



**CITY OF
BLOOMINGTON
COUNCIL MEETING
FEBRUARY 8, 2021**



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 - Mollie Ward

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



REGULAR SESSION CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, FEBRUARY 8, 2021, 6:00 P.M.

THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:
www.cityblm.org/live

Prior to 15 minutes before the start of the meeting, 1) those persons wishing to provide public comment or testify at the meeting must register at www.cityblm.org/register, and/or 2) those persons wishing to provide written comment must email their comments to publiccomment@cityblm.org.

Members of the public may also attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board/Commission Members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely.

The rules for participation and attendance may be subject to change due to changes in law or to executive orders relating to the COVID-19 pandemic occurring after the publication of this agenda. Changes will be posted at www.cityblm.org/register.

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Remain Standing for a Moment of Silent Prayer
4. Roll Call
5. COVID-19 Update by City Manager
6. Recognition/Appointments
 - A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers Russell, Stone, Pippins, and Nelson, upon their completion of an eighteen-month probation, as requested by the Police Department. (*Recommended Motion: Recognition only.*)
7. Public Comment

This meeting is being held virtually via live stream. Public comment will be accepted up until 15 minutes before the start of the meeting. Written public comment must be emailed to publiccomment@cityblm.org and those wishing to speak Live must register at <https://www.cityblm.org/register>.
8. Consent Agenda

Clerk-led Roll Call Vote

- A. Consideration and action to approve the Minutes of the January 11, 2021 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*
- B. Consideration and action to approve Bills and Payroll in the amount of \$6,647,860.70, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*
- C. Consideration and action to approve Appointment to the Housing Authority Board, as requested by the Administration Department. *(Recommended Motion: The proposed Appointment be approved.)*
- D. Consideration and action on an Intent to Award and an Agreement with Stark Excavating, Inc., for the Locust Street CSO Elimination and Water Main Replacement Phase 2, in the amount of \$4,330,316, as requested by the Public Works Department. *(Recommended Motion: The proposed Intent to Award and Agreement be approved, upon concurrence from the Illinois Environmental Protection Agency.)*
- E. Consideration and action on a Resolution Approving Loan Agreements with the Illinois Environmental Protection Agency from the Water Pollution Control Loan Program and Public Water Supply Loan Program for the Construction of the Locust Street CSO Elimination and Water Main Replacement Phase 2, in the amount of \$4,212,591, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be approved.)*
- F. Consideration and action on an Ordinance Authorizing a Text Amendment to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, to Establish the R-D Downtown Neighborhood Residence District, and Further Authorizing Map Amendments to the Official Zoning Map for Properties in the City of Bloomington, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- G. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year ending April 30, 2021, to increase the Community Development budget by \$74,765.20, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- H. Consideration and action on an Ordinance Amending the Contract Between the City of Bloomington and the City Manager, as requested by Mayor Tari Renner. *(Recommended Motion: The proposed Ordinance be approved.)*
- I. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year ending April 30, 2021, to increase the Community Development Block Grant (CDBG) budget by \$546,029, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- J. Consideration and action on an Ordinance Approving an Amendment to the Amended and Restated Lease Agreement with the Public Building Commission and McLean County, reducing the City's rental payment for FY 2022 by \$122,622, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

- K. Consideration and action on an Ordinance Approving a Zoning Map Amendment for Property Located South of Southgate Drive and East of South Main Street, Approximately 7.31 Acres in the Southgate Commercial Plaza Subdivision, from B-2 Local Commercial District to C-1 Office District, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- L. Consideration and action on an Ordinance Amending Chapter 35 of the City Code to add Two Ex-Officio Youth Members to the Public Safety Commission Review Board, as requested by the Administration Department and the Police Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- M. Consideration and action on a Liquor License Change of Ownership Application from PSM Shell, Inc., d/b/a PSM Shell, located at 2401 E. Oakland Ave., holding a Class GPBS (Gas Station, Package Sales, Beer and Wine Only, Sunday Sales) license, to Jay Sathimaa Two, LLC, d/b/a Bloomington Shell, for the same license type, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved contingent upon employees receiving BASSET certifications, a local manager being established, and upon compliance with all building, health, and safety, codes.)*
- N. Consideration and action to approve a Lake Bloomington Lease Transfer and Supplemental Agreement for Lot 18 in Block 3 in Camp Kickapoo, from Anne Bliss, to the petitioners, Douglas C. and Tracey A. McCord, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer and Supplemental Agreement be approved.)*

9. Regular Agenda

Clerk-led Roll Call Vote

- A. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department. *(Recommended Motion: No modifications recommended at this time.) (Presentation by Tim Gleason, City Manager, 5 minutes; and City Council discussion, 5 minutes.)*

10. City Manager's Discussion

11. Mayor's Discussion

12. Council Member's Discussion

13. Executive Session - Cite Section

Clerk-led Roll Call Vote

- A. **Collective Bargaining - Section 2(c)(2) of 5 ILCS 120 (30 minutes)**

14. Return to Open Session and Adjourn

Clerk-led Roll Call Vote

RECOGNITIONS



RECOGNITION/APPOINTMENTS ITEM NO. 6.A

FOR COUNCIL: February 8, 2021

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers Russell, Stone, Pippins, and Nelson, upon their 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 Officers Matthew Russell, Adam Stone, Jesse Pippins, and Patrick Nelson. They will be officially sworn in by the City Clerk.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

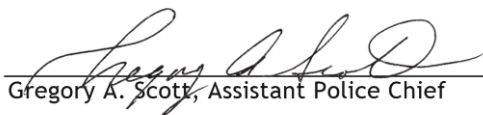
FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

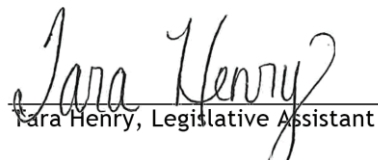
Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Reviewed by:


Gregory A. Scott, Assistant Police Chief

1/20/2021


Tara Henry, Legislative Assistant

2/5/2021

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- POLICE 1B Police Certificates

City of Bloomington



Police Department

Police Officer's Commission

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

Matthew J. Russell

*Having been duly sworn
was appointed and commissioned a*

Police Officer

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

Tari Renner

Tari Renner

Mayor

Tim Gleason

Tim Gleason

City Manager



Gregory A. Scott

Gregory A. Scott

Interim Chief

Leslie Hocutt

Leslie Hocutt

City Clerk

City of Bloomington



Police Department

Police Officer's Commission

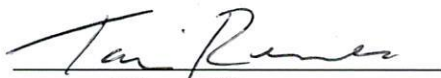
*By authority of the City Manager
of the City of Bloomington,
in the County of McLean, and State of Illinois,
We do hereby certify that*

Jesse L. Pippins

*Having been duly sworn
was appointed and commissioned a*

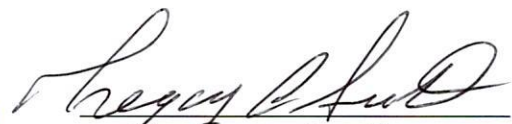
Police Officer

*On
the eight of August, two thousand and nineteen.
As Evidence thereof, we set our hand and seal*


Cari Renner
Mayor


Tim Gleason
City Manager




Gregory A. Scott
Interim Chief


Leslie Vocum
City Clerk

City of Bloomington



Police Department

Police Officer's Commission

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

Patrick O. Nelson

*Having been duly sworn
was appointed and commissioned a*

Police Officer

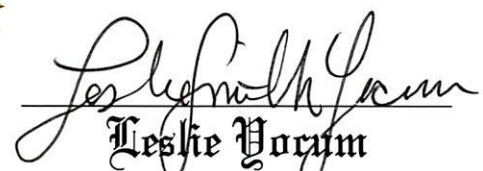
*On
the twenty-eight of May, two thousand and nineteen.
As Evidence thereof, we set our hand and seal*


Cari Renner
Mayor


Tim Gleason
City Manager




Gregory A. Scott
Interim Chief


Leslie Horan
City Clerk

City of Bloomington



Police Department

Police Officer's Commission

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

Adam T. Stone

*Having been duly sworn
was appointed and commissioned a*

Police Officer

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

Cari Renner

Mayor

Tim Gleason

City Manager



Gregory A. Scott

Interim Chief

Leslie Vocum

City Clerk

CONSENT AGENDA



CONSENT AGENDA ITEM NO. 8.A

FOR COUNCIL: February 8, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the January 11, 2021 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

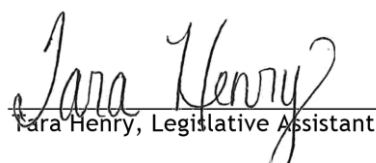
Respectfully submitted for Council consideration.

Prepared by: Amanda Mohan, Records and Licensing Specialist

Reviewed by:


Leslie Yocum, City Clerk

2/5/2021


Tara Henry, Legislative Assistant

2/5/2021

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- CLK 1B 01-11-2021 DRAFT Council Minutes



**MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, JANUARY 11, 2021, 6:00 P.M.**

This meeting was conducted under Governor Pritzker's Executive Order 2020-07 Section 6, which was reissued and extended by Executive Order 2021-01, and implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in regular session virtually via Zoom conferencing with the City Manager, Tim Gleason, and City Clerk, Leslie Yocum, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, January 11, 2021. The meeting was called to order by Mayor Tari Renner.

Roll Call

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

COVID-19 Update by City Manager

Tim Gleason, City Manager, informed the community that the City had partnered with the McLean County Health Department and their Emergency Management Agency to facilitate community vaccination clinics for the next six months at Grossinger Motors Arena. He noted that the Bloomington Fire Department had received the first injection of the COVID-19 vaccination and stated that McLean County Health Department would be in charge of communicating vaccination clinic information. He explained that citizens should call the McLean County Health Department if they had COVID-19 questions that could not be answered on the County's website. Mr. Gleason then updated Council on the current number of positive employee COVID-19 cases and assured Council that staff would continue to monitor Governor Pritzker's announcements on mitigations.

Mayor Renner asked about the potential outcome of Governor Pritzker's upcoming announcement and whether staff believed mitigations would be relaxed. Mr. Gleason explained that staff were cautiously optimistic that mitigations may relax, but warned that they may also result in no change.

Recognition/Appointments

No recognitions or appointments were made.

Public Comment

Mayor Renner opened the meeting for public comment and the following individuals spoke live: (1) Kevin Lopez (2) Maria Alvarez; and (3) Sandra Rosales. Both Blanca Pintor and Adrian Rosales had registered to speak live, but were not present in the meeting. The following individuals emailed public comment prior to the meeting start: (1) Sarah Greenberg; (2) Gabriel Gudding; (3) James Stangel; (4) Jessica Headle; (5) Erica Larkin; (6) Krystal Able; and (7) David Peters.

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 Boelen made a motion, seconded by Council Member Mathy, that the Consent Agenda, including all items listed below, be approved as presented with the exception of 8.I. and 8.K.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Ward, Bray

Motion carried.

Item 8.A. Consideration and action to approve the Minutes of the November 23, 2020 Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 8.B. Consideration and action to approve Bills and Payroll in the amount of \$17,868,581.70, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 8.C. Consideration and action to approve Appointment to the Cultural Commission, as requested by the Administration Department. (Recommended Motion: The proposed Appointment be approved.)

Item 8.D. Consideration and action to approve an Annual Service Maintenance Agreement for Daktronics Video Equipment at the Arena for a three (3) year period, as requested by the Parks, Recreation and Cultural Arts Department. (Recommended Motion: The proposed Agreement be approved.)

Item 8.E. 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.)

Item 8.F. Consideration and action on a Resolution Authorizing a Change Order in the Amount of \$75,757.67 to the Sunset Road Water Main Replacement Construction Contract Between the City of Bloomington and Stark Excavating, Inc., as requested by the Public Works Department. (Recommended Motion: The proposed Resolution and Change Order be approved.)

Item 8.G. Consideration and action on a Resolution Authorizing Waiving the Technical Bidding Requirements and Extending the Audit Services Contract with Baker Tilly, LLP Through Audit Year 2023, as requested by the Finance Department. (Recommended Motion: The proposed Resolution be approved.)

Item 8.H. Consideration and action on a Resolution Authorizing Waiving the Technical Bidding Requirements and Approving an Agreement with InfoSend, Inc., for Use of Its Utility Bill Print Services, as requested by the Finance Department. (Recommended Motion: The proposed Resolution be approved.)

Item 8.I. was pulled from the Consent Agenda by Mayor Renner.

Item 8.J. Consideration and action on an Ordinance Approving a Zoning Map Amendment for Property Located at 806 S. Morris Avenue and 829 W. Elm Street from B-2 Local Commercial District to R-2 Mixed Residence District, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 8.K. was pulled from the Consent Agenda by Council Member Ward.

Item 8.L. Consideration and action on the Application from Braize, LLC, d/b/a Braize, to be located at 1406 E. Empire St., who is requesting to a Class RBS (Restaurant, Beer and Wine Only, and Sunday Sales) liquor license, as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved, contingent upon compliance with all building, health, and safety codes.)

Items Pulled from the Consent Agenda

The following item was presented:

Item 8.I. Consideration and action on an Ordinance Approving a Zoning Map Amendment for Property Located South of General Electric Road and West of Towanda Barnes Road, Approximately 6.06 Acres in the Hawthorne Commercial Subdivision, from B-1 General Commercial District to R-2 Mixed Residence District and R-3A Multiple-Family Residence District, as requested by the Economic & Community Development Department.

Mayor Renner explained the item was pulled at the developer's request and would appear on the January 25, 2021 Council meeting.

The following item was presented:

Item 8.K. Consideration and action on the Application from Green Top Grocery Cooperative, d/b/a Green Top Grocery, located at 921 E. Washington St., who is requesting a change in classification from a Class PBS (Package, Beer and Wine Only, and Sunday Sales) to a Class PAS (Package, All Types of Alcohol, and Sunday Sales) liquor license, as requested by the City Clerk Department.

Council Members Mathy and Ward recused themselves due to a conflict of interest.

Council Member Boelen made a motion, seconded by Council Member Painter, that the proposed License be approved, contingent upon compliance with all building, health, and safety codes.

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

AYES: Boelen, Mwilambwe, Emig, Painter, Bray

RECUSED: Mathy, Ward

Motion carried.

Regular Agenda

The following item was presented:

Item 9.A. Presentation and discussion on Connect Transit's activities and operations, as requested by the Administration Department.

Mr. Gleason asked Billy Tyus, Deputy City Manager, to introduce the item. Mr. Tyus explained that he had served as the City's ex-officio member on the Connect Transit Board since October of 2020. He introduced the item and the representatives of Connect Transit.

Ryan Whitehouse, Connect Transit Board Chair, addressed Council and thanked board members for their service. He discussed the operating budget for fiscal year ("FY") 2021 and provided a breakdown of revenue sources. He noted that the City of Bloomington contributed \$840,520 to Connect Transit's FY 2021 budget. He highlighted implemented COVID-19 policies and procedures and explained that fares had been suspended since March 2020. He stated that fares would remain suspended through March of 2021. He explained that \$18 million in grant funding had been awarded to Connect Transit in 2020 and talked in detail about the breakdown of said funding. He updated Council on the Better Bus Stops Campaign noting that Connect Transit was on track to be 100% compliant with the Americans with Disabilities Act ("ADA") by 2024. He discussed the Connect Transit Work Group recommendations and the implementation of One Rate for All (\$1.25) regardless of service type, the expansion of the Connect Mobility Service to Town (Normal) and City (Bloomington) limits, and the Better Bus Stop Campaign. He ended by discussing Connect's search for a new General Manager, the 2021 route review process, and next steps for the development of the Downtown Transfer Station.

Mayor Renner thanked Mr. Whitehouse, Connect Transit Board, and staff for their service. He noted the importance of a Downtown Transfer Station and how it impacted mobilizing the City's workforce.

Council Member Bray echoed appreciation and asked what role the City would have in the final site selection process for the Downtown Transfer Station. Mr. Whitehouse explained planned processes noting that once the final three locations had been announced, stakeholders, including the City, would be able to provide feedback. He pointed out that ultimately the Connect Transit Board would make the final decision.

Council Member Bray asked City staff about procedure for future discussions. Mayor Renner stated that while City staff were in constant communication, the Connect Transit Board made the final decision. Mr. Gleason confirmed and answered Council Member Bray questions on internal discussions.

Council Member Boelen also expressed concern with City involvement and asked clarifying questions on the self-sufficiency of the solar energy system associated to Connect buses. Mr. Whitehouse responded that solar energy would power the Downtown Transfer Station, bus power charging stations, as well as day-to-day operations with the opportunity to sell surplus energy back to the grid. Council Member Boelen expressed appreciation for the Better Bus Stop Campaign and the opportunity for community involvement. She then asked how a new general manager could affect planned projects. Mr. Whitehouse responded

that the general manager reported to the Connect Transit Board and he was confident that projects, such as the Better Bus Stop Campaign, would continue. Council Member Boelen then asked additional details about studies completed on demographics. Mr. Whitehouse responded that Connect Transit worked with the McLean County Regional Planning Commission to determine the areas where the transit system would be most utilized.

Council Member Mwilambwe echoed appreciation to the Connect Transit Board and staff. He asked questions regarding funds received for the Downtown Transfer Center and Mr. Whitehouse responded according. Council Member Mwilambwe then asked how the City and community could be involved in the general manager selection. Mr. Whitehouse responded that the elected bodies would have input, but that Connect Transit would rely on Harris Rand Lusk, the firm selected to aid in the search, for actual strategy plans.

Judy Buchanan, Connect Transit Board Secretary, encouraged the public to complete the Connect Transit General Manager Recruitment survey, which was available online.

Deb Presley, Connect Transit Board Member, echoed encouragement for the survey.

Council Member Emig thanked Connect Transit Board members and staff for their service. She noted appreciation for the online survey and asked if there were other ways Connect Transit encouraged participation in the survey. Mr. Whitehouse listed the various ways Connect Transit encouraged participation and that stated that Harris Rand Lusk would provide additional ideas.

Mayor Renner suggested a survey strictly from riders.

Council Member Boelen asked if Connect Transit considered ride share options verses electronic transit systems. Mr. Whitehouse explained that transit systems must follow strict guidelines that ride share systems do not. He noted that the implementation of ride share systems also do not qualify for grant funding programs like public transit systems do.

Mayor Renner commented on accessibility and future economic opportunities with the new Downtown Transfer Center.

The following item was presented:

Item 9.B. Consideration and action on a Resolution Authorizing the City's Participation in the Welcoming Network Operated by Welcoming America, as requested by the City Council.

Council Member Boelen introduced the item and highlighted the importance of the Welcoming America resolution. She commented on a meeting she had with the Welcoming America's Midwest Regional Manager where she had addressed the concerns of Council and public comments. She noted that the Welcoming America model did not discriminate between documented and undocumented immigrants and stressed that the model consisted of a lengthy process. She read the mission for the City's Human Relations Commission and noted that it aligned with the Welcoming America model. She then listed multiple examples of civic engagement from the City and how the City could provide information and services to the public. She stressed that the quality of the process determined the quality of the Welcoming City. She explained that the City would use resources made available by the Welcoming America model to apply to the areas that needed improvement.

Council Member Boelen made a motion, seconded by Council Member Bray, that the proposed Resolution be approved as presented.

Council Member Mathy thanked Council Member Boelen and expressed his support in the item. He noted that the City had immigrants from all over the world. He explained that the Welcoming America model did not prevent the Welcoming City model, but expressed his belief that they would work well together.

Council Member Mwilambwe discussed various obstacles for immigrants and expressed support in the item. He suggested utilizing Bloomington 101 to teach immigrants about Bloomington and the creation of a welcome center where they could interact and learn of different services offered by the City.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Ward, Bray

Motion carried.

The following item was presented:

Item 9.C. Consideration and potential action regarding an Ordinance Amending the Local Emergency Ordinance, Ordinance 2020-18, to Modify Section 2(Q) to Allow the Continued Proration of the City's Liquor License Fees, as requested by the Legal Department.

Mr. Gleason explained that the amendment would allow the City to prorate liquor license fees for establishments that closed due to the State of Illinois COVID-19 restrictions. He pointed out that the proration would be made available for closures in 2020 and 2021. He noted that the previous ordinance limited establishments to a one-time proration for 2020 and explained the need to broaden the scope of the ordinance. Mr. Gleason stated the deadline for applicant submissions for closures in 2020 would be March 1, 2021 and for closures in 2021 it would be January 31, 2022. He clarified that in order for an establishment to qualify, they must have been closed and not provided any services.

Council Member Mathy asked for clarification on the qualification that establishments must have been completely closed and not offering curbside pickup. Mr. Gleason confirmed the establishments must have been completely closed. Council Member Mathy asked for an approximate number of establishments the change would affect. Leslie Yocum, City Clerk, responded that she did not have an exact number, but that the previous proration yielded higher than anticipated participation. She also noted that establishments could apply for each closure they incurred and that the fee would be prorated based on the number of days closed. She clarified that businesses could apply multiple times under the proposed Ordinance, whereas the previous ordinance had only allowed an establishment to apply once.

Council Member Bray made a motion, seconded by Council Member Mwilambwe, that the proposed Ordinance be approved as presented.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Ward, Bray

Motion carried.

City Manager's Discussion

Mr. Gleason noted recent bad weather and an ice storm that had caused multiple downed trees and power outages. He recognized staff from the Public Works and Parks,

Recreation, and Cultural Arts Departments for all their efforts in clearing roads and downed trees quickly. He then acknowledged Law Enforcement Appreciation Day and thanked the Police Department for their service.

Mayor's Discussion

Mayor Renner thanked City staff for their quick and diligent work to clear the roads. He noted his plans to give his State of the City Address at the January Committee of the Whole meeting on January 18, 2021. He ended by commenting on recent events that had occurred at the nation's capitol in Washington D.C.

Council Member's Discussion

Council Member Mathy thanked the Public Works Department and Forestry Division for their services in clearing roads and trees. He also thanked all the citizens who had helped their neighbors.

Council Member Emig echoed appreciation to Public Works, Forestry, and citizens for their service. She expanded on Mayor Renner's comments on recent national events by reading a quote by Ibram Kendi that encouraged the nation to right the wrongs.

Council Member Mwilambwe also commented on recent national events. He stressed that words are extremely powerful and encouraged the community to use the events as a teachable moment and grow from them. He also echoed appreciation to Public Works and Forestry.

Council Member Painter echoed appreciation to Public Works and Forestry and condemned recent events in D.C. She encouraged the community to commit to non-violence and to being a beacon of hope for others.

Council Member Ward also commented on the recent D.C. events. She stressed that the nation should learn from it.

Council Member Boelen thanked Council Member Ward for her recent participation in the local vigil event that had been held.

Executive Session - Cite Section

No Executive Session was held.

Adjournment

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

Motion carried (viva voce).

The meeting adjourned at 7:25 p.m.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Amanda Mohan, Deputy City Clerk



CONSENT AGENDA ITEM NO. 8.B

FOR COUNCIL: February 8, 2021

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills and Payroll in the amount of \$6,647,860.70, 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 \$6,647,860.70 (Payroll total \$2,760,911.66, Accounts Payable total \$3,635,425.36, and Bank Transfers total \$251,523.68).

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:

A handwritten signature in black ink, appearing to read "F. Scott Rathbun".

F. Scott Rathbun, Finance Director

2/3/2021

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

Tara Henry, Legislative Assistant

2/4/2021

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- FIN 1B Council Finance Summary Report

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
1/29/2021	\$ 2,074,189.78	\$ 686,721.88	\$ 2,760,911.66

Off Cycle Adjustments

PAYROLL TOTAL \$ 2,760,911.66

ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
2/8/2021	AP General	\$ 2,520,960.73
	AP JMScott	
2/8/2021	AP Comm Devel	\$ 2,428.08
	AP IHDA	
2/8/2021	AP Library	\$ 45,841.81
2/8/2021	AP MFT	\$ 134,485.16
1/22/2021-2/3/2021	Out of Cycle	\$ 931,709.58
12/2/2021-1/26/2021	AP Bank Transfers	\$ 251,523.68
	AP TOTAL	\$ 3,886,949.04

PCARDS

Date Range

PCARD TOTAL

GRAND TOTAL \$ 6,647,860.70

Respectfully,

F. Scott Rathbun
Director of Finance



CONSENT AGENDA ITEM NO. 8.C

FOR COUNCIL: February 8, 2021

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Appointment to the Housing Authority Board, as requested by the Administration Department.

RECOMMENDED MOTION:

The proposed Appointment be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

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

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

Housing Authority Board: Torea Phillips to the Housing Authority Board. Torea is being appointed to fill a vacancy on the Board. Her term will be effective immediately, with an expiration date of 4-30-25, at which time she will be eligible to reapply. Application is on file in the Administration Office.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic; however, this agenda item is operational in nature and expected to have little to no impact on City resources or finances.

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

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:



Billy Ryus, Deputy City Manager

2/3/2021



Tara Henry, Legislative Assistant

2/4/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- ADM 1B Housing Authority Roster

Housing Authority Board

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Ward
x	Vice Chariman	Arthur	Haynes	04/30/24	04/22/19	2015	6
x	Chair	Terrence	Koch	04/30/25	04/27/20	2007	4
x				04/30/25			
x		Memuna	Lee	04/30/21	05/23/16	2015	8
x	Resident	Betty	Middleton	04/30/22	08/12/19	2019	7
	Contact	Jeremy	Hayes				



CONSENT AGENDA ITEM NO. 8.D

FOR COUNCIL: February 8, 2021

SPONSOR: Public Works Department

WARD IMPACTED: Ward 4

SUBJECT: Consideration and action on an Intent to Award and an Agreement with Stark Excavating, Inc., for the Locust Street CSO Elimination and Water Main Replacement Phase 2, in the amount of \$4,330,316, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Intent to Award and Agreement be approved, upon concurrence from the Illinois Environmental Protection Agency.

STRATEGIC PLAN LINK:

-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

- Objective 2c. Functional, well maintained sewer collection system
- Objective 2b. Quality water for the long term
- Objective 2a. Better quality roads and sidewalks

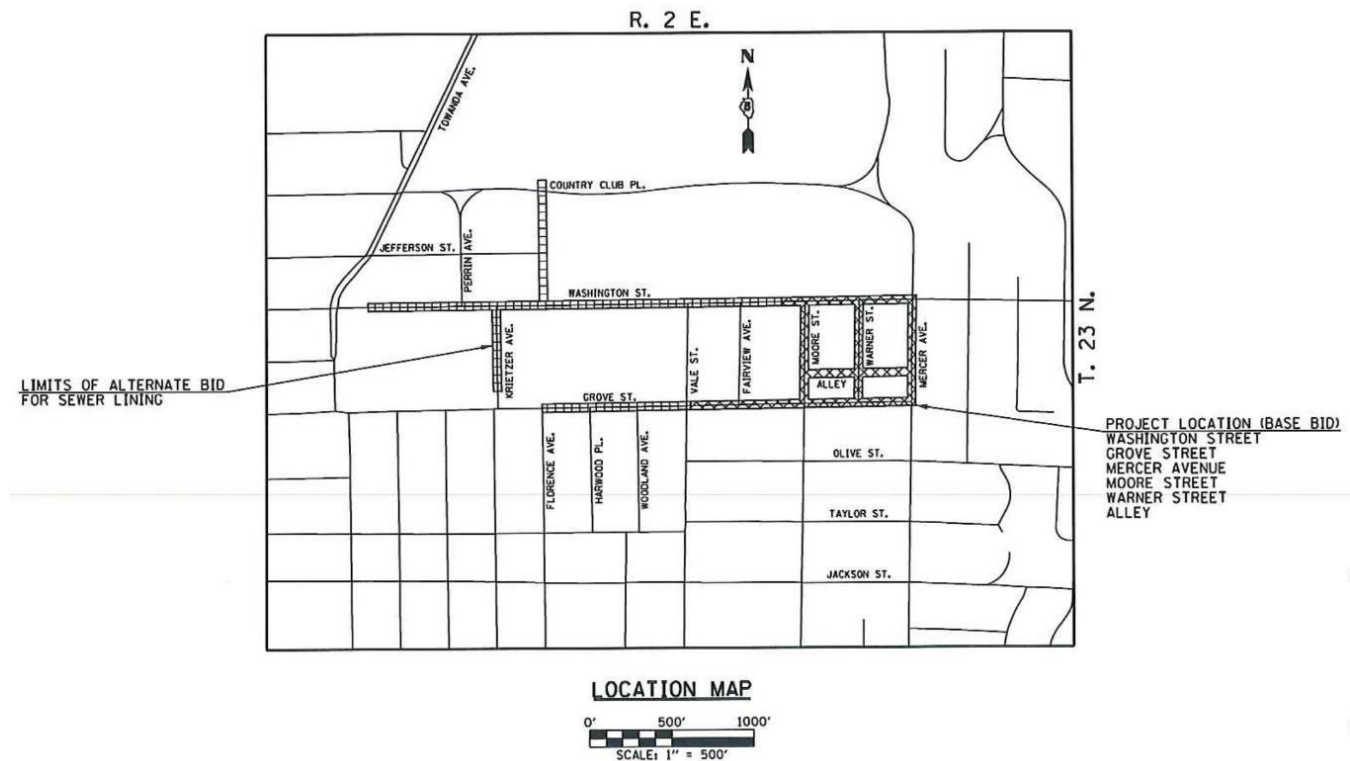
BACKGROUND: Public Works is recommending the approval of the Notice of Intent to Award and authorization for the City Manager to execute the proposed Agreement for the Locust Street CSO Elimination and Water Main Replacement Phase 2 to Stark Excavating, Inc., in the amount of \$4,330,316, once the Illinois Environmental Protection Agency (IEPA) concurs with the Notice of Intent to Award.

As part of the award process, the IEPA requires the City to sign and submit a Notice of Intent to Award form, which identifies the lowest qualified bidder, which is Stark Excavating, for the project to the IEPA. The IEPA then reviews the Notice of Intent to Award and concurs with the City. Once the IEPA concurs, the City will send a Notice of Award to Stark Excavating. Once the Notice of Award is sent back to the City, the City can formally award the contract for the Locust Street CSO Elimination and Water Main Replacement Phase 2 project to Stark Excavating. With the IEPA funding the construction of much of the project through their Water Supply Loan Program and Water Pollution Control Loan Program, this process is necessary, as the IEPA has a stake in the award of the project.

There is a separate memo on the same Council date requesting approval of an agreement with the IEPA for the City to borrow up to \$4,212,591 in IEPA loan funds from the Public Water Supply Program and Water Pollution Control Loan Program. This is an amount sufficient to cover the Phase 2 water main and sewer work.

The City sewer system operates Combined Sewer Overflow (CSO) outlets near the intersection of Locust Street and Colton Avenue. These CSO outlets operate under a permit from the IEPA which includes a Long-Term Control Plan to eliminate the CSO. The City

conducted a Locust Colton CSO Elimination Study between 2005 and 2007 which identified a multiphase construction plan to eliminate these CSO outlets by completely separating the storm and sanitary flow in this area. Portions of Phases 1, 6, and 7 were completed in 2014. Phase 2 is located through neighborhoods south of Bloomington Country Club (BCC), the limits of which are shown below.



The scope of work for Phase 2 includes building new sanitary sewer to separate the storm and sanitary flows and installing new water main to replace the old mains, which are reaching the end of their useful life. The pavement above utility trenches will have variable width resurfacing. Intermittent curb and gutter repair and intermittent sidewalk repair will be constructed in areas where the utility trenches disturb existing sidewalk and curb and gutter. The project also includes an additive alternate, the scope of which includes sanitary sewer lining, a cost-effective way to lengthen the useful life of the existing facilities without invasive reconstruction.

To stay on schedule with the IEPA, construction is planned to begin this spring with a completion date of November 26, 2021. Looking to the future, Phase 3 construction is planned to start Spring 2022, Phase 4 is planned to start construction in Spring 2023, with the remaining phases scheduled for every other year starting in 2026 and ending in 2030.

Bidding proposals for Locust Street CSO Elimination and Water Main Replacement Phase 2 were received until 1:00 pm Friday, January 8, 2021, opened virtually at 2:00 pm the same day, and read aloud as follows:

<u>Contractor</u>	<u>Base Bid</u>	<u>Additive Alt. 1</u>	<u>Total</u>
A&R Mechanical	\$4,110,550.10	\$267,493.71	\$4,378,043.81
Stark Excavating (Low Bid)	\$4,048,825.00	\$281,491.00	\$4,330,316.00

<i>Rowe Construction</i>	\$4,814,032.24	\$273,423.84	5,087,456.08
<i>Engineer's Estimate</i>	\$4,358,027.00	\$362,873.00	\$4,720,900.00

The bid for this project was advertised on November 25, 2020. The bid documents requested that contractors provide prices for a base bid plus one additive alternate. The additive alternate included one section of additional sewer lining identified in the CSO Elimination Plan. There were two local and one non-local bidder. One of the local bidders was chosen as the lowest, responsible bidder pending IEPA approval.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this project is a priority of the City, and staff is recommending it be approved. The project is a priority, because the IEPA is requiring the City to eliminate combine sewer overflow, per the terms of the City's existing permit.

The Storm Water Fund is an Enterprise Fund that generates fees for funding its operations. Storm Water Fund fees are intended/dedicated solely for the support of storm water services to the City, including infrastructure expenditures, such as keeping lakes and streams clean, maintaining waterways to minimize erosion and damage to adjacent property, maintaining detention basins to reduce flooding and filter out pollution, street sweeping, and inlet maintenance and repairs.

The Sanitary Sewer Fund is an Enterprise Fund that generates fees for funding its operations. Sanitary Sewer Fund fees are intended/dedicated solely for the support of sanitary sewer services to the City, including infrastructure expenditures, such as ongoing maintenance and repairs to sanitary sewer and combined sewer infrastructure, emergency cave-ins, and sewer cleaning.

The Water Fund is an Enterprise Fund that generates fees for funding its operations. Water Fund fees are intended/dedicated solely for the support of water services to the City, including infrastructure expenditures, such as the water treatment plant, water mains, and water meters.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice of this bid was published in *The Pantagraph* on November 25, 2020, and posted to the City's website. A virtual pre-bid meeting was held on December 16, 2020. Four addenda were released to plan holders, prior to the bid opening, based off questions that were submitted after the virtual pre-bid meeting.

Due to current social distancing circumstances, affected public have been notified via letters at major stages of design and bidding as construction approached. These letters included information regarding the scope of the project, as well as direction to the project update page on the City website. Members of the public were invited to contact associated City staff, who have been available to answer all questions they may have, via call or email.

FINANCIAL IMPACT: If approved, a contract for \$4,330,316 will be executed with Stark Excavating, Inc. The City is eligible for Sewer and Water Revolving Loan funds from the IEPA to fund much of the project. The currently published loan terms include 1.35% fixed interest for 20 years. This interest rate is the current rate but is not guaranteed by the IEPA until the city receives its formal loan documents. The rate can be found on the IEPA's website.

Approval for the loan documents are in a separate council agenda item and depend on the IEPA's concurrence with our Notice of Intent to Award the agreement to Stark Excavating.

Loan funds will cover eligible construction costs of \$4,212,591. Loan repayment will begin May of 2022 (FY 2023). A portion of the construction cost totaling \$117,725.28 is not eligible for IEPA loan funds and will be paid with respective City utility enterprise funds including Water for \$48,475.12, Sanitary Sewer and Storm Water at \$34,625.08 each.

The breakout of funding for the contract with Stark Excavating, Inc. is as follows:

1. Water Transmission & Distribution-Water Main Construction (50100120-72540) for \$48,475.12
2. Water Transmission & Distribution-Water Main Loan Eligible (50100120-72540) for \$1,680,204.15
3. Sanitary Sewer-Sewer Construction (51101100-72550) for \$34,625.08
4. Sanitary Sewer-Sewer Construction Loan Eligible (51101100-72555) for \$1,266,193.29
5. Storm Water-Sewer Construction (53103100-72550) for \$34,625.08
6. Storm Water-Sewer Construction Loan Eligible (53103100-72555) for \$1,266,193.28

Stakeholders can locate the project in the FY 2021 Budget Book titled Other Funds & Capital Improvement on pages 121, 140, 147, 249, 250, 289, 307-310, 334, 337-340, and 346-350.

The project is included in the FY 2021 Budget at a total cost of \$5,600,000. If awarded, the approved contract will be under the budgeted amount by \$1,269,684.

A twenty-year annual loan repayment is estimated to be paid from City funds as follows:

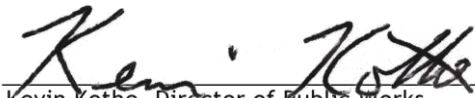
<i>Fund</i>	<i>Payment</i>
<i>Water Fund</i>	\$96,143 / year
<i>Sanitary Sewer Fund</i>	\$72,453 / year
<i>Storm Water Fund</i>	\$72,453 / year

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, Objective UEW-1.7 Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety and the environment; Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system.

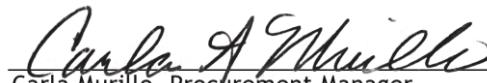
Respectfully submitted for Council consideration.

Prepared by: Dominic Kallas, Engineer

Reviewed by:


Kevin Kothe, Director of Public Works

1/26/2021


Carla Murillo, Procurement Manager

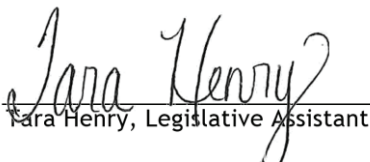
2/2/2021


Chris Tomerlin, Budget Manager

2/2/2021


Jeffrey R. Jurgens, Corporation Counsel

2/3/2021


Tara Henry, Legislative Assistant

2/4/2021

Recommended by:


Tim Gleason, City Manager

Attachments:

- PW 2B Notice of Intent to Award_Locust Colton CSO Elimination Phase 2 Agreement 02082021
- PW 2C Agreement_Locust Colton CSO Elimination Phase 2 Contract Award 02082021
- PW 2D Bid_#2021-18 BID TAB Locust Colton CSO Elimination Phase 2 Agreement 02082021

NOTICE OF INTENT TO AWARD

To: **Stark Excavating Inc.**
1805 W Washington St.
Bloomington, IL 61701

Project Description: Locust Street CSO Elimination and Water Main Replacement – Phase 2
BID #2021-18

The OWNER has considered the BID submitted by you for the above described WORK, in response to its Advertisement for Bids, dated **November 25th, 2020** and Information for Bidders.

You are hereby notified that your BID will be accepted, contingent upon Illinois Environmental Protection Agency (IEPA) approval, for items in the amount of **\$4,330,316.00**.

You will be required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND and certificates of insurance within ten (10) calendar days from the date of the final Notice to be sent upon IEPA approval, to you.

Dated this day of _____

City of Bloomington, IL
OWNER

By: _____

Title: _____

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2021, by and between the City of Bloomington, IL, hereinafter called "OWNER", and **Stark Excavating Inc.** doing business as (an individual) or (a partnership) or (a corporation), hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of the Locust Street CSO Elimination and Water Main Replacement – Phase 2, BID #2021-18.
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the Contract Documents within 15 calendar days after the date of the NOTICE TO PROCEED and will complete the same by 5:00 p.m. on Friday, November 26, 2021 unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of **\$4,330,316.00**, or as shown in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
 - (A) Advertisement for BIDS
 - (B) Information for BIDDERS
 - (C) BID
 - (D) BID BOND
 - (E) Agreement
 - (F) Payment BOND
 - (G) Performance BOND
 - (H) NOTICE OF AWARD
 - (I) NOTICE TO PROCEED
 - (J) CHANGE ORDER
 - (K) DRAWINGS prepared by Clark Dietz numbered 1 through 86 and dated October 2020.
 - (L) SPECIFICATIONS prepared by Clark Dietz dated October 2020.
 - (M) ADDENDA:
 - No. 1, dated December 17, 2020
 - No. 2, dated December 29, 2020
 - No. 3, dated January 5, 2021
 - No. 4, dated January 5, 2021

6. The OWNER will pay to the CONTRACTOR in the manner and at such times, such amounts as required by the CONTRACT DOCUMENTS.

7. The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

8. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

9. No confidentiality or right to privacy exists in this Agreement. This Agreement is subject to the Freedom of Information Act (FOIA).

10. This Agreement shall be construed in accordance with the laws of the State of Illinois, and the state and federal courts for McLean County in the State of Illinois shall have exclusive jurisdiction over any matters pertaining hereto.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in triplicate each of which shall be deemed an original on the date first above written.

OWNER:

City of Bloomington, IL

By _____

Name _____

Title _____

(SEAL)

(Please Type)

ATTEST:

Name _____

(Please Type)

Title _____

CONTRACTOR:

Stark Excavating, Inc.

By _____

Name David K. Stark, Jr.

Address 1805 W. Washington St.

Bloomington, IL 61701

(Please Type)

(SEAL)

ATTEST:

Ila Slagell

Name Ila J. Slagell

(Please Type)

Title Secretary

NOTICE OF AWARD

To: **Stark Excavating Inc.**
1805 W Washington St.
Bloomington, IL 61701

Project Description: Locust Street CSO Elimination and Water Main Replacement – Phase 2
BID #2021-18

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated **November 25th, 2020** and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of **\$4,330,316.00**.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND and certificates of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 20_____.

City of Bloomington, IL
OWNER

By _____

Title _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged,

by _____,

this the _____ day of _____, 20_____.

By _____

Title _____

PERFORMANCE BOND

Bond #: 0234843

KNOW ALL MEN AND WOMEN BY THESE PRESENTS: that

Stark Excavating, Inc.
(Name of Corporation)
1805 W Washington Street, Bloomington, IL 61701
(Address of Corporation)

a Corporation hereinafter called Principal and
(Corporation, Partnership, or Individual)

Berkley Insurance Company
(Name of Surety)
475 Steamboat Road, Greenwich, CT 06830
(Address of Surety)

hereinafter called Surety, are held and firmly bound unto the City of Bloomington, IL, 109 East Olive Street, Bloomington, IL 61701, hereinafter called OWNER, in the penal sum of

Four Million, Three Hundred and Thirty Thousand, Three Hundred and Sixteen
Dollars, \$(4,330,316.00)

in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain contract with the OWNER, dated the 1st day of March 2021, a copy of which is hereto attached and made a part hereof for the construction of the Locust Street CSO Elimination and Water Main Replacement – Phase 2, BID #2021-18.

NOW, THEREFORE, if the Principal shall well, truly and faithfully perform its duties, all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term thereof, and any extensions thereof which may be granted by the OWNER, with or without notice to the Surety and during the one year guaranty period, and if he shall satisfy all claims and demands incurred under such contract, and shall fully indemnify and save harmless the OWNER from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the OWNER all outlay and expense which the OWNER may incur in making good any default, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said surety, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to WORK to be performed hereunder or the SPECIFICATIONS accompanying the same shall in any wise affect its obligation on this BOND, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the contract or to the WORK or to the SPECIFICATIONS.

PROVIDED, FURTHER, that no final settlement between the OWNER and the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

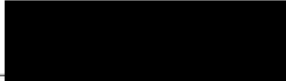
IN WITNESS WHEREOF, this instrument is executed in three counterparts, each one of which shall be deemed an original, this 1st day of March 2021.

ATTEST:


Ila J. Slagell - Secretary

(SEAL)

By:


David K. Stark, Jr. - Vice-President

Stark Excavating, Inc.

1805 W. Washington Street

Bloomington, IL 61701

ATTEST:

See attached Jurat

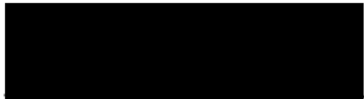
(SEAL)

Berkley Insurance Company

475 Steamboat Road

Greenwich, CT 06830

By:


Lucas Sherman - Attorney-in-Fact

NOTE: Date of BOND must not be prior to date of Contract.
If CONTRACTOR is Partnership, all partners should execute BOND.

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the PROJECT is located.

PAYMENT BOND

Bond #: 0234843

KNOW ALL MEN AND WOMEN BY THESE PRESENTS: that

Stark Excavating, Inc.

(Name of Contractor)

1805 W. Washington Street, Bloomington, IL 61701

(Address of Contractor)

a Corporation, hereinafter called Principal, and
(Corporation, Partnership, or Individual)

Berkley Insurance Company

(Name of Surety)

475 Steamboat Road, Greenwich, CT 06830

(Address of Surety)

hereinafter called SURETY, are held and firmly bound unto the City of Bloomington, IL, 109 East Olive Street, Bloomington, IL 61701, hereinafter called OWNER, in the penal sum of Four Million, Three Hundred and Thirty Thousand, Three Hundred and Sixteen Dollars, (\$ 4,330,316.00) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain contract with the OWNER, dated the 1st day of March, 2021, a copy of which is hereto attached and made a part hereof for the construction of the Locust Street CSO Elimination and Water Main Replacement – Phase 2, BID #2021-18.

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, firms, SUBCONTRACTORS, and corporations furnishing materials for or performing labor in the prosecution of the WORK provided for in such contract, and any authorized extension or modification thereof, including all amounts due for materials, lubricants, oil, gasoline, coal and coke, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such WORK, and all insurance premiums on said WORK, and for all labor, performed in such WORK whether by SUBCONTRACTOR or otherwise, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said Surety for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to the WORK to be performed hereunder or the SPECIFICATIONS accompanying the same shall in any wise affect its obligation on this BOND, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the contract or to the WORK or to the SPECIFICATIONS.

PROVIDED, FURTHER, that no final settlement between the OWNER and the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in three counterparts, each one of which shall be deemed an original, this the 1st day of March 2021.

ATTEST: *Ila J. Slagell*

Ila J. Slagell - Secretary

(SEAL)

By: [REDACTED]
David K. Stark, Jr - Vice President

Stark Excavating, Inc.

1805 W. Washington Street

Bloomington, IL 61701

ATTEST:

Berkley Insurance Company

475 Steamboat Road

Greenwich, CT 06830

By: [REDACTED]
Lucas Sherman - Attorney-in-Fact

NOTE: Date of BOND must not be prior to date of Contract.
If CONTRACTOR is Partnership, all partners should execute BOND.

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the PROJECT is located.

STATE OF: Illinois

COUNTY OF: Champaign

On this 1st day of March, 2021 personally appeared before me Elyse Eilts, who being duly sworn did depose and say that Lucas Sherman is the attorney-in-fact of the **Berkley Insurance Company**, Wilmington, Delaware that the seal affixed to the attached instrument is the Corporate Seal of said Corporation, and that said instrument was signed and sealed on behalf of said Corporation by authority of its Board of Directors and the said Elyse Eilts acknowledged that Lucas Sherman executed said instrument as such attorney-in-fact and as the free act and deed of said Corporation.



Notary Public





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/12/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Risk Managers 2104 Windsor Place Suite B Champaign IL 61820	CONTACT NAME: Luke Sherman PHONE (A/C, No, Ext): (217) 239-3755 E-MAIL ADDRESS: service@irmagency.com FAX (A/C, No): (217) 239-3769																
INSURED Stark Excavating, Inc 1805 W Washington St Bloomington IL 61701-3703	<table border="1"><thead><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A:</td><td>Motorist Mutual Insurance Company</td><td rowspan="6"></td></tr><tr><td>INSURER B:</td><td>BrickStreet Mutual Insurance Company</td></tr><tr><td>INSURER C:</td><td>Great American Insurance Company</td></tr><tr><td>INSURER D:</td><td>Travelers Property Casualty of America</td></tr><tr><td>INSURER E:</td><td>Westchester Surplus Lines Insurance</td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Motorist Mutual Insurance Company		INSURER B:	BrickStreet Mutual Insurance Company	INSURER C:	Great American Insurance Company	INSURER D:	Travelers Property Casualty of America	INSURER E:	Westchester Surplus Lines Insurance	INSURER F:	
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INSURER F:																	

COVERAGES **CERTIFICATE NUMBER:** 21-22 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR VVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC OTHER:	Y			01/01/2021	01/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY				01/01/2021	01/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0				01/01/2021	01/01/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A		12/31/2020	12/31/2021	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Excess Liability				01/01/2021	01/01/2022	Each Occurrence \$8,000,000 Aggregate \$8,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Locust St. CSO & Watermain Replacement PH 2

City of Bloomington is included as additional insured with respect to general liability as required by written contract.

CERTIFICATE HOLDER

City of Bloomington 109 E Olive St Bloomington IL 61701

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE

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POWER OF ATTORNEY
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Lucas Sherman of CoraMae, Inc. dba Insurance Risk Managers of Champaign, IL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00), to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 3rd day of December, 2019.

Attest:

Berkley Insurance Company

(Seal)

By

By

Ira S. Lederman
Executive Vice President & Secretary

Jeffrey M. Hafter
Senior Vice President

WARNING: THIS POWER INVALID IF NOT PRINTED ON BLUE "BERKLEY" SECURITY PAPER.

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 3rd day of December, 2019, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDRAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundraken
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this 1st day of March, 2021.

(Seal)

Vincent P. Forte

Please **verify the authenticity** of the instrument attached to this Power by:

Toll-Free Telephone: (800) 456-5486; or

Electronic Mail: BSGInquiry@berkleysurety.com

Any written notices, inquiries, claims or demands to the Surety on the bond attached to this Power should be directed to:

Berkley Surety
412 Mount Kemble Ave.
Suite 310N
Morristown, NJ 07960
Attention: Surety Claims Department

Or

Email: BSGClaim@berkleysurety.com

Please include with all communications the bond number and the name of the principal on the bond. Where a claim is being asserted, please set forth generally the basis of the claim. In the case of a payment or performance bond, please also identify the project to which the bond pertains.

Berkley Surety is a member company of W. R. Berkley Corporation that underwrites surety business on behalf of Berkley Insurance Company, Berkley Regional Insurance Company and Carolina Casualty Insurance Company.



CITY CLERK
109 EAST OLIVE STREET
BLOOMINGTON, IL 61702-3157
309.434.2240 tel
309.434.2802 fax

RECORD OF BID OPENING FOR:

BID #2021-18

LOCUST CSO ELIMINATION & WATER MAIN REPLACEMENT PHASE II*

DATE: January 8, 2021

TIME: 2:00 p.m.

Date & Time Rec'd	Bidder's Name	City, State	City Does*	Bid Signed	Bid Bond	Addenda #1-4	Base Bid Total	Alt Bid Total
1/8/2021 0800 HOURS	A+R MECHANICAL	VERBANA-FL	See below	✓	✓	✓	\$4,110,550.10	\$267,493.71
1/8/2021 1240 HRS	STARK EXCAVATING	BLOOMINGTON IL		✓	✓	✓	\$4,048,825. ⁰⁰	\$281,491. ⁰⁰
1/8/2021 1038 HRS	ROWE CONSTRUCTION	BLOOMINGTON IL		✓	✓	✓	\$4,814,032.21	\$273,423.84

WITNESSES:

Misty Shapiro

Carla M. Maults

*Disclaimer: This is a Bid tabulation for record of the Bid opening. Bids have not been reviewed and there are many additional requirements that will need to be confirmed after the opening by both IEPA and the City. Bids need to be presented to Council for consideration of award. This does not represent any Award. Not all prices or options/alternates will be included on the tabulation. Bids are due 1/8/2021 @ 1:00 p.m. CT & will be virtually opened at 2:00 p.m. CT.



CONSENT AGENDA ITEM NO. 8.E

FOR COUNCIL: February 8, 2021

SPONSOR: Public Works Department

WARD IMPACTED: Ward 4

SUBJECT: Consideration and action on a Resolution Approving Loan Agreements with the Illinois Environmental Protection Agency from the Water Pollution Control Loan Program and Public Water Supply Loan Program for the Construction of the Locust Street CSO Elimination and Water Main Replacement Phase 2, in the amount of \$4,212,591, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

- Objective 2c. Functional, well maintained sewer collection system
- Objective 2b. Quality water for the long term
- Objective 2a. Better quality roads and sidewalks

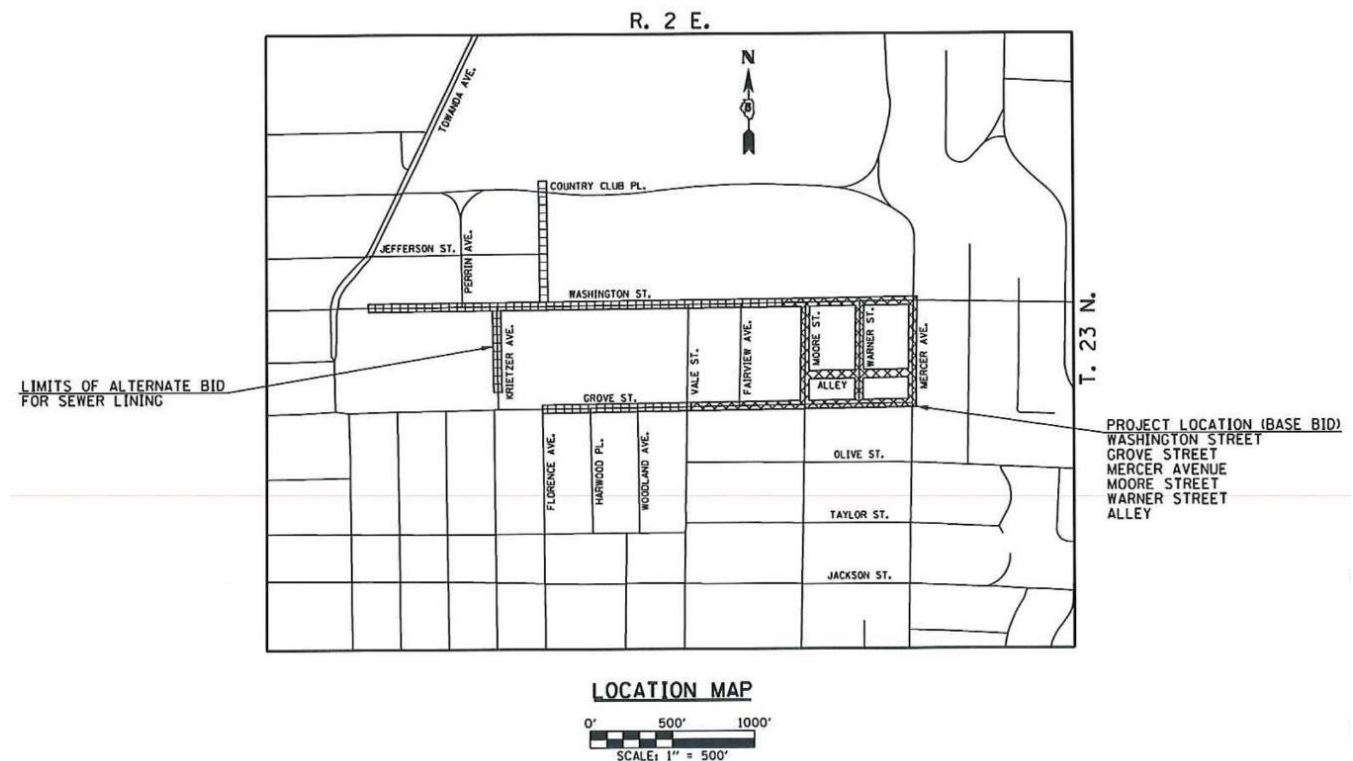
BACKGROUND: Public Works is recommending the approval of a Resolution approving loan agreements with the Illinois Environmental Protection Agency from the Water Pollution Control Loan Program and Public Water Supply Loan Program for the construction of the Locust Street CSO Elimination and Water Main Replacement Phase 2, in the amount of \$4,212,591. The resolution will allow the City to execute agreements with the Illinois Environmental Protection Agency (IEPA) to borrow from the Water Pollution Control Loan Program and the Public Water Supply Loan Program. Execution of the agreements will occur once the IEPA concurs with the City's Notice of Intent to Award the Agreement to Stark Excavating, Inc.(Bid #2021-18), and returns the loan documents.

The City has gained approval for two low interest, twenty-year loans to finance the construction of Phase 2. The loans are through the IEPA's Water Pollution Control Loan Program and Public Water Supply Loan Program. Currently, the published interest rate from the IEPA is 1.35%, which can be found on the IEPA's website. This should be the interest rate assigned to the loans to the City, but the IEPA does not guarantee a locked-in rate until the IEPA provides the City the loan documents. These loan documents are forthcoming and depend on the IEPA's concurrence with the Notice of Intent to Award an agreement to the lowest responsible bidder. The City's original estimate included borrowing \$5.3 million for Phase 2 construction, but the lowest responsible bidder's bid came in lower than the estimate, at \$4.33 million for the base bid and the alternate bid. The estimated \$4,212,591 million borrowed will be repaid in two payments each year, totaling approximately \$144,906 per year from the Sewer Fund and Storm Water Fund, split evenly, and \$96,143 per year from the Water Fund. This is an approximation, and the final amount for each payment will

be contingent on the final construction costs. As part of the loan approval process, the IEPA requires approval of agreements from the City to borrow funds from the Water Pollution Control Loan Program and the Water Supply Loan Program in an amount sufficient to cover the Phase 2 construction work.

Public Works is also submitting a separate memo requesting approval of the Notice of Intent to Award form and authorization to execute the agreement with Stark Excavating, Inc. Similarly, the execution of the agreement will occur once the IEPA concurs with the Notice of Intent to Award. Public Works does not currently have the loan documents assigned to the City for execution. However, this project is time sensitive, with a completion date of November 26, 2021, in the specifications and in accordance with our permit with the IEPA. Public Works is submitting this resolution to authorize the execution of the loan agreements by the Mayor and City Clerk. This is dependent on review by the Legal Department and is contingent on the terms of the loans remaining germane to the terms published on the IEPA's website and attached.

The City sewer system operates Combined Sewer Overflow (CSO) outlets near the intersection of Locust Street and Colton Avenue. These CSO outlets operate under a permit from the IEPA which includes a Long-Term Control Plan to eliminate the CSO. The City conducted a Locust Colton CSO Elimination Study between 2005 and 2007 which identified a multiphase construction plan to eliminate these CSO outlets by completely separating the storm and sanitary flow in this area. Portions of Phases 1, 6, and 7 were completed in 2014. Phase 2 is located through neighborhoods south of Bloomington Country Club (BCC), the limits of which are shown below.



The scope of work for Phase 2 includes building new sanitary sewer to separate the storm and sanitary flows and installing new water main to replace the old mains, which are reaching the end of their useful life. The pavement above utility trenches will have variable

width resurfacing. Intermittent curb and gutter repair and intermittent sidewalk repair will be constructed in areas where the utility trenches disturb existing sidewalk and curb and gutter. The project also includes an additive alternate, the scope of which includes sanitary sewer lining, a cost-effective way to lengthen the useful life of the existing facilities without invasive reconstruction.

To stay on schedule with the IEPA, construction is planned to begin this spring with a completion date of November 26, 2021. Looking to the future, Phase 3 construction is planned to start Spring 2022, Phase 4 is planned to start construction in Spring 2023, with the remaining phases scheduled for every other year starting in 2026 and ending in 2030.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this project is a priority of the City, and staff is recommending it be approved. The project is a priority, because the IEPA is requiring the City to eliminate combine sewer overflow, per the terms of the City's existing permit.

The Storm Water Fund is an Enterprise Fund that generates fees for funding its operations. Storm Water Fund fees are intended/dedicated solely for the support of storm water services to the City, including infrastructure expenditures, such as keeping lakes and streams clean, maintaining waterways to minimize erosion and damage to adjacent property, maintaining detention basins to reduce flooding and filter out pollution, street sweeping, and inlet maintenance and repairs.

The Sanitary Sewer Fund is an Enterprise Fund that generates fees for funding its operations. Sanitary Sewer Fund fees are intended/dedicated solely for the support of sanitary sewer services to the City, including infrastructure expenditures, such as ongoing maintenance and repairs to sanitary sewer and combined sewer infrastructure, emergency cave-ins, and sewer cleaning.

The Water Fund is an Enterprise Fund that generates fees for funding its operations. Water Fund fees are intended/dedicated solely for the support of water services to the City, including infrastructure expenditures, such as the water treatment plant, water mains, and water meters.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Due to current social distancing circumstances, affected public have been notified via letters at major stages of design and bidding as construction approached. These letters included information regarding the scope of the project, as well as direction to the project update page on the City website. Members of the public were invited to contact associated City staff, who have been available to answer all questions they may have, via call or email.

FINANCIAL IMPACT: If approved, a twenty (20) year loan repayment, beginning May 2022, on an estimated \$4,212,591 in loan eligible project costs, is projected as follows:
\$72,453/year paid by Sanitary Sewer Fund from the Sanitary Sewer-IEPA Loan principal account (51101100-73196) and the Sanitary Sewer-IEPA-Interest account (51101100-74196),
\$72,453/year paid by Storm Water Fund from the Storm Water-IEPA Loan principal account (53103100-73196) and the Storm Water-IEPA-Interest account (53103100-74196), and
\$96,143/year paid by the Water Fund from the Water Administration-IEPA Loan principal account (50100110-73196) and the Water Administration-IEPA Interest account (50100110-74196).

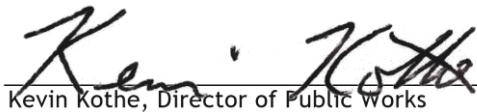
Stakeholders can locate this project in the FY 2021 Budget Book titled "Other Funds & Capital Improvement" on pages 117, 140, 147, 249, 250, 289, 309, 310, 334, 337, 338, 346, 347 and 348.

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, Objective UEW-1.7 Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety and the environment; Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system.

Respectfully submitted for Council consideration.

Prepared by: Dominic Kallas, Engineer

Reviewed by:



Kevin Kothe, Director of Public Works

1/26/2021



Carla Murillo, Procurement Manager

1/27/2021



Chris Tomerlin, Budget Manager

1/27/2021



Jeffrey R. Jurgens, Corporation Counsel

2/3/2021



Tara Henry, Legislative Assistant

2/5/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- PW 3B Resolution_Locust Colton CSO Elimination Phase 2 Resolution 02082021
- PW 3C Sample Loan Terms_Locust Colton CSO Elimination Phase 2 authorizing Loan Agreements 02082021

RESOLUTION NO. 2021 - _____

**A RESOLUTION APPROVING LOAN AGREEMENTS WITH THE ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY FROM THE WATER POLLUTION CONTROL
LOAN PROGRAM AND PUBLIC WATER SUPPLY LOAN PROGRAM
FOR THE CONSTRUCTION OF THE LOCUST STREET CSO ELIMINATION AND WATER
MAIN REPLACEMENT PHASE 2**

WHEREAS, the City Council approved an ordinance on March 26th, 2020, authorizing the borrowing of \$9.6 million, necessary for the application of loans with the Illinois Environmental Protection Agency (IEPA) for the Locust Street CSO Elimination and Water Main Replacement Phase 2, 3, and 4.

WHEREAS, the City received notification on September 2nd, 2020 that they had been selected to receive the two loans necessary to execute the construction of the Locust Street CSO Elimination and Water Main Replacement Phase 2.

WHEREAS, the IEPA has posted its interest rates, effective from July 1st 2020 to June 30th 2021, for both programs to be 1.35%

WHEREAS, the IEPA has posted sample terms for the loan program, but has not provided the City with their specific loan documents until the IEPA has received the Notice of Intent to Award from the City.

WHEREAS, the City Council finds it to be in the best interests of the City to approve the agreements with the IEPA for the loans necessary for construction of the Locust Street CSO Elimination and Water Main Replacement Phase 2 as set forth in this Resolution.

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

That the City Manager is authorized to enter into a loan agreement, and execute any related documents, with the IEPA, to borrow an amount not to exceed \$4,212,590.72, upon receipt of the loan documents and the Legal Department's review and approval of the loan documents, for the construction of the Locust Street CSO Elimination and Water Main Replacement Phase 2.

ADOPTED this 8th day of February 2021.

APPROVED this ____ day of February 2021.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

Loan Terms for the IEPA SRF Program FY 2020

IEPA State Revolving Fund (SRF) loan terms are determined by the type of project, which can be either drinking water/public water supply (PWS) or wastewater/water pollution control (WPC). The base loan program interest rate is the same for both PWS and WPC. The base interest rate adjusts annually on July 1st and remains in effect for each State Fiscal Year (FY), which starts July 1st and ends one year later, on June 30th. All loans are subject to the interest rate in effect at the time a loan agreement is issued. Once a loan agreement is issued, that loan has a fixed interest rate for the entire loan repayment period.

The loan program rules include provisions for incentives such as reduced interest rates, partial principal forgiveness, and extended repayment periods for qualifying applicants. The criteria used to determine PWS incentive qualification are found in Sections 662.210 and 662.250 of the Procedures for Issuing Loans from the PWSLP and the annual Intended Use Plan (IUP) which is available on our website. For PWS loans, the Agency may adjust qualifying criteria annually on July 1st. The criteria used to determine WPC incentive qualification are found in Sections 365.210 and 365.250 of the Procedures for issuing Loans from the WPCLP. These loan program regulations are available on the Agency's website. For both loan programs, community specific information such as unemployment are subject to change. The final decision for incentive qualification will be determined at the time a loan agreement is issued using updated Census Bureau and Department of Labor data.

Applicants that qualify for principal forgiveness will not have a repayment obligation for a portion of their loan. Principal forgiveness and/or a reduced interest rate will reduce the loan payment amount and possibly the associated increases to the user charges. Principal forgiveness is not guaranteed until a loan agreement is issued. The IUP lists the amount of available principle forgiveness for each FY. The available amount is distributed on a "first come, first served" basis and it may be used up before other qualifying projects obtain a loan agreement.

Base interest rate: 2.00% for FY 2020

Interest Rate Reductions:

1. Small Community Rate = 75% of the base interest rate: Service population must be less than 25,000 and one of the following criteria must be met; MHI less than the State MHI; or an unemployment rate greater than State average; or annual user charge greater than 1.0% of applicant's MHI.
2. Hardship Rate = 1.0% loan interest rate: Service population must be less than 10,000 and one of the following criteria must be met; MHI less than 70% of the State MHI; or an unemployment rate 3% greater than State average; or annual user charge greater than 1.5% of applicant's MHI.

3. Environmental Discount Rate = 0.2% additional reduction of base, small, or hardship rates: if at least 50% of eligible project costs fund any of the following categories; green infrastructure; reducing energy demand; lowering water demand; removing lead from water mains or service lines (PWS); nutrient removal or loss reduction (WPC); and new system for unsewered community (WPC). A registered P.E. must certify that the proposed project meets these criteria.

Loan Repayment Period: The standard repayment period is 20 years. The loan applicant can request less than a 20-year loan term. Small Community and Hardship Rate applicants can qualify for longer repayment periods, up to a maximum of 30 years, if the design life span of at least 50% the proposed project assets meet or exceeds the loan term.

Principal Forgiveness:

1. **PWS:** small community and hardship applicants, which are also referred to as “Disadvantaged Communities”, qualify for principal forgiveness. In FY 2020, the amount of principal forgiveness will be equivalent to 60% of the initial loan amount up to a maximum of \$800,000. PWS principal forgiveness terms change each FY based on the USEPA capitalization grant requirements. PWS principal forgiveness terms are not listed in the loan rules, instead they are specified in the annual IUP.
2. **PWS Lead Service Line Replacement (LSLR):** In FY 2020, communities with a MHI less than 70% of the State MHI can receive up to a maximum of \$2,000,000 in principal forgiveness for LSLR projects. All other loan recipients can receive up to a maximum amount of \$1,000,000.
3. **WPC:** the loan recipient must have a population less than 30,000 to qualify. Applicants with a population greater than 30,000 qualify if their MHI is 70% or less of the current state MHI. If these criteria are met, the amount of principal forgiveness is based on the point system contained within 365.250 of the loan rules. The point criteria include: MHI, population, unemployment rate, and decrease in service population. Based on the number of points, a WPC loan can receive either 15%, 30%, 45%, or 60% of principal forgiveness. Based on the point system, all publicly-owned applicants with a population less than 5,000 qualify for at least 15% forgiveness. The IEPA may establish principal forgiveness caps in the IUP for each FY.

Sources of information:

1. Unemployment rate: Illinois Dept. of Employment Security, Economic Information and Analysis.
2. MHI and population: US Census Bureau / American FactFinder
3. Base interest rate: one-half the mean interest rate of the 20 General Obligation Bond Buyer Index from July 1 to June 30, in the preceding State FY, rounded to the nearest .01%.
4. PWS, Part 662 rules and PWS IUP: available for most recent FY on the IEPA website.
5. WPC, Part 365 rules and WPC IUP: available for most recent FY on the IEPA website.



CONSENT AGENDA ITEM NO. 8.F

FOR COUNCIL: February 8, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 1, Ward 4, Ward 6

SUBJECT: Consideration and action on an Ordinance Authorizing a Text Amendment to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, to Establish the R-D Downtown Neighborhood Residence District, and Further Authorizing Map Amendments to the Official Zoning Map for Properties in the City of Bloomington, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

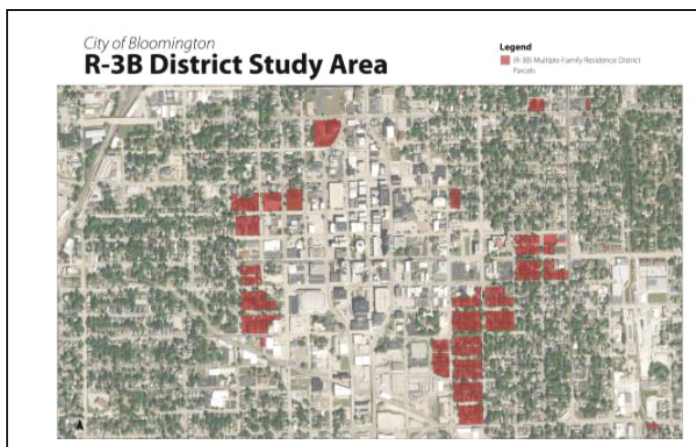
STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4c. Preservation of property/home valuations

BACKGROUND: The R-D Study Area includes approximately 255 properties located adjacent to Downtown Bloomington and encompassing neighborhoods on both Bloomington's east and west sides. The study area, pictured here, is zoned R-3B and consists of a mix of single-



family homes, single-family conversions, duplexes, townhomes, four-plexes, multifamily homes and commercial businesses. Concerns regarding the appropriateness of the R-3B High Density Multifamily Residential District zoning in this area of the City were raised at the December, 2018 public hearing on the Bloomington Zoning Ordinance revision. The residents were concerned that the zoning regulations encouraged the demolition of the existing buildings and historic resources. Residents were further concerned that the

R-3B District promoted higher density development above the single and two-family nature of the area and did not fully reflect the character of the neighborhood.

City Council authorized staff to work with consultants Houseal Lavigne Associates (HLA) to carry out an analysis of the study area and to provide recommendations. HLA kicked off the project in July 2019 by holding two listening sessions. They performed a neighborhood reconnaissance and analyzed the existing conditions of the study area including the lot sizes, setbacks, uses, and bulk requirements. After synthesizing the policy in the Comprehensive Plan and the feedback from residents, the Planning Commission recommended that staff

pursue a new zoning classification that could preserve the existing unique neighborhood character, encourage appropriate infill redevelopment, promote the longevity of the historic structures, and celebrate the diversity of the neighborhood housing stock. Information regarding the R-3B Analysis, including meeting minutes and past presentations is online at <https://www.cityblm.org/government/departments/community-development/r-3b-analysis>

On September 28, 2020 HLA and staff presented the draft recommendations to Council and Council initiated this public hearing process by passing Resolution 2020-25. The meeting materials from this Council meeting are available online at <https://www.cityblm.org/government/city-council/meetings-agendas>. Additionally, at the request of City Council, staff hosted two public meetings on Tuesday, October 27, 2020 at 5-6 pm and 6:30 to 7:30 pm to answer questions related to the text amendment. The meetings were livestreamed at www.cityblm.org/live and are available for review on the Bloomington YouTube Page.

The Bloomington Planning Commission held a public hearing on the text and map amendments on Wednesday, October 28, 2020. The staff report and meeting materials are available online at <https://www.cityblm.org/Home/ShowDocument?id=25370>. A recording of the meeting is also available on the City of Bloomington YouTube page at www.cityblm.org/live. A copy of the draft meeting minutes is attached to this memo. Staff received an email in support of the amendment and an email expressing concerns about the amendment. Staff and the consultant addressed the concerns at the meeting. The Commission found the text amendment to be in the best interest of the City of Bloomington. The Commission unanimously recommended that City Council approve the text amendment. The Commission also determined the map amendment to be within the interest of the City, with the exception of the proposed rezoning of four properties from R-3B to R-2. The Commission recommended against the map amendment on those four properties and voted unanimously to approve the R-D map amendments.

This agenda item was tabled at the November 23, 2020 Council meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bloomington Planning Commission held a public hearing on the proposed text amendment and map amendments on Wednesday October 28, 2020. Notice of the hearing was published in *The Pantagraph* on Sunday, October 11, 2020. Notices were mailed to approximately 134 property owners. All notices included information about the public hearing as well as information regarding two question and answer sessions held on Tuesday October 27, 2020 at 5:00 and 6:30 PM. The Q&A sessions were held virtually and are available for review the city of Bloomington YouTube page at www.cityblm.org/live. The public hearing was also held virtually and is available for review online at www.cityblm.org/live. One resident, who's property was proposed to be rezoned from R-3B to R-2, expressed concerns about the R-2 designation. The Planning Commission recommended to remove this property and three other properties set to be rezoned to R-2 from the recommended map amendment. The Commission found the text and map amendment to be in the public interest and unanimously recommended approval of the text amendment. The Commission also recommended approval of the map amendment, with the exception of four properties slated to be rezoned to R-2. The Planning Commission's recommendation is consistent with the staff recommendation.

FINANCIAL IMPACT: No financial impact is expected.

COMMUNITY DEVELOPMENT IMPACT: Objective N-1.1 Enhance the livability of all Bloomington neighborhoods. Activity N-1.1a Update ordinances and regulations to accomplish the goals of the comprehensive plan. Activity N-1.1e Update the ordinances and codes to reflect the unique needs of the Regeneration, Preservation, and Stable Areas and preserve their character. Objective H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family living habits. Activity H-1.1a Review and improve the current ordinances, codes, regulations, and permitting processes and fees, as needed and desirable, to provide more efficient mechanisms for new developments and redevelopment opportunities. Objective ED-4.3 Facilitate and enhance pedestrian-friendly neighborhood centers to support mixed use developments. Objective ED-4.4 Evaluate commercial land use needs in the context of changing economic trends

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:


Melissa Horn, Economic and Community Development Director

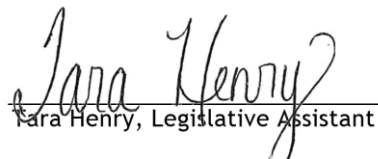
11/15/2020


Chris Tomertin, Budget Manager

11/16/2020

George Boyle
George Boyle, Assistant Corporation Counsel

11/18/2020


Tara Henry, Legislative Assistant

11/18/2020

Attachments:

- E&CD 2B Ordinance_R-D text and map amendments
- E&CD 2C Draft Minutes 10.28.20_RD

ORDINANCE NO. 2021 - __

AN ORDINANCE AUTHORIZING A TEXT AMENDMENT TO THE BLOOMINGTON ZONING ORDINANCE, CHAPTER 44 OF THE CITY CODE, TO ESTABLISH THE R-D DOWNTOWN NEIGHBORHOOD RESIDENCE DISTRICT, AND FURTHER AUTHORIZING MAP AMENDMENTS TO THE OFFICIAL ZONING MAP FOR PROPERTIES IN THE CITY OF BLOOMINGTON

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

WHEREAS, pursuant to the Illinois Municipal Code, the City of Bloomington has authority to create and to establish, by ordinance, zoning regulations and districts, and to amend said regulations and districts from time to time; and

WHEREAS, following public testimony during the recent zoning ordinance amendment process in March 2019, it had been determined that the City desires to conduct additional analysis of the R-3B Multifamily Zoning District regulations and application on properties located adjacent to Downtown Bloomington; and

WHEREAS, it was determined that the R-3B Multifamily District may no longer promote and align with the goals of the City of Bloomington Comprehensive Plan 2035 (Resolution 2015-31); and

WHEREAS, the Bloomington Comprehensive Plan 2035 recommends that the City amend its zoning regulations and districts to align with the goals of the Comprehensive Plan; and

WHEREAS, the zoning ordinance is a primary tool for effectuating the goals of the Comprehensive Plan; and

WHEREAS, City staff, working in consultation with the Bloomington Planning Commission, Zoning Board of Appeals, and community stakeholders, provided to the City Council, on September 28, 2020, a draft potential text amendment, as set forth in Exhibit "A"; and

WHEREAS, upon the adoption of text amendments to the Bloomington Zoning Ordinance, the properties, hereinafter described in Exhibit "B", may have zoning classifications that are no longer compatible with the zoning ordinance, therefore requiring amendments to the Official Zoning Map of the City; and

WHEREAS, on September 28, 2020 the City Council passed Resolution 2020-25 initiating a public hearing on the aforementioned text and map amendments; and

WHEREAS, after proper notice was given, the Bloomington Planning Commission conducted a public hearing on said text and map amendments and found said

amendments to be in accordance with the goals of the Comprehensive Plan and in the best interest of the City of Bloomington and recommended Council approve said amendments; and

WHEREAS, pursuant to Chapter 44.17-6 of the Bloomington City Code, the City Council has the power to pass this ordinance and amend Chapter 44 of the Bloomington City Code and to further amend the Official Zoning Map.

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

1. That the above recitals are incorporated into and made a part of this ORDINANCE as though fully set forth herein.
2. That the text amendment to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code to establish the R-D, Downtown Neighborhood Residence District as proposed in Exhibit "A" is in the best interest of the City of Bloomington, aligns with the goals Comprehensive Plan and is hereby approved;
3. That the map amendments for multiple properties in the City of Bloomington specified in Exhibit "B", attached hereto and incorporated herein by reference, are hereby approved;
4. That the Ordinance shall be in full force and effective at the date of its passage and approval.

PASSED this 8th day of February 2021.

APPROVED this ____ day of February 2021.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

R-D Downtown Neighborhood
 Residence District
Recommended Changes for the R-3B Study Area

Purpose and Intent (Section 4-1)

- **R-D Downtown Neighborhood Residence District.** The R-D Downtown Neighborhood Residence District is intended to accommodate primarily residential areas adjacent to Bloomington's Central Business District characterized by a mixture of housing types and scales including large and small lot single-family detached and attached homes as well as low intensity multifamily buildings. New development and redevelopment in the district is intended to be supportive of the overall historic character of the area and prioritize the preservation of historic structures. This district allows for the conversion of single-family detached properties to multifamily or office uses to preserve the integrity of historic structures and extend their economic life by allowing owners to justify expenditures for repairs and modernization.

Permitted and Special Uses (Section 4-2)

See attached table.

- **Uses to Add to Table**
 - Residential conversions - 2 units permitted with use provisions, more than 2 units special use
 - Office conversions - special use

Bulk and Site Standards (Section 4-3)

- **Lot Characteristics**
 - **Minimum Lot Width for Lots on Block Fronts with Three (3) or fewer Front Facing Parcels.** The minimum lot width shall be calculated as the average of the front facing lot widths along the opposite side of the street and on the same block, or as the average of the lot widths along the same side of the street and on the adjacent block, whichever is lesser. The widest and narrowest lot widths shall be eliminated in the making of the computation.
 - **Minimum Lot Width for Lots on Block Fronts with Four (4) or more Front Facing Parcels.** The minimum lot width shall be calculated as the average of the lot widths of front facing lots along the same side of the street and on the same block, or 30 feet, whichever is greater. The widest and narrowest lot widths shall be eliminated in the making of the computation.
 - **Minimum Lot Area for Lots on Block Fronts with Three (3) or fewer Front Facing Parcels.** The minimum lot area shall be calculated as the average of the lot areas of front facing lots along the opposite side of

the street and on the same block, or as the average of the lot areas of front facing lots along the same side of the street and on the adjacent block, whichever is lesser. The smallest and largest lot areas of the parcels shall be eliminated in the making of the computation.

- **Minimum Lot Area for Lots on Block Fronts with Four (4) or more Front Facing Parcels.** The minimum lot area shall be calculated as the average of the lot areas of the front facing lots along the same side of the street and on the same block, or 4,500 square feet, whichever is greater. The smallest and largest lot areas of the parcels shall be eliminated in the making of the computation.
- **Minimum Lot Area per Multifamily Unit.** The minimum lot area per multifamily unit shall be one thousand (1,000) square feet.
- **Site Design**
 - **Front Yard for Lots on Block Fronts with Three (3) or fewer Front Facing Parcels.** The required front yard setback shall be calculated as the average of the existing front yard setbacks as measured from the front lot line to the principal structure, excluding permitted encroachments as detailed in Section 9-4, along the opposite side of the street and on the same block or along the same side of the street and on the adjacent block, whichever is lesser. The shortest and longest setbacks shall be eliminated in the making of the computation.
 - **Front Yard for Lots on Block Fronts with Four (4) or more Front Facing Parcels.** The required front yard setback shall be calculated as the average of the existing front yard setbacks as measured from the front lot line to the principal structure, excluding permitted encroachments as detailed in Section 9-4, along the same side of the street and on the same block. The shortest and longest setbacks shall be eliminated in the making of the computation.
 - **Through Lots.** Shall provide the required front yard on both streets.
 - **Rear Yard.** A rear yard shall have a depth of not less than fifteen percent of the depth of the lot or twenty-five (25) feet, whichever is greater.
 - **Side Yards.** The required minimum side yard setback shall be ten (10) percent of the lot width or five (5) feet, whichever is greater, and the minimum required combined side yard setback shall be twenty five (25) percent of the lot width, or ten (10) feet, whichever is greater as measured to the exterior wall of the structure.
- **Development Intensity**
 - **Maximum Building Coverage.** 45%
 - **Maximum Building Height.** 45 feet or 4 stories.

Use Provisions (Division 10)

- **10-40 Multifamily Conversions**
 - **Size.** Each residential unit shall be a minimum of eight hundred (800) square feet.
 - **Location of Entrances.** Only one entrance shall be located on the front façade of the structure.
 - **Driveways.** Each dwelling unit shall be served by one common driveway connecting all units to a public road or alley.
 - **Parking.** Each dwelling unit shall be required to have a minimum of one (1) off-street parking space. Tandem parking spaces (one car parked behind another) shall be prohibited.
- **10-41 Office Conversions**
 - **Location of Entrances.** Only one entrance shall be located on the front façade of the structure.
 - **Outdoor Activity/Storage.** No outdoor activity or storage shall be permitted in conjunction with an office conversion use.
 - **Location of Parking.** All off-street parking, as required by Section 12-8 (E) of this UDO, shall be located in the rear of buildings.
 - **Driveways.** Curb cuts and site vehicular access shall be minimized in frequency and width and shall not dominate the site plan or the property and street frontage.
 - **Traffic.** Office conversion uses shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount of the district.
 - **Location of Service, Loading, and Utility Areas.** Service areas, dumpsters, utilities, and the required screening thereof shall not be visible from a right-of-way.
 - **Walkways.** Pedestrian access shall be provided to the building entries and parking areas connecting to the sidewalk at the street frontage.
 - **Signs.** Office conversion uses shall be permitted one (1) monument sign. The sign shall not exceed six (6) square feet in area nor four (4) feet in height. Sign materials shall complement the building materials, colors, and architectural character of the primary structure.
- **10-42 Single-Family Detached New Construction in R-D District**
 - **Orientation.** The main entrance to a single-family detached dwelling shall face the primary street.
 - **Accessory Buildings and Structures.** Garages, accessory dwelling units, and other accessory buildings and structures shall not be located between the front façade of the primary structure and front lot line. Garages shall be accessed from the alley. If alley access is not available garages may be accessed by a single-slab or ribbon driveway connecting the garage to the right-of-way. Single-slab driveways and driveway

aprons for single-slab and ribbon driveways shall meet the standards of **Section 4-4(C)(2)(b)**.

- **Ribbon Driveway Design Standards.**
 - Ribbons shall be a minimum of two (2) feet wide and a maximum of three (3) feet wide.
 - Ribbons shall be a minimum of three (3) feet apart measured from their nearest edges. The space between ribbons shall be planted in turf grass or other ground cover used in the front yard.
 - Ribbons shall be concrete including decorative concrete, patterned concrete, and exposed aggregate concrete, porous asphalt, concrete pavers, paving blocks, or similar materials approved by the City Engineer.
- **Architecture.** Single-family detached new construction shall be similar in mass and character to abutting properties including roof pitch, eaves, building materials, windows, trim, color and landscaping.
- **Quality Materials.** Exterior building materials shall be traditional, time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture.
- **10-43 Single-Family Attached New Construction in R-D District**
 - **Orientation.** The main entrances to a single-family attached dwelling shall face the primary street.
 - **Accessory Buildings and Structures.** Garages and other accessory buildings and structures shall be located in the rear of the primary structure. Garages shall be accessed from the alley. If alley access is not available garages may be accessed by a single-slab or ribbon driveway connecting the garage to the right-of-way. Single-slab driveways and driveway aprons for single-slab and ribbon driveways shall meet the standards of **Section 4-4(C)(2)(b)**.
 - **Ribbon Driveway Design Standards.**
 - Ribbons shall be a minimum of two (2) feet wide and a maximum of three (3) feet wide.
 - Ribbons shall be a minimum of three (3) feet apart measured from their nearest edges. The space between ribbons shall be planted in turf grass or other ground cover used in the front yard.
 - Ribbons shall be concrete including decorative concrete, patterned concrete, and exposed aggregate concrete, porous asphalt, concrete pavers, paving blocks, or similar materials approved by the City Engineer.
 - **Architecture.** Single-family attached new construction shall be similar in mass and character to abutting properties including roof pitch, eaves, building materials, windows, trim, color, and landscaping.

- **Quality Materials.** Exterior building materials shall be traditional, time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture.
- **10-44 Multifamily New Construction in R-D District**
 - **Orientation.** The main entrance to a multiple-unit dwelling building shall face the primary street.
 - **Location of Parking.** All off-street parking, as required by Section 12-8 (E) of this UDO, shall be located in the rear of buildings.
 - **Driveways.** Curb cuts and site vehicular access shall be minimized in frequency and width and shall not dominate the site plan or the property and street frontage.
 - **Location of Service, Loading, and Utility Areas.** Service areas, dumpsters, utilities, and the required screening thereof shall not be visible from a right-of-way.
 - **Walkways.** Pedestrian access shall be provided to the building entries and parking areas connecting to the sidewalk at the street frontage.
 - **Architecture:** Multifamily new construction shall be similar in mass and character to abutting properties including roof pitch, eaves, building materials, windows, trim, color, and landscaping.
 - **Quality Materials.** Exterior building materials shall be traditional, time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture.
- **10-45 Accessory Dwelling Unit Conversion and New Construction.**
 - **Primary Residence.** The primary building shall be a single-family detached use and the primary residence of the owner of the property.
 - **Size.** Accessory dwelling units shall not be greater than eight hundred (800) square feet or fifty (50) percent of the size of the primary building, whichever is less.
 - **Location.** Accessory dwelling units shall comply with all location requirements for accessory buildings found in **Section 10-43** and **Section 9-8**.
 - **Orientation.** Only one (1) entrance shall be located on the front façade of the primary building. Entrances to accessory dwelling units must be located on the side or rear façade.
 - **Access.** Accessory dwelling units shall be accessed from the alley. If alley access is not available, both the primary building and the accessory dwelling unit shall be served by one (1) common driveway connecting the accessory dwelling unit to a public or private road.
 - **Parking.** A minimum of one (1) parking space shall be provided for the accessory dwelling unit in addition to the parking space(s) required for the primary building. The parking for the accessory dwelling unit shall not be located in the required front yard setback. A tandem parking

space, where one (1) car is parked behind another, with the spaces required for the primary building shall be prohibited.

- **Architecture.** Accessory dwelling units shall be similar in character to the primary building and to abutting properties including roof pitch, eaves, building materials, windows, trim, color, and landscaping.

Definitions

- **Multifamily Conversion:** A building originally designed or intended to be used principally as a single-family residence, which has been legally converted into use as a multifamily residence.
- **Office Conversion:** A building originally designed or intended to be used principally as a single-family residence, which has been legally converted into use as a commercial business for any of the following related categories, architecture, engineering, planning, law, interior design, insurance, real estate, or any similar type of profession excluding financial services and medical or dental offices or clinics.

Note

The success of the regulations recommended herein are highly dependent on the administration and enforcement capabilities of the City of Bloomington. In order to ensure that all proposed regulations are enforceable, it is recommended that the City perform a detailed inventory and analysis to establish an exact accounting of existing conditions, including lot widths, lot areas, setbacks, structure location and orientation, number of units per lot, and number of off-street parking spaces per lot in the proposed R-D Downtown Neighborhood Residence District. This inventory will establish all legal nonconforming structures and uses at the time this ordinance is adopted.

TABLE 4-2(A): RESIDENTIAL DISTRICTS - PERMITTED AND SPECIAL USES

	R-1A	R-1B	R-1C	R-1H	R-2	R-3A	R-3B	R-4	R-D	Reference
Agricultural										
Apiary/Bee Keeping	P	P	P	P	P	P	P	P	P	10-5
Chicken Keeping	S	S	S	S	S	S	S	S	S	10-11
Urban Agriculture						S	S		S	
Urban Garden			P	P	P	P	P	P	P	
RESIDENTIAL										
Household Living										
Dwelling Unit, Accessory									S	10-45
Dwelling Unit, Single-Family	P	P	P	P	P	P	P		P	
Dwelling Unit, Single-Family Attached					S	P	P		P	
Dwelling Unit, Two-Family			S	S	P	P	P		P	
Dwelling Unit, Multiple-Family					S	P	P		P	
Dwelling Unit, Multiple-Family Conversion (2 units)					S				P	10-40
Dwelling Unit, Multiple-Family Conversion (3+ units)					S				S	10-40
Manufactured Homes				P						
Mobile Homes								P		
Dwelling Unit, Accessory										
Live/Work Unit							S		S	
Group Living										
Agency Supervised Homes			P	P		S	S		S	10-19
Agency-Operated Family Homes	P	P	P	P	P	P	P		P	10-19
Agency-Operated Group Homes					S	P	P		P	10-19
Convents, Monasteries					S	S	P		P	10-19
Dormitories					S	S	P		P	10-19
Group Homes for Parolees	S	S	S	S	S	S	S	S	S	10-19
INSTITUTIONAL										
Education										
Pre-schools	S	S	S		S	S	S	S	S	
Government										
Government Services and Facilities	P	P	P		P	P	P	P	P	
Police Stations, Fire Stations	P	P	P		P	P	P	P	P	
Religious										
Place of Worship	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	

TABLE 4-2(A): RESIDENTIAL DISTRICTS - PERMITTED AND SPECIAL USES

	R-1A	R-1B	R-1C	R-1H	R-2	R-3A	R-3B	R-4	R-D	Reference
Cemetery and Columbarium	S	S	S	S	S	S	S	S	S	10-10
Residential-Type										
Domestic Violence Shelter					P	P	P		P	
Home for the Aged						S	S		S	10-19
Other Institutional, Cultural										
Clubs and Lodges							S		S	
Food Pantry							S		S	10-18
RECREATIONAL										
Country Clubs, Golf Clubs, Golf Courses	S	S	S	S	S	S	S	S	S	10-12
Community Center						S	S	S	S	10-13
Parks and Recreation Facilities	P	P	P	P	P	P	P	P	P	
Swimming Clubs						S	S	S	S	
Swimming Pools, Community	S	S	S	S	S	S	S	S	S	10-32
COMMERCIAL										
Entertainment and Hospitality										
Sports and Fitness Establishments						S	S	S	S	10-13
Lodging										
Bed & Breakfast Establishments						S	S		S	10-7
Boarding and Rooming Houses					S	S	P		P	10-19
Offices										
Office Conversion									S	10-41
Medical or Dental Office or Clinic							S		S	10-24
Medical Laboratory							S		S	
Personal Services										
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.							S ²	S ²		
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.							S ²	S ²	S ²	
Day Care Centers	S	S	S	S	S	S	S	S	S	
Retail and Service										
Drug Stores and Pharmacies							S ²	S ²	S ²	
Grocery Stores, Supermarkets							S ²	S ²	S ²	
INDUSTRIAL										

TABLE 4-2(A): RESIDENTIAL DISTRICTS - PERMITTED AND SPECIAL USES

	R-1A	R-1B	R-1C	R-1H	R-2	R-3A	R-3B	R-4	R-D	Reference
Utilities										
Public or Private Utility Facility, Minor	P	P	P		P	P	P	P	P	
Private Solar Energy Conversion Facilities	P	P	P		P	P	P	P	P	10-31
Wireless Communication Facilities	S	S	S		S	S	S	S	S	10-37
1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.										
2. The use shall be located within a building containing multiple-family or office uses in the R-3B and R-D Districts and shall not be permitted within a Mobile Home or Dwelling Unit in the R-4 District. In the R-3B and RD Districts, the maximum permitted floor area is one thousand six-hundred (1,600) square feet for Clothing Care; one thousand (1,000) square feet for Personal Care or five thousand (5,000) square feet for Drug Stores, Pharmacies, and Grocery Stores										

Exhibit "B"				
Common address and PIN for properties to be rezoned				
S.no.	Property Address	City/State	PIN	Proposed Zoning
1	202 W LOCUST	BLOOMINGTON, IL 61701	2104176017	D-2
2	506 E LOCUST ST	BLOOMINGTON, IL 61701	2104232019	R-2
3	508 E LOCUST ST	BLOOMINGTON, IL 61701	2104232020	R-2
4	608 E LOCUST ST	BLOOMINGTON, IL 61701	2104233013	R-2
5	510 E LOCUST ST	BLOOMINGTON, IL 61701	2104232021	R-2
6	409 N Gridley St	BLOOMINGTON, IL 61701	2104271001	R-D
7	409 N Gridley St	BLOOMINGTON, IL 61701	2104271002	R-D
8	409 N Gridley St	Bloomington IL 61701	2104271003	R-D
9	507 W GROVE	BLOOMINGTON, IL, 61701	2104314023	R-D
10	512 W GROVE ST	BLOOMINGTON, IL, 61701-5032	2104318009	R-D
11	514 W GROVE ST	BLOOMINGTON, IL, 61701-5096	2104318008	R-D
12	520 W GROVE ST	BLOOMINGTON, IL, 61701-5032	2104318005	R-D
13	310 S PRAIRIE ST	BLOOMINGTON, IL, 61701-5237	2104453004	R-D
14	313 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104453008	R-D
15	510 W GROVE ST	BLOOMINGTON, IL, 61701-5032	2104318010	R-D
16	516 W GROVE ST	BLOOMINGTON, IL 61701	2104318007	R-D
17	525 W GROVE ST	BLOOMINGTON, IL 61701	2104314014	R-D
18	405 N MASON ST	BLOOMINGTON, IL, 61701-3845	2104160008	R-D
19	401 W JEFFERSON	BLOOMINGTON, IL, 61701	2104161009	R-D
20	305 1/2 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104453005	R-D

21	603-605 W MONROE ST	BLOOMINGTON, IL 61701	2104160012	R-D
22	104 S MASON ST	BLOOMINGTON, IL, 61701-4954	2104314002	R-D
23	609 W MONROE ST	BLOOMINGTON, IL 61701	2104160010	R-D
24	104 N OAK ST	BLOOMINGTON, IL 61701	2104309005	R-D
25	523 W GROVE ST	BLOOMINGTON, IL, 61701-5031	2104314015	R-D
26	407 N MASON ST	BLOOMINGTON, IL 61701	2104160007	R-D
27	509 W OLIVE ST	BLOOMINGTON, IL 61701	2104318022	R-D
28	307 S GRIDLEY ST	BLOOMINGTON, IL, 61701-5222	2104453006	R-D
29	406 N ROOSEVELT AVE	BLOOMINGTON, IL, 61701-3865	2104162014	R-D
30	504 W GROVE ST & 504 1/2	BLOOMINGTON, IL 61701	2104318013	R-D
31	405 N GRIDLEY UNIT F	Bloomington IL 61701	2104269006	R-D
32	401 N GRIDLEY UNIT B	Bloomington IL 61701	2104269002	R-D
33	401 N GRIDLEY UNIT C	Bloomington IL 61701	2104269003	R-D
34	401 N GRIDLEY ST UNIT D	Bloomington IL 61701	2104269004	R-D
35	405 N GRIDLEY UNIT E	Bloomington IL 61701	2104269005	R-D
36	401 N GRIDELY UNIT A	Bloomington IL 61701	2104269001	R-D
37	508 W GROVE ST	BLOOMINGTON, IL 61701	2104318011	R-D
38	518 W GROVE ST	BLOOMINGTON, IL 61701	2104318006	R-D
39	606-608 W WASHINGTON ST	BLOOMINGTON, IL 61701	2104309002	R-D
40	407 N GRIDLEY UNIT A	Bloomington IL 61701	2104270001	R-D
41	407 N GRIDELY UNIT B	Bloomington IL 61701	2104270002	R-D
42	407 N GRIDLEY UNIT C	Bloomington IL 61701	2104270003	R-D
43	406 1/2 N ROOSEVELT AVE	BLOOMINGTON, IL 61701	2104162013	R-D

44	602 W WASHINGTON ST	BLOOMINGTON, IL 61701	2104309004	R-D
45	206 S MASON ST	BLOOMINGTON, IL, 61701-4955	2104318003	R-D
46	604 W FRONT ST	BLOOMINGTON, IL, 61701-5028	2104314006	R-D
47	304 S PRAIRIE ST	BLOOMINGTON, IL, 61701-5237	2104453001	R-D
48	408 N ROOSEVELT AVE	BLOOMINGTON, IL 61701	2104162012	R-D
49	308 S PRAIRIE ST	BLOOMINGTON, IL 61701	2104453003	R-D
50	208 S MASON ST	BLOOMINGTON, IL 61701	2104318004	R-D
51	410 N OAK ST	BLOOMINGTON, IL, 61701-3861	2104160013	R-D
52	407 N LEE ST	BLOOMINGTON, IL, 61701-3835	2104162017	R-D
53	513 W GROVE ST	BLOOMINGTON, IL 61701	2104314020	R-D
54	603 W FRONT ST	BLOOMINGTON, IL 61701	2104309009	R-D
55	506 W GROVE ST	BLOOMINGTON, IL 61701	2104318012	R-D
56	522 W GROVE ST	BLOOMINGTON, IL 61701	2104318001	R-D
57	607 W MONROE ST	BLOOMINGTON, IL 61701	2104160011	R-D
58	611 W MONROE ST	BLOOMINGTON, IL 61701	2104160009	R-D
59	608-610 W MONROE ST	BLOOMINGTON, IL 61701	2104163017	R-D
60	612-614 W MONROE ST	BLOOMINGTON, IL 61701	2104163016	R-D
61	605 W JEFFERSON ST	BLOOMINGTON, IL 61701	2104301016	R-D
62	204 S MASON ST	BLOOMINGTON, IL 61701	2104318002	R-D
63	606 W FRONT ST	BLOOMINGTON, IL 61701	2104314004	R-D
64	608 W FRONT ST	BLOOMINGTON, IL 61701	2104314003	R-D
65	610 W FRONT ST	BLOOMINGTON, IL, 61701-5028	2104314001	R-D

66	512 W FRONT ST	BLOOMINGTON, IL 61701	2104314008	R-D
67	604 1/2 W FRONT ST	BLOOMINGTON, IL, 61701-5028	2104314005	R-D
68	601 W MONROE ST	BLOOMINGTON, IL 61701	2104160015	R-D
69	609 W FRONT ST	BLOOMINGTON, IL 61701	2104309006	R-D
70	302 S PRAIRIE ST	BLOOMINGTON, IL 61701	2104452004	R-D
71	519 W GROVE ST	BLOOMINGTON, IL 61701	2104314017	R-D
72	521 W GROVE ST	BLOOMINGTON, IL, 61701-5031	2104314016	R-D
73	311 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104453007	R-D
74	306 S PRAIRIE ST	BLOOMINGTON, IL, 61701-5237	2104453002	R-D
75	JACKSON	BLOOMINGTON, IL 61701	2104453009	R-D
76	610 W WASHINGTON ST	BLOOMINGTON, IL 61701	2104309001	R-D
77	601 W FRONT ST & 601 1/2	BLOOMINGTON, IL 61701	2104309010	R-D
78	605 W FRONT ST	BLOOMINGTON, IL 61701	2104309008	R-D
79	509 W GROVE ST	BLOOMINGTON, IL 61701	2104314022	R-D
80	511 W GROVE ST	BLOOMINGTON, IL 61701	2104314021	R-D
81	605 W OLIVE ST	BLOOMINGTON, IL, 61701-5052	2104318019	R-D
82	603 W OLIVE STREET	BLOOMINGTON, IL, 61701	2104318020	R-D
83	301 E OLIVE ST	BLOOMINGTON, IL 61701	2104452001	R-D
84	303 E OLIVE ST	BLOOMINGTON, IL, 61701-5236	2104452002	R-D
85	616 W MONROE	BLOOMINGTON, IL, 61701	2104163015	R-D
86	604 W WASHINGTON ST	BLOOMINGTON, IL, 61701-3811	2104309003	R-D
87	406 N OAK ST	BLOOMINGTON, IL 61701	2104160014	R-D
88	603 W JEFFERSON ST	BLOOMINGTON, IL, 61701-3828	2104301017	R-D
89	306 N OAK ST	BLOOMINGTON, IL, 61701	2104163020	R-D

90	607 W FRONT ST	BLOOMINGTON, IL, 61701-5027	2104309007	R-D
91	602 W FRONT ST	BLOOMINGTON, IL 61701	2104314007	R-D
92	515 W GROVE ST	BLOOMINGTON, IL 61701	2104314019	R-D
93	517 W GROVE ST	BLOOMINGTON, IL 61701	2104314018	R-D
94	601 W OLIVE ST	BLOOMINGTON, IL 61701	2104318021	R-D
95	607 W OLIVE ST	BLOOMINGTON, IL 61701	2104318018	R-D
96	305 E OLIVE ST	BLOOMINGTON, IL 61701	2104452003	R-D
97	305 S GRIDLEY	BLOOMINGTON, IL, 61701	2104452005	R-D
98	611 W JEFFERSON ST	BLOOMINGTON, IL 61701	2104301027	R-D
99	405 N LEE ST	BLOOMINGTON, IL 61701	2104162005	R-D
100	602 W OLIVE ST	BLOOMINGTON, IL 61701	2104353003	R-D
101	607 W JEFFERSON ST	BLOOMINGTON, IL 61701	2104301028	R-D
102	408-410 N LEE ST	BLOOMINGTON, IL 61701	2104161008	R-D
103	405 N OAK	BLOOMINGTON, IL, 61701	2104161004	R-D
104	407 N OAK ST	BLOOMINGTON, IL 61701	2104161003	R-D
105	601 W JEFFERSON ST	BLOOMINGTON, IL 61701	2104301029	R-D
106	410 E MILL ST	BLOOMINGTON, IL 61701	2104460014	R-D
107	209-211 S MCLEAN ST	BLOOMINGTON, IL 61701	2104418008	R-D
108	406 S GRIDLEY ST	BLOOMINGTON, IL, 61701-5224	2104458006	R-D
109	301 S MCLEAN ST	BLOOMINGTON, IL 61701	2104456007	R-D
110	406 E JACKSON ST	BLOOMINGTON, IL 61701	2104458009	R-D
111	404 E JACKSON ST	BLOOMINGTON, IL 61701	2104458008	R-D

112	412 E MILL ST	BLOOMINGTON, IL, 61701-5337	2104460015	R-D
113	411 E OLIVE ST	BLOOMINGTON, IL, 61701-5360	2104456006	R-D
114	504 S Gridley St	Bloomington, IL, 61701-5225	2104460002	R-D
115	408 E MILL ST	BLOOMINGTON, IL 61701	2104460013	R-D
116	406 E MILL ST	BLOOMINGTON, IL 61701	2104460012	R-D
117	402 E MILL	BLOOMINGTON, IL, 61701	2104460010	R-D
118	405 S MCLEAN ST	BLOOMINGTON, IL, 61701-5332	2104458013	R-D
119	408 E JACKSON ST	BLOOMINGTON, IL 61701	2104458010	R-D
120	409 E MILL ST	BLOOMINGTON, IL, 61701	2104462005	R-D
121	409 E OLIVE ST	BLOOMINGTON, IL 61701	2104456005	R-D
122	405 E TAYLOR ST	BLOOMINGTON, IL 61701	2104458002	R-D
123	210 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104418003	R-D
124	411 E MILL	BLOOMINGTON, IL, 61701	2104462006	R-D
125	407 E OLIVE ST	BLOOMINGTON, IL 61701	2104456004	R-D
126	405 E OLIVE ST	BLOOMINGTON, IL 61701	2104456003	R-D
127	403 S MCLEAN ST	BLOOMINGTON, IL 61701	2104458012	R-D
128	208 S MCLEAN ST	BLOOMINGTON, IL, 61701-5330	2104419008	R-D
129	407 E JACKSON ST	BLOOMINGTON, IL 61701	2104460006	R-D
130	405 E JACKSON ST	BLOOMINGTON, IL 61701	2104460005	R-D
131	403 E JACKSON ST	BLOOMINGOTN, IL 61701	2104460004	R-D
132	502 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104460001	R-D
133	404 E MILL ST	BLOOMINGTON, IL 61701-5337	2104460011	R-D
134	407 E Mill St	Bloomington, IL, 61701-5336	2104462004	R-D
135	413 E JACKSON ST	BLOOMINGTON, IL, 61701	2104460009	R-D

136	411 E JACKSON ST	BLOOMINGTON, IL 61701	2104460008	R-D
137	505 S MCLEAN ST	BLOOMINGTON, IL 61701	2104460017	R-D
138	305 S MCLEAN ST	BLOOMINGTON, IL, 61701-5331	2104456016	R-D
139	404 E TAYLOR ST	BLOOMINGTON, IL 61701	2104456011	R-D
140	405 E MILL ST	BLOOMINGTON, IL 61701	2104462003	R-D
141	403 E MILL ST	BLOOMINGTON, IL 61701	2104462002	R-D
142	406 E TAYLOR ST	BLOOMINGTON, IL 61701	2104456012	R-D
143	402 E Jackson St	Bloomington, IL, 61701-5322	2104458007	R-D
144	413 E MILL	BLOOMINGTON, IL, 61701	2104462007	R-D
145	407 S MCLEAN ST	BLOOMINGTON, IL 61701	2104458014	R-D
146	304 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104456019	R-D
147	303 S MCLEAN ST	BLOOMINGTON, IL, 61701-5331	2104456015	R-D
148	307 S MCLEAN ST	BLOOMINGTON, IL 61701	2104456017	R-D
149	409 E TAYLOR ST	BLOOMINGTON, IL, 61701-5361	2104458004	R-D
150	407 E TAYLOR ST	BLOOMINGTON, IL, 61701-5361	2104458003	R-D
151	403 E TAYLOR ST	BLOOMINGTON, IL 61701	2104458001	R-D
152	506 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104460003	R-D
153	408 E TAYLOR ST	BLOOMINGTON, IL, 61701-5362	2104456013	R-D
154	306 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104456008	R-D
155	403 E OLIVE ST	BLOOMINGTON, IL 61701	2104456002	R-D
156	302 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104456018	R-D
157	410 E TAYLOR ST	BLOOMINGTON, IL 61701	2104456014	R-D
158	410 E OAKLAND AVE	BLOOMINGTON, IL 61701	2104462015	R-D

159	408 EAST OAKLAND	BLOOMINGTON, IL, 61701	2104462014	R-D
160	308 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104456010	R-D
161	412 E OAKLAND AVE	BLOOMINGTON, IL, 61701	2104462016	R-D
162	503 S MCLEAN	BLOOMINGTON, IL, 61701	2104460016	R-D
163	409 E JACKSON ST	BLOOMINGTON, IL, 61701-5321	2104460007	R-D
164	306 1/2 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104456009	R-D
165	406 E OAKLAND AVE	BLOOMINGTON, IL 61701	2104462013	R-D
166	609 S MCLEAN	BLOOMINGTON, IL 61701	2104465001	R-D
167	611 S MCLEAN	BLOOMINGTON IL 61701	2104465002	R-D
168	613 S MCLEAN	BLOOMINGTON IL 61701	2104465003	R-D
169	615 S MCLEAN	BLOOMINGTON, IL 61701	2104465004	R-D
170	401 S MCLEAN ST	BLOOMINGTON, IL, 61701-5332	2104458015	R-D
171	409 N GRIDLEY ST UNIT D	BLOOMINGTON, IL 61701	2104272001	R-D
172	409 N GRIDLEY ST UNIT E	BLOOMINGTON IL 61701	2104272002	R-D
173	409 N GRIDLEY ST UNIT F	BLOOMINGTON IL 61701	2104272003	R-D
174	420 E GROVE ST	BLOOMINGTON, IL 61701	2104415014	R-D
175	414-416 E GROVE ST	BLOOMINGTON, IL 61701	2104415012	R-D
176	410 E GROVE ST	BLOOMINGTON, IL 61701	2104415011	R-D
177	510 E GROVE ST	BLOOMINGTON, IL, 61701-5318	2104416012	R-D
178	501 E FRONT ST	BLOOMINGTON, IL 61701	2104416001	R-D
179	704 E WASHINGTON	BLOOMINGTON, IL, 61701	2104430008	R-D
180	608 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104429009	R-D
181	606 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104429008	R-D
182	604 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104429007	R-D
183	602 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104429006	R-D
184	418 E GROVE ST	BLOOMINGTON, IL 61701	2104415013	R-D
185	409 E GROVE ST	BLOOMINGTON, IL, 61701-5315	2104418005	R-D

186	407 E GROVE ST	BLOOMINGTON, IL, 61701	2104418004	R-D
187	503 E GROVE ST	BLOOMINGTON, IL, 61701	2104419002	R-D
188	409 E GROVE ST	BLOOMINGTON, IL, 61701-5315	2104418006	R-D
189	401 E GROVE ST	BLOOMINGTON, IL, 617015315	2104418009	R-D
190	104 S McLean St	Bloomington, IL, 61701-5328	2104416007	R-D
191	610 E FRONT ST	BLOOMINGTON, IL 61701	2104432011	R-D
192	608 E FRONT ST	BLOOMINGTON, IL, 61701-5314	2104432010	R-D
193	103 N EVANS ST	BLOOMINGTON, IL 61701	2104432003	R-D
194	612 E WASHINGTON ST	BLOOMINGTON, IL, 61701-4104	2104429010	R-D
195	512 E OLIVE ST	BLOOMINGTON, IL, 61701-5341	2104419013	R-D
196	510 E OLIVE ST	BLOOMINGTON, IL 61701	2104419012	R-D
197	514 E OLIVE ST	BLOOMINGTON, IL, 61701-5341	2104419017	R-D
198	701 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104433001	R-D
199	507 E FRONT ST	BLOOMINGTON, IL 61701	2104416004	R-D
200	103 S MCLEAN ST	BLOOMINGTON, IL 61701	2104415008	R-D
201	404 1/2 E MONROE ST	BLOOMINGTON, IL 61701	2104263014	R-D
202	203 N CLAYTON ST	BLOOMINGTON, IL 61701	2104430006	R-D
203	613 E JEFFERSON	BLOOMINGTON, IL, 61701	2104429005	R-D
204	511 E GROVE ST	BLOOMINGTON, IL 61701	2104419014	R-D
205	509 E Grove St	Bloomington, IL, 61701-5317	2104419019	R-D
206	505 E FRONT ST	BLOOMINGTON, IL 61701	2104416003	R-D
207	503 E FRONT ST & 503 1/2	BLOOMINGTON, IL 61701	2104416002	R-D
208	101 S MCLEAN ST	BLOOMINGTON, IL 61701	2104415007	R-D

209	204 S MCLEAN ST	BLOOMINGTON, IL 61701	2104419006	R-D
210	703 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104433003	R-D
211	207 S MCLEAN ST	BLOOMINGTON, IL 61701	2104418007	R-D
212	505 E GROVE ST	BLOOMINGTON, IL, 61701-5317	2104419003	R-D
213	501 E GROVE ST	BLOOMINGTON, IL 61701	2104419001	R-D
214	706 E FRONT ST	BLOOMINGTON, IL, 61701-5414	2104433009	R-D
215	704 E FRONT ST	BLOOMINGTON, IL, 61701-5414	2104433013	R-D
216	702 E FRONT ST	BLOOMINGTON, IL, 61701-5414	2104433012	R-D
217	702 E WASHINGTON ST	BLOOMINGTON, IL, 61701-4106	2104430007	R-D
218	710 E FRONT ST	BLOOMINGTON, IL 61701	2104433011	R-D
219	612 E FRONT ST	BLOOMINGTON, IL, 61701-5314	2104432012	R-D
220	611 E WASHINGTON ST	BLOOMINGTON, IL, 61701-4103	2104432006	R-D
221	609 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104432005	R-D
222	607 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104432004	R-D
223	605 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104432002	R-D
224	504 E GROVE ST	BLOOMINGTON, IL 61701	2104416009	R-D
225	609 E JEFFERSON	BLOOMINGTON, IL, 61701	2104429004	R-D
226	601 E JEFFERSON ST	BLOOMINGTON, IL 61701	2104429001	R-D
227	508 E OLIVE ST	BLOOMINGTON, IL 61701	2104419011	R-D
228	208 S GRIDLEY ST	BLOOMINGTON, IL 61701	2104418010	R-D
229	507 E GROVE ST	BLOOMINGTON, IL, 61701-5317	2104419018	R-D
230	206 S MCLEAN ST	BLOOMINGTON, IL 61701	2104419007	R-D
231	508 E GROVE ST	BLOOMINGTON, IL, 61701	2104416011	R-D
232	506 E GROVE ST	BLOOMINGTON, IL 61701	2104416010	R-D

233	606 E FRONT ST	BLOOMINGTON, IL 61701	2104432009	R-D
234	512-518 E GROVE ST	BLOOMINGTON, IL 61701	2104416013	R-D
235	602 E FRONT ST	BLOOMINGTON, IL 61701	2104432007	R-D
236	502 E GROVE ST	BLOOMINGTON, IL, 61701-5318	2104416008	R-D
237	203 S EVANS ST	BLOOMINGTON, IL 61701	2104419015	R-D
238	708 E FRONT ST APT 1	BLOOMINGTON, IL, 61701-5407	2104433010	R-D
239	205 S. EVANS	BLOOMINGTON, IL, 61701	2104419016	R-D
240	701 1/2 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104433002	R-D
241	601 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104432001	R-D
242	506 E OLIVE ST	BLOOMINGTON, IL 61701	2104419010	R-D
243	504 E OLIVE ST	BLOOMINGTON, IL, 61701-5341	2104419009	R-D
244	607 E JEFFERSON ST	BLOOMINGTON, IL 61701	2104429003	R-D
245	603 E JEFFERSON ST	BLOOMINGTON, IL 61701	2104429002	R-D
246	604 E FRONT ST	BLOOMINGTON, IL, 61701-5314	2104432008	R-D
247	407 N GRIDLEY UNIT F	BLOOMINGTON IL 61701	2104273003	R-D
248	407 N GRIDLEY UNIT D	BLOOMINGTON IL 61701	2104273001	R-D
249	407 N GRIDLEY UNIT E	BLOOMINGTON IL 61701	2104273002	R-D
250	402 E GROVE ST	BLOOMINGTON, IL, 61701-5316	2104415016	R-D
251	404 E MONROE UNIT 2	BLOOMINGTON IL 61701	2104274002	R-D
252	404 E MONROE UNIT 3	BLOOMINGTON IL 61701	2104274003	R-D
253	404 E MONROE UNIT 1	BLOOMINGTON IL 61701	2104274001	R-D
254	602 S GRIDLEY ST	BLOOMINGTON, IL, 61701-5227	2104462020	R-D
255	710 E WASHINGTON ST	BLOOMINGTON, IL 61701	2104430015	R-D



DRAFT
MINUTES

**PUBLISHED BY THE AUTHORITY OF
THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS
WEDNESDAY, OCTOBER 28, 2020, 4:00 P.M.
WWW.CITYBLM.ORG/LIVE**

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The Planning Commission convened in Regular Session virtually via Zoom conferencing with City Planner Katie Simpson, Chairperson Megan Headean and Commissioner Justin Boyd in-person in City Hall's Council Chambers at 4:03 p.m., Wednesday, October 28, 2020. The meeting was live streamed to the public at www.cityblm.org/live. The meeting was called to order by Chairperson Headean.

Roll Call

Attendee Name	Title	Status
Ms. Megan Headean	Chair	Present
Mr. Tyson Mohr	Vice Chair	Present
Mr. Justin Boyd	Commissioner	Present
Mr. Thomas Krieger	Commissioner	Present
Ms. Megan McCann	Commissioner	Present
Mr. Mark Muehleck	Commissioner	Present
Mr. David Stanczak	Commissioner	Present
Ms. Sheila Montney	Commissioner	Present
Mr. John Danenberger	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Mr. Craig McBeath	Information Systems Director	Present
Ms. Katie Simpson	City Planner	Present
Ms. Melissa Hon	Economic & Community Development Director	Present

B. Z-23-20 Public Hearing, review and action on a text amendment to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code, establishing the R-D, Downtown Residence District.

Chairperson Headean introduced the case and asked for presentation from Jackie Wells of Houseal Lavinge.

Ms. Wells shared an overview of the project, history and recommendations of the R-D

DRAFT
MEETING MINUTES

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District. The presentation included both the text & map amendment to the Bloomington Zoning Ordinance establishing the R-D, Downtown Residence District. Ms. Wells shared information as to why the R-3B District was analyzed, stating during the Zoning Ordinance update process concerns were brought forth regarding the R-3B. The Planning Commission recommended that the Zoning Ordinance be approved with further study of the R-3B around the downtown and Council adopted in 2019 a resolution initiating the study.

Ms. Wells mapped out the R-3B Zoning District Analysis and identified action taken:

- A) Review of existing policy gathering information from Bring it on Bloomington!, West Bloomington Neighborhood Plan & Dimmit's Grove Neighborhood Plan
- B) Map of regeneration & preservation plan
- C) Original District Purpose Statement from the 1960's noting seventy (70) dwelling unit per acre, highly concentrated multiple-family development
- D) 2018 Purpose District - Current mixed of residential types, due to the lack of policy direction the maximum density of seventy (70) dwelling units per. This concerned residents most.
- E) Overview of parcels identified
- F) Community Outreach was conducted with 2 workshops : 1) Regeneration & 2) Preservation area for input to vision of the neighborhoods

Ms. Wells reviewed the recommended policy direction and reviewed the properties that would be impacted the new map amendments.

Ms. Wells reviewed the purposed statement for the R-D Downtown Neighborhood Residence District, the intent, the alignment with current development and support for historic character.

Presentation included comparison on the existing R-3B Multi-Family Residence District and the proposed R-D Downtown Residence District. Highlights shared that the R-3B does allow up to 70 dwelling units per acre while the proposed R-D would allow up to 43 dwelling units per acre.

Continued presentation of recommended amendments included dimensional standards for both districts stating the R-3B is typical Euclidean zoning district and that the properties located by the downtown pose unique development not fitting into that type district. The R-D standards measure on a block average. It is recommended that design guidelines be included, allowing for conditional use of offices and multifamily dwellings.

Visual models where presented with existing and potential development pointing out the R-D is more in line what the existing buildings on the properties making the growth more in line with current development.

Ms. Simpson stated that there was a public Q & A held on October 27, 2020 with two sessions available to the public. Members of the public attended and asked questions of the staff and consultants. These sessions were live streamed on YouTube and available for viewing.

Ms. Simpson presented the email from Karen Schmidt & John Elterich.

Questions, from Ms. Schmidt's email were addressed, stating that Dimmit's Grove is currently broken into two zoning districts R-3B & R-2. The properties have been identified for the R-3B to R-D included in the study area. The R-2 will remain as R-2 as not part of the focus of the scope of the analysis for the R-3B to R-D.

Discussion continued with the Commission and consultants as to non-conforming lots, design standards, spot zoning & district rezoning.

Additional question from Karen Schmidt's email was to the number of uses permitted in the R-D and it was identified that the uses are already permitted in the R-3B District. Commercial uses are the same with the exception of office conversions. It was asked of the consultants if eating establishments would be considered. Based on residence input and existing uses, they would not be considered with the recommendation.

John Houseal, Houseal Lavigne introduced himself. Mr. Houseal discussed non-conformity of potential rezoning. The rezoning approach would create non-conforming over the balance of the neighborhood. When establishing a new zoning, it is standard practice to take a balanced approach while keeping the character of an established neighborhood.

It was noted that the Planning Commission did have extensive conversations and extensive review with the direction to take when creating the scope of work to be presented to Houseal Lavigne with focus on the areas that wouldn't create the non-conformity.

Types of non-conformity were discussed as being measured in the lot, building and use.

Ms. Simpson presented the email from Greg Koos. Mr. Koos stated support of the R-D proposal.

Continued discussion involved the definition of missing middle option and Euclidian zoning as referenced in Ms. Wells's presentation.

Additional discussion involved comments (footnote) on the table of permitted uses: 1) accessory dwelling units & 2) Clothing care and impacts on the community. A drycleaner & coin laundry should be considered separately.

Chairperson Headean opened the public hearing.

Chairperson Headean swore in Mark Kudrys for the record and was present at City Hall.

Mr. Kudrys state he owns properties that would be affected by the new R-D District and had questions for the staff and consultants. Questions and discussion ensued development of the area, R-D proposal generating new development, TIF incentives possibilities, Historic Preservation grants, existing structures to remain, promote uses and development would be compatible with current structures, investment of the neighborhood.

Mr. Kudrys questioned the permitting process with the area being more conforming. City staff would meet with petitioner and discuss setbacks and existing block. As an owner of an owner of Commercial property, discussion included potential residential options would increase.

Commissioner Mohr excused himself from the meeting. George Boyle asked to recess until all members are present. Mr. Boyle reviewed motions needed by the Commission.

Chairperson Headean swore in Brad Williams for the record. Mr. Williams testified that has been a resident for 41 years Dimmit's Grove. The area is mostly single-family homes. He would like the neighborhood to maintain the existing integrity with the recommendation. There is a lot of diversity in the neighborhood and that is part of the charm & fabric of the neighborhood. Mr. Williams stated that he has concerns with permitted uses and is not fully on board with the R-D recommendation.

Commission questions for Mr. Williams. None

Chairperson Headean swore in Andrew Hunt for the record. Mr. Hunt stated he is a property owner that would be impacted and changed to R-2 zoning. His property is located on the northeast corner of area and currently zoned R-3B. If rezoned to R-2 it would create a non-conforming situation for his property. Mr. Hunt asked the commission to exclude the properties from the recommend map amendment and keep as R-3B

Commission & staff clarified the properties that would be affected in Mr. Hunt's statement.

Staff is supportive of keeping the parcels as R-3B. Ms. Simpson referred to the meeting packet and exhibit B as to the addresses of the said properties.

There were no additional persons to speak for or against the petition. Chairperson Headean closed the public hearing.

There was continued discussion by the Commission and motion review & recommendation.

Commissioner Mohr made a motion, seconded by Commissioner Stanczak that the finding of fact of the text amendment is in the public's best interest. Roll call vote:

AYES: Stanczak; Daneberger; Boyd; Muehleck; Krieger; Mohr; McCann; Montney & Chairperson Headean

NAYS: None.

Motion carried.

Commissioner Krieger made a motion, seconded by Commissioner Stanczak recommending City Council adopt the proposed text amendment. Roll call vote:

AYES: Stanczak; Daneberger; Boyd; Muehleck; Krieger; Mohr; McCann; Montney & Chairperson Headean

NAYS: None.

Motion carried.

- A. Z-24-20 Public Hearing, review and action on map amendments to the Official Zoning Map for properties in the City of Bloomington impacted by the creation of the R-D District.**

Chairperson Headean introduced the case and explained that both the text amendment and the map amendment were presented together by Housel Lavine along with the public comment portion.

Chairperson Headean opened up public hearing, there were no additional persons registered to speak in favor or against. Chairperson Headean closed the public hearing.

Commission Boyd made a motion, Seconded by Commission Mohr to accept the Findings of fact in the public's best interest.

Commission Krieger left the meeting at 5:29 pm

Commission Boyd retracted motion.

Commissioner Boyd made a motion, seconded by Commission Mohr to exclude the following addresses from the map amendment and to leave as R-3B: 506,508,608 & 510 E. Locust Street. Roll call vote:

AYES: Stanczak; Daneberger; Boyd; Muehleck; Mohr; McCann; Montney & Chairperson Headean

NAYS: None.

Motion carried.

Commission discussion confirmed that the properties would remain as R-3B and not rezone to R-2.

Commissioner Boyd made a motion, seconded by Commissioner Stanczak that the Findings of fact are in the public's best interest. Roll call vote:

AYES: Stanczak; Daneberger; Boyd; Muehleck; Mohr; McCann; Montney & Chairperson Headean

NAYS: None.

Motion carried.

Commissioner Boyd made a motion, seconded by Commissioner Muehleck recommending to City Council the approval of the map amendments with the exceptions previously stated.

AYES: Stanczak; Daneberger; Boyd; Muehleck; Mohr; McCann; Montney & Chairperson Headean

NAYS: None.

Motion carried.

OLD BUSINESS - None

NEW BUSINESS

A. Approve 2021 meeting dates

Commissioner Boyd made a motion, seconded by Commissioner Mohr to approve the 2020 Planning Commission meeting dates. Roll call vote:

AYES: Stanczak; Daneberger; Boyd; Muehleck; Mohr; McCann; Montney & Chairperson Headean

NAYS: None.

Motion carried.

ADJOURNMENT

Commissioner Stanczak made a motion, seconded by Commissioner Boyd, that the meeting be adjourned.

Motion carried (viva voce)

The meeting adjourned at 5:40 pm.

DRAFT



CONSENT AGENDA ITEM NO. 8.G

FOR COUNCIL: February 8, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 1, Ward 2, Ward 4, Ward 6, Ward 7, Ward 8

SUBJECT: Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year ending April 30, 2021, to increase the Community Development budget by \$74,765.20, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 4e. Strong partnership with residents and neighborhood associations
- Objective 4c. Preservation of property/home valuations
- Objective 4b. Upgraded quality of older housing stock

BACKGROUND: On December 14, 2020, Council approved Resolution No. 2020-39 approving acceptance of the US Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes' Lead-Based Paint Hazard Reduction Grant.

The Lead Hazard Control and Healthy Homes' Lead-Based Paint Hazard Reduction Grant is a 42-month grant through which the City will address lead hazards in at least 92 housing units where children under the age of six live or spend a significant amount of time. If lead is present in the unit, complete lead abatement will occur. Every unit tested for lead will also receive a healthy housing assessment. If additional health and safety hazards are found, such as a leaking roof or malfunctioning windows, funds will be made available to perform additional rehabilitation. Up to \$3,000 per unit can be allocated from the LBPHR grant with additional funds available through the City's Community Development Block Grant, as necessary, to perform rehabilitation.

The award period for this grant began on January 4, 2021. Funds must be added to the Fiscal Year 2021 budget to cover start-up expenses such as training and professional development, staff salary and benefits, software development, etc. Anticipated expenditures from January - April 2020 are roughly \$75,000. Anticipated FY 2022 expense and revenues were included in the proposed FY 2022 budget.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. This project will have no impact on the City's general fund as revenues will equal expenses.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Letters of support from the following organizations were submitted with the application to HUD: Chestnut Health

Systems, Carle BroMenn Medical Center, Children's Home and Aid, Dreams Are Possible, Livingston and McLean Counties Building and Construction Trades Council, West Bloomington Revitalization Project, McLean County Health Department, McLean County Regional Planning Commission, OSF St. Joseph Medical Center, Prairie State Legal Services and Heartland Head Start.

FINANCIAL IMPACT: Failure to approve the FY 2021 Budget Amendment request will result in delayed start of the program and put the City at risk of losing funding due to non-compliance.

Please see the attached "Exhibit" for changes in revenues and expenditures by account.

COMMUNITY DEVELOPMENT IMPACT: N-1.2: Prioritize, with urgency, the revitalization of neighborhoods in the Regeneration Area. H-1: Ensure the availability of safe, attractive and high quality housing stock to meet the needs of all current and future residents of Bloomington.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by:


Melissa Holt, Economic and Community Development Director

1/28/2021


Chris Tomertin, Budget Manager

2/1/2021


Jeffrey R. Jurgens, Corporation Counsel

2/3/2021


Tara Henry, Legislative Assistant

2/4/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 1B Assistance Award Amendment ILLHB0757-20 City of Bloomington (1)
- E&CD 1C Ordinance FY 2021 CDBG Budget Amendment
- E&CD 1D Exhibit FY 2021 CDBG Budget Amendment

**U.S. Department of Housing and
Urban Development
Office of Administration**

16. Description				PROGRAM: LHB/HHO
This instrument sets forth the agreement between the parties as to all terms and conditions and provisions herein. By signing this award document, the Grantee certifies that it is in compliance with all administrative and financial provisions of this award. This grant instrument consists of the following, some of which are incorporated by reference: 1. Cover Page, HUD 1044 2. Schedule of Articles / FY 2020 Terms and Conditions 3. Statement of Work/Work Plan/Benchmark Standards 4. Lead Hazard Control Program Policy Guidance Issuances“PGI-2015-01- Clarification of Costs for LHRD and LBPHC Grant Programs” 5. Grantee’s financial and technical proposal 6. Mutually agreed and negotiated proposal changes 7. Abstract of grant activities 8. <u>TITLE 2: GRANTS AND AGREEMENTS - PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS</u> http://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1 9. Notice of Grant Opportunity announced in GRANTS.GOV (FR-6400-N-13) – Posted date: 07/22/2020 https://www.grants.gov/web/grants/view-opportunity.html?oppId=328297				

17. ☒ Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office		18. ☐ Recipient is not required to sign this document.	
19. Recipient (By Name)		20. HUD (By Name) Markquonda Mathis	
Signature & Title	Date (mm/dd/yyyy)	Signature & Title	Date (mm/dd/yyyy)

ORDINANCE NO. 2021 - ____

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2021**

WHEREAS, on April 22, 2020 by Ordinance Number 2020-22, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Beginning May 1, 2020 and Ending April 30, 2021, City of Bloomington, which Ordinance was approved by Mayor Tari Renner on April 23, 2020; and

WHEREAS, a Budget Amendment is needed as detailed below;

Amending the Fiscal Year 2021 Budget in the amount of the amount of \$74,765.20 to adjust the Community Development Block Grant (CDBG) fund for Lead Hazard Control (LHC) and Healthy Homes (HH) Lead-Based Paint Hazard Reduction Grant, as requested by the Community Development Department.

Section One: Ordinance Number 2020-22 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2021) is further hereby amended by inserting the following line items and amount presented in the Exhibit and in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2020-22 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2020-22.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

PASSED this 8th day of February 2021.

APPROVED this ____ day of February 2021.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

FY 2021 Budget Amendment-Exhibit

Organization	Object	Project	Fund	Account Description	Amount	Comments
22402470	53110	50000	Community Development	CD Federal Grants Gen Admin - LHC	\$ (24,228.20)	
22402470	53110	51000	Community Development	CD Federal Grants Rehab - LHC	\$ (47,521.00)	
22402470	53110	52000	Community Development	CD Federal Grants Healthy Housing	\$ (3,016.00)	
22402470	70220	50000	Community Development	LHC ADMIN Other Prof and Tech Svs	\$ 1,000.00	
22402470	70220	51000	Community Development	LHC REHAB - Other Prof and Tech Svs	\$ 8,200.00	
22402470	70530	51000	Community Development	LHC REHAB Rep/Mtn Off & Comp Eq	\$ 4,700.00	
22402470	70630	50000	Community Development	LH ADMIN HH Travel	\$ 9,380.00	
22402470	70630	52000	Community Development	HH Travel	\$ 2,216.00	
22402470	70632	52000	Community Development	HH Professional Development	\$ 800.00	
22402470	71010	50000	Community Development	LHC ADMIN Office Supplies	\$ 200.00	
22402470	79130	50100	Community Development	LHC ADMIN - Grants	\$ 4,785.00	
22402470	79130	51100	Community Development	LHC REHAB - Grants	\$ 19,139.00	
22402470	89154	50000	Community Development	LHC ADMIN to PACE Code Enf	\$ 8,863.40	
22402470	89154	51000	Community Development	LHC REHAB to PACE Code Enf	\$ 15,481.80	
Net Transaction:					\$ -	



CONSENT AGENDA ITEM NO. 8.H

FOR COUNCIL: February 8, 2021

SPONSOR: City Council

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending the Contract Between the City of Bloomington and the City Manager, as requested by the City Council.

RECOMMENDED MOTION: The proposed Ordinance 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: On June 25, 2018, the Council approved an employment agreement with Tim Gleason, City Manager. After subsequent amendments, the agreement currently goes through July 1, 2024. To provide additional stability to the community, and to reflect a desire of the City Manager to continue serving the City until at least his earliest retirement date, the Mayor is proposing the agreement be extended to March 31, 2025. In addition to extending the timeline of the agreement, the proposed amendment also provides the City Manager must reside within 20 miles of the City for the duration of the agreement.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: There is no financial impact associated with the approval of this Ordinance.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant

Attachments:

- CC 1B 2021 Ordinance Amending City Manager Contract

ORDINANCE NO. 2021 - ____

**AN ORDINANCE AMENDING THE CONTRACT BETWEEN
THE CITY OF BLOOMINGTON AND THE CITY MANAGER**

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

WHEREAS, on June 25, 2018, the Council approved the initial employment agreement with Tim Gleason, City Manager; and

WHEREAS, the City Council subsequently approved two amendments to the Contract regarding the City Manager’s salary and benefits; and

WHEREAS, the City Council desires to approve a Third Amendment to the employment agreement regarding residency.

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

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

SECTION 2. The City Council hereby approves the Third Amendment to the Contract Between the City of Bloomington and Tim Gleason as set forth on Exhibit A. The City Mayor and City Clerk are hereby authorized to execute said Third Amendment.

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

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

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

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

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

PASSED this 8th day of February 2021.

APPROVED this ____ day of February 2021.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

THIRD AMENDMENT TO CONTRACT
BETWEEN THE CITY OF BLOOMINGTON AND TIMOTHY A. GLEASON

This Third Amendment to the Contract between the City of Bloomington and Timothy A. Gleason is made on this 8th day of February, 2021, as set forth herein, between the CITY OF BLOOMINGTON, a municipal corporation in the County of McLean and State of Illinois (“City”), and TIM GLEASON (“Gleason”).

RECITALS

A. On June 25, 2018, the City entered into a contract with Tim Gleason for him to serve as the City Manager for the City of Bloomington.

B. In 2019 and 2020, the City approved the First Amendment and Second Amendment to the contract setting new salaries for the City Manager based on performance reviews.

C. The parties desire to further amend the contract regarding residency.

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

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

2. Section 11(C) shall be deleted in its entirety and replaced as follows:

C. [Intentionally left blank]

3. In all other respects the Contract Between the City of Bloomington and Tim Gleason shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment to Contract Between the City of Bloomington and Timothy A. Gleason in duplicate this day and year first above written.

CITY OF BLOOMINGTON

TIM GLEASON

By: _____
Its City Mayor

By: _____
Tim Gleason

ATTEST:

By: _____
Its City Clerk



CONSENT AGENDA ITEM NO. 8.I

FOR COUNCIL: February 8, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year ending April 30, 2021, to increase the Community Development Block Grant (CDBG) budget by \$546,029, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: The City has received \$875,173 in Community Development Block Grant Coronavirus (CDBG-CV) supplemental funding from the US Department of Housing and Urban Development since April 2020. The first round of funding, \$329,144, was added to the Fiscal Year 2021 budget in October 2020. Funds were added to support COVID-19 relief programs for residents and business owners. In December 2020, a public meeting was held related to allocation of Round 2 CDBG-CV funding. No public comments were received. The funding plan presented at the public hearing is below:

- Emergency Shelter (\$25,000): Funds administered through Providing Access to Help (PATH) to provide emergency overnight shelter throughout the winter for those experiencing homelessness;
- Emergency Assistance for Residents (\$226,029): Funds administered through the City to provide assistance to residents for rent/mortgage, utilities and child care. The \$226,029 is in addition to the \$270,034 already allocated to the program, including \$90,920 from the 2020 CDBG allocation;
- Small Business Assistance (\$220,000): Funds administered through the City to provide assistance to small businesses for rent/mortgage, utilities and PPE expenses. The \$220,000 is in addition to the \$150,000 already allocated to the program;
- Administration (\$75,000): Funds to cover administrative expenses associated with the Emergency Assistance program. Funds will primarily be used to support staff expenses related to case management.

Staff have updated the 2020-2024 Consolidated Plan and 2020 Annual Action Plan to reflect funding for these programs. A budget amendment is necessary to expend the funds.

City staff is aware of heightened concerns regarding the current COVID-19. This agenda item is an essential component of the City's COVID-19 response.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice of the proposed funding plan was published in *The Pantagraph* on December 1, 2020 with comments accepted December 8th - 13th. No comments were received.

FINANCIAL IMPACT: Failure to approve the FY 2021 Budget Amendment request will result in the loss of use of \$546,029 in federal funding.

Please see the attached "Exhibit" for changes in revenues and expenditures by account.

COMMUNITY DEVELOPMENT IMPACT: ED-3. Build and maintain a skilled and employable workforce to meet the needs of current businesses; ED-3.1-Workforce availability and retention; CWB-1.1 Reduce homelessness through programs for prevention; and CWB-3.1: Coordinate access to social services.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by:


Melissa Holt, Economic and Community Development Director

1/28/2021


Chris Tomertin, Budget Manager

2/1/2021


Jeffrey R. Jurgens, Corporation Counsel

2/3/2021


Tara Henry, Legislative Assistant

2/4/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 3B Ordinance FY 2021 CDBG Budget Amendment
- E&CD 3C Exhibit FY 2021 CDBG Budget Amendment

ORDINANCE NO. 2021 - ____

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2021**

WHEREAS, on April 22, 2020 by Ordinance Number 2020-22, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Beginning May 1, 2020 and Ending April 30, 2021, City of Bloomington, which Ordinance was approved by Mayor Tari Renner on April 23, 2020; and

WHEREAS, a Budget Amendment is needed as detailed below;

Amending the Fiscal Year 2021 Budget in the amount of the amount of \$546,029 to adjust the Community Development Block Grant (CDBG) fund, as requested by the Community Development Department.

Section One: Ordinance Number 2020-22 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2021) is further hereby amended by inserting the following line items and amount presented in the Exhibit and in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2020-22 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2020-22.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

PASSED this 8th day of February 2021.

APPROVED this ____ day of February 2021.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

FY 2021 Budget Amendment-Exhibit

Organization	Object	Project	Fund	Account Description	Amount	Comments
22402410	53110	73000	Community Development	CD Federal Grants CARES - LMI	\$ (226,029.00)	
22402410	53110	73200	Community Development	CD Federal Grants CARES- BUS	\$ (220,000.00)	
22402410	53110	73300	Community Development	CD Federal Grants CARES- OTH	\$ (25,000.00)	
22402410	53110	73400	Community Development	CD Federal Grants CARES- ADMIN	\$ (47,300.00)	
10015430	85224		Community Development	CODE ENF From CD - COC	\$ (27,700.00)	
22402410	70220	73400	Community Development	CD ADMIN Other Prof & Tech Svc- ADMIN	\$ 45,000.00	
22402410	71010	73400	Community Development	CD ADMIN Office Supplies- ADMIN	\$ 1,000.00	
22402410	70610	73400	Community Development	CD ADMIN Advertising- ADMIN	\$ 300.00	
22402410	71017	73400	Community Development	CD ADMIN Postage- ADMIN	\$ 1,000.00	
22402410	89154	73400	Community Development	CD ADMIN To Code Enforcement- ADMIN	\$ 27,700.00	
22402450	79130	73000	Community Development	CD COMM SVC CARES - LMI	\$ 226,029.00	
22402450	79130	73200	Community Development	CD COMM SVC CARES - BUS	\$ 220,000.00	
22402450	79130	73300	Community Development	CD COMM SVC CARES -OTH	\$ 25,000.00	
Net Transaction:					\$ -	



CONSENT AGENDA ITEM NO. 8.J

FOR COUNCIL: February 8, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Approving an Amendment to the Amended and Restated Lease Agreement with the Public Building Commission and McLean County, reducing the City's rental payment for FY 2022 by \$122,622, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The City and McLean County currently jointly lease the Government Center facility and Lincoln Parking Garage from the Public Building Commission (PBC). The County undertook an effort in July 2015 to restructure this lease arrangement with the PBC to expand its scope to additional properties, including the potential jail expansion, as well as to take into account long term maintenance responsibilities for the facilities. As a result, all parties agreed to renew its lease obligations and accordingly an Amended and Restated Lease Agreement was approved by Council on July 27, 2015. This Amendment to the 2015 Amended and Restated Lease Agreement reflects an adjustment to the payment schedule due to a decrease in the estimated operations and maintenance cost for the Government Center for Calendar Year 2021. This will result in \$122,622 less in lease payments in FY 2022.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, the Finance department will lower the budgeted cost in the FY 2022 Proposed Budget for the payment to the Public Building Commission. For stakeholders this will lower the City's cost for the Government Center's operations and maintenance cost by \$122,622 to \$475,493.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, City Clerk

Reviewed by:



Leslie Yocum, City Clerk

2/5/2021



Chris Tomerlin, Budget Manager

2/5/2021



Jeffrey R. Jurgens, Corporation Counsel

2/5/2021



Tara Henry, Legislative Assistant

2/5/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- CLK 2B Ordinance
- CLK 2C PBC Amended & Restated Lease Agreement 2021 Amendment

ORDINANCE NO. 2021 - ____

**AN ORDINANCE APPROVING AN AMENDMENT TO THE AMENDED AND RESTATED
LEASE AGREEMENT WITH THE PUBLIC BUILDING COMMISSION AND MCLEAN COUNTY,
REDUCING THE CITY'S RENTAL PAYMENT FOR FY 2022 BY \$122,622**

SECTION 1. That the Amendment to the Amended and Restated Lease Agreement between the Public Building Commission of McLean County, the City of Bloomington and McLean County, attached hereto as Exhibit A is hereby approved and the Mayor and City Clerk are authorized to execute said Amendment.

SECTION 2. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

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

SECTION 4. This Ordinance shall be effective immediately after the date of its publication as required by law.

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

PASSED this 8th day of February 2021.

APPROVED this ____ day of February 2021.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT

Between the Public Building Commission of McLean County,
McLean County, Illinois, as lessor

and

The County of McLean, Illinois, and the
City of Bloomington, McLean County, Illinois, as lessees

AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT

THIS AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT dated December 15, 2020 (the "*Amendment*"), between the PUBLIC BUILDING COMMISSION OF MCLEAN COUNTY, MCLEAN COUNTY, ILLINOIS, a municipal corporation of the State of Illinois (the "*Commission*"), as Lessor, and THE COUNTY OF MCLEAN, ILLINOIS, a municipal corporation of the State of Illinois (the "*County*") and the CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, a municipal corporation of the State of Illinois (the "*City*"), as Lessees,

WITNESSETH:

WHEREAS, the Commission, as Lessor, and the County and the City, as Lessees, have heretofore entered into an Amended and Restated Lease Agreement, made the 30th day of July, 2015 (as previously amended, the "*Original Lease*"), pursuant to which the Commission leases to the County and the City the Facilities and the Sites (each as described and defined in the Original Lease), including the Projects (as described and defined in the Original Lease); and

WHEREAS, the Commission, the County and the City desire to amend the Original Lease in order to reduce rental payments of the County and City; and

WHEREAS, notwithstanding such reduction, the rental payments of the County shall exceed, on an annual basis, the amount of rental payments for which the County and the City agreed to be joint and severally liable and the principal and interest requirements on the Commission's Public Building Revenue Bonds, Series 2015 (the "*2015 Bonds*"); and

WHEREAS, in order to provide the necessary revenues for the payment of bonds of the Commission heretofore issued or hereafter issued for the improvement of the Facilities and the Sites, including the Projects (as each term is defined in the Original Lease), including the 2015 Bonds, for all interest that may accrue on said bonds and for the costs of operations,

maintenance and administration, as provided in the Original Lease, it is necessary for the parties hereto to enter into this Amendment, amending the Original Lease as hereinafter set forth:

NOW, THEREFORE, in consideration of the rents reserved hereunder and the promises, and the covenants herein made by each of the parties hereto, and for other good and valuable consideration, it is covenanted and agreed by the said parties hereto as follows:

SECTION I. RENTAL PAYMENTS

Paragraph B of Section II of the Original Lease is amended to read as follows:

B. In addition to the annual rental due in calendar year 2015 pursuant to the Old County Courthouse Lease, the Government Center and Parking Garage Lease and the Law and Justice Center Lease, the County covenants and agrees, on or before November 1 of each of the years designated, to pay to the Commission as rent the following annual rentals:

YEAR	RENTAL PER ORIGINAL LEASE	ADDITIONAL RENTAL PER THIS AMENDMENT	RENTAL PER REVISED LEASE
2016	\$10,000,000	\$(5,516,111)	\$ 4,483,889
2017	10,000,000	\$(4,196,715)	\$ 5,803,285
2018	10,000,000	\$(4,111,689)	\$ 5,888,311
2019	10,000,000	\$(3,981,264)	\$ 6,018,736
2020	10,000,000	\$(3,674,562)	\$6,325,438
2021	10,000,000	\$(3,423,645)	\$6,576,355
2022	10,000,000	0	10,000,000
2023	10,000,000	0	10,000,000
2024	10,000,000	0	10,000,000
2025	10,000,000	0	10,000,000
2026	10,000,000	0	10,000,000
2027	10,000,000	0	10,000,000
2028	10,000,000	0	10,000,000
2029	10,000,000	0	10,000,000
2030	10,000,000	0	10,000,000
2031	10,000,000	0	10,000,000
2032	10,000,000	0	10,000,000
2033	10,000,000	0	10,000,000
2034	10,000,000	0	10,000,000

Paragraph C of Section II of the Original Lease is amended to read as follows:

C. In addition to the annual rental due in calendar year 2015 pursuant to the Government Center and Parking Garage Lease, the City covenants and agrees, on or before November 1 of each of the years designated, to pay to the Commission as rent the following annual rentals:

YEAR	RENTAL PER ORIGINAL LEASE	ADDITIONAL RENTAL PER THIS AMENDMENT	RENTAL PER REVISED LEASE
2016	\$1,135,284	\$(79,880)	\$ 1,055,404
2017	1,140,301	\$(73,983)	\$ 1,066,318
2018	1,147,095	\$(36,257)	\$ 1,110,838
2019	1,153,134	\$(94,074)	\$ 1,059,060
2020	1,153,442	\$(116,160)	\$1,037,282
2021	598,155	\$(122,662)	\$ 475,493
2022	464,590	0	464,590
2023	458,700	0	458,700
2024	465,205	0	465,205
2025	471,808	0	471,808
2026	478,510	0	478,510
2027	485,313	0	485,313
2028	492,218	0	492,218
2029	499,226	0	499,226
2030	506,339	0	506,339
2031	513,559	0	513,559
2032	520,888	0	520,888
2033	528,326	0	528,326
2034	535,876	0	535,876

SECTION II. MISCELLANEOUS

A. In the event any covenant, phrase, clause, paragraph, section, condition or provision herein contained is held to be invalid by any court of competent jurisdiction, the invalidity of any such covenant, phrase, clause, paragraph, section, condition or provision shall in no way affect any other covenant, phrase, clause, paragraph, section, condition or provision herein contained.

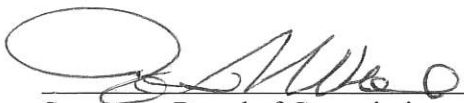
B. This Amendment has been executed in several counterparts, any of which shall be considered as an original.

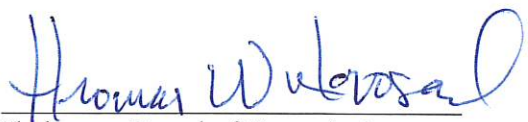
[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Public Building Commission of McLean County, McLean County, Illinois, by authority of its Board of Commissioners, has caused its corporate seal to be affixed hereto and this Amendment to be signed in its name by the Chairman of said Board and attested by the Secretary of said Board; The County of McLean, Illinois, by authority of its County Board, has caused its corporate seal to be affixed hereto and this Amendment to be signed in its name by the Chairman of the County Board of said County and to be attested by the Clerk of said County; and the City of Bloomington, McLean County, Illinois, by authority of its City Council has caused its corporate seal to be affixed hereto and this Amendment to be signed in its name by the Mayor of said City and attested by the Clerk of said City, as of the day and year first written.

**PUBLIC BUILDING COMMISSION OF
MCLEAN COUNTY,
MCLEAN COUNTY, ILLINOIS**

ATTEST:


Secretary, Board of Commissioners

By: 
Chairman, Board of Commissioners

(AFFIX CORPORATE SEAL)

THE COUNTY OF MCLEAN, ILLINOIS

ATTEST:


County Clerk

By: 
Chairman, County Board

(AFFIX CORPORATE SEAL)

**CITY OF BLOOMINGTON, MCLEAN
COUNTY, ILLINOIS**

ATTEST:

City Clerk

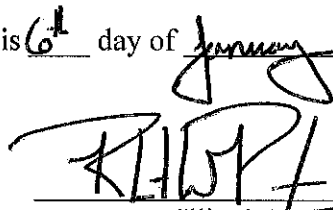
By: _____
Mayor

(AFFIX CORPORATE SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF McLEAN)

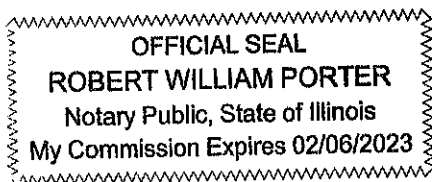
I, the undersigned, a Notary Public in and for said County and State, Do Hereby Certify that Thomas Novosad and John Morel, personally known to me to be respectively the Chairman of the Board of Commissioners of the Public Building Commission of McLean County, McLean County, Illinois, and the Secretary of said Board, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as Chairman of the Board of Commissioners of the Public Building Commission of McLean County, McLean County, Illinois, and the Secretary of said Board, they signed and delivered the said instrument and caused the seal of the Public Building Commission of McLean County, McLean County, Illinois, to be thereto affixed as their free and voluntary act, and as the free and voluntary act of the Public Building Commission of McLean County, McLean County, Illinois, pursuant to the authority and direction of the Board of Commissioners of the Public Building Commission of McLean County, McLean County, Illinois, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 6th day of January, 2021.



Illinois Notary Public

(NOTARIAL SEAL)



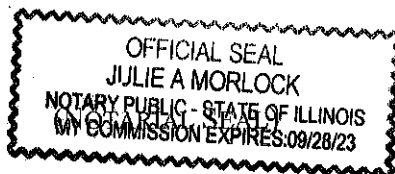
STATE OF ILLINOIS)
) SS
COUNTY OF McLEAN)

I, the undersigned, a Notary Public in and for said County and State, Do Hereby Certify that John McIntyre and Kathy Michael, personally known to me to be respectively the Chairman of the County Board of The County of McLean, Illinois, and the Clerk of said County, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as Chairman of the County Board of The County of McLean, Illinois, and as County Clerk of said County, they signed and delivered the said instrument and caused the seal of The County of McLean, Illinois, to be thereto affixed as their free and voluntary act, and as the free and voluntary act of The County of McLean, Illinois, pursuant to the authority and direction of the County Board of The County of McLean, Illinois, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 15th day of December, 2020.



Illinois Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF MCLEAN) Leslie Smith-Yocum

I, the undersigned, a Notary Public in and for said County and State, Do Hereby Certify that Tari Renner and ~~Cherry Lawson~~, personally known to me to be respectively the Mayor and the Clerk of the City of Bloomington, McLean County, Illinois, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Mayor and Clerk of the City of Bloomington, McLean County, Illinois, they signed and delivered the said instrument and caused the seal of the City of Bloomington, McLean County, Illinois, to be thereto affixed as their free and voluntary act, and as the free and voluntary act of the City of Bloomington, McLean County, Illinois, pursuant to the authority and direction of the City Council of the City of Bloomington, McLean County, Illinois, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this ____ day of _____, 20__.

Illinois Notary Public

(NOTARIAL SEAL)



CONSENT AGENDA ITEM NO. 8.K

FOR COUNCIL: February 8, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 2

SUBJECT: Consideration and action on an Ordinance Approving a Zoning Map Amendment for Property Located South of Southgate Drive and East of South Main Street, Approximately 7.31 Acres in the Southgate Commercial Plaza Subdivision, from B-2 Local Commercial District to C-1 Office District, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

-Objective 4d. Improved neighborhood infrastructure

BACKGROUND: The subject property is approximately 7.31 acres located toward Bloomington's southernmost municipal limits, off the intersection of Southgate Drive and South Main Street. The subject property is the rear portion of parcels initially zoned B-1, being part of the commercial corridor along South Main Street. An approved zoning map amendment reclassified the subject property as B-2 in January 2020 (Ord. 2020-02) to encourage a transitional, lower density commercial use. Surrounding uses consist of a mix of commercial, industrial, and residential, with a used car dealership to be sited immediately to the west of PIN 21-16-205-002, a Martin Sullivan store west of the subject portion of PIN 21-16-451-026, a mobile home park to the east, and an R.P. Lumber Company store to the south. The applicant returned to request an amendment from B-2 to C-1, Office District. The proposed Office District accommodates a mix of office and low intensity commercial uses. The district also allows for residential uses with a special use permit. A list of permitted uses is available online at <https://ecode360.com/34414725>.

The Planning Commission held a public hearing on the requested amendment on January 13, 2021. The Commission determined that the requested map amendment provides an additional transition and buffer between the higher intensity commercial and manufacturing districts located on S. Main Street/US 51 and the mobile home park located east of the subject property. The Planning Commission packet is available online at <https://www.cityblm.org/Home/ShowDocument?id=25688>. The public hearing is also available for review online at www.cityblm.org/live. The Commission unanimously recommended approval of the requested map amendment.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item was initiated by a private entity working to redevelop an existing

site. Staff is recommending action since delay could negatively impact this investment in our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, January 13, 2021. The City published notice of the hearing in *The Pantagraph* on Monday December 28, 2020. Courtesy notices were mailed to 35 property owners within 500 feet of the subject property. City staff placed a large metal notification sign on the property. The staff report and meeting documents are online at <https://www.cityblm.org/Home/ShowDocument?id=25688>. No one spoke against the petition. No one, other than the applicant, spoke in favor of the petition. The Planning Commission unanimously recommended approval of the map amendment petition. The recommendation is consistent with the staff recommendation. A recording of the public hearing is available online at www.cityblm.org/live.

FINANCIAL IMPACT: The proposed map amendment will allow for investment and redevelopment of vacant property adding to the city's tax base and potentially increasing future revenues for the city.

COMMUNITY DEVELOPMENT IMPACT: This property is identified in the Comprehensive Plan's "Future Land Use" Map as commercial. The property is also recognized as a Tier-1 Infill Redevelopment priority.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:



Melissa Hall, Economic and Community Development Director

1/28/2021



Chris Tomerlin, Budget Manager

1/29/2021

George Boyle

George Boyle, Assistant Corporation Counsel

2/3/2021



Tara Henry, Legislative Assistant

2/4/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 4B Ordinance_Case Z-01-21

- E&CD 4C Z-01-21 DRAFT minutes 1.13.21

ORDINANCE NO. 2021 - _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR PROPERTY LOCATED SOUTH OF SOUTHGATE DRIVE AND EAST OF SOUTH MAIN STREET, APPROXIMATELY 7.31 ACRES IN THE SOUTHGATE COMMERCIAL PLAZA SUBDIVISION, FROM B-2 LOCAL COMMERCIAL DISTRICT TO C-1 OFFICE DISTRICT

WHEREAS, there was heretofore filed with the Economic & Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as seven and thirty-one-hundredths acres south of Southgate Drive and east of South Main Street in the Southgate Commercial Plaza Subdivision (PINs: 21-16-451-026; 21-16-405-002; 21-16-405-003; 21-16-451-027; 21-16-451-024; 21-16-451-025; and 21-16-451-009), legally described in Exhibit A and hereinafter referred to as "Property", 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 Property from B-2 Local Commercial District to C-1 Office District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the application, using the standards and objectives of the City Code as set forth in Chapter 44 Division 17-6, E2; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning of the Property and zoning map amendment to C-1 Office District; and

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

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

1. The above recitals are incorporated into and made a part of this ordinance as though fully set forth herein.
2. That the Council hereby adopt the findings of fact made by the Planning Commission.
3. That the petition requesting to rezone the property commonly described as seven and thirty-one-hundredths acres south of Southgate Drive and east of South Main Street in the Southgate Commercial Plaza Subdivision (PINs: 21-16-451-026; 21-16-405-002; 21-16-405-003; 21-16-451-027; 21-16-451-024; 21-16-451-025; and 21-16-451-009), legally described in Exhibit A which is attached hereto and made part hereof by this reference, from B-2 Local Commercial District to C-1 Office District is hereby approved.

4. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 8th day of February 2021.

APPROVED this _____ day of February 2021.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A

Legal Description

Lots 2 and 3 in Seventh Addition to Southgate Commercial Plaza Subdivision, and a part of Lot 12 in School Commissioners Subdivision, all in the SE $\frac{1}{4}$ of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, Mclean County, Illinois, more particularly described as follows: Beginning at the northeast corner of Lot 3 in Seventh Addition to Southgate Commercial Plaza Subdivision according to the Plat thereof recorded as Document No. 2006-32000 in the Mclean County Recorder of Deeds Office; thence S.01°-04'-21"E. 145.74 feet to the southeast corner of said Lot 3, on the north line of Lot 12 in School Commissioners Subdivision; thence S.87°-28'-47"E. 145.90 feet to the northeast corner of said Lot 12; thence S.01°-58'-00"E. 547.94 feet on the east line of said Lot 12; thence N.87°-32'-00"W. 386.00 feet to the point of intersection with the southerly extension of an existing fence; thence N.00°-42'-21"W. 266.39 feet along the southerly extension of said fence and the northerly extension thereof; thence N.88°-53'-57"W. 44.02 feet; thence N.75°-21'-13"W. 79.00

feet; thence N.35°-39'-45"W. 139.65 feet to the point of intersection with the southerly extension of the west line of Lot 2 in said Seventh Addition to Southgate Commercial Plaza Subdivision; thence N.01°-06'-03"E. 300.71 feet to the northwest corner of said Lot 2; thence S.87°-31'-56"E.

154.39 feet on the north line of said Lot 2; thence S.87°-29'-47"E. 2'63.72 feet to the Point of Beginning containing 318,550.35 S.F. 17.31 acres, more or less, with assumed bearings give for description purposes only.

Parcel Identification Number 21-16-451-026; 21-16-405-002; 21-16-405-003; 21-16-451-027;

21-16-451-024; 21-16-451-025; and 21-16-451-009

Mr. George Boyle	Assistant Corporate Counsel	Present
Mr. Craig McBeath	Information Systems Director	Present
Ms. Katie Simpson	City Planner	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Ms. Caitlin Kelly	Assistant City Planner	Present

COVID-19

Chairperson Headean explained that this meeting was held virtually via live stream pursuant to the gubernatorial executive order 2020-07, Section 6. Public comment was accepted until 15 minutes before the start of the meeting. Written public comment must have been emailed to publiccomment@cityblm.org and those wishing to speak live must have registered at <https://www.cityblm.org/register> at least 15 minutes prior to the meeting. City Hall was closed to the public.

REGULAR AGENDA

Z-01-21 Public hearing, review, and action on a petition submitted by Robert J. Lenz, Trustee under, a Trust Agreement dated June 17, 1994 and known as Trust Number 2315, requesting a zoning map amendment for a portion of the property identified as PIN: 21-16-451-026, 21-16-405-002; 21-16-405-003; 21-16-451-027; 21-16-451-024; 21-16-451-025; and 21-16-451-009 (approximately 7.31 acres south of Southgate Drive) from B-2 Local Commercial District to C-1, Office District. (Ward 2)

Chairperson Headean introduced the case and called for the staff report. Ms. Kelly stated that staff recommend approval of the requested zoning amendment from B-2 to C-1.

Ms. Kelly explained that the subject parcels had been rezoned last year from B-1 to B-2 and are situated between residential uses to the east and commercial and industrial uses in all other directions. She mentioned that the applicant is working with IHDA to develop the area into affordable rental duplexes, and that while duplexes are allowed under the current zoning, they must share a single entrance. The C-1 zoning would enable the proposed units to have separate entrances and, whether or not the proposed use takes place, would provide a more gradual buffer between the area's commercial/industrial and residential uses.

Regarding the comprehensive plan, Ms. Kelly stated that the subject parcels are classified as a mix of low- and medium-density residential as well as regional commercial by the Future Land Use Map, and Tier 1 priority infill by the Land Use Priorities map.

DRAFT

MEETING MINUTES

PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

WEDNESDAY JANUARY 13, 2020

Page | 2

Ms. Kelly reviewed the standards for a zoning map amendment and stated staff's belief that the criteria had been met.

Chairperson Headean opened the public hearing. The petitioner, Mr. Lenz, was on the line, but unable to be heard. Mr. Boyd motioned to take a five minute recess. Mr. Krieger seconded.

The meeting resumed at 4:59 PM. Mr. Lenz was present on the call, but unable to be reached. As no one else was present to comment in favor or against the petition, Chairperson Headean closed the public hearing.

Mr. Mohr motioned to accept the findings of fact as presented in the staff report. Ms. Montney seconded. Roll call vote: Mr. Stanczak - Yes, Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - Yes, Ms. McCann - Yes, Chairperson Headean - Yes. (9-0-0)

Mr. Mohr motioned to approve the rezoning. Roll call vote: Mr. Krieger seconded. Mr. Stanczak - Yes, Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - Yes, Ms. McCann - Yes, Chairperson Headean - Yes. (9-0-0)

DRAFT



CONSENT AGENDA ITEM NO. 8.L

FOR COUNCIL: February 8, 2021

SPONSOR: Administration Department and Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Chapter 35 of the City Code to add Two Ex-Officio Youth Members to the Public Safety Commission Review Board, as requested by the Administration Department and the Police Department.

RECOMMENDED MOTION:

The proposed Ordinance 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 Public Safety Commission Review Board (PSCRB) proposes an amendment to the Ordinance by adding two (2) youth members in ex officio, non-voting capacity to the PSCRB. The purpose of the amendment is to foster civic interest and youth involvement in municipal processes. Youths will be encouraged to take an active role in commission activities. The youths selected will be expected to attend regular meetings and offer feedback on youth and school related concerns as well as other issues brought before the Commission.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Michael Hurt, Chief Diversity & Inclusion Officer

Reviewed by:



Chris Tomertin, Budget Manager

1/7/2021



Jeffrey R. Jurgens, Corporation Counsel

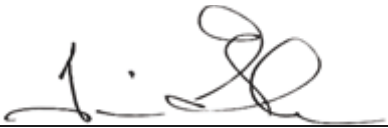
2/3/2021



Tara Henry, Legislative Assistant

2/5/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- ADM 2B PSCRB Ordinance

ORDINANCE NO. 2021 - _____

AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE TO AD
TWO EX-OFFICIO YOUTH MEMBERS TO THE PUBLIC SAFETY AND
COMMUNITY RELATIONS BOARD

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

SECTION 1. That Bloomington City Code Chapter 35-402 is hereby amended to read as follows (added; ~~deleted~~):

Chapter 35: Section 75: Composition.

Amend the composition of the Public Safety Commission Review Board (PSCRB) by proposing to add two (2) youth members in ex officio, non-voting capacity to the PSCRB. The purpose of the position is to foster youth interest and involvement in municipal processes.

§ 35-402

[Ch. 35, Sec. 75] Composition.

- A. The PSCRB shall consist of seven members appointed by the Mayor with the approval of the City Council by a 2/3 vote of all aldermen currently serving.
- B. Members shall serve for a three-year term; however, at the inception of the Board, two members shall be appointed for a one-year term, two members for a two-year term, and three members for a three-year term, so that terms are staggered.
- C. Two youth members (between the ages of 16-21) shall serve in ex-officio, non-voting capacity. Youth members shall serve a one-year term. The two youth members shall be appointed in the same manner as subsection A above.
- D. The chair and a vice-chair of the Board shall be selected amongst the members of the PSCRB.
- E. A majority of the sitting members of the PSCRB, exclusive of the two youth members, shall constitute a quorum.
- F. Members shall serve until their successors are appointed and confirmed, unless removed from office.

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

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

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

SECTION 5. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 8th day of February 2021.

APPROVED this _____ day of February 2021.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 8.M

FOR COUNCIL: February 8, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: Ward 1

SUBJECT: Consideration and action on a Liquor License Change of Ownership Application from PSM Shell, Inc., d/b/a PSM Shell, located at 2401 E. Oakland Ave., holding a Class GPBS (Gas Station, Package Sales, Beer and Wine Only, Sunday Sales) license, to Jay Sadhimaa Two, LLC, d/b/a Bloomington Shell, for the same license type, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed License be approved contingent upon employees receiving BASSET certifications, a local manager being established, and upon compliance with all building, health, and safety, codes.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: Jay Sadhimaa Two, LLC, d/b/a Bloomington Shell ("Applicant"), plans to purchase the existing establishment and land located at 2401 E. Oakland Ave, which is currently occupied by PSM Shell, Inc. d/b/a PSM Shell. The Applicant is requesting a GPBS (Gas Station, Package Sales, Beer and Wine Only, and Sunday Sales) liquor license, the same class of liquor license currently held by PSM Shell, Inc., which is a gas station liquor license.

This item appeared before the Liquor Commission on January 12, 2021 (draft minutes attached) where the Commission unanimously approved the request contingent upon employees receiving BASSET certifications and a local manager being established. The Commission positively recommended the application to the City Council.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on January 4, 2021 a public notice was published in *The Pantagraph* and 71 notices were mailed to properties within 500 feet of the business. A public hearing was held on the January 12, 2021 Liquor Commission meeting.

FINANCIAL IMPACT: The current annual license fee for a Class GBPS liquor license is \$1,450, which will be recorded in the Non-Departmental Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2021 Budget Book titled "Budget Overview & General

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

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

Respectfully submitted for Council consideration.

Prepared by: Amanda Mohan, Records and Licensing Specialist

Reviewed by:



Leslie Yocum, City Clerk

2/2/2021



Chris Tomerlin, Budget Manager

2/3/2021



George Boyle, Assistant Corporation Counsel

2/4/2021



Tara Henry, Legislative Assistant

2/4/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- CLK 2B Liquor License Application - Bloomington Shell Clas GPBS_REDACTED
- CLK 2C 01-12-2021 DRAFT Liquor Commission Minutes_BLM Shell

January 4, 2020

City Clerk Requirement Verification Memo

To: Liquor Commission

Re: Legal Name: Jay Sadhimma Two LLC

D/B/A Name: Bloomington Shell

Dear Reviewer,

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

- ☒ Articles of Organization
- ☒ Certificate of Good Standing with the State of Illinois
- ☒ Financial Information
- ☒ A purchase agreement between PSM Shell, Inc. and Jay Sadhimaa Two, LLC
which is dated September 10, 2020.

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

Respectfully,

Amanda Mohan
Records and Licensing Specialist



Liquor License Application

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

Legal Entity Name (Corporate/LLC Name)	JAY SADHIMAA TWO LLC
Doing Business As (DBA) OR Establishment Name <i>(Assumed names must be registered with the State of Illinois)</i>	BLOOMINGTON SHELL
Legal Entity Address <i>(including City, State, and Zip)</i>	2401 E OAKLAND BLOOMINGTON IL 61701
Legal Entity Phone Number	309- 664-0175
Legal Entity Email Address	VNAYI@YAHOO.COM
Establishment Address including Zip	2401 E OAKLAND BLOOMINGTON IL 61701
Establishment Phone Number	309 664 0175
Establishment Email Address	VNAYI@YAHOO.COM
*Email Address for ALL City Communications:	VNAYI@YAHOO.COM

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

BELOW PLEASE LIST THOSE RESPONSIBLE FOR LICENSING THE ESTABLISHMENT

Primary Contact:

Name (First & Last)	City	State	Zip
VIREN NAYI	CHICAGO	IL	60625
Phone Number	Email Address		

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

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

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

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

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

Liquor License Fee Chart					
Class	Description	2020 Fees		2021 Fees	
		Semi	Annual	Semi	Annual
PA	Package Sales – All Types of Liquor <i>(Fee applies to all except CA, EA, RA, or TA)</i>	\$600	\$1,200	\$650	\$1,300
PB	Package Sales – Beer and Wine Only	\$450	\$900	\$500	\$1,000
	<i>(Package Sales fee for CB, EB, RB, or TB, but no Package Sales fee applies to CA, EA, RA, or TA)</i>	\$112.50	\$225	\$150	\$300
S	Sunday <i>(Fee applies to all except CA & CB)</i>	\$275	\$550	\$300	\$600
	Curbside Pick-Up and Delivery of Alcohol	-	-	-	-
	Outdoor Consumption Area	-	-	-	-

Liquor License Fee Chart (cont.)

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

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

Status of Business Information:

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

☐ **Sole Proprietorship**

☐ **Partnership** (Date of Formation: _____)

☒ **Limited Liability Company (LLC)**

☐ **Corporation** (Inc. or Corp.)

A copy of the Articles of Organization must be attached.

A copy of the Articles of Incorporation must be attached.

- Attach a list including the name, age, address, and percent of ownership/stock for each owner/partner/member.

- ☐ Yes **If Applicant is a Corporation or LLC:** Is any individual owning more than 5% of stock in the applicant business ineligible to hold a liquor license for any reason other than citizenship or residence? *If yes, please identify the individual(s) and explain:* _____
☒ No
☐ N/A

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

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

☒ Yes ☐ No Are 21 years of age or older.

☒ Yes ☐ No Are citizens of the United States.

☐ Yes ☒ No Have never been convicted of any felony, or of the violation of any law relating to the prohibition of the sale of alcoholic liquor, or any other crime or misdemeanor (except minor traffic violations).

☐ Yes ☒ No Have never been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor.

☐ Yes ☒ No Have never been convicted of pandering or any other crime opposed to decency and morality.

- Illinois Liquor Law states the applicant individual must be a resident of the city, village or county in which the premises covered by the license is located. 235ILCS 5/6-2(a)(1)

2A ☐ Yes ☒ No Are any of the persons listed under ownership a resident of McLean County?

2B ☐ Yes ☒ No Is the General Manager a resident of McLean County?

- ☐ Yes ☒ No Is the General Manager of the establishment unable to hold a liquor license for any reason other than citizenship or residence?

- ☐ Yes ☒ No Is the establishment located within 100 feet of any church, school, hospital, home for aged, indigent persons, or war veterans and/or their wives or children?



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

Nature of License:

- What type of establishment is intended to be operated with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop) **GAS STATION**
- What class of liquor license is being sought? (See descriptions beginning on page 1.) **PACKED SALES BEER**
- ☒ Yes ☐ No Will the establishment offer Sunday Sales?
- ☐ Yes ☒ No Will the establishment offer Curbside Pick-Up & Delivery of Alcohol? (Package License Holders Only)
See City Code Ch. 6 Sec. 32 for more details. <https://ecode360.com/34837503>
- ☐ Yes ☒ No Will the establishment offer an Outdoor Dining Area?
- State the reason the applicant desires a liquor license for the establishment: **TO INCREASE THE SALES**
- If approved, how would the liquor license benefit the City and its residents? **THE CITY WOULD GET MORE SALES TAX**
- ☐ Yes ☒ No Will the establishment offer live entertainment in the establishment? *If yes, please explain:* _____
- ☐ Yes ☒ No Will the proposed or current establishment sell food?
- ☒ Yes ☐ No Will most of the establishment's gross revenue come from sources other than the sale of alcohol?
If yes, what sources will such revenue be derived? _____
- If approved, what license renewal billing cycle would be preferred? ☒ Annual ☐ Semi-Annual

Impact of Establishment:

- What are the proposed hours of operation?

Day	Time Open	Time Close
Monday:	6:00AM	10:00PM
Tuesday:	6:00AM	10:00PM
Wednesday:	6:00AM	10:00PM
Thursday:	6:00AM	10:00PM
Friday:	6:00AM	10:00PM
Saturday:	6:00AM	10:00PM
Sunday:	6:00AM	10:00PM
- Describe the surrounding neighborhood within 500 ft. of the establishment (e.g. residential, commercial, mixed, etc.)
MIXED WITH MAJORITY OF COMMERCIAL.
 - If there are office or commercial buildings nearby, approximately what are their hours of operation?
SOME ARE 9AM TO 5PM, SOME ARE 9AM TO 9PM/10PM
 - Is the area predominately residential, are they single or multi-family homes?
SINGLE FAMILY HOMES
- Describe any and all streets immediately surrounding the establishment: (e.g. approximate width, one-way, two-way, parking restrictions, etc.)
TWO WAY
- How much additional traffic is expected to be generated with a liquor license?
20%
- Describe any and all on- and off-street parking:
IMMEDIATE SURROUNDING STREETS ARE NO PARKING ON STREETS
- How many establishments with liquor licenses are located within 500 ft. of the establishment? **2**

**Responsibility:**

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

Please provide any additional information significant to this application:

Additional License Interests:

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

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

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

I, the undersigned, swear or affirm that:

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

VIREN NAYI

Name (Please Print)

[Redacted Signature]

Signature

OWNER

Title

12/10/2020

Date

Owner Information

Viren Nayi 100% owner

[REDACTED]

Chicago Illinois 60625

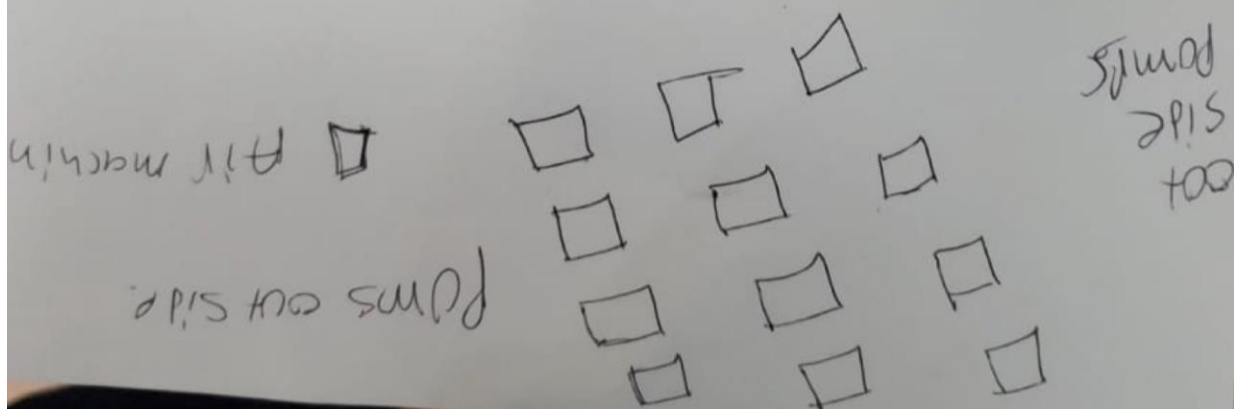
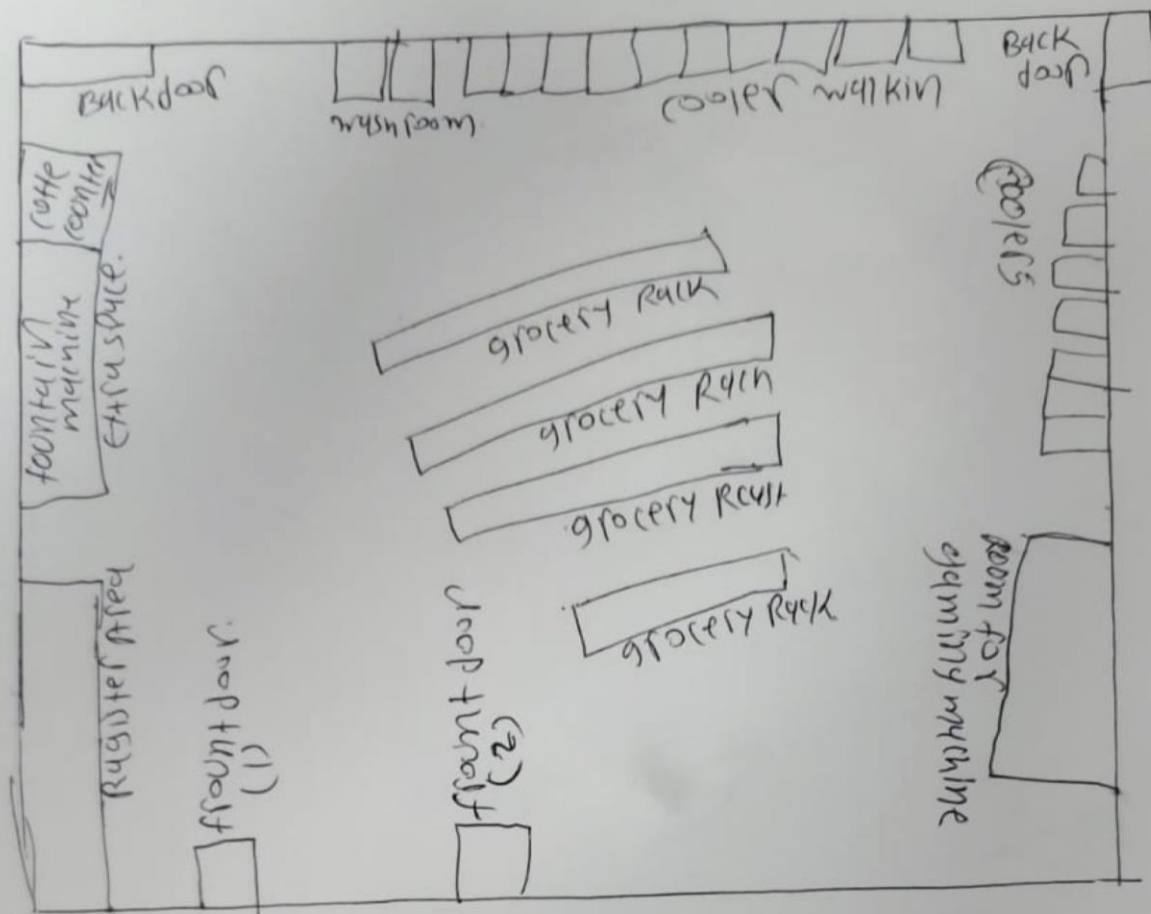
Dhruvkumar Anikumar Patel – Manager

[REDACTED]

Chicago, IL 60630

Upon approval of the liquor license the Manager above will relocate to Bloomington, IL.

Building inside



would be part of the region that would enter Tier 2 mitigations which continued to prohibit indoor dining. Mr. Boyle informed the Commission that messaging would be sent to all liquor license holders in reference to the new mitigations and that messaging about video gaming could also be addressed.

Mr. Crawford stated that he did not want to break the rules and expressed the hardships caused by a lack of indoor dining.

Commissioner Renner stated he had hoped local establishments would be permitted indoor dining at 25% capacity but referred to the Governor's office and the Illinois Department of Public Health determinations. He expressed that public safety remained the priority.

The following item was presented:

Item 5.A. Public Hearing and action on the request for a Change of Ownership Application at 2401 E. Oakland Ave. from PSM Shell, Inc., d/b/a PSM Shell, to Jay Sadhimaa Two, LLC, d/b/a Bloomington Shell, for the same Class GBPS (Gas Station, Beer and Wine Only, Package and Sunday Sales) liquor license, as requested by the City Clerk Department.

The following Commissioners were present for the Public Hearing: Jordan, Powell, Renner

Commissioner Renner opened the public hearing at 4:11 p.m. and asked Mr. Boyle for opening statements.

Mr. Boyle explained the application was for a 100% change of ownership.

Commissioner Renner reminded the Commission that small changes to ownership were not brought before the Commission for consideration but since it was a full change of ownership, it had to appear before the Commission.

Mr. Boyle confirmed.

Commissioner Renner asked if there was anyone registered to speak for or against the application. Ms. Mohan responded that no individuals registered to speak against the application but that both Mr. Suresh Mehta, Owner of PSM Shell, and Viren Nayi, Applicant for Bloomington Shell, were available for questions.

Richard Marvel, Attorney representing Bloomington Shell, after being sworn, addressed the Commission. He explained the application was a sale of a limited liability company to another limited liability company in addition to the real estate. He informed the Commission that the applicant currently owned and operated a gas station in Sandwich, IL that did not have any violations. Mr. Marvel stated that the Applicant hired a manager for the location and said manager would relocate to Bloomington before a license was issued. He stated the Applicant agreed to the relocation of the manager as a condition on the liquor license, if needed. Mr. Marvel confirmed that there no major changes to the business plan and that the location would continue to employ two to three employees. Mr. Marvel then formally made two minor corrections to the application which included an update to the applicant experience with a liquor license and that while the application listed no local manager, his manager would relocate.

Commissioner Renner confirmed that the applicant currently ran a gas station in Sandwich, IL and had a clean record for violations. Mr. Marvel confirmed.

Mr. Marvel explained that all employees would be BASSET certified. He expressed that the applicant was looked forward to doing business in the community.

Commissioner Powell did not have any questions for the applicant.

Commissioner Jordan did not have any questions for the applicant.

Mr. Boyle asked for clarification on the ownership of the business and real estate.

Mr. Marvel responded that the business and real estate were owned by two separate entities but that the applicant would purchase both under one entity.

Mr. Boyle confirmed with Mr. Marvel that the Sandwich, IL location was the only location owned by the applicant.

Mr. Boyle reminded the applicant that all employees who sold alcohol would need to be BASSET trained.

Viren Nayi, Applicant for Bloomington Shell, after being sworn, addressed the Commission.

Commissioner Renner asked Mr. Nayi how long he owned the location in Sandwich, IL. Mr. Nayi responded that he took over the business in 2019.

Commissioner Renner confirmed with Mr. Nayi that there had been no liquor violations at that location.

Mr. Boyle asked Mr. Nayi if he owned any liquor establishments prior to the acquisition of the Sandwich, IL location. Mr. Nayi confirmed that he did.

Commissioner Renner closed the public hearing at 4:22 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, that the application be sent with a positive recommendation to Council for consideration contingent upon employees receiving BASSET certifications and the establishment of a local agent. License creations are contingent upon compliance with all building, health, and safety codes.

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

AYES: Jordan, Powell, Renner

Motion carried.

The following item was presented:

Item 9.E. Continued Public Hearing on a Complaint and Citation issued to Mickey's Kitchen, Inc. d/b/a Mickey's Kitchen, located at 1709 S. Veterans Parkway, Suite A, as requested by the Legal Department.

Commissioner Renner asked Mr. Boyle for an update on the item.

Mr. Boyle stated that the tax issues had been resolved and requested the item to be tabled to next regular Liquor Commission meeting where staff would make a recommendation for the next steps.

Commissioner Jordan made a motion, seconded by Commissioner Powell, that the item be tabled until the next regularly scheduled Liquor Commission meeting.

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

AYES: Jordan, Powell, Renner

Motion carried.

Old Business



CONSENT AGENDA ITEM NO. 8.N

FOR COUNCIL: February 8, 2021

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve a Lake Bloomington Lease Transfer and Supplemental Agreement for Lot 18 in Block 3 in Camp Kickapoo, from Anne Bliss, to the petitioners, Douglas C. and Tracey A. McCord, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Lease Transfer and Supplemental Agreement be approved.

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: Public Works is recommending the approval of a Petition and Supplemental Agreement for the Lake Bloomington Lease Transfer of Lot 18 and Block 3 in Camp Kickapoo, from Anne Bliss, to the petitioners, Douglas C. and Tracey A. McCord. Lot 18 has a residence, a septic system, and one boat dock.

A licensed inspector, Rob Williamson, inspected the septic system on December 1, 2020, and found the system to be in the following condition, as noted in a December 2, 2020, letter from the McLean County Health Department:

- ❖ The septic tank is a minimum of 500 gallons too small. This may remain as is until the septic system is repaired or replaced.
- ❖ The vent for the sand filter is routed through the plumbing for the house. This may remain as is until the septic system is repaired or replaced.
- ❖ The effluent receiving trench for the sand filter is covered in grass. The grass must be removed, and the rock must be replaced as needed.

The rock trench has been replaced. The current septic system functions properly. Please see the attached septic information documents.

The lessees have entered into a supplemental agreement with the City of Bloomington to have the septic tank pumped and evaluated at least once every three years, with the first pump and evaluation taking place no later than February 8, 2024. The lessees will submit proof to the City of Bloomington upon completion.

There is currently a boat dock on the subject lot. Pursuant to Ordinance 2018-87, passed by the City Council on October 8, 2018, boat docks are allowed on leased lots with a residence

and a valid lease with the City of Bloomington, so long as the lessee obtains a permit.

City staff is aware of the heightened concerns regarding the current COVID-19 pandemic. However, this agenda item is operational in nature and expected to have little to no impact on City resources or finances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

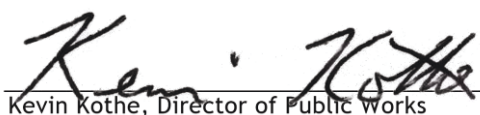
FINANCIAL IMPACT: This petition will have a financial impact in that the current lease uses the formula of \$0.15 per \$100.00 Equalized Assessed Value to determining the Lake Lease Fee. With the current lease rate formula of \$0.40 per \$100.00 Equalized Assessed Value, this lease will generate approximately \$888.48 per year in lease income and \$150.00 for lot garbage pickup. Lease revenue is posted into the Lake Maintenance Lease Income account (50100140-57590). The Garbage Collection fee is recorded in Lake Maintenance - Other Charges for Services account (50100140-54990). Stakeholders can locate this in the FY 2021 Budget Book titled "Other Funds & Capital Improvements" on page 127.

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 current and future residents.

Respectfully submitted for Council consideration.

Prepared by: Joe Darter, Property Manager

Reviewed by:


Kevin Kothe, Director of Public Works

1/25/2021


Chris Tomerlin, Budget Manager

1/25/2021

George Boyle
George Boyle, Assistant Corporation Counsel

1/26/2021


Tara Henry, Legislative Assistant

2/4/2021

Recommended by:


Tim Gleason, City Manager

Attachments:

- PW 1B Current Lease_Bliss to McCord Lake Lease Transfer 02082021

- PW 1C Property Manager Memo_Bliss to McCord Lake Lease Transfer 02082021
- PW 1D Petition_Bliss to McCord Lake Lease Transfer 02082021
- PW 1E Septic Information_Bliss to McCord Lake Lease Transfer 02082021
- PW 1F Agreement_Bliss to McCord Lake Lease Transfer 02082021
- PW 1G Supplemental Agreement_Bliss to McCord Lake Lease Transfer 02082021
- PW 1H Location Map_Bliss to McCord Lake Lease Transfer 02082021
- PW 1I Unrecorded Plat Map_Bliss to McCord Lake Lease Transfer 02082021
- PW 1J Structure Map_Bliss to McCord Lake Lease Transfer 02082021
- PW 1K Photograph_Bliss to McCord Lake Lease Transfer 02082021

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the 19th day of December, 1997 between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called "City," and Robert E. Bliss + D. Anne Bliss (if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (as tenants in common) (as tenants by the entirety) of City of Bloomington, County of McLean, State of Illinois, hereinafter called "Lessee,"

WITNESSETH

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

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

Lot 18 in Block 3 in Camp Kickapoo, according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois. Parcel # (22) 08-06-353-023

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

3. RENT.

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

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

who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.

2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will remain in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

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

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

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

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.

5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.

6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.

7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.

8. GARBAGE. City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.

9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.

10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.

11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.

12. TREE CUTTING. No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.

13. DEFAULT. If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely be cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.

14. TERMINATION BY LESSEE. Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.

15. EMINENT DOMAIN. If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between City and Lessee as follows:

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.

16. PRIOR LEASE TERMINATED. If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.

17. NOTICE. Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City

Lessee Name and Mailing Address

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

Bob + Anne Bliss



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

IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

-Lessee-

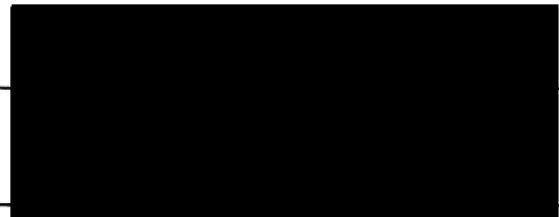
CITY OF BLOOMINGTON

By:

A handwritten signature in cursive script, likely of the Mayor of Bloomington, written over a horizontal line.

Its Mayor

Attest:



Darcy Coult

MEMORANDUM

January 22, 2021

To: Kevin Kothe, PE, Director of Public Works

From: Joseph M. Darter, Property Manager

Subject: Lot 18, Block 3 in Camp Kickapoo Lake Lease Transfer

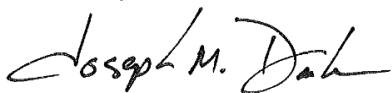
A Petition and Lake Lease Transfer request has been submitted for Lot 18, Block 3 in Camp Kickapoo, from Anne Bliss to the petitioners, Douglas C. and Tracey A. McCord

EAV for this property is \$222,120. The Lake Lease uses the current lake lease rate of \$0.15 per \$100.00 of EAV.

This petition will have a financial impact in that the current lease uses the current formula of \$0.15 per \$100.00 Equalized Assessed Value to determining the Lake Lease Fee. With the current lease rate formula of \$0.40 per \$100.00 Equalized Assessed Value, this lease will generate approximately \$888.48 per year in lease income and \$150.00 for lot garbage pickup. Lease revenue is posted into the Lake Maintenance Lease Income account (50100140-57590). The Garbage Collection fee is recorded in Lake Maintenance – Other Charges for Services account (50100140-54990). Stakeholders can locate this in the FY2021 Budget Book titled "Other Funds & Capital Improvements" on page 128.

Please feel free to contact me directly should you have any questions.

Sincerely,



Joseph M. Darter
City of Bloomington | Property Manager
Public Works Department | Water Division
25515 Waterside Way | Hudson, IL 61748
Office: (309) 434-2431 | Cell: (309) 275-8087
Fax: (309) 434-2159 | Email: jdarter@cityblm.org

Lake Bloomington Lease Transfer Petition

That the purchase price and rentals having been paid to the City of Bloomington for:

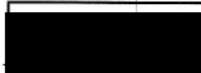
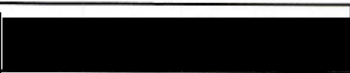
LOT: 18 BLOCK 3 of Camp Kickapoo

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

From: (please print) Anne Bliss (Seller Name)

To: (please print) _____ (Buyer Name)

Signatures of Sellers

Signatures of Sellers

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

Now comes (please print) Douglas C. & Tracey A. McCord (Buyer) and

respectfully shows that He/She/They became the purchaser of all right, title, and interests of

Anne Bliss (Seller) In and to the Lease made on the

(Date) _____ upon the above property, all located in McLean County, Illinois, together with all the

improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said

(Seller) Anne Bliss has executed deed of transfer of their interest in

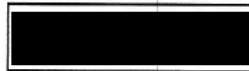
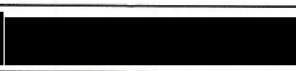
said premises and an assignment of the Leases therefore your petitioner.

Petitioner further shows that in and by the terms of said Leases it was provided that the Lessee shall not sell, assign, or transfer said premises without the written consent of the Lessor.

Petitioner therefor prays that the written consent to said transfer may be forthwith provided by the said Lessor, the City of Bloomington, Illinois and your petitioner has submitted herewith a form of said written consent.

Respectfully submitted

Signature of Buyer

Signature of Buyer

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON:

LOT 18 BLOCK 3 CAMP Kickapoo,
OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title, and interest of (Seller) Anne Bliss, in and to the premises known as LOT 18 BLOCK 3 in Camp Kickapoo, in McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

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

Executed this _____ day of _____.

, Mayor



McLean County Health Department
200 West Front Street, Room 304
Bloomington, IL 61701

December 18, 2020

Ms. Anne Bliss
[REDACTED]

Re: Septic Permit #96-9598
Parcel #08-06-353-023
Lot 160, Lake Bloomington - Kickapoo Subdivision

Dear Ms. Bliss:

On December 2, 2020, this department received a septic system evaluation report from Mr. Rob Williamson, a McLean County licensed private sewage system installer, regarding the above-referenced property. The septic system evaluation was performed on December 1, 2020 and the following deficiencies were noted:

- The septic tank is a minimum of 500 gallons too small. This may remain as is until the septic system is repaired or replaced.
- The vent for the sand filter is routed through the plumbing for the house. This may remain as is until the septic system is repaired or replaced.
- The effluent receiving trench for the sand filter is covered in grass. The grass must be removed, and the rock must be replaced as needed.
- Our paperwork indicates a pump station was installed; however, a pump station was not located during the evaluation and you indicated there is not a pump station or alarm on this system.

As the current owner of a surface discharging septic system (sand filter, aerobic treatment unit, etc.), this office is informing you of State-wide changes in regulations regarding the operation and ownership of such discharging septic systems. They include the following:

1. As of February 10, 2014, any proposed new or replacement surface discharging system must have coverage under a National Pollutant Discharge Elimination System (NPDES) permit prior to installation. For more information, please visit our website at <https://health.mcleancountyil.gov/>
2. Routine sampling of the effluent discharged from the system and the reporting of the laboratory results to a regulatory agency or agencies.

3. The cost of effluent sampling and any additional treatment components needed to keep the system compliant with permit requirements will be the responsibility of the owner of the system.
4. The Illinois Department of Public Health (IDPH) now requires additional operation and maintenance for on-site wastewater treatment systems repaired or installed after January 1, 2014.
5. Future regulations may be implemented by the Illinois Environmental Protection Agency (IEPA) and/or the IDPH for systems constructed prior to February 10, 2014.

Chlorine tablets made for use in the chlorinator are available through the following companies:

Bradford Supply
2000 South Bunn Street
Bloomington, IL 61704
Phone: (309) 828-8313

Tolan's Excavating
2903 Gill Street
Bloomington, IL 61704
Phone: (309) 663-0191

Shoemaker Farm Drainage
202 W. Pine Street
LeRoy, IL 61752
Phone: (309) 962-3108

Zeschke Septic Cleaning
2408 Greyhound Road
Bloomington, IL 61704
Phone: (309) 808-2776

In summary, the septic system was installed in 1996 and is now approximately 24 years old. This office considers the average life expectancy of a septic system to be 20 to 25 years.

For information on routine operation and maintenance of your septic system, please visit our website at <https://health.mcleancountyil.gov>.

If you have any questions, please contact Ms. Samantha Odenthal of this department at (309) 888-5482.

Respectfully,



Thomas J. Anderson
Director of Environmental Health

cc: Mr. Rob Williamson, Williamson Excavating, LLC
Mr. Joe Darter, Water Department Property Manager
Mr. & Mrs. Doug McCord

TJA:AC:hm

AC-0601-20-274a

EVALUATION REPORT FOR A MCLEAN COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM

Log #: _____
Date Received: _____

This form is to be used for all inspections or evaluations of existing septic systems in McLean County. It is essential that the inspection be as complete as possible to determine the condition of the entire system. This includes interviewing the person who resides at or uses the building the septic system serves. Please complete all sections of the form that apply to the septic system you are evaluating. The tank must be uncovered with the baffles, liquid and sludge depths checked. At a minimum, the field must be probed to determine if there is water standing in the trenches. Upon probing, if it is determined there is water standing in the trenches, the Health Department highly recommends a minimum of two locations in the trenches be exposed to determine the condition of the rock and pipe. Any sign the system is failing or has not functioned properly, must be thoroughly documented on this report. Place all comments in the comment section on the last page.

This evaluation is NOT FINAL until the McLean County Health Department has reviewed the information in this evaluation and issued a letter regarding the information to the parties listed in the evaluation.

1. Current Owner Information:

Name: Anne Bliss

Address: _____

Phone #: Day - - Home - -

2. Requestor Information:

Name: Doug & Tracey McCord

Address: _____

Phone #: Day - - Home - -

3. Property Information:

Parcel Number (Tax ID): () 08-06-353-023

Date Evaluation Performed: 12-01-20

Address of property evaluated: _____ Sub. & Lot: _____

Permit available from Health Dept.: Yes ☒ No ☐ Permit #: 96-9598

4. Interview Information:

Person interviewed: Kindi Bliss

Original owner: Yes ☒ No ☐

Age of home (years): 24

Intended for seasonal use: Yes ☐ No ☒

Date last occupied: currently

Number of occupants: 1

Has tank ever been pumped: Yes ☒ No ☐

If yes, how often: Every 5 years;

last in 2019

5. Interior Evaluation:

Number of bedrooms: 3

Garbage disposal: Yes ☒ No ☐

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

Water softener discharges to: n/a

Clothes washer discharges to: septic

Dishwasher discharges to: septic

Hot tub discharges to: n/a

Basement plumbing fixtures:

Discharge locations:

a. all

a. septic

b. _____

b. _____

c. _____

c. _____

d. _____

d. _____

Basement floor drains discharge to: septic

Garage floor drains discharge to: n/a

Sump pit/pump discharges to: n/a

Downspouts discharge to: ground surface

6. Exterior Evaluation Points:

A. SEPTIC TANK(s) -- This Section N/A ☐

All tanks must not be pumped before the inspection, but should be pumped after the inspection, if needed.

Tank One: N/A ☐	Yes	No	Tank Two: N/A ☐	Yes	No
Depth of soil to top of tank: 10 inches			Depth of soil to top of tank: inches		
Tank has access within 12" of ground surface	☒	☐	Tank has access within 12" of ground surface	☐	☐
Size: 1000 gallons Type:			Size: gallons Type:		
Meets current code:	☐	☒	Meets current code:	☐	☐
Tank lids in good condition:	☒	☐	Tank lids in good condition:	☐	☐
Inlet baffle in good condition:	☒	☐	Inlet baffle in good condition:	☐	☐
Evidence of solids on inlet baffle:	☐	☒	Evidence of solids on inlet baffle:	☐	☐
Outlet baffle in good condition:	☒	☐	Outlet baffle in good condition:	☐	☐
Evidence of solids on outlet baffle:	☐	☒	Evidence of solids on outlet baffle:	☐	☐
Water standing in outlet:	☐	☒	Water standing in outlet:	☐	☐
Water level below outlet:	☐	☒	Water level below outlet:	☐	☐
Tank needs to be pumped:	☐	☒	Tank needs to be pumped:	☐	☐
Outlet device/filter on tank:	☐	☒	Outlet device/filter on tank:	☐	☐
Type:			Type:		
Back flow into tank from system after pumping:			Back flow into tank from system after pumping:		
Yes ☐ No ☐ N/A ☐			Yes ☐ No ☐ N/A ☐		

B. SEEPAGE FIELD -- This Section N/A ☒

Depth to top of field: inches to inches

Square feet of field: square feet

Meets current code sizing requirements:

Seepage standing on ground surface:

Lush vegetation or saturated soil on or near seepage field area:

Evidence that water has ponded over seepage field or the soil is saturated:

Solids or "carry over" material present in the rock or bedding material:

Depth of water in trench : inches

Yes	No
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

C. SERIAL DISTRIBUTION/STEP-DOWN -- This Section N/A ☒

Are the serial distribution relief or "step-down" pipes in compliance with Section 905.60 (d) of the code?

Yes	No
☐	☐

D. SEEPAGE BED -- This Section N/A ☒

Depth to top of bed: inches to inches

Square feet of bed: square feet

Meets current code sizing requirements:

Seepage standing on ground surface:

Lush vegetation or saturated soil on or near seepage bed area:

Evidence water has ponded over seepage bed or is soil saturated:

Solids or "carry over" material present in the rock or bedding material:

Depth of water in bed : inches

Yes	No
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

E. SAND FILTER -- This Section N/A ☐

Minimum soil cover depth to top of sand filter: 26 inches

Square feet of sand filter: 612 square feet

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

Meets current code sizing requirements:

Seepage standing on ground surface over filter:

Lush vegetation on or near sand filter:

Evidence if water has ponded over sand filter:

Sand filter vented as required:

Vent in good repair:

Chlorinator with screw on cap present:

Chlorinator tube with corrosion resistant handle present:

Evidence of chlorination:

Evidence of restricted flow in chlorinator:

Sample port with screw on cap present:

Yes No

☐	☒
☒	☐
☐	☒
☐	☒
☐	☒
☐	☒
☐	☒
☒	☐
☒	☐
☒	☐
☐	☒
☒	☐

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

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

Pump chamber an approved design:

Chamber volume 1.5 times the daily flow:

Is there a dual pump:

Alarm present:

Alarm location:

Alarm properly working with audio and visual functions:

Yes No

☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

G. AEROBIC UNIT -- This Section N/A ☒

Manufacturer: _____ Model number: _____

Size of unit: gallons

Pump running at time of inspection:

Current maintenance contract in place:

Who is maintenance contract with: _____

Alarm present:

Alarm location: _____

Alarm properly working with audio and visual functions:

Unit discharges to: Seepage field ☐ Seepage bed ☐ Sand filter ☐ Other: _____

If other, what method of chlorination is used: _____

Chlorinator with screw on cap present:

Chlorinator tube with corrosion resistant handle present:

Evidence of chlorination:

Yes No

☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

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

Include all distances as described below.

NOTE: Be sure to attach drawing to this report.

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

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

Comments:

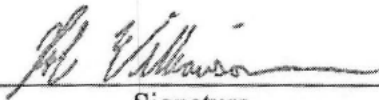
This section is to include any maintenance (pumping) repairs or problems in the history of the septic system. Write any observations and/or conclusions made by probing or excavating the seepage field or sand filter. A serial distribution system must include the condition of each level of field or trench.

The septic tank does not need to be pumped at this time but it should be checked regularly and pumped as needed in the future. The septic tank is undersized for this house. There is no sand filter vent. The health department diagram has a pump station but I could not find one and the homeowner said there is no pump station. There is a rock trench but it is covered with grass. This septic system does appear to be functioning at this time. The average life of a septic system is about 25 years. This septic system is 24 years old.

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

Rob Williamson

Inspector's Name (print)



Signature

12-02-20

Date

959171

CUSTOMER'S ORDER NO.		DATE
NAME		1/6/21
ADDRESS		
CITY, STATE		

1	Trench Completed	1495 ⁰⁰
2	according to septic	
3	installer, Rob Williamsons	
4	instructions.	
5		
6	River Rock added	
7	as per instructions.	

1495⁰⁰



LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the _____ day of _____,

between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called CITY and Douglas C. McCord

Tracey A. McCord
(if more than one Lessee, cross out 2 of the following that do not apply) (~~as joint tenants~~) (~~as tenants in common~~) (~~as tenants by the entirety~~) of , Hudson, County of McLean, State of Illinois, hereinafter called "Lessee,"

WITNESSETH

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

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

Lot 18 in Block 3 in Camp Kickapoo according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.

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

3. RENT.

LESSEE'S NOTICE: This lease form, including the rental rate, is currently under review by the City of Bloomington City Council (see City Code: Chapter 23, Section 58). Once City staff has completed the updates to the lease form, it will be provided to you and will thereafter be subject to City Council approval. Note for leases with an end date, prior to this transfer, of January 1, 2032 or earlier, the updated lease form is likely to include a change in the rental rate of this transfer and therefore, the rate change will also be applied to this lease effective January 1, 2032 to December 31, 2131.

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

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

~~1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, including land and improvements, as determined by the Supervisor of Assessments of~~

~~McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.~~

2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will remain in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

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

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

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

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

7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.
8. GARBAGE. City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
12. TREE CUTTING. No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
13. DEFAULT. If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.
14. TERMINATION BY LESSEE. Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any

improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.

15. EMINENT DOMAIN. If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between City and Lessee as follows:

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.

16. PRIOR LEASE TERMINATED. If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.

17. NOTICE. Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City

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

Lessee Name and Mailing Address

Doug and Tracey McCord



Lessee Billing Address

Doug and Tracey McCord



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

IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

-Lessee-

CITY OF BLOOMINGTON

By:

Its Mayor



Attest:



City Clerk

SUPPLEMENTAL ATTACHMENT TO LAKE BLOOMINGTON LOT LEASE

This Agreement is entered into by and between the City of Bloomington, McLean County, Illinois, a Municipal Corporation, (hereinafter, "Lessor") and Douglas C. & Tracey A. McCord, (hereinafter, "Lessees") and is intended by the parties to be incorporated into and made a part of the lake lot lease between the parties for Lot 18 in Block 3 in Camp Kickapoo and enforceable under the terms of said lease.

1. Septic tank(s) are to be pumped no later than February 8, 2024, and once every three years following. Proof of pumping shall be submitted to the City of Bloomington.
2. Septic System shall be evaluated by a McLean County Health Department approved septic evaluator no later than February 8, 2024, and once every three years following. Proof of evaluation shall be submitted to the City of Bloomington.
3. This supplement lease agreement shall be enforceable under the terms of the lease it supplements in the same manner and to the same extent as the terms of the lease.

LESSOR:

City of Bloomington,
a Municipal Corporation

By: _____
Tari Renner, Mayor

ATTEST: _____
Leslie Smith-Yocum, City Clerk

LESSEES:

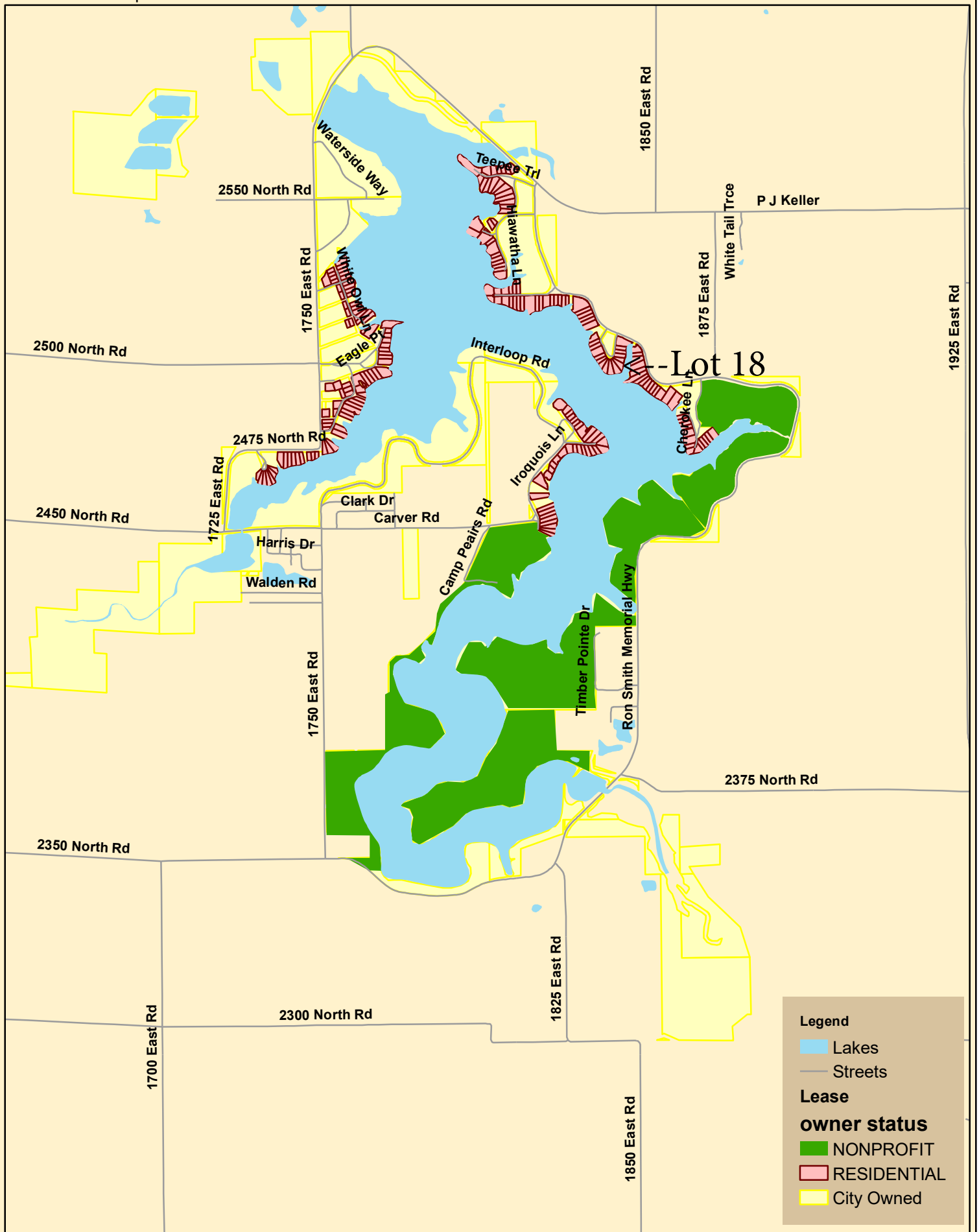
Douglas C. McCord

Tracey A. McCord

Lake Bloomington Lease Map



0 1,000 2,000 Feet



Legend

 Lakes

 Streets

Lease owner status

 NONPROFIT

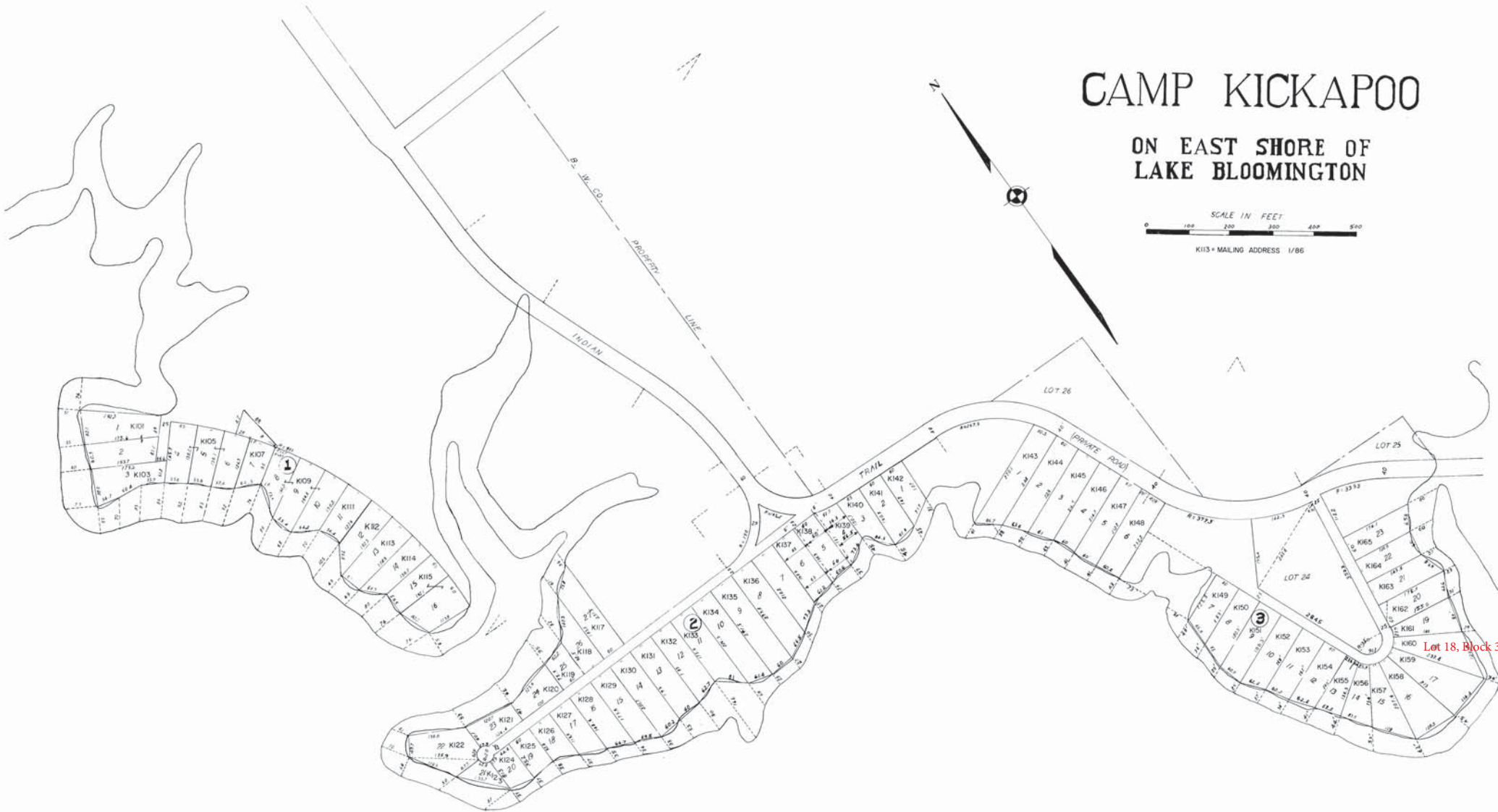
 RESIDENTIAL

 City Owned

CAMP KICKAPOO

ON EAST SHORE OF
LAKE BLOOMINGTON

SCALE IN FEET
0 100 200 300 400 500
K113 • MAILING ADDRESS 1/86



Lot 18, Block 3

RETRACED ON JULY 23, 1973 FROM A PRINT OF A TRACING MADE AUGUST 20, 1943 OF THE ORIGINAL PLAT.
(NO DATE AVAILABLE FOR THE ORIGINAL PLAT)

CAMP KICKAPOO LAKE BLOOMINGTON			
CITY OF BLOOMINGTON, ILLINOIS 61701			
OFFICE OF THE CITY ENGINEER			
PLAT SCALE	VERT. SCALE	FILE NO.	
REU	7/23/73	LB-1	
REU	7/23/73	SHT. 1 OF 1	

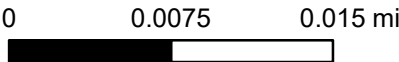
Lot 18, Block 3 Structure Map



McGIS, <http://www.McGIS.org/License>, Melean County Museum of History



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.





REGULAR AGENDA



REGULAR AGENDA ITEM NO. 9.A

FOR COUNCIL: February 8, 2021

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.

RECOMMENDED MOTION:

No modifications recommended at this time.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 1e. Partnering with others for the most cost-effective service delivery
- Objective 1d. City services delivered in the most cost-effective, efficient manner
- Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: On March 26, 2020, the City Council approved Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures. This Ordinance is effective for 28-day periods unless amended or repealed sooner by the City Council. Absent such repeal or amendment, the Ordinance continues in effect for additional 28-day periods.

As part of the passage of the Ordinance and due to its importance, the City Manager committed to placing Ordinance 2020-18 on every regular agenda. This allows the Council to repeal it as soon as the pandemic subsides, and thus end the use of the City's emergency powers.

On January 8, 2021, Governor Pritzker issued a new 30-day disaster proclamation related to the pandemic. As the community, including the City's businesses and residents, continues to address the impacts of the COVID-19 pandemic, City staff is not currently recommending the repeal of the Ordinance at this time.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: There is no new financial impact associated with continuing Ordinance 2020-18 in effect.

COMMUNITY DEVELOPMENT IMPACT: The continuation of Ordinance 2020-18 allows several key functions of the Economic & Community Development Department to continue that do

not include statutorily mandated public hearings, as well as the expansion of certain business operations for outdoor dining.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:



Jeffrey R. Jurgens, Corporation Counsel

1/27/2021



Tara Henry, Legislative Assistant

2/4/2021

Recommended by:



Tim Gleason, City Manager

Attachments:

- LGL 1B Local Emergency Declaration Ordinance 2020-18
- LGL 1C Ord. No. 2020 - 21
- LGL 1D Ord. No. 2020 - 25
- LGL 1E Ord. No. 2020 - 30
- LGL 1F Ord. No. 2020 - 38
- LGL 1G Ord. No. 2020 - 45
- LGL 1H Ord. No. 2020 - 61
- LGL 1I Ord. No. 2021 - 2

ORDINANCE NO. 2020 - 18

AN ORDINANCE DECLARING A LOCAL EMERGENCY
DUE TO THE COVID-19 VIRUS & ENACTING VARIOUS EMERGENCY MEASURES

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared it a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020, due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 outbreak; and

WHEREAS, the City Manager and staff have been meeting for weeks to begin preparing for the potential impact of the pandemic and has coordinated its response with McLean County and the Town of Normal; and

WHEREAS, the City Council has considered the existence of a public health emergency in acting upon this ordinance and actions required to promote the health, safety and welfare of its citizens; and

WHEREAS, 20 ILCS 3305/10J, of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Illinois Municipal Code and Chapter 12 of the Bloomington City Code provides political subdivisions with certain emergency authority; and

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

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

SECTION 2. Emergency Authority. In accordance with the authority provided to the City by the Emergency Management Agency Act, the City Code and its home-rule authority, the following actions are authorized by the City Council:

- (A) Cancellation of Meetings. The Mayor may cancel meetings of any board or commission to which he appoints members. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. In lieu of the Mayor

cancelling said meetings, the Chairperson of any board or commission may cancel said meetings and are encouraged to do so absent a priority need.

- (B) Ability to Conduct Electronic Meetings. Any Council Member or board member of any board or commission, in accordance with Governor Pritzker's COVID-19 Executive Order No. 5 may attend any regular or special meeting via electronic means, including audio or video conferences. A physical quorum of the Trustees is not required before the remote participation is allowed.
- (C) Ability to Address Contract, Permitting and Licensure Issues. The City Manager shall have the authority, upon approval of both the Mayor and Mayor Pro Tem, to address any contract, permitting and/or licensing issues, including the suspension of any permits or licenses, as the City Manager may deem to be in the best interest of the City. The suspension of any license or permit may be overturned by a majority of the City Council at a subsequent City Council meeting.
- (D) Emergency Purchases. For any emergency purchases that are necessary, the City Manager shall follow the provisions of Chapter 16 of the Bloomington City Code.
- (E) Personnel Policies & Union Contracts. The City Manager's authority is hereby reaffirmed that he may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency. In addition, he is authorized to enter into such temporary agreements, including memoranda of understanding with the City's bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.
- (F) Facility Closures. The authority of the City Manager is hereby reaffirmed to close City facilities as is reasonably required to protect the health of the public and employees of the City.
- (G) Administrative Court. The Corporation Counsel is authorized to extend any timeframe for responses related to City ordinance violations in recognition of the emergency and to suspend the City's Administrative Court and/or continue said cases.
- (H) Moratorium on Interest, Fines and Penalties. No interest, fines and/or penalties shall accrue or be assessed on amounts owed to the City as of March 1, 2020, for City utility payments, food and beverage taxes (although timely tax return filings are still required), parking tickets and/or ordinance violations, so long as said obligations to the City are paid within 30 days after the conclusion Governor Pritzker's Gubernatorial Disaster Proclamation, including any and all renewals thereof, or until this provision is amended or repealed by the City Council. The City Manager is similarly authorized, by Executive Order, to extend the deadlines for payments related to any other amounts due and owing the City.

- (I) Payment of City Bills. The City Manager may authorize the issuance of payments to City vendors, contractors and utilities if the City Council is unable to meet on a regularly scheduled meeting date. Any such payments must be reported to the City Council in writing at a future public meeting.
- (J) Water Shut Offs. All City utility shut offs for nonpayment shall be suspended while this ordinance is in effect.
- (K) Acceptance of Applications. The City is authorized to accept applications for all City licenses and permits electronically, and may accept all other documentation required related to said applications electronically.
- (L) Written Public Comment. The City Manager shall implement procedures encouraging the electronic submission of written comments for public meetings beyond those set forth in Chapter 2, Section 85(I). These procedures shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof.
- (M) Community Development Approvals. The City Manager and Director of Community Development, or City Planner in the absence of the Director of Community Development, shall have the authority to approve grant applications, the awarding of historic preservation grants, cite plans not involving special uses, certificates of appropriateness, and to postpone any meetings regarding the Planning Commission and Zoning Board of Appeals. Any applications requiring a public hearing may also be postponed by the City Manager.
- (N) Liquor Commissioner Authority to Allow Deliveries. The Liquor Commissioner shall be granted the authority to allow all restaurant liquor license holders (Class RA and Class RB), as well as all taverns (Class TA and Class TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) for curbside pickup and Chapter 6, 32(D) for deliveries, as well as any other requirements that may be imposed by Executive Order of the Mayor. No packaged liquor license component shall be required. This authority of the Liquor Commissioner shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof, or until this authority is repealed by the City Council.
- (O) Intergovernmental Agreements. The City Manager is authorized to execute intergovernmental agreements that address the response and needs associated with this local disaster declaration that he deems to be in the best interests of the City.

SECTION 3. Other Emergency Powers Disallowed. The Emergency Powers in Chapter 12, Section 11 are not necessary to address the COVID-19 crisis. Accordingly, no such powers may be exercised by the Mayor, City Manager or their successors.

SECTION 4. Succession Planning. In the absence or incapacity of the Mayor, the Mayor Pro Tem shall serve as the Mayor of the City of Bloomington and shall have all authority and power of the Mayor, including the emergency powers set forth in this Ordinance. If the Mayor Pro Tem is incapacity or otherwise serving as Mayor, the City Council shall appoint a new Mayor Pro Tem. In the absence or incapacity of the City Manager, the Deputy City Manager shall serve as the City Manager of the City of Bloomington and shall have all authority and power of the City Manager, including the emergency powers set forth in this Ordinance. In the absence or incapacity of both the City Manager and the Deputy City Manager, the Corporation Counsel shall serve as the City Manager of the City of Bloomington and shall have all authority and power of the City Manager, including the emergency powers set forth in this Ordinance.

SECTION 5. Declaration of a Local Disaster. This Ordinance shall be construed as a declaration of a local disaster as provided for under Section 11 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/11.

SECTION 6. Amendment of City Code. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 7. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 8. Publication. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

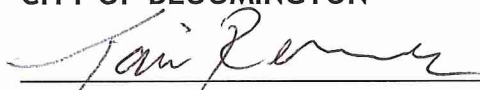
SECTION 9. Home Rule Authority. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 10. Effectiveness & Duration. This ordinance takes effect immediately upon its passage due to the urgency of implementing appropriate responses to the COVID-19 virus, which is causing or anticipated to cause widespread impacts on the health of members of this community. The recitals are incorporated into this Section. This ordinance shall be effective for 28 days from the date of passage unless repealed or amended sooner by the City Council. The ordinance shall continue for 28-day periods thereafter unless repealed or amended by the City Council.

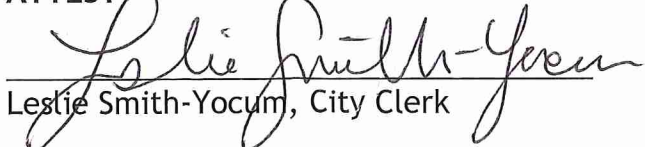
PASSED this 26th day of March 2020.

APPROVED this 27th day of March 2020.

CITY OF BLOOMINGTON


Tara Renner, Mayor

ATTEST


Leslie Smith-Yocum, City Clerk

ORDINANCE NO. 2020 - 21

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD CLUB LIQUOR LICENSES TO SECTION 2(N)**

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

SECTION 1. That Ordinance 2020-18 is hereby amended by amending Section 2(N) to read as follows (added; deleted):

(N) Liquor Commissioner Authority to Allow Deliveries. The Liquor Commissioner shall be granted the authority to allow all restaurant liquor license holders (Class RA and Class RB), club liquor license holders (Class CA and Class CB), as well as all taverns (Class TA and Class TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) for curbside pickup and Chapter 6, 32(D) for deliveries, as well as any other requirements that may be imposed by Executive Order of the Mayor. No packaged liquor license component shall be required. This authority of the Liquor Commissioner shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof, or until this authority is repealed by the City Council.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

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

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

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

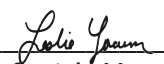
PASSED this 13th day of April 2020.

APPROVED this 15th day of April 2020.

CITY OF BLOOMINGTON


Tari Renner, Mayor

ATTEST


Leslie Smith-Yocum, City Clerk



ORDINANCE NO. 2020 - 25

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(P) TO ALLOW THE PRORATION OF THE CITY'S VIDEO GAMING LICENSE FEES

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

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(P) as follows:

(P) Video Gaming License Fee Proration; Other License Fee Prorations. To account for the mandated closure of video gaming establishments, the City shall prorate the City's video gaming license fee as follows: (1) for the license year May 1, 2019, through April 30, 2020, the City shall reimburse license holders 12% of the license fee paid within 15 days of adoption of this Ordinance; and (2) for the license year May 1, 2020, through April 30, 2021, the City shall issue a refund of the license fee based on the prorated amount of time the establishment was not authorized to operate within said year by the Illinois Gaming Board due to the COVID-19 pandemic or may otherwise offset said amount when the license fee is paid. Any such refund shall be paid by the City within 15 days after video gaming establishments are lawfully authorized to resume operations by the Illinois Gaming Board. The City Manager is similarly authorized, by Executive Order, with the written concurrence of both the Mayor and Mayor Pro Tem, to prorate other annual City license fees for license holders that are not permitted to operate by state or federal mandate due to the COVID-19 pandemic.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

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

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

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 27th day of April 2020.

APPROVED this 28th day of April 2020.

CITY OF BLOOMINGTON


Tari Renner, Mayor

ATTEST


Leslie Smith-Yocum, City Clerk



ORDINANCE NO. 2020 - 30

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD A NEW SECTION 2(Q) REGARDING LIQUOR LICENSE FEES
AND A NEW SECTION 2(R) REGARDING COVID-19 GRANTS**

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

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(Q) as follows:

(Q) Liquor License Fee Proration. Establishments with a City liquor license that are not operating due to the pandemic, may apply to have their license fees prorated for the license year based on the amount of time the business was closed due to Executive Order of the Governor of the State of Illinois. To qualify for a proration in the license fee, the establishment must have been closed and may not have been providing curbside pickup and/or delivery. This shall be a one-time proration and only for establishments that were closed continually for at least 30 days. Establishments must apply for the proration refund to the City Clerk and shall be required to provide proof of closure by affidavit and/or other documentation as deemed appropriate by the City Clerk. Applications must be received by the City Clerk at least 30 days after establishments are allowed to have customers/patrons “dine-in” regardless of capacity restrictions.

SECTION 2. That Ordinance 2020-18 is hereby amended by adding a new Section 2(R) as follows:

(R) COVID-19 GRANT AGREEMENTS. The City Manager, or designee, is authorized to enter into grant agreements on behalf of the City related to the COVID-19 pandemic and to submit grant applications related to same.

SECTION 3. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 11th day of May 2020.

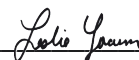
APPROVED this 12th day of May 2020.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Leslie Smith-Yocum, City Clerk



ORDINANCE NO. 2020 - 38

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD A NEW SECTION 2(S) REGARDING
TEMPORARY OUTDOOR BUSINESS OPERATIONS AND STREET CLOSURES**

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

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(S) as follows:

(S) Temporary Outdoor Business Operations & Street Closures. The City Manager shall have the authority, through Executive Order, to temporarily close streets, or portions thereof, for outside use by businesses when said closure can be performed in a safe manner. The City Manager is also authorized to allow for the outdoor temporary expansion of premises for businesses, including but not limited to on closed public streets and/or other right-of-way areas of the City, including parking lots, parking spaces and alleys. The City Manager shall provide for the closure of any streets and the process for expansion of premises by Executive Order. No fee shall be required for any expansion, but appropriate insurance, waivers, barriers, plans, and other safety measures may be required. The City Manager may likewise waive any other requirements related to the expansion of a business premises for off-premises use and/or the placement of tents for outdoor use and may implement other Executive Orders to allow for and expedite the allowance of outdoor business operations.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

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

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

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 26th day of May 2020.

APPROVED this 27th day of May 2020.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Leslie Smith-Yocum, City Clerk



ORDINANCE NO. 2020 - 45

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO MODIFY SECTION 2(H) REGARDING THE MORATORIUM ON
INTEREST, FINES AND PENALTIES

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

SECTION 1. That Ordinance 2020-18 is hereby amended by modifying Section 2(H) as follows:

- (S) Moratorium on Interest, Fines and Penalties. No interest, fines and/or penalties shall accrue or be assessed on amounts owed to the City as of March 1, 2020 and thereafter until our region begins Phase 4 of the Restore Illinois Plan, for City utility payments, food and beverage taxes (although timely tax return filings are still required), parking tickets and/or ordinance violations, so long as said obligations to the City are paid within ninety (90) days after our region hits Phase 4 of the Restore Illinois Plan, expected to be June 26, 2020, ~~30 days after the conclusion of Governor Pritzker's Gubernatorial Disaster Proclamation, including any and all renewals thereof,~~ or until this provision is amended or repealed by the City Council. The City Manager is similarly authorized, by Executive Order, to extend the deadlines for payments related to any other amounts due and owing the City.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

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

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

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

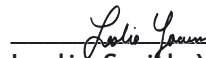
PASSED this 24th day of June 2020.

APPROVED this 25th day of June 2020.

CITY OF BLOOMINGTON


Tari Renner, Mayor

ATTEST


Leslie Smith-Yocum, City Clerk



ORDINANCE NO. 2020 - 61

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD A NEW SECTION 2(T) SUSPENDING
DOWNTOWN SHUTTLES**

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

SECTION 1. The City Council finds that: (1) as McLean County is currently on the warning level for the new cases per 100,000, additional emergency measures are necessary to restrict the spread of COVID-19; and (2) the operation of the downtown shuttles, used to carry patrons to and from bars in vehicles where social distancing is not possible, creates a public health and safety risk during this time of rising cases; and (3) that the suspension of downtown shuttles is necessary for the public health and safety of the community.

SECTION 2. That Ordinance 2020-18 is hereby amended by adding a new Section 2(T) as follows:

(T) Suspension of Downtown Shuttles. All licenses and certificates of public convenience for downtown shuttles issued under Chapter 40, Article X of the City Code are hereby suspended and no downtown shuttle shall operate until the repeal and/or termination of this Ordinance or provision. No additional and/or new licenses or certificates shall be issued until the repeal or termination of this Ordinance or provision.

SECTION 3. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 14th day of September 2020.

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APPROVED this 16th day of September 2020.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Leslie Smith-Yocum, City Clerk



ORDINANCE NO. 2021 - 2

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO MODIFY SECTION 2(Q) TO ALLOW THE CONTINUED PRORATION OF THE CITY'S LIQUOR LICENSE FEES

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

SECTION 1. That Ordinance 2020-18, Section 2(Q) is amended as follows:

(Q) Liquor License Fee Proration. Establishments with a City liquor license that are not operating due to the pandemic, may apply to have their license fees prorated for the license year based on the amount of time the business was closed due to Executive Order of the Governor of the State of Illinois. To qualify for a proration in the license fee, the establishment must have been closed and may not have been providing curbside pickup and/or delivery. ~~This shall be a one-time proration and only for establishments that were closed continually for at least 30 days.~~ Establishments must apply for the proration refund to the City Clerk and shall be required to provide proof of closure by affidavit and/or other documentation as deemed appropriate by the City Clerk. Applications must specify the dates the Establishment was closed as a result of orders by the State of Illinois. A new application must be filed each time the establishment is closed as a result of the orders by the State of Illinois. New applications for fee refund prorations that occurred for closings in the 2020 calendar year must be filed by March 1, 2021. Applications for any fee refunds prorations that occur as the result of closings in the 2021 calendar year must be filed by January 31, 2022. Applications must be received by the City Clerk at least 30 days after establishments are allowed by executive order of the Governor or other change in the law, to have customers/patrons "dine-in" regardless of capacity restrictions.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

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

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

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 11th day of January 2021.

APPROVED this 13th day of January 2021.

CITY OF BLOOMINGTON

Tari Renner
Tari Renner, Mayor

ATTEST

Leslie Smith-Yocum
Leslie Smith-Yocum, City Clerk

