,830 out of the Water Purification- Repair/Maintenance Infrastructure account (50100130-70550). Page 120
3. $12,009 out of the Lake Maintenance- Repair/Maintenance Infrastructure account (50100140-70550). Page 124
4. $24,018 out of the Water-Meter Services-Other Capital Improvement account (50100150-72620). Page 129
5. $132,164 out of Sanitary Sewer- Repair/Maintenance Infrastructure account Utility Maintenance (51101100-70550). Page 133
6. $54,616 out of Storm Water Maintenance-Repair/Maintenance Infrastructure account (53103100-70550). Page 140
7. $24,018 out of the Storm Water-Sewer Construction Improvement account (53103100-72550). Page 141

Change Order Total: $347,700

Existing Contract Funding: + $851,000
New Contract Total: $1,198,700

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

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

Respectfully submitted for Council consideration.

Prepared by: Ward Snarr, Civil Engineer II

Reviewed by:

Kevin Kothe, City Engineer 2/11/2020

Carla Murillo, Procurement Manager 2/17/2020

Chris Tomerlin, Budget Manager 2/18/2020

Jeffrey R. Jurgens, Corporation Counsel 2/19/2020

Tara Henry, Legislative Assistant 2/20/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- PW 2B Resolution FY2020 Utility Maintenance Change Order
- PW 2C Original Agreement
- PW 2D - Amendment to Contract - FY2020 Utility Maintenance Contract Change Order_signed_Redacted

RESOLUTION NO. 2020 - ___

A RESOLUTION AUTHORIZING A CHANGE ORDER AND FIRST AMENDMENT IN THE AMOUNT OF $347,700 TO THE FY2020 UTILITY MAINTENANCE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND GEORGE GILDNER, INC.

WHEREAS, the City of Bloomington has previously authorized a contract with George Gildner, Inc. for utility maintenance work (FY2020 Utility Maintenance, Bid No. 2019-28); and

WHEREAS, they City has $347,700 unencumbered funds budgeted for the FY2020 Utility Maintenance work; and

WHEREAS, the awarded project has been utilized by George Gildner, Inc. and will require additional funds for additional repairs; and

WHEREAS, it is desirous to proceed with additional maintenance work by extending the George Gildner, Inc.'s purchase order (#20200100) through a change order for a total contract amount of $1,198,700; and

WHEREAS, it is the finding of the City Council that the decision to approve the change order is in the best interest of the City of Bloomington;

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

That the recitals set forth above are incorporated herein and City Manager, or designated representatives, are authorized to secure the Change Order, and are authorized to execute the First Amendment and any other necessary documents to effectuate the purchase.

PASSED this 24th day of February 2020.

APPROVED this ___th day of February 2020.

CITY OF BLOOMINGTON	**ATTEST**
______________________________	______________________________
Tari Renner, Mayor	Leslie Yocum, City Clerk

Exhibit A

802 E Washington

PIN: 21-04-431-029

MR QUICK SUBDIVISION LOT 1

.31 ACRES

AGREEMENT

THIS AGREEMENT, Made and entered into this **22rd day of April, 2019,** by and between**, George Gildner, Inc.,** first party, also hereinafter referred to as "Contractor", and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did on **March 19, 2019,** by advertisement, call for bids for furnishing all labor and material for the construction of **FY2020 UTILITY MAINTENANCE** project for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on **Tuesday, March 19, 2019** submit this bid to said City of Bloomington for furnishing all of the labor and materials for the construction of said **FY2020 UTILITY MAINTENANCE** on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

THEREFORE, it is covenanted and agreed upon the part of said first party that in consideration of the amounts to be paid by said City, he will furnish all labor, tools, machinery and materials for the construction of said improvement complete, in accordance with the said plans, profiles and specifications, call for bids, and said contractor's bid, each herein set out and made a part hereof.

And it is also understood and agreed that the Proposal Package, Specifications, Special Provisions, Contractor's Proposal, Contract Bond and Project Addenda hereto attached, and the Plans for **FY2020 UTILITY MAINTENANCE** are all essential documents of this contract and are a part hereof.

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of **$851,000.00** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

Said bond shall be conditioned to save and keep harmless said City from any and all claims, demands, loss, suits, costs, expenses and damages which may be brought, sustained or recovered against said City by reason of any negligence, default or failure of the said contractor in building, constructing or completing said improvement and its appurtenances, or any part thereof, and that said improvement when constructed shall be free from all defects and remain in good order and condition for one year from its completion and acceptance by the City of Bloomington, ordinary wear and tear, and damage resulting from accident or willful destruction excepted; which bond is attached hereto and made a part hereof.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that whenever the said City may deem necessary, additional or new bond shall be furnished by said Contractor with such sureties as will be satisfactory to the said City Council, as a guarantee that said Contractor will faithfully perform the work in accordance with the terms of this agreement.

IT IS FURTHER AGREED that should said Contractor fail to complete the work within the time herein specified for doing the same, then he shall pay the expense of the City Inspector or Inspectors from the date specified for completion until said work is completed and shall pay to the City all other expenses created by reason of such failure to complete said work in the specified time or by reason of such time being extended.

This agreement shall not be assigned, nor any part of the work subcontracted without the written consent of the City of Bloomington endorsed hereon, and in no case shall such consent relieve the party of the first part from the obligations herein entered into by said party, or change the terms of this agreement.

IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that all ordinances now in force in the City of Bloomington respecting and regulating public improvement, not in conflict with the terms of this contract, shall be a part and parcel of this contract.

The number of inspectors to be placed on said work shall be determined by the City of Bloomington, but if at any time on account of a disregard of any of the provisions of this contract by the said first party, or on account of the failure of said first party to faithfully perform the work in accordance with this contract, additional inspectors shall be deemed necessary by said City, the pay of such additional inspectors shall be charged to said Contractor and be deducted from the amount due said Contractor on final settlement under this contract.

The Contractor and all persons employed on the work shall obey the instruction of the City Engineer or the inspector on said work. Any person who shall refuse or neglect to so obey, or who shall be deemed incompetent by said City Engineer or said Inspector shall at once be removed from the work by the Contractor when so required by said Engineer or Inspector.

The City of Bloomington hereby covenants and agrees, in consideration of the faithful performance of the covenants and agreements in this contract specified to be kept and performed by first party, to pay party of the first part, when this contract shall be wholly carried out and completed upon the part of the said Contractor, and when said work shall have been finally accepted by said City of Bloomington, the amounts set forth in first party's bid in manner as herein and in said call for bids provided.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this contract calls for the construction of a “public work,” within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. (“the Act”). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current “prevailing rate of wages” (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website at http://labor.illinois.gov/. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department’s web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor’s website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties.

IT IS FURTHER AGREED AND UNDERSTOOD that the work to be done pursuant to this contract shall be done under the direction and to the satisfaction of the City of Bloomington, and that, except as otherwise provided in the said ordinance or the judgment of the court, said City, except as by law provided, or any officer thereof, shall not be liable for any portion of the expense of said work, nor for any delinquency or persons or property assessed.

This contract and the bond herein provided, shall be signed in triplicate and be subject to the approval of the City of Bloomington.

IN TESTIMONY WHEREOF the said first party has hereunto set his hand and seal, and the City of Bloomington has caused this agreement to be signed by its City Manager, its corporate seal to be attached, and said signing and sealing to be attested by its City Clerk on the day and year first above written.

(Seal)

ATTEST;

____
City Clerk

CITY OF BLOOMINGTON

By:__________________________
City Manager

WITNESS:

CONTRACTOR (Seal)

____

C I T Y O F B L O O M I N G T O N
FY2020 UTILITY MAINTENANCE
PROJECT NO. CITY # 50-18-53005-20-00
CITY BID NO. 2019-28

Bid Opening Date: 3/19/2019
Bid Opening Time: 1:30 PM
PREPARED BY: Ward Snarr

Attended By: Carla Murillo
Luke Thoele
Ward Snarr
Amanda Mohan

BID TABULATION	2020 Budget $1,120,000.00		*ENGINEERS ESTIMATE*		LOW BID **George Gildner, Inc.**		Stark Excavating, Inc.		Hoerr Construction, Inc.	
LABOR / ITEM	UNIT	APPROX QTY	RATE	TOTAL	**RATE**	**TOTAL**	RATE	TOTAL	RATE	TOTAL
CEMENT MASON	HR	1000	$73.00	$73,000.00	$40.00	$40,000.00	$70.88	$70,880.00	$84.00	$84,000.00
LABORER	HR	5800	$73.00	$423,400.00	$80.00	$464,000.00	$69.00	$400,200.00	$80.00	$464,000.00
OPERATING ENGINEER	HR	3000	$83.00	$249,000.00	$70.00	$210,000.00	$86.44	$259,320.00	$78.00	$234,000.00
PLUMBER	HR	1600	$83.00	$132,800.00	$62.00	$99,200.00	$82.95	$132,720.00	$60.00	$96,000.00
TRUCK DRIVER	HR	2700	$63.00	$170,100.00	$14.00	$37,800.00	$25.00	$67,500.00	$20.00	$54,000.00
			TOTALS	$1,048,300.00		$851,000.00		$930,620.00		$932,000.00

FIRST AMENDMENT TO CONTRACT
FOR FY 2020 UTILITY MAINTENANCE
WITH GEORGE GILDNER INC

This First Amendment, made and entered into this ___ day of February, 2020, by and between THE CITY OF BLOOMINGTON, ILLINOIS, (hereinafter "CITY"), and GEORGE GILDNER INC, (hereinafter "GGI"), WITNESSETH that:

WHEREAS, on April 22, 2019, a contract for utility maintenance ("Contract") was made between the CITY and GGI for utility maintenance projects at various locations in Bloomington, IL 61701; and

WHEREAS, the parties desire to amend the Contract, as set forth herein, to change the amount of the Contract by an additional amount of $347,700 for additional repair.

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

3. In all other respects the Contract for FY 2020 Utility Maintenance shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Agreement for Inspection and Support in duplicate this day and year first above written.

CITY OF BLOOMINGTON

By: ______________________
Its City Manager

ATTEST:

By: ______________________
Its City Clerk

GEORGE GILDNER INC.

By: [redacted]
Its Representative

ATTEST:

By: [redacted]
Its Secretary

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7.F

FOR COUNCIL: February 24, 2020

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Contract with Brenntag Mid-South, Inc., for the Purchase of Cationic and Anionic Polymer, in the amount of $76,500, as requested by the Public Works Department.

RECOMMENDED MOTION: The proposed Contract be approved.

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

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

BACKGROUND: Public Works is recommending the approval of a new contract, in the amount of $76,500, with Brenntag Mid-South, Inc. utilizing a limited source justification, in order to purchase cationic polymer and anionic polymer for water treatment purposes.

Each year, staff requests competitive bids for most of the annual water treatment chemical needs. However, these bids historically have not included polymers for the water clarification process. Through years of exhaustive bench testing and actual use at the Water Treatment Plant, staff determined which polymers work with the specific water quality desired by our Water Treatment Plant.

The current contract with Brenntag Mid-South, Inc., expires on April 30, 2020. Staff is requesting that the proposed new contract begin May 1, 2020 and extend through April 30, 2021. The quoted price for both polymers includes delivery fees. The current prices and increases are as follows:

Polymer	Current Rate	Proposed Rate	Percent Change
Cationic Polymer	$0.84 per pound	$0.86 per pound	2.38% increase
Anionic Polymer	$1.55 per pound	$1.55 per pound	No Increase

Historical average dosages of the cationic and anionic polymers are 12.4 and 4.7 pounds per million gallons of water treated, respectfully. Assuming a relatively dry year with an average rate of 11 million gallons pumped per day, costs would be $44,817.25 for cationic polymer and $30,398.46 with a 1.5% buffer for a total annual expenditure of $76,500.

The polymers used by the City are as follows:

Polymer	Product Name	Typical Dosage

Cationic Polymer	Robin 120	~1.25 – 1.75 parts per million
Anionic Polymer	Robin 30A	~0.25 – 0.50 parts per million

The City uses two different types of polymers for two different purposes. Both types are extremely critical in removing particles from the reservoir water that is being used. The broad difference between the two polymers is that one polymer has a net positive charge (cationic) and the other has a net negative charge (anionic). The cationic polymer is used to neutralize the net negative surface charges of the particles in the reservoir water, which then collide and stick together in the large groups of particles, (algae, bacteria, silt, possible disease causing organisms, etc.), which settle out as heavier than water particles and are removed during treatment. The anionic polymer improves the settling characteristics of the heavier than water particles and the minerals (hardness) that are removed during the softening process. Both types of polymers are extremely important in assuring that small particles of potential health significance are removed during treatment.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: This purchase, if approved, would be for $76,500. Public Works has included $925,000 in the Water Purification–Water Chemicals account (50100130-71720) for FY 2021 Proposed Budget.

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

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

Respectfully submitted for Council consideration.

Prepared by: Kevin Whitehouse, Superintedent of Water Purification

Reviewed by:

Kevin Kothe, City Engineer 2/11/2020

Chris Tomerlin, Budget Manager 2/12/2020

Jeffrey R. Jurgens, Corporation Counsel 2/19/2020

Tara Henry, Legislative Assistant 2/19/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- PW 1B Contract_ Water Polymer Contract 02242020
- PW 1C Water Polymers Brenntag LSJF 1581_redacted

CITY OF BLOOMINGTON
CONTRACT WITH
Brenntag Mid-South, Inc.
FOR
Robin 120 Cationic Polymer and Robin 30A Anionic Polymer

THIS AGREEMENT, dated this 24th day of February, 2020, is between the City of Bloomington (hereinafter "CITY") and Brenntag Mid-South, Inc. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. **Description of Services**. CONTRACTOR shall provide the services/work identified on Exhibit A.

Section 3. **Payment.** For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR: ☐ a lump sum amount of $___________; or ☑ the amount(s) set forth in Exhibit B. Invoices shall be due and payable within 45 days of submission.

Section 4. **Default and Termination**. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 5. **Indemnification.** To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, its officers, officials, agents and employees from claims, demands, causes of action and liabilities of every kind and nature whatsoever arising out of or in connection with CONTRACTOR's operations performed under this Contract, except for loss, damage or expense arising from the sole gross negligence or willful misconduct of the CITY or the CITY's agents, servants or independent contractors who are directly responsible to CITY. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force. The indemnity shall apply regardless of any concurrent negligence, whether active or passive, of the CITY or CITY's officers, officials, agents, employees, or any other persons or entities. The indemnity set forth in this section shall not be limited by insurance requirements or by any other provision of this Contract.

Section 6. **General Liability Insurance.** CONTRACTOR shall maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with general limits shall be less than $2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy. Umbrella liability coverage must also be provided in the amount of $4,000,000 for each occurrence, $4,000,000 in aggregate.

Section 7. **Representations of Vendor.** CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 8. **Assignment.** Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 9. **Compliance with Laws.** CONTRACTOR and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 10. **Prevailing Wage.** The following shall apply to this contract:

☑ This contract is not for a "public work" and therefore Prevailing Wage does not apply. ***Initial*:** _____ (City) _____ (CONTRACTOR)

☐ This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website at http://labor.illinois.gov/. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties.
Initial: _____ (City) _____ (CONTRACTOR)

Section 11. Compliance with FOIA Requirements. CONTRACTORfurther explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR agrees to defend, indemnify, and hold harmless CITY, and agrees to pay all reasonable costs connected therewith (including, but not limited to reasonable attorney's and witness fees, filing fees, and any other expenses) for CITY to defend any and all causes, actions, causes of action, disputes, prosecutions, or conflicts arising from CONTRACTOR actual or alleged violation of the FOIA, or CONTRACTOR failure to furnish all documentation related to a request within five (5) days after CITY issues notice of a request. Furthermore, should CONTRACTOR request that CITY utilize a lawful exemption under FOIA in relation to any FOIA request thereby denying that request, CONTRACTOR agrees to pay all costs connected therewith (such as reasonable attorney's and witness fees, filing fees and any other expenses) to defend the denial of the request. The defense shall include, but not be limited to, challenged or appealed denials of FOIA requests to either the Illinois Attorney General or a court of competent jurisdiction. CONTRACTOR agrees to defend, indemnify, and hold harmless CITY, and agrees to pay all costs connected therewith (such as reasonable attorney's and witness fees, filing fees and any other expenses) to defend any denial of a FOIA request by CONTRACTOR request to utilize a lawful exemption to CITY.

Section 12. **Governing Law.** This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 13. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 14. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 15. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 16. Term. The term of this Contract shall be:

- ☐ Until all of the services and/or deliverables required to provided within this Contract are completed.
- ☐ From one (1) year from the date of execution.
- ☐ From two (2) years from the date of execution.
- ☑ Other: May 1, 2020 through April 30, 2021

The Contract shall also be subject to the following renewal terms, if any: ____________________

Notwithstanding anything herein, the provisions in Sections 5 and 11 shall survive termination.

Section 17. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: ______________________________

Its City Manager

ATTEST:

By: ______________________________

City Clerk

Brenntag Mid-South, Inc.

By: ______________________________

Its______________

By: ______________________________

Its______________

EXHIBIT A
SCOPE OF SERVICES / WORK PROVIDED

Polymer	Product Name	Typical Dosage
Cationic Polymer	Robin 120	~1.25-1.75 parts per million
Anionic Polymer	Robin 30A	~0.25-0.50 parts per million

EXHIBIT B
FEES / COMPENSATION

Product	Package	Cost
Robin 120	475# Drum	$0.86 per pound
Robin 30A	2300# Tote	$1.55 per pound

LIMITED SOURCE JUSTIFICATION

(Requester completes Section A & B (D only if necessary).

SECTION A –LIMITED SOURCE PURCHASE:

Complete if a purchase is $3,000 or over and due to reasons of previous capital investment, improved public service, long-term operational need, security, patents, copyrights, critical need for responsiveness, proximity, Federal, State or other regulations, necessary replacement parts and/or compatibility, warranty, this procurement justifies a limited source exemption.

Vendor Name & #: Brenntag Mid-South Inc #1502	Amount: $76,500	Date: 2/24,2020

Description of item/services: Extension of current contract for the purchase of polymers for the period of 5/1/2020 – 4/20/2021.

Justification:

Each year, staff requests competitive bids for most of the annual water treatment chemical needs. However, these bids historically have not included polymers for the water clarification process. Through years of exhaustive bench testing and actual use at the Water Treatment Plant, staff determined which polymers work with the specific water quality desired by our Water Treatment Plant.

The current contract with Brenntag Mid-South, Inc., expires on April 30, 2020. Staff is requesting that the proposed contract begin May 1, 2020 and extend through April 30, 2021. The quoted price for both polymers includes delivery fees. The current prices and increases are as follows:

Polymer	Current Rate	Proposed Rate	Percent Change
Cationic Polymer	$0.84 per pound	$0.86 per pound	2.38% increase
Anionic Polymer	$1.55 per pound	$1.55 per pound	No Increase

SECTION B - REQUESTER CERTIFICATION: By submitting this request, I attest that the above justification/information is accurate and complete to the best of my knowledge and that I have no personal or business interests relative to this request.

[redacted] 2-17-2020

(Name and Signature of Department Director or Designee) Date

SECTION C –TO BE COMPLETED BY PROCUREMENT OFFICE:

Based on the information provided in Section A and attached supporting documents,
I concur ☑ do not concur ☐ (see below) with purchase to be a Limited Source.

Do not concur for the following reason(s):

[redacted] 2/17/2020

Name and Signature of Purchasing Agent or Designee Date

CONSENT AGENDA ITEM NO. 7.G

FOR COUNCIL: February 24, 2020

SPONSOR: Community Development Department

WARD IMPACTED: Ward 3

SUBJECT: Consideration and action on an Ordinance Approving a Zoning Map Amendment for 3204-3212 Gerig Drive and 3216 Gerig Drive, Approximately 5.04 acres, from B-1 General Commercial District to B-2 Local Commercial District, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:
-Goal 4. Strong Neighborhoods
-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:
-Objective 4c. Preservation of property/home valuations
-Objective 3e. Strong working relationship among the City, businesses, economic development organizations
-Objective 3b. Attraction of new targeted businesses that are the "right" fit for Bloomington

BACKGROUND: 3204-3212 Gerig Drive and 3216 Gerig Drive, the "subject properties," are located on Bloomington's east side, Ward 3, near the intersection of Haeffele Way and E. Empire Street/IL Rt 9. 3204-3212 Gerig Drive is improved with multi-family residences and 3216 Gerig Drive is currently vacant. Both lots have been zoned B-1, General Commercial District since their annexation in 2000 (Ordinance #2000-171). The properties are adjacent to other B-1 zoned properties, but are also bordered by the R-3B, Multifamily Residential district to the north. The Airport is located on the south side of E. Empire Street, and both properties fall within the Airport Noise Impact Zoning Overlay district.

Although under separate ownership, collectively, the subject properties are approximately 5.04 acres. The B-1 district does not allow for multiple-family dwelling units, so the current use on 3204 – 3212 Gerig Drive is considered legal non-conforming under the current zoning designation. The applicant is requesting a zoning change to bring the property into conformance with the ordinance, which allows for multifamily apartments in the B-2 District with a special use permit. Furthermore, the owner of 3216 Gerig Drive is requesting a zoning change to facilitate the development of the site with a mixed use building—a use currently prohibited in the B-1 Zoning District. Staff is supportive of the zoning change since the B-2, Local Commercial District provides a less intense transition between the adjacent residential and business uses. The average daily IDOT traffic count taken on E. Empire/IL Hwy 9 is 15,300 vehicles. However, on Haeffele Way and Gerig Drive the average daily vehicle count is 5,300 and 950, respectively. The amount of traffic on Gerig Drive does not warrant the existing B-1 District designation, which is intended for higher trafficked areas.

The Planning Commission held a public hearing on the zoning map amendment applications on January 22, 2020. The Commission determined the zoning change to comply with the goals of the Comprehensive Plan and the standards for a map amendment. The Commission unanimously voted to recommend that Council approve the applications. The recommendation is consistent with the staff recommendation.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bloomington Planning Commission held a public hearing on the zoning map amendments on Wednesday, January 22, 2020. The City published notice of the public hearing in *The Pantagraph* on January 6, 2020. The City also sent notice to 16 property owners within 500 feet of the two subject properties, and placed a large metal sign on the property. No one, outside of the applicant, spoke in favor of the application. No one spoke against the application. The Planning Commission unanimously recommended approval of the zoning map amendment. The Commission adopted staff's recommended findings of fact.

FINANCIAL IMPACT: 3216 Gerig Drive is vacant and undeveloped. The zoning change can facilitate future redevelopment of the property resulting in additional property tax revenues, and possible sales tax revenues, for the city.

COMMUNITY DEVELOPMENT IMPACT: Goal ED-4 Enhance the image of Bloomington as a business-friendly community. Objective ED-4.2 proposed finding retail locations within residential areas within appropriate densities. Objective ED-4.3 proposes to find buffer areas between residential and industrial uses to continue to promote less intense businesses and opportunity for economic development. 3216 Gerig Drive is a Tier 1 Infill Redevelopment Priority.

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

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:

Robert G. Mahrt, Community Development Director 2/11/2020

Chris Tomerlin, Budget Manager 2/12/2020

George Boyle

George Boyle, Assistant Corporation Counsel 2/20/2020

Tara Henry, Legislative Assistant 2/20/2020

Recommended by:

Tim Gleason, City Manager

Attachments:

- CD 1B Ordinance_3204-3216 Gerig Drive
- CD 1C Application_3204-3216 Gerig Drive
- CD 1D Business District Permitted Uses_3204-3216 Gerig Drive
- CD 1E Staff Report_3204-3216 Gerig Drive
- CD 1F Draft Minutes_3204-3216 Gerig Drive
- CD 1G Zoning Map_ 3204-3216 Gerig Drive
- CD 1H Aerial Photo_3204-3216 Gerig Drive
- CD 1I Notices_3204-3216 Gerig Drive_redacted

ORDINANCE NO. 2020 - ___

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR 3204-3212 GERIG DRIVE AND 3216 GERIG DRIVE, APPROXIMATELY 5.04 ACRES, FROM B-1 GENERAL COMMERCIAL DISTRICT TO B-2 LOCAL COMMERCIAL DISTRICT

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as 3204-3212 Gerig Drive and 3216 Gerig Drive, legally described in Exhibit A and hereinafter referred to as “the Properties”, 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 to rezone the Properties from B-1 General Commercial District to B-2 Local Commercial District; and

WHEREAS, the Bloomington Planning Commission made certain findings of facts and after applying said findings of fact to the standards set forth in Chapter 44 Division 17-6, E2, found said zoning amendment to be in the public interest and recommended approval by the City Council of the rezoning and map amendment to B-2 Local Commercial District; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone the Properties.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois that the petition to rezone the Properties, commonly described as 3204-3212 Gerig Drive and 3216 Gerig Drive, is hereby approved and the Properties are hereby rezoned from B-1 General Commercial District to B-2 Local Commercial District and that the City zoning map is hereby amended accordingly.

PASSED this 24th day of February 2020.

APPROVED this __________ day of February 2020.

CITY OF BLOOMINGTON	**ATTEST**
______________________________	________________________
Tari Renner, Mayor	Leslie Yocum, City Clerk

EXHIBIT A

LEGAL DESCRIPTION:

3204 – 3212 Gerig Drive
AIRPORT PARK SUB 14TH ADDN LOT 137 4.28 ACRES, as shown on the Plat recorded June 12, 2014 as Document No. 2014-00009403, in McLean County, Illinois (PIN: 15-31-451-005)

and

3216 Gerig Drive
AIRPORT PARK SUB 16TH ADDN LOT 132 0.76 ACRES, as shown on the Plat recorded January 3, 2012 as Document No. 2012-00000128, in McLean County, Illinois (PIN: 15-31-451-008)

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now come CIP, L.L.C. and Wingover Six, LLC, 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, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;

2. That said premises legally described in Exhibit "A" presently has a zoning classification of B-1 (General Commercial District) under the provisions of Chapter 44 of the Bloomington City Code, 1960;

3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;

4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the B-2 (Local Commercial District) zoning district classification;

5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and

6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from B-1 (General Commercial District) to B-2 (Local Commercial District).

Respectfully submitted,

CIP, L.L.C.,

BY: [redacted]

Mark Fetzer, authorized agent

Wingover Six, LLC,

BY: [redacted]

One of its Managers

LEGAL DESCRIPTIONS

Lot 132 in Airport Park Subdivision 16th Addition, as shown on the Plat recorded June 12, 2014 as Document No. 2014-00009403, in McLean County, Illinois

15-31-451-008

and

Lot 137 in Airport Park Subdivision 14th Addition, as shown on the Plat recorded January 3, 2012 as Document No. 2012-00000128, in McLean County, Illinois

15-31-451-005

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	**B-2**	**C-1**	**D-1**	**D-2**	**D-3**	**Reference**
Agricultural							
Forestry	P	P					
Horticultural Services	P	P					
Urban Agriculture						P	
Urban Garden					P	P	
RESIDENTIAL							
Household Living							
Dwelling Unit, Single-Family				P[2]		P[1]	
Dwelling Unit, Single-Family Attached			S		P	P[1]	
Dwelling Unit, Two-Family		P[1]	S	P[2]	P	P[1]	
Dwelling Unit, Multiple-Family		P[1]	S	P[2]	P	P	
Live/Work Unit			S	P[2]	P	P	
Group Living							
Agency Supervised Homes			S	P[2]	P		§ 44-1019
Agency-Operated Family Homes			S	P[2]	P		§ 44-1019
Agency-Operated Group Homes			S	P[2]	P	P[1]	§ 44-1019
Convents, Monasteries			P				§ 44-1019
Dormitories			S		S		§ 44-1019
Group Homes for Parolees			S	S	S	S	§ 44-1019
INSTITUTIONAL							
Education							
Pre-schools	P	P	P		S		
Business and Trade Schools	P		P				
College and University Classrooms			P		S		
Government							
Courthouses				P			
Government Services and Facilities	P	P	P	P	P	P	
Police Stations, Fire Stations	P	P	P	P	P	P	
Religious							
Place of Worship	S[2]		P[2]	P[2]	P[2]		
Health							
Ambulatory Surgical Treatment Center	P	P	P	P			
Hospital or Medical Center	S		S				
Residential-Type							
Domestic Violence Shelter	P		P	P	P		
Home for the Aged			P		S		§ 44-1019
Other Institutional, Cultural							
Clubs and Lodges	P	P	P	S	P		§ 44-1012
Food Pantry	P	P	P		P		§ 44-1018
Libraries			P	P	P		
Museums and Cultural Institutions			P	P	P	P	
Zoos	S						
RECREATIONAL							
Country Clubs, Golf Clubs, Golf Courses			P				§ 44-1016
Community Center			P	P	P	S	§ 44-1013
Fairgrounds, Agricultural Exhibits	S						§ 44-1017
Parks and Recreation Facilities	P	P	P	P	P	P	
Riding Stables, Riding Schools	S						
Swimming Clubs	P	P					
Swimming Pools, Community	P	P	P				§ 44-1032
COMMERCIAL							
Aircraft and Automotive							
Car Wash	P[3]	S					§ 44-1009
Farm Machinery Sales and Service	P[3]						
Towing Services							
Truck Stops, Truck Plazas	S						
Truck Wash	S						
Vehicle Fueling Station	P	S					
Vehicle Repair and Service	S						§ 44-1034
Vehicle Rental Service	P[3]						
Vehicle Sales and Service	S						
Entertainment and Hospitality							
Amusement Parks	S						
Commercial Recreation Facilities	P	P		S			§ 44-1015

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	**B-2**	**C-1**	**D-1**	**D-2**	**D-3**	**Reference**
Community Reception Establishments					S		§ 44-1014
Entertainment and Exhibition Venues	P[3]				S		
Miniature Golf Courses	P						
Sexually Oriented Entertainment Businesses	P[5]						
Sports and Fitness Establishments	P	P	P	P	S	S	§ 44-1013
Theaters and Auditoriums	P			P		S	
Lodging							
Bed-and-breakfast Establishments		P	P[6]	P	P		§ 44-1007
Boarding and Rooming Houses		P		P	S		§ 44-1019
Camp and Camping Establishments	S						§ 44-1008
Hotel or Motel	P			P	S	S	§ 44-1021
Offices							
Financial Services	P	P	P	P	P		
General Offices, Business or Professional	P	P	P	P	P	P	
Medical or Dental Office or Clinic	P	P	P	P	P		§ 44-1024
Medical Laboratory	P	P	P				
Printing, Copying and Mailing Services	P	P	P	P	P	P	
Recording and Broadcast Studios	P		P[7]	P		P	
Research Facility or Laboratory	S		S			P	
Personal Services							
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.	P	P	P[7]	P	P	P	
Funeral Parlor, Mortuary	P	P	P		S		
Instructional Studios	P	P	P[7]	P	P	P	
Kennels, with no outdoor exercise areas	P[3]	P[3]	P[3]			P[3]	
Kennels, with outdoor exercise areas	S						
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.	P	P	P[7]	P	P	P	
Pet Care: Grooming, Day Care, Training	P	P	P	P	P	P	
Veterinary Office or Clinic	P	P	S		P		§ 44-1035
Day-care centers	P	P	P		S		
Retail and Service							
Artisanal/Craft Production and Retail	P	P		P	P	P	
Auction Houses	P					P	
Bars, Taverns, Nightclubs	P[3]	S	P[7]	P	S	P	
Building Materials and Supplies	P						
Catering Services	P	P				P	
Drive-Through, attached to a retail or service use	P[3]	P[3]	S			S	
Drug Stores and Pharmacies	P	P	S	P	P		
Farmers Market				P			
Grocery Stores, Supermarkets	P	P					
Gun Shops	P[3]	P[3]					
Liquor Stores	P	P	P[7]				
Manufactured and Mobile Home Sales	S						§ 44-1023
Medical Marijuana Dispensing Organization	P	P	P	P	P	P	
Mobile Food and Beverage Vendor	P	P	P	P		P	§ 44-1027
Restaurants	P	P	P[7]	P	P	P	
Retail Sales, General	P	P	P[7]	P	P	P	
Retail sales, Outdoor	P	S		S		P	
Roadside Markets	P						
Sexually Oriented Business	P[5]						
Specialty Food Shops	P	P	P[6]	P	P	P	
INDUSTRIAL							
Manufacturing and Production, Light							
Apparel, Fabrics, Leather Industries						P	
Commercial Cleaning and Repair Services	P		P				
Commercial Community Kitchen			P	P	S	P	

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	**B-2**	**C-1**	**D-1**	**D-2**	**D-3**	**Reference**
Electronics Assembly Plants							
Fabricated Metal Industries						S	
Furniture and Fixtures Industries						S	
Trade and Construction Services	P	P				P	
Storage and Equipment Yards							
Mini Warehouses	S						§ 44-1026
Parking Lot, Commercial	S	S	S	S		S	
Transportation							
Bus and Taxi Passenger Terminals	S			S			
Heliports, Heliport Terminals	S		S				
Rail Passenger Terminals	P			P			
Utilities							
Commercial Solar Energy Conversion Facilities	P	P				P	§ 44-1031
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	§ 44-1031
Private Wind Energy Conversion Facilities	P	P					§ 44-1036
Public or Private Utility Facility, Minor	P	P	P	P	P	P	
Radio, Television Stations-Towers	P			P		P	
Wireless Communication Facilities	P	P	P	P	P	P	§ 44-1037

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING
COMMISSION JANUARY 22, 2020

CASE NUMBER:	**SUBJECT PROPERTY:**	**TYPE:**	**SUBMITTED BY:**
Z-01-20	**3204 & 3216 Gerig Drive**	Rezone	Planning Staff
PETITIONER'S REQUEST:	Rezone the above referenced properties from B-1, General Commercial District to B-2, Local Commercial District.		
Staff finds that the petitions ***meet the*** *Zoning Ordinance's map amendment guidelines for the B-2, Local Commercial District.*			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:

A. That Planning Commission **recommend approval** of the rezoning of 3204-3212 Gerig Drive and 3216 Gerig Drive from B-1 to B-2, case Z-01-20.

Figure 1 The subject property is outlined with a black line.

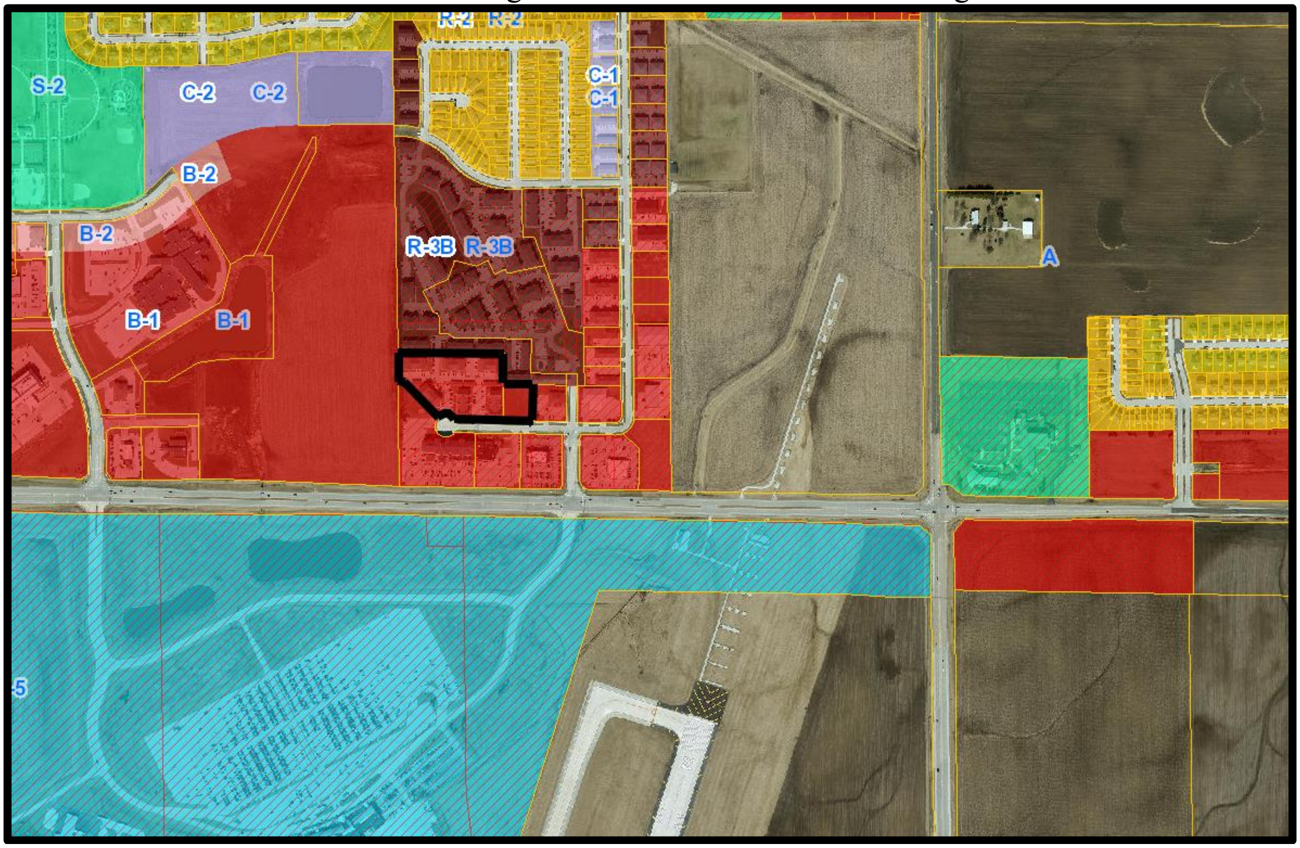


Figure 2 The location of the property is outlined in black showing the existing zoning nearby.

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on January 6, 2020.

GENERAL INFORMATION

Owner and Applicant: CIP, L.L.C., and Wingover Six, LLC

PROPERTY INFORMATION

Lot 1: 3204 – 3212 Gerig Drive, AIRPORT PARK SUB 14TH ADDN LOT 137 4.28 ACRES (PIN: 15-31-451-005)

Existing Zoning: **B-1, General Commercial District and S-3 Airport Noise Impact District**

Existing Land Use: **Multi-family residential**

Property size: **4.28 Acres**

Owner: **Wingover Six LLC**

Lot 2: 3216 Gerig Drive, AIRPORT PARK SUB 16TH ADDN LOT 132 0.76 ACRES (PIN: 15-31-451-008)

Existing Zoning: **B-1, General Commercial District and S-3 Airport Noise Impact District**

Existing Land Use: **vacant**

Property size: **0.76 Acres**

Owner: **CIP, LLC**

Surrounding Zoning and Land Uses

Zoning	Land Uses
North: R-3B Multiple-Family Residence District	North: Multi-family apartments
East: R-3B Multiple-Family Residence District	East: Mobile home park
East: B-1 General Commercial District with S-3 Airport Noise Impact District	East: Dental Office, medical office
South: B-1 General Commercial District with S-3 Airport Noise Impact District	South: Hotel, restaurants
West: B-1 General Commercial District	West: vacant lot

Analysis

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. Site visit

PROJECT DESCRIPTION

Background: The "subject properties" is located on the eastern edge of the City near the intersection of Haeffele Way and E. Empire Street, also known as Illinois State Highway 9. 3204 Gerig Drive is currently used for multi-family residences and 3216 Gerig Drive is vacant. Both lots are currently zoned B-1 General Commercial District. The subject properties have been zoned B-1 due to their proximity to the commercial corridor on E. Empire Street. The properties were annexed in 2000 (Ordinance #2000-171). The current zoning of B-1 General Commercial District does not allow for multiple-family dwelling units, so the current use on 3204 – 3212 Gerig Drive is legal non-conforming. The subject properties are approximately 5.04 acres. The average daily IDOT traffic count taken on E. Empire/IL Hwy 9 is 15,300 vehicles, on Haeffele Way the vehicle count is 5,300 daily, and on Gerig Drive the vehicle count is 950 vehicles daily. The closest bus stop is at Airport Parking south across E. Empire Street from Gerig Drive a distance of 0.4 miles.

3216 Gerig Drive

3216 Gerig Drive has access to a 21-inch public storm sewer installed in 2000 on the north side of Gerig Drive, an 8-inch public water main installed in 2001, and an 8-inch sanitary sewer installed in 2000 both located on the south side of Gerig Drive. 3216 Gerig Drive has access to all utilities. The owner is requesting the zoning change to facilitate a mixed use building.

3204-3212 Gerig Drive

Multi-family residential exists on 3204 – 3212 Gerig Drive and north of the subject property. Commercial property exists to the east and south along the E. Empire Street commercial corridor. R-3B Multiple-Family Residence District is to the north. The trend in development for the area is towards business and residential. The Airport is south of the subject property across E. Empire

Street.

The multi-family apartments that currently exist at 3204 – 3212 Gerig Drive are legal non-conforming, since it is zoned as B-1. The zoning text revision in March 2019 eliminated apartments as a permitted use in the B-1 District. Multiple-family dwelling units are allowed in B-2 with a special use permit when it adjoins a Residential District boundary line. The subject property adjoins R-3B Multiple-family Residence District to the north. The zoning map amendment at 3204-3212 Gerig Drive will bring the property into conformance with the ordinance.

Purpose and Intent

B-1 General Commercial District

The intent of this B-1 Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.

This district contemplates uses ranging from offices, restaurants and retail to trade and construction services, personal and professional services, hotels, and other entertainment and hospitality uses, and utilities like commercial solar, and private solar and wind facilities. Uses like a truck stop, truck wash, vehicle services, and mini warehouse storage are only permitted with a special use permit.

New development in this district requires a legislative site plan review and approval by City Council. The purpose of the review is to ensure the new development is compatible in mass, scale, and use with surrounding development and will not negatively impact adjacent property owners.

B-2-Local Commercial District

The intent of this B-2 Local Commercial District is to provide retail, commercial and service establishments, including retail stores and personal service facilities, which serve the frequently recurring needs of surrounding local employment areas and residential neighborhoods. In addition to serving commercial purposes, this district encourages a mix of land uses, continued community investment through infill and site renovations, and a development form that supports mixed transportation modes, such as bicycle, pedestrian, and public transportation in addition to personal vehicles. Neighborhood shopping centers, particularly with a supermarket as a principal or anchor tenant, are appropriate at prominent intersections. The protection of surrounding residential properties from adverse impacts is a primary focus of this district.

This district primarily allows two-family and multiple-family residential units with a Special Use when adjoining a Residential District boundary line. New development in this district requires a legislative site plan review and approval by City Council. The purpose of the review is to ensure the new development is compatible in mass, scale, and use with surrounding development and will not negatively impact adjacent property owners.

Project Description:
The intent of the current zoning district, B-1 General Commercial District, is to allow for the establishment of auto-oriented businesses and align intensity commercial to serve the residents on the eastern edge of the city. The property is on the City's eastern edge, west of the intersection of Towanda Barnes Road and E. Empire Street. Since the subject property does not have road frontage along the main commercial corridor on E. Empire Street, it would be difficult to promote this property with a high intensity commercial use. 3204 – 3212 Gerig Drive is currently developed with multi-family apartments. The lot adjoining it, 3216 Gerig Drive, is vacant.

B-2 Local Commercial District zoning would allow for a better transitional use between the B-1 General Commercial District facing E. Empire Street and the R-3B Multiple-Family Residence District to the north. B-2 zoning encourages a mix of land uses and infill development. The protection of surrounding residential properties from adverse impacts is a primary focus of this district. The only public road frontage to access the subject property is Gerig Drive.

Link to Comprehensive Plan:
The Comprehensive Plan's goals for economic development support mixed use developments and exploring land opportunities for other retail and commercial uses. Goal ED-4.2 proposed finding retail locations within residential areas within appropriate densities. ED-4.3 proposes to find buffer areas between residential and industrial uses to continue to promote less intense businesses and opportunity for economic development. The Infill redevelopment map identifies 3216 Gerig Drive as a Tier 1 development priority since it is located adjacent to city utilities and already annexed into the corporate limits. The Future Land Use map shows the area as regional commercial.

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 B-2 Local Commercial zoning classification, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The suitability of the subject property for uses authorized by the existing zoning;* without street frontage along the major commercial corridor on E. Empire Street, it is not suitable for a high intensity commercial use. **The standard is not met.**

2. *The length of time the property has remained vacant as zoned considered in the context of land development in the area;* The land was annexed in 2000. 3216 Gerig Drive has not been developed in the last 19 years. **The standard is met.**

3. *The suitability of the subject property for uses authorized by the proposed zoning;* The intention of the B-2 is to promote a mix of land uses and protect surrounding residential properties from adverse impact, thus protecting the residences to the north from adverse impact. **The standard is met.**

4. *The existing land uses and zoning of nearby property;* The existing zoning on Gerig Drive is commercial and multiple-family residential. The subject property does not have access to road frontage on E. Empire Street making a high intensity B-1 commercial use unlikely. **The standard is met.**

5. *Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application;* B-2 zoning encourages redevelopment of vacant land, and redevelopment of a Tier 1 infill redevelopment priority. Retaining the B-1 zoning could deprive residents and the City of a potential redevelopment opportunity by not allowing less intensive use of the property more compatible with the adjacent residential. **The standard is met.**

6. *The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;* The subject property does not have road frontage along the commercial corridor on E. Empire Street. Access to the site is served by Gerig Drive a minor collector that gives access to residences and businesses off of E. Empire Street. **The standard is met.**

7. *The extent to which the prosed amendment is consistent with the need to minimize flood damage and the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area*; The Business District requires new development to comply with storm water management requirements. The B-2 District has a FAR of 1:2, less than the B-1 District limiting the amount of impervious surfaces. **The standard is met.**

8. *The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonable supplied to serve the uses permitted in the proposed zoning classification;* Existing water mains and sanitary sewer are available for connection. Existing residential properties and businesses already establish the need for police and fire protection. **The standard is met.**

9. *The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in 17*-1 herein; Existing zoning provides for an intensive commercial use which may not be compatible with the adjacent residential properties. Amending the zoning would allow infill development to meet the public interest given the intention of the Code. It also provides a buffer between the residential and commercial districts. No change is expected with the zoning amendment. **The standard is met.**

10. *The extent to which property values are diminished by the particular zoning restriction*; the B-1 Commercial District does not allow for a mix of land uses to the extent that B-2 allows. B-2 zoning allows for more variation in residential, and commercial providing for a more transitional use from the businesses to the adjacent residential that exists to the north. **The standard is met**.

11. *The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public;* Rezoning the property to B-2 will make 3204-3212 Gerig Drive a conforming use. Amending the zoning can positively impact the property values of nearby residents since surrounding compatible investment may be more likely to occur. **The standard is met.**

12. *Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it*; 3216 Gerig Drive is a Tier 1 development priority on the Land Use Priorities Map in the Comprehensive Plan. Tier 1 includes vacant and underutilized land for infill development or redevelopment with the City, unincorporated land surrounded by incorporated areas, and areas platted for future development of existing subdivisions but not yet built out to completion. The Comp Plan Future Land Use Map identifies this area as commercial. The B-2 zoning is consistent with this Future Land Use Map. **The standard is met**.

13. *And whether the City needs the proposed use*; The future land use map identifies this as regional commercial. The B-2 zoning continues to promote commercial development and support the areas trend in development. B-2 zoning will allow this land to be developed with a lower intensity use than the B-1 zoning. The property is more likely to be developed if zoning is amended. **The standard is met.**

STAFF RECOMMENDATION:
Staff recommends the Planning Commission pass the following motions recommending: That Planning Commission **recommend approving** the rezoning of **3204-3212 Gerig Drive and 3216 Gerig Drive** from B-1 to B-2, case Z-01-20.

Respectfully submitted,

Community Development Staff

Attachments:

- Draft Ordinance
- Petitions for Zoning Map Amendment
- List of Permitted Uses in the B-1 and B-2 Districts
- Aerial Map
- Zoning Map
- Newspaper Notice and Neighborhood Notice w/Map
- Notification Mailing List

Figure 3 Looking west on Gerig Drive. The grass lot is 3216 Gerig Drive.

Figure 4 Multiple family residences on 3204-3212 Gerig Drive.

Figure 5 The cul-de-sac at the end of Gerig Drive looking west. The Holiday Inn Hotel is on the left.

Figure 6 The rear elevation of Holiday Inn from Gerig Drive facing E. Empire Street.

Figure 7 Multi-family residences at 2304 Gerig Drive.

Figure 8 Looking east from 3216 Gerig Drive towards Prairie Dental.

Figure 9 intersection of Gerig Drive and Haeffele Way.

Figure 10 Entrances from Gerig Drive to restaurants facing E. Empire Street.

Figure 11 Rear elevation of Buffalo Wild Wings from Gerig Drive.

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JANUARY 22, 2020 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. David Stanczak; Mr. Justin Boyd; Mr. Thomas Krieger; Mr. Mark Muehleck; Mr. Tyson Mohr; Mr. Kevin Suess; Ms. Megan McCann; Chairperson Megan Headean.

MEMBERS ABSENT: Mr. John Protzman; Mr. Eric Penn

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Ms. Casey Weeks, Assistant City Planner; Mr. George Boyle, Assistant Corporate Counsel.

CALL TO ORDER: Chairperson Headean called the meeting to order at 4:01 PM Ms. Simpson called roll. With eight members present, the Commission established a quorum.

PUBLIC COMMENT: None

MINUTES: Review the minutes of the January 8, 2020, regular meeting of the Bloomington Planning Commission, and the joint meeting minutes of the September 11, 2019.

Chairperson Headean asked if there were any amendments to the meeting minutes from January 8, 2020. There were no amendments, a motion was made by Mr. Krieger to approve the minutes, seconded by Mr. Stanczak. The minutes were approved by voice vote (8-0-0).

Chairperson Headean asked if there were any amendments to the joint meeting minutes from September 11, 2019. There were none, a motion was made by Mr. Boyd to approve the minutes, seconded by Mr. Krieger. The minutes were approved by voice vote (8-0-0).

REGULAR AGENDA:

A. **Z-01-20** Public Hearing, review and action on a petition submitted by CIP, L.L.C., and Wingover Six, LLC to rezone 3204 – 3212 Gerig Drive and 3216 Gerig Drive from B-1 (General Commercial District) to B-2 (Local Commercial District) classification. (Ward 3).

   Ms. Weeks gave the staff report recommending the Planning Commission recommend approval to City Council to rezone 3204-3212 & 3216 Gerig Drive from B-1 to B-2.

   Mr. Todd Bugg, Attorney for Wingover Six and CIP, was sworn in and explained that the current zoning of B-1 General Commercial District of 3204-3212 Gerig Drive makes the multi-family residential units a legal non-conforming land use. A change to B-2 zoning would make the land use conforming within Code. The buyer of 3216 Gerig Drive is looking to build a mixed use development.

The Commission will first make a motion on the staff findings of fact and then on the rezoning item.

A motion was made to approve the staff findings of fact by Mr. Mohr, seconded by Mr. Stanczak. Role call vote: Mr. Stanczak - Yes; Mr. Boyd- Yes; Mr. Krieger- Yes; Mr. Muehleck- Yes; Mr. Mohr- Yes; Mr. Suess- Yes; Ms. McCann - Yes; Chairperson Headean- Yes. Approved (8-0-0)

A motion was made to approve the rezoning of 3204-3212 & 3216 Gerig Drive by Mr. Stanczak, seconded by Mr. Muehleck. Role call vote: Mr. Stanczak - Yes; Mr. Boyd- Yes; Mr. Krieger- Yes; Mr. Mark Muehleck- Yes; Mr. Mohr- Yes; Mr. Suess- Yes; Ms. McCann - Yes; Chairperson Headean- Yes. Approved (8-0-0)

OLD BUSINESS: None

NEW BUSINESS:

A. Planning Commission By-laws

There has been some issues with meeting quorum in the last six months, so Chairperson Headean want to look at attendance requirements. Mr. Boyle said if a member has repeated absences a letter will be sent by the Mayor's office to ask the commission member whether they are able to fulfill the duties of the appointment.

Mr. Stanczak asked what constitutes an unexcused absence and who makes that decision. Mr. Boyle determined that it is up to the Chair to decide whether it is an unexcused absence. Mr. Boyle said before there is an attempt to remove the member due to lack of attendance there is dialogue prior. Mr. Stanczak suggested members state a reason for the absence when responding to the attendance email.

Mr. Mohr asked if there was a benefit to polling commission members on changing the meeting time. Ms. Simpson said the meeting time and date is written in the ordinance and bylaws and would require a vote by City Council. Mr. Stanczak said this had been discussed at length a year or more ago, and the time was not changed. Chairperson Headean suggested the commissioners think about whether they want to change the meeting time and can be addressed in the future.

B. Census 2020

Ms. Simpson gave a presentation overview on Census 2020 and why it is done, and the importance of counting everyone in the county. McLean County has organized a Complete Count Committee. The state loses an estimated $952 per person annually due to federally funded projects based on census counts. Census surveys are being done online, and there is concern about the digital divide that will get low counts among the elderly and low income residents who do not have access online. There will be dedicated computers at the Bloomington Public

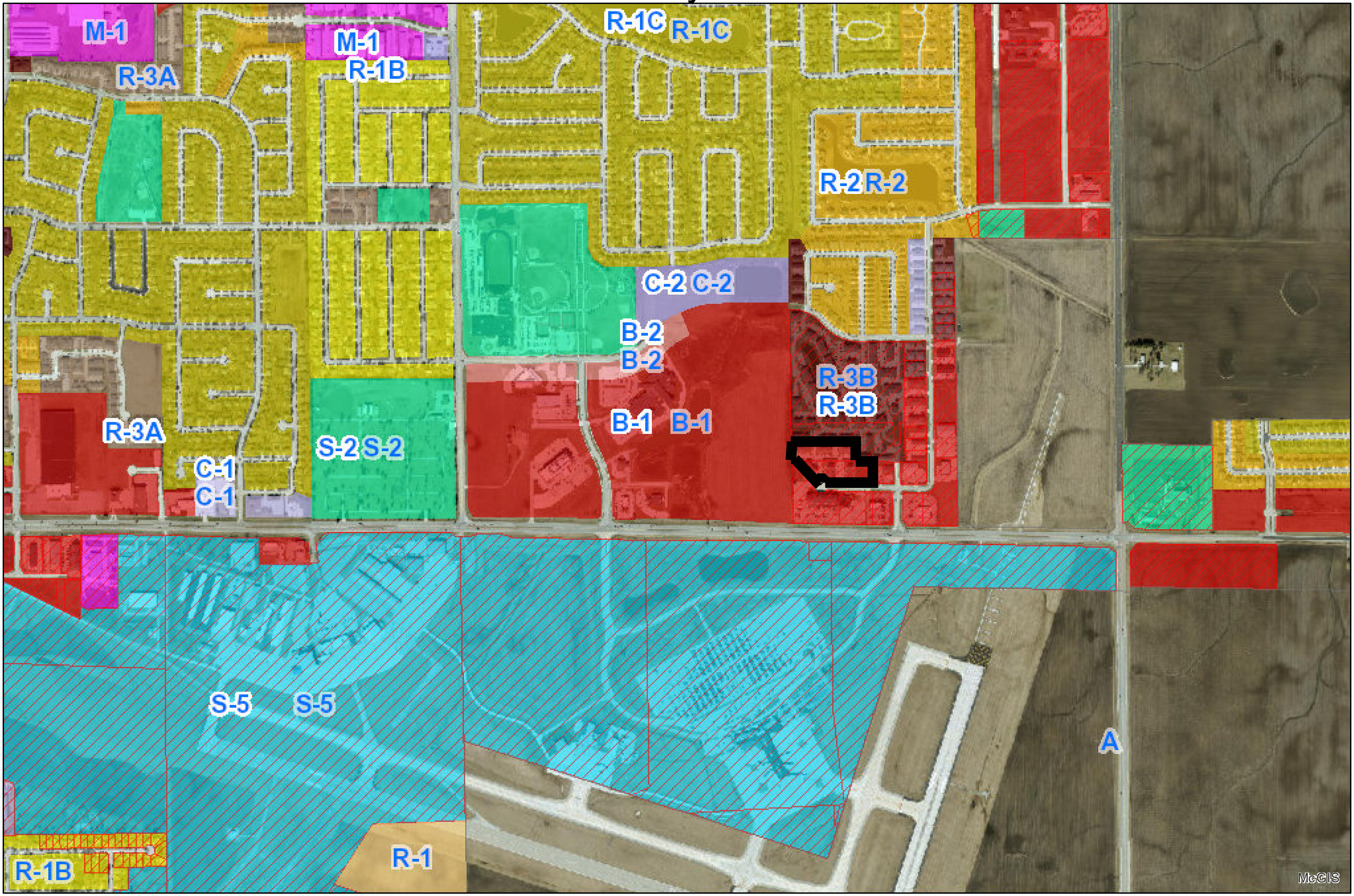
Library to allow patrons to do the census survey online. Downtown Bloomington has traditionally showed low census counts, and they will receive paper surveys in the mail. Latinos traditionally have a low census count. Contact Ms. Simpson if you would like someone to do outreach to organizations and educate residents.

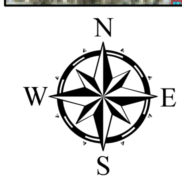
ADJOURNMENT: The meeting was adjourned at 4:34 pm by voice vote, motioned by Mr. Boyd, and seconded by Ms. McCann.

Respectfully submitted,
Casey Weeks
Assistant City Planner

1/9/2020

McLean County GIS Consortium





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

0 0.25 0.5
mi

McGIS

1/9/2020

McLean County GIS Consortium

N
W E
S

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

0 0.125 0.25
mi

McGIS

A public hearing before the Bloomington Planning Commission will be held on Wednesday, January 22, 2020 at 4:00 p.m. in City Hall, 109 E. Olive St., Bloomington, Illinois, on a petition submitted by owners CIP, LLC (1716 RT Dunn Dr., Ste. 4, Bloomington, IL 61701) and Wingover Six, LLC (P.O. Box 670 Bloomington, IL 61702) to rezone the properties located at:

3204 Gerig Drive Bloomington, IL 61704
PIN# 15-31-451-005
Legal Description: Lot 132 in Airport Park Subdivision 16th Addition, as shown on the Plat recorded June 12, 2014 as Document No, 2014-00009403 in McLean County, IL

3216 Gerig Drive, Bloomington, Illinois 61704
PIN# 15-31-451-008
Legal Description: Lot 137 in Airport Park Subdivision 14th Addition as shown on the plat recorded January 3, 2012 as Document No. 2012-00000128 in McLean County, IL

from B-1, General Commercial District to B-2, Local Commercial District.

The petition is available for public review at the Department of Community Development, 115 E. Washington Street, Suite 201, Bloomington, 309-434-2226. This public hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs please contact the City Clerk at 109 E. Olive St., Bloomington, IL 61701, (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

Published: January 6, 2020

City of Bloomington Illinois

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

January 7, 2020

Dear Property Owner or Occupant:

A public hearing before the Bloomington Planning Commission will be held on Wednesday, January 22, 2020 at 4:00 p.m. in City Hall, 109 E. Olive St., Bloomington, Illinois, on a petition submitted by owners CIP, LLC (1716 RT Dunn Dr., Ste. 4, Bloomington, IL 61701) and Wingover Six, LLC (P.O. Box 670 Bloomington, IL 61702) to rezone the properties (listed below) from from B-1, General Commercial District to B-2, Local Commercial District.

3204 Gerig Drive Bloomington, IL 61704
PIN# 15-31-451-005
Legal Description: Lot 132 in Airport Park Subdivision 16th Addition, as shown on the Plat recorded June 12, 2014 as Document No, 2014-00009403 in McLean County, IL

3216 Gerig Drive, Bloomington, Illinois 61704
PIN# 15-31-451-008
Legal Description: Lot 137 in Airport Park Subdivision 14th Addition as shown on the plat recorded January 3, 2012 as Document No. 2012-00000128 in McLean County, IL

The rezoning and text amendments purpose is to recognize that conditions may change subsequent to the adoption of the city's zoning map and Zoning Ordinance, and/or that amendments may be necessary to clarify or correct the zoning regulations and is regulated by Chapter 44, Section 17-6 of the Bloomington City Code.

You are receiving this notice because you own or occupy property within a 500 foot radius of the subject property (refer to attached map). All interested persons may present their evidence or testimony regarding said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701.

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.

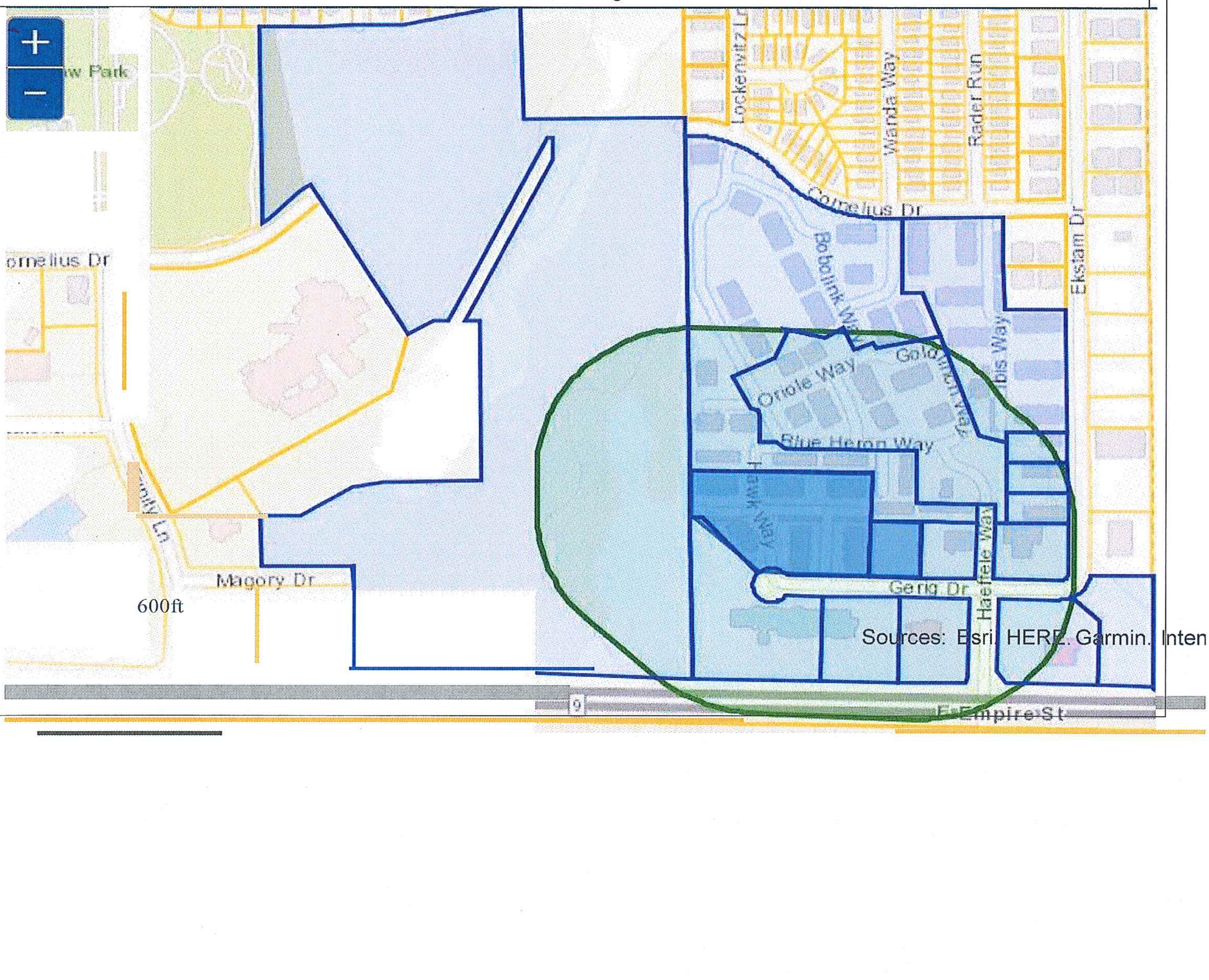
The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email planning@cityblm.org or call (309) 434-2226.

Sincerely,

Planning Division Staff

Attachments:
Map of notified properties within 500 ft of subject property

Public Hearing January 22, 2020 – Rezoning from B-1 General Commercial District to B-2 Local Commercial District
3204 & 3216 Gerig Drive



[redacted]
114 RISS DR
NORMAL, IL 61761-3229

[redacted]
114 RISS DR
NORMAL, IL 61761-3229

[redacted]
3220 GERIG DR
BLOOMINGTON, IL 61704-6394

[redacted]
209 S PROSPECT RD STE 3B
BLOOMINGTON, IL 61704-4697

[redacted]
1716 R T DUNN DR STE 4
BLOOMINGTON, IL 61701-8730

[redacted]
PO BOX 117607
BURLINGAME, CA 94011-7607

[redacted]
407 S MAIN
NORMAL, IL 61761

[redacted]
3201 CIRA DR STE 200
BLOOMINGTON, IL 61704-8396

[redacted]
1716 R T DUNN DR STE 4
BLOOMINGTON, IL 61701-8730

[redacted]
% APT MART P O BOX 670
BLOOMINGTON, IL 61702

[redacted]
PO BOX 1900
BLOOMINGTON, IL 617021900

[redacted]
912 N LINDEN
BLOOMINGTON, IL 61701

[redacted]
912 LINDEN
BLOOMINGTON, IL 61701

[redacted]
912 LINDEN
BLOOMINGTON, IL 61701

[redacted]
1716 R T DUNN DR STE 4
BLOOMINGTON, IL 61701-8730

[redacted]
PO BOX 1607
BLOOMINGTON, IL 61702-1607

REGULAR AGENDA

CITY OF Bloomington ILLINOIS

REGULAR AGENDA ITEM NO. 8.A

FOR COUNCIL: February 24, 2020

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation by the U.S. Census Bureau regarding the 2020 Census purpose, process, and timeline, as requested by the Administration Department.

RECOMMENDED MOTION: Presentation only.

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

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

BACKGROUND: Once every decade, the federal government conducts a census of the entire population to count everyone in the United States and record basic information about them. This census is mandated in the Constitution and provides a picture that helps determine how federal funding is distributed and how congressional seats are apportioned, among other things. A representative from the U.S. Census Bureau will give a presentation about the 2020 Census purpose, process, and timeline. A few important points to note:

- The U.S. Census determines the distribution of hundreds of billions of federal funding dollars to communities.
- In 2020, for the first time ever, the U.S. Census Bureau will accept responses online, but it can still be completed by phone or mail. Completing the Census early via one of these methods can avoid a door visit from a Census worker.
- The Census Bureau will never ask people for their Social Security number, bank or credit card account numbers, money or donations, or anything on behalf of a political party.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Staff has been collaborating with McLean County's Complete Count Committee to organize community outreach and education efforts with other area agencies such as the Town of Normal, Bloomington and Normal libraries, etc.

FINANCIAL IMPACT: The U.S. Census determines the distribution of hundreds of billions of federal funding dollars to communities

COMMUNITY DEVELOPMENT IMPACT: Data collected from the U.S. Census influences many areas that receive federal funding, from highway planning to school programs to energy and medical assistance programs

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

Respectfully submitted for Council consideration.

Prepared by: Nora Dukowitz, Communication Manager

Reviewed by:

Billy Tyus

Billy Tyus, Deputy City Manager 2/19/2020

Tara Henry

Tara Henry, Legislative Assistant 2/19/2020

Recommended by:

Tim Gleason, City Manager

CITY OF Bloomington ILLINOIS

REGULAR AGENDA ITEM NO. 8.B

FOR COUNCIL: February 24, 2020

SPONSOR: Human Resources Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on Classified (non-union) IMRF Retirement awareness, as requested by the Human Resources Department.

RECOMMENDED MOTION: Informational only, as required pursuant to the Local Government Wage Increase Transparency Act, 50 ILCS 155/1.

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

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

BACKGROUND: On July 28, 2016, the Local Government Wage Increase Transparency Act ("Act"), took effect to require the disclosure and discussion of certain wage increases/payments that may have a pension impact. These payments and other required disclosures for retirement payments being made to Classified employees were discussed in an open meeting of the Bloomington City Council on November 28, 2016 as required under the Local Government Wage Increase Transparency Act.

In Bloomington, employees have historically been able to accrue sick leave and then structure the payout over a three-month period prior to retirement or voluntary termination from the City. In 2009, the City began enacting policies that ceased the structured payout of sick leave for new employees. These new policies were in place for Classified employees in 2012 and in all applicable union contracts by 2014. In the fall of 2015, the City Council debated making further changes to how sick leave is paid, and approved Resolution No. 15-42. In October 2018, an ordinance was approved which directed the City Manager to not bring to the City Council any collective bargaining agreement renewals unless each modifies the timing of how accrued sick leave is paid to eligible employees, to significantly reduce the artificial inflation of employee pensions. As a result of agreements enacted with union groups across the City, Classified employees eligible for the Sick Leave Buy Back (SLBB) benefit had to provide their intent to retire notice by October 31, 2019 and leave the City by April 30, 2020 in order to have SLBB funds paid in a way that positively impacts their pension benefit.

In accordance with the Local Government Wage Increase Transparency Act, the City has its twelfth, thirteenth, fourteenth & fifteenth Classified employee 'triggering' events with the retirements of Denise Balagna, Joyce McKeon, Carol Hoerr & Scott Sprouls. Ms. Balagna & Ms. McKeon are Recreation Program Managers in the Parks Department, Ms. Hoerr is an Administrative Assistant in the Police Department, & Mr. Sprouls is the Information Services

Director. All are non-represented (Classified) employees in the Illinois Municipal Retirement System (IMRF) and have expressed their intent to retire from the City as of April 30, 2020.

In accordance with policies and practices of the City for Classified employees hired before May 1, 2012, Ms. Balagna has accrued $30,820.42 of unused, accrued sick leave which is to be paid into her retirement health savings (RHS) account, to be made in three (3) equal payments in the months (February, March & April) prior to her retirement. Ms. McKeon has accrued $31,676.26 of unused, accrued sick leave which is to be paid into her retirement health savings (RHS) account, to be made in three (3) equal payments in the months (February, March & April) prior to her retirement. Ms. Hoerr has accrued $34,461.77 of unused, accrued sick leave which is to be paid into her retirement health savings (RHS) account, to be made in three (3) equal payments in the months (February, March & April) prior to her retirement. Mr. Sprouls has accrued $67,012.06 of unused, accrued sick leave which is to be paid into his retirement health savings (RHS) account, to be made in three (3) equal payments in the months (February, March & April) prior to his retirement. Under Section 5(c) of the Act, the following disclosures are made:

Employee Name: Denise Balagna

(1) The identity of the employee: Denise Balagna
(2) The purpose and amount of the increases or payments: $38,525.52 (includes $30,820.42 of earned sick leave and $7,705.10 of accrued vacation time that will be paid out upon retirement – assumes no sick leave or vacation usage until retirement date)
(3) The proposed retirement date: April 30, 2020
(4) The effect of the payment(s) upon the expected retirement annuity of the employee: an increase of $205.78 per month
(5) The effect of the payment(s) upon the liability of the employer to the Article 7 Fund: the disclosable payment is projected to increase the pension liability of the City by $37,659

Employee Name: Joyce McKeon

(1) The identity of the employee: Joyce McKeon
(2) The purpose and amount of the increases or payments: $44,302.88 (includes $31,676.26 of earned sick leave and $12,626.62 of accrued vacation time that will be paid out upon retirement – assumes no sick leave or vacation usage until retirement date)
(3) The proposed retirement date: April 30, 2020
(4) The effect of the payment(s) upon the expected retirement annuity of the employee: an increase of $506.54 per month
The effect of the payment(s) upon the liability of the employer to the Article 7 Fund: the disclosable payment is projected to increase the pension liability of the City by $84,067

Employee Name: Carol Hoerr

(1) The identity of the employee: Carol Hoerr
(2) The purpose and amount of the increases or payments: $45,177.31 (includes $34,461.77 of earned sick leave and $10,715.54 of accrued vacation time that will be paid out upon retirement – assumes no sick leave or vacation usage until retirement date)
(3) The proposed retirement date: April 30, 2020
(4) The effect of the payment(s) upon the expected retirement annuity of the employee: an increase of $512.58 per month

The effect of the payment(s) upon the liability of the employer to the Article 7 Fund: the disclosable payment is projected to increase the pension liability of the City by $81,696

Employee Name: Scott Sprouls

(1) The identity of the employee: Scott Sprouls

(2) The purpose and amount of the increases or payments: $91,699.78 (includes $67,012.06 of earned sick leave and $24,687.72 of accrued vacation time that will be paid out upon retirement – assumes no sick leave or vacation usage until retirement date)

(3) The proposed retirement date: April 30, 2020

(4) The effect of the payment(s) upon the expected retirement annuity of the employee: an increase of $608.32 per month

(5) The effect of the payment(s) upon the liability of the employer to the Article 7 Fund: the disclosable payment is projected to increase the pension liability of the City by $110,661

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The estimated amount of Ms. Balagna's sick leave/vacation payout is anticipated to be $38,525.52, assuming she does not diminish her sick leave bank or use vacation time prior to her retirement date. The "accelerated payment" for this payout is expected to be $37,659.

The estimated amount of Ms. McKeon's sick leave/vacation payout is anticipated to be $44,302.88, assuming she does not diminish her sick leave bank or use vacation time prior to her retirement date. The "accelerated payment" for this payout is expected to be $84,067.

The estimated amount of Ms. Hoerr's sick leave/vacation payout is anticipated to be $45,177.31, assuming she does not diminish her sick leave bank or use vacation time prior to her retirement date. The "accelerated payment" for this payout is expected to be $81,696.

The estimated amount of Mr. Sprouls's sick leave/vacation payout is anticipated to be $91,699.78, assuming he does not diminish his sick leave bank or use vacation time prior to his retirement date. The "accelerated payment" for this payout is expected to be $110,661.

Pursuant to legislation from 2012, the accelerated payment is the upfront funding of a pension liability and is not an additional penalty paid by the City. Payments of this type are not budgeted. Costs have historically been expected to be absorbed by other operational savings. Due to the City's policy change enacted to address the impact of Sick Leave Buy Back payouts on pension liabilities, an increase in retirements may occur, necessitating the use of Fund Balance. If necessary, a budget amendment will be processed at the end of the year.

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Josh Hansen, Compensation & Benefits Manager

Reviewed by:

Nicole Albertson

Nicole Albertson, Director of Human Resources 2/10/2020

Chris Tomerlin, Budget Manager 2/11/2020

Jeffrey R. Jurgens, Corporation Counsel 2/12/2020

Tara Henry

Tara Henry, Legislative Assistant 2/13/2020

Recommended by:

Tim Gleason, City Manager

REGULAR AGENDA ITEM NO. 8.C

FOR COUNCIL: February 24, 2020

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of FY2021 Proposed Budget, as requested by the Finance Department.

RECOMMENDED MOTION: Presentation and Discussion only.

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

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

BACKGROUND: The Citywide FY 2021 Proposed Budget is $230.3M which is a 1.2% increase over the FY 2020 Adopted Budget of $227.5M. The General Fund, which is 48% of the total budget, FY 2021 Proposed Budget is $110.2M which is a 1.1% increase over the FY 2020 Adopted Budget of $109.1M. Significant capital improvements are planned for FY 2021 totaling approximately $41.0M.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A, presentation only.

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: F. Scott Rathbun, Finance Director

Reviewed by:

Chris Tomerlin, Budget Manager 2/18/2020

Jeffrey R. Jurgens, Corporation Counsel 2/19/2020

Tara Henry, Legislative Assistant 2/19/2020

Recommended by:

Tim Gleason, City Manager