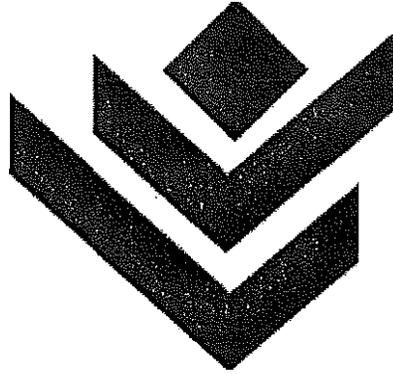




CITY OF
BLOOMINGTON
COUNCIL MEETING
SEPTEMBER 11, 2017



City Logo Design Rationale

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

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

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

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

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

Brief Summary of Five Council Priorities

Five Priorities

At the September retreat, Council informally selected its top five priorities, and since that time staff has seen that these five areas are the dominant focus of the Council's policy deliberations. The selected priorities are:

1. Economic Development
2. Infrastructure
3. Financial Planning
4. Reduced Emergency Response Times
5. Downtown Implementation Plan

The value in naming priorities is to establish policy direction, make that direction known to stakeholders and guide policy, budget and operational decisions. As we work to develop the City's FY17 budget, staff would find value in formalizing the five priorities for the next fiscal year.

Prior to formalization, we have prepared this brief summary to begin the dialogue about what each priority means, where it stands and what it will take to advance each going forward.

1. Economic Development

- A. Economic development was overwhelmingly recognized by the Council as **essential to the financial sustainability** of the community. It is our prime means to diversify our tax base and expand our revenue streams.
- B. City of Bloomington economic development is undertaken in parallel with **regional collaboration** and economic development initiatives of the EDC, B/N Advantage and others.
- C. The time is right to review our **economic development strategic plan and incentive policy**. Tools such as TIF are invaluable for the redevelopment of areas such as Colonial Plaza, and will be key to our success.
- D. Economic development cannot stand alone and depends on sound infrastructure and quality of life to successfully ensure a financially-sound future for our community.

2. Infrastructure

- A. The City is decades behind in funding much-needed **infrastructure maintenance**, estimated to total \$400M or more. Reliable infrastructure with the capacity to handle growth is essential to economic development, quality of life and the City's financial long-term stability.
- B. Our City's recently completed **infrastructure Master Plans**, encompassing streets, sanitary sewers, storm water, facilities, sidewalks and more provide detailed inventory, condition rating and make it possible for us to assess and prioritize critical needs.
- C. The next essential step is to develop a **five year Capital Improvement Plan** to address the most urgent/timely needs, AND a funding strategy.
- D. Some projects included in the City's Master Plans are prime candidates for borrowing. Financing options are many, and Council will determine a preferred strategy, ranging from conservative to aggressive.

3. Financial Planning

- A. Since the Great Recession, we are all adapting to a new economy that requires us to have a **long-term, continuously evolving plan for financial sustainability**, including a plan for appropriate reserves. We must have a balanced budget to avoid the pitfalls and reputational damage that many other governments continue to experience.
- B. A deficit in the City's General Fund was averted in the near term through Budget Task Force recommendations and the Council's recent adoption of a 1% sales tax increase. However, the City's expenses, especially those tied to Police and Fire pensions and labor costs, will continue to increase over the years. The **potential for a General Fund structural deficit** will continue to threaten future budgets.
- C. It will take all of us, including our citizens, to develop solutions for achievement of financial sustainability. We must focus on refining our financial projections, re-forecasting when appropriate, identifying programs and services, establishing appropriate levels of service performance measures, and prioritization.
- D. A **Capital Improvement Plan and funding** is critical to the City's financial strategy now and going forward.

4. Reduced Emergency Response Times

- A. Despite the excellent efforts of our first responders, the Fire Master Plan identified that **service to the City's northeast portion is inadequate and response times are below our standards**. Long-term, the Master Plan recommends a new Fire Station facility to serve the northeast area of the City. In the short-term, we must identify creative and innovative methods to reduce EMS and fire suppression response times.
- B. Quality public safety services are essential to a community's Economic Development and, with so many financial resources devoted to public safety, **finding efficient solutions to public safety issues** contributes to the long-term financial health of the community.

5. Downtown Implementation Plan

- A. The Downtown Master Plan was adopted by the City Council in 2013 without an Implementation Plan. Increased interest in Downtown economic development, notably in the proposed addition of hotel and/or convention center space, indicates this is the time to **design the City's role** in success of the Downtown.
 - a. It will take inside and outside **resources to vet potential Downtown projects**.
 - b. We must determine the amount and type of **public engagement** that is appropriate for Downtown development proposals.
 - c. Traditionally, municipalities play a role in Downtown **streetscape improvements** and meeting its **parking needs**.
- B. We can **build upon the qualities that make our Downtown special**, such as our ties to President Lincoln and Route 66, both expertly displayed in the new Visitors Center at the McLean County Museum of History. Smart economic development in Downtown will expand on existing assets and attractions like the Museum, the BCPA and the Coliseum.



RESOLUTION NO. 2016 -29

A RESOLUTION ADOPTING A MISSION, VISION AND VALUES STATEMENT FOR THE CITY OF BLOOMINGTON

WHEREAS, the City of Bloomington ("City") is an Illinois home-rule municipality; and

WHEREAS, the City is known as the "Jewel of the Midwest;" and

WHEREAS, the City is a great place to live, work and play; and

WHEREAS, the City Council desires to adopt a statement expressing the Organizational Mission, Vision and Values of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Bloomington, McLean County, Illinois, as follows:

Section 1. The above stated recitals are incorporated herein by reference.

Section 2. The City Council of the City of Bloomington hereby formally adopt the following as the City's Organizational Mission, Vision and Values:

Mission: To lead, serve and uplift the City of Bloomington

Vision: A Jewel of Midwest Cities

Values: Service-centered, results-driven, inclusive.

Section 3. All resolutions in conflict with this Resolution, as well as any previous statements adopted on the mission, vision and values of the City are hereby repealed.

Section 4. This Resolution shall be in full force and effect immediately after its passage and approval.

APPROVED by the City Council of the City of Bloomington, McLean County, Bloomington, Illinois, July 25, 2016, by a vote of 7 to 1. (Nay: Alderman Kevin Lower) (Absent: Alderman David Sage)

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Cherry L. Lawson, City Clerk

AGENDA



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, SEPTEMBER 11, 2017; 7:00 P.M.

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call**
- 5. Recognition/Appointments**
 - A. Recognition of Firefighter Mathew Burke on successfully completing his probation.
- 6. 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, 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.)
- 7. “Consent Agenda”**

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

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

 - A. Consideration of approving the Minutes of the August 28, 2017 Regular City Council Meeting. *(Recommend that the reading of the minutes be dispensed with and the minutes approved as printed.)*

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

- B. Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$ 6,679,636.70. *(Recommend that the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of \$ 6,679,636.70 and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of a Resolution approving Executive Session Minutes for partial release to the public. *(Recommend Council adopt the Resolution approving the partial release of Executive Session Minutes outlined on Schedule A, and the Minutes listed on Schedule B not be released to the public due to the need for continued confidentiality.)*
- D. Consideration of a Motion Re-affirming the Appointment of Mayor Pro Tem. *(Recommend Council reaffirm the continuing appointment of Karen Schmidt as Mayor Pro Tem.)*
- E. Consideration of a Resolution Waiving the Formal Bidding Process, and Approve a two (2) year Contract with Mississippi Lime Company for supply and delivery of granulated quicklime and liquid calcium hydroxide for water treatment purposes. *(Recommend Council approve a Resolution Waiving the Formal Bidding Process of lime (a water treatment chemical); approve a two year agreement for purchase of granulated quicklime from Mississippi Lime Company at the quoted price of \$193.20 plus fuel surcharge per ton for the first year and \$199.20 plus fuel surcharge per ton for the second year; approve a two year agreement for purchase of Liquid Calcium Hydroxide (LCH) from Mississippi Lime Company at the quoted price of \$275.00 plus shipping per dry ton; that the Mayor and City Clerk is authorize to execute the Resolution, and authorize the City Manager and City Clerk to execute the necessary contract documents.)*
- F. Consideration of approving the purchase of two Swing sets for Sunnyside and Emerson Parks. *(Recommend Council approve the purchase of two (2) swing sets, one for Sunnyside and one for Emerson Park in the amount of \$7,689.08 from Game time c/o Cunningham Recreation and the Procurement Manager be authorized to issue a purchase order.)*
- G. Consideration of approving a Purchase Order in the amount of \$33,120.00 related to housing expenditures for five (5) Police New Hires While Attending Basic Police Academy. *(Recommend Council approve a purchase order in the amount of \$33,120.00 for the necessary accommodations for the five (5) new police hires while attending Basic Police Academy, and authorize the Procurement Manager to issue a purchase order.)*
- H. Consideration of Approval of a Local Agency State Agreement for Jurisdictional Transfer and Adoption of a Resolution Accepting Ownership of Property from the Illinois Department of Transportation for the Improved Street Width and New Retaining Wall on the South side of Market Street West of the Railroad Bridge. *(Recommend the Local Agency State Agreement for Jurisdictional Transfer be approved and the Resolution adopted to accept ownership and*

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maintenance of the new right of way and retaining wall on the south side of Market Street west of the railroad bridge.)

- I. Consideration of an Ordinance approving a petition from Bruce & Theresa Weldy, for a vacation of a portion of a Surface Drainage and General Purpose Utility Easement at 2105 Fifer Drive. *(Recommend the ordinance be passed approving the Vacation of a Portion of a Surface Drainage and General Purpose Utility Easement at 2105 Fifer Drive and that the Mayor and City Clerk be authorized to sign the necessary documents.)*
- J. Consideration of an Ordinance Rezoning the property at 508 W. Oakland Ave from S-2, Public Lands and Institutions to R-1C, Single Family Residential District. *(Recommend an ordinance approving the rezoning of the property at 508 W. Oakland Ave from S-2, Public Lands and Institutions to R-1C, Single Family Residential District be passed and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- K. Consideration of an Ordinance for a Special Use Permit for the property located at 1509 N. Clinton Blvd to allow a lock and key shop, a nonconforming use, in the R-1C, Single Family Residential District. *(Recommend an ordinance for a special use permit for the property located at 1509 N. Clinton Blvd to allow a lock and key shop, a nonconforming use, in the R-1C, Single Family Residential District. be passed and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- L. Consideration of Approving a Petition for Vacation of Part of West Seminary Avenue and North Mason Street, a Petition for Vacation of Part of College and Graham Streets, and also Transferal of Property Ownership of the Vacated Right Of Way to the Union Pacific Railroad Company (UPRR). *(Recommend an Ordinance Approving the Vacation of a Portion of Public Right of Way at the Corner of W. Seminary Avenue and N. Mason Street and the Corner of College and Graham Streets and dedicating said Rights of Way to the Union Pacific Railroad Company be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- M. Consideration of the request from Taylor Knuth and Danielle Ferg to allow moderate consumption of alcohol at their October 14, 2017 wedding reception to be held at Davis Lodge. *(Recommend the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on October 14, 2017 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- N. Consideration of the request from Logan Bruce and Rachel Angus to allow moderate consumption of alcohol at their November 25, 2017 wedding reception to be held at Miller Park Pavilion. *(Recommend the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park*

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Pavilion on November 25, 2017 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)

8. “Regular Agenda”

A. Consideration of:

- a.) Analysis of Bids and Approval of the City Hall Annex Demolition Contract with Stark Excavating, Inc. for City Bid 2018-11 in the amount of \$681,403 for Base Bid 1 + Alternate 1.1; and
- b.) Approve an Ordinance Amending the Fiscal Year 2018 Budget in the amount of \$91,403.00.

(Recommend the unit prices and Contract with Stark Excavating, Inc. for the City Hall Annex Demolition, Bid 2018-11, in the amount of \$681,403 for Base Bid 1 + Alternate 1.1; approve the Ordinance and authorize the Mayor and City Clerk to execute the Ordinance, and authorize the City Manager and City Clerk to execute the necessary contract documents.) (Presentation by David Hales, City Manager and Russ Waller, Facilities Manager 5 minutes, and Council discussion 10 minutes.)

B. Consideration of a Resolution adopting the Downtown Design and Branding Concept recommended by the Downtown Signage Committee. *(Recommend Council approve a resolution adopting the Downtown Design and Branding Concept recommended by the Downtown Signage Committee, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Steve Rasmussen, Assistant City Manager, Tricia Stiller and Russell Francois 10 minutes, and Council discussion 15 minutes.)*

- a) Consideration of a Resolution approving a Change order for the Contract with Kerestes Martin Associates Inc. (aka KMA Design) (RFQ# 2017-10) for continuing Professional Services for Downtown Branding and Wayfinding in the amount of \$28,095.10. *(Recommend Council adopts a Resolution approving the change order for the amount of \$28,095.10 with Kerestes Martin Associates Inc. (aka KMA Design), and authorize the Mayor and City Clerk to execute the Resolution.)*
- b) Approve Reappointments to the Downtown Signage Ad Hoc Committee for a term of one year. *(Recommend Council approve the reappointment of Carl Teichman, Vicki-Lynn Tilton, Beth Whisman, Dave Park, Thom Jones, and Crystal Howard, and Tom Krieger.)*

9. City Manager’s Discussion

10. Mayor’s Discussion

11. City Aldermen’s Discussion

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12. **Executive Session – *Cite Section***
13. **Adjournment**
14. **Notes**

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RECOGNITIONS



Council Date: September 11, 2017

COUNCIL AGENDA ITEM NO. 5

Recognition/Appointments

- A. Recognition of Firefighter Mathew Burke on successfully completing his probation.

CONSENT AGENDA



CONSENT AGENDA ITEM NO: 7A

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of approving the Minutes of the August 28, 2017 Regular City Council Meeting.

RECOMMENDATION/MOTION: That the reading of minutes be dispensed and approved as printed.

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

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

BACKGROUND: The 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 within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable

Respectfully submitted for Council consideration.

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

Recommended by:

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

David A. Hales
City Manager

Attachments:

- August 28, 2017 Regular City Council Meeting Minutes

**SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, AUGUST 28, 2017; 7:00 P.M.**

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:04 p.m., Monday, August 28, 2017.

The Meeting was called to order by Mayor Pro Tem Schmidt.

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

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

Aldermen: Jamie Mathy, David Sage, Mboka Mwilambwe, Amelia Buragas, Scott Black, Joni Painter, Diana Hauman, Kim Bray, Karen Schmidt, and Mayor Tari Renner (Absent).

Staff Present: David Hales, City Manager, Steve Rasmussen, Assistant City Manager; Jeffrey Jurgens; Corporation Counsel, Cherry Lawson, City Clerk; Brendan Heffner, Chief of Police; Scott Sprouls, IS Director, Nicole Albertson, Human Resource Director; Jim Karch, Public Works Director; Austin Grammar, Economic and Development Coordinator, Melissa Hon, Assistant to the City Manager, and other City staff were also present.

Recognition / Appointments

- A. Reappointment of John Weber to the Building Board of Appeals

Public Comment

| | | | |
|---------------|--------------|---------------|-------------|
| Ruth Haney | Tim Tilton | Gary Lambert | Glen Ludwig |
| Scott Stimley | Joe Haney | Joe Walden | Martha Burk |
| Denise Geske | Vicki Tilton | Jan Lancaster | |

Consent Agenda

*Items listed on the Consent Agenda are approved with one motion, and is provided in **BOLD**, and items that Council pull from the Consent Agenda for discussion are listed with a notation **Pulled from the Consent Agenda**.*

Motion by Alderman Hauman seconded by Alderman Painter that the Consent Agenda be approved.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Schmidt, Sage, Mathy, Mwilambwe, Buragas, Painter, Black, Hauman and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 7A: Consideration of approving the Minutes of the August 14, 2017 Regular City Council Meeting. (Recommend that the reading of the minutes be dispensed with and the minutes approved as printed.)

The following was presented:

Item 7B: Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$ 4,990,021.45.

The following was presented:

Item 7C: Consideration of Approving a Reappointment to the Building Board of Appeals.

The following was presented:

Item 7D: Consideration of approving the purchase of a scheduled replacement of one (1) Street Sweeper for the Storm Water Division of the Public Works Department.

The following was presented:

Item 7E: Consideration of approving the purchase of scheduled replacement of two (2) Patrol Vehicles for the Police Department.

The following was presented:

Item 7F: Consideration of Bids, and approval of Contracts with Vendors for Supply and Delivery of various Water Treatment Chemicals (Bid No. 2018-14).

The following was presented:

Item 7G: Consideration of passing an ordinance rezoning the property at 510 W. Oakland Ave from S-2, Public Lands and Institutions to R-1C, Single Family Residential District.

ORDINANCE NO. 2017 - 68

AN ORDINANCE REZONING THE PROPERTY LOCATED AT 510 W OAKLAND AVE FROM S-2, PUBLIC LANDS AND INSTITUTIONS DISTRICT TO R-1C, SINGLE FAMILY RESIDENTIAL DISTRICT

The following was presented:

Item 7H: Consideration of an Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol (beer and wine) on Public Property in a portion of Downtown Bloomington during the A Noble Run 5K Race on September 9, 2017, from 12:00 P.M. to 9:00 P.M. in the area directly located in front of Drifters, 612 N. Main St.

ORDINANCE NO. 2017 - 69

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE TO ALLOW POSSESSION OF OPEN ALCOHOL ON PUBLIC PROPERTY IN A PORTION OF DOWNTOWN BLOOMINGTON DURING THE BLOOMINGTON-NORMAL A NOBLE RUN IN BLOOMINGTON.

The following was presented:

Item 7I: Consideration of approving an Ordinance Suspending Portions Of Section 26(D) Of Chapter 6 And Section 701 Of Chapter 31 of the Bloomington City Code To Allow Possession Of Open Alcohol On Public Property During The ZooDo To Be Held At The Miller Park Zoo And Pavilion on September 23, 2017.

ORDINANCE NO. 2017 - 70

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 26(d) OF CHAPTER 6 AND SECTION 701 OF CHAPTER 31 OF THE BLOOMINGTON CITY CODE TO ALLOW POSSESSION OF OPEN ALCOHOL ON PUBLIC PROPERTY DURING THE ZODO TO BE HELD AT THE MILLER PARK ZOO AND PAVILION

The following was presented:

Item 7J: Consideration of approving a petition for the Lake Bloomington Lease Transfer of Lot 6 and 10 feet of Lot 7 in Block 5 in Camp Kickapoo, from Scott and Debra Rolfs to Peter and Katherine Yelinek.

The following was presented:

Item 7K: Consideration of approving a petition for the Lake Bloomington Lease Transfer of Lot 3 in Block 29 in Camp Potawatomie, from David and Jeanne Cleary to Jim and Amy France.

The following was presented:

Item 7L: Consideration of approving a petition for a Lake Bloomington Lease Transfer of Lot 14 in Block 3 in Camp Kickapoo, from Roger and Beth Yoder to Finn Amble.

Regular Agenda

The following was presented:

Item 8A: Consideration of an Ordinance Amending Fiscal Year 2018 Budget for Analysis of Bids and Approval of the Coliseum Sidewalk & Ramp Modifications Contract with Stark Excavating, Inc. for City Bid #2018-08 in the amount of \$571,875 for the Base Bid + Alternate 1A.

Mr. Waller described the areas of the sidewalks that are noncompliant and the ADA ramp on the North side. He highlighted some of the work that has been done and some work yet to be done including interior to the locker rooms and noted that a lot of the locker rooms do not have ADA compliant benches, and the home-team and guest locker rooms, there are no cubby holes that meet ADA compliancy. He also stated that work was done in the showers and in the future, an elevator will be installed. The summary of costs that have been spent to date is about \$31,000 just in materials with no labor included. External work includes the ADA showers hiring a plumber, design costs for the elevator and for the sidewalk repairs, and the modifications proposed for the sidewalk actual construction. Grand total about \$351,000 and estimated future cost is essentially for the elevator about \$450,000.

Regarding the sidewalk and ramp modifications, Mr. Waller pointed out the picture and the sidewalk along Madison Street. He stated not all of the sidewalk needs to be replaced but a substantial portion does. After discovering that a substantial portion of the sidewalk along Madison Street needed to be removed, this was looked at as an opportunity to potentially provide some safety improvements. He then showed a conceptual draft plan of the barriers that are being proposed in the bid in order to provide safety measures to prevent accidents.

Mayor Pro Tem Schmidt asked for any questions and there were none.

ORDINANCE NO. 2017 – 71

AN ORDINANCE AMENDING THE BUDGET ORDINANCE

FOR THE FISCAL YEAR ENDING APRIL 30, 2018

Motion by Alderman Black seconded by Alderman Mwilambwe Council the Ordinance Amending Fiscal Year 2018 Budget be approved; unit prices and Contract with Stark Excavating, Inc. for the Coliseum Sidewalk & Ramp Modifications, (Bid 2018-08) in the amount of \$571,875 for the Base Bid + Alternate 1A be approved; authorize the City Manager and City Clerk to execute the contractual documents, and authorize the Mayor and City Clerk to execute the Budget Amendment Ordinance.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Schmidt, Sage, Hauman, Mathy, Mwilambwe, Buragas, Black, Painter, and Bray.

Nays: None.

Motion carried.

Alderman Black clarifies the motion as being the M50 rating as the motion being carried. The following was presented:

The following was presented:

Item 8B:

Consideration of:

- a. Approving the Establishment of the Downtown Development as a division within the Community Development Department; and
- b. An Ordinance Approving an Amendment to the FY 2018 Budget in the amount of \$144,304.85.

Mayor Pro Tem Schmidt stated that Alderman Mathy and Alderman Painter were recusing themselves. Alderman Mathy is on the DBA Board. Alderman Painter is involved with the Illinois Prairie Community Foundation. Mayor Pro Tem Schmidt asked if there were any questions.

Alderman Mwilambwe questioned about the staff taking care of homelessness/homeless issue.

Mr. Rasmussen answered that, yes, there were a number of projects that they would like to take on and one of the things that they had been working with was a volunteer task force in the city was the subject of homelessness.

Alderman Mwilambwe asks if he could talk about some of the things that they would do then as part of this project.

Mr. Rasmussen responded that it was recognized that there are people who have the right to be on the street, but there are also problems with businesses and families that shop downtown and so what they would like to do is kind of limit that a little and try to remove some of the more offensive aspects of that. He then highlighted some things that were being worked on such as adding public restrooms downtown and providing more information to the homeless about the services being provided in different places downtown.

Alderman Mwilambwe stated that in the proposal there was also mention of the DDD staff working on grants and grant funding and asked if Mr. Rasmussen could expound on that.

Mr. Rasmussen commented he did not have any of those at his fingertips right now, but what would happen is the Downtown Development Division would be assigned to work on some of those because they would now have more time and resources that are available to make those things work as part of Community Development Department.

Alderman Sage stated he will be voting against this proposal and his reason for doing so, which was talked about in the work session and involved taking some of the current workload off the DBA staff. He reemphasized the reality of a multi-million dollar structural deficit within the city and the hard decisions to be made. He explained, he is trying to balance those aspects as well as trying to create opportunities for downtown to move forward.

Alderman Hauman stated she feels the need to move forward on this and that a thriving downtown will help the economy and the economic growth, and will be voting in favor of the motion.

Alderman Mwilambwe stated he still has a few questions about this. He feels that some of the questions that he asked, as far as the answers that he got, tell him that this is not 100% ready. He appreciated the perspective that was provided by a number of people that gave comments and how that gave him a good sense of history of downtown and how much those individuals pour themselves into downtown. From his perspective, if they had an opportunity to explore all those possibilities, they could possibly come up with a better proposal.

ORDINANCE NO. 2017 – 72

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2018

Motion by Alderman Buragas seconded by Alderman Hauman that Council approve the Establishment of the Downtown Development as a division within the Community

Development Department, Approve an Ordinance Amending the FY 2018 Budget in the amount of \$144,304.85, and authorize the Mayor and City Clerk to execute the necessary documents.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Schmidt, Buragas, Hauman, Black, and Bray.

Recuse: Alderman Joni Painter and Jamie Mathy

Nays: Alderman Sage and Alderman Mwilambwe.

Motion carried.

The following was presented:

Item 8C: Consideration of a Resolution approving commitment of funding the Hamilton Road - Bunn to Commerce project.

Mr. Karch presented the proposed resolution. He explained the investment that the City has already made and there will continue to be additional investments by the Council in a southern, east-west arterial road that has some additional benefits. The funding for this to this point is \$36.3 million dollars being spent on this road and a positive thing is they now have secured 80% federal funding for the majority of the project. He stated they have gone for every type of grant that they could possibly qualify for, have tried multiple years, and have not been able to secure difficult grant funding. Finally, through the Federal Aid Urban Funding through the Metropolitan Organization - McLean County Regional Planning facilitates that NPO process - we have been able to secure that. However, we as a City have to be able to show we continue to be behind this project, and what we are asking tonight is for you to support a resolution. Whenever we look at the overall funding of just the road, if it is just over \$10 million dollars, 20% of that is just over \$2 million dollars.

RESOLUTION NO. 2017-30

A RESOLUTION TO COMMIT TO PROVIDING CONSTRUCTION FUNDS FOR THE HAMILTON ROAD (BUNN TO COMMERCE) CONNECTION

Motion by Alderman Sage seconded by Alderman Hauman that Council a Resolution to commit to fund the 20% local match in order to receive 80% federal funding for the design and construction of Hamilton Road from Bunn to Commerce be adopted.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Sage, Mathy, Schmidt, Mwilambwe, Buragas, Hauman, Black, Painter, and Bray.

Nays: None

Motion carried.

The following was presented:

Item 8D: Consideration of adopting an ordinance approving termination of a three-party agreement pertaining to a portion of Eagle View South Commercial Subdivision and approving an amended preliminary plan entitled “Revision #2 to a portion of the Eagle View South Commercial Subdivision Preliminary Plan Bloomington, Illinois” dated June 29, 2017, for 15.84 acres located north of GE Road and east of Towanda Barnes Rd.

Mr. Dabareiner stated that Council has seen this project in several forms before, a couple different adoptions, and tonight’s discussion is about two items. First of all, adopting an ordinance that approves the termination of the original 3-party agreement from 2007 and then secondly, approving an amended preliminary plan.

ORDINANCE NO 2017-73

AN ORDINANCE APPROVING A TERMINATION AGREEMENT FOR THE 2007 THREE PARTY AGREEMENT PERTAINING TO A PORTION OF EAGLE VIEW SOUTH AND APPROVING AN AMENDED PRELIMINARY PLAN FOR THE EAGLE VIEW SOUTH SUBDIVISION ENTITLED “REVISION #2 TO A PORTION OF THE EAGLE VIEW SOUTH COMMERCIAL SUBDIVISION PRELIMINARY PLAN BLOOMINGTON, ILLINOIS” AND DATED JUNE 29, 2017

Motion by Alderman Hauman seconded by Alderman Bray that Council adopt an ordinance approving termination of a three-party agreement pertaining to a portion of Eagle View South Commercial Subdivision and approving an amended preliminary plan entitled “Revision #2 to a portion of the Eagle View South Commercial Subdivision Preliminary Plan Bloomington, Illinois” revised on June 29, 2017, for 15.84 acres located north of GE Road and east of Towanda Barnes Rd. and that the Mayor and City Clerk be authorized to execute the necessary documents.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Sage, Mathy, Schmidt, Mwilambwe, Buragas, Hauman, Black, Painter, and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 8E: Presentation on the proposed Streets Master Plan

Mr. Karch introduced Kurt Bialobreski, the project engineer from Hanson. Mr. Bialobreski presented some of the highlights of the things that have been done. He stated they had taken a list of about 20 projects and asked for more input from constituents.

Alderman Mathy comments that he does not want us to have wider roads everywhere that are more expensive to maintain and promote a problem that we already have.

Mr. Bialobreski stated that part of that was because we have not done a full design and considered the entire context of the surrounding lane usage and things like that because they were in a master planning stage.

Alderman Mathy asked where or how are you projecting what he thinks will soon be a trend in self-driving vehicles and how he would see that changing things.

Mr. Bialobreski responded that he believes that at some point the use of those vehicles is actually going to induce transportation demand because what you are going to see is that the cost for transportation is going to go down half or less and actually at some point just be buying mobility, whether or not we even own cars, is one of the things that is likely to happen that far out in the future.

Alderman Buragas stated Alderman Mathy had some very important points that he brought to the conversation. She appreciated the attempt to take a more holistic approach here in looking at planning for infrastructure needs because this is a significant investment and not just in the performance of these projects but also a commitment to maintaining them in the future.

Alderman Painter stated she really liked the idea of thinking ahead.

Alderman Hauman asked if we are looking at changing transportation, looking at millennials who do not have cars and struggling to make the public transportation system really work for us, so she is wondering how all this emphasis on streets impacts or could impact what is going to happen. She also asked whether emergency vehicles have been taken into consideration in this plan.

Mr. Bialobreski responded that he believes they reached out to police and fire, as they usually do this as part of the process, but he is not sure if they have and they can definitely work with the City to get with city staff to get some of the surveys out to police and fire to let them tell us where they see some issues or not, but we actually reached out to schools for sure because we considered the bus route.

Alderman Sage commented about the planning and assembling a number of different plans and rolling them up into a CIP and with a little bit of luck when they get the CIP fully detailed out and get some convergence along with prioritized budgeting, he is hopeful that finally we will understand the full value and impact of what has been happening all of these years.

Mr. Hales commented about what Hanson had brought to this study and analysis. He stated that is important because going forward, what we hopefully continue to have the Council support for is that we recommend future priorities for the long-range transportation plan cycle of these streets.

Mr. Bialobreski applauded Public Works engineering staff for the amount of effort that they put into the pavement preservation and states that it is more than we see a lot of communities do.

Mr. Karch commented Public Works staff very strongly believes in pavement preservation.

City Manager's Discussion

Mr. Hales mentioned an upcoming event called Projects with a Cop.

Mayor's Discussion

Mayor Pro Temp Schmidt discussed questions she had received about the Public Safety and Community Relations Board and where they are and what they are doing.

City Aldermen's Discussion

Alderman Sage suggested using the September Committee of the Whole meeting to flush out all the details around the significant decisions. This gives staff time to get the feedback, make those adjustments and then come back perhaps in the next meeting or a very near meeting after that.

Alderman Mathy stated he was impressed with the quality of the applications received for the Community Relations Board and that it was a lot more difficult than he expected to be.

Alderman Black commented on the applicants received for the Community Relations Board and that they need to get more people involved and engage folks from different backgrounds and different lifestyles.

Executive Session – Cite Section

Adjournment

Motion made by Alderman Hauman seconded by Alderman Mwilambwe to adjourn the meeting at 8:57 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



CONSENT AGENDA ITEM: 7B

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$6,679,636.70.

RECOMMENDATION/MOTION: That the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$6,679,636.70, and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$6,679,636.70 (Payroll total \$2,177,192.61, Accounts Payable total \$4,454,706.68, and Electronic Transfers total \$47,737.41).

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Accounts Payable

Reviewed by: Robert J. Nowak, Interim Chief Accountant

Recommended by:

David A. Hales, City Manager

Attachment:

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

CITY OF BLOOMINGTON FINANCE REPORT

Council of September 11, 2017

PAYROLL

| Date | Gross Pay | Employer Contribution | Totals |
|----------------------------|-----------------|-----------------------|------------------------|
| 8/25/2017 | \$ 248,153.37 | \$ 82,824.13 | \$ 330,977.50 |
| 8/31/2017 | \$ 1,400,626.10 | \$ 122,013.84 | \$ 1,522,639.94 |
| 9/1/2017 | \$ 241,288.97 | \$ 82,286.20 | \$ 323,575.17 |
| Off Cycle Adjustments | | | |
| PAYROLL GRAND TOTAL | | | \$ 2,177,192.61 |

ACCOUNTS PAYABLE

| Date | Bank | Total |
|-----------------------|----------------------|------------------------|
| 9/11/2017 | AP General | \$ 4,058,852.41 |
| 9/11/2017 | AP Comm Devel | \$ 7,855.90 |
| 9/11/2017 | AP IHDA | \$ 1,140.00 |
| 9/11/2017 | AP Library | \$ 30,630.01 |
| 9/11/2017 | AP MFT | \$ 339,233.75 |
| 8/30/2017-9/5/2017 | Off Cycle Check Runs | \$ 16,994.61 |
| AP GRAND TOTAL | | \$ 4,454,706.68 |

PCARDS

| Date Range | Total |
|--------------------------|-------|
| PCARD GRAND TOTAL | |

WIRES

| Date Range | Total |
|-------------------------|---------------------|
| 8/18/2017-8/31/2017 | \$ 47,737.41 |
| WIRE GRAND TOTAL | |
| | \$ 47,737.41 |

| | | | |
|--------------|--|--|------------------------|
| TOTAL | | | \$ 6,679,636.70 |
|--------------|--|--|------------------------|

Respectfully,

Patti-Lynn Silva
Finance Director



CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of a Resolution approving Executive Session Minutes for partial release to the public.

RECOMMENDATION/MOTION: That Council adopt the Resolution approving the partial release of Executive Session Minutes outlined on Schedule A, and the Minutes listed on Schedule B not be released to the public due to the need for continued confidentiality.

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 Open Meeting Act requires a semiannual review of approved Executive Session Minutes to determine whether a need for confidentiality still exists as to the City's past Executive Session Minutes. The determination on which minutes are going to be released and which minutes still require confidential treatment must be reported on in open session. The Resolution makes this report.

The Council met previously on July 24, 2017 and August 28, 2017 in Executive Session to review the Executive Session Minutes and to make the determinations required by the Open Meetings Act. The proposed Resolution reports on those meetings that have been provided on the Executive Meeting Minutes Review listing. At this time, staff is recommending that council minutes outline on Schedule A be partially released as there continues to be a need for confidential treatment of redacted portions from those minutes and meeting minutes listed in Schedule B.

The Executive Session Meeting Minutes have been reviewed and certified as correct and complete by the City Clerk.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

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

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with the first name being the most prominent.

David A. Hales, City Manager

Attachments:

- Resolution
- Schedule A and B List

RESOLUTION NO. 2017 - ____

**A RESOLUTION REPORTING THE RELEASE AND RETENTION
OF EXECUTIVE SESSION MINUTES**

WHEREAS, the City Council of the City of Bloomington, Illinois has met from time to time in executive session for purposes authorized by the Illinois Open Meetings Act; and

WHEREAS, pursuant to the requirements of 5 ILCS 120/2.06(c), a review of all closed session minutes has been completed; and

WHEREAS, the City Council has determined that portions of the minutes of the meetings listed on Schedule A, attached hereto, no longer require confidential treatment and should be made available for public inspection and that the redacted portions of said meeting minutes still have a need for confidential treatment and should not be released; and

WHEREAS, the City Council has further determined that a need for confidentiality still exists as to the Executive Session Minutes from the meetings set forth on Schedule B, attached hereto and incorporated by reference; and

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

Section 1. The Executive Session Minutes from those meetings set forth on Schedule A, attached hereto and incorporated by reference, are released in part with the confidential information redacted. The preamble to this Resolution is incorporated into the body of this resolution.

Section 2. The City Clerk is hereby authorized and directed to make the un-redacted portion of the minutes from those meetings listed in Schedule A available for inspection and copying in accordance with the Open Meetings Act and standing procedures of the Clerk's Office.

Section 3. The City Clerk is hereby authorized and directed to destroy the verbatim audio recording for those Executive Sessions that have been approved by the Council and after eighteen (18) months have passed.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 11th day of September, 2017.

APPROVED this ____ day of September, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

**SCHEDULE A
TO BE RELEASED**

| DATE | REASON |
|---------------------|--|
| *April 27, 2015 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *July 13, 2015 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *July 27, 2015 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *September 14, 2015 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *October 12, 2015 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *June 13, 2016 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| August 22, 2016 | Section 2 (c)(21) of 5 ILCS 120- Review of Minutes |
| *September 26, 2016 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| November 14, 2016 | Section 2 (c)(21) of 5 ILCS 120- Review of Minutes |
| *November 28, 2016 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *December 12, 2016 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *December 19, 2016 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *January 23, 2017 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *February 13, 2017 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *March 13, 2017 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| May 8, 2017 | Section 2 (c)(21) of 5 ILCS 120- Review of Minutes |
| *May 22, 2017 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| *June 26, 2017 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| | |

***Denotes release with redactions, as a need for confidentiality still exists as to part of said minutes.**

SCHEDULE B
TO BE RETAINED

| DATE | REASON |
|--------------------|---|
| March 23, 2009 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| September 14, 2009 | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| March 22, 2010 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| April 12, 2010 | Section 2 (c)(2) of 5 ILCS 120-Collective Bargaining |
| | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| May 10, 2010 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| May 24, 2010 | Section 2 (c)(12) of 5 ILCS 120- Claim Settlement |
| June 14, 2010 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| July 12, 2010 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| July 26, 2010 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| August 9, 2010 | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| October 25, 2010 | Section 2 (c)(2) of 5 ILCS 120-Collective Bargaining |
| December 13, 2010 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| January 10, 2011 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(6) of 5 ILCS 120- Sale of Real Estate |
| February 28, 2011 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| March 28, 2011 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(6) of 5 ILCS 120- Sale of Real Estate |
| April 11, 2011 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| April 25, 2011 | Section 2 (c)(6) of 5 ILCS 120- Sale of Real Estate |
| August 22, 2011 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| September 12, 2011 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| September 26, 2011 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| October 24, 2011 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| November 14, 2011 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| November 28, 2011 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| January 23, 2012 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| February 13, 2012 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| March 26, 2012 | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| May 14, 2012 | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| June 11, 2012 | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| June 25, 2012 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| July 23, 2012 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| August 13, 2012 | Section 2 (c)(6) of 5 ILCS 120- Sale of Real Estate |

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| September 10, 2012 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| October 8, 2012 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| January 14, 2013 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| January 28, 2013 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| February 25, 2013 | Section 2(c)(29) of 5 ILCS 120- Meet with external auditors Section 2(c)(2) of 5 ILCS 120- Collective Bargaining Section 2(c)(2) of 5 ILCS 120- Collective Bargaining |
| March 11, 2013 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| April 8, 2013 | Section 2 (c)(21) of 5 ILCS 120- Review of Closed Session Section 2 (c)(1) of 5 ILCS 120- Personnel |
| June 10, 2013 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| June 24, 2013 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| October 28, 2013 | Section 2(c)(1) of 5 ILCS 120- Personnel |
| November 12, 2013 | Section 2(c)(1) of 5 ILCS 120- Personnel Section 2(c)(5) of 5 ILCS 120- Purchase or lease of Real Estate |
| November 15, 2013 | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| December 9, 2013 | Section 2(c)(11) of 5 ILCS 120- Potential Litigation Section 2(c)(1) of 5 ILCS 120- Personnel |
| December 16, 2013 | Section 2(c)(11) of 5 ILCS 120- Potential Litigation Section 2(c)(1) of 5 ILCS 120- Personnel |
| January 27, 2014 | Section 2(c)(2) of 5 ILCS 120- Collective Bargaining |
| February 10, 2014 | Section 2(c)(21) of 5 ILCS 120- Review Closed Session Minutes Section 2(c)(2) of 5 ILCS 120- Collective Bargaining Section 2(c)(21) of 5 ILCS 120-Review Closed Session Minutes |
| March 24, 2014 | Section 2(c)(2) of 5 ILCS 120- Collective Bargaining Section 2(c)(21) of 5 ILCS 120- Review Closed Session Minutes |
| April 7, 2014 | Section 2(c)(11) of 5 ILCS 120- Litigation |
| April 21, 2014 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| May 12, 2014 | Section 2 (c)(21) of 5 ILCS 120- Review of Closed Session |
| May 27, 2014 | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| June 9, 2014 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| June 23, 2014 | Section 2(c)(11) of 5 ILCS 120- Litigation Section 2(c)(2) of 5 ILCS 120- Collective Bargaining |
| July 7, 2014 | Section 2(c)(1) of 5 ILCS 120- Personnel |
| July 14, 2014 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| July 28, 2014 | Section 2(c)(1) of 5 ILCS 120- Personnel Section 2(c)(11) of 5 ILCS 120- Litigation Section 2(c)(5) of 5 ILCS 120- Purchase or Lease of Real Estate |
| August 11, 2014 | Section 2(c)(5) of 5 ILCS 120- Purchase or Lease of Real Estate |
| August 25, 2014 | Section 2 (c)(1) of 5 ILCS 120- Personnel |

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| September 8, 2014 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| September 15, 2014 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| October 13, 2014 | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate Section 2 (c)(11) of 5 ILCS 120- Litigation Section 2 (c)(11) of 5 ILCS 120- Litigation Section 2 (c)(11) of 5 ILCS 120- Litigation Section 2 (c)(11) of 5 ILCS 120- Litigation |
| October 27, 2014 | Section 2 (c)(5) of 5 ILCS 120- Collective Bargaining Section 2 (c)(21) of 5 ILCS 120- Review of Closed Session |
| November 10, 2014 | Section 2 (c)(21) of 5 ILCS 120- Review of Closed Session |
| | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| December 8, 2014 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| December 15, 2014 | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| January 12, 2015 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| February 9, 2015 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| February 23, 2015 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining |
| | Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate |
| March 9, 2015 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| March 16, 2015 | Section 2 (c)(1) of 5 ILCS 120- Personnel |
| March 23, 2015 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| April 13, 2015 | Section 2(c)(11) of 5 ILCS 120- Pending Litigation Section 2 (c)(5) of 5 ILCS 120- Purchase of Real Estate Section 2 (c)(21) of 5 ILCS 120- Review of Closed Session Section 2 (c)(1) of 5 ILCS 120- Personnel |
| April 27, 2015 | Section 2(c)(11) of 5 ILCS 120- Litigation Section 2(c)(21) of 5 ILCS 120- Review of Minutes |
| May 11, 2015 | Section 2(c)(11) of 5 ILCS 120- Litigation Section 2(c)(1) of 5 ILCS 120- Personnel |
| May 26, 2015 | Section 2(c)(11) of 5 ILCS 120- Litigation Section 2(c)(2) of 5 ILCS 120- Collective Bargaining |
| June 22, 2015 | Section 2(c) (29) of 5 ILCS 120- Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. Section 2 c(11) of 5 ILCS 120- Litigation |
| July 20, 2015 | Section 2 (c)(11) of 5 ILCS 120- Litigation |
| July 27, 2015 | Section 2(c) (2) of 5 ILCS 120- Collective Bargaining Section 2(c) (29) of 5 ILCS 120- Internal Audit |
| August 10, 2015 | Section 2(c) (5) of 5 ILCS Land Acquisition |

| | |
|--------------------|---|
| August 17, 2015 | Section 2 (c)(29) of 5 ILCS 120- Internal Audit |
| August 24, 2015 | Section 2 (c)(2) of 5 ILCS 120- Collective Bargaining Section 2 (c)(16) of 5 ILCS 120- Self-Evaluation of practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. |
| September 12, 2015 | Section 2(c)(16) of 5 ILCS 120- Self-Evaluation of practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. |
| September 14, 2015 | Section 2 (c)(11) of 5 ILCS 120- Pending Litigation Section 2 (c)(5) of 5 ILCS 120- Land Acquisition |
| September 28, 2015 | Section 2(c) (11) of 5 ILCS 120- Probable Litigation Section 2(c) (11) of 5 ILCS 120- Pending Litigation |
| October 12, 2015 | Section 2(c) (2) of 5 ILCS 120- Collective Bargaining Section 2(c) (11) of 5 ILCS 120- Pending Litigation Section 2(c) (5) of 5 ILCS 120- Land Purchase |
| October 19, 2015 | Section 2(c)(11) of 5 ILCS 120- Pending Litigation |
| November 9, 2015 | Section 2 (c) (11) of 5 ILCS 120, Pending Litigation Section 2 (c) (29) of 5 ILCS 120, Internal Audit |
| November 23, 2015 | Section 2 (c) (1) of 5 ILCS 120, Personnel Section 2 (c) (29) of 5 ILCS 120, Internal Audit Section 2 (c) (11) of 5 ILCS 120, Pending Litigation Section 2(c) (5) of 5 ILCS 120, Land Acquisition |
| December 21, 2015 | Section 2(c) (21) of 5 ILCS 120, Review of Minutes |
| January 11, 2016 | Section 2(c)(1) of 5 ILCS 120, Personnel Section 2 (c) (11) of 5 ILCS 120, Pending Litigation |
| January 25, 2016 | Section 2 (c) (11) of 5 ILCS 120, Pending Litigation Section 2 (c) (11) of 5 ILCS 120, Pending Litigation Section 2(c)(5) of 5 ILCS 120, Purchase or Lease of Real Estate Section 2(c)(6) of 5 ILCS 120, Sale or Lease of Real Estate |
| February 8, 2016 | Section 2(c) (21) of 5 ILCS 120, Review of Minutes Section 2 (c) (11) of 5 ILCS 120, Collective Bargaining Section 2 (c) (8) of 5 ILCS 120, Security Measures Section 2(c) (1) of 5 ILCS 120, Personnel |
| February 22, 2016 | Section 2(c) (11) of 5 ILCS 120, Litigation Section 2(c) (5) of 5 ILCS 120, Purchase/Lease of Real Estate |
| March 14, 2016 | Section 2(c) (1) of 5 ILCS 120, Personnel |
| March 21, 2016 | Section 2(c) (1) of 5 ILCS 120/2, Ch. 102, Personnel |
| March 28, 2016 | Section 2(c) (1) of 5 ILCS 120/2, Ch. 102, Personnel |
| April 11, 2016 | Section 2 (c) (1) of 5 ILCS 120/1, Personnel |
| April 18, 2016 | Section 2(c) (1) of 5 ILCS 120/1, Ch. 102, Personnel Section 2(c)(2) of 5 ILCS 120/2, Ch. 102, Collective Bargain |
| July 11, 2016 | Section 2 (c) (11) of 5 ILCS 120/2, Ch. 102, Litigation Section 2(c) (5) of 5 ILCS 120/2, Ch. 102, Purchase/Lease Property |
| August 8, 2016 | Section 2(c) (2) of 5 ILCS 120/2, Collective Bargaining |

| | |
|--------------------|---|
| August 22, 2016 | Section 2(c) (21) of 5 ILCS 120/2, Review of Minutes Section 2(c) (5) of 5 ILCS 120/2, Purchase or Lease of Real Estate |
| September 12, 2016 | Section 2(c) (11) of 5 ILCS 120/2, Probable Litigation Section 2(c) (11) of 5 ILCS 120/2, Potential Litigation Section 2(c) (1) of 5 ILCS 120/2, Personnel |
| September 26, 2016 | Section 2(c) (11) of 5 ILCS 120/2 – Potential Litigation |
| October 10, 2016 | Section 2(c)(5) of 5 ILCS 120/2 – Purchase/Lease of Real Estate |
| October 24, 2016 | Section 2(c)(11) of 5 ILCS 120/2 – Probable Litigation |
| November 14, 2016 | Section 2(c)(21) of 5 ILCS 120/2 – Review of Minutes Section 2(c)(11) of 5 ILCS 120/2 – Probable Litigation |
| November 21, 2016 | Section 2(c)(11) of 5 ILCS 120/2 – Probable Litigation |
| November 28, 2016 | Section 2(c)(12) of 5 ILCS 120/2 - Claims Settlement |
| December 12, 2016 | Section 2(c)(12) of 5 ILCS 120/2 - Claims Settlement Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining Section 2(c) (1) of 5 ILCS 120/2 – Personnel |
| December 19, 2016 | Section 2(c)(12) of 5 ILCS 120/2 – Claims Settlement |
| January 23, 2017 | Section 2(c)(12) of 5 ILCS 120/2 – Claims Settlement |
| February 13, 2017 | Section 2(c)(12) of 5 ILCS 120/2 – Claims Settlement Section 2(c)(11) of 5 ILCS 120/2 – Probable Litigation |
| February 20, 2017 | Section 2(c)(11) of 5 ILCS 120/2 – Probable Litigation Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining |
| March 13, 2017 | Section 2(c)(12) of 5 ILCS 120/2 – Claims Settlement Section 2(c)(1) of 5 ILCS 120/2 – Personnel Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining |
| March 27, 2017 | Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition Section 2(c)(1) of 5 ILCS 120/2 – Personnel |
| April 10, 2017 | Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition Section 2(c)(1) of 5 ILCS 120/2 – Personnel |
| April 24, 2017 | Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining |
| May 8, 2017 | Section 2(c)(21) of 5 ILCS 120/2 – Review of Minutes Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition Section 2(c)(1) of 5 ILCS 120/2 – Personnel |
| May 22, 2017 | Section 2(c)(12) of 5 ILCS 120/2 – Claims Settlement Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining |
| June 12, 2017 | Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining Section 2(c)(11) of 5 ILCS 120/2 – Pending Litigation |
| June 26, 2017 | Section 2(c)(12) of 5 ILCS 120/2 – Claims Settlement Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining |
| July 10, 2017 | Section 2(c)(1) of 5 ILCS 120/2 – Personnel Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition |

| | |
|-----------------|--|
| | Section 2(c)(21) of 5 ILCS 120/2 – Review of Minutes |
| July 24, 2017 | Section 2(c)(21) of 5 ILCS 120/2 – Review of Minutes |
| August 14, 2017 | Section 2(c)(21) of 5 ILCS 120/2 – Review of Minutes Section 2(c)(21) of 5 ILCS 120/2 – Biannual Review of Minutes Section 2(c)(5) of 5 ILCS 120/2 – Land Acquisition Section 2(c)(2) of 5 ILCS 120/2 – Collective Bargaining Section 2(c)(11) of 5 ILCS 120/2 – Possible Litigation |
| | |



CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of a Motion Re-affirming the Appointment of Mayor Pro Tem.

RECOMMENDATION/MOTION: That Council reaffirm the continuing appointment of Karen Schmidt as Mayor Pro Tem.

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 Illinois Municipal Code provides that if the Mayor is temporarily absent because of an incapacity to perform official duties, but the incapacity does not create a vacancy in the office, the corporate authorities can elect one of their own to act as mayor. On November 22, 2010, the City Council selected Karen Schmidt as the standing Mayor Pro Tem for the City and she has served in that capacity since that time. Although the original appointment was intended to go for a specific term, Alderman Schmidt has continued to serve in this role and the City Council desires to re-affirm this as a standing appointment.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: None.

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

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

David A. Hales
City Manager

Attachments:

- None



CONSENT AGENDA ITEM NO. 7E

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of a Resolution Waiving the Formal Bidding Process, and Approve a two (2) year Contract with Mississippi Lime Company for supply and delivery of granulated quicklime and liquid calcium hydroxide for water treatment purposes.

RECOMMENDATION/MOTION: That Council approve a Resolution Waiving the Formal Bidding Process for the purchase of lime and Liquid Calcium Hydroxide from Mississippi Lime Company; approving a two year agreement for purchase of granulated quicklime from Mississippi Lime Company at the quoted price of \$193.20 plus fuel surcharge per ton for the first year and \$199.20 plus fuel surcharge per ton for the second year; approve a two year agreement for the purchase of Liquid Calcium Hydroxide (LCH) from Mississippi Lime Company at the quoted price of \$275.00 plus shipping per dry ton; that the Mayor and City Clerk is authorize to execute the Resolution, and authorize the City Manager and City Clerk to execute the necessary contract documents.)

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City Services Provided in the Most Cost-Effective, Efficient Manner

BACKGROUND: Granular quicklime is an essential water treatment chemical that is used in the process at the water purification plant. The use of lime in the water treatment process is as follows:

Lime is used as a water softening agent in water treatment plants that have source water with high levels of calcium and magnesium, two elements that cause water to be characterized as "hard". Lime is mixed with water in the water treatment facility and this solution is then added to the water to be treated. The lime causes the calcium and magnesium in the source water to settle out of the water. The quality of calcium oxide can vary due to the variations in the raw ingredient, limestone.

Mississippi Lime Company was chosen as a limited source supplier after experiencing consistently unacceptable performance with lime obtained from other suppliers. The last time the City obtained lime from a vendor different from Mississippi Lime Company was in 2007. When the product from a different vendor was delivered and used by the Water Department, the product did not meet the City's specification and the material caused operational water treatment problems. Additionally, other suppliers have been tried in past years with similar results. This has generally led to serious equipment problems, extensive clean-up efforts, water quality degradation and overall higher water treatment costs.

The Department is requesting to purchase granulated quicklime from Mississippi Lime Company from October 1, 2017, through September 30, 2018, at the quoted unit price of \$193.20 plus fuel surcharge per ton and from October 1, 2018, through September 30, 2019, at the quoted unit price of \$199.20 plus fuel surcharge per ton. Currently, the department is paying \$188.95 plus fuel surcharge per ton. The proposed pricing from October 1, 2017, through September 30, 2018, represents an increase of 2.25% compared to current prices and a 5.43% increase over current prices for the period of October 1, 2018, through September 30, 2019.

In addition, the Department is requesting to purchase Liquid Calcium Hydroxide 40%, if needed, from Mississippi Lime Company at the quoted unit price of \$275.00 plus shipping per dry ton. The liquid calcium hydroxide purchase authorization allows the Department to procure the product quickly in the event of any potential problems or maintenance activities with our granular lime conveyance and slaking equipment. The product is more expensive than dry granular product, but can be fed directly into the plant in the event of a shutdown of our regular dry lime system. Staff does not anticipate purchasing more than one or two truckloads per year under ordinary circumstances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable

FINANCIAL IMPACT: Funds are available in the FY 2018 Budget under the Water Purification-Water Chemicals account (50100130-71720). Stakeholders can locate this in the FY 2018 Budget Book titled “Adopted Budget Other Funds” on page 141.

Water Purification – Water Chemicals (50100130-71720)

Granular Quicklime, in bulk:

October 1, 2017 through September 30, 2018 - approximately \$515,000 (includes shipping and fuel surcharge as applicable)

October 1, 2018 through September 30, 2019 - approximately \$531,000 (includes shipping and fuel surcharge as applicable)

Liquid Calcium Hydroxide, in bulk:

October 1, 2017 through September 30, 2018 – approximately \$38,000 (includes shipping and fuel surcharge as applicable).

October 1, 2018 through September 30, 2019 – approximately \$38,000 (includes shipping and fuel surcharge as applicable)

COMMUNITY DEVELOPMENT IMPACT: UEW-1 Provide quality public infrastructure within the City to protect public health, safety and the environment.

Link to Comprehensive Plan/Downtown Plan Goals: UEW-1.5 Reliable water supply and distribution system that meets the needs of the current and future residents.

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY
CONSTRUCTION:** Not Applicable

Respectfully submitted for Council consideration.

Prepared by: Joseph M. Darter, Miscellaneous Technical Assistant
Rick Twait, Superintendent of Purification

Reviewed by: Robert Yehl, PE. Water Director
Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Resolution Waiving Bidding Requirements
- Mississippi Lime Company Contract
- Mississippi Lime Company Quote
- Fuel Surcharge Rate Sheet
- Certificate of Liability Insurance
- Limited Source Justification
- Limited Source Justification Letter
- Lime Report

RESOLUTION NO. 2017 – _____

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE PURCHASE OF LIME AND LIQUID CALCIUM HYDROXIDE

WHEREAS, the City has found that Mississippi Lime Company is a reliable source for the provision of lime and liquid calcium hydroxide, two chemicals that are of vital importance to the City's water supply; and

WHEREAS, to ensure the reliable provision of the lime and liquid calcium hydroxide, the City desires to waive its bidding requirements and to allow City staff to enter into agreements for Mississippi Lime Company for the chemicals.

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

That the recitals set forth above are incorporated herein and City Manager, or designated representatives, are authorized to execute a two year agreement for purchase of granulated quicklime from Mississippi Lime Company at the quoted price of \$193.20 plus fuel surcharge per ton for the first year and \$199.20 plus fuel surcharge per ton for the second year and a two year agreement for the purchase of Liquid Calcium Hydroxide (LCH) from Mississippi Lime Company at the quoted price of \$275.00 plus shipping per dry ton, and are authorized to execute any necessary documents to effectuate the purchase.

PASSED this _____ day of _____ 2017.

APPROVED this ____ day of _____ 2017.

CITY OF BLOOMINGTON

ATTEST:

Tari Renner, Mayor

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

CITY OF BLOOMINGTON
CONTRACT WITH

FOR

THIS AGREEMENT, dated this _____ day of _____, 2017, is between the City of Bloomington (hereinafter "CITY") and (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

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

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

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

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

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

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

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

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

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

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

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

Initial: _____ (City) _____ (CONTRACTOR)

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

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

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

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

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

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

Until all of the services and/or deliverables required to provided within this Contract are completed.

~~8~~ ~~ane~~ / ~~#~~ year from the date of execution.

~~8~~ ~~fwo~~ / ~~S~~ years from the date of execution.

Other: _____

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

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

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

CITY OF BLOOMINGTON _____

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____

EXHIBIT A
SCOPE OF SERVICES / WORK PROVIDED

EXHIBIT B
FEES / COMPENSATION



Discovering what's possible with calcium
3870 S. Lindbergh Blvd., Suite 200, St. Louis, MO 63127
(800) 437-5463 • Fax (314) 543-6574

August 28, 2017

Mr. Rick Twait
City of Bloomington WTP
P.O. Box 160A, R.R. 1
Hudson, IL 61748

Dear Rick:

Mississippi Lime Co. is pleased to submit the following 2-year proposal for your 2017/2018 and 2018/2019 quicklime requirements.

Product: Granular Quicklime, in bulk

- Current price (\$188.95 + FSC*) extended thru 10/01/17
- 1st Year Price (\$193.20 + FSC*) from 10/1/17 – 9/30/18
- 2nd Year Price (\$199.20 + FSC*) from 10/1/18 – 9/30/19

*same FSC Table as has been used historically

Liquid Calcium Hydroxide (LCH) 40%, in bulk

- 1st and 2nd Year Price \$275.00** / dry ton
- FOB Saint Genevieve, MO

**If needed spot freight rates will be added

Payment Terms: Net 30 days from date of invoice

This quotation is valid for 30 days from the date above.

We sincerely thank you for your business, Rick, and appreciate the opportunity to be your supplier of high quality quicklime. Please feel free to contact me with any questions.

Regards,

Chris Smoot
Regional Sales Manager
Mississippi Lime Company
(773) 294-0652



Discovering what's possible with calcium

3870 S. Lindbergh Blvd., Suite 200, St. Louis, MO 63127
 (800) 437-5463 • Fax (314) 543-6574

FUEL SURCHARGE RATE SHEET

The fuel surcharge applies to all Shipper locations in which Mississippi Lime pays the freight.

The price of fuel shall be determined by the Department of Energy (DOE). The Midwest average will be used to determine pricing.

The DOE price average will be calculated on the previous month that will determine the fuel surcharge rate adjustment. The fuel adjustment will be applicable the 1st day of the month.

The following table for fuel adjustment will apply.

| | | | |
|--------------------|-----|--------------------|-----|
| \$1.250 to \$1.315 | 1% | \$2.834 to \$2.899 | 25% |
| \$1.316 to \$1.381 | 2% | \$2.900 to \$2.965 | 26% |
| \$1.382 to \$1.447 | 3% | \$2.966 to \$3.031 | 27% |
| \$1.448 to \$1.513 | 4% | \$3.032 to \$3.097 | 28% |
| \$1.514 to \$1.579 | 5% | \$3.098 to \$3.163 | 29% |
| \$1.580 to \$1.645 | 6% | \$3.164 to \$3.229 | 30% |
| \$1.646 to \$1.711 | 7% | \$3.230 to \$3.295 | 31% |
| \$1.712 to \$1.777 | 8% | \$3.296 to \$3.361 | 32% |
| \$1.778 to \$1.843 | 9% | \$3.362 to \$3.427 | 33% |
| \$1.844 to \$1.909 | 10% | \$3.428 to \$3.493 | 34% |
| \$1.910 to \$1.975 | 11% | \$3.494 to \$3.559 | 35% |
| \$1.976 to \$2.041 | 12% | \$3.560 to \$3.625 | 36% |
| \$2.042 to \$2.107 | 13% | \$3.626 to \$3.691 | 37% |
| \$2.108 to \$2.173 | 14% | \$3.692 to \$3.757 | 38% |
| \$2.174 to \$2.239 | 15% | \$3.758 to \$3.823 | 39% |
| \$2.240 to \$2.305 | 16% | \$3.824 to \$3.889 | 40% |
| \$2.306 to \$2.371 | 17% | \$3.890 to \$3.955 | 41% |
| \$2.372 to \$2.437 | 18% | \$3.956 to \$4.021 | 42% |
| \$2.438 to \$2.503 | 19% | \$4.022 to \$4.087 | 43% |
| \$2.504 to \$2.569 | 20% | \$4.088 to \$4.153 | 44% |
| \$2.570 to \$2.635 | 21% | \$4.154 to \$4.219 | 45% |
| \$2.636 to \$2.701 | 22% | \$4.220 to \$4.285 | 46% |
| \$2.702 to \$2.767 | 23% | \$4.286 to \$4.351 | 47% |
| \$2.768 to \$2.833 | 24% | \$4.352 to \$4.417 | 48% |

each additional \$.065 cent per gallon = 1%



CERTIFICATE OF LIABILITY INSURANCE

5/1/2018

DATE (MM/DD/YYYY)

4/27/2017

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 Lockton Companies Three City Place Drive, Suite 900 St. Louis MO 63141-7081 (314) 432-0500 | CONTACT NAME: | | FAX (A/C, No): |
| | PHONE (A/C, No, Ext): | E-MAIL ADDRESS: | |
| INSURED 1305960 Mississippi Lime Company 3870 S. Lindbergh Blvd., Suite 200 St. Louis MO 63127-1308 | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | INSURER A : ACE American Insurance Company (1) | | 22667 |
| | INSURER B : ACE Property & Casualty Insurance Co | | 20699 |
| | INSURER C : Illinois Union Insurance Company | | 27960 |
| | INSURER D : | | |
| | INSURER E : | | |
| INSURER F : | | | |

COVERAGES HBMHO CERTIFICATE NUMBER: 13767213 REVISION NUMBER: XXXXXXXX

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 WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|-------------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | Y | N | HDOG27867042 | 5/1/2017 | 5/1/2018 | EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| A | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> Auto PD <input checked="" type="checkbox"/> is Self-Insured | N | N | ISAH09059659 | 5/1/2017 | 5/1/2018 | COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | N | N | XOC M00982143 002 | 5/1/2017 | 5/1/2018 | EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$ XXXXXXXX |
| A | 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 | WLRC64410064 | 5/1/2017 | 5/1/2018 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> 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 | POLLUTION LEGAL LIABILITY | N | N | PPLG27167561002 | 5/1/2017 | 5/1/2018 | \$10,000,000 PER POLLUTION CONDITION \$20,000,000 POLICY AGGREGATE |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
CITY OF BLOOMINGTON IS AN ADDITIONAL INSURED UNDER GENERAL LIABILITY AS REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER

13767213
CITY OF BLOOMINGTON
WATER DEPARTMENT
603 WEST DIVISION STREET
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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Discovering what's possible with calcium

3870 S. Lindbergh Blvd., Suite 200, St. Louis, MO 63127
(800) 437-5463 • Fax (314) 543-6574

August 28, 2017

Mr. Joe Darter

City of Bloomington
Water Treatment Plant
P.O. Box 160A R.R. 1
Hudson, IL 61748

Subject: Mississippi Lime Limited Source Justification

To whom it may concern:

Mississippi Lime Company has been supplying the drinking water production market for over 100 years from our underground mine and above ground calcining facility located in Saint Genevieve, MO. Our carbonate starting material harvested from the underground Salem Deposit in Ste. Gen, consistently exceeds 98% pure calcium. The kilns used to process this material into calcium oxide are tuned to produce high reactivity rates while maintaining this purity.

Because of this deposit purity and the unique calcining process we undertake, our material is optimized to run on the City of Bloomington, IL equipment. To our knowledge no other domestically produced material is equivalent in purity and reactivity.

Please see attached Technical Data Sheet and feel free to contact me with any questions.

Thank You

Chris Smoot
Mississippi Lime Company
Regional Sales Manager
(773) 294-0652



Standard Quicklime Calcium Oxide

Discovering what's possible with calcium

TECHNICAL DATA SHEET

PRODUCT DESCRIPTION

Standard Quicklime is a high calcium oxide produced and sold in several sizes. Standard Quicklime is used in flue gas desulfurization, water and waste water treatment, steel, paper, chemical, and environmental applications.

| TYPICAL CHEMICAL PROPERTIES | |
|--------------------------------|--------|
| CaO - Total | 97.3% |
| CaO - Available | 94.5% |
| LOI | 0.6% |
| Acid Insoluble Substances | 0.5% |
| MgO | 0.75% |
| Al ₂ O ₃ | 0.1% |
| Fe ₂ O ₃ | 0.1% |
| SiO ₂ | 0.5% |
| S | 0.02% |
| P ₂ O ₅ | 80 ppm |
| MnO | 23 ppm |

| TYPICAL PHYSICAL PROPERTIES | |
|------------------------------------|------------------------|
| Specific Gravity | 3.3 |
| pH | 12.4 |
| BET Surface Area | 2.0 m ² /g |
| Apparent Dry Bulk Density - Loose | 50 lbs/ft ³ |
| Apparent Dry Bulk Density - Packed | 60 lbs/ft ³ |
| Reactivity 30 sec. | 30°C |
| Reactivity 180 sec. | 50°C |
| Total Temperature Rise | 55°C |
| Total Reactivity Time | 240 sec |
| Reactivity: 30 mesh residue | 1.0% |

- ✓ Meets the AWWA standard B202-02
- ✓ Certified to NSF standard 60
- ✓ Certified to ASTM standards: C977-03, C911-06, C602-06a, C821-78, C5-03

| PRODUCT SIZE GRADATION | |
|------------------------|--------------------------|
| ½" | Top 7/8" Bottom 3/8" |
| 1" | Top 1 1/4" Bottom 7/8" |
| 2" X 1" | Top 2 3/8" Bottom 7/8" |
| 2" | Top 2 3/8" Bottom 1 1/4" |



Telephone: 800.437.5463
 Contact: sales@mississippilime.com
 Web site: www.mississippilime.com

All information provided and recommendations made herein are intended to assist customers in determining whether our products are suitable for their applications. We request that customers inspect and test our products before use in order to make their own final decision regarding suitability. We do not guarantee results, freedom from patent infringement, or suitability of resultant products for any suggested application with respect to the use of any formula or material described herein.

Ed. 01/2008

LIMITED SOURCE JUSTIFICATION

(Requester completes Section A and B)

SECTION A - LIMITED SOURCE PURCHASE:

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

| | | |
|---|--|------------------|
| Vendor Name & #: Mississippi Lime Vendor #: 98 | Amount: \$515,000 & Varies; See Below | Date: 09/11/2017 |
|---|--|------------------|

Description of item/service: Purchase of granular quicklime for \$193.30 plus FSC for 10/01/17 through 09/30/2018 and \$199.20 plus FSC for 10/01/2018 through 09/30/2019 and \$275.00 per dry ton for Liquid Calcium Hydroxide 40%.

Justification: Explain why this vendor is the only vendor that can perform this work: We experienced major operational difficulties and expense whenever we used granular quicklime from alternate suppliers. The last experience with an alternate supplier was in 2007. The operational problems caused by the lower quality lime from that supplier is described in the attached report. Quality and consistency of quicklime is important from a water treatment perspective, as well.

Mississippi Lime has provided the consistently high quality quicklime to ensure proper operation of our softening process. We received approval from Council to waive bid requirements for lime, with the most recent approval for our two year agreement on October 26, 2015.

Amount:

Granular Quicklime

October 1, 2017 through September 30, 2018 - approximately \$515,000

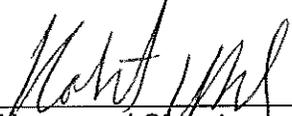
October 1, 2018 through September 30, 2019 - approximately \$531,000

Liquid Calcium Hydroxide 40%

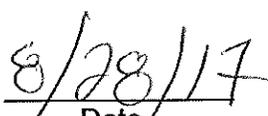
October 1, 2017 through September 30, 2018 - approximately \$38,000

October 1, 2018 through September 30, 2019 - approximately \$38,000

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



(Name and Signature of Department Head)



Date

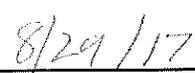
SECTION C - TO BE COMPLETED BY PROCUREMENT OFFICE:

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

Do not concur for the following reason(s):



Name and Signature of Purchasing Agent or Designee



Date

Lime

submitted to
City of Bloomington
February 6, 2008

DRAFT

Lime Supply

In September of 2007, the water treatment plant switched lime suppliers from Mississippi Lime to Chemical Lime. The new lime was a contributing factor to several problems.

These problems disrupted the treatment process, increased overtime costs, and threatened the plant's ability to provide an adequate quantity and quality of water.

Chemical Lime

Problems with Dry Lime Feed

Shortly after the conversion to the new lime source, operators complained of increases in problems in the lime feed system that disrupted both the lime slaking and treatment processes. The first problem was encountered in the system that transports the dry lime powder to the batch slakers. The powder became compacted on and accumulated within the throat of the auger funneling the lime into the slakers. From the blockage, the pressure in this throat increased to the point where the bolts on top of the channel popped off. The resulting spray of lime powder coated the lime slaker equipment room and control panels with dust and resulted in the deposition of mounds of powder on the slaker room floor. An increased program of slaker feed monitoring and maintenance was established to avoid frequent repetitions of this problem.



Problems with Slaked Lime

Following slaking, the resulting lime slurry is passed through a stainless steel mesh strainer to remove the larger particles. An increase in the rate of collection of solids within the strainer made it necessary to increase the frequency with which this strainer was emptied and, periodically, acid washed.

Alternately, it was noted that the new lime was more reactive than the lime previously used. This was indicated by the more rapid rate of temperature increase upon the addition of feed water. This increased rate of reaction was attributed to the predominance of powder, rather than granular, dry lime feed. Chemical cost benefits were expected if the increased slaking rate portended less lime softening feed requirements.



Solids Accumulation in ClariCones

A more serious, but initially undetected, problem began to develop in the bottom of the ClariCones as heavy, unreacted solids in the new lime slurry began to accumulate. These solids are normally purged from the base of the cones by pumping the accumulations to the sludge storage vault. However, from the massive blockages that were ultimately found in the softeners and in the piping to the sludge vault, it was inferred that, although the operational indicators had indicated normal operation, the transfer pumps had been unable to suspend and remove the heavy solids accumulation from the bases of the softeners.

Ultimately, the situation became visible when the surfaces of the sludge blankets on ClariCones #3 and #4 began to rise to levels approaching the overflow troughs, threatening to overflow solids into the effluent launders. Accordingly, both ClariCones in operation had to be shut down. Plant water production came to a near-standstill.

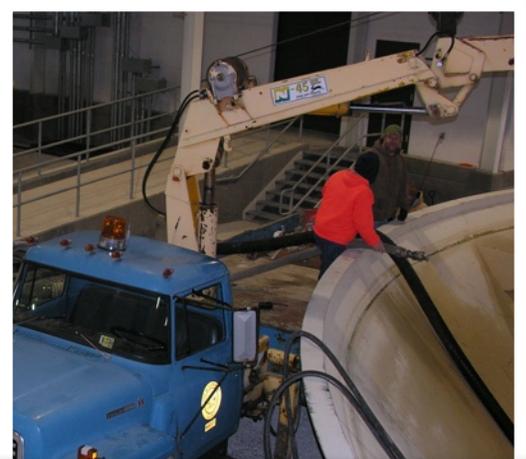
A crisis further developed when it was found that the pipeline used for removing sludge from the sludge storage vault was similarly blocked. This blockage made it impossible to transfer any solids from the softeners without overflowing the vault. Operators noted that blockage of the pipeline from the vault to the sludge storage lagoons had never occurred before.

The plant maintenance personnel immediately set about to eliminate the blockage in the piping to the sludge storage lagoons while simultaneously starting to assemble an alternate surface pipeline using flexible pipe. They would then hydraulically fluidize and eject the congealed, cementitious solid contents of the softeners to an alternate discharge point, the basin used for reclaiming backwash water. This *reclaim basin* has a separate discharge line which leads to the sludge lagoons. While the maintenance staff were able to restore partial operation of the plant so as to avoid shutdown, this entire effort took place over a period of a week. It required a large expenditure of labor including a substantial amount of overtime effort.

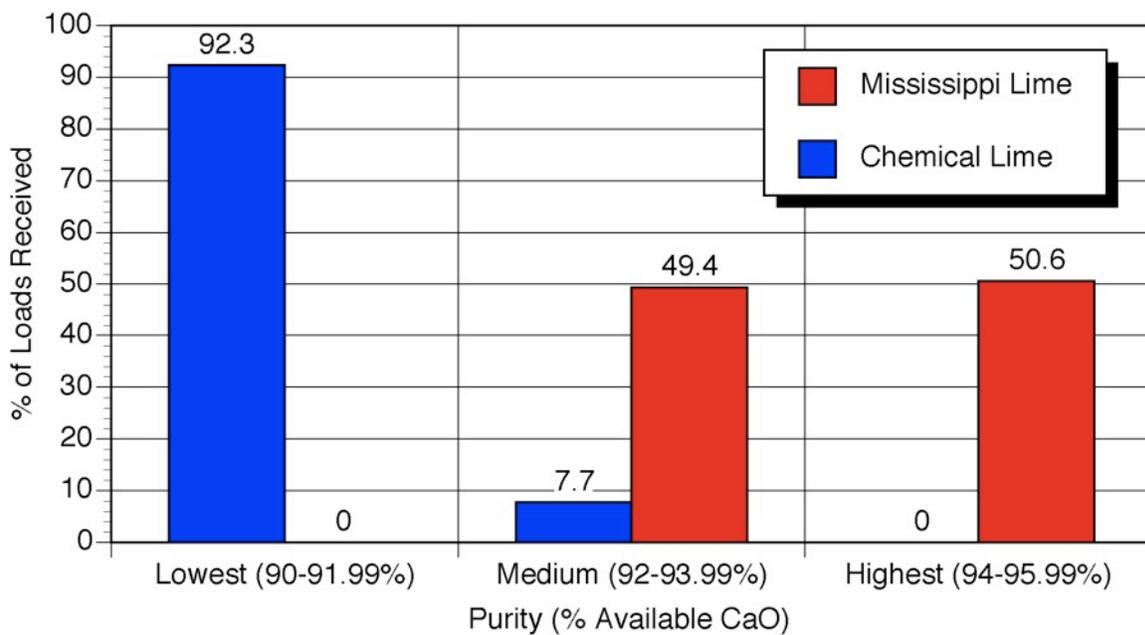
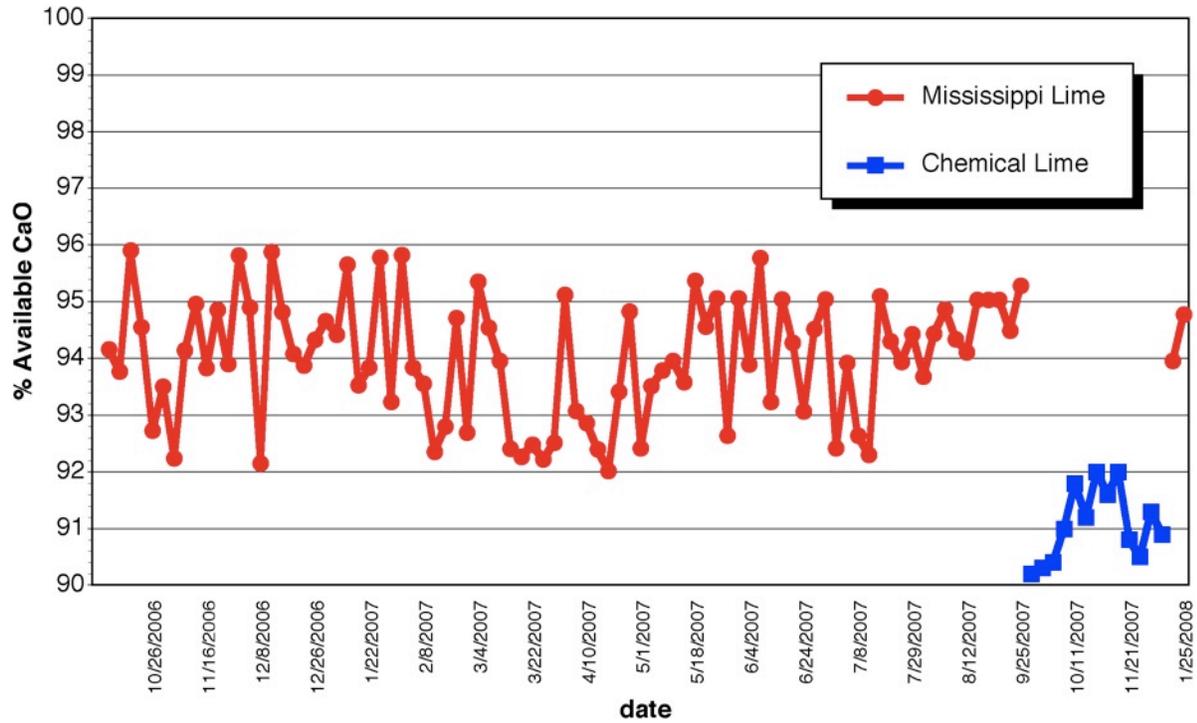
From the observations of the operators and maintenance personnel involved, it was concluded that the new lime source contributed an abundance of unreactive solids that were too dense for the lime feed and sludge removal systems.

To further assess the nature of the accumulated solids, samples were collected for laboratory testing and observation. In addition, delivery data on the previous and new lime sources were reviewed and plotted.

Following the restoration to service of softeners #3 and #4 and despite heightened vigilance, a similar blockage occurred in the sludge withdrawal line of softener #1. As a result, operators advocated a return to the lime source with lower non-reactive solids content.



Each batch of lime delivered to the treatment plant comes with a certificate of analysis which reports the purity of the lime, expressed as % Available CaO. Over the past year, Mississippi Lime had averaged 94.02%. In recent months, Chemical Lime has averaged 91.08%. Purchase specifications require a purity of 95% Available CaO. It appears that recent plant operational problems have been exacerbated by both the nature and the quantity of lime impurities.





CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of approving the purchase of two Swing sets for Sunnyside and Emerson Parks.

RECOMMENDATION/MOTION: Consideration for the Council to approve the purchase of two (2) swing sets, one for Sunnyside and one for Emerson Park in the amount of \$7,689.08 from Game Time c/o Cunningham Recreation and the Procurement Manager be authorized to issue a purchase order.

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 the residents.

BACKGROUND: The swing sets were inadvertently omitted from the original purchase of playground equipment for Sunnyside and Emerson Parks. The playground purchase was approved on 11/5/2016 (see Exhibit PRCA 1D). In keeping with the theme of the playground and the specificity of having the intended equipment work with the already purchased playground equipment, the swings need to be procured from the same manufacturer.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City Staff, Game Time c/o Cunningham Recreation (Renee Beard)

FINANCIAL IMPACT: Funds are available in the FY 2018 Budget under the Park Dedication-Other Miscellaneous account (2410410-79990) roll-up group. Stakeholders can locate this in the FY 2018 Budget Book titled "Adopted Budget Other Funds" on page 55.

COMMUNITY DEVELOPMENT IMPACT:

HL-1 Create a park and green space system that provides for a variety of active and passive recreational and wellness activities for current and future residents

HL-1.2 Protect, enhance and maintain parks and greenspaces equitably throughout the City

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY

CONSTRUCTION: *Not applicable*

Respectfully submitted for Council consideration.

Prepared by:

Robert Moews, Superintendent of Parks

Reviewed by: Dave Lamb, Assistant Superintendent of Parks

Approved by: Jay Tetzloff, Director PRCA

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- PRCA 1B QUOTE - Swing Set
- PRCA 1C QUOTE - Swing Set
- PRCA 1D EXHIBIT - Procurement Memo 2016-194 Replacement Playground Equipment



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#124578

07/25/2017

City of Bloomington - Swing Bays (Quote 1)

Bloomington Parks and Recreation
 Attn: Robert (Bobby) Moews
 1813 Springfield Road
 Bloomington, IL 61701
 Phone: 309-434-2280
 Fax: 309-434-2483
 rmoews@cityblm.org

Project #: P89127
 Ship To Zip: 61701

| Quantity | Part # | Description | Unit Price | Amount |
|----------|--------|--|------------|------------|
| 1 | 12583 | GameTime - Ada Primetime Swing Frame, 3 1/2" Od | \$1,104.00 | \$1,104.00 |
| 3 | 12584 | GameTime - Ada Primetime Swing Aab, 3 1/2" Od | \$683.00 | \$2,049.00 |
| 8 | 1462 | GameTime - 3 1/2" O.D. Swing Hanger | \$51.00 | \$408.00 |

Materials only quotation: Price does not include off loading or installation of equipment
 Contract: USC

SubTotal: \$3,561.00
 Discount: (\$213.66)
 Freight: \$497.20
Total Amount: \$3,844.54

Pricing: Prices are firm for 30 days unless otherwise noted. Above costs assume one shipment and one installation unless otherwise noted. Taxes will be shown as a separate line item if included. Any applicable taxes not shown will be applied to the final invoice.

Lead Time/shipment: Standard orders shipped 4 weeks after receipt of order and acceptance of your purchase order, color selections, approved submittals, (if required) unless otherwise noted. Custom equipment and shades may require a longer lead time. Surfacing lead time is approximately 2 weeks after scheduling request. It is the responsibility of the owner to offload and inventory equipment, unless other arrangements have been made. Missing or damaged equipment must be reported within 60 days of acceptance of delivery. Equipment may be sent in multiple shipments based on point of origin.

Payment Terms: Payment in full, Net 30 days subject to approval by Credit Manager. Pre-payment may be required for orders equaling less than \$5,000. A signed P.O. made out to Gametime C/O Cunningham Associates, Inc. or this signed quotation is required for all orders unless otherwise noted. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Checks should be made payable to Game Time unless otherwise directed.

Returns: Returns are available on shipments delivered within the last 60 days and only if the product is in merchantable condition, has never been installed, and has never been stored in an area of little or no protection. A 25% restocking fee will be applied to all goods. Customer will be charged freight for both the outbound and inbound shipment. Any credit will be based on the condition of the item upon its return. Uprights cannot be returned.

Acceptance of this proposal indicates your agreement to the terms and condition stated herein.

Wish to pay by credit card? Please complete the following information:

_____ Mastercard _____ Visa _____ AMEX

Credit Card Number: _____ Exp Date: _____

CSC, Carde Security Code: _____

Name as it appears on card: _____

Amount to be charged to card: _____

Email or Fax credit card receipt to: _____



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#124578

07/25/2017

City of Bloomington - Swing Bays (Quote 1)

FURNISH & DELIVER ONLY:

- All items are quoted furnish and deliver ONLY. Installation is NOT included.

Acceptance of quotation:

Accepted By (printed): _____ Date: _____

Title: _____ P.O. No: _____

Telephone: _____ Fax: _____

Purchase Amount: **\$3,844.54**

SALES TAX EXEMPTION CERTIFICATE #: _____

(PLEASE PROVIDE A COPY OF CERTIFICATE)

Salesman Signature Customer Signature

ORDER INFORMATION:

Bill to: _____ Ship to: _____

Contact: _____ Contact: _____

Address: _____ Address: _____

Address: _____ Address: _____

City, State, Zip: _____ City, State, Zip: _____

Tel: _____ Fax: _____ Tel: _____ Fax: _____



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#124578

07/25/2017

City of Bloomington - Swing Bays (Quote 1)

Bloomington Parks and Recreation
 Attn: Robert (Bobby) Moews
 1813 Springfield Road
 Bloomington, IL 61701
 Phone: 309-434-2280
 Fax: 309-434-2483
 rmoews@cityblm.org

Project #: P89127
 Ship To Zip: 61701

| Quantity | Part # | Description | Unit Price | Amount |
|----------|--------|---|------------|------------|
| 1 | 12583 | GameTime - Ada Primetime Swing Frame, 3 1/2" Od | \$1,104.00 | \$1,104.00 |
| 3 | 12584 | GameTime - Ada Primetime Swing Aab, 3 1/2" Od | \$683.00 | \$2,049.00 |
| 8 | 1462 | GameTime - 3 1/2" O.D. Swing Hanger | \$51.00 | \$408.00 |

Materials only quotation: Price does not include off loading or installation of equipment
 Contract: USC

SubTotal: \$3,561.00
 Discount: (\$213.66)
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Total Amount: \$3,844.54

Pricing: Prices are firm for 30 days unless otherwise noted. Above costs assume one shipment and one installation unless otherwise noted. Taxes will be shown as a separate line item if included. Any applicable taxes not shown will be applied to the final invoice.

Lead Time/Shipment: Standard orders shipped 4 weeks after receipt of order and acceptance of your purchase order, color selections, approved submittals, (if required) unless otherwise noted. Custom equipment and shades may require a longer lead time. Surfacing lead time is approximately 2 weeks after scheduling request. It is the responsibility of the owner to offload and inventory equipment, unless other arrangements have been made. Missing or damaged equipment must be reported within 60 days of acceptance of delivery. Equipment may be sent in multiple shipments based on point of origin.

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Returns: Returns are available on shipments delivered within the last 60 days and only if the product is in merchantable condition, has never been installed, and has never been stored in an area of little or no protection. A 25% restocking fee will be applied to all goods. Customer will be charged freight for both the outbound and inbound shipment. Any credit will be based on the condition of the item upon its return. Uprights cannot be returned.

Acceptance of this proposal indicates your agreement to the terms and condition stated herein.

Wish to pay by credit card? Please complete the following information:

_____ Mastercard _____ Visa _____ AMEX

Credit Card Number: _____ Exp Date: _____

CSC, Carde Security Code: _____

Name as it appears on card: _____

Amount to be charged to card: _____

Email or Fax credit card receipt to: _____



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#124578

07/25/2017

City of Bloomington - Swing Bays (Quote 1)

FURNISH & DELIVER ONLY:

- All items are quoted furnish and deliver ONLY. Installation is NOT included.

Acceptance of quotation:

Accepted By (printed): _____ Date: _____

Title: _____ P.O. No: _____

Telephone: _____ Fax: _____

Purchase Amount: **\$3,844.54**

SALES TAX EXEMPTION CERTIFICATE #: _____

(PLEASE PROVIDE A COPY OF CERTIFICATE)

Salesman Signature Customer Signature

ORDER INFORMATION:

Bill to: _____ Ship to: _____

Contact: _____ Contact: _____

Address: _____ Address: _____

Address: _____ Address: _____

City, State, Zip: _____ City, State, Zip: _____

Tel: _____ Fax: _____ Tel: _____ Fax: _____



PROCUREMENT MEMO

Date: 11/5/2016

Department Issuing Procurement Memo: Department of Parks, Recreation, and Cultural Arts

Subject: Replacement of Playground Equipment at Sunnyside and Emerson Parks

Recommendation/Motion: Recommend that the Invoice to purchase playground equipment for both Sunnyside & Emerson Park from GameTime Equipment (C/O Cunningham Recreation; US Communities Contract #110179; valid through 9/16/17) in the amount of \$49,626.17 be approved.

Strategic Plan Link: Goal 5. Great Place - Livable, Sustainable City

Strategic Plan Significance: Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents

Background: Sunnyside playground was installed in 1997 and Emerson playground was installed in 1996. A typical playgrounds useful life is between 15 and 20 years depending on the amount of use. These playgrounds are starting to show their age and need to be updated. The Sunnyside playground is a part of a bigger renovation at the Park. Two new basketball courts will be installed next to the playground feature.

The total cost of the equipment proposed for purchase is \$94,152. A grant/price reduction of \$47,025.83 (nearly 50%) is available through GameTime if the payment is made in full at the time of order placement. The cost of shipping the equipment is \$2,500 which is also due at time of order placement.

Community Groups/Interested Persons Contacted: Insert Contact Information

Financial Impact: Funds are included in the FY 2017 Adopted Budget under Park Dedication-Parks Construction and Improvement Account (24104100-72570). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Program" on pages 50 and 53.

Other Information: See Attached

***Required Information**

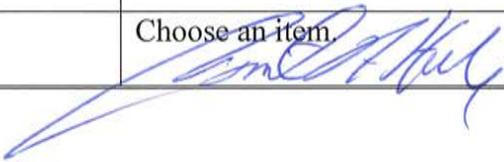
1. Is this an *emergency purchase? No. If “YES” disregard Step 2.
2. If this is not an emergency purchase, please provide the following information that applies:

| | |
|--------------------------|------------------------|
| Bid Number | Insert Bid Number |
| RFP Number | Insert RFP Number |
| RFQ Number | Insert RFQ Number |
| *Cooperative Procurement | US Communities #110179 |
| *Exemptions | Choose an item. |

*Documentation attachment required

3. Procurement Manager Concurrence? Yes

Signatures:

| DEPARTMENT REVIEW | SIGNATURE | DATE |
|--|--|---------------|
| Prepared By (Required) | Robert Moews, Park Superintendent | 11/1/2016 |
| Superintendent/Supervisor (If Required) | Choose an item. | Select a Date |
| Department Director (Required) | Jay Tetzloff, Director of Parks, Recreation, and Cultural Arts | 11/7/2016 |
| Information Services (If Required) | Choose an item. | Select a Date |
| Legal (Required) | Jeffrey R. Jurgens, Corporation Counsel | 11/10/2016 |
| Finance (Required) | Chris Tomerlin, Budget Analyst | 11/8/2016 |
| Assistant City Manager (If Required) | Choose an item. | Select a Date |
| City Manager (Required) | Choose an item.  | 11/14/2016 |

Attachments:

Attachment 1. Game Time Quote & Agreement

Attachment 2. Emerson Park View

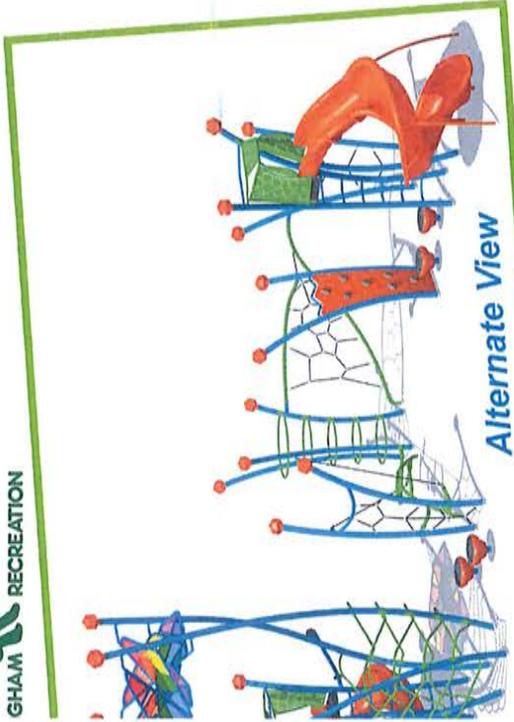
Attachment 3. Sunnyside Park View

Attachment 4. US Communities Contract Coversheet



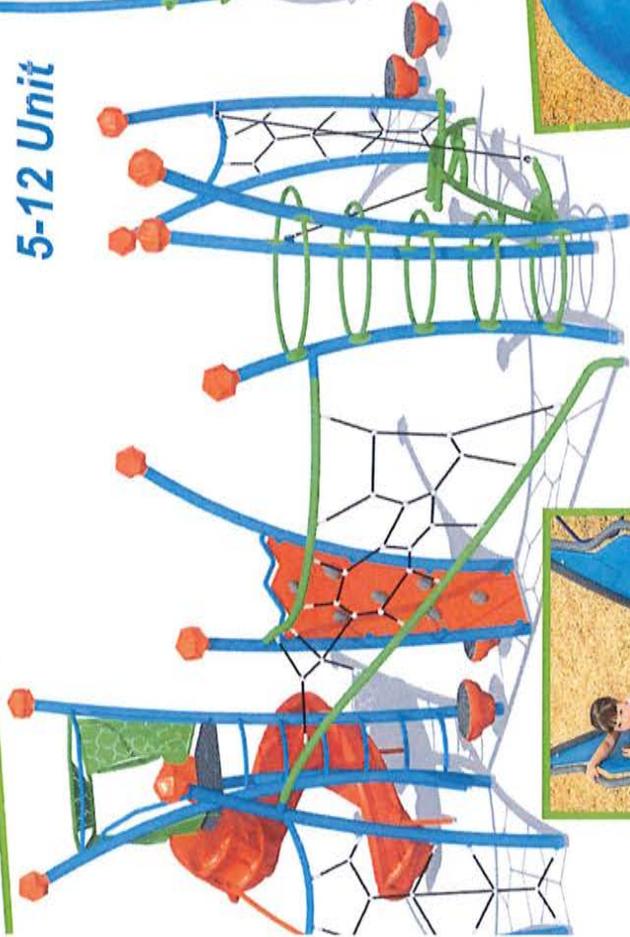
GHAM RECREATION

Emerson Park Bloomington, IL



Alternate View

5-12 Unit



Helix Tower
Shadow Play



Rumble & Roll



Drivers Panel



Rock Climber



Spiral Slide



2-5 Unit



GameTime c/o Cunningham Recreation
 PO Box 240981
 Charlotte, NC 28224
 800.438.2780
 704.525.7356 FAX

QUOTE
 #116800

10/18/2016

City of Bloomington - Playground Options

Bloomington Parks and Recreation
 Attn: Jay Tetzloff
 1813 Springfield Road
 Bloomington, IL 61701
 Phone: 309-434-2250
 jtetzloff@cityblm.org

Project #: P85223
 Ship To Zip: 61701

| Quantity | Part # | Description | Unit Price | Amount |
|----------|--------|---|-------------|-------------|
| 1 | | EMERSON PARK | | |
| 1 | RDU | GameTime - PrimeTime Modular 2-5 Unit (Per Drawing) | \$5,973.00 | \$5,973.00 |
| 1 | RDU | GameTime - Ionix Modular 5-12 Unit (Per Drawing) | \$48,868.00 | \$48,868.00 |
| 1 | | SUNNYSIDE PARK | | |
| 1 | RDU | GameTime - Ionix Modular 5-12 Unit (Per Drawing) | \$39,311.00 | \$39,311.00 |

* MATERIALS ONLY Quotation does not include any site work, off-loading, storage, safety surfacing, or installation.

*Pricing is based on the 2016 GameTime Matching Grant Promotion

*Pricing is valid through 11/13/16 only, all orders received must ship by 12/9/16 and be accompanied by a completed grant application.

* Check with Order (CWO) GameTime Grant Match requires payment (in full), via check or money order, at the time of order.

SubTotal: \$94,152.00
 Grant: (\$47,025.83)
 Freight: \$2,500.00
Total Amount: \$49,626.17

Contract: USC



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

QUOTE
#116800

10/18/2016

City of Bloomington - Playground Options

ORDER INFORMATION:

Bill to: _____ Ship to: _____
Contact: _____ Contact: _____
Address: _____ Address: _____
Address: _____ Address: _____
City, State, Zip: _____ City, State, Zip: _____
Tel: _____ Fax: _____ Tel: _____ Fax: _____

GameTime Contract

[Home](#) > [GameTime](#) > [GameTime Contract](#)

Park and Playground

Lead Agency:
City of Charlotte/Mecklenburg County, North Carolina

Contract Number:
110179

5 year initial term, September 17, 2010 to September 16, 2015
Contract has been extended through September 16, 2017

Postings

Nine suppliers responded to the solicitation process; posted on various Internet sites

| Posting Information: | Date Posted: |
|---|----------------------------------|
| U.S. Communities: Upcoming Contract | |
| Association of Oregon Counties | March 22, 2010 to April 22, 2010 |
| State of North Carolina Interactive Purchasing System | March 22, 2010 to April 22, 2010 |
| Canadian MERX Public Tenders | March 22, 2010 to April 22, 2010 |
| Onvia Demand Star | March 22, 2010 to April 22, 2010 |
| State of Hawaii and Oregon | March 22, 2010 to April 22, 2010 |

Contract Documents:

- [Contract No.110179](#)
- [Contract Attachment](#)
- [Contract Amendments](#)

RFP Documents:

- [Request For Proposal](#)
- [RFP269-2010-183 Amendments](#)
- [RFP-15-10255020 Posting Documents](#)

Solutions

BY SUPPLIER ([show all](#))

BY CATEGORY

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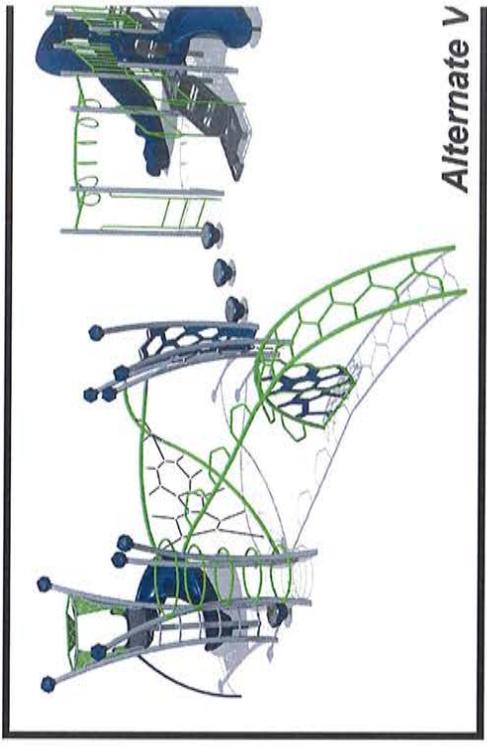
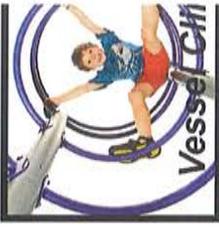
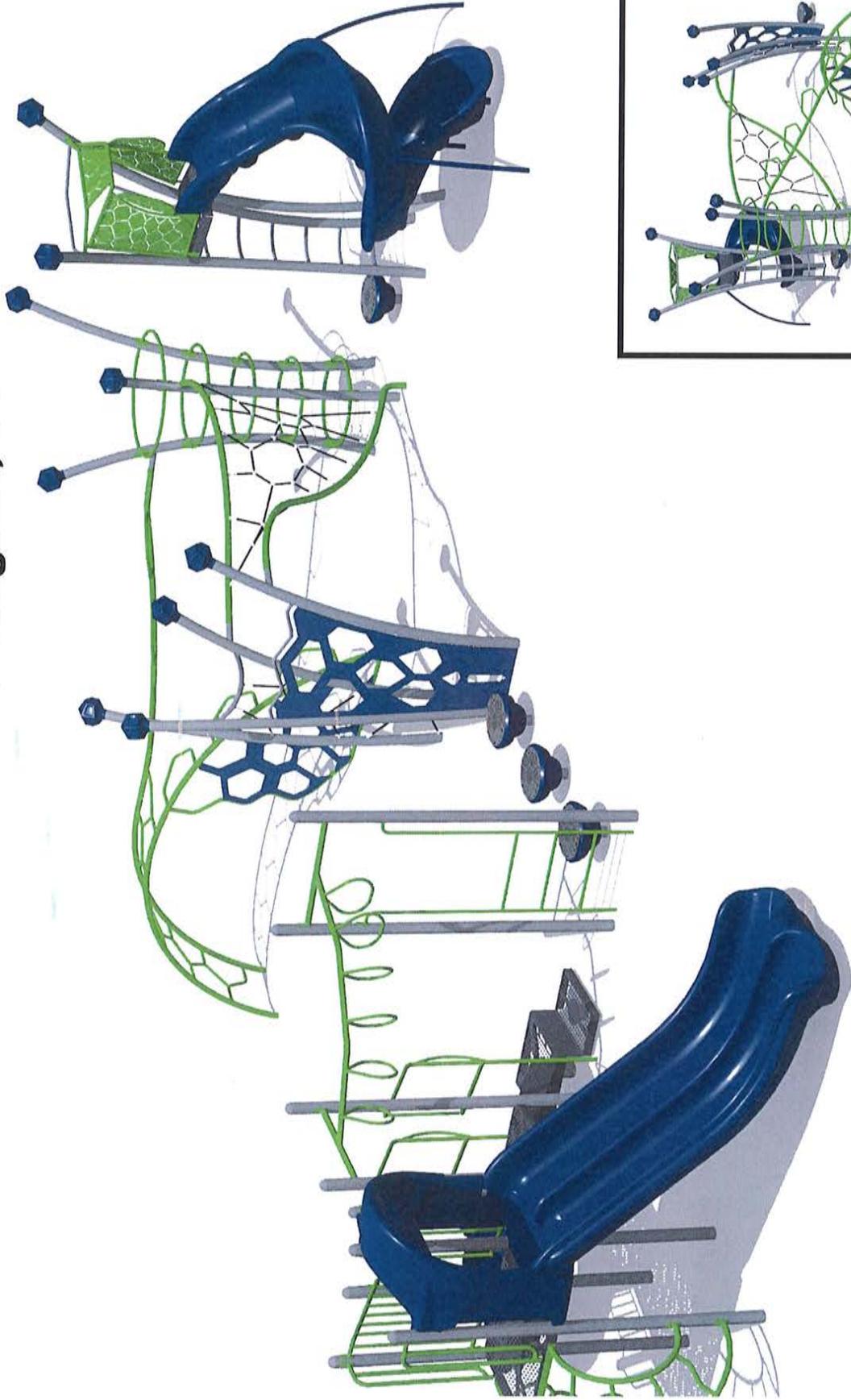
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Sunnyside Park Bloomington, IL

Design • Build •





Purchase Order

Fiscal Year 2017 Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.
 Purchase Order # **20170313-00**

BILL TO

CITY OF BLOOMINGTON
 ACCOUNTS PAYABLE
 PO BOX 3157
 BLOOMINGTON, IL 61702-3157
 (309) 434-2334

Delivery must be made within doors of specified destination.

VENDOR

PLAYCORE WISCONSIN INC
 150 PLAYCORE DRIVE SE
 FORT PAYNE AL 35967

SHIP TO

PARKS DEPT ADMINISTRATION
 GOVT CENTER 1ST FLOOR
 115 EAST WASHINGTON STREET
 BLOOMINGTON IL 61701
 309-434-2260

| Vendor Phone Number | | Vendor Fax Number | | Requisition Number | | Delivery Reference | |
|----------------------|--|-------------------|----------------------|--------------------|----------------------|--------------------|----------------|
| 800-438-2780 ext 122 | | | | | | | |
| Date Ordered | Vendor Number | Date Required | Freight Method/Terms | | Department/Location | | |
| 12/01/2016 | 3389 | | | | PARK DEDICATION FUND | | |
| Item# | Description/Part No. | | | Qty | UOM | Unit Price | Extended Price |
| 1 | PARKS Playground Equipment Playground Equipment per Quote 116800 for Emerson Park & Sunnyside Park. ***** GL SUMMARY ***** <u>24104100 - 72570</u> <u>49,626.17</u> | | | 1.0 | each | \$49,626.170 | \$49,626.17 |

Packing slip must accompany all shipments. ALL TERMS & CONDITIONS LISTED ON THE CITY OF BLOOMINGTON WEBSITE APPLY (www.cityblm.org/terms). The City reserves the right to cancel this order if delivery is not made by agreed-upon delivery date. Ship F.O.B. Bloomington, IL, or preapproved best value.

The City of Bloomington is exempt by statute from payment of all federal, state, and municipal excise, sales, and other taxes. Federal ID and tax exemption number is 37-6001563. State of Illinois tax exemption number is E9994-9903.

THE CITY OF BLOOMINGTON IS AN EQUAL OPPORTUNITY EMPLOYER.

Procurement Manager

PO Total **\$49,626.17**



CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of approving a Purchase Order in the amount of \$33,120.00 related to housing expenditures for five (5) Police New Hires While Attending Basic Police Academy.

RECOMMENDATION/MOTION: Approve a purchase order in the amount of \$33,120.00 for the necessary accommodations for the five (5) new police hires while attending Basic Police Academy, and authorize the Procurement Manager to issue a purchase order.

STRATEGIC PLAN LINK: Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: Objective 4a. Residents feeling safe in their homes and neighborhoods.

BACKGROUND: The Police Department has 5 (five) new hires which must attend a police basic academy. Openings were not available at the Illinois State Police Academy or the Police Training Institute in Champaign. Openings were located at the Suburban Law Enforcement Academy (SLEA) in Glen Ellyn, IL. SLEA does not have dormitory facilities therefore, it is necessary to house the officers while they attend the academy. The academy dates are September 18 through December 22, 2017. The new officers will need to arrive the Sunday before each week in order to be prepared for class on Monday morning. The encumbered funds are necessary to house the officers while they attend the basic police academy. The Illinois Law Enforcement and Standards Boards reimburses agencies for a portion of the cost of sending officers to certified academies. The exact amount reimbursed is determined by formula and computed on the Basic Reimbursement Form (attached).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total cost estimate to house five (5) officers for the duration of the academy is \$33,120.00. The Illinois Law Enforcement Training and Standards Boards reimburses a portion of the cost of training. The form used to calculate the reimbursement is attached. Funding for this expense is available in the Police-Professional Development account (10015110-70632). Stakeholders can locate this in the FY 2018 Budget Book titled "Adopted General Fund Budget" on page 269.

COMMUNITY DEVELOPMENT IMPACT:

PS-1 Reduce crime and the fear of crime

PS-1.1 Maintain adequate staffing to meet the policing needs of the community.

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

Respectfully submitted for Council consideration.

Prepared by: Gregory A. Scott, Assistant Chief of Police

Reviewed by: Brendan O. Heffner, Chief of Police

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- BPD 1B – ATTCHMENT Email Quote for 5 Officers
- BPD 1C – ATTACHMENT SLEA Reporting Instructions
- BPD 1D – ATTACHMENT Basic reimbursement form

From: Jennifer Bielfeldt/Cityblm

To:

Date: Thursday, August 31, 2017 09:02AM

Subject: Fw: RE: Bloomington Police Department

-----Forwarded by Jennifer Bielfeldt/Cityblm on 08/31/2017 09:02AM -----

To: "'Jennifer Bielfeldt'" <jbielfeldt@cityblm.org>

From: "Ivey, Cynthia" <Cynthia.Ivey@interstatehotels.com>

Date: 08/31/2017 08:47AM

Subject: RE: Bloomington Police Department

They are staying 96 nights each at a \$69 rate. That would be \$6,624 each and a total of \$33,120. The 1st 30 days of the stay will have 11% tax posted however after the 30th night posts we will be able to go in and credit back all of the taxes charged.

Hope this helps.

Cynthia Ivey

Area General Manager

Chicago-Lombard Residence Inn

Telephone: 630-629-7800

Chicago-Deerfield Residence Inn

Telephone: 847-940-4644

Email: Cynthia.ivey@interstatehotels.com


Residence
Inn[®]
Marriott.

Residence Inn Chicago-Lombard & Chicago-Deerfield is operated by Interstate Hotels & Resorts

Under license from Marriott International, Inc. or one of its affiliates.

From: Jennifer Bielfeldt [mailto:jbielfeldt@cityblm.org]
Sent: Thursday, August 31, 2017 8:37 AM
To: Ivey, Cynthia
Subject: Bloomington Police Department

Cynthia,

Good morning! I am requesting a quote for the cost of 5 officers staying at your hotel 9/17-12/22 please. As always, thank you for your assistance.

The officers names are

Jared Philp

Jordan Downing

David Tankersley

Calvin Rueb

Henry McClure

Respectfully,

Jen Bielfeldt

This message has been scanned for malware by Websense. www.websense.com

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete



SUBURBAN LAW ENFORCEMENT ACADEMY

College of DuPage



CLASS BA 18-02
September 18 – December 22, 2017

REPORTING INSTRUCTIONS

(continued)

AMMUNITION: The Suburban Law Enforcement Academy will provide the necessary ammunition for calibers .38, .40, .45, 9MM, and .357 sig. **Should any other caliber be required, parent agencies must provide new factory manufactured (completely lead free) ammunition. All shotgun ammunition is also provided.**

BODY ARMOR: *The wearing of body armor is mandatory during firearms training.* Aside from the issue of safety, the Academy wishes to indoctrinate the recruit to the realism of the daily work environment. (See Appendix C: Recruit Guide.)

UNIFORM INSPECTION: Military protocol will be followed beginning the first week. Uniform inspections will be conducted every day during training, unless otherwise directed.

PHYSICAL FITNESS STANDARDS: Please review the Peace Officer's Wellness Evaluation Report (P.O.W.E.R. Test Guide) and bring this copy with you to the test on the indicated date. You will be required to meet all of the "Physical Fitness Training Standards." Body weight will be used to set the standard for the bench press. If you do not meet all of the standards, you **may** be given another opportunity to fulfill those standards not sooner than 48 hours nor more than 72 hours later. **You must pass all the standards prior to the first day of class. Otherwise, you will not be accepted for attendance at the Academy.**

PHYSICAL CONDITIONING: Officers will participate in on-going physical conditioning and physical defensive tactics training programs. It will be the responsibility of the individual departments, as well as the recruit officer, to ensure that the officers are physically fit to participate in all training programs.

REQUIRED EQUIPMENT: All officers must bring their own belt, handcuffs, handcuff case, handcuff key, and belt keepers. When officers are required to bring their weapons, they **must** furnish a holster and appropriate ammunition pouches. Officers are encouraged to train with the weapon they will use on-duty. The Academy will **not** furnish or store weapons and ammunition. **(See Appendix C: Recruit Guide.)**

NOTICE OF APPOINTMENT: (FORM E CARD) must be on file with the **Illinois Law Enforcement Training and Standards Board** *prior to* the recruit reporting to the training facility. **MAIL OR ELECTRONICALLY TRANSMIT THE ORIGINAL FORM E DIRECTLY TO THE ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD; 600 S. SECOND STREET; SUITE 300; SPRINGFIELD, IL 62704-2542** immediately following the appointment of all full-time law enforcement officers. Department **must** include a **COPY** of the **Form E** with the Recruit Packet and return it to the Academy (**stamped COPY**) the day of the POWER Test.

18
09



Illinois Law Enforcement Training and Standards Board
 4500 South 6th St Road, Rm 173
 Springfield, Illinois 62703-6617 • Telephone 217/782-4540

| | |
|---------------------------|-------|
| For Board Use Only | |
| Probationary Period | _____ |
| Tuition | _____ |
| Food and Lodging | _____ |
| Transportation | _____ |
| Total Correct | _____ |
| Approved | _____ |

BASIC REIMBURSEMENT FORM
 Law Enforcement/Correctional

Claimant (City, County, etc.) _____

Name of Trainee _____

| | | | |
|------|-------|--------|--------|
| Last | First | Middle | PTB ID |
|------|-------|--------|--------|

Date Appointed as Officer _____ Date of Birth _____ Rank _____

Type of Training (Specify): _____

Date Training Commenced _____ Date Graduated _____ Hours in Course _____

Date training terminated if not graduated and reason for termination: _____

Name and Location of School _____

TOTAL ACTUAL COST OF TRAINING: (Costs covered by funds from any other source may not be claimed.) For example: your claim must be reduced by the same dollar amount of a grant received for the trainee's salary while in basic training.

| | | | |
|--|-------|---------|-------|
| Tuition and Registration Fees | | \$ (1) | _____ |
| Lodging (Receipts MUST be attached if not included as part of tuition or registration fee) | | \$ (2) | _____ |
| Food (Specify # of Breakfast ___ Lunch ___ Dinner ___) | | .\$ (3) | _____ |
| Salary for training period (\$15.50 fixed rate times _____ hours in course) | | \$ (4) | _____ |
| Transportation costs (Number of miles _____ @ 53.5¢cents per mile) | | \$ (5) | _____ |

NOTICE: Mileage is a vehicle service allowance not an individual allowance for each officer.

| | | | |
|---|-------|---------|-------|
| Subtotal | | \$ (6) | _____ |
| Reimbursable Indirect Costs (50% of line 6) | | .\$ (7) | _____ |
| Reimbursable Direct Costs (sum of lines 1, 2, 3 & 5) | | .\$ (8) | _____ |
| MAXIMUM REIMBURSEMENT (the lesser of lines 7 or 8) | | .\$ (9) | _____ |

Were any costs associated with the training (including salary) paid for by a federal or state grant, or any funds from another agency or source? YES () NO () If "yes", please reduce your claim amount and explain in detail on a separate attachment.

Claim Preparer _____ Telephone _____

I certify the above facts and figures are true and correct.

 (Ink signature of Chief of Police or Sheriff) **DO NOT Rubber Stamp** Date

I hereby certify that I am a duly-qualified and authorized official of the above named claimant and am responsible for the examination and settlement of accounts; that the above amounts claimed for the State of Illinois are proper charges under the provisions of the Police Training Act and payment has not been received.

 (Ink signature of Auditor, Comptroller, Clerk, or other fiscal officer. Indicate Title) **DO NOT Rubber Stamp** Date

IMPORTANT NOTICE: *The Board is requesting specific information that is necessary to accomplish the statutory purposes as outlined in the Illinois Police Training Act and/or Public Act 7970-652. Failure to provide this information may prevent this form from being processed. This form has been approved by the Forms Management Center.*

ATTENTION: Chiefs and Sheriffs, the following instructions must be adhered to for timely processing of claims and to avoid loss of reimbursement. Submit claim upon completion of course. Do not hold until the end of the fiscal year.

INSTRUCTIONS FOR COMPLETING THIS FORM “B”

1. Form must be submitted **promptly** after a course has been completed.
2. Submit original. Original ink signatures required. No stamped copies.
3. Check and re-check your calculations. Make certain they are correct.
4. Tuition costs differ from facility to facility and from commuter rate to in-residence rate. Select proper tuition.
5. Food and lodging are usually provided as a part of the registration fee for in-residence student.
6. Costs which are underwritten by funds from **any** other sources are **not** to be included as part of this claim.
7. Claims for meals are not to exceed state allowances: \$5.50 for breakfast; \$5.50 for lunch; \$17.00 for dinner. Total of \$28.00.
8. Lodging not to exceed \$155.00 per day, plus tax, for Cook County; \$80.00 per day, plus tax, for DuPage, Kane, Lake, McHenry and Will Counties; \$70.00 per day, plus tax, for Champaign, Kankakee, LaSalle, McLean, Macon, Madison, Peoria, Rock Island, St. Clair, Sangamon, Tazewell and Winnebago Counties; and \$60.00 per day, plus tax, for all other counties.
9. Lodging receipts are required (not meal receipts) and should be submitted as an attachment to the claim form.
10. Salary cost is hours of course times the fixed rate of \$15.50.
11. Transportation costs: Maximum of 53.5 cents per mile, or actual bus or train fares where this does not exceed mileage cost via auto.
12. Mileage is a vehicle service allowance, not an individual allowance for each officer. Car pools should be used where feasible.
13. Daily round trip mileage allowed for commuter students except those who live in same city where training is given.
14. One round trip only allowed for in-residence student when tuition fee includes food and housing on a 7 day-a-week basis.

Payments will be made in accordance to the Police Training Act (Ill. Rev. Statues 705/9).

**ALL CLAIMS FOR TRAINING COMPLETED DURING THE FISCAL YEAR
(JULY 1st to JUNE 30th)
MUST BE RECEIVED AT BOARD’S OFFICE NO LATER THAN
JULY 15th EACH YEAR.**

**CLAIMS RECEIVED AFTER JULY 15th WILL
NOT BE AUTHORIZED FOR REIMBURSEMENT**



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of Approval of a Local Agency State Agreement for Jurisdictional Transfer and Adoption of a Resolution Accepting Ownership of Property from the Illinois Department of Transportation for the Improved Street Width and New Retaining Wall on the South side of Market Street West of the Railroad Bridge.

RECOMMENDATION/MOTION: That the Local Agency State Agreement for Jurisdictional Transfer be approved and the Resolution adopted to accept ownership and maintenance of the new right of way and retaining wall on the south side of Market Street west of the railroad bridge.

STRATEGIC PLAN LINK: Goal 2: Upgrade Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE: Objective d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

BACKGROUND: The Illinois Department of Transportation (IDOT) and Union Pacific (UP) railroad are now finalizing improvements in Bloomington to the UP railroad tracks as part of the federally funded High Speed Rail (HSR) project to provide improved train travel between Chicago and St. Louis. As part of that project the UP railroad bridge over Market Street at Morris Avenue has been replaced. The reconstructed bridge now allows enough street width for a future turn lane on Market Street under the bridge. In order to accommodate the additional street width and a retaining wall, IDOT acquired an approximate 99 foot long, 5 foot wide strip of property parallel to and south of Market Street, west of the bridge. IDOT now wants to transfer that property and retaining wall to the City for ownership and maintenance.

IDOT has provided affirmation from Wheatland Title Guaranty Company, Yorkville, IL, that the State of Illinois currently holds clear title to the property. Staff agrees that this property was acquired for the benefit of the City and that it is appropriate to accept ownership of this property and retaining wall as City street right of way and infrastructure.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: See attached.

FINANCIAL IMPACT: Maintenance of the sidewalk and wall will be budgeted in future years as needed by the Public Works Department within the Capital Improvement Fund.

COMMUNITY DEVELOPMENT IMPACT: N/A

[Link to Comprehensive Plan/Downtown Plan Goals: N/A](#)

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

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, CFM, Civil Engineer II

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Resolution
- Attachment:
 - Local Agency State Agreement for Jurisdictional Transfer
 - Location Map
 - Resolution
 - Warranty Deed
 - Plat
 - Title Search Affirmation of Past and Current Ownership

RESOLUTION NO. 2017-

A RESOLUTION BY THE CITY OF BLOOMINGTON COUNCIL
TO APPROVE A LOCAL AGENCY STATE AGREEMENT FOR JURISDICTIONAL
TRANSFER AND PROVIDE FOR TRANSFER OF PROPERTY ALONG MARKET
STREET FROM THE STATE OF ILLINOIS TO THE CITY OF BLOOMINGTON

WHEREAS, the Union Pacific Railroad has completed construction of a new railroad bridge over Market Street utilizing High Speed Rail (HSR) Project federal funds administered by the State of Illinois (State), and

WHEREAS, the bridge work included improvements to widen Market Street pavement under the new bridge to allow a future turn lane, including construction of a block retaining wall west of the bridge to reduce the need to grade steep slopes on adjacent private property, and

WHEREAS, the State acquired an approximate 99' long 5' wide strip of property south and parallel to Market Street west of the new bridge to accommodate the increased pavement width and block retaining wall, and

WHEREAS, the pavement widening and retaining wall were constructed for City of Bloomington (City) benefit and it is reasonable and appropriate that the City accept ownership and maintenance responsibility of the property and retaining wall.

THEREFORE, be it hereby resolved that the City Council approves the Local Agency State Agreement for Jurisdictional Transfer and accepts the property and retaining wall for ownership and maintenance.

PASSED THIS 11th DAY OF SEPTEMBER, 2017.

APPROVED THIS ____ DAY OF SEPTEMBER, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



Table with columns: Local Agency, Type of Systems Transfer (Type 1, Type 2). Includes fields for Municipality, Township/Road District, County, and High Speed Rail.

The above local agency, hereinafter referred to as "LA", and the State of Illinois, acting by and through its Department of Transportation, agree, to transfer the jurisdiction of the designated location in the manner indicated above under Type of Systems Transfer.

Location Description

Name Market Street Route Length Approximately 100'
Termini West of the Union Pacific Railroad (UPRR) crossing (DOT #290823R) to a point west of said crossing, south of Market Street, in its entirety.

This transfer [] does [X] does not include Structure No. N/A
The transfer [X] does [] does not include a transfer to land rights (4-508).

WHEREAS, the authority to enter into this contract is granted the STATE by Section 4-409 of the Illinois Highway Code and the authority to make changes in the State Highway System is granted the State under Section 2-101 of the Illinois Highway Code.

Include for Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality by Section 7-101 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the corporate authority of said municipality will pass an ordinance providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the ordinance as Addendum No. 2, and

Include for Counties Only

WHEREAS, the authority to make changes to the County Highway System is granted to the County by Section 5-105 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the County Board of said County will pass a resolution providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No, 1 and a copy of the resolution as Addendum No. 2, and

Include for Township/Road Districts Only

WHEREAS, the authority to make changes to the Township/Road District System is granted to the Highway Commissioner under Section 6-201.3 of the Illinois Highway Code and said Highway Commissioner shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1, and

IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective 21 calendar days after (check one)

- [] Execution of Agreement [] Acceptance by the State
[X] Approval of Land Conveyance [] Final Inspection by the State (TypeB)

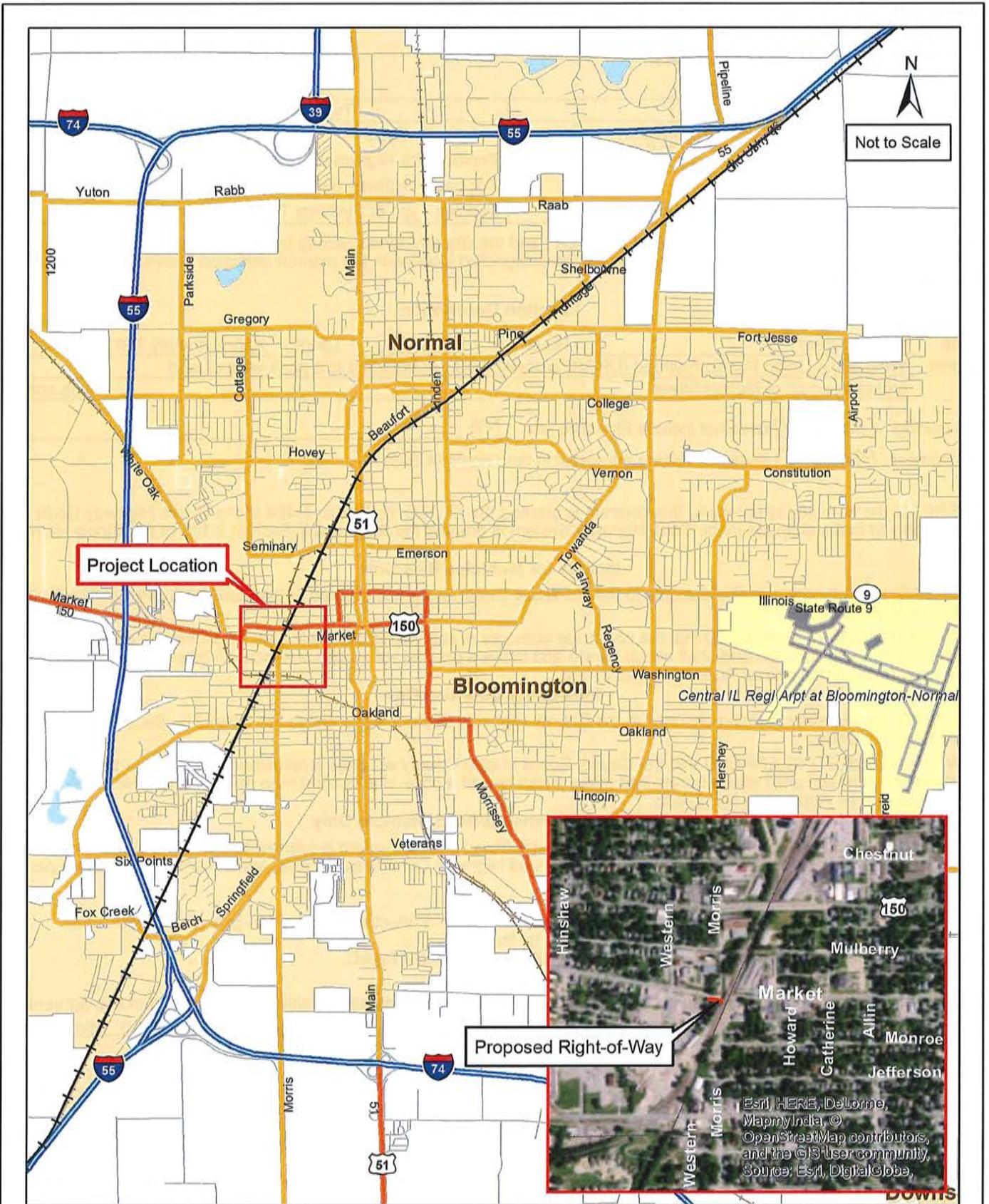
Supplements

Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this agreement

Supplement Addendum 1: Location map; Addendum 2; Resolution; Ex. 1: Existing deed; Ex.2: Plat; Ex. 3: Title policy
(Insert supplement numbers of letters and page numbers, if applicable.)

APPROVED
Name:
Title: Chairman County Board/Mayor/Village President/etc.
Signature

APPROVED STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION
By Director of Highways
Date



Illinois High-Speed Rail Program

Market Street (Bloomington) Jurisdictional Transfer Location Map

Date: June 26, 2017

44

3

REC JUN 30 2016 11:49 AM

Owner McLean County Asphalt Co., Inc.
 Address 1100 West Market Street
 Bloomington, IL 61702
 Route UPRR, CHI-STL
 County McLean
 Job No.
 Parcel No. 5T40034 / T4_4008_2.a
 P.I.N. No. 21-05-257-022
 Section Tier 4 - ROADWAY
 Project No. HSR
 Station
 Station
 Contract No.
 Catalog No.

Type: OFFICIAL RECORDS
 Recorded: 7/5/2016 2:57:28 PM
 Fee Amt: \$18.00 Page 1 of 4
 McLean County, IL
 Kathy Michael County Clerk\Recording Div.

File# 2016-00012010

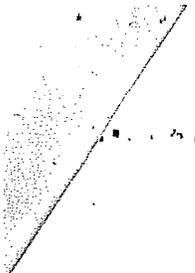
WARRANTY DEED

McLean County Asphalt Co., Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware and duly authorized to do business under the Statutes of the State of Illinois, (Grantor), for and in consideration of Nine Hundred and 00/100 Dollars (\$900.00), receipt of which is hereby acknowledged, and pursuant to the authority given by the Board of Directors of said corporation, grants, conveys, and warrants to the People of the State of Illinois, Department of Transportation, (Grantee), the following described real estate:

See attached legal description.

situated in the County of McLean, State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "premises."

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the premises for highway purposes. This acknowledgment does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.



LEGAL DESCRIPTION

That part of Block 1 in Cranmers Addition to the City of Bloomington (P.B. 3, Page 72) located in the Northeast Quarter of Section 5, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, described as follows:

Beginning at the northeast corner of said Block 1, said point being on the northwest right of way line of the Union Pacific Railroad (Formerly the Illinois Central Gulf Railroad); thence South 24 degrees 32 minutes 56 seconds West, said bearing based on the Illinois State Plane Coordinate System - East Zone NAD83 (2007), on said right of way line, 5.18 feet to a line located 5.00 feet south of and parallel with the south right of way line of Market Street (66 feet wide); thence North 80 degrees 27 minutes 56 seconds West on said parallel line, 97.93 feet; thence North 09 degrees 32 minutes 04 seconds East, 5.00 feet to said south right of way line of Market Street; thence South 80 degrees 27 minutes 56 seconds East, on said right of way line, 99.27 feet to the Point of Beginning.

Said Parcel T4_4008_2.a Right of Way Acquisition contains 0.011 acre or 493 square feet, more or less.

PLAT ACT AFFIDAVIT
(Pursuant to 765 ILCS 205/1)

STATE OF ILLINOIS)
COUNTY OF Madison)

Edgar E Slaton, the grantor or his/her agent, being duly sworn on oath, states that he/she resides at 317 Goldenrod Lane, Swansea IL.
Affiant states that the attached deed is *not* a violation of 765 ILCS 205/1 for reason given below:

- A. The sale or exchange is of **an entire tract of land** not being a part of a larger tract of land and described in the same manner as title was taken by the grantor(s);
- B. *One* of the following exemptions from 765 ILCS 205/1 (b) applies:
- 1. The division or subdivision of land is into parcels or tracts of five acres or more in size which does not involved any new streets or easements of access.
 - 2. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
 - 3. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
 - 4. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
 - 5. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
 - 6. The conveyance is of land for highway or other public purposes or grants of conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
 - 7. The conveyance is made to correct descriptions in prior conveyances.
 - 8. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcels or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
 - 9. The sale is of a single lot of less than five acres from a larger tract, the dimensions and configurations of said large tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sale, prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973 and provided that this exemption does not invalidate any local requirements applicable to the subdivision of land (page 2).
 - 10. The preparation of a plat for wind energy devices under Sec. 10-620 of the Property Tax Code.
 - 11. Other: _____

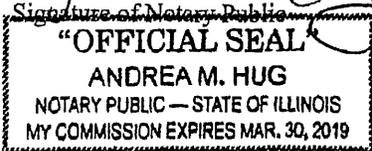
C. The division does not meet any of the above criteria and must have county approval (page 2).
Legal description prepared by: _____

AFFIANT further states that he/she makes this affidavit for the purpose of inducing the Recorder of Deeds of McLean County, State of Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO before me Andrea M. Hug
this 30 day of June, 2016

Andrea M. Hug
Signature of Notary Public

Edg E Slaton
Signature of Affiant

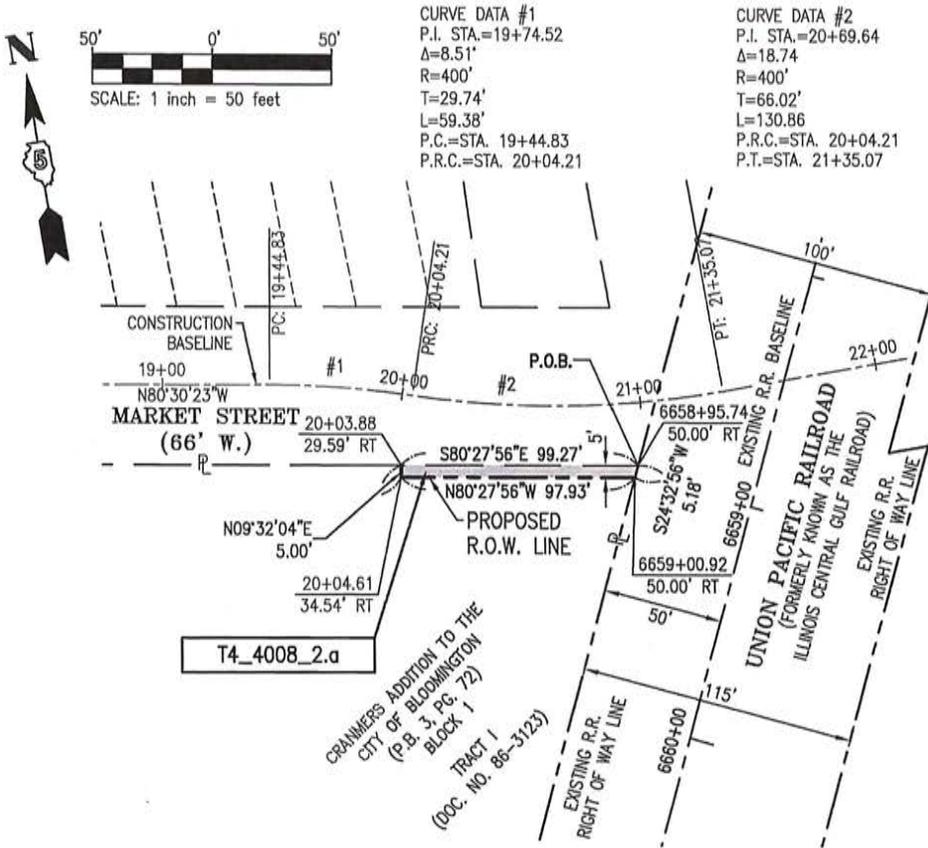


T. 23 N.

R. 2 E.

3rd P.M.

Exhibit Number 2



LEGAL DESCRIPTION:

That part of Block 1 in Cranmers Addition to the City of Bloomington (P.B. 3, Page 72) located in the Northeast Quarter of Section 5, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, described as follows:

Beginning at the northeast corner of said Block 1, said point being on the northwest right of way line of the Union Pacific Railroad (Formerly the Illinois Central Gulf Railroad); thence South 24 degrees 32 minutes 56 seconds West, said bearing based on the Illinois State Plane Coordinate System - East Zone NAD83 (2007), on said right of way line, 5.18 feet to a line located 5.00 feet south of and parallel with the south right of way line of Market Street (66 feet wide); thence North 80 degrees 27 minutes 56 seconds West on said parallel line, 97.93 feet; thence North 09 degrees 32 minutes 04 seconds East, 5.00' feet to said south right of way line of Market Street; thence South 80 degrees 27 minutes 56 seconds East, on said right of way line, 99.27 feet to the Point of Beginning.

NOTES:

- IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT-OF-WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
- COMPLETE TITLE COMMITMENT IS NOT CURRENTLY AVAILABLE. THE CURRENT TITLE COMMITMENT HDR-2014MK636.0 WITH THE EFFECTIVE DATE OF COMMITMENT OF JULY 17, 2014 DOES NOT COVER THE AREA AFFECTED BY THE RIGHT-OF-WAY ACQUISITION.
- BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE NAD83 (2007).

LEGEND

- P.O.B. POINT OF BEGINNING
- XX.XX' MEASURED DISTANCE
- (XX.XX') RECORD DISTANCE
- PL PROPERTY LINE
- R.O.W. RIGHT OF WAY

TOTAL HOLDING TRACK 1= 0.921± AC.
 R.O.W. REQUIRED = 0.011 AC. = 493 SQ. FT.
 REMAINING AREA = 0.910± AC.

McLEAN COUNTY ASPHALT CO., INC.

[21-05-257-022]
(DOC. NO. 86-3123)
IDOT NO. 5T40034

SEE SHEET 2 FOR TOTAL HOLDING DETAIL PAGE

SHEET 1 OF 2

I, THE UNDERSIGNED ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY DECLARE, THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF, THE ABOVE PLAT IS A CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY DIRECTION AND THAT IT CORRECTLY DELINEATES THE DATA OF SAID SURVEY.



ILLINOIS PROFESSIONAL LAND SURVEYOR #35-3918
LICENSE EXPIRES: 11/30/2018

6-7-2017 DATE

JUNEAU
ENGINEERING & LAND SURVEYING

2100 State Street, P.O. Box 1325
Granite City, IL 62040
618-977-1400 F. 618-452-5541
100 North Research Drive Edwardsville, IL 62025
618-659-0900 F. 618-659-0941
Professional Design Firm License No. 184.003389
330 N. Fourth Street, Suite 200 St. Louis, MO 63102
314-241-4444 F. 314-909-1331

RIGHT OF WAY PLAT

ROUTE: UPRR (CHI-STL)
SECTION: TIER 4 ROADWAY
COUNTY: McLEAN
INTEREST ID: T4_4008_2.a

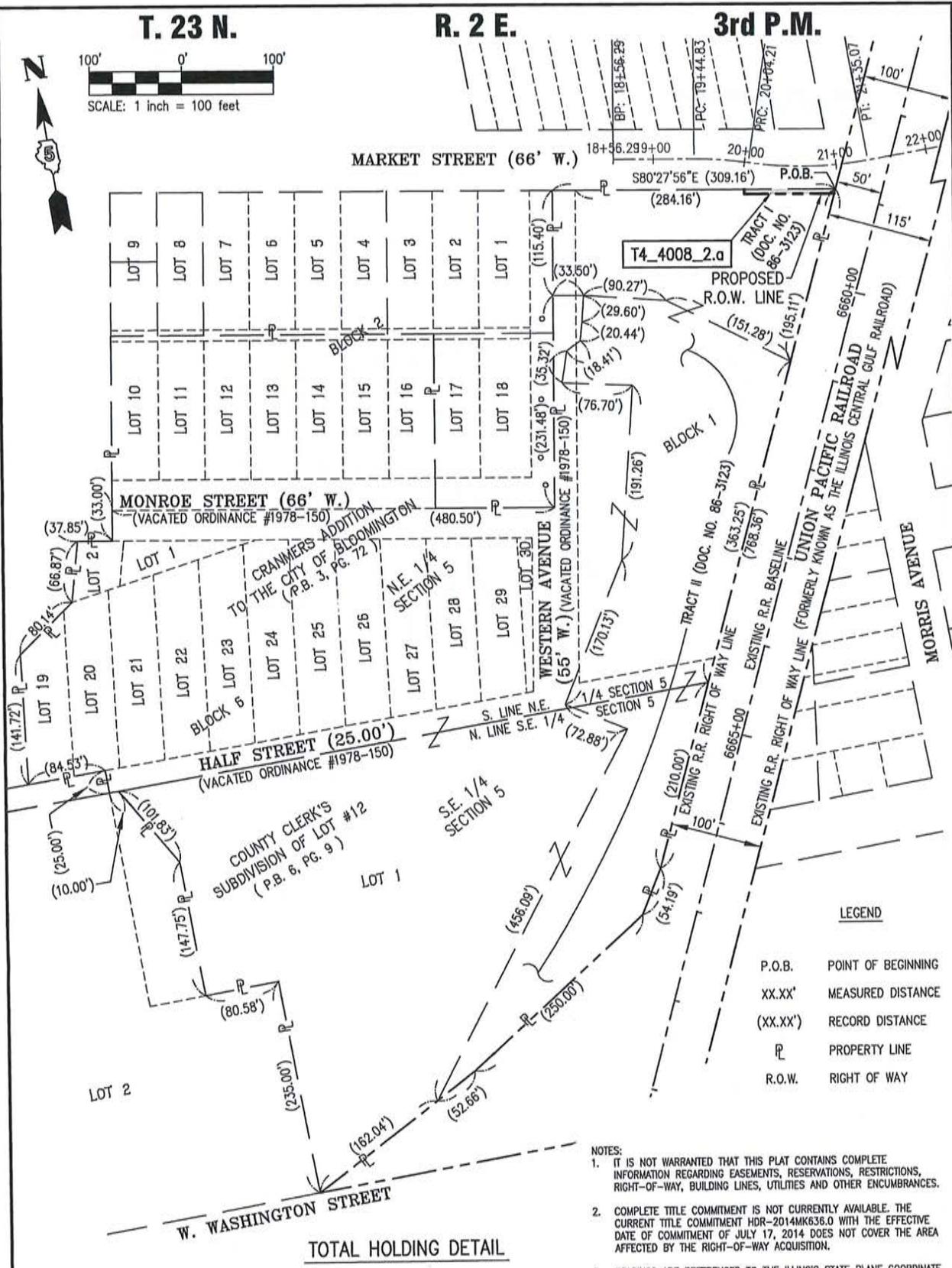
T. 23 N.

R. 2 E.

3rd P.M.



100' 0' 100'
SCALE: 1 inch = 100 feet



LEGEND

- P.O.B. POINT OF BEGINNING
- XX.XX' MEASURED DISTANCE
- (XX.XX') RECORD DISTANCE
- P PROPERTY LINE
- R.O.W. RIGHT OF WAY

NOTES:

1. IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT-OF-WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
2. COMPLETE TITLE COMMITMENT IS NOT CURRENTLY AVAILABLE. THE CURRENT TITLE COMMITMENT HDR-2014MK636.0 WITH THE EFFECTIVE DATE OF COMMITMENT OF JULY 17, 2014 DOES NOT COVER THE AREA AFFECTED BY THE RIGHT-OF-WAY ACQUISITION.
3. BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE NAD83 (2007).

TOTAL HOLDING DETAIL

McLEAN COUNTY ASPHALT CO., INC.

[21-05-257-022]
(DOC. NO. 86-3123)
IDOT NO. 5T40034

SHEET 2 OF 2

I, THE UNDERSIGNED ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY DECLARE, THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF, THE ABOVE PLAT IS A CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY DIRECTION AND THAT IT CORRECTLY DELINEATES THE DATA OF SAID SURVEY.



Jeremy D. Dresel
ILLINOIS PROFESSIONAL LAND SURVEYOR #35-3918
LICENSE EXPIRES: 11/30/2018

DATE 6-7-2017

JUNEAU
ENGINEERING & LAND SURVEYING
2100 State Street, P.O. Box 1325
Granite City, IL 62040
618-977-1400 F. 618-452-5541
100 North Research Drive
Edwardsville, IL 62025
618-659-0900 F. 618-659-0941
Professional Design Firm License No. 184.003389

RIGHT OF WAY PLAT
ROUTE: UPRR (CHI-STL)
SECTION: TIER 4 ROADWAY
COUNTY: McLEAN
INTEREST ID: T4_4008_2.a

TRANSMITTAL FORM

Wheatland Title Guaranty Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

09/21/2016

Lochmueller Group
1928 SrA Bradley R. Smith Drive
Troy, IL 62294

RE:

Section
County McLean
Job: R-95-059-13
IDOT Parcel Number: 5T40034
Interest ID: T4_4008_2.a

WTG File Number: IC-2015MK-799.0

Title Is Vested In:
The People of the State of Illinois, Department of Transportation

Document (s): Owner's Policy



Fidelity National Title Insurance Company

POLICY NO.: 4475-1-IC-2015MK-799-2016.27306-96847824

OWNER'S POLICY OF TITLE INSURANCE

Issued by

Fidelity National Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. *Title being vested other than as stated in Schedule A.*
2. *Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from*
 - (a) *A defect in the Title caused by*
 - (i) *forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;*
 - (ii) *failure of any person or Entity to have authorized a transfer or conveyance;*
 - (iii) *a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;*
 - (iv) *failure to perform those acts necessary to create a document by electronic means authorized by law;*
 - (v) *a document executed under a falsified, expired, or otherwise invalid power of attorney;*
 - (vi) *a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or*
 - (vii) *a defective judicial or administrative proceeding.*
 - (b) *The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.*
 - (c) *Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.*
3. *Unmarketable Title.*
4. *No right of access to and from the Land.*
5. *The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to*
 - (a) *the occupancy, use, or enjoyment of the Land;*
 - (b) *the character, dimensions, or location of any improvement erected on the Land;*
 - (c) *the subdivision of land; or*
 - (d) *environmental protection*

if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. *An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.*
7. *The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.*
8. *Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.*
9. *Title being vested other than as stated Schedule A or being defective*
 - (a) *as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or*
 - (b) *because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records*
 - (i) *to be timely; or*
 - (ii) *to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.*



10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Fidelity National Title Insurance Company



By:

Robert M. P. L.

ATTEST

President

[Signature]

Secretary

Countersigned:

[Signature]
Authorized Signatory

JOHN D AMMONS

4475IL IC-2015MK-799
Aurora Wheatland Companies, Incorporated
105 West Veterans Parkway
Yorkville, IL 60560
Tel: (630) 892-2323
Fax: (630) 892-2390

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.



Prepared For:

Lochmueller Group
1928 SrA Bradley R. Smith Drive
Troy, IL 62294

Effective Date of Policy: July 05, 2016

| | | | |
|---------|-------------|----------------|-----------------|
| Job | R-95-059-13 | WTG# | IC-2015MK-799.0 |
| | | Effective Date | July 05, 2016 |
| County | McLean | Section | 5 |
| Section | | Township | 23N |
| Parcel | 5T40034 | Range | 2E |

Tax Parcel Number(s):
21-05-257-022 (pt)

Prior Title: McLean County Asphalt Co., Inc.

-- FOR OFFICE USE ONLY

Policy Number: 27306-96847824
Effective Date: July 05, 2016
WTG Number: IC-2015MK-799.0

Job R-95-059-13
County McLean
Section
Parcel 5T40034
Prior Title: Mc Lean County Asphalt Co., Inc.

FIDELITY NATIONAL TITLE INSURANCE COMPANY
OWNER FORM
-Schedule A-

Policy Number: 27306-96847824
Effective Date: July 05, 2016
WTG Number: IC-2015MK-799.0

Amount of insurance: \$900.00

1. Name Insured:

The People of the State of Illinois, Department Of Transportation

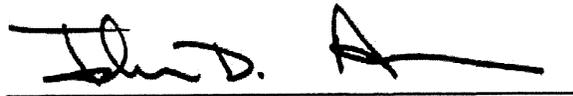
2. The estate or interest in the land described herein and which is covered by this policy is, at the effective date hereof, vested in the name insured and is Fee Simple.

3. The land referred to in this policy is described as follows:

See Attached Page 2 of Schedule A

Please refer all inquiries to John D. Ammons at (630) 892-2323.

Wheatland Title Guaranty Co. By



ISSUED BY:
Wheatland Title Guaranty Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

Job R-95-059-13
County McLean
Section
Parcel 5T40034
Prior Title: Mc Lean County Asphalt Co., Inc.

**FIDELITY NATIONAL TITLE INSURANCE COMPANY
OWNER FORM
-Schedule A continued-**

Policy Number: 27306-96847824
WTG Number: IC-2015MK-799.0

LEGAL DESCRIPTION

THAT PART OF BLOCK 1 IN CRANMERS ADDITION TO THE CITY OF BLOOMINGTON (P.B. 3, PAGE 72) LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 1, SAID POINT BEING ON THE NORTHWEST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE ILLINOIS CENTRAL GULF RAILROAD); THENCE SOUTH 24 DEGREES 32 MINUTES 56 SECONDS WEST, SAID BEARING BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM - EAST ZONE NAD83 (2007), ON SAID RIGHT OF WAY LINE, 5.18 FEET TO A LINE LOCATED 5.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF MARKET STREET (66 FEET WIDE); THENCE NORTH 80 DEGREES 27 MINUTES 56 SECONDS WEST ON SAID PARALLEL LINE, 97.93 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 04 SECONDS EAST, 5.00 FEET TO SAID SOUTH RIGHT OF WAY LINE OF MARKET STREET; THENCE SOUTH 80 DEGREES 27 MINUTES 56 SECONDS EAST, ON SAID RIGHT OF WAY LINE, 99.27 FEET TO THE POINT OF BEGINNING. SAID PARCEL T4_4008_2.A RIGHT OF WAY ACQUISITION CONTAINS 0.011 ACRE OR 493 SQUARE FEET, MORE OR LESS.

PERMANENT TAX NUMBER: 21-05-257-022 (pt)

ISSUED BY:
Wheatland Title Guaranty Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

**FIDELITY NATIONAL TITLE INSURANCE COMPANY
OWNER FORM
-Schedule B-**

Policy Number: 27306-96847824
WTG Number: IC-2015MK-799.0

This policy does not insure against loss or damage by reason of the following exceptions:

STANDARD EXCEPTIONS

1. The lien of taxes the year 2015 and thereafter.
PERMANENT TAX NUMBER: 21-05-257-022 (pt)
2. Rights or claims of parties in possession not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Encroachments, easements, overlaps, boundary line disputes, or any other matters which would be disclosed by an accurate survey or inspection of the premises.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

1. Rights of the Public, the State and the Municipality in and to that part of the land, if any, taken or used for road purposes.
2. Confirmed Special Assessments, if any, not certified to by the Company.
3. Financing Statements, if any, not certified to by the Company.
4. A Mortgage dated December 3, 2012 and recorded December 27, 2012 as Document No. 2012-00032950 and re-recorded on November 15, 2013 as Document No. 2013-00027674 made by McLean County Asphalt Co., Inc. to Heartland Bank and Trust Company to secure a note in the amount of \$2,000,000.00 recorded in the McLean County Recorder's Office.
5. A Mortgage dated February 2, 2015 and recorded February 12, 2015 as Document No. 2015-00002364 made by McLean County Asphalt Co., Inc. to Heartland Bank and Trust Company to secure a note in the amount of \$700,000.00 recorded in the McLean County Recorder's Office.

ISSUED BY:
Wheatland Title Guaranty Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

FIDELITY NATIONAL TITLE INSURANCE COMPANY
OWNER FORM
-Schedule B-

6. Ordinance No. 1959-29 Vacating a Portion of Western Avenue dated November 9, 1959 and recorded November 19, 1959 as Document No. 60601; Book 698, Page 260 made by City Clerk of Bloomington, Illinois recorded in the McLean County Recorder's Office.
7. Ordinance No. 1978-150 Vacating a Part of West Monroe and Western dated January 16, 1979 and recorded February 14, 1979 as Document No. 79-1502 made by City Clerk of Bloomington, Illinois recorded in the McLean County Recorder's Office.
8. An Easement dated July 5, 1977 and recorded August 23, 1977 as Document No. 77-12643 made by Lyall J. Wright and Naomi R. Wright to Illinois Power Company recorded in the McLean County Recorder's Office.
9. A Joint and Mutual Easement dated March 25, 1987 and recorded April 7, 1987 as Document No. 87-6661 made by David H. Miller to McLean County Asphalt Co., Inc. recorded in the McLean County Recorder's Office.
10. A No Further Remediation Letter dated December 18, 2008 and recorded December 30, 2008 made by the Illinois Environmental Protection Agency to McLean County Asphalt recorded as Document No. 2008-00033522 in the McLean County Recorder's Office.
11. An Easement Deed by Court Order dated October 28, 2011 and recorded November 30, 2011 as Document No. 2011-00026466 made by The United States District Court for the Northern District of Illinois to Sprint Communications Company L.P., et al. recorded in the McLean County Recorder's Office.
12. An Agreement Concerning Land for a Temporary Easement dated March 4, 2015 and recorded April 8, 2015 as Document No. 2015-00005736 made by McLean County Asphalt Co., Inc. to Union Pacific Railroad Company recorded in the McLean County Recorder's Office.
13. Note: This tax parcel number covers more than the property in question.

-End Schedule B-

ISSUED BY:
Wheatland Title Guaranty Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

(a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.

(b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.

(c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.

(d) "Insured": The Insured named in Schedule A.

(i) The term "Insured" also includes

(A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;

(B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;

(C) successors to an Insured by its conversion to another kind of Entity;

(D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title

(1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,

(2) if the grantee wholly owns the named Insured,

(3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or

(4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.

(ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

(e) "Insured Claimant": An Insured claiming loss or damage.

(f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.

(g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

(h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.

(i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.

(j) "Title": The estate or interest described in Schedule A.

(k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase,

lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

(b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

(c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and

ALTA Owner's Policy (6/17/06)

27306 (6/06)

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it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Insurance.

To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

(b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.

(i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and

expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

(ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

(a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of

(i) the Amount of Insurance; or

(ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.

(b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,

(i) the Amount of Insurance shall be increased by 10%, and

(ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.

(c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

(a) If the Company establishes the Title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

(b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.

(c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.



12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

(b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.

(c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

(d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

(a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

(b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at Fidelity National Title Insurance Company, Attn: Claims Department, P. O. Box 45023, Jacksonville, Florida 32232-5023.

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CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of adopting an ordinance approving a petition from Bruce & Theresa Weldy, for a vacation of a portion of a Surface Drainage and General Purpose Utility Easement at 2105 Fifer Drive.

RECOMMENDATION/MOTION: That the ordinance be passed approving the Vacation of a Portion of a Surface Drainage and General Purpose Utility Easement at 2105 Fifer Drive and that the Mayor and City Clerk be authorized to sign the necessary documents.

STRATEGIC PLAN LINK: 2. Upgrade City Infrastructure and Facilities, 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service, 4e. Strong partnership with residents and neighborhood associations.

BACKGROUND:

The petitioner is the owner of the property and would like to build a pool within an area in their back yard where there is an existing Surface Drainage and General Purpose Utility Easement. The area to be vacated is a 10' portion of a 25' easement. The petitioner has received letters from utilities which state they do not object to the proposed vacation of the 10' portion of the easement.

The applicant made an error on the Petition which was corrected by staff on 8/23/17 after the error was verified in a phone call with Theresa Weldy. The address of 2005 Trotter Lane is the applicant's current address. The address of 2105 Fifer Drive is the address of the property that the applicant will be building on and the correct address for the easement vacation.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: MetroNet Fiber, LLC., Corn Belt Energy, Comcast, Frontier, and Nicor Gas

FINANCIAL IMPACT: None.

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Luke Thoele P.E., Civil Engineer II

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- An Ordinance Approving the Vacation of a Portion of Public Easement at 2105 Fifer Drive
- Petition for Vacation of 2105 Fifer Drive including Utility Easement Vacation Letters
- Location Map for Easement Vacation at 2105 Fifer Drive

ORDINANCE NO. 2017 - __

**AN ORDINANCE APPROVING THE VACATION A PORTION OF PUBLIC EASEMENT AT
2105 FIFER DRIVE**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the vacation of a 10' portion of a 25' Surface Drainage and General Purpose Utility Easement ("Utility Easement") within the premises as legally described in the Legal Description attached hereto as Exhibit A; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made:

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

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

SECTION 2. That the Petition for Vacation of 2105 Fifer Drive is hereby approved.

SECTION 3. That said vacation of a 10' portion of a 25' Utility Easement is reasonable and proper because said easements are not needed for public use by said City, or by utility companies that may have rights of use.

SECTION 5. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 6. 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 7. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 8. This ordinance shall be effective immediately after its passage and approval and/or publication as provided by law.

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

PASSED THIS 11th DAY OF SEPTEMBER 2017.

APPROVED THIS __ DAY OF SEPTEMBER 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

PETITION FOR VACATION OF

~~2005 Trotter Lane~~ 2105 Fifer Drive

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

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

Now come(s) BRUCE & THERESA WELDY

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

1. That your Petitioner(s) is (are) interested as OWNER ~~IN THE PREMISES~~ in the premises hereinafter described in Exhibit(s) A attached hereto and made a part hereof by this reference;
2. That your Petitioner(s) seek(s) approval of the vacation of 10' UTILITY EASEMENT adjacent to said premises;
3. That said vacation of THE 10' UTILITY EASEMENT is reasonable and proper because such 10' UTILITY EASEMENT is not needed for public right-of-way by said City, its only use being the location of existing or proposed utilities.

WHEREFORE, your Petitioner(s) pray(s) that 10' UTILITY EASEMENT be vacated with such reservation of utility easements as may seem proper.

Respectfully submitted,
By: Bruce Weldy BRUCE WELDY
~~2105 FIFER~~ 2005 Trotter Lane
Bloomington, IL 61704

EXHIBIT A

The Westerly 10 feet of the Easterly 25 feet of Lot 3 in Tipton Trails Subdivision to the City of Bloomington, according the plat therefore recorded 6/26/2006 as document number 06/15810 being the 8th addition to the Tipton Trails Subdivision in the City of Bloomington, McLean County, Illinois.

PIN 14-25-427-003

Common address: ~~2005 Jett Ln.~~
2105 Fifer Drive

METRONET
THE POWER OF FIBER

John Greenbank
Executive Vice President
812.456.1205
John.greenbank@metronetinc.com

VIA EMAIL at cabfever9@comcast.net

Mr. Bruce Weldy
2005 Trotter Lane
Bloomington, IL 61704

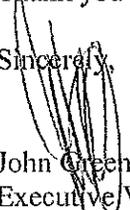
Re: Installation of Pool
2105 Fifer
Bloomington, IL 61704

Dear Mr. Weldy:

Please be advised that Metronet does not object to the installation of a pool and partial vacation of easement as described on the attached diagram.

Thank you for your time and consideration.

Sincerely,



John Greenbank
Executive Vice President
Metro Fibernet, LLC
Metronet Technologies, LLC

Enc.

MetroNet
3701 Communications Way
Evansville, Indiana 47715

ATTN: ~~Jim Karch~~ RENEE GOODERMAN



Count on Corn Belt!
Your Local Energy Resource

Your Touchstone Energy® Cooperative 

June 1, 2017

Bruce Weldy
2005 Trotter Lane
Bloomington, Illinois 61704

RE: Easement vacation

Mr. Weldy:

We cannot speak for other utilities in regards to easement needs in this area, but Corn Belt Energy has no objection to vacation of the 10' of easement area described in your easement vacation plat of lot 3 in The 8th Addition to Tipton Trails Subdivision.

Respectfully,

A handwritten signature in cursive script that reads "Jason Cotner".

Jason Cotner
Field Engineer

Attachments: 2



Bruce Weldy <weldyba@myunit5.org>

Fwd: Partial Easement Vacation 2105 Fifer Drive Bloomington

1 message

Bruce Weldy <weldyba@unit5.org>
To: Renee Gooderham <rgooderham@cityblm.org>

Thu, Jun 29, 2017 at 8:46 AM

Comcast attached...just Metronet left!

BW

----- Forwarded message -----
From: **Niebur, John** <John_Niebur2@comcast.com>
Date: Thu, Jun 29, 2017 at 8:20 AM
Subject: Partial Easement Vacation 2105 Fifer Drive Bloomington
To: "cabfever9@comcast.net" <cabfever9@comcast.net>

June 29, 2017

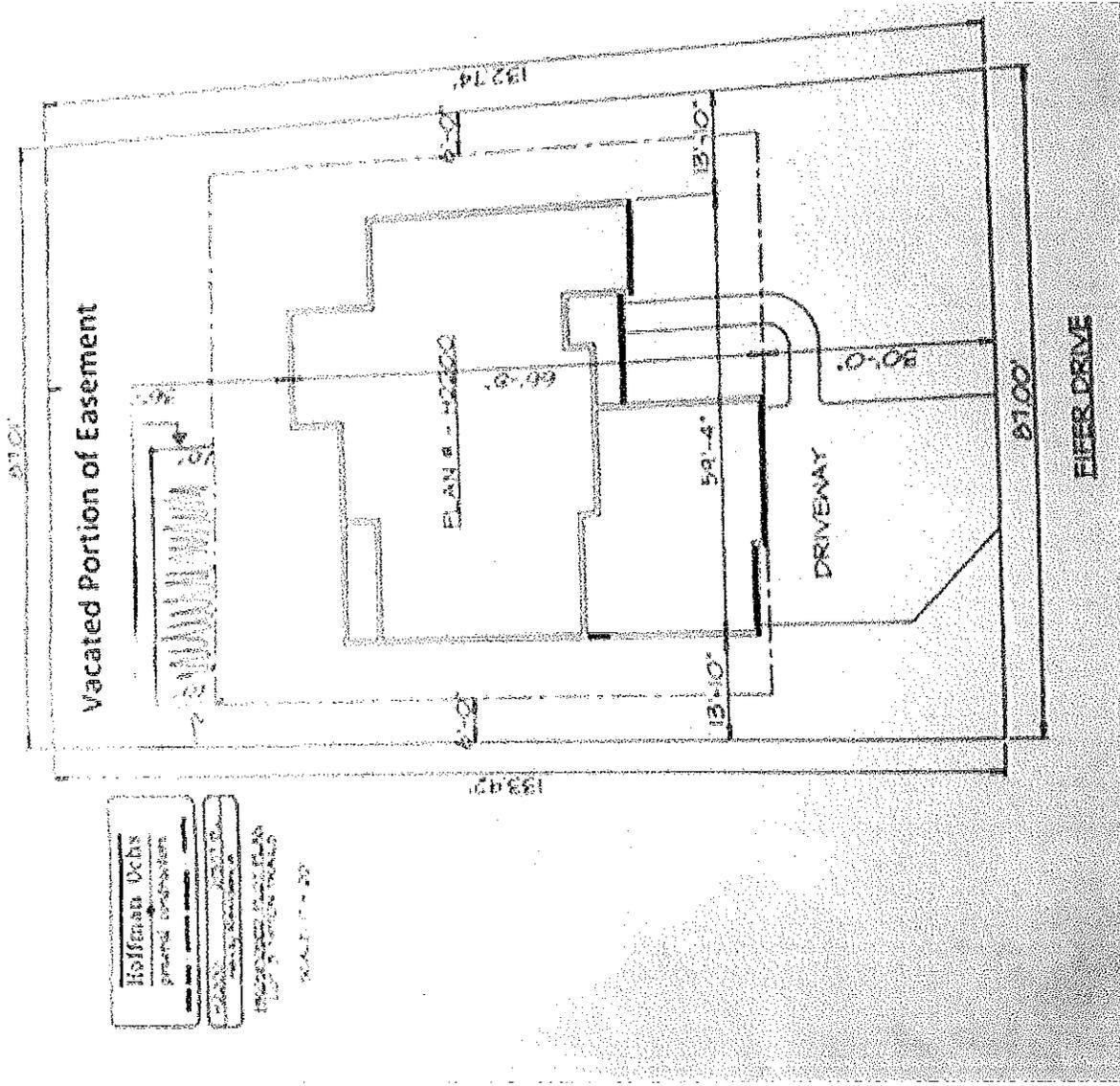
Comcast

Mr. Weldy,

I have reviewed the proposed partial easement vacation of the west 10' of the public utility easement, at the rear of Lot 3 Tipton Trails Subdivision, as shown on the attached sketch.

Comcast has no issues with the proposed change to the existing easement as shown below.

Proposed Plot



John Niebur

Construction Specialist

ATTN: RENEE GOODENAM

309-434-2628

FRONTIER

June 19, 2017
Mr. Bruce Weldy

Re: 2105 Fifer Bloomington IL. – Subdivision Utility Easement Vacation

Dear Bruce Weldy,
In response to your request on June 19, 2017 Frontier has no objections to vacate the western 10' of the 25' utility easement located off the east side of lot 3 of Tipton Trails.

Thanks,



Adam Gangloff
Frontier – OSP Engineering
109 E Market St.
Bloomington, IL 61701
309.557.1378



Nicor Gas

Amber G. Miller
Land Management Agent

1344 Fifer Rd
Bloomington, IL 61704
570 183 2454 office

amiller@southernco.com

TTN
Jim Ketch RENEE GOODERMAN

May 25, 2017

Bruce A. Weldy
2105 Fifer
Bloomington, IL 61704

via email: cabinfever9@comcast.net

Subject: 2105 Fifer, Bloomington
Nicor Atlas Page Reference: B-11254B

Dear Bruce:

This letter is sent in response to your recent inquiry regarding the construction of a pool (which shall not exceed 12' x 20') which will extend not more than 10' into the EAST utility easement, lying in the following described property:

Lot 3 Tipton Trails Eighth Addition, according to the plat recorded June 15, 2006 as Document No. 2006-15810, in the City of Bloomington, in McLean County, Illinois.
Parcel # 14-25-427-003

Based on the information you provided, Nicor Gas has no objection to the following encroachment:

The construction of a pool (not to exceed 12' x 20') extending no more than 10 feet into the 25' public utility easement bordering the EAST line of the Lot. The remaining portion of the utility easement will remain unobstructed and free to be used and accessed by Nicor Gas for the intended purpose, if needed.

Notify JULIE at 1-800-892-0123 at least 48 hours prior to commencing construction activities. Nicor Gas may have gas service pipes providing gas service to the described property. **The gas service pipes are neither covered by recorded easement nor are their locations mapped.**

Very truly yours,

Amber G. Miller
Land Management Agent
Land Services Department

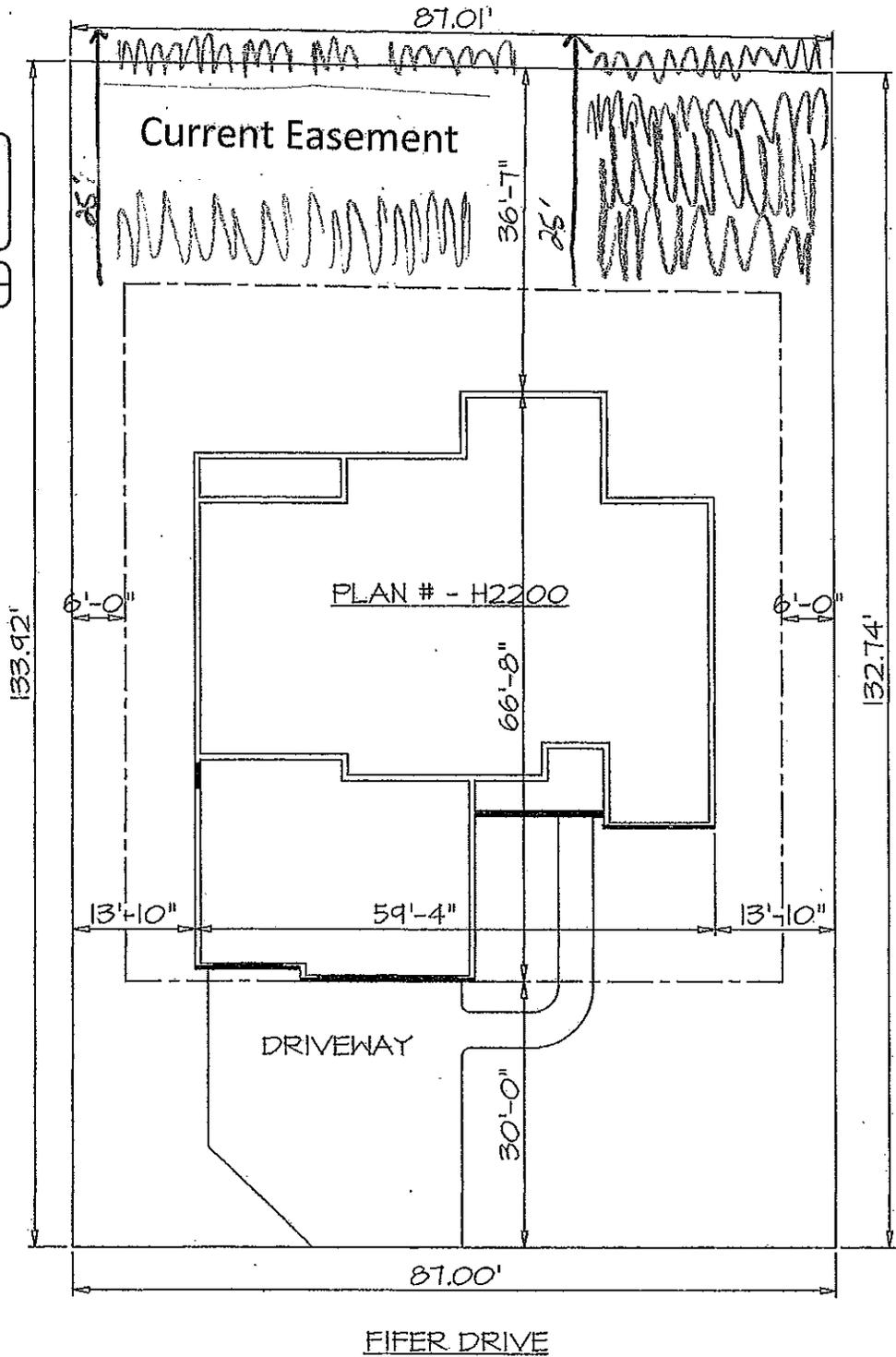
Original Plot

Hoffman Ochs
general contractors
residential • commercial construction • remodeling

H2200 2/3/17 B.L.
Weldy Residence

PROPOSED PLOT PLAN
LOT 3 TIPTON TRAILS

SCALE: 1" = 20'

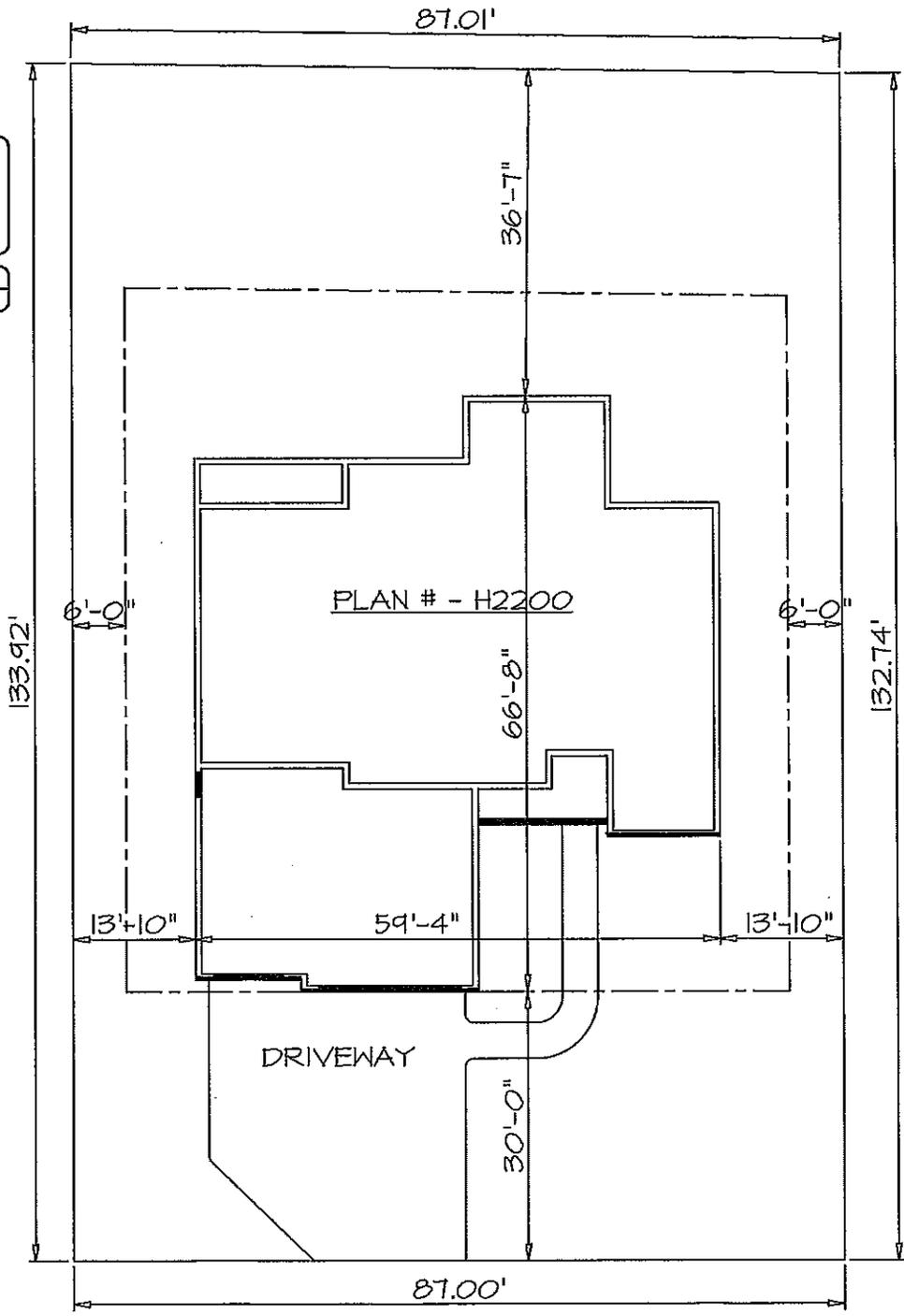


Hoffman Ochs
general contractors
residential • commercial construction • remodeling

H2200 2/3/17 B.L.
Weldy Residence

PROPOSED PLOT PLAN
LOT 3 TIPTON TRAILS

SCALE: 1" = 20'



FIFER DRIVE

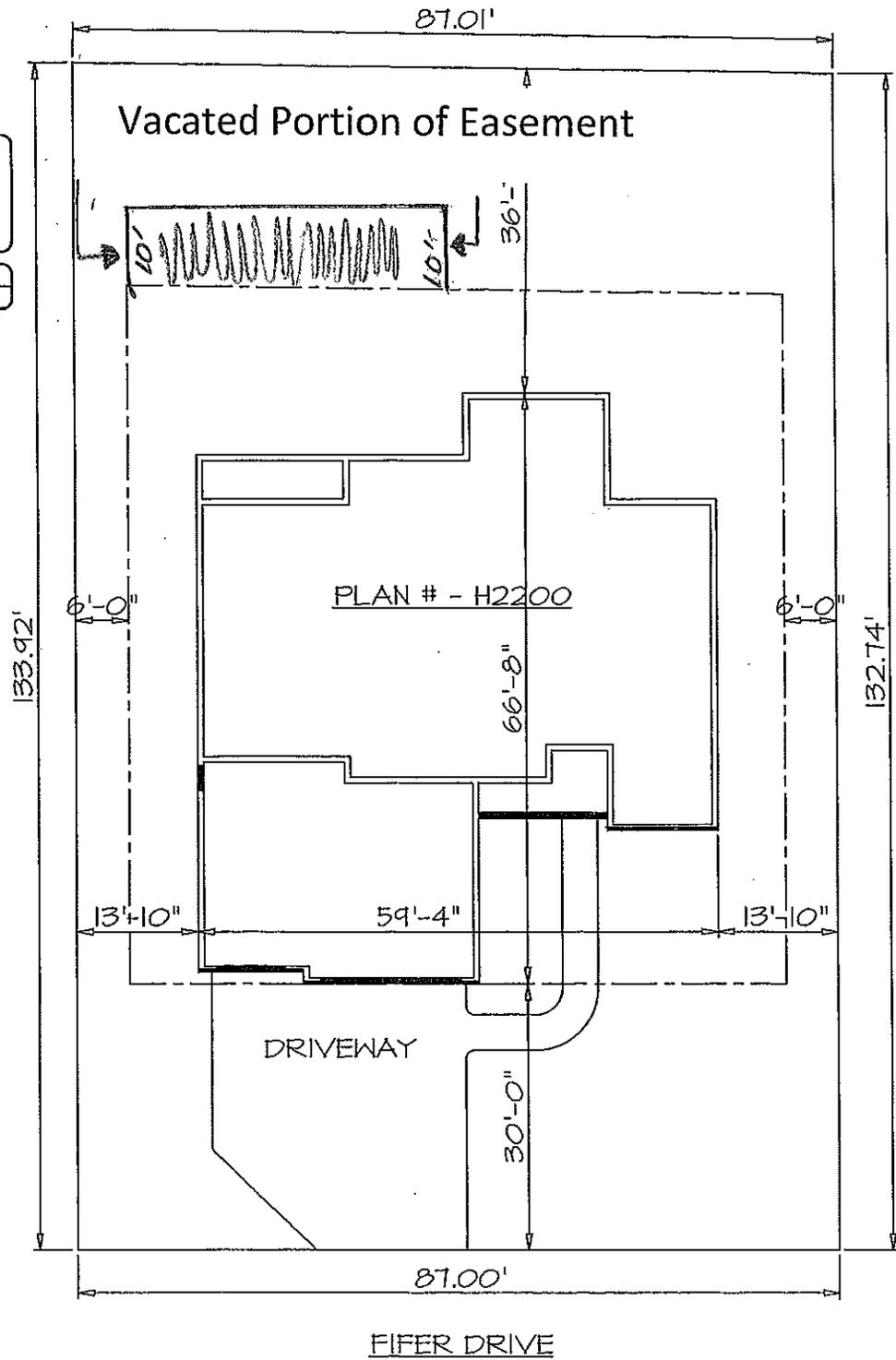
Proposed Plot

Hoffman Ochs
general contractors
residential • commercial construction • remodeling

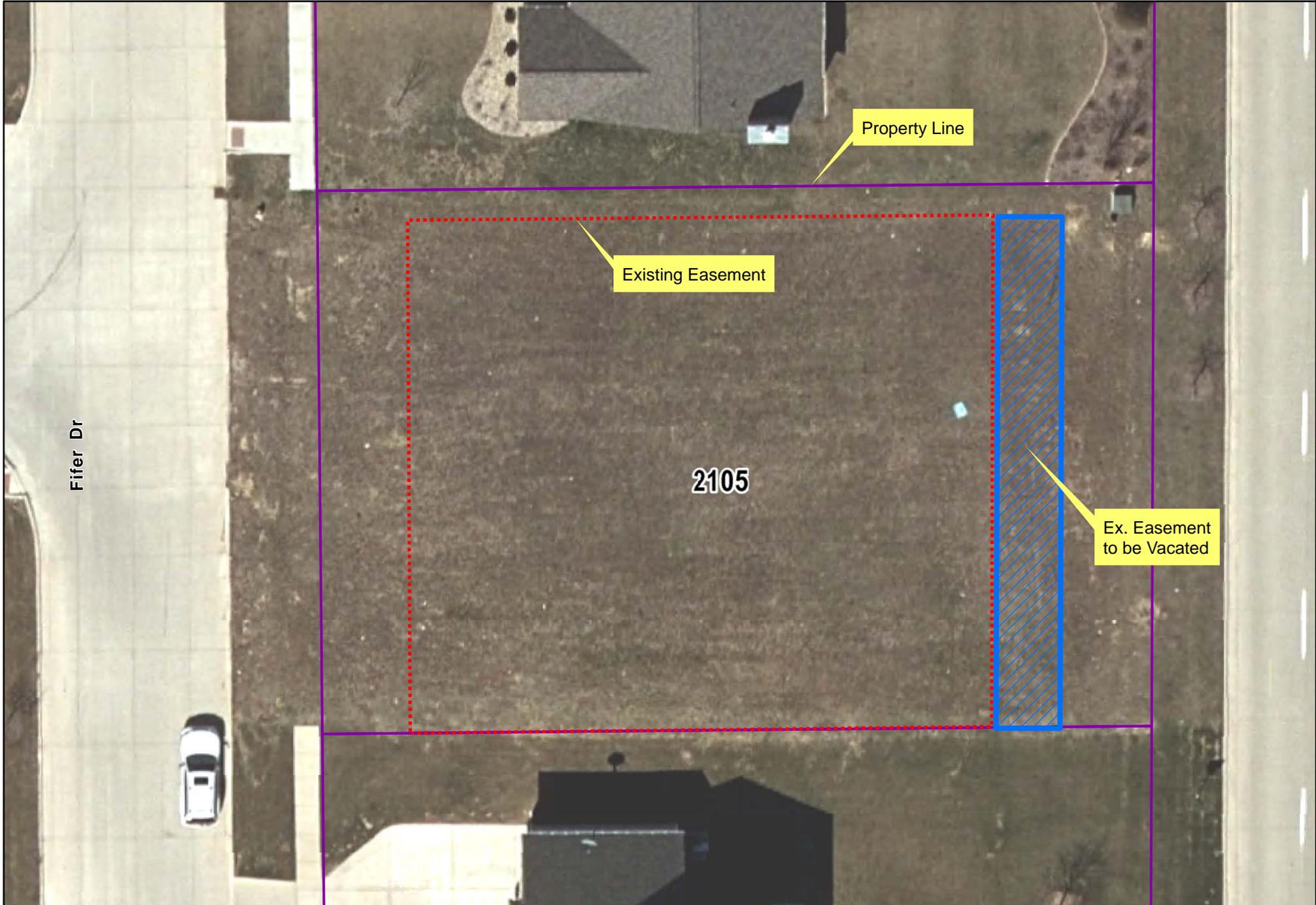
H2200 2/3/17 B.L.
Weldy Residence

PROPOSED PLOT PLAN
LOT 3 TIPTON TRAILS

SCALE: 1" = 20'



Easement Vacation at 2105 Fifer Drive



Property Line

Existing Easement

2105

Fifer Dr

Ex. Easement to be Vacated



CONSENT AGENDA ITEM NO. 7J

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of passing an ordinance rezoning the property at 508 W. Oakland Ave. from S-2, Public Lands and Institutions to R-1C, Single Family Residential District.

RECOMMENDATION/MOTION: That an ordinance approving the rezoning of the property at 508 W. Oakland Ave. from S-2, Public Lands and Institutions to R-1C, Single Family Residential District be passed and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: 4c. Preservation of property/home valuations

BACKGROUND: The subject property is located in the middle of the block on the south side of W. Oakland Ave. between S. Mason St. and S. Lee St. The subject site is approximately 8,352 square feet and improved with a single family home. The site is zoned S-2, Public Lands and Institutions. The existing structure and use as a single family home are considered to be legal nonconforming uses under the S-2 zoning designation. The property is adjacent to a single family home (east) and a church (west). The single family home east of the subject property was rezoned to R-1C, Single Family Residential District, on August 28, 2017 by the City Council. The church continues to be zoned S-2, Public Lands and Institutions. The north side of W. Oakland Ave. is improved with single family homes and zoned R-1C, Single Family Residential District.

The petitioner is the owner of 508 W. Oakland Ave. The petitioner is requesting the zoning map amendment to increase the value of the property and to eliminate the nonconforming status of the home. A legal nonconforming status can create a financial barrier for selling, financing or improving the property. The rezoning of 508 W. Oakland Ave. would have minimal impact on the surrounding properties because no changes to the layout, use, or design of the property are expected. Rather, it could add value to the community by decreasing a financial barrier caused by the existing zoning designation. Rezoning the subject property to R-1C, Single Family Residential District, brings the property into conformance with the zoning ordinance. Lastly, the zoning amendment upholds the property's residential use and preserves the character of the neighborhood.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This case was before the Planning Commission for a public hearing and review on August 9, 2017. No citizens, outside of the applicant, spoke in favor of the petition. No citizens spoke in opposition. The Commission recommended approval of the rezoning petition; this position is consistent with staff's recommendation. The motion was passed by unanimous vote, 8-0. Public notice of the hearing was published in the *Pantagraph* on July 25, 2017. In accordance with the Zoning Ordinance (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately

118 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: All utilities exist and the property is served by fire, police and the school districts. The single family home is nonconforming as it is zoned. Amending the zoning will bring the use into conformance with the zoning ordinance and could reduce financial barriers for the homeowner trying to invest and improve property values. Additionally, the zoning change will preserve the character of the neighborhood as single family residential.

COMMUNITY DEVELOPMENT IMPACT: *Link to Comprehensive Plan*

The Comprehensive Plan promotes quality and affordable housing for residents and increased homeownership. Reducing the nonconforming status of 508 W. Oakland Ave. reduces a financial barrier and encourages homeownership and neighborhood investment. The zoning change to residential preserves the character, identity, and stability of the neighborhood.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: NA

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

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

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Petition
- List of Permitted Uses in the R-1C District
- Aerial View
- Zoning Map
- Staff Report
- PC Draft Minutes
- Newspaper and neighborhood notices.

ORDINANCE NO. 2017 - _____

AN ORDINANCE REZONING THE PROPERTY LOCATED AT 508 W. OAKLAND AVE. FROM S-2, PUBLIC LANDS AND INSTITUTIONS DISTRICT TO R-1C, SINGLE FAMILY RESIDENTIAL DISTRICT

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, Petition for rezoning of certain premises hereinafter described in Exhibit(s) "A"; and

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

WHEREAS, the Bloomington Planning Commission concluded the current zoning to be inappropriate and incompatible with the vision of the comprehensive plan and recommended City Council pass this ordinance to amend the zoning classification to R-1C, Single Family Residential District; and

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

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

1. That the premises hereinafter described in Exhibit(s) "A" shall be and the same are hereby rezoned from "S-2" Public Lands and Institutions to "R-1C", Single Family Residential District.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk

Jeffrey R. Jurgens
Corporate Counsel

EXHIBIT "A"

(Legal Description)

508 W Oakland Ave

PAITNERS 2ND ADD E72' N 1/2 BLK 17

PIN: 21-09-102-005

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes Armstrong Properties LLC, hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

- 1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of S2 Public Lands under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R1C - Single family residential zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from S2 to R1C.

Respectfully submitted,

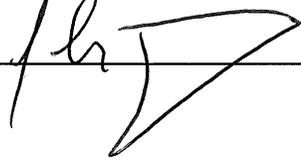
By:  _____

Exhibit A

Legal Description for 508 W. Oakland Ave

PAINTER'S 2ND ADDN E72' N1/2 17

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on Wednesday, August 9, 2017 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive St., Bloomington, IL.

The Petition submitted by Armstrong Properties, LLC, requesting approval to Rezone property located at 508 W. Oakland Ave., from a S-2 Public Lands & Institutions to R-1C, Single Family Residence District.

Legal Description: Exhibit A

Painters 2nd Addition E72' N ½ 17. PIN: 21-09-102-005

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk at 109 E. Olive St., Bloomington, IL.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing. The City Clerk may be contacted either by letter at 109 E. Olive Street, Bloomington, IL 61701, or by telephone at 309-434-2240 or via email at cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.



Cherry Lawson
City Clerk

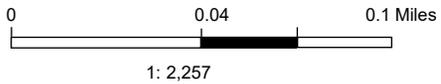
Published in the Pantagraph: July 25, 2017

| Permitted Uses in the R-1C District | |
|---|---|
| Agency-Operated Family Homes | P |
| Agriculture | P |
| Cemeteries | S |
| Churches, Synagogues, Temples | S |
| Columbarium | S |
| Country Clubs, Golf Clubs | S |
| Day Care Centers | S |
| Dwellings, Single-Family | P |
| Dwellings, Two-Family | S |
| Electricity Regulating Substations | P |
| Flammable Liquid Pipelines | P |
| Forestry | P |
| Gas Regulatory Stations | P |
| Golf Courses - Not Miniature Golf | S |
| Group Homes for Parolees | S |
| Group Homes for Parolees | S |
| Irrigation Channels | P |
| Non-hazardous Storage, College/University | S |
| Non-residential College/Univer.Student Clubs & Assoc. | S |
| Nursery Schools | S |
| Offices, College/University | S |
| Parking Lot, College/University | S |
| Parking Lot, Noncommercial | S |
| Parks, Playgrounds, Aboretums | P |
| Police Stations, Fire Stations | P |
| Postal Services | P |
| Pre-Schools | S |
| Religious Education Facility | S |
| Sewage Lift Stations | P |
| Swimming Pools | S |
| Telecommunication Antenna Facilities | S |
| Telephone Exchange Substations | S |
| Utility Conduits, Lines, Pipelines | P |
| Water Pressure Control Stations | P |
| Water Purification Plants | P |
| Water Storage Reservoirs | P |



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Notes



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| Notes |
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**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
August 9, 2017**

| CASE NUMBER: | SUBJECT PROPERTY: | TYPE: | SUBMITTED BY: |
|---|--|--------------|--------------------------------|
| Z-23-17 | 508 W Oakland Ave | Rezone | Katie Simpson, City Planner |
| PETITIONER'S REQUEST: | Rezone the subject property from S-2 Public Lands and Institutions to R-1C, Single Family Residential District, to allow for a single family home. | | |
| <i>Staff finds that the petitions meet the Zoning Ordinance's map amendment guidelines for the R-1C District</i> | | | |

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:

A. That City Council **approve** the rezoning of 508 W Oakland Ave from S-2, Public Lands and Institutions to R-1C, Single Family Residential District, case Z-23-17.



A. Z-23-17 Rezone 508 W Oakland to R-1C, Single Family Residential District

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on July 25, 2017.

GENERAL INFORMATION

Owner and Applicant: Armstrong Properties LLC



PROPERTY INFORMATION

508 W. Oakland Ave

PAITNERS LOT 2ND ADD E72' N1/2 17

PIN: 21-09-102-005

Existing Zoning: S-2, Public Lands and Institutions
Existing Land Use: Single family residence
Property size: 0.191 acres (8,352 sqft or 72'X116')

Surrounding Zoning and Land Uses

Zoning

North: R-2, Mixed Residential
South: R-1C Single Family Residential
East: S-2, Public Lands and Institutions
West: currently S-2, petitioning for R-1C zoning

Land Uses

North: Single and two family homes
South: Single family homes
East: Church
West: Single family homes

Analysis

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

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Site visit

PROJECT DESCRIPTION

Background: The subject property is located near the intersection of Lee Street and W. Oakland Ave, on the south side of Oakland Ave. It is improved with a single family home and already served by city utilities and facilities. The property is approximately 72 ft wide and 116 ft deep. It is surrounded by single and two family homes. The property is adjacent to a church, zoned S-2, Public Lands and Institutions. The subject property was owned by the church and, at one point, expected to be used as a domestic violence shelter a use permitted in the S-2 district. The property's use as a single family home is considered nonconforming under the S-2 zoning designation and current ordinance. The petitioner would like to rezone the property to bring it into conformance with the ordinance which can reduce barriers for future financing and improvements. Additionally, on July 26, 2017, the Planning Commission reviewed an application and gave a positive recommendation to rezone the adjacent property at 510 W Oakland Ave from S-2 to R-1C.

A. Z-23-17 Rezone 508 W Oakland to R-1C, Single Family Residential District

Project Description:

The intent of the current zoning district, S-2 Public Lands and Institutions, is to allow for the establishment and maintenance of public uses, publically-regulated uses and private uses that display an inherent relationship to the public interest. The types of uses permitted are multifamily homes, community centers, townhouses, swimming pools, government services and courthouses.

The proposed zoning district, R-1C Single Family Residential, district allows primarily for single family homes, two family homes with a special use permit and is intended to provide primarily for the establishment of areas of higher density single family detached dwellings while recognizing the compatibility of two family dwelling units with a special use. The subject property was originally zoned residential and rezoned to allow for the expansion of the church or public uses. The subject property complies with the bulk requirements and lot dimensions of the proposed district. Furthermore, because 510 W. Oakland and 508 W. Oakland are adjacent properties and contiguous to R-1C, rezoning these two properties, the rezoning effort is comprehensive. Eventually, staff would like the property at 512 W. Oakland to also have the zoning changed to reduce the nonconforming status and become more coherent.

Link to Comprehensive Plan:

The promotion of quality affordable housing stock and homeownership are compatible goals outlined in the comprehensive plan. Reducing the nonconforming status of this residence and barrier to financial support encourages homeownership and investment in properties.

FINDINGS OF FACT

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

1. *The capacity of existing and proposed community facilities and utilities including water and sewer systems to serve the permitted uses which lawfully occur on the property so zoned; the property exists as a single family home and has adequate utilities. The standard is met.*
2. *The adequacy of public services including police and fire protection and solid waste collection serving the property and the impact permitted uses would have upon these services; the property is currently served by public services, no change is anticipated. Irving Elementary School is located nearby and already serves the property. There are also a number of surrounding churches, and the property is close to Immanuel Health Clinic. The standard is met.*
3. *The extent to which the permitted uses will promote balanced growth in the community and will be consistent with the City’s goals for equal housing opportunities and a variety of housing types; the proposed rezoning would permit the single family home on the property at 508 W. Oakland Ave eliminating a legal nonconforming status. The zoning*

A. Z-23-17 Rezone 508 W Oakland to R-1C, Single Family Residential District

change allows the property owners to seek financing and homeownership, improving neighborhood tenure and encouraging community involvement. The standard is met.

4. *The extent of vacant properties in the vicinity that can be developed for uses compatible to those permitted in the district; the neighborhood is already established and developed. The zoning was changed to accommodate the nearby church but the configuration of the existing S-2 district is inappropriate for a number of uses contemplated in the S-2 district. The house exists and is compatible with surrounding residential, in size and bulk. Furthermore the R-1C district allows for two family homes with a special use permit and is compatible with the R-2 zoning across the street. The standard is met.*
5. *The impact of natural disasters, including flooding, would have upon permitted uses; no changes to the use have been proposed and no change in impact is expected. The standard is met.*
6. *The impact the proposed development would have upon the environment including noise, air and water pollution; single and two family homes are less intense developments than uses allowed in the S-2 district. The property exists as a single family home. No change is expected. The standard is met.*
7. *The potential impact existing or permitted uses in the vicinity would have upon uses authorized in the R-1C District and the impact such uses, if developed on the property would have upon existing uses in the vicinity; the R-1C district is contiguous to the subject property. Surrounding uses are compatible with the R-1C district and the existing use is compatible with the proposed zoning change. The standard is met.*
8. *The conformance of the proposal to the Official Comprehensive Plan and Official Map (Ordinance No. 2006-137). The Comprehensive Plan identifies this area as residential. The Plan also encourages affordable, quality housing stock and homeownership. The proposed rezoning is compatible with these goals and the larger vision of the community.*

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass the following motions recommending:

That City Council **approve** the rezoning of 508 W Oakland Ave from S-2, Public Lands and Institutions to R-1C, Single Family Residential District, case Z-23-17.

Respectfully submitted,

Katie Simpson

City Planner

Attachments:

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

MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, AUGUST 9, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. J. Balmer, Mr. David Stanczak, Mr. Ryan Scritchlow, Mr. John Protzman, Ms. Megan Headean, Mr. Eric Penn, Ms. Nicole Chlebek, Chairman Justin Boyd

MEMBERS ABSENT: Mr. James Pearson, Mr. Kevin Suess

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Mr. George Boyle, City Attorney; Ms. Katie Simpson, City Planner; Mr. Kevin Kothe, City Engineer; Mr. Phillip Allen, Traffic Engineer

CALL TO ORDER: Chairman Boyd called the meeting to order at 4:00 PM

ROLL CALL: Mr. Dabareiner called the roll. With seven members in attendance, a quorum was present. Ms. Chlebek arrived at 4:02 after roll was called.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the July 28, 2017 minutes. Mr. Scritchlow corrected a spelling error the first page of the minutes. Mr. Balmer moved to approve the minutes as corrected; Mr. Scritchlow seconded the motion. Motion was passed unanimously by a voice vote.

REGULAR AGENDA:

Z-23-17 Public hearing, review, and action on petitions submitted by Armstrong Properties, LLC requesting the rezoning of 508 W. Oakland Ave from S-2, Public Lands and Institution to R-1C, Single Family Residential District.

Chairman Boyd introduced the case. Ms. Simpson provided the staff report and staff's positive recommendation. Ms. Simpson explained this property is adjacent to 510 W. She shared an aerial photo, zoning map and pictures of the surrounding properties. Ms. Simpson provided background on the property and zoning and stated the use as a single family home is legal nonconforming under the present zoning classification. She explained that this status can create barriers for financing the property. Ms. Simpson noted amending the zoning would bring the subject property into conformance with the code.

Mr. John Armstrong, the petitioner, was sworn in. He stated that he agreed with the staff report and explained that he has owned the property for many years and is seeking rezoning to reduce future financial barriers.

No additional comments in favor of the petition were presented. No one spoke against the petition.

Chairman Boyd closed the public hearing. Mr. Balmer motioned to approve the rezoning as presented; seconded by Ms. Headean. Motion was approved 8-0 with the following votes: Mr. Balmer—yes; Ms. Headean—yes; Mr. Stanczak—yes; Mr. Scritchlow—yes; Mr. Protzman—yes; Mr. Penn—yes; Ms. Chlebek—yes; Chairman Boyd —yes.

OLD BUSINESS:

City of Bloomington Zoning Ordinance Update. Mr. Dabareiner explained the consultant is attending the August 23 meeting and are expected to discuss Manufacturing Districts, Business Districts and Overlay Districts.

NEW BUSINSS

None.

ADJOURNMENT: Mr. Scritchlow moved to adjourn; seconded by Mr. Balmer, which passed unanimously by voice vote. The meeting was adjourned at 4:09 PM.

Respectfully,

Katie Simpson
City Planner



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

July 27, 2017

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on **Wednesday, August 9, 2017 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois** for a petition submitted by **John Armstrong** requesting the rezoning of **508 W Oakland Street** from S-2, Public Lands and Institutions to R-1C, Single family residential. The subject property is legally described as:

PAINTERS 2ND ADD E72' N1/2 17
PIN: 21-09-102-005

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

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

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda and supporting materials will be available at <http://www.cityblm.org/government/advanced-components/documents/-folder-308>. If you desire more information regarding the proposed petition or have any questions you may contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Simpson', written in a cursive style.

Katie Simpson
City Planner

Attachments:
Location Map



Courtesy notice on a public hearing to rezone 508 W Oakland Ave from S-2, Public Lands to R-1C, Single Family Residential



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EDWIN JAMES
1101 S UNIVERSITY ST
NORMAL 617613535

JOHN ARMSTRONG
12 KLEGGSTONE CIR
BLOOMINGTON 617041508

JOSEFINA HARO
1226 RUTLEDGE RD
BLOOMINGTON 617043688

CAROLYN KUHLMAN-BROWN
1544 E SHELBOURNE DR
NORMAL 617614922

% AMEREN SERVICES ILLINOIS POWER
CO
1901 CHOUTEAU AVE
SAINT LOUIS 631666149

JOSEPH C & SALLIE BOYCE
208 S CHERRY ST
LEXINGTON 61753

CURTIS AND CHERYL HENRY
309 SOUTH EVERGREEN LANE
BLOOMINGTON 61704

DAVID LANE
3404 E OAKLAND AVE
BLOOMINGTON 617046208

JACKIE L JR & DONNA M ESON
429 STANDISH DR
BLOOMINGTON 617044692

PAUL W & ANNETTE R RUTLEDGE
109 S MAIN ST
ELLSWORTH IL 61737

CHAMBER PROPERTIES RS LLC
1102 1/2 W MACARTHUR AVE
BLOOMINGTON 617014826

MOORE FAMILY REAL ESTATE
HOLDINGS INC
1211 TOWANDA AVE
BLOOMINGTON IL 61701

SMR 911 INC
1301 IRONWOOD CC DR
NORMAL IL 61761

FREDERICK & PAULA HAFNER
1717 Braden Dr
Normal 617612349

SHARON FULKS
20 ROBINWOOD DR
NORMAL 617614001

WILBUILD LLC
210 LANDMARK DR
NORMAL 617612194

CURTIS AND CHERYL HENRY
309 SOUTH EVERGREEN LANE
BLOOMINGTON 61704

MIGUEL MARTIN
3465 EDENVILLE DR
LAS VEGAS 891173954

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BLOOMINGTON 617015136

MEMED NURCESKI
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BLOOMINGTON 617013907

ADALBERTO & ESPERANZA CAMPOS
CORNEJO
1108 ALEXANDER RD
BLOOMINGTON 617017743

MARK ZAPPA
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BLOOMINGTON 617042519

JAMES DARINGER
1321 N ALLIN ST
BLOOMINGTON IL 61701

DAVID AND GINA NORRIS
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CARLOCK 61725

DML REAL ESTATE LLC
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BLOOMINGTON 617013970

DEREK & MARNIE OVERTON
214 RISS DR
NORMAL 617613231

JORGE L & NOEMI VALENCIA CAMPOS
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BLOOMINGTON 61704

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BLOOMINGTON 617015124

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DAWN MARSHALL
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BLOOMINGTON 617015194

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Bloomington 617015164

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BLOOMINGTON 617015138

MABLE DOAGE
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KELLY ANDREWS
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BLOOMINGTON 61701

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DAVID LANE
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BLOOMINGTON 61701

SCOTT GATES
508 S MASON
BLOOMINGTON 61701

UNION MISSIONARY BAPTIST CHURCH
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BLOOMINGTON IL 61701

DEBRA & HOWARD RODGERS
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BLOOMINGTON 617015136

CECIL JONES
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BLOOMINGTON 617015136

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BLOOMINGTON 617015107

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HEYWORTH 617459168

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BLOOMINGTON 61701

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BLOOMINGTON 617015145

JENNIFER ZANG
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BLOOMINGTON IL 61701

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BLOOMINGTON 617015146

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BLOOMINGTON 61701

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BLOOMINGTON 617015107

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BLOOMINGTON 617015138

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BLOOMINGTON 617015147

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AMBER ROGERS
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BLOOMINGTON IL 61701

DAWN STONE
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BLOOMINGTON IL 61701

MICHELLE BRAL
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BLOOMINGTON IL 61701

ADAM CUMPSTON
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BLOOMINGTON IL 61701

MARY GAFFNEY
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BLOOMINGTON IL 61701

BRENDA RANKIN
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BLOOMINGTON IL 61701

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BLOOMINGTON IL 61701

JUAN CORNEJO
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BLOOMINGTON IL 61701

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CARLOS ORTIZ
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BLOOMINGTON 617015109

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BLOOMINGTON 617014901

BOBBY D & RACHEL M GENTRY EVANS
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BLOOMINGTON IL 61701

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BLOOMINGTON 617014901

THOMAS POWELL
606 W MILL ST
BLOOMINGTON IL 61701

STEPHEN LINKSVAYER
608 W Macarthur Ave
BLOOMINGTON IL 61701

BRANDON & JENNA DENNIS HOKE
612 W OAKLAND AVE
BLOOMINGTON IL 61701

WILLIE L MAMIE L DUGGON
701 S OAK
BLOOMINGTON 61701

IDA MELTON
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CARLENE BLUE
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BLOOMINGTON 617016426

ROGER BACHMAN
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BLOOMINGTON 617015131

EUGENE & ROSEMARY JOHNSON
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PAUL & HANS SLEETER
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BLOOMINGTON 617013545

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AUSTIN & KATIE RUTLEDGE MYERS
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ANGELA SHULTS
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CHAD & MICAH JESSEN
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BLOOMINGTON IL 61702

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BLOOMINGTON 61701

RODNEY HERRELL
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BLOOMINGTON 617016415

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BLOOMINGTON 61701

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801 S MADISON
BLOOMINGTON 61701

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BLOOMINGTON 617016433

DAN RATHBUN
805 S LEE ST
BLOOMINGTON 617016458

DOUGLAS LITWILLER
P O BOX 5727
BLOOMINGTON 61702

CATHY ESPINOZA
PO BOX 382
PEKIN 615550382

3097500260

Public Notices

20898321

**CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE**

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on Wednesday, August 9, 2017 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive St., Bloomington, IL.

The Petition submitted by Armstrong Properties, LLC, requesting approval to Rezone property located at 508 W. Oakland Ave., from a S-2 Public Lands & Institutions to R-1C, Single Family Residence District.

Legal Description: Exhibit A

Painters 2nd Addition E72' N ½
17. PIN: 21-09-102-005

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk at 109 E. Olive St., Bloomington, IL.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring

PUBLIC NOTICES

auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing. The City Clerk may be contacted either by letter at 109 E. Olive Street, Bloomington, IL 61701, or by telephone at 309-434-2240 or via email at cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Cherry Lawson
City Clerk

Published in the Pantagraph:
July 25, 2017



CONSENT AGENDA ITEM NO. 7K

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of passing an Ordinance for a Special Use Permit for the property located at 1509 N. Clinton Blvd. to allow a lock and key shop, a nonconforming use, in the R-1C, Single Family Residential District.

RECOMMENDATION/MOTION: That an Ordinance for a Special Use Permit for the property located at 1509 N. Clinton Blvd. to allow a lock and key shop, a nonconforming use, in the R-1C, Single Family Residential District, be passed and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: 3. Grow the local Economy; 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: 3a. Retention of local businesses; 4c. Preservation of property/home valuations

BACKGROUND: 1509 N. Clinton Blvd. is a legal, nonconforming commercial structure, built c. 1920, located in the R-1C, Single Family Residential District. The subject property was constructed as a Piggly Wiggly Grocery Store. Later it was converted into a restaurant, beauty salon and office. Most recently, the site served as an office for a nonprofit organization. The site consists of two parcels; the structure occupies one parcel and parking is provided on the other. Five parking spaces exist in the parkway in front of the building. The site has 21 parking spaces.

The petitioner, Bill's Lock and Key, has locations in Downtown Bloomington and Uptown Normal. The petitioner is requesting a special use permit for 1509 N. Clinton Blvd. because the petitioner would like to consolidate both locations into a central location. The zoning ordinance requires 19 spaces for an office or retail use at the site. The petitioner expects less than 19 spaces will be adequate to accommodate the intended use. The zoning ordinance allows the continuation of a nonconforming use and structure with a special use permit. The staff report, attached to this memorandum, provides a more detailed explanation of the history of the property, operational procedures of the petitioner's business and standards for a special use permit. Staff recommended favorably conditioned on the following site improvements occurring:

- Combining the two parcels into one tax parcel to eliminate a nonconforming use of commercial parking lot on a separate parcel. Combining both parcels could also prevent the potential sale of one of the properties, which could damage the ability of the business to operate.
- Eliminating the five parking spaces in front of the building in the parkway, restore curb and convert pavement to landscaping/grass.
- Add an ADA parking space for compliance with state regulations
- Provide screening along the south property line separating the parking and residential

The aforementioned improvements are intended to reduce the negative impacts on the neighborhood caused by the commercial use, to encourage compatible commercial uses in the future, and to bring the subject property closer to conformance with the city ordinance. On August 16, 2017 the Zoning Board of Appeals reviewed the petition. The petitioner agreed to the conditions as proposed and the Board recommended in favor of the permit conditioned to the aforementioned improvements.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This case was before the Zoning Board of Appeals for a public hearing and review on August 16, 2017. One citizen, outside of the applicant, spoke in favor of the petition. No citizens spoke in opposition. The Board recommended approval of the special use permit with added conditions; this position is consistent with staff's recommendation. The Zoning Board of Appeals approved the petition by unanimous vote, 7-0. Public notice of the hearing was published in the *Pantagraph* on August 1, 2017. In accordance with the Zoning Ordinance (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 81 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

FINANCIAL IMPACT: The petitioner owns a local business that has operated in the region for decades. The special use permit encourages the retention of this business and the revenues it generates. No change is expected.

COMMUNITY DEVELOPMENT IMPACT: [Link to Comprehensive Plan:](#) N-1.1c. Improve the walkability to destinations such as schools, parks and neighborhood commercial centers to preserve and enhance the walkable character of the neighborhood.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: NA

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

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

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Petition
- List of Permitted Uses in the R-1C District
- Aerial View
- Zoning Map
- Staff Report
- ZBA Draft Minutes
- Newspaper and neighborhood notices.

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A LOCK AND KEY SHOP FOR PROPERTY LOCATED AT 1509 N. CLINTON BLVD.

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for a lock and key shop for certain premises hereinafter described in Exhibit(s) A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such special use permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, 4-6 of the Bloomington, City Code, 1960, as amended; and

WHEREAS, the Bloomington Board of Zoning Appeals recommended said special use permit be approved with conditions; and

WHEREAS, the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit.

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

1. That the special use permit for lock and key shop on the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.
2. That such special use be conditioned upon the following:
 - a. The two parcels be combined into one parcel
 - b. 5 parking spaces in front of the store be removed, and the curb and landscaping be restored.
 - c. An ADA space be added for compliance with state regulations
 - d. Fencing and/or screening is provided on the south side of the property.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

APPROVED:

Tari Renner, Mayor

ATTEST:

Cherry Lawson, City Clerk

Jeffrey Jurgens, Corporate Counsel

Exhibit A
“Legal Description”

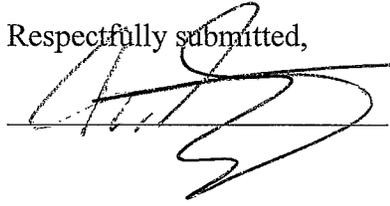
OWNERS SUB LOT 92 LAKEVIEW SUB & LOT 93 WHITES PLACE ADD (EX SD)
S 23' LOT 54 & ALL LOT 55
PIN: 14-33-429-002

OWNERS SUB LOT 92 LAKEVIEW SUB & LOT 93 WHITES PLACE ADD LOT 56
PIN: 14-33-429-003

7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;
8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the R-1C zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your petitioner(s) respectfully pray(s) that said special use for said premises be approved.

Respectfully submitted,



1509NClintonLegalDescription

1509 N. Clinton Boulevard

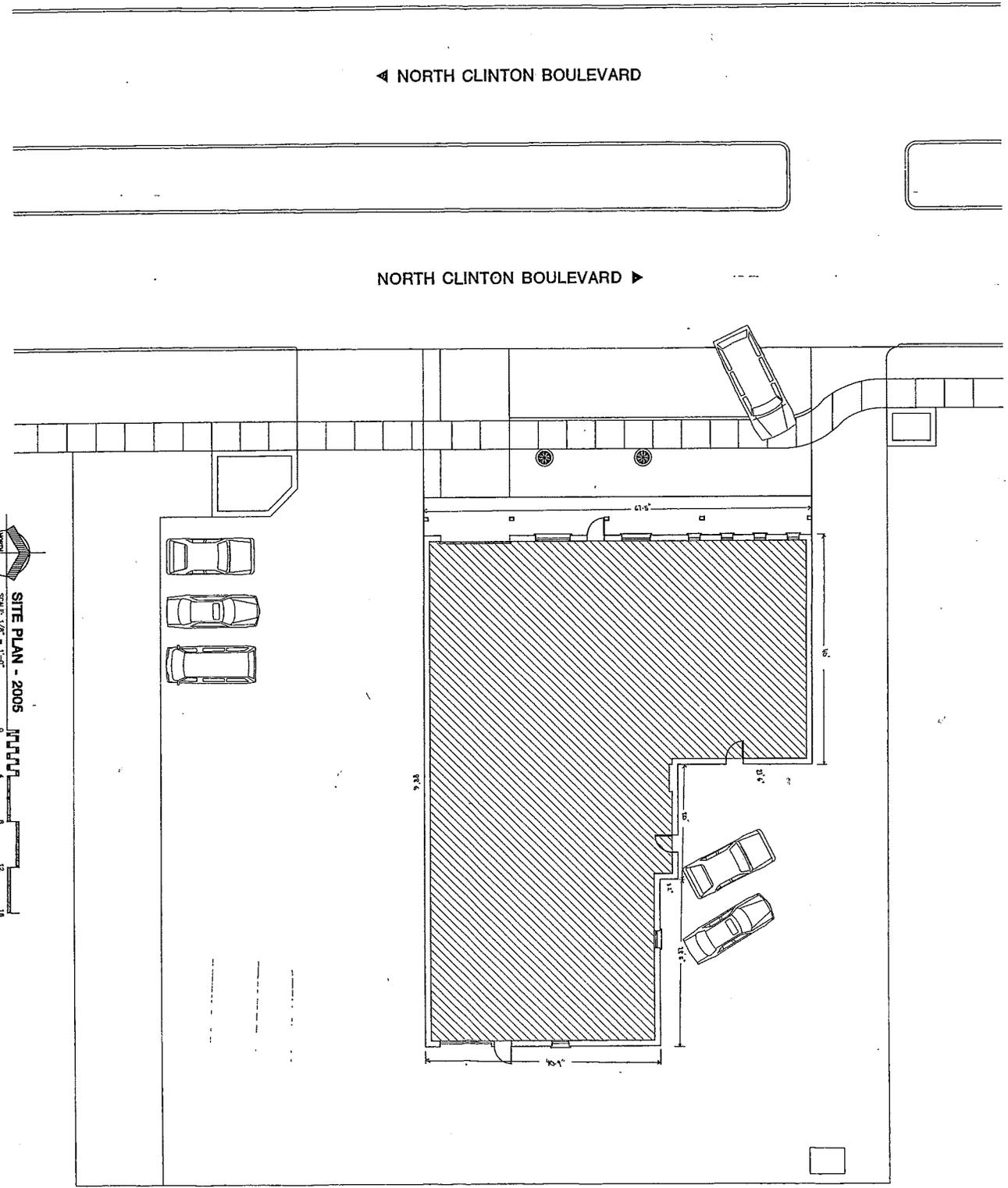
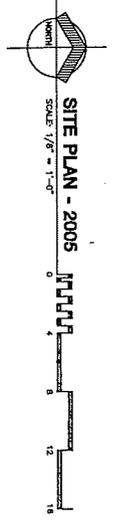
Legal Description:

OWNERS SUB LOT 92 LAKEVIEW SUB AND LOT 93 WHITES PLACE ADD LOT 56

PIN: 14-33-429-002

◀ NORTH CLINTON BOULEVARD

NORTH CLINTON BOULEVARD ▶



Site Plan - 2004

BBA Engineering, P.C.
 1509 N. Clinton Boulevard
 Bloomington, Illinois 61701-1899

| NO. | DATE | REVISION | BY |
|-----|------|----------|----|
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BBA Engineering
 BBA Engineering, P.C.
 Mechanical and Electrical Consulting Engineers
 1509 North Clinton Boulevard
 Bloomington, Illinois 61701
 Phone: 309/829-9458 Fax: 309/829-4142
 E-mail: bba@bba.com

Sheet No. **C1.1**
 of 2

| | |
|-------------|-----------|
| Project No. | 104-11-07 |
| Client | TLS |
| Design By | JLS |
| Drawn By | BEA |
| Scale | AS SHOWN |

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Zoning Board of Appeals will hold a public hearing on Wednesday August 16, 2017 at 4:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony on a petition submitted by Andy Streenz, Bill's Key and Lock Shop, requesting the following approval for a Special Use Permit to allow a key and lock shop in a R-1C, Single Family Residence District for property located at 1509 N. Clinton Blvd.

LEGAL DESCRIPTION: Owners Subdivision Lot 92 Lakeview Subdivision and Lot 93 Whites Place Addition Lot 56. PIN: 14-33-429-002

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five (5) days before the hearing.

The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

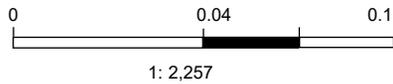
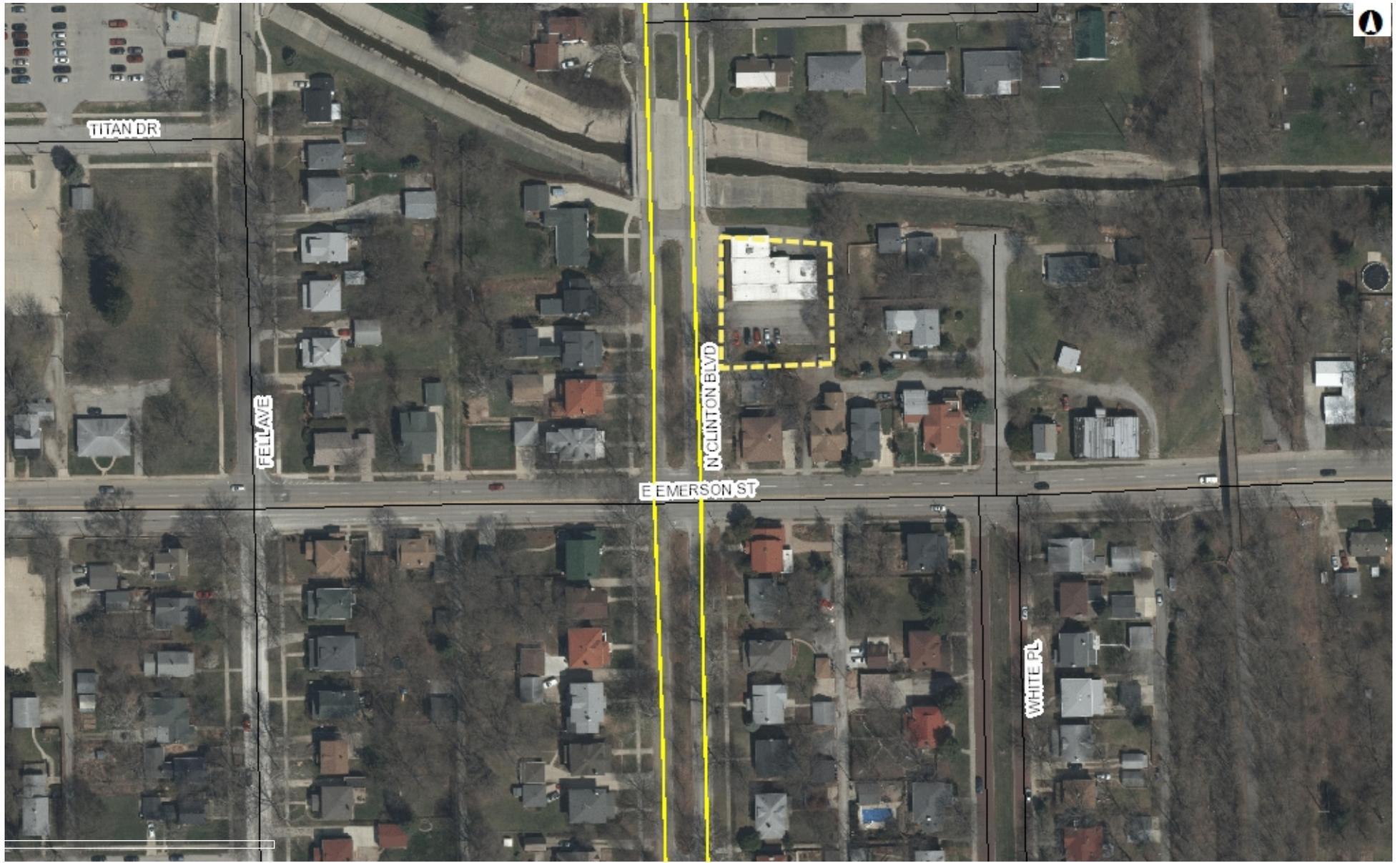
Cherry Lawson
City Clerk

Published in the Pantagraph: August 1, 2017

| Permitted Uses in the R-1C District | |
|---|---|
| Agency-Operated Family Homes | P |
| Agriculture | P |
| Cemeteries | S |
| Churches, Synagogues, Temples | S |
| Columbarium | S |
| Country Clubs, Golf Clubs | S |
| Day Care Centers | S |
| Dwellings, Single-Family | P |
| Dwellings, Two-Family | S |
| Electricity Regulating Substations | P |
| Flammable Liquid Pipelines | P |
| Forestry | P |
| Gas Regulatory Stations | P |
| Golf Courses - Not Miniature Golf | S |
| Group Homes for Parolees | S |
| Group Homes for Parolees | S |
| Irrigation Channels | P |
| Non-hazardous Storage, College/University | S |
| Non-residential College/Univer.Student Clubs & Assoc. | S |
| Nursery Schools | S |
| Offices, College/University | S |
| Parking Lot, College/University | S |
| Parking Lot, Noncommercial | S |
| Parks, Playgrounds, Aboretums | P |
| Police Stations, Fire Stations | P |
| Postal Services | P |
| Pre-Schools | S |
| Religious Education Facility | S |
| Sewage Lift Stations | P |
| Swimming Pools | S |
| Telecommunication Antenna Facilities | S |
| Telephone Exchange Substations | S |
| Utility Conduits, Lines, Pipelines | P |
| Water Pressure Control Stations | P |
| Water Purification Plants | P |
| Water Storage Reservoirs | P |



Aerial View



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Notes

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Zoning View



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Notes

**CITY OF BLOOMINGTON
 REPORT FOR THE BOARD OF ZONING APPEALS
 AUGUST 16, 2017**

| CASE NUMBER: | SUBJECT: | TYPE: | SUBMITTED BY: |
|--------------|---------------------|--|-----------------------------|
| SP-03-17 | 1509 N Clinton Blvd | Special Use for Lesser Nonconforming Use | Katie Simpson, City Planner |

PETITIONER’S REQUEST:

Section of Code: 44.4-6D3. A nonconforming use can be changed to a less nonconforming use by applying for a special use permit for a ‘lesser’ nonconforming use.

| Type of Case | Request | Required | Variation |
|--------------|-------------------|---------------------|-------------------|
| SPECIAL USE | Lock and Key Shop | Single family homes | Nonconforming use |

| | |
|------------------------------|---|
| STAFF RECOMMENDATION: | <p><i>Staff recommends approval of a special use permit for a lock and key shop at 1509 N. Clinton Blvd with the following conditions/guaranteed site improvements:</i></p> <ul style="list-style-type: none"> • <i>Combine the parking lot parcel with the building parcel</i> • <i>Eliminate the five parking spaces in front of the building, restore curb and convert pavement to landscaping/grass</i> • <i>That one ADA parking space be added for compliance</i> • <i>Provide screening along the south property line separating the parking and residential</i> |
|------------------------------|---|



N Δ

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on August 1, 2017.

GENERAL INFORMATION

Owner and Applicant: Andy Streenz, Bill’s Lock and Key

PROPERTY INFORMATION

Legal description: OWNER S SUB LOT 92 LAKEVIEW SUB & LOT 93 WHITES PLACE ADD (EX SD) S 23' LOT 54 & ALL LOT 55

Existing Zoning: R-1C, High density single family residential
Existing Land Use: Single family home
Property Size: Approximately 8,319 (parcel w/ building), 6,578 (parking lot)
PIN: 14-33-429-002 (building) 14-33-429-003 (parking)

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single family residential
South: R-1C, Single family residential
East: R-1C, Single family residential
West: R-1C, Single family residential

Land Uses

North: Single family home(s)
South: Single family home(s)
East: Single family home(s)
West: Single family home(s)

Analysis

Submittals

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

1. Application for Variance
2. Site Plan
3. Aerial photographs
4. Site visit



PROJECT DESCRIPTION

Background: According to the Tax Assessor’s website, 1509 N. Clinton Blvd, the subject property, was constructed around 1920. The 1940 City of Bloomington Polk Directory recognizes that 1507-1509 N. Clinton Blvd was used as a Piggly Wiggly Grocery Store. Although from 1940 to 1970 the property changed ownership, it continued to operate as a grocery store. From 1971-1975 it was a restaurant called Canteen, then from 1975-2006 it was converted to Buchanan Bellows and Associates, an engineering firm. In 1970 an interior remodel occurred creating a separate office space which, for twenty years, was used as a salon. The most recent occupant was Hearts at Home, a 501c3 organization dedicated to serving young mothers.

1509 N CLINTON BLVD

The organization held annual conferences, workshops, and hosted speakers. The petitioner, would like to use the building for a lock and key shop.

The subject property is zoned R-1C, Single Family Residential district. The R-1C district allows for single family homes and civic services such as postal services, police stations and fire stations by right. The district contemplates two-family homes and some educational and cultural uses such as churches, university offices, pre-schools, and country clubs with a special use permit.

According to the 1941 zoning map and zoning ordinance, this property has been zoned residential for the past 76 year and considered a legal, nonconforming structure and use. A “legal nonconforming” status means the use and structure would not be permitted under the current zoning ordinance but the property was constructed or the use was established before the zoning ordinance was adopted. Under the nonconforming designation, an establishment is allowed to continue to operate or exist but cannot be expanded. The end goal is to eventually bring this property into conformance with the zoning ordinance.

Description of the property:

The subject site consists of two adjacent parcels, one is improved with the building and the other is used for parking to serve the business. Both parcels are under common ownership but should be combined into one because a commercial



parking lot is also considered nonconforming as a principal use on a parcel in the R-1C district. The subject property is located north of E Emerson St, on the east side of N. Clinton Blvd and south of Division St. It is located just north of the White Place Historic District, which is bounded by Empire St. to the south and E. Emerson to the north. This area, is however, listed as a potential historic neighborhood worthy of possible designation in the future. The building is approximately has a gross square footage of 4748 sqft. The property takes access from Clinton Blvd with a 21’ entrance aisle on the south side of the building. The aisle wraps around the property and exists on the north side of the building. Traffic on N. Clinton Blvd is bidirectional but physically separated by a landscaped median.

The property has three (3) angled parking spaces on the north side, one 90° space in the rear and 12 90° parking spaces on the south. There are also five angled parking spaces and a depressed curb in front of the business in the right-of-way. These spaces lack parking blocks and vehicles hang over the sidewalk which passes between the parking and the business. Staff believes these spots are not only dangerous but also pose challenges to maintaining a clear path compliant with ADA requirements, a minimum four foot clearance. The zoning ordinance requires 19 parking spaces for a retail use at this location (1:250 sqft); the same amount of parking spaces is required for an office use at this location (1:200 sqft for the first 2000 sqft and 1:300 sqft after). This property exceeds the necessary amount of parking for this business at this location. This property

is zoned residential, therefore, every effort should be made to bring the property into conformance with the requirements of the residential zoning district.

Staff asks that a condition to remove the five spaces in the right of way is added to the special use permit. Removing the five spaces in front of the building will improve pedestrian safety, improve the appearance of the site, reduce an unfavorable nonconformity and reduce the amount of impervious surfaces on the property. Additionally this site lacks an ADA parking space. Staff would like to see the closest off-street space converted into an ADA space. A total of 14 spaces would remain. Parking is also allowed on N. Clinton Blvd. An alternative, which could allow for 16 onsite spaces, would be to request an ADA space on the street. Lastly, the east side is heavily screened from the abutting residential. The south side is lacking screening between the parking and neighboring residential. A fence or landscape screening should be added to the site to reduce impacts on the neighboring properties.

Project Description:

The petitioner, Bill's Lock and Key, is a local locksmith that has worked in the Bloomington-Normal area for over fifty years. Bill's Lock and Key makes locks and keys as their primary service. Additionally their shop contains a small amount of retail including locks, keys, key accessories, automotive key fobs and antique lock components. They have two locations with their primary location in Uptown Normal and a second shop in Downtown Bloomington. The petitioner is looking to consolidate both locations into a more central location and is applying for the special use permit because the property is located near both communities. The business's hours of operation at Monday through Friday 7:30 am to 5:30 pm and Saturday 8:00 am to 5:00 pm. According to the petitioner, it is rare that any employees will visit the shop after hours. Peak hours tend to be between 10:00 am and 3:00 pm but at this time the shop claims to have a maximum of three customers. The duration of an average customer visit is about five minutes. The petitioner believes, based on both shops, the average number of walk-in customers per day is 40, or roughly 4 per hour.

The business also performs service calls and has six technicians for this purpose. Two service vans stay at the shop. Additional employees include an office manager, and two part time shop technicians. Their team consists of nine total employees but they do not anticipate ever having all nine work at the same time. The average number of service calls per day is 11.8. The shop receives deliveries, during regular operating hours, twice a week from UPS. No noxious products are used for their services.

Staff believes, that if the property is to continue to be allowed to be used as a commercial property, the following improvements to the site should be required as a condition of a special use permit to decrease the impacts of a commercial use on the residential neighborhood:

- Combine the two parcels into one tax parcel to eliminate a nonconforming use of commercial parking lot on a separate parcel. Combining both parcels could also prevent the potential sale of one property.
- Eliminate the five parking spaces in front of the building, restore curb and convert pavement to landscaping/grass
- Add an ADA parking space for compliance with state regulations
- Provide screening along the south property line separating the parking and residential

Analysis

Special Use Permits

For each special use application the Board of Zoning Appeals shall report to the Council its findings of fact and recommendations, including the stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein.

FINDINGS OF FACT

No special use application shall be recommended by the Board of Zoning Appeals for approval unless such Board shall find:

1. **that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare; and** the property has been used for commercial purposes since its establishment in 1920. It is unclear if the commercial use has impacted the property values of residents. Nonetheless, removing parking in the right-of-way which hangs over the sidewalk, adding landscaping in this area, and adding screening along the south side of the property will decrease and could possibly eliminate existing conditions that might be detrimental to public health, safety, comfort or general welfare. For example, the fence or screening on the south side will shield the residential units from looking at the parking lot, and could soften the sounds of cars as well as block lights from the building at night. With the added condition the standard is met.

2. **that the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and** a special use permit can be awarded if the Zoning Board determines the proposed use to be less impactful and less nonconforming than the previous use. The petitioner anticipates four customers per hour, on average. The anticipated foot traffic is most likely more than the previous use of a nonprofit. However, if the suggested landscaping and fencing improvements are made, it will be an improvement to the neighborhood. The screening can help mitigate some of the impacts, such as visual impacts and noise, resulting from foot and vehicular traffic. With the added conditions the standard is met.

3. **that the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district; and** the property has been used for commercial purposes since its establishment in 1920. The neighborhood was also established around this time. The establishment of the special use would allow for a use that is less impactful than the original grocery store use and equal or less impactful than the salons. It is likely the amount of foot traffic will be greater with a retail/service use than with the previous use but the parking requirements are the same for both uses at this site. While retail uses are not contemplated in the R-1C district, some services like Post Office are permitted by right and could have equal if not more foot traffic. Staff feels the recommended improvements to the property will ensure that future uses better align with those contemplated in the R-1C district. With the added condition the standard is met.

4. **that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided; and** the site is exists as a commercial structure. Utilities and facilities are adequate. Improving the curb in front of the building will help better define ingress and egress and will improve access onto N. Clinton Blvd. The additional greenspace could help with drainage. With the added condition the standard is met.
5. **that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and** there is no curb in front of the building. Establishing a curb by eliminating the five parking spaces in the right of way would better define ingress and egress, minimize congestion and improve the public street. With the added condition the standard is met.
6. **that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals. (Ordinance No. 2006-137)** The parking lot on the south side should be screened from residential with a six foot, opaque fence or with adequate landscaping to block the view of cars. Additionally, combining the parcels and adding an ADA parking space will bring the property into conformance with City Code and state regulations. With the added conditions the standard is met.

STAFF RECOMMENDATION:

This property is zoned residential but has a commercial use. Nonetheless efforts should be made to bring the property closer to conforming to the residential district requirements.

Staff recommends approval of a special use permit for a lock and key shop at 1509 N. Clinton Blvd with the following conditions/guaranteed site improvements:

- *Combine the parking lot parcel with the building parcel*
- *Eliminate the five parking spaces in front of the building, restore curb and convert pavement to landscaping/grass*
- *That one ADA parking space be added for compliance*
- *Provide screening along the south property line separating the parking and residential*

Respectfully submitted,
Katie Simpson
City Planner

Attachments:

- Petition
- Exhibit A-Legal Description
- Draft Ordinance
- Site Plan
- Zoning Map
- Aerial Photos
- Neighborhood Notice Map and List of Addresses Notified

**DRAFT MINUTES
BLOOMINGTON ZONING BOARD OF APPEALS
REGULAR MEETING - 4:00 P.M.
WEDNESDAY, AUGUST 16, 2017
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

Members present: Chairman Bullington, Mr. Brown, Mr. Butts, Ms. Meek, Mr. Schultz, and Ms. Harris

Members absent: Mr. Veitengruber,

Also present: Mr. George Boyle, Assistant Corporation Counsel
Ms. Katie Simpson, City Planner

At 4:04PM, Ms. Simpson called the roll. With six members in attendance, a quorum was present. Mr. Butts arrived at 4:05.

PUBLIC COMMENT: None.

MINUTES: The Board reviewed the minutes from July 19, 2017. Mr. Brown motioned to approve the minutes; seconded by Ms. Meek. The Board **approved** the minutes by voice vote, 5-0.

SP-03-17 Consideration, review, and approval of the petition for a special use permit to allow a lock and key shop in the R-1C District (a lesser nonconforming use, section 44.6D3) submitted by Andy Streenz, Bill's Lock and Key for the property located at 1509 N. Clinton Blvd

Chairman Bullington introduced Case SP-03-17. Chairman Bullington swore-in the petitioner, Andy Streenze, 611 N. Lee St. Mr. Streenz explained Bill's Lock and Key is a family owned business which has operated in the area 41 years. He explained the business is interested in 1509 N. Clinton Blvd because the building is centrally located and offers more space than their existing locations. He described the hours of operation and peak hours. Mr. Streenze explained the business employs nine people and has five service vans. He described the operations of the business addressing environmental impacts, noise and traffic concerns. Mr. Streenz explained he read the staff report and has no objections to the staff recommended conditions.

Ms. Barb Bowman, 1417 N. Clinton Blvd, spoke in favor of the petition. Chairman Bullington swore-in Ms. Bowman. Ms. Bowman explained she is supportive of this business at this location.

Ms. Simpson presented the staff report and stated staff is recommending in favor of the petition but is asking for additional conditions to mitigate the impacts of the business and to bring the property closer to conformance with the zoning designation. Ms. Simpson provided photos of the subject property, an aerial view, zoning maps and pictures of the surrounding neighborhood. She explained the history of the building and described previous tenants. Ms.

Simpson described the types of businesses or similar uses allowed in the R-1C district such as a post office or day care center. Ms. Simpson presented a site plan provided by the petitioner and explained staff's analysis of the petition as related to the special use standards in 44.10-4 and explained staff's concerns regarding parking in the right-of-way. Ms. Simpson explained staff would like the Zoning Board to consider adding a condition that the petitioner remove the five parking spaces located in the parkway, restore the curb and landscape the parkway. She explained the two parcels should be combined into one parcel so parking and the business are located on the same parcel, and a fence should be added to provide screening between the homes south of the subject property and the business. Staff recommended the petitioner add an ADA accessible space to the parking lot.

Mr. Schultz asked if removing the existing parking and adding on-street parking would create congestion. Ms. Simpson explained that the business parking lot has twelve spaces and three employee spaces exist on the other side. She stated staff felt the on-site parking was adequate and eliminating the additional five spaces could reduce the possibility of using the space for a more intense commercial use.

Mr. Butts motioned to adopt the findings and staff recommendation with conditions. Ms. Harris seconded the motion. The petition to for a special use permit to allow a lock and key shop at 1509 N. Clinton Blvd was **approved** with a 6-0 vote with the following votes called: Mr. Butts—yes; Ms. Harris—yes; Ms. Meek—yes; Mr. Brown—yes; Mr. Schultz—yes; Chairman Bullington—yes.

OTHER BUSINESS:

None

NEW BUSINESS:

Chairman Bullington introduced the newest appointed member to the ZBA, Ms. Victoria Harris. Ms. Harris provided the Board with her background.

ADJOURNMENT:

Mr. Butts motioned to adjourn; seconded by Mr. Brown. Approved by voice vote. The meeting was adjourned at 4:35.

Respectfully submitted

Katie Simpson
Acting Secretary

CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Zoning Board of Appeals will hold a public hearing on Wednesday August 16, 2017 at 4:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony on a petition submitted by Andy Streenz, Bill's Key and Lock Shop, requesting the following approval for a Special Use Permit to allow a key and lock shop in a R-1C, Single Family Residence District for property located at 1509 N. Clinton Blvd.

LEGAL DESCRIPTION: Owners Subdivision Lot 92 Lakeview Subdivision and Lot 93 Whites Place Addition Lot 56. PIN: 14-33-429-002

All interested persons may present their views upon such matters pertaining thereto. Said Petition and all accompanying documents are on file and available for public inspection in the Office of the City Clerk.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five (5) days before the hearing.

The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Cherry Lawson
City Clerk

Published in the Pantagraph: August 1, 2017



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

August 3, 2017

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on Wednesday August 16, 2017 at 4:00 PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony on a special use petition submitted by Andy Streenz, requesting approval to allow a lock and key shop (a lesser nonconforming use) at 1509 N. Clinton Blvd (44.4-6D3). All interested persons may present their views upon such matters pertaining thereto at the public hearing. The petitioner or his/her Counsel/Agent must attend the meeting. The subject property is legally described as:

LEGAL DESCRIPTION: Owners Subdivision Lot 92 Lakeview Subdivision and Lot 93 Whites Place Addition Lot 56. PIN: 14-33-429-002

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). Communications in writing in relation thereto may be filed with the Department of Community Development, or at such hearing. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

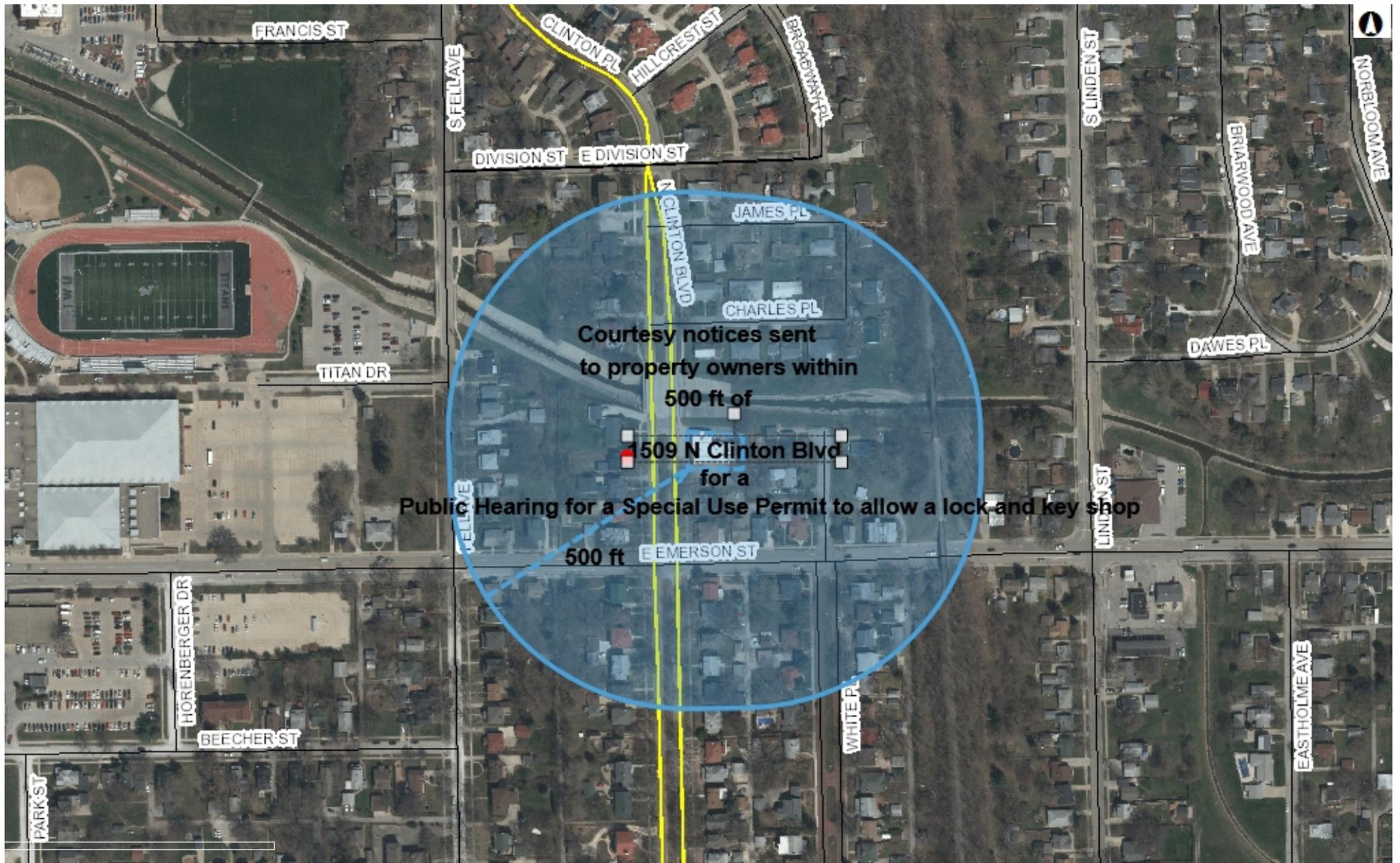
The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at <http://www.cityblm.org/government/advanced-components/documents/-folder-332>. If you desire more information regarding the proposed petition or have any questions you may email me at ksimpson@cityblm.org or call me at (309) 434-2226.

Sincerely,

Katie Simpson
City Planner

Attachments:

Map of notified properties within 500 ft of subject property



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

Printed: 8/3/2017 11:35:46 AM

Notes

| |
|--|
| |
|--|

MARY SMITH
4 CHARLES PL
BLOOMINGTON IL61701

JEAN SWEE
48 WHITES PLACE
BLOOMINGTON IL61701

MARIA ZAMUDIO
504 E EMERSON
BLOOMINGTON IL61701

BESSIE SCHENKEL
1605 FELL AVE
BLOOMINGTON IL61701

CHERIE VALENTINE
1522 N CLINTON BLVD
BLOOMINGTON IL61701

RICHARD BALDWIN
1414 N CLINTON BLVD
BLOOMINGTON IL61701

THOMAS MC NULTY
7 CHARLES PL
BLOOMINGTON IL61701

WADE ABELS
503 E EMERSON ST
BLOOMINGTON IL61701

KARIN MCDOWELL
1417 FELL AVE
BLOOMINGTON IL61701

ETC CUSTODIAN FBO BEAU GENTRY
IRA
1513 FELL AVE
BLOOMINGTON IL61701

ERIC LOTT
606 E EMERSON
BLOOMINGTON IL61701

KEVIN PRENDERGAST
501 E EMERSON
BLOOMINGTON IL61704

DARIN & ANDREAMARKERT
15927 PEBBLE BEACH RD
BLOOMINGTON IL61705

JEROME F & JILLQUINN
1413 FELL AVE
BLOOMINGTON IL61701

JUDITH STEARNS
306 E Locust St Apt 5
BLOOMINGTON IL61701

JOHN SHARP
821 16TH ST
PERU IL61354

WILLIAM & BEVERLYDORETHY
5 CHARLES PL
BLOOMINGTON IL61701

ZACHARY ZWANZIG
6 CHARLES PL
BLOOMINGTON IL61701

MARCELINE WATERS
3 CHARLES PL
BLOOMINGTON IL61701

MICHAEL COX
1415 N FELL
BLOOMINGTON IL61701

CARROLL LANE
2 BROOKSHIRE GRN
BLOOMINGTON IL61704

ROBERT MOWERY
1507 FELL AVE
BLOOMINGTON IL61701

%DAVIS, JOHN WVANDALSEN,
DOROTHY TRUST
6586 Alexander Rd
Heyworth IL61745

DUSTIN CAWLEY
1411 N CLINTON BLVD
BLOOMINGTON IL61701

LISA AUGSBURGER
6 JAMES PL
BLOOMINGTON IL61701

FREDERICK H & CAROL D MOCILAN-
KNOTHKNOTH
67 WHITES PL
BLOOMINGTON IL61701

MARC MILLER
1418 N CLINTON BLVD
BLOOMINGTON IL61701

JOHN CAPODICE
2827 CAPODICE RD
BLOOMINGTON IL61704

EUGENE & LEATHACROSIER
19085 BRENTWOOD DR
BLOOMINGTON IL61704

MATTHEW & ARYSMITH
50 WHITES PL
BLOOMINGTON IL61701



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KEVIN BOWMAN
502 E EMERSON ST
BLOOMINGTON IL61701

LEE ANN ZILLIGEN
P O BOX 71
DEWITT IL61735

Gerald Keith Brotheridge
51 Whites Pl
BLOOMINGTON IL61701

ROBERT CURRENT
507 E DIVISION ST
BLOOMINGTON IL61701

RONALD GRUBER
3281 BUTTERFLY DR
NORMAL IL61761

JONATHAN DELASHMIT
59 WHITES PL
BLOOMINGTON IL61701

BLOOMINGTON-NORMAL
RECLAMATION DISTRICT
PO BOX 3307
BLOOMINGTON IL61702
NICHOLAS HRUSKA
1509 FELL AVE
BLOOMINGTON IL61701

THAD & REBECCALANDIS
1505 NORTH FELL AVENUE
BLOOMINGTON IL61701

RONALDCARROLL
2 CHARLES PLACE
BLOOMINGTON IL61701

HEARTS AT HOME
1509 N CLINTON
BLOOMINGTON IL61701

RICHARD & GINA FRITZ
1613 BARTON DR
NORMAL IL61761

JULIUS W AND PHOEBE C ANDERSON
1407 N CLINTON
BLOOMINGTON IL61701

MIKE & BEV BEYER BROWN
1508 N Clinton Blvd
BLOOMINGTON IL61701

BYRON RODGERS
8 James Pl
BLOOMINGTON IL61701

LORENEBUROKER
612 E FRONT ST
BLOOMINGTON IL61701

MICHAEL R & THERESA J FINLEY
1302 BELT AVE
NORMAL IL61761

ANGELAFERGUSON
4 JAMES PLACE
BLOOMINGTON IL61701

BRENDA CARTER
64 WHITE PLACE
BLOOMINGTON IL61701

AN ILLINOIS NFP CORPORATION
HEARTS AT HOME
1509 N CLINTON BLVD
BLOOMINGTON IL61701

RONALD NORAMCZYK
53 AND 53 1/2 WHITE PL
BLOOMINGTON IL61701

EUGENE DALTON
9 CHARLES PL
BLOOMINGTON IL61701

CALEB RATHBUN
1520 N CLINTON BLVD
BLOOMINGTON IL61701

PAMELA LOVELL
1503 N CLINTON
BLOOMINGTON IL61701

KELLYMAAS
1504 N CLINTON BLVD
BLOOMINGTON IL61701

PHYLLISFRITSCHLE NELSON
8 CHARLES PLACE
BLOOMINGTON IL61701

SUSAN TOFANELLI
11 CHARLES PL
BLOOMINGTON IL61701

GLENBUSH
1518 N CLINTON BLVD
BLOOMINGTON IL61701

%SOY CAPITAL AG SERVICES CARDEN
FARM
PO BOX 1607
BLOOMINGTON IL61702

BARBARA & STEVEN HILL BOWMAN
1417 N CLINTON BLVD
BLOOMINGTON IL61701

ALAN LESSOFF
1415 N CLINTON BLVD
BLOOMINGTON IL61701

SCOTT DAVIS
57 WHITES PLACE
BLOOMINGTON IL61701

CHARLES MCCARTHY
1416 N CLINTON BLVD
BLOOMINGTON IL61701

LAURA PHIPPS
1413 N CLINTON
BLOOMINGTON IL61704

LINDA & JAMES HONEGGER
1 CHARLES PL
BLOOMINGTON IL61701

SCOTT TURBETT
14326 W SMITHVILLE RD
HANNA CITY IL61536

PEGGY THOMAS
1502 N CLINTON BLVD
BLOOMINGTON IL61701

MARK PICKERING
1410 N CLINTON BLVD
BLOOMINGTON IL61701

MARY LOU MRS JOHNSON
7 JAMES PL
BLOOMINGTON IL61701

SAMUAL MCDONALD
12 JAMES PL
BLOOMINGTON IL61701

GERARD & KARLA GERAGHTY
1511 FELL AVE
BLOOMINGTON IL61701

WALKER RENTALS LLC
32 PAIGE PL
BLOOMINGTON IL61704

CORY SWARTZLANDER
1510 N CLINTON BLVD
BLOOMINGTON IL61701

DEBORAH MOORE
1503 FELL AVE
BLOOMINGTON IL61701

ETHAN C & NANCY D EVANS
507 S MOORE ST
BLOOMINGTON IL61701

JON D. & MARY LOU HINRICHS
1506 N Clinton
BLOOMINGTON IL61701

EMILY ELIZABETH MCCREADY
58 WHITES PL
BLOOMINGTON IL61701

JEAN-CHRISTOPHE & ZSUZSANNA
FAGYALLEMENTEC
56 WHITES PL
BLOOMINGTON IL61701

RODNEY WALKER
3114 FIONA WAY
BLOOMINGTON IL61704



CONSENT AGENDA ITEM NO. 7L

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of Approving a Petition for Vacation of Part of West Seminary Avenue and North Mason Street, a Petition for Vacation of Part of College and Graham Streets, and also Transferal of Property Ownership of the Vacated Right Of Way to the Union Pacific Railroad Company (UPRR).

RECOMMENDATION/MOTION: That the Ordinance Approving the Vacation of a Portion of Public Right of Way at the Corner of W. Seminary Avenue and N. Mason Street and the Corner of College and Graham Streets and dedicating said Rights of Way to the Union Pacific Railroad Company be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK:

2. Upgrade City Infrastructure and Facilities
3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

2. a.) Better quality roads and sidewalks
2. c.) Functional, well maintained sewer collection system
3. a.) Retention and growth of current local businesses

BACKGROUND: The High Speed Rail (HSR) Project through Bloomington has included work to improve the Union Pacific Railroad (UPRR) tracks, improve railroad crossing protection signals, rebuild the railroad bridge over Market Street, and install fencing along most of the rail corridor through the City. As the UPRR investigated property boundaries to place new fencing, they determined that UPRR property did not provide adequate horizontal clearance from their tracks at Seminary/Mason and at College/Graham. The UPRR is requesting narrow strips of road right of way to allow fencing to remain on UPRR property at an adequate distance from the tracks.

Staff has reviewed the request for right of way and determined the amount requested by UPRR will not have a significant impact on the City streets. UPRR is requesting an approximate one and one half foot strip of right of way totaling 262 square feet at Seminary/Mason and an approximate four foot strip totaling 528 square feet at College/Graham. Existing pavement width is not reduced at either location.

UPRR commissioned a professional appraisal of the real value of property to be transferred. The appraisal gave a value of \$400.00 at Seminary/Mason and \$600.00 at College/Graham. However, UPRR performed significant improvements to City infrastructure at no cost to the City. The alignment of an old City sewer ran out under the tracks at Seminary/Mason. UPRR

paid all the cost to relocate approximately 200 feet of 15 inch sanitary sewer main out from under RR tracks back inside the limits of City right of way. As part of that sewer relocation, UPRR replaced 200 feet of concrete curb and gutter and performed a full pavement width asphalt overlay of the street within the limits of the sewer relocation. The estimated cost of that work is near \$100,000.00. It is proposed that the value of this work suffice for payment of the property transfer.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, CFM, Civil Engineer II

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Location Map
- Petition, Plat, and Easement Utilities sign-off Seminary/Mason
- Petition, Plat, and Easement Utilities sign-off College/Graham

ORDINANCE NO. 2017 - __

AN ORDINANCE APPROVING THE VACATION OF A PORTION OF PUBLIC RIGHT OF WAY AT THE CORNER OF W. SEMINARY AND N. MASON AND THE CORNER OF COLLEGE AND GRAHAM AND DEDICATING SAID RIGHTS OF WAY TO THE UNION PACIFIC RAILROAD COMPANY

WHEREAS, the Union Pacific Railroad (“UPRR”) is requesting narrow strips of road right of way in relations to the High Speed Rail Project to allow proper fencing at the intersections Seminary/Madison and College/Graham; and

WHEREAS, the vacation of the right-of-way will not impact traffic on the streets and is for a public benefit and safety; and

WHEREAS, the right-of-way should be deeded to the UPRR without reimbursement as the UPRR has performed other significant improvements to the City infrastructure at no cost to the City, well in excess of the value of the requested right-of-way; and

WHEREAS, as only a small portion of right-of-way is being dedicated and there is no impact to the streets at issue, the City Council declares that the Street & Alley Vacation Policy is not applicable and hereby waives any and all requirements associated with same.

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

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

SECTION 2. That the Petition of the Union Pacific Railroad Company is hereby approved and the City hereby vacates the right-of-way at the intersection of West Seminary Street and North Mason Street, as set forth on the plat attached as Exhibit A and for the property legally described as set forth in Exhibit B.

SECTION 3. That the Petition of the Union Pacific Railroad Company is hereby approved and the City hereby vacates the right-of-way at the intersection of College and Graham Streets, as set forth on the plat attached as Exhibit C and for the property legally described as set forth in Exhibit D.

SECTION 4. That the property legally described on Exhibits B and D shall be transferred and dedicated to the Union Pacific Railroad Company, and that the City Manager is authorized to execute and file any necessary documents to effectuate the vacation of the properties so described and the transfer of the properties to the Union Pacific Railroad Company.

SECTION 5. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 6. 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 7. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 8. This ordinance shall be effective immediately after its passage and approval and/or publication as provided by law.

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

PASSED THIS 11th DAY OF SEPTEMBER 2017.

APPROVED THIS ___ DAY OF SEPTEMBER 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

EXHIBIT B

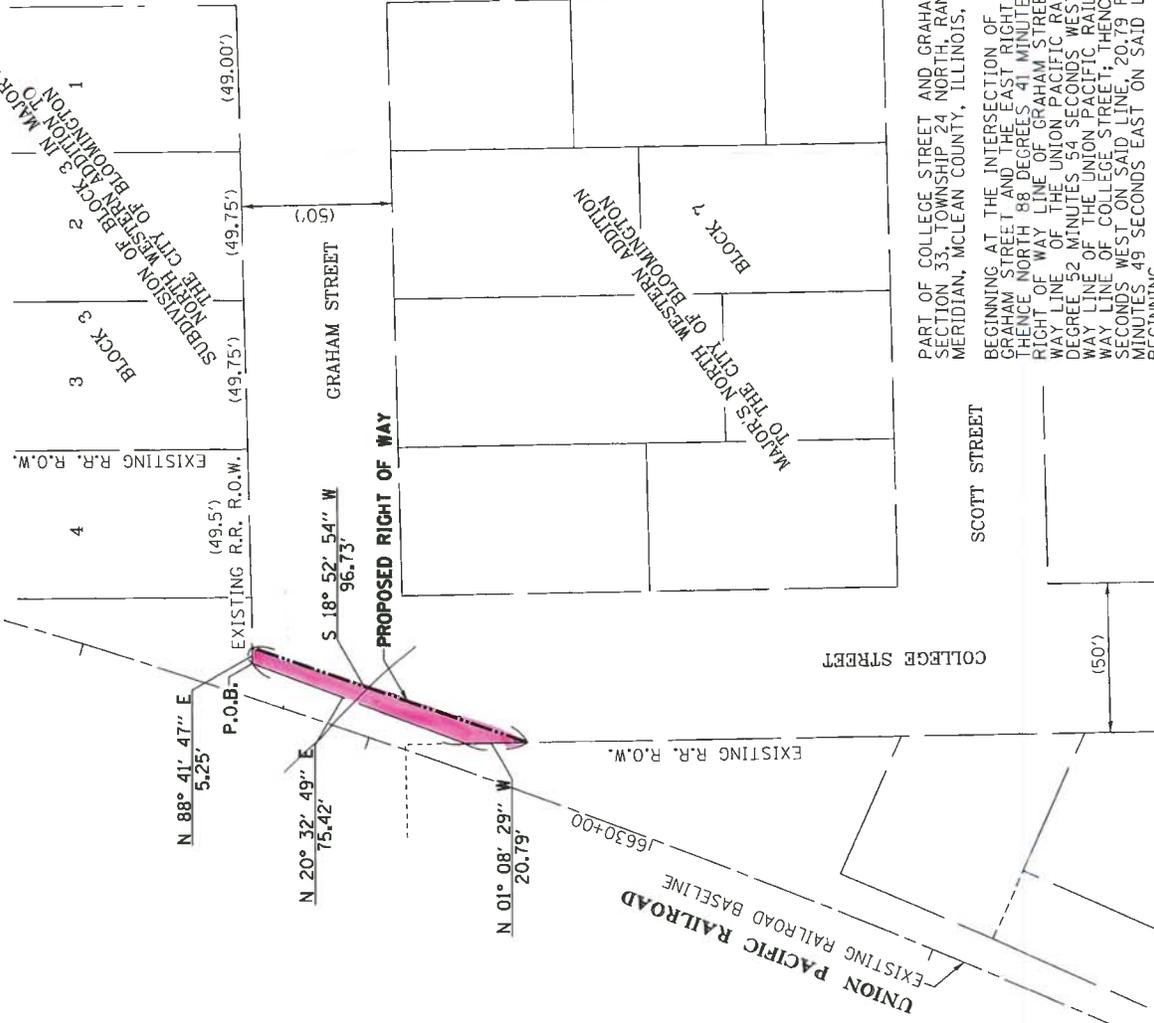
Part of West Seminary and North Mason Streets in the Southwest Quarter of Section 33, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, described as follows:

Commencing at the Southeast corner of Lot 11 of the Walnut Hills Addition to the City of Bloomington, said corner also being on the northerly right of way line of West Seminary Street; thence South 89 degrees 00 minutes 09 seconds West (basis of bearing the Illinois State Plane Coordinate System East Zone (NAD83) 2007 adjustment) on said right of way line, 127.00 feet to the easterly railroad right of way line of the Union Pacific Railroad; thence South 19 degrees 33 minutes 51 seconds West on said railroad right of way, 33.75 feet to the Point of Beginning.

From said Point of Beginning, thence South 15 degrees 14 minutes 33 seconds West, 209.03 feet to the easterly railroad right of way line of the Union Pacific Railroad; thence North 14 degrees 18 minutes 41 seconds East on said railroad right of way line, 107.73 feet; thence continue on said right of way line the following two courses North 15 degrees 01 minutes 34 seconds East, 74.43 feet; thence North 19 degrees 33 minutes 51 seconds East, 26.96 feet to the Point of Beginning.

Said Proposed Right of Way Parcel T4_421_3.a contains 0.006 acres or 262 square feet, more or less.

PART OF COLLEGE STREET AND GRAHAM STREET IN SW 1/4 OF SEC. 33, T. 24 N., R. 2 E. OF THE 3RD. P.M., McLEAN COUNTY, IL.

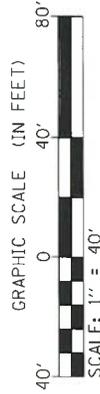


LEGEND

| | |
|----------|-----------------------------|
| | PROPERTY LINE |
| | EXISTING RIGHT OF WAY LINE |
| XX.XX' | MEASURED DISTANCE |
| (XX.XX') | DEED DISTANCE |
| | PROPOSED RIGHT OF WAY LINE |
| | FOUND PIN OR PIPE AT CORNER |

NOTES:

1. IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
2. THIS PLAT HAS BEEN PREPARED FOR APPRAISAL PURPOSES FOR RIGHT OF WAY ACQUISITION ONLY AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.



BASIS OF BEARING IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM WEST ZONE (NAD 83) 2007 ADJ.

CITY OF BLOOMINGTON

RIGHT OF WAY REQUIRED = 0.012 AC. (528 SQ. FT.)

PREMISE PLAT

ROUTE UPRR (CHI-STL)
SECTION TIER 4 ROADWAY
COUNTY McLEAN

PART OF COLLEGE STREET AND GRAHAM STREET IN THE SOUTHWEST 1/4, SECTION 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, McLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET AND THE EAST RIGHT OF THE UNION PACIFIC RAILROAD; THENCE NORTH 88 DEGREES 41 MINUTES 47 SECONDS EAST ON THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET ALSO BEING THE EXISTING RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD 5.25 FEET; THENCE SOUTH 18 DEGREES 52 MINUTES 54 SECONDS WEST 96.73 FEET TO SAID EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; AL SO BEING THE WEST RIGHT OF WAY LINE OF COLLEGE STREET; THENCE NORTH 01 DEGREES 08 MINUTES 29 SECONDS WEST ON SAID LINE, 20.79 FEET; THENCE NORTH 20 DEGREES 32 MINUTES 45 SECONDS EAST ON SAID LINE 75.42 FEET TO THE POINT OF BEGINNING.

SAID TAKE CONTAINING 0.012 ACRES OR 528 SQUARE FEET, MORE OR LESS.

EXHIBIT D

Part of College Street and Graham Street in the City of Bloomington in the Southwest Quarter of Section 33, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, described as follows:

Beginning at the intersection of the north right of way line of Graham Street and the east right of way line of the Union Pacific Railroad; thence North 88 degrees 41 minutes 47 seconds East (basis of bearing the Illinois State Plane Coordinate System East Zone (NAD83) 2007 adjustment) on the north right of way line of Graham Street also being the existing right of way line of the Union Pacific Railroad, 5.25 feet; thence South 18 degrees 52 minutes 54 seconds West, 96.73 feet to said east right of way line of the Union Pacific Railroad also being the west right of way line of College Street; thence North 01 degrees 08 minutes 29 seconds West on said line, 20.79 feet; thence North 20 degrees 32 minutes 49 seconds East on said line, 75.42 feet to the Point of Beginning.

Said Proposed Right of Way Parcel T4_421_2.a contains 0.012 acres or 528 square feet, more or less.

PETITION FOR VACATION OF

PART OF WEST SEMINARY STREET AND NORTH MASON STREET

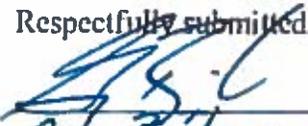
STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

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

Now come Union Pacific Railroad (UPRR), hereinafter referred to as your Petitioner, respectfully representing and requesting as follows:

1. That UPRR is requesting to purchase said premise hereinafter described in Exhibit A attached hereto and made a part hereof by this reference;
2. That UPRR seeks approval of the vacation of part of West Seminary Street and North Mason Street adjacent to said premises;
3. That said vacation of West Seminary Street and North Mason Street is reasonable and proper because such area is not needed for public right-of-way by said City, its only use being the location of existing or proposed utilities.

WHEREFORE, UPRR prays that part West Seminary Street and North Mason be vacated with such reservation of utility easements as may seem proper.

Respectfully submitted,
By: 

Greg Bricham
Asst. Dir. Acquisitions
Union Pacific Railroad Company

EXHIBIT A

Part of West Seminary and North Mason Streets in the Southwest Quarter of Section 33, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, described as follows:

Commencing at the Southeast corner of Lot 11 of the Walnut Hills Addition to the City of Bloomington, said corner also being on the northerly right of way line of West Seminary Street; thence South 89 degrees 00 minutes 09 seconds West (basis of bearing the Illinois State Plane Coordinate System East Zone (NAD83) 2007 adjustment) on said right of way line, 127.00 feet to the easterly railroad right of way line of the Union Pacific Railroad; thence South 19 degrees 33 minutes 51 seconds West on said railroad right of way, 33.75 feet to the Point of Beginning.

From said Point of Beginning, thence South 15 degrees 14 minutes 33 seconds West, 209.03 feet to the easterly railroad right of way line of the Union Pacific Railroad; thence North 14 degrees 18 minutes 41 seconds East on said railroad right of way line, 107.73 feet; thence continue on said right of way line the following two courses North 15 degrees 01 minutes 34 seconds East, 74.43 feet; thence North 19 degrees 33 minutes 51 seconds East, 26.96 feet to the Point of Beginning.

Said Proposed Right of Way Parcel T4_421_3.a contains 0.006 acres or 262 square feet, more or less.

Poani, Beth

From: Keith, Ryan
Sent: Thursday, July 13, 2017 9:37 AM
To: Roderick, Andy; Poani, Beth
Subject: RE: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets
Attachments: DOC061.pdf

Andy and Beth,

Utilities identified by JULIE as being potentially within the street vacation areas were contacted. Requests were made for those entities to review their facilities and confirm that no known utilities are within these street vacation areas.

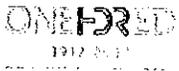
The attached file includes the following information.

- Copy of the JULIE design level ticket listing potential utilities within the areas of interest
 1. Please note utilities have been numbered, as listed below
 2. Some utilities are known not to be within public ROW and/or are known to be within RR ROW (long-line fiber optics: Level 3, MCI, and Sprint), not within the City of Bloomington (Town of Normal), or are utility locating companies (Tri County Locating and USIC)
- Copies of plats and legal descriptions of the proposed street vacations provided to utility companies
- Copies of numbered responses provided by utilities companies clearing their facilities
 1. Stratus Networks
 2. City of Bloomington
 3. Bloomington & Normal Water Reclamation District
 4. Campus Communications Group (Pavlov Media/CCG)
 5. Comcast Communications
 6. Champaign Signal & Lighting (Champaign Asphalt Company LCC and Subsidiaries)
 7. State of Illinois – Central Management Services
 8. Frontier Communications
 9. Illinois Wesleyan University
 10. Ameren Illinois
 11. Central Illinois Regional Broadband Network (CIRBN)
 12. Windstream Communications
 13. Nicor Gas

Let me know if there are any questions.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdline.com/follow-us

From: Roderick, Andy
Sent: Tuesday, June 13, 2017 12:16 PM
To: Poani, Beth; Keith, Ryan
Cc: Largent, Cindy
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Ryan,

We will need to send out individual e-mails with the plats attached to utility in the direct area. Stating the area shown in the plats will be vacated and deeded to Union Pacific and want to confirm you do not have utility in these areas.

Thanks,
Andy

From: Hiles, TJ [<mailto:TJHiles@wheatlandtitle.com>]
Sent: Tuesday, June 13, 2017 11:00 AM
To: Roderick, Andy
Subject: RE: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Andy, you need some kind of confirmation that no utilities exist within the street. If we were insure without confirmation we would raise an exception about utilities in the vacated portion.

T.J. Hiles
R.O.W. Underwriting
Wheatland Title
105 W. Veterans Pkwy.
Yorkville, IL 60560
(630)892-2323 ext. 249
tjhiles@wheatlandtitle.com

From: Roderick, Andy [<mailto:Andy.Roderick@hdrinc.com>]
Sent: Monday, June 12, 2017 4:18 PM
To: Hiles, TJ
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

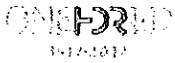
Hello TJ,

We are doing street vacation for these 2 small strips in Bloomington.

City has mentioned we need to get utility letters that they do not object. The only utility that falls within the area is the City of Bloomington which we are relocating. Would you insure this as is or do we need to get some other utility that we show in the area like within half block??

Let me know what you think our direction should be?

ANDY RODERICK,
Senior Right of Way Project Manager



HDR
5201 South Sixth Street Road
Springfield, Illinois 62703-5143
D 217-331-5855 M 402-672-7063
Andy.Roderick@hdrinc.com

hdrinc.com/follow-us

From: Poani, Beth
Sent: Monday, June 05, 2017 9:36 AM
To: Keith, Ryan
Cc: Roderick, Andy
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Ryan,

Here are the plats for the take areas we need letters for from the utility companies. Let me know if you have any any questions.

Thanks,
Beth

From: Roderick, Andy
Sent: Monday, June 5, 2017 9:26 AM
To: Poani, Beth <Beth.Poani@hdrinc.com>; Griffel, Jodi <Jodi.Griffel@hdrinc.com>
Cc: Keith, Ryan <Ryan.Keith@hdrinc.com>; Largent, Cindy <Cindy.Largent@hdrinc.com>
Subject: RE: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Beth,

Yes Ryan can work on getting these letters.
Can you send out the plats to show our acquisition area as I am sure they will want to know.

Thanks,
Andy

From: Poani, Beth
Sent: Monday, June 05, 2017 8:31 AM
To: Roderick, Andy; Griffel, Jodi
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Jodi and Andy,

City of Bloomington is requesting our office complete a petition as well as obtain letters from utilities stating they do not object to relinquishing easement on the vacated R.O.W. I can complete the petition but can we get the letters?

See below.

Thanks,
Beth

From: Greg Kallevig [<mailto:gkallevig@cityblm.org>]
Sent: Friday, June 2, 2017 4:38 PM
To: Poani, Beth <Beth.Poani@hdrinc.com>
Cc: Kevin Kothe <kkothe@cityblm.org>; Ryan Otto <rotto@cityblm.org>
Subject: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Beth,

I spoke with City Engineer about the property appraisals and you may proceed with the transfer process as presented.

The first step is for you to submit R.O.W. vacation petition forms to the City Clerk. The petition forms may be found at the web address below.

<http://www.cityblm.org/government/departments/city-clerk/land-use-petitions>

Assuming that the UPRR would prefer not to allow utility easements to remain on the transferred R.O.W., you must obtain letters from utilities stating they do not object to relinquishing easement on the vacated R.O.W. The City would expect you to obtain these letters from public utilities that JULIE reports to for that section of town.

Once the forms and letters are submitted to the City Clerk, the Clerk will send them to us in Public Works to prepare a council memo for council approval. Along with that vacation of R.O.W. we would also include the sale of the property to UPRR.

Let me know if you have any questions.

Greg Kallevig, P.E., CFM
Project Engineer
Engineering Division
Public Works Dept.
City of Bloomington
115 E. Washington St.
P.O. Box 3157
Bloomington, IL 61702-3157
Off. Ph. (309) 434-2225
Direct Ph. (309) 434-2425
Fax (309) 434-2201

Keith, Ryan

From: OCARS_Pro@Julie1Call.com
Sent: Monday, June 19, 2017 11:59 AM
To: Keith, Ryan
Subject: JULIE EMLCFM 2017/06/19 #00318 X1701596-00X NORM NEW DSGN

EMLCFM 00318 JULIEx 06/19/17 11:59:12 X1701596-00X DESIGN

Thank you for contacting JULIE, Inc. regarding your upcoming digging project.

Please review and print your locate request ticket below for your records. If any of the information is incorrect, please contact a JULIE call center agent by simply dialing 811 or 800-892-0123 and refer to the locate request number. The agents are available 24/7.

For information about the next steps in the process, a copy of JULIE's Homeowner's Guide, and an explanation of the color-code markings, visit www.illinois1call.com/homeowners/whatnext.html

Dig No : X1701596 Rev : 00X Digstart: 12/19/17 11:47
Rcvd : 06/19/17 11:59 Priority: 2 Expres : 01/01/00 00:00
Org Dig: X1701596 Rcvd: 06/19/17 11:47

Firm : H.D.R., INC Caller: RYAN KEITH
CoAddr1: 5201 S 6TH STREET RD
City,St: SPRINGFIELD, IL Zip : 62703
Phone : 217-585-8300 Exl :
Call Bk: Done For : RXR & CITY OF BLOOMINGTON
SiteCnt: SAME AS ABOVE
Email : RYAN.KEITH@HDRINC.COM

County : MCLEAN Place: BLOOMINGTON CIT
Address:
Subdiv : Cross:

Grids : T23NR02E04NW T24NR02E32SE T24NR02E33*W

BestFit: 40.495999/-89.002020 40.496257/-88.991587
: 40.487908/-89.001820 40.488166/-88.991387

PreMark: NO Directional Boring: NO Depth>7Ft: UNSURE

Locatn : IN THE CITY OF BLOOMINGTON,

WrkType: DESIGN STAGE: STREET VACATE / REMOVAL.

Extent : WORK BEING DONE ADJACENT TO THE EAST SIDE OF THE RAILROAD.... AT THE
: INTERSECTION OF W SEMINARY AVE AND N MASON ST SOUTH APPX. 100 FT, AND
: ALSO THE INTERSECTION OF W GRAHAM ST AND COLLEGE ST. IN SECTION 33SW.

Remarks:

Members:

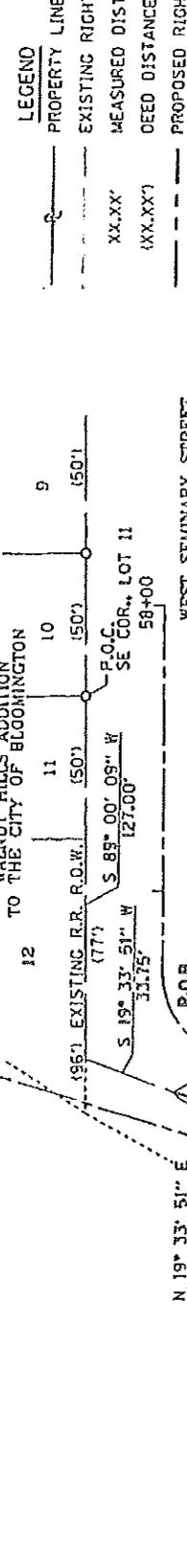
1 ATGO0A STRATUS NETWORKS, INC. JOE HUFFMAN CELL 309-678-9977
2 BLOM0A BLOOMINGTON, CITY OF BRETT LUESCHEN 309-434-2439
3 BNWR0A BLOOMINGTON&NORMAL WTR DUANE LINDEMAN 309-827-4396
4 CCG0A CAMPUS COMMUNICATIONS ENGINEERING DEPT. 309-533-7448
5 COMC0A COMCAST MARTHA GIERAS 224-229-5862
6 CSL0A CHAMPAIGN SIGNAL & LIGHTING Information not provided
7 DCMS4A STATE OF ILLINOIS - CMS JERRY PICKETT 217-785-7500
8 DCMS4B STATE OF ILLINOIS - CMS Information not provided
9 FRNT0A FRONTIER COMM. (NORTH) KALIN HINSHAW 815-895-1515
4 ILWU0A ILLINOIS WESLEYAN UNIVERSITY GEORGE WAINWRIGHT 309-556-3066
10 IPC6A AMEREN IP - (NORTH) MARTIN FULLER 618-236-6281

11 ISU1A CIRBN LLC JON BACHTOLD 309-820-7321
12 KDL0A WINDSTREAM KDL, INC. THOMAS DECKER 319-790-7228
13 LEVL0A LEVEL 3 COMMUNICATIONS NETWORK RELOCATIONS 877-366-8344x2
14 MCI0A MCI DEAN BOYERS 972-729-6322
15 NICR0A NICOR GAS UTILITY CONSULTANT GO3W 630-388-2362
16 NORM0A NORMAL, TOWN OF PUBLIC WORKS ENGINEERING 309-454-9741
17 SPRN0A SPRINT JAMES BURTON 708-955-6659xcell
18 TCL0A TRI COUNTY LOCATING Information not provided
19 USIC0A USIC LOCATING SERVICES Information not provided

View map at:

http://newtin.julie1call.com/newtinweb/map_ikt.nap?TRG=1B3z0t8m3u0wtzL-S

PART OF WEST SEMINARY AVENUE AND NORTH MASON STREET IN SW 1/4 OF SEC. 33, T. 24 N., R. 2 E. OF THE 3RD. P.M., McLEAN COUNTY, IL.



LEGEND
 ——— PROPERTY LINE
 - - - - - EXISTING RIGHT OF WAY LINE
 XX.XX' MEASURED DISTANCE
 (XX.XX)' DEED DISTANCE
 ○ FOUND PIN OR PIPE AT CORNER

NOTES:
 1. IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
 2. THIS PLAT HAS BEEN PREPARED FOR APPRAISAL PURPOSES FOR RIGHT OF WAY ACQUISITION ONLY AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.



14-421-3.0
 0.006 AC.
 262 SQ. FT.

FROM SAID POINT OF BEGINNING, THENCE SOUTH IS DEGREES 14 MINUTES 33 SECONDS WEST, 209.03 FEET TO THE EASTERN RAILROAD RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 14 DEGREES 18 MINUTES 41 SECONDS EAST ON SAID RAILROAD RIGHT OF WAY LINE, 107.73 FEET; THENCE CONTINUE ON SAID RIGHT OF WAY LINE THE FOLLOWING TWO COURSES, NORTH 15 DEGREES 01 MINUTES 34 SECONDS EAST, 74.43 FEET; THENCE NORTH 19 DEGREES 33 MINUTES 51 SECONDS EAST, 26.96 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE SOUTH IS DEGREES 14 MINUTES 33 SECONDS WEST, 209.03 FEET TO THE EASTERN RAILROAD RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 14 DEGREES 18 MINUTES 41 SECONDS EAST ON SAID RAILROAD RIGHT OF WAY LINE, 107.73 FEET; THENCE CONTINUE ON SAID RIGHT OF WAY LINE THE FOLLOWING TWO COURSES, NORTH 15 DEGREES 01 MINUTES 34 SECONDS EAST, 74.43 FEET; THENCE NORTH 19 DEGREES 33 MINUTES 51 SECONDS EAST, 26.96 FEET TO THE POINT OF BEGINNING.

SAID PROPOSED RIGHT OF WAY PARCEL T4-421-3.0 CONTAINING 0.006 ACRES OR 262 SQUARE FEET, MORE OR LESS.

FIELD WORK COMPLETED: 03/2016

PREMISE PLAT
 ROUTE 118RR (CHP-ST1)
 SECTION TIER 4 ROADWAY
 COUNTY McLEAN
 INTEREST ID T4-421-3

CITY OF BLOOMINGTON
 RIGHT OF WAY REQUIRED = 0.006 AC.
 (262 SQ. FT.)

14-421-3.0
 0.006 AC.
 262 SQ. FT.

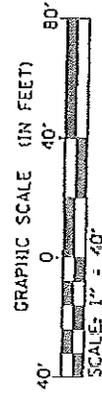
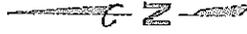
3/31/2017 LIN ENGINEERING/JWD

PART OF COLLEGE STREET AND GRAHAM STREET IN SW 1/4 OF SEC. 33, T. 24 N., R. 2 E. OF THE 3RD. P.M., MCLEAN COUNTY, IL.

- LEGEND**
- PROPERTY LINE
 - EXISTING RIGHT OF WAY LINE
 - XX.XX' MEASURED DISTANCE
 - (XX.XX') DEED DISTANCE
 - - - PROPOSED RIGHT OF WAY LINE
 - o FOUND PIN OR PIPE AT CORNER

NOTES:

1. IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
2. THIS PLAT HAS BEEN PREPARED FOR APPRAISAL PURPOSES FOR RIGHT OF WAY ACQUISITION ONLY AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.



BASIS OF BEARING IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83) 2007 ADJ.

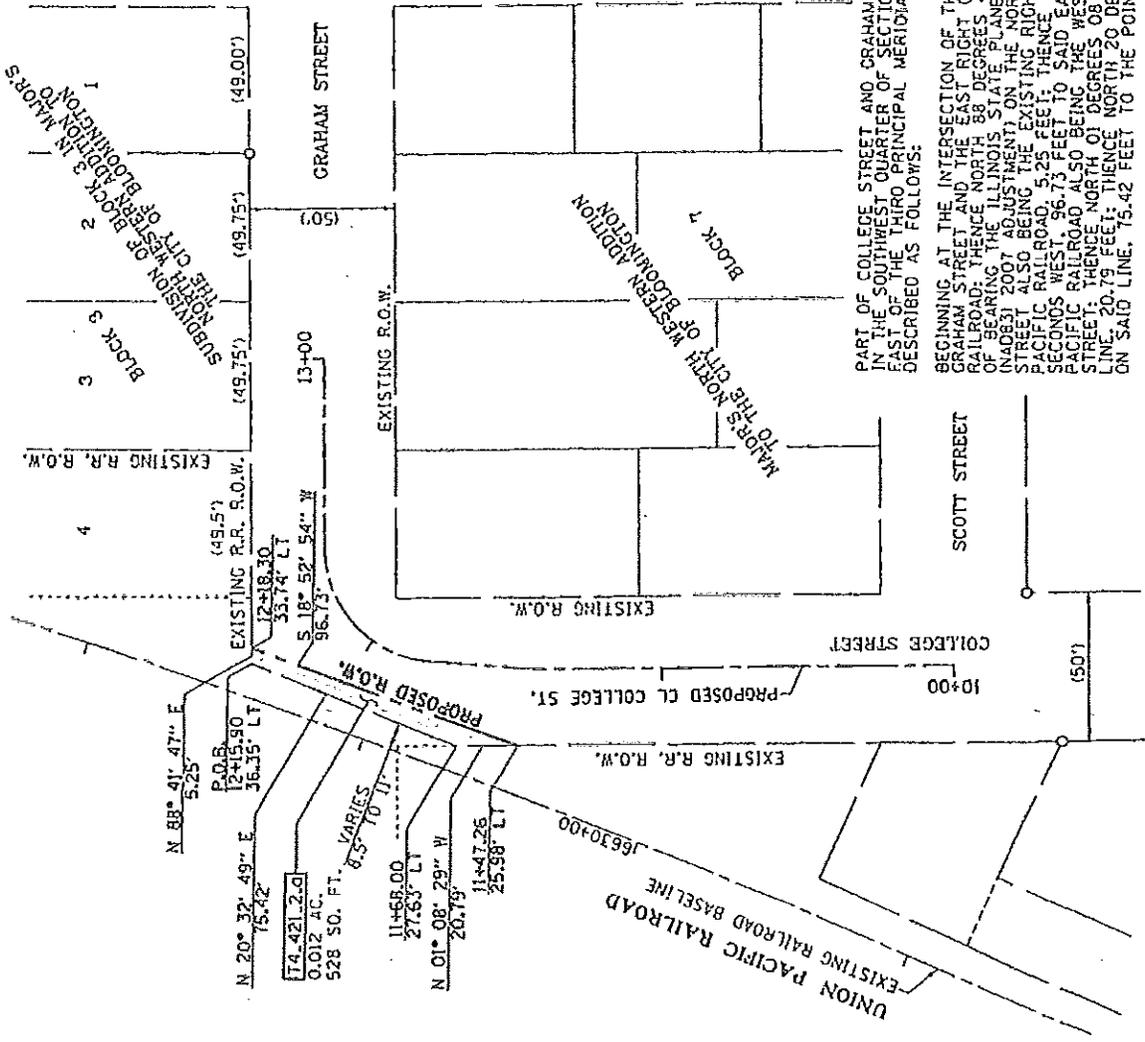
T4-421.2.C

CITY OF BLOOMINGTON

RIGHT OF WAY REQUIRED = 0.012 AC. (528 SQ. FT.)

PREMISE PLAT

ROUTE UPRR (CRF-STI)
SECTION TIER 4 ROADWAY
COUNTY MCLEAN
INTEREST ID T4-421.2



PART OF COLLEGE STREET AND GRAHAM STREET IN THE CITY OF BLOOMINGTON IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET AND THE EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 88 DEGREES 41 MINUTES 47 SECONDS EAST, BASIS OF BEARING THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83) 2007 ADJUSTMENT ON THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET ALSO BEING THE EXISTING RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, 5.25 FEET; THENCE SOUTH 18 DEGREES 52 MINUTES 54 SECONDS WEST, 96.73 FEET TO SAID EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 01 DEGREES 08 MINUTES 29 SECONDS WEST ON SAID LINE, 20.79 FEET; THENCE NORTH 20 DEGREES 32 MINUTES 49 SECONDS EAST ON SAID LINE, 75.42 FEET TO THE POINT OF BEGINNING.

SAID PROPOSED RIGHT OF WAY PARCEL T4-421.2.C CONTAINING 0.012 ACRES OR 528 SQUARE FEET, MORE OR LESS.

FIELD WORK COMPLETED: 03/2016

①

Keith, Ryan

From: Joseph Huffman <jhuffman@stratusnet.com>
Sent: Wednesday, July 12, 2017 5:02 PM
To: Keith, Ryan
Cc: Tony Jordan; Joseph Huffman
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street
Attachments: T4_421_3.a Plat - Mason_City of Bloomington.pdf; T4_421_2.a Plat - College_City of Bloomington.pdf

Keith,

I reviewed you prints and Stratus Networks is clear at both locations on attached maps.

Thanks.



Joe Huffman
OSP Director
Stratus Networks
4700 N. Prospect Rd.
Peoria Heights, IL 61616
jhuffman@stratusnet.com
309-222-2080 office
309-222-2081 fax
309-678-9977 cell

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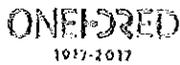
From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Wednesday, July 12, 2017 4:27 PM
To: Joseph Huffman <jhuffman@stratusnet.com>
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good afternoon, Joe.

As follow up, let us know if Stratus has any facilities within these street vacation areas.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan
Sent: Tuesday, June 20, 2017 9:37 AM
To: 'jhuffman@stratusnet.com'
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Joe.

As follow up to my voicemail today, the City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacaillon process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks,

Ryan

D. Ryan Keith
Real Estate Services



HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

hdrinc.com/follow-us

2

Keith, Ryan

From: agt_comm@irth.com
Sent: Monday, June 19, 2017 12:00 PM
To: Keith, Ryan
Subject: All Clear

Having trouble viewing this email? [Click here](#)

City of Bloomington water and sewer are all clear / no conflict
The City only maintains utilities in the public right of way.

Scott Petri
City of Bloomington
Water Department
Julie / Locating Crewleader
309-434-2426

3

Keith, Ryan

From: Duane Lindeman <dlindeman@bnwrd.org>
Sent: Tuesday, June 20, 2017 11:57 AM
To: Keith, Ryan
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan:

The Bloomington and Normal Water Reclamation has no utilities in the two areas identified as those the City of Bloomington is intending to vacate.

Duane Lindeman, PE
District Engineer
Bloomington and Normal Water Reclamation District
2015 West Oakland Avenue, Bloomington IL 61701
Tel: (309) 827-4396 Fax: (309) 828-2035

From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Tuesday, June 20, 2017 9:35 AM
To: Duane Lindeman <dlindeman@bnwrd.org>
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Duane.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

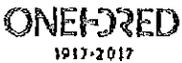
As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
Real Estate Services



HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

Keith, Ryan

(4)

From: Lizzie Jackson <LJackson@CCGFiber.com>
Sent: Tuesday, June 20, 2017 10:05 AM
To: Keith, Ryan
Cc: Michael O'Linc
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Morning Ryan,
Our Utilities clear of the area that is being vacated.

Thanks

Elizabeth A. Jackson

Pavlov Media/CCG
GIS Coordinator
(217)353-3035
ljackson@pavlovmedia.com
ljackson@CCGFiber.com
206 N. Randolph Street Suite 200

From: Michael O'Linc
Sent: Tuesday, June 20, 2017 9:56 AM
To: Lizzie Jackson <LJackson@CCGFiber.com>
Subject: Fwd: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Please respond to his request. Thank you

Begin forwarded message:

From: "Keith, Ryan" <Ryan.Keith@hdrinc.com>
Date: June 20, 2017 at 09:48:14 CDT
To: "molinc@ccgfiber.com" <molinc@ccgfiber.com>
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Mike.

As discussed today, the City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
Real Estate Services

Keith, Ryan

5

From: Wyman, Ted <Ted_Wyman@comcast.com>
Sent: Wednesday, June 21, 2017 9:08 AM
To: Keith, Ryan
Subject: West Seminary St. and N. Mason St. & Graham St. and College St.; Bloomington

Ryan,

As requested during our phone conversation, just sending a reminder email to give me a call at your convenience when you get back to the office on Monday, June 26th, to go over these plats.

Have a great weekend.

Ted Wyman
Comcast Cable
Right-of-Way Engineer
688 Industrial Drive
Elmhurst, IL 60126
Phone: (224) 229-5850
Fax: (630) 359-5482
Ted_Wyman@comcast.com

(6)

Keith, Ryan

From: Brandy Barnhill <brandyb@ChampaignAsphalt.com>
Sent: Monday, June 19, 2017 1:45 PM
To: Keith, Ryan
Subject: Julie # X1701596 IWU power & phone clear

Thank you,

Brandy Barnhill

Champaign Asphalt Company LLC and Subsidiaries

1414 W. Anthony Drive

Urbana, IL 61802

Phone # 217-356-2518

Fax # 217-356-1539

Mobile # 309-706-9902

BrandyB@ChampaignAsphalt.com

(7)

Keith, Ryan

From: Pickett, Jerry <Jerry.Pickett@Illinois.gov>
Sent: Thursday, June 22, 2017 2:17 PM
To: Keith, Ryan
Cc: Leonard, John
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street
Attachments: Bloomington-UPRR-06-22-17-jp.pdf

See attachment:

Jerry L. Pickett - Fiber Cable Construction & Maintenance

Department of Innovation & Technology

Office: 217-785-7500 | Cell: 217-836-4470

Jerry.Pickett@illinois.gov | www.DoIT.illinois.gov

From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]

Sent: Tuesday, June 20, 2017 11:05 AM

To: Pickett, Jerry <Jerry.Pickett@Illinois.gov>

Subject: [External] UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Jerry.

As discussed today, the City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

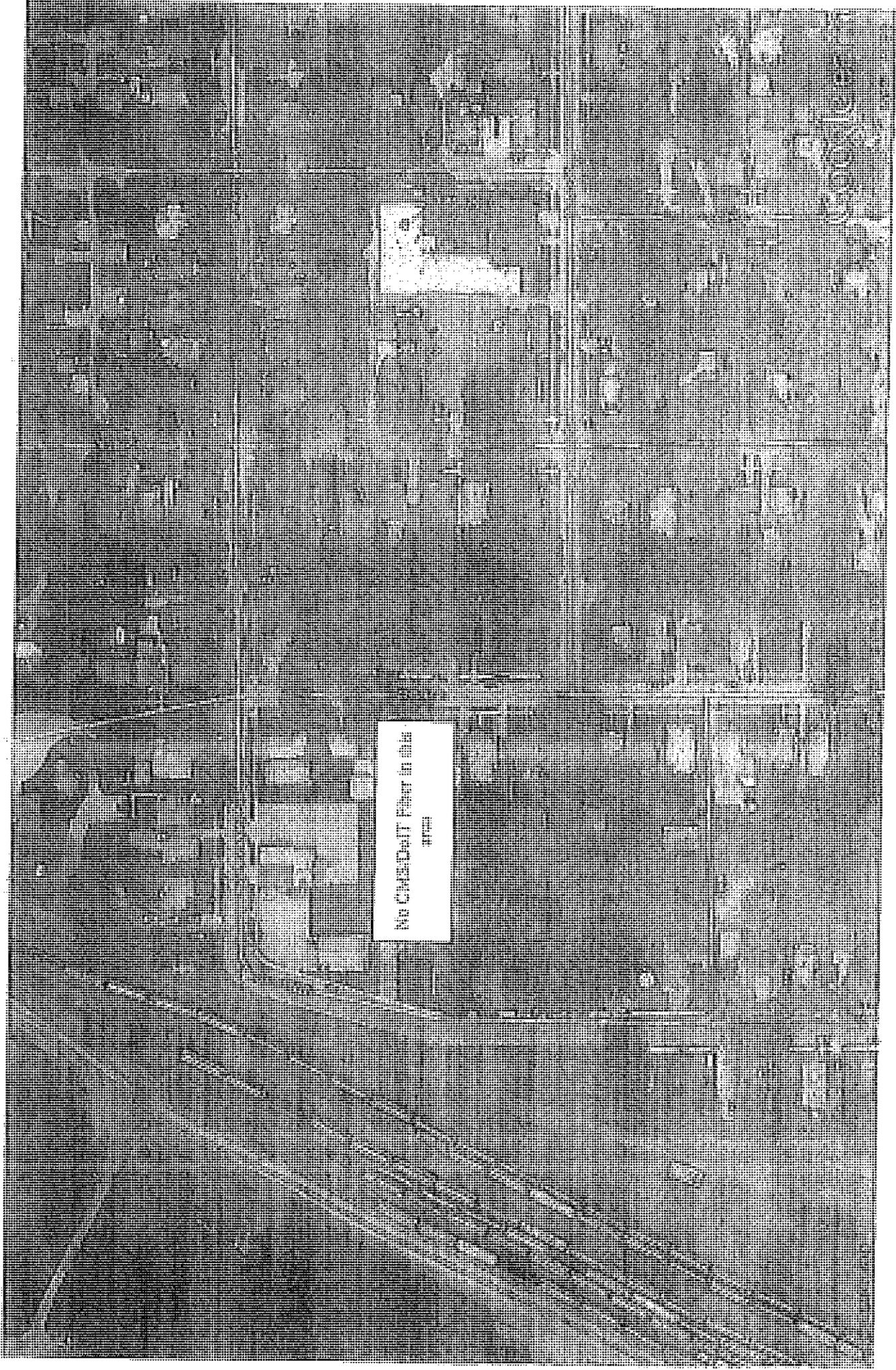
Ryan

D. Ryan Keith
Real Estate Services

ONEPRED
1917-2017

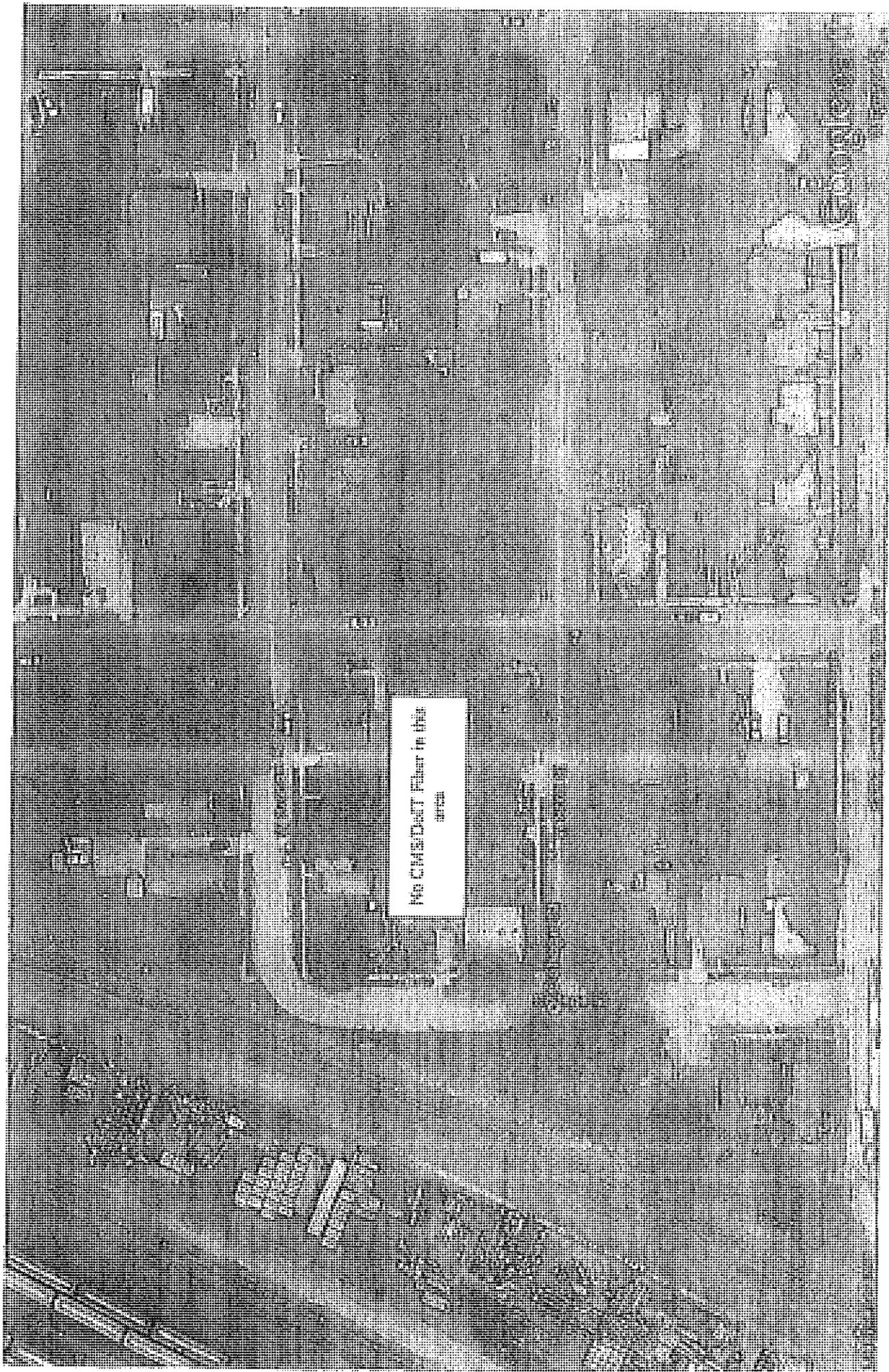
HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

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100
100

No. 100
#100



No CHS/DAT Fiber in this area

8

Keith, Ryan

From: French, Torrey <Torrey.French@ftr.com>
Sent: Thursday, June 29, 2017 2:28 PM
To: Keith, Ryan
Cc: Gangloff, Adam
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street
Attachments: W Graham St Bloomington.jpg; W Seminary St Bloomington.jpg

Ryan,

See our attached maps. We seem to be clear in both locations. Thanks and let me know if you have any questions.

Torrey R. French

Engineer-Network Senior
 Frontier Communications®
 309.827.1715 O
frontier.com



From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Thursday, June 29, 2017 2:05 PM
To: French, Torrey <Torrey.French@ftr.com>; Gangloff, Adam <adam.r.gangloff@ftr.com>
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good afternoon, Torrey and Adam.

As follow up to the email below, can you tell me if Frontier has any facilities in Bloomington along the outer turn lanes at the corners of West Seminary Street and North Mason Street and the corner of Graham Street and College Street (see attached plats)?

At these locations, the City of Bloomington is vacating portions of the two streets and thus is looking for utility confirmation that no utilities are present within these designated areas.

Thanks.

Ryan

D. Ryan Keith
 O 217-585-8300 M 217-481-6758



From: Keith, Ryan
Sent: Tuesday, June 20, 2017 11:10 AM
To: Hinshaw, Kallin
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Kallin.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

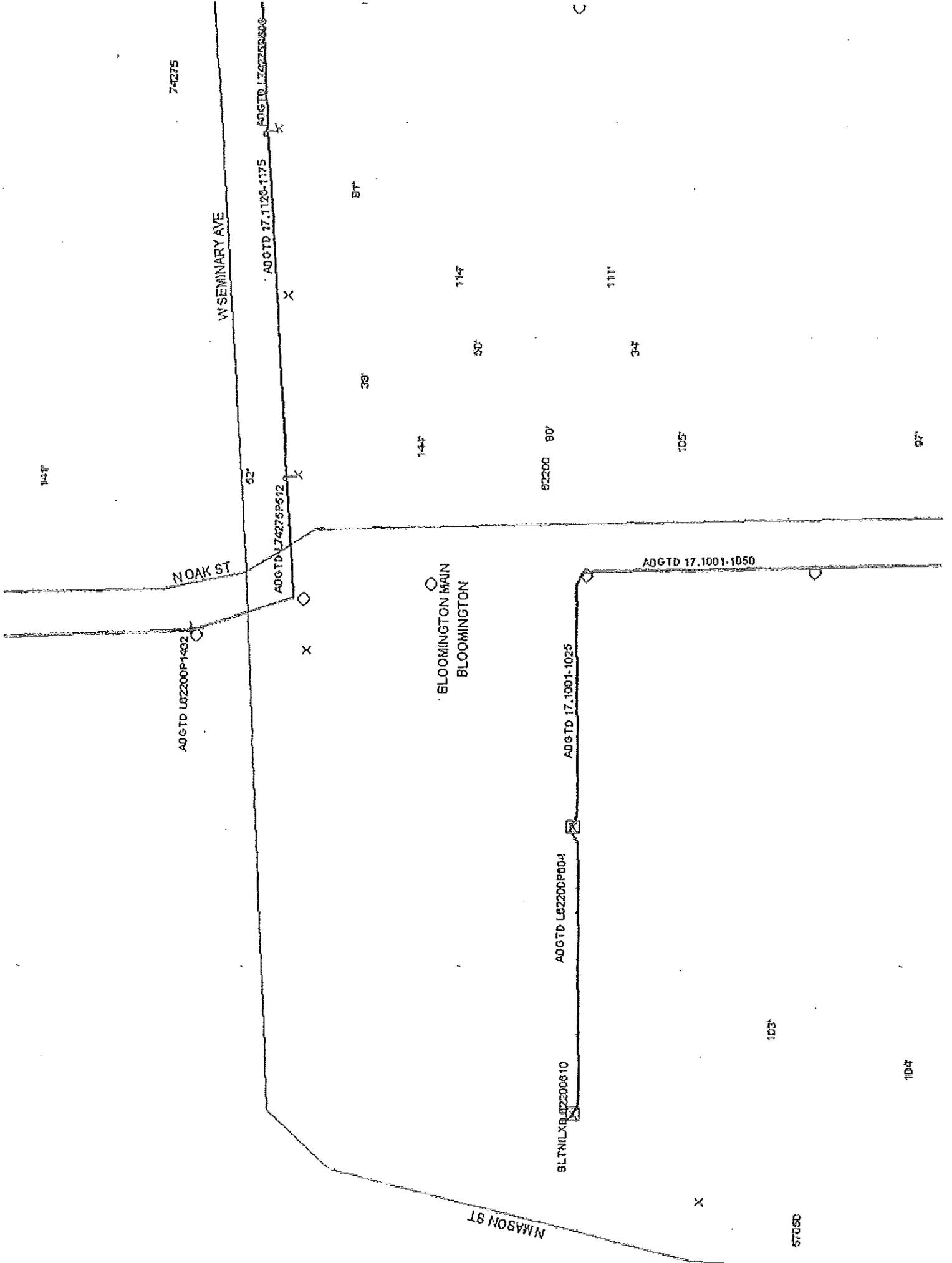
Ryan

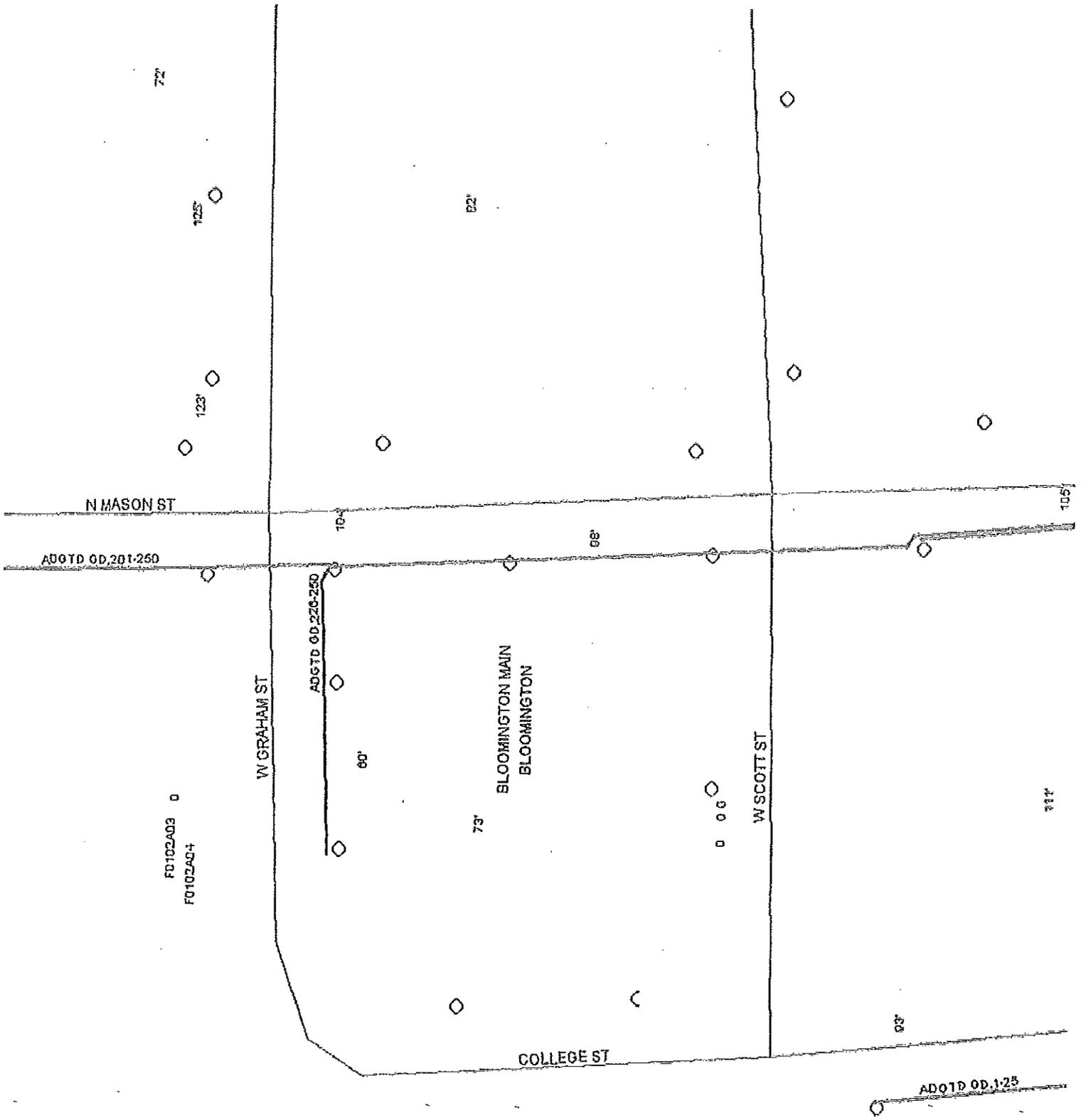
D. Ryan Keith
Real Estate Services

ONE-RED
1917-2017

HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

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Keith, Ryan

9

From: James Blumberg <jblumber@iwu.edu>
Sent: Wednesday, June 21, 2017 1:24 PM
To: Keith, Ryan
Subject: Re: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan,

Thank you for the email. I reviewed the plats you sent over. IWU does not have utilities in this area. We're clear. Do you need anything more formal from me?

Jim Blumberg, C.E.M., CPE
Physical Plant Director
Illinois Wesleyan University
303 E. Emerson St.
PO Box 2900
Bloomington, IL 61702-2900

P: (309) 556-3083
F: (309) 556-3154

On Tue, Jun 20, 2017 at 11:26 AM, Keith, Ryan <Ryan.Keith@hdrinc.com> wrote:

Good morning, James.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

As information, I spoke with George Wainwright today regarding potential Illinois Wesleyan University utilities within the areas of interest. Mr. Wainwright suggested that I contact you on this matter.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith

Real Estate Services

ONE4RED
1917-2017

HDR

5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

hdrinc.com/follow-us

(10)

Keith, Ryan

From: Layden, Kevin P <KLayden@ameren.com>
Sent: Thursday, June 29, 2017 10:57 AM
To: Keith, Ryan
Cc: Slade, Caitlin M
Subject: up rr

Ryan, good to see you again this morning.

Upon our field visit and review of our records we do not have any utilities in conflict with the proposed road work at Seminary and Mason along with Graham and College in Bloomington.

If you need anything else let me know.

Thanks!!

.....

KEVIN LAYDEN
Sr Engineering Rep
Bloomington Service Area
Cell # 309-826-0850
Fax # 314-641-2089

klayden@ameren.com

.....

AmerenIllinois
501 E Lafayette St
Bloomington, IL 61701
AmerenIllinois.com

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11

Keith, Ryan

From: Jon Bachtold <jcbach@cirbn.org>
Sent: Monday, June 26, 2017 1:04 PM
To: Keith, Ryan
Cc: Dennis Leggett; Mark DeKeersgieter
Subject: Re: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan
 We have no facilities in these two areas.
 Jon

Jon Bachtold
 Chief Technology Officer
 CIRBN, LLC

Tel: 309-820-7321
 Email: jcbach@cirbn.org
 Web: www.cirbn.org



200 W Front St, Ste 500A
 Bloomington, IL 61701



From: "Keith, Ryan" <Ryan.Keith@hdrinc.com>
Date: Monday, June 26, 2017 at 8:25 AM
To: Jon Bachtold <jcbach@cirbn.org>
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Jon.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
 Real Estate Services



HDR

5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keilh@hdrinc.com

hdrinc.com/follow-us

Keith, Ryan

12

From: Watson, Eric E <Eric.Watson@windstream.com>
Sent: Friday, June 23, 2017 9:36 AM
To: Keith, Ryan
Subject: Windstream Ticket Number: IL7X1701596

Windstream is not in conflict.

Eric Watson
Coordinator - Engineering
Damage Prevention | Windstream
800-289-1901

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(13)

Keith, Ryan

From: Surina, David <DSurina@southernco.com>
Sent: Wednesday, July 12, 2017 1:52 PM
To: Keith, Ryan
Cc: Koppang, Bruce A.
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan,

It does not appear Nicor has any facilities in the portion of ROW being vacated by the City and acquired by the RR. I'm not sure how the City is going to proceed with the vacation but I would be happy to sign a Plat of Vacation for the City if necessary. Please contact me directly for any additional assistance on this matter.

Dave

David L. Surina
Senior Land Management Agent
Nicor Gas Land Services

630.388.2112 office
224.239.6486 mobile
dsurina@southernco.com



From: Koppang, Bruce A.
Sent: Wednesday, July 12, 2017 1:33 PM
To: Surina, David
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Dave,

Attached is the atlas for the locations in question regarding the UP's request for vacation. There does not appear to have any live facilities in the locations that are requested.

Do you need me to reply? Or will you reply?

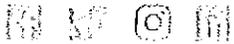
Thanks,

Bruce Koppang
DOT Liaison
Nicor Engineering Department

Nicor Gas
1844 Ferry Rd.

Naperville, IL 60563

630-388-3046 office
708-243-5136 mobile
bkoppan@southernco.com



From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]

Sent: Monday, July 10, 2017 9:43 AM

To: Koppang, Bruce A. <BKoppan@southernco.com>; gasmaps <gasmaps@aglresources.com>

Cc: Mednansky, Victor X. <X2VXMEDN@southernco.com>; Surina, David <DSurina@southernco.com>

Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Bruce,

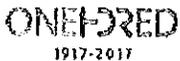
The Nicor atlas images below seem to suggest that Nicor does not have any gas facilities within the portions to be vacated by the City of Bloomington (see 6 attached plats).

The City of Bloomington has stated that it seeks confirmation from utilities that no facilities are present within these areas.

Is that something you can confirm? If not, please provide a contact who can confirm.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/info/low-us

From: Koppang, Bruce A. [<mailto:BKoppan@southernco.com>]

Sent: Monday, July 10, 2017 9:25 AM

To: Keith, Ryan

Cc: Mednansky, Victor X.; Surina, David

Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Hi Ryan,

I provide the atlas pages and help initiate any necessary next steps, per your request.

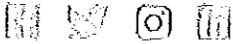
Note that the gasmaps email account is still gasmaps@aglresources.com ;

Thanks,

Bruce Koppang
DOT Liaison
Nicor Engineering Department

Nicor Gas
1844 Feñry Rd.
Naperville, IL 60563

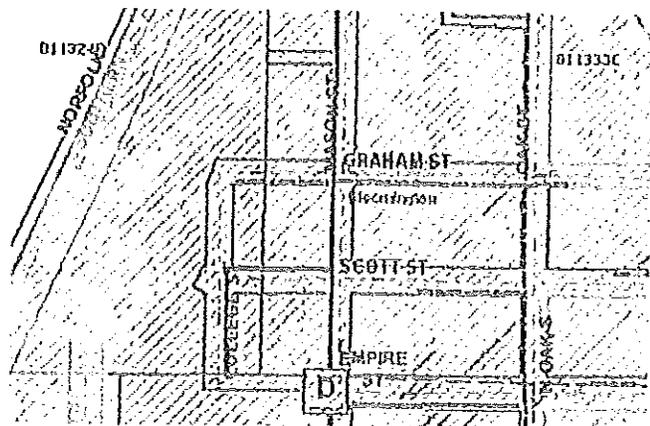
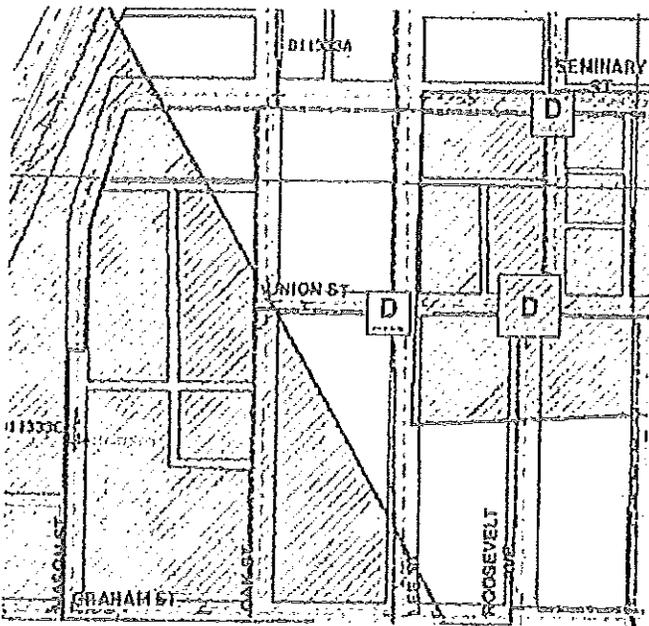
630-388-3046 office
708-243-5136 mobile
bkoppan@southernco.com



From: Mednansky, Victor X.
Sent: Monday, July 10, 2017 8:16 AM
To: Koppang, Bruce A. <BKoppan@southernco.com>
Cc: Surina, David <DSurina@southernco.com>
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Bruce Koppang

Below is an email request from a Consultant for the Union Pacific regarding Nicor facilities at two locations in the City of Bloomington. The two locations are identified in the clippings below (from Atlas Viewer) and in the attached pdfs. Note that Atlas Viewer appears to incorrectly label the Union Pacific as Norfolk Southern.



Vic

From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Monday, July 10, 2017 7:48 AM
To: Mednansky, Victor X.
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Vic.

The City of Bloomington is vacating portions of two streets as depicted within the attached plats. These locations are at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas.

Is this something you can assist us with or perhaps pass us on to someone at Nicor that can.

Thanks for your assistance.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan
Sent: Thursday, June 29, 2017 2:13 PM
To: 'Mark Hylton'
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good afternoon, Mark

As follow up to the prior request, I'm looking for confirmation that Nicor does not have any facilities within the areas designated within the attached plats. These locations are both in Bloomington, IL along the outer turn lanes at the corners of West Seminary Street and North Mason Street and the corner of Graham Street and College Street.

At these locations, the City of Bloomington is vacating portions of the two streets and is looking for utility confirmation that no utilities are present within these designated areas.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan
Sent: Monday, June 26, 2017 8:31 AM
To: 'gasmaps@southernco.com'
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning,

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR,

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
Real Estate Services

ONE2RED
1917-2017

HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

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**PETITION FOR VACATION OF
PART OF COLLEGE AND GRAHAM STREETS**

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

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

Now come Union Pacific Railroad Company (UPRR), hereinafter referred to as your Petitioner, respectfully representing and requesting as follows:

1. That UPRR is requesting to purchase said premises hereinafter described in Exhibit A attached hereto and made a part hereof by this reference;
2. That UPRR seeks approval of the vacation of part of College Street and Graham Street adjacent to said premises;
3. That said vacation of College Street and Graham Street is reasonable and proper because such area is not needed for public right-of-way by said City, its only use being the location of existing or proposed utilities.

WHEREFORE, UPRR prays that part of College Street and Graham Street be vacated with such reservation of utility easements as may seem proper.

Respectfully submitted,

By:



Greg Brigham
Asst. Dir. Acquisitions
Union Pacific Railroad Company

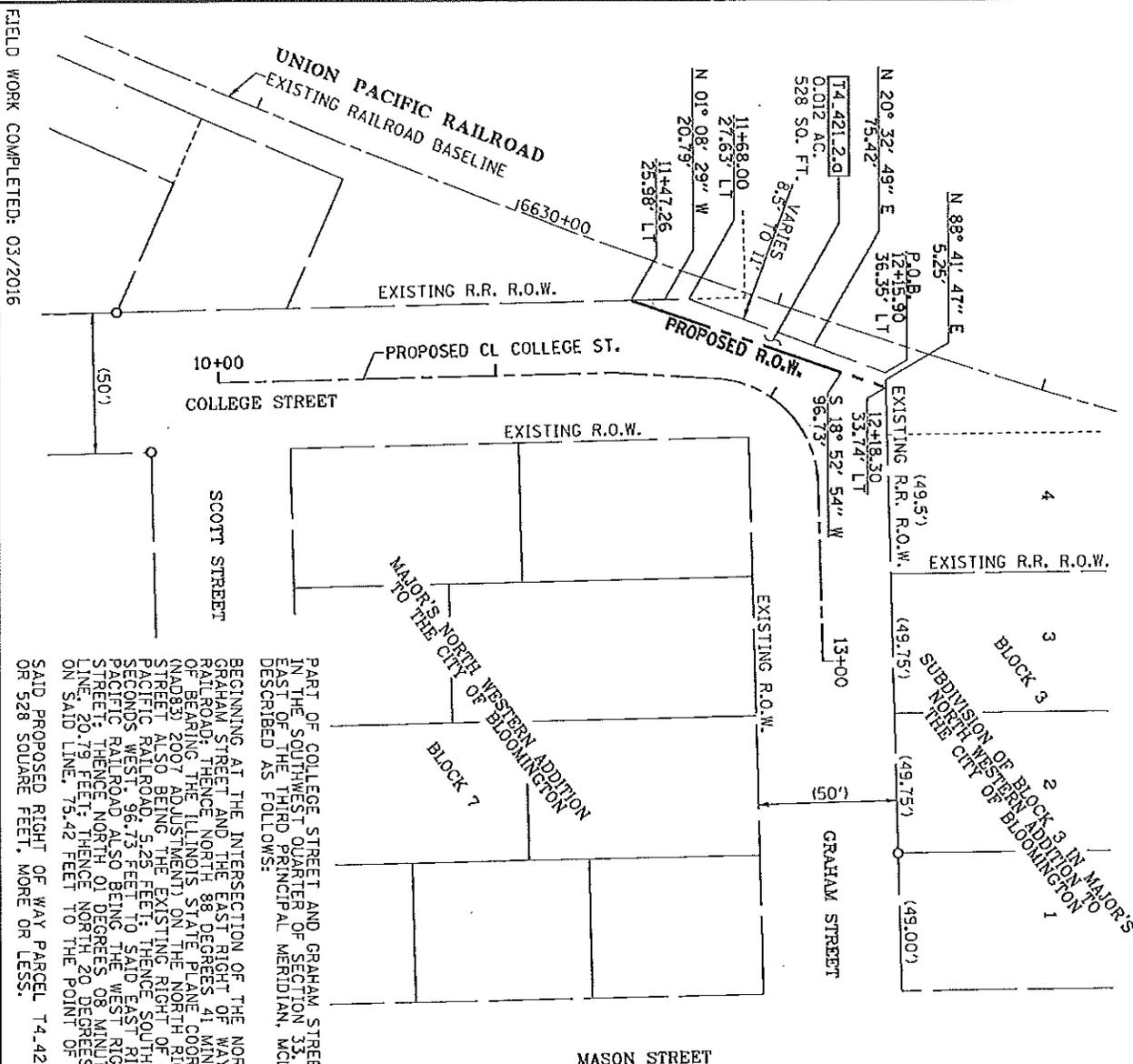
EXHIBIT A

Part of College Street and Graham Street in the City of Bloomington in the Southwest Quarter of Section 33, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, described as follows:

Beginning at the intersection of the north right of way line of Graham Street and the east right of way line of the Union Pacific Railroad; thence North 88 degrees 41 minutes 47 seconds East (basis of bearing the Illinois State Plane Coordinate System East Zone (NAD83) 2007 adjustment) on the north right of way line of Graham Street also being the existing right of way line of the Union Pacific Railroad, 5.25 feet; thence South 18 degrees 52 minutes 54 seconds West, 96.73 feet to said east right of way line of the Union Pacific Railroad also being the west right of way line of College Street; thence North 01 degrees 08 minutes 29 seconds West on said line, 20.79 feet; thence North 20 degrees 32 minutes 49 seconds East on said line, 75.42 feet to the Point of Beginning.

Said Proposed Right of Way Parcel T4_421_2.a contains 0.012 acres or 528 square feet, more or less.

PART OF COLLEGE STREET AND GRAHAM STREET IN SW 1/4 OF SEC. 33, T. 24 N., R. 2 E. OF THE 3RD. P.M., MCLEAN COUNTY, IL.



PART OF COLLEGE STREET AND GRAHAM STREET IN THE CITY OF BLOOMINGTON IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET AND THE EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 88 DEGREES 41 MINUTES 47 SECONDS EAST (BASIS OF BEARING THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83) 2007 ADJUSTMENT) ON THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET ALSO BEING THE EXISTING RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; 52.25 FEET TO SAID EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; 96.73 FEET TO SAID EAST RIGHT OF WAY LINE OF COLLEGE STREET; THENCE NORTH 01 DEGREES 08 MINUTES 29 SECONDS WEST ON SAID LINE; 20.19 FEET; THENCE NORTH 20 DEGREES 32 MINUTES 49 SECONDS EAST ON SAID LINE; 75.42 FEET TO THE POINT OF BEGINNING.

SAID PROPOSED RIGHT OF WAY PARCEL T4.421.2.0 CONTAINING 0.012 ACRES OR 528 SQUARE FEET, MORE OR LESS.

RIGHT OF WAY REQUIRED = 0.012 AC. (528 SQ. FT.)

CITY OF BLOOMINGTON

T4.421.2.0

PREMISE PLAT

ROUTE UPRR (CHT-STL)

SECTION TIER 4 ROADWAY

COUNTY MCLEAN

INTEREST ID T4.421.2

LEGEND

PROPERTY LINE

EXISTING RIGHT OF WAY LINE

MEASURED DISTANCE

DEED DISTANCE

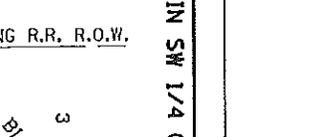
PROPOSED RIGHT OF WAY LINE

FOUND PIN OR PIPE AT CORNER

NOTES:

1. IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.

2. THIS PLAT HAS BEEN PREPARED FOR APPRAISAL PURPOSES FOR RIGHT OF WAY ACQUISITION ONLY AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.



GRAPHIC SCALE (IN FEET)

SCALE: 1" = 40'

BASIS OF BEARING IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83) 2007 ADJ.

RIGHT OF WAY REQUIRED = 0.012 AC. (528 SQ. FT.)

CITY OF BLOOMINGTON

T4.421.2.0

PREMISE PLAT

ROUTE UPRR (CHT-STL)

SECTION TIER 4 ROADWAY

COUNTY MCLEAN

INTEREST ID T4.421.2

Poani, Beth

From: Keith, Ryan
Sent: Thursday, July 13, 2017 9:37 AM
To: Roderick, Andy; Poani, Beth
Subject: RE: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets
Attachments: DOC061.pdf

Andy and Beth,

Utilities identified by JULIE as being potentially within the street vacation areas were contacted. Requests were made for those entities to review their facilities and confirm that no known utilities are within these street vacation areas.

The attached file includes the following information.

- Copy of the JULIE design level ticket listing potential utilities within the areas of interest
 1. Please note utilities have been numbered, as listed below
 2. Some utilities are known not to be within public ROW and/or are known to be within RR ROW (long-line fiber optics: Level 3, MCI, and Sprint), not within the City of Bloomington (Town of Normal), or are utility locating companies (Tri County Locating and USIC)
- Copies of plats and legal descriptions of the proposed street vacations provided to utility companies
- Copies of numbered responses provided by utilities companies clearing their facilities
 1. Stratus Networks
 2. City of Bloomington
 3. Bloomington & Normal Water Reclamation District
 4. Campus Communications Group (Pavlov Media/CCG)
 5. Comcast Communications
 6. Champaign Signal & Lighting (Champaign Asphalt Company LCC and Subsidiaries)
 7. State of Illinois – Central Management Services
 8. Frontier Communications
 9. Illinois Wesleyan University
 10. Ameren Illinois
 11. Central Illinois Regional Broadband Network (CIRBN)
 12. Windstream Communications
 13. Nicor Gas

Let me know if there are any questions.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Roderick, Andy
Sent: Tuesday, June 13, 2017 12:16 PM
To: Poani, Beth; Keith, Ryan
Cc: Largent, Cindy
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Ryan,

We will need to send out individual e-mails with the plats attached to utility in the direct area. Stating the area shown in the plats will be vacated and deeded to Union Pacific and want to confirm you do not have utility in these areas.

Thanks,
Andy

From: Hiles, TJ [<mailto:TJHiles@wheatlandtitle.com>]
Sent: Tuesday, June 13, 2017 11:00 AM
To: Roderick, Andy
Subject: RE: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Andy, you need some kind of confirmation that no utilities exist within the street. If we were insure without confirmation we would raise an exception about utilities in the vacated portion.

*T.J. Hiles
R.O.W. Underwriting
Wheatland Title
105 W. Veterans Pkwy.
Yorkville, IL 60560
(630)892-2323 ext. 249
tjhiles@wheatlandtitle.com*

From: Roderick, Andy [<mailto:Andy.Roderick@hdrinc.com>]
Sent: Monday, June 12, 2017 4:18 PM
To: Hiles, TJ
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

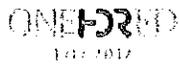
Hello TJ,

We are doing street vacation for these 2 small strips in Bloomington.

City has mentioned we need to get utility letters that they do not object. The only utility that falls within the area is the City of Bloomington which we are relocating. Would you insure this as is or do we need to get some other utility that we show in the area like within half block??

Let me know what you think our direction should be?

ANDY RODERICK,
Senior Right of Way Project Manager



HDR
5201 South Sixth Street Road
Springfield, Illinois 62703-5143
D 217-331-5855 M 402-672-7063
Andy.Roderick@hdrinc.com

hdrinc.com/follow-us

From: Poani, Beth
Sent: Monday, June 05, 2017 9:36 AM
To: Keith, Ryan
Cc: Roderick, Andy
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Ryan,

Here are the plats for the take areas we need letters for from the utility companies. Let me know if you have any any questions.

Thanks,
Beth

From: Roderick, Andy
Sent: Monday, June 5, 2017 9:26 AM
To: Poani, Beth <Beth.Poani@hdrinc.com>; Griffel, Jodi <Jodi.Griffel@hdrinc.com>
Cc: Keith, Ryan <Ryan.Keith@hdrinc.com>; Largent, Cindy <Cindy.Largent@hdrinc.com>
Subject: RE: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Beth,

Yes Ryan can work on getting these letters.
Can you send out the plats to show our acquisition area as I am sure they will want to know.

Thanks,
Andy

From: Poani, Beth
Sent: Monday, June 05, 2017 8:31 AM
To: Roderick, Andy; Griffel, Jodi
Subject: FW: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Jodi and Andy,

City of Bloomington is requesting our office complete a petition as well as obtain letters from utilities stating they do not object to relinquishing easement on the vacated R.O.W. I can complete the petition but can we get the letters?

See below.

Thanks,
Beth

From: Greg Kallevig [<mailto:gkallevig@cityblm.org>]
Sent: Friday, June 2, 2017 4:38 PM
To: Poani, Beth <Beth.Poani@hdrinc.com>
Cc: Kevin Kothe <kkothe@cityblm.org>; Ryan Otto <rotto@cityblm.org>
Subject: R.O.W. Vacation - Property Transfer - West Seminary Ave / Mason St and Graham and College Streets

Beth,

I spoke with City Engineer about the property appraisals and you may proceed with the transfer process as presented.

The first step is for you to submit R.O.W. vacation petition forms to the City Clerk. The petition forms may be found at the web address below.

<http://www.cityblm.org/government/departments/city-clerk/land-use-petitions>

Assuming that the UPRR would prefer not to allow utility easements to remain on the transferred R.O.W., you must obtain letters from utilities stating they do not object to relinquishing easement on the vacated R.O.W. The City would expect you to obtain these letters from public utilities that JULIE reports to for that section of town.

Once the forms and letters are submitted to the City Clerk, the Clerk will send them to us in Public Works to prepare a council memo for council approval. Along with that vacation of R.O.W. we would also include the sale of the property to UPRR.

Let me know if you have any questions.

Greg Kallevig, P.E., CFM
Project Engineer
Engineering Division
Public Works Dept.
City of Bloomington
115 E. Washington St.
P.O. Box 3157
Bloomington, IL 61702-3157
Off. Ph. (309) 434-2225
Direct Ph. (309) 434-2425
Fax (309) 434-2201

Keith, Ryan

From: OCARS_Pro@Julie1Call.com
Sent: Monday, June 19, 2017 11:59 AM
To: Keith, Ryan
Subject: JULIE EMLCFM 2017/06/19 #00318 X1701596-00X NORM NEW DSGN

EMLCFM 00318 JULIEx 06/19/17 11:59:12 X1701596-00X DESIGN

Thank you for contacting JULIE, Inc. regarding your upcoming digging project.

Please review and print your locate request ticket below for your records. If any of the information is incorrect, please contact a JULIE call center agent by simply dialing 811 or 800-892-0123 and refer to the locate request number. The agents are available 24/7.

For information about the next steps in the process, a copy of JULIE's Homeowner's Guide, and an explanation of the color-code markings, visit www.illinois1call.com/homeowners/whatnext.html

Dig No : X1701596 Rev : 00X Digstart: 12/19/17 11:47
Rcvd : 06/19/17 11:59 Priority: 2 Expires : 01/01/00 00:00
Org Dig: X1701596 Rcvd: 06/19/17 11:47

Firm : H.D.R., INC Caller: RYAN KEITH
CoAddr1: 5201 S 6TH STREET RD
City,St: SPRINGFIELD, IL Zip : 62703
Phone : 217-585-8300 Ext :
Call Bk: Done For : RXR & CITY OF BLOOMINGTON
SiteCnt: SAME AS ABOVE
Email : RYAN.KEITH@HDRINC.COM

County : MCLEAN Place: BLOOMINGTON CIT
Address:
Subdiv : Cross:

Grids : T23NR02E04NW T24NR02E32SE T24NR02E33*W

BestFit: 40.495999/-89.002020 40.496257/-88.991587
: 40.487908/-89.001820 40.488166/-88.991387
PreMark: NO Directional Boring: NO Depth>7Ft: UNSURE
Locatn : IN THE CITY OF BLOOMINGTON,
WrkType: DESIGN STAGE: STREET VACATE / REMOVAL.
Extent : WORK BEING DONE ADJACENT TO THE EAST SIDE OF THE RAILROAD.... AT THE
: INTERSECTION OF W SEMINARY AVE AND N MASON ST SOUTH APPX. 100 FT, AND
: ALSO THE INTERSECTION OF W GRAHAM ST AND COLLEGE ST. IN SECTION 33SW.
Remarks:

Members:

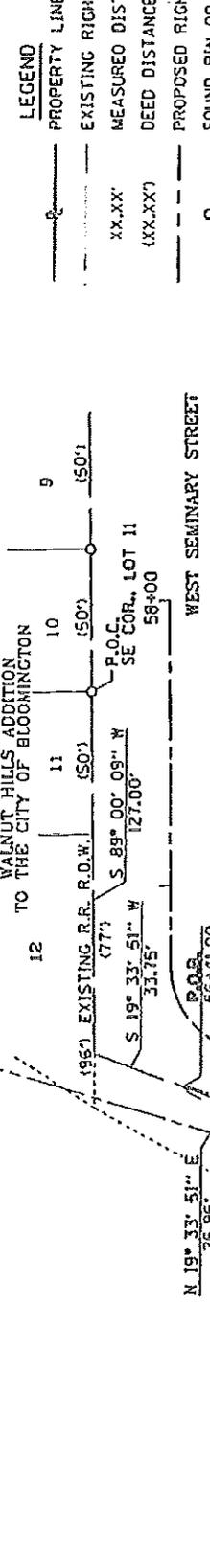
- 1 ATGO0A STRATUS NETWORKS, INC. JOE HUFFMAN CELL 309-678-9977
- 2 BLOM0A BLOOMINGTON, CITY OF BRÉTT LUESCHEN 309-434-2439
- 3 BNWR0A BLOOMINGTON&NORMAL WTR DUANE LINDEMAN 309-827-4396
- 4 CCG0A CAMPUS COMMUNICATIONS ENGINEERING DEPT. 309-533-7448
- 5 COMC0A COMCAST MARTHA GIERAS 224-229-5862
- 6 CSL0A CHAMPAIGN SIGNAL & LIGHTING Information not provided
- 7 DCMS4A STATE OF ILLINOIS - CMS JERRY PICKETT 217-785-7500
- 8 DCMS4B STATE OF ILLINOIS - CMS Information not provided
- 9 FRNT0A FRONTIER COMM. (NORTH) KALIN HINSHAW 815-895-1515
- 9 ILWU0A ILLINOIS WESLEYAN UNIVERSITY GEORGE WAINWRIGHT 309-556-3066
- 10 IPC6A AMEREN IP -(NORTH) MARTIN FULLER 618-236-6281

| | | | |
|-----|-------------------------------|--------------------------|-------------------|
| 11 | ISU1A CIRBN LLC | JON BACHTOLD | 309-820-7321 |
| 12 | KDL0A WINDSTREAM KDL, INC. | THOMAS DECKER | 319-790-7228 |
| --- | LEV10A LEVEL 3 COMMUNICATIONS | NETWORK RELOCATIONS | 877-366-8344x2 |
| --- | MC10A MCI | DEAN BOYERS | 972-729-6322 |
| 13 | NICR0A NICOR GAS | UTILITY CONSULTANT GO3W | 630-388-2362 |
| --- | NORM0A NORMAL, TOWN OF | PUBLIC WORKS ENGINEERING | 309-454-9741 |
| --- | SPRN0A SPRINT | JAMES BURTON | 708-955-6659xcell |
| --- | TCL0A TRI COUNTY LOCATING | Information not provided | |
| --- | USIC0A USIC LOCATING SERVICES | Information not provided | |

View map at:

http://newtin.julie1call.com/newtinweb/map_tkt.nap?TRG=1B3z018m3u0wtzL-S

PART OF WEST SEMINARY AVENUE AND NORTH MASON STREET IN SW 1/4 OF SEC. 33, T. 24 N., R. 2 E. OF THE 3RD. P.M., MCLEAN COUNTY, IL.



T4-421-3.0
0.006 AC.
262 SO. FT.

LEGEND
PROPERTY LINE
EXISTING RIGHT OF WAY LINE
MEASURED DISTANCE
DEED DISTANCE
PROPOSED RIGHT OF WAY LINE
FOUND PIN OR PIPE AT CORNER

NOTES:
1. IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
2. THIS PLAT HAS BEEN PREPARED FOR APPRAISAL PURPOSES FOR RIGHT OF WAY ACQUISITION ONLY AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.



SCALE: 1" = 40'
BASIS OF BEARING IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83) 2007 ADJ.

T4-421-3.0
CITY OF BLOOMINGTON
RIGHT OF WAY REQUIRED = 0.006 AC. (262 SO. FT.)

PREMISE PLAT
ROUTE UPRR (CHI-STL)
SECTION TIER 4 ROADWAY
COUNTY MCLEAN
INTEREST ID T4-421-3

WALNUT HILLS ADDITION TO THE CITY OF BLOOMINGTON
P.O.B. 56+41.00 19.44" LT
S 19° 33' 51" W 33.75'
S 89° 00' 09" W 127.00'
P.O.C. SE COR., LOT 11 58+00
WEST SEMINARY STREET
N 19° 33' 51" E 26.96'
56+19.18 19.69" LT
N 15° 01' 34" E 74.43'
55+44.75 19.41" LT
PROPOSED CL MASON ST.
PROPOSED RIGHT OF WAY S 15° 14' 33" W 209.03'
EXISTING RAILROAD BASELINE
N 14° 18' 41" E 107.73'
N 14° 18' 41" E 107.73'
EXISTING R.R. R.O.W. 16620+00
UNION PACIFIC RAILROAD
54+37.03 17.66" LT
54+00
NORTH MASON STREET
54+00
NORTH MASON STREET
54+00
11
12
10
9
11
10
11
12

PART OF WEST SEMINARY AND NORTH MASON STREETS IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 11 OF THE WALNUT HILLS ADDITION TO THE CITY OF BLOOMINGTON, SAID CORNER ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF WEST SEMINARY STREET, THENCE SOUTH 89 DEGREES 00 MINUTES 09 SECONDS WEST (BASIS OF BEARING THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83) 2007 ADJUSTMENT) SAID RIGHT OF WAY LINE 127.00 FEET TO THE EASTERLY RAILROAD RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 15 DEGREES 13 MINUTES 51 SECONDS WEST ON SAID RAILROAD RIGHT OF WAY 55.75 FEET TO THE POINT OF BEGINNING.
FROM SAID POINT OF BEGINNING, THENCE SOUTH 15 DEGREES 14 MINUTES 33 SECONDS WEST 209.03 FEET TO THE EASTERLY RAILROAD RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 14 DEGREES 18 MINUTES 41 SECONDS EAST ON SAID RAILROAD RIGHT OF WAY LINE 107.73 FEET; THENCE CONTINUE ON SAID RIGHT OF WAY LINE THE FOLLOWING TWO COURSES NORTH 15 DEGREES 01 MINUTES 34 SECONDS EAST 74.43 FEET; THENCE NORTH 15 DEGREES 33 MINUTES 51 SECONDS EAST 26.96 FEET TO THE POINT OF BEGINNING.

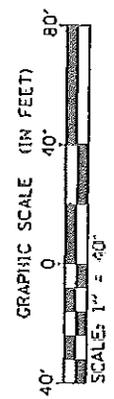
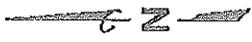
SAID PROPOSED RIGHT OF WAY PARCEL T4-421-3.0 CONTAINING 0.006 ACRES OR 262 SQUARE FEET, MORE OR LESS.

PART OF COLLEGE STREET AND GRAHAM STREET IN SW 1/4 OF SEC. 33, T. 24 N., R. 2 E. OF THE 3RD. P.M., McLEAN COUNTY, IL.

LEGEND

| | |
|--|-----------------------------|
| | PROPERTY LINE |
| | EXISTING RIGHT OF WAY LINE |
| | MEASURED DISTANCE |
| | DEED DISTANCE |
| | PROPOSED RIGHT OF WAY LINE |
| | FOUND PIN OR PIPE AT CORNER |

- NOTES:**
- IT IS NOT WARRANTED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING LINES, UTILITIES AND OTHER ENCUMBRANCES.
 - THIS PLAT HAS BEEN PREPARED FOR APPRAISAL PURPOSES FOR RIGHT OF WAY ACQUISITION ONLY AND SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.



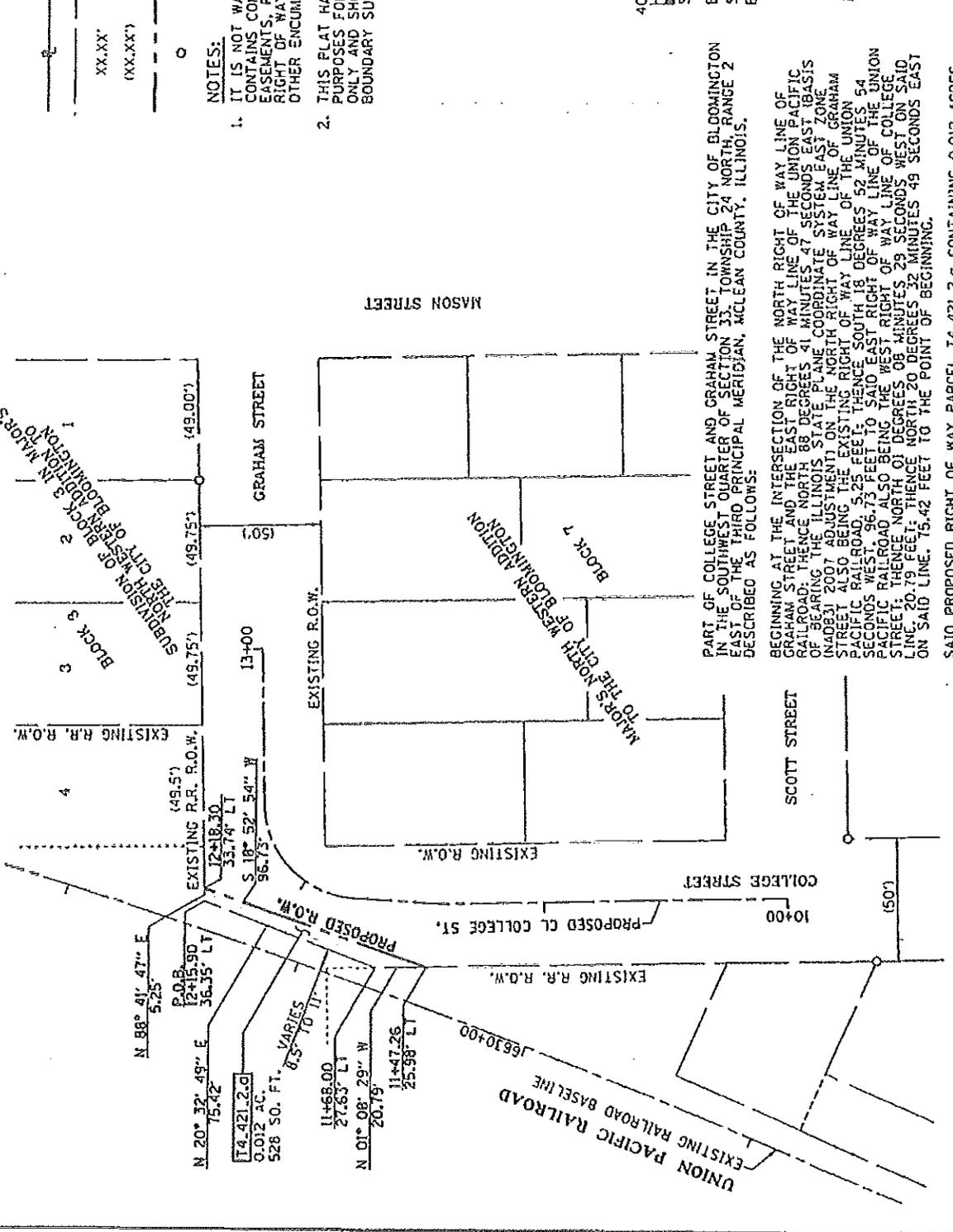
BASIS OF BEARING IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83) 2007 ADJ.

T4-421-2.C
CITY OF BLODMINGTON

RIGHT OF WAY REQUIRED = 0.012 AC.
(528 SQ. FT.)

PREMISE PLAT

ROUTE UPRR (CHT-STP)
SECTION TIER 4 ROADWAY
COUNTY MCLEAN
INTEREST ID T4-421-2



PART OF COLLEGE STREET AND GRAHAM STREET IN THE CITY OF BLODMINGTON IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, McLEAN COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF GRAHAM STREET AND THE EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, THENCE NORTH 89 DEGREES 41 MINUTES 47 SECONDS EAST (BASIS OF BEARING THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83) 2007 ADJUSTMENT) 501.15 FEET TO THE NORTH RIGHT OF WAY LINE OF COLLEGE STREET, ALSO BEING THE EXISTING RIGHT OF WAY LINE OF GRAHAM STREET, PACIFIC RAILROAD, 528 FEET; THENCE SOUTH 18 DEGREES 52 MINUTES 54 SECONDS WEST, 96.73 FEET TO SAID EAST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, ALSO BEING THE WEST RIGHT OF WAY LINE OF COLLEGE STREET, 20.79 FEET; THENCE NORTH 20 DEGREES 32 MINUTES 49 SECONDS EAST ON SAID LINE, 15.42 FEET TO THE POINT OF BEGINNING.

SAID PROPOSED RIGHT OF WAY PARCEL T4-421-2.C CONTAINING 0.012 ACRES OR 528 SQUARE FEET, MORE OR LESS.

FIELD WORK COMPLETED: 03/2016

①

Keith, Ryan

From: Joseph Huffman <jhuffman@stratusnet.com>
Sent: Wednesday, July 12, 2017 5:02 PM
To: Keith, Ryan
Cc: Tony Jordan; Joseph Huffman
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street
Attachments: T4_421_3.a Plat - Mason_City of Bloomington.pdf; T4_421_2.a Plat - College_City of Bloomington.pdf

Keith,

I reviewed you prints and Stratus Networks is clear at both locations on attached maps.

Thanks.



Joe Huffman
OSP Director
Stratus Networks
4700 N. Prospect Rd.
Peoria Heights, IL 61616
jhuffman@stratusnet.com
309-222-2080 office
309-222-2081 fax
309-678-9977 cell

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From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Wednesday, July 12, 2017 4:27 PM
To: Joseph Huffman <jhuffman@stratusnet.com>
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good afternoon, Joe.

As follow up, let us know if Stratus has any facilities within these street vacation areas.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan

Sent: Tuesday, June 20, 2017 9:37 AM

To: 'jhuffman@stratusnet.com'

Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Joe.

As follow up to my voicemail today, the City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks,

Ryan

D. Ryan Keith
Real Estate Services



HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

hdrinc.com/follow-us

2

Keith, Ryan

From: agt_comm@irth.com
Sent: Monday, June 19, 2017 12:00 PM
To: Keith, Ryan
Subject: All Clear

Having trouble viewing this email? [Click here](#)

City of Bloomington water and sewer are all clear / no conflict
The City only maintains utilities in the public right of way.

Scott Petri
City of Bloomington
Water Department
Julie / Locating Crewleader
309-434-2426

Keith, Ryan

3

From: Duane Lindeman <dindeman@bnwrd.org>
Sent: Tuesday, June 20, 2017 11:57 AM
To: Keith, Ryan
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan:

The Bloomington and Normal Water Reclamation has no utilities in the two areas identified as those the City of Bloomington is intending to vacate.

Duane Lindeman, PE
District Engineer
Bloomington and Normal Water Reclamation District
2015 West Oakland Avenue, Bloomington IL 61701
Tel: (309) 827-4396 Fax: (309) 828-2035

From: Keith, Ryan [mailto:Ryan.Keith@hdrinc.com]
Sent: Tuesday, June 20, 2017 9:35 AM
To: Duane Lindeman <dindeman@bnwrd.org>
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Duane.

The City of Bloomington plans to vacate portions of streets shown within the attached plans, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
Real Estate Services

ONE-RED
1917-2017

HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keilh@hdrinc.com

4

Keith, Ryan

From: Lizzie Jackson <LJackson@CCGFiber.com>
Sent: Tuesday, June 20, 2017 10:05 AM
To: Keith, Ryan
Cc: Michael O'Linc
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Morning Ryan,
Our Utilities clear of the area that is being vacated.

Thanks

Elizabeth A. Jackson

Paylov Media/CCG
GIS Coordinator
(217)353-3035
ljackson@pavlovmedia.com
ljackson@CCGFiber.com
206 N. Randolph Street Suite 200

From: Michael O'Linc
Sent: Tuesday, June 20, 2017 9:56 AM
To: Lizzie Jackson <LJackson@CCGFiber.com>
Subject: Fwd: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Please respond to his request. Thank you

Begin forwarded message:

From: "Keith, Ryan" <Ryan.Keith@hdrinc.com>
Date: June 20, 2017 at 09:48:14 CDT
To: "molinc@ccgfiber.com" <molinc@ccgfiber.com>
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Mike.

As discussed today, the City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
Real Estate Services

5

Keith, Ryan

From: Wyman, Ted <Ted_Wyman@comcast.com>
Sent: Wednesday, June 21, 2017 9:08 AM
To: Keith, Ryan
Subject: West Seminary St. and N. Mason St. & Graham St. and College St.; Bloomington

Ryan,

As requested during our phone conversation, just sending a reminder email to give me a call at your convenience when you get back to the office on Monday, June 26th, to go over these plats.

Have a great weekend.

Ted Wyman
Comcast Cable
Right-of-Way Engineer
688 Industrial Drive
Elmhurst, IL 60126
Phone: (224) 229-5850
Fax: (630) 359-5482
Ted_Wyman@comcast.com

(6)

Keith, Ryan

From: Brandy Barnhill <brandyb@ChampaignAsphalt.com>
Sent: Monday, June 19, 2017 1:45 PM
To: Keith, Ryan
Subject: Julie # X1701596 IWU power & phone clear

Thank you,

Brandy Barnhill

Champaign Asphalt Company LLC and Subsidiaries

1414 W. Anthony Drive

Urbana, IL 61802

Phone # 217-356-2518

Fax # 217-356-1539

Mobile # 309-706-9902

BrandyB@ChampaignAsphalt.com

Keith, Ryan

(7)

From: Pickett, Jerry <Jerry.Pickett@Illinois.gov>
Sent: Thursday, June 22, 2017 2:17 PM
To: Keith, Ryan
Cc: Leonard, John
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street
Attachments: Bloomington-UPRR-06-22-17-jp.pdf

See attachment:

Jerry L. Pickett - Fiber Cable Construction & Maintenance

Department of Innovation & Technology

Office: 217-785-7500 | Cell: 217-836-4470

Jerry.Pickett@Illinois.gov | www.DoIT.Illinois.gov

From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Tuesday, June 20, 2017 11:05 AM
To: Pickett, Jerry <Jerry.Pickett@Illinois.gov>
Subject: [External] UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Jerry.

As discussed today, the City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

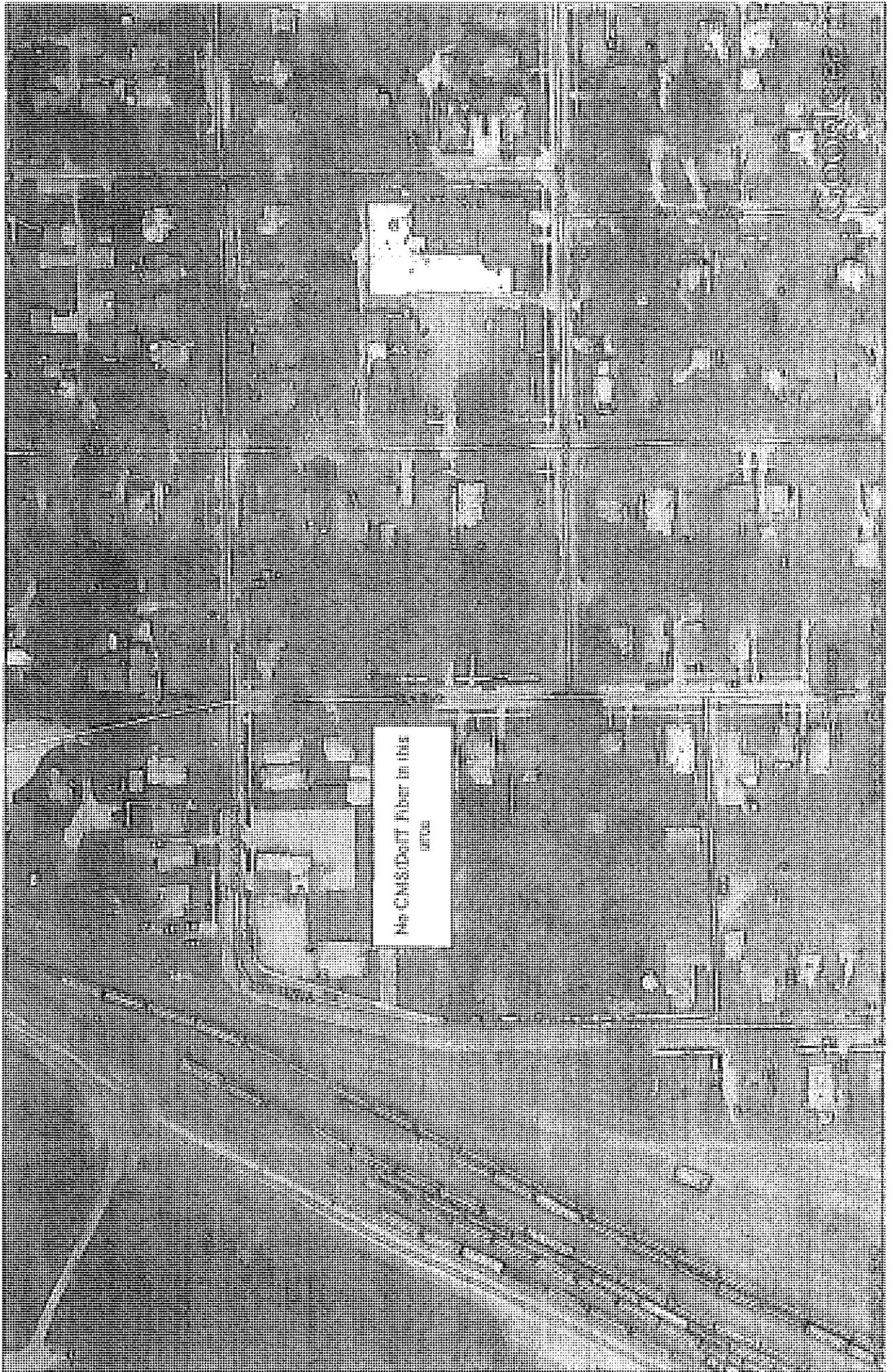
Ryan

D. Ryan Keith
Real Estate Services

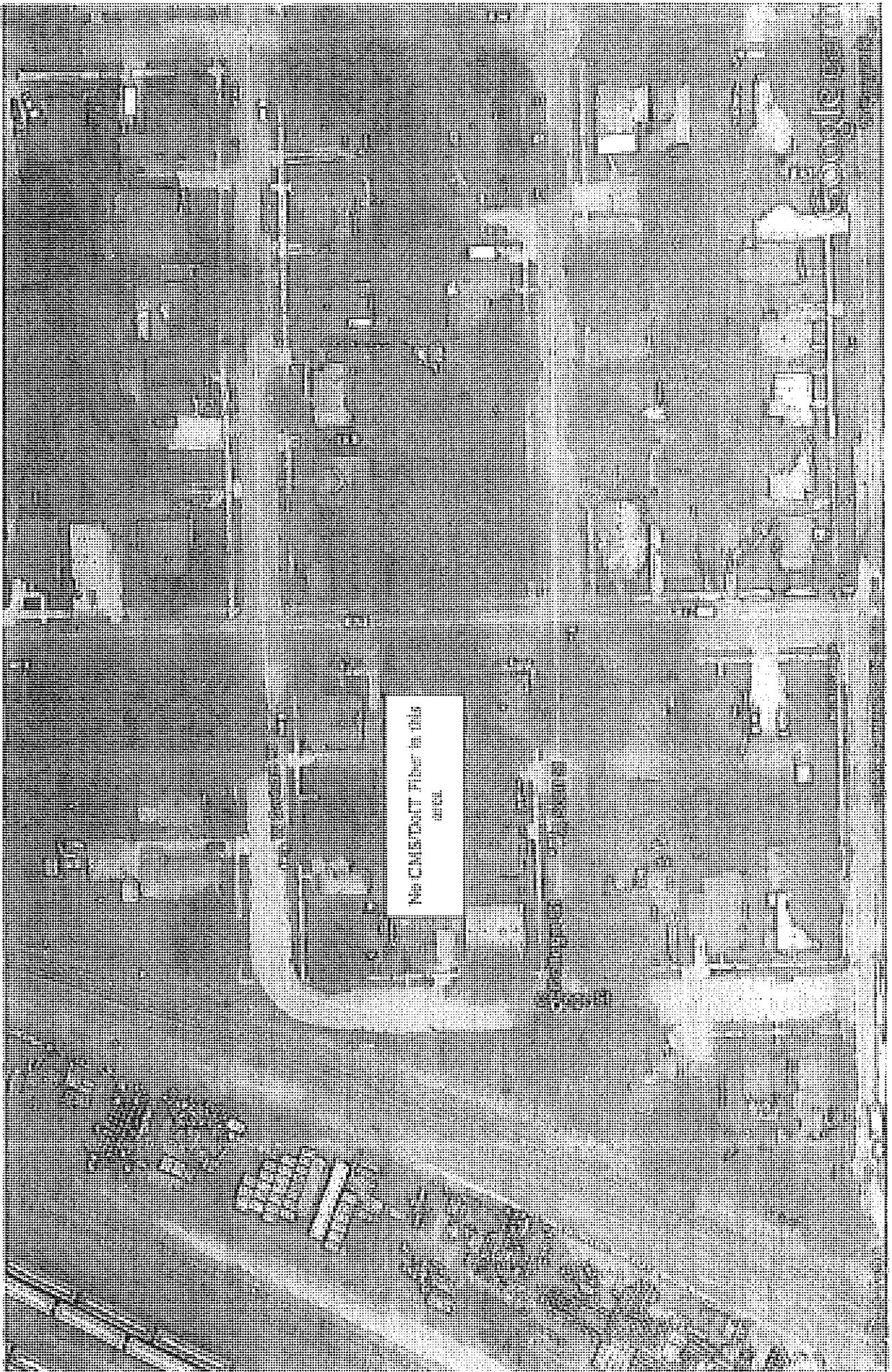
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1917-2017

HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

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No CMS/DoIT fiber in this
area



No CHEMICAL Fiber in this
WELL

8

Keith, Ryan

From: French, Torrey <Torrey.French@ftr.com>
Sent: Thursday, June 29, 2017 2:28 PM
To: Keith, Ryan
Cc: Gangloff, Adam
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street
Attachments: W Graham St Bloomington.jpg; W Seminary St Bloomington.jpg

Ryan,

See our attached maps. We seem to be clear in both locations. Thanks and let me know if you have any questions.

Torrey R. French

Engineer-Network Senior
Frontier Communications®
 309.827.1715 O
frontier.com



From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Thursday, June 29, 2017 2:05 PM
To: French, Torrey <Torrey.French@ftr.com>; Gangloff, Adam <adam.r.gangloff@ftr.com>
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good afternoon, Torrey and Adam.

As follow up to the email below, can you tell me if Frontier has any facilities in Bloomington along the outer turn lanes at the corners of West Seminary Street and North Mason Street and the corner of Graham Street and College Street (see attached plats)?

At these locations, the City of Bloomington is vacating portions of the two streets and thus is looking for utility confirmation that no utilities are present within these designated areas.

Thanks.

Ryan

D. Ryan Keith
 O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan
Sent: Tuesday, June 20, 2017 11:10 AM
To: Hinshaw, Kallin
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Kallin.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

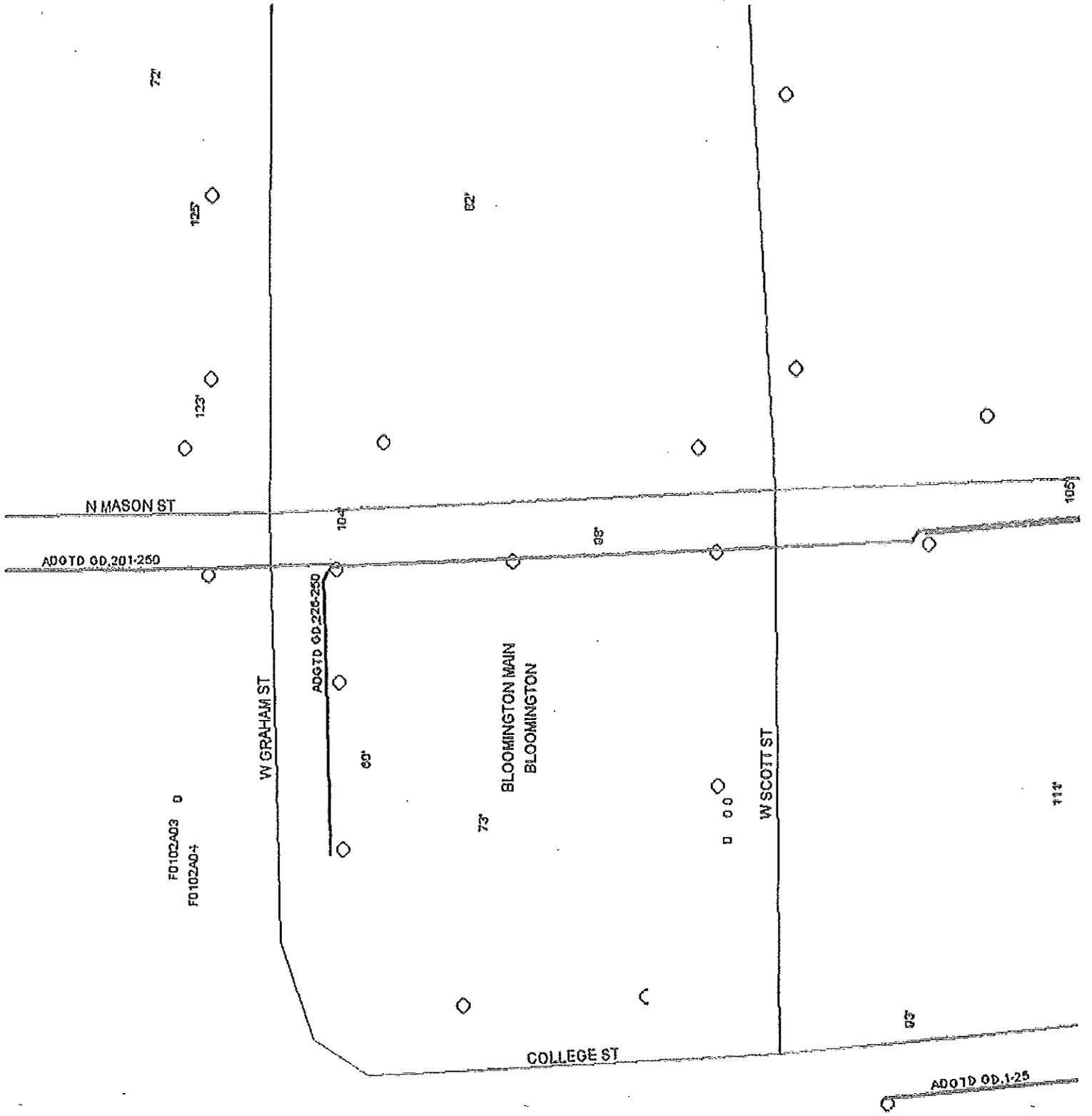
D. Ryan Keith
Real Estate Services

ONE2RED
1917-2017

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5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

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Keith, Ryan

9

From: James Blumberg <jblumber@iwu.edu>
Sent: Wednesday, June 21, 2017 1:24 PM
To: Keith, Ryan
Subject: Re: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan,

Thank you for the email. I reviewed the plats you sent over. IWU does not have utilities in this area. We're clear. Do you need anything more formal from me?

Jim Blumberg, C.E.M., CPE
Physical Plant Director
Illinois Wesleyan University
303 E. Emerson St.
PO Box 2900
Bloomington, IL 61702-2900

P: (309) 556-3083
F: (309) 556-3154

On Tue, Jun 20, 2017 at 11:26 AM, Keith, Ryan <Ryan.Keith@hdrinc.com> wrote:

Good morning, James.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

As information, I spoke with George Wainwright today regarding potential Illinois Wesleyan University utilities within the areas of interest. Mr. Wainwright suggested that I contact you on this matter.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith

Real Estate Services

ONE2RED
1917-2017

HDR

5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

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(10)

Keith, Ryan

From: Layden, Kevin P <KLayden@ameren.com>
Sent: Thursday, June 29, 2017 10:57 AM
To: Keith, Ryan
Cc: Slade, Caitlin M
Subject: up rr

Ryan, good to see you again this morning.

Upon our field visit and review of our records we do not have any utilities in conflict with the proposed road work at Seminary and Mason along with Graham and College in Bloomington.

If you need anything else let me know.

Thanks!!

.....

KEVIN LAYDEN
Sr Engineering Rep
Bloomington Service Area
Cell # 309-826-0850
Fax # 314-641-2089

klayden@ameren.com

.....

AmerenIllinois
501 E Lafayette St
Bloomington, IL 61701
AmerenIllinois.com

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11

Keith, Ryan

From: Jon Bachtold <jcbach@cirbn.org>
Sent: Monday, June 26, 2017 1:04 PM
To: Keith, Ryan
Cc: Dennis Leggett; Mark DeKeersgieter
Subject: Re: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan
 We have no facilities in these two areas.
 Jon

Jon Bachtold
 Chief Technology Officer
 CIRBN, LLC

Tel: 309-820-7321
 Email: jcbach@cirbn.org
 Web: www.cirbn.org



200 W Front St, Ste 500A
 Bloomington, IL 61701



From: "Keith, Ryan" <Ryan.Keith@hdrinc.com>
Date: Monday, June 26, 2017 at 8:25 AM
To: Jon Bachtold <jcbach@cirbn.org>
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Jon.

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
 Real Estate Services



HDR

5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.kelth@hdrinc.com

hdrinc.com/follow-us

Keith, Ryan

12

From: Watson, Eric E <Eric.Watson@windstream.com>
Sent: Friday, June 23, 2017 9:36 AM
To: Keith, Ryan
Subject: Windstream Ticket Number: IL7X1701596

Windstream is not in conflict.

Eric Watson
Coordinator - Engineering
Damage Prevention | Windstream
800-289-1901

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(13)

Keith, Ryan

From: Surina, David <DSurina@southernco.com>
Sent: Wednesday, July 12, 2017 1:52 PM
To: Keith, Ryan
Cc: Koppang, Bruce A.
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Ryan,

It does not appear Nicor has any facilities in the portion of ROW being vacated by the City and acquired by the RR. I'm not sure how the City is going to proceed with the vacation but I would be happy to sign a Plat of Vacation for the City if necessary. Please contact me directly for any additional assistance on this matter.

Dave

David L. Surina
Senior Land Management Agent
Nicor Gas Land Services

630.388.2112 office
224.239.6486 mobile
dsurina@southernco.com



From: Koppang, Bruce A.
Sent: Wednesday, July 12, 2017 1:33 PM
To: Surina, David
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Dave,

Attached is the atlas for the locations in question regarding the UP's request for vacation. There does not appear to have any live facilities in the locations that are requested.

Do you need me to reply? Or will you reply?

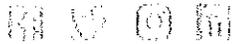
Thanks,

Bruce Koppang
DOT Liaison
Nicor Engineering Department

Nicor Gas
1844 Ferry Rd.

Naperville, IL 60563

630-388-3046 office
708-243-5136 mobile
bkoppan@southernco.com



From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Monday, July 10, 2017 9:43 AM
To: Koppang, Bruce A. <BKoppan@southernco.com>; gasmaps <gasmaps@agresources.com>
Cc: Mednansky, Victor X. <X2VXMEDN@southernco.com>; Surina, David <DSurina@southernco.com>
Subject: RE: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Bruce,

The Nicor atlas images below seem to suggest that Nicor does not have any gas facilities within the portions to be vacated by the City of Bloomington (see 6 attached plats).

The City of Bloomington has stated that it seeks confirmation from utilities that no facilities are present within these areas.

Is that something you can confirm? If not, please provide a contact who can confirm.

Thanks.

D. Ryan Keith
O 217-585-0300 M 217-481-6758



hdrinc.com/follow-us

From: Koppang, Bruce A. [<mailto:BKoppan@southernco.com>]
Sent: Monday, July 10, 2017 9:25 AM
To: Keith, Ryan
Cc: Mednansky, Victor X.; Surina, David
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Hi Ryan,

I provide the atlas pages and help initiate any necessary next steps, per your request.

Note that the gasmaps email account is still gasmaps@agresources.com ;

Thanks,

Bruce Koppang
DOT Liaison
Nicor Engineering Department

Nicor Gas
1844 Ferry Rd.
Naperville, IL 60563

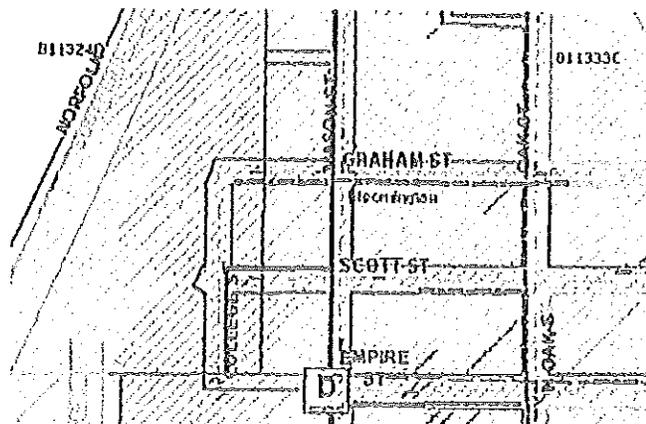
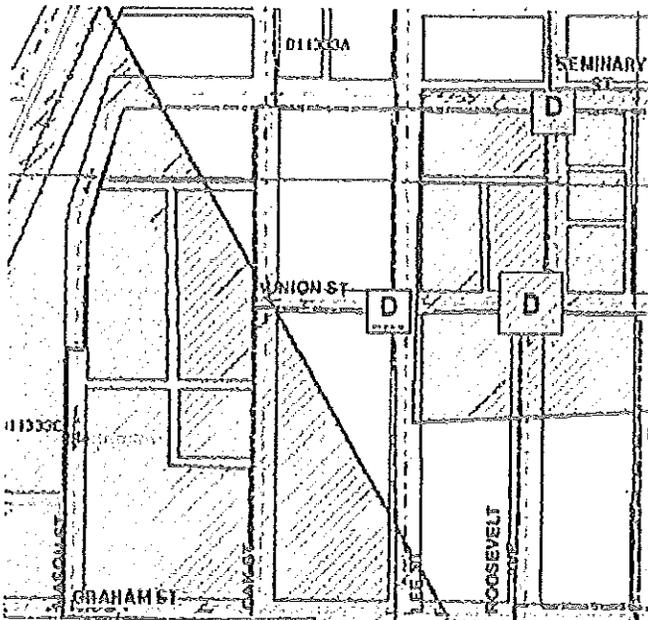
630-388-3046 office
708-243-5136 mobile
bkoppan@southernco.com



From: Mednansky, Victor X.
Sent: Monday, July 10, 2017 8:16 AM
To: Koppang, Bruce A. <BKoppan@southernco.com>
Cc: Surina, David <DSurina@southernco.com>
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Bruce Koppang

Below is an email request from a Consultant for the Union Pacific regarding Nicor facilities at two locations in the City of Bloomington. The two locations are identified in the clippings below (from Atlas Viewer) and in the attached pdfs. Note that Atlas Viewer appears to incorrectly label the Union Pacific as Norfolk Southern.



Vic

From: Keith, Ryan [<mailto:Ryan.Keith@hdrinc.com>]
Sent: Monday, July 10, 2017 7:48 AM
To: Mednansky, Victor X.
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning, Vic.

The City of Bloomington is vacating portions of two streets as depicted within the attached plats. These locations are at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas.

Is this something you can assist us with or perhaps pass us on to someone at Nicor that can.

Thanks for your assistance.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan
Sent: Thursday, June 29, 2017 2:13 PM
To: 'Mark Hylton'
Subject: FW: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good afternoon, Mark

As follow up to the prior request, I'm looking for confirmation that Nicor does not have any facilities within the areas designated within the attached plats. These locations are both in Bloomington, IL along the outer turn lanes at the corners of West Seminary Street and North Mason Street and the corner of Graham Street and College Street.

At these locations, the City of Bloomington is vacating portions of the two streets and is looking for utility confirmation that no utilities are present within these designated areas.

Thanks.

D. Ryan Keith
O 217-585-8300 M 217-481-6758



hdrinc.com/follow-us

From: Keith, Ryan
Sent: Monday, June 26, 2017 8:31 AM
To: 'gasmaps@southernco.com'
Subject: UPRR HSR - City of Bloomington - partial street vacations at West Seminary Street & North Mason Street and Graham Street & College Street

Good morning,

The City of Bloomington plans to vacate portions of streets shown within the attached plats, which are located at West Seminary Street and North Mason Street and Graham Street and College Street.

As part of the vacation process, the City has requested that identified utilities confirm that no existing facilities are within these areas. Once vacated, these parcels will be deeded to Union Pacific RR.

Let us know if there are any questions.

Thanks.

Ryan

D. Ryan Keith
Real Estate Services

ONE2RED
1917-2017

HDR
5201 South Sixth Street Road
Springfield, IL 62703-5143
O 217-585-8300 M 217-481-6758
ryan.keith@hdrinc.com

hdrinc.com/follow-us



CONSENT AGENDA ITEM NO. 7M

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of the request from Taylor Knuth and Danielle Ferg to allow moderate consumption of alcohol at their October 14, 2017 wedding reception to be held at Davis Lodge.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on October 14, 2017 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: On August 8, 2017, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Taylor Knuth and Danielle Ferg to allow moderate consumption of alcohol at their October 14, 2017 wedding reception to be held at Davis Lodge.

Present were: Commissioners Tari Renner, Lindsey Powell, Jack Bataoel; Staff present: George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Taylor Knuth addressed the Commission. He stated that Lake Road Inn would cater the event. Beer and wine only would be served.

Motion by Commissioner Powell, seconded by Commissioner Bataoel to recommend at the September 11, 2017 City Council meeting, approval of the request from Taylor Knuth and Danielle Ferg to allow moderate consumption of alcohol at their October 14, 2017 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Powel, Bataoel and Renner.

Nays: None.

Motion carried.

Commissioner Renner stated he would recommend the item be sent to Council for its review and consideration on September 11, 2017.

Approximately 100 guests were anticipated.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the August 8, 2017 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

COMMUNITY DEVELOPMENT IMPACT: None.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk
Robert D. Yehl, PE, Water Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

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

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2017 -

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON OCTOBER 14, 2017 AT DAVIS LODGE

WHEREAS, Taylor Knuth and Danielle Ferg desire to allow moderate consumption of alcohol at their October 14, 2017 wedding reception to be held at Davis Lodge from 5:00 p.m. to 10:00 p.m.; and

WHEREAS, Taylor Knuth and Danielle Ferg have requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge, for the wedding reception on October 14, 2017 from 5:00 pm to 10:00 p.m.

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

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

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

PASSED this 11th of September, 2017.

APPROVED this ____ day of September, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

From: TSK <
To: cityclerk@cityblm.org

Date: Friday, July 07, 2017 12:23PM
Subject: Davis Lodge Liquor 10/14/17

We are having a wedding reception at the Davis Lodge on october 14th 2017 at 3pm. Liquor is planned to be served from 5-10pm and will be catered by The Lake Road Inn in Hudson.

We should have approximately 100 guests

Our contact information is

Taylor Knuth :
Danielle Ferg

Let us know if you have any further questions

Thanks

Websense: Click [here](#) to report this email as spam.



CONSENT AGENDA ITEM NO. 7N

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of the request from Logan Bruce and Rachel Angus to allow moderate consumption of alcohol at their November 25, 2017 wedding reception to be held at Miller Park Pavilion.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 25, 2017 be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: On August 8, 2017, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Logan Bruce and Rachel Angus to allow moderate consumption of alcohol at their November 25, 2017 wedding reception to be held at Miller Park Pavilion.

Present were: Commissioners Tari Renner, Lindsey Powell, Jack Bataoel; Staff present: George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Logan Bruce addressed the Commission. He stated that Nelson's Catering would cater the event. Beer and wine only would be served.

Motion by Commissioner Batael, seconded by Commissioner Powell to recommend at the September 11, 2017 City Council meeting, approval of the request from Logan Bruce and Rachel Angus to allow moderate consumption of alcohol at their November 25, 2017 wedding reception to be held at Miller Park Pavilion.

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

Ayes: Commissioners Powel, Bataoel and Renner.

Nays: None.

Motion carried.

Approximately 100 – 125 guests were anticipated.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the August 8, 2017 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

COMMUNITY DEVELOPMENT IMPACT: None.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk
Jay Tetzloff, Director Parks, Recreation & Cultural Arts

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

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

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2017 -

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON NOVEMBER 25, 2017 AT MILLER PARK PAVILION

WHEREAS, Logan Bruce and Rachel Angus desire to allow moderate consumption of alcohol at their November 25, 2017 wedding reception to be held at Miller Park Pavilion from 4:00 p.m. to 10:00 p.m.; and

WHEREAS, Logan Bruce and Rachel Angus have requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, for the wedding reception on November 25, 2017 from 4:00 pm to 10:00 p.m.

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

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

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

PASSED this 11th of September, 2017.

APPROVED this ____ day of September, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

From: Andrew Coffey/Cityblm
To:
Cc: Renee Gooderham/Cityblm@Cityblm

Date: Monday, July 31, 2017 08:19AM
Subject: Fw: Liquor Commission Request

Hello,

I am sending your request to Renee as I no longer work in the Clerk's office.

Thanks,

Andrew Coffey
Legal Secretary
Legal Department
City of Bloomington
(309) 434-2213

CityBLM.org - [Facebook](#) - [Twitter](#) - [YouTube](#)

-----Forwarded by Andrew Coffey/Cityblm on 07/31/2017 08:19AM -----

To: acoffey@cityblm.org
From:
Date: 07/30/2017 02:55PM
Subject: Liquor Commission Request

CITY CLERK / LIQUOR COMMISSION

To whom it may concern,

We are requesting permission to consume alcohol at our wedding at Miller Park Pavilion. Please see the details below:

- Date and time of event: November 25th, 2017 – 4:00 - 10:00 PM
- Location of event: Miller Park Pavilion
- If the even location has been reserved: Yes
- Bridge and groom names, phone numbers and email addresses
 - Logan Bruce –
 - Rachel Angus –
- Number of guests expected: 100
- Catering: Nelson's (Springfield, IL)

Thank you.

Websense: Click [here](#) to report this email as spam.

REGULAR AGENDA



REGULAR AGENDA ITEM NO. 8A

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of:

- a.) Analysis of Bids and Approval of the City Hall Annex Demolition Contract with Stark Excavating, Inc. for City Bid 2018-11 in the amount of \$681,403 for Base Bid 1 + Alternate 1.1; and
- b.) Approve an Ordinance Amending the Fiscal Year 2018 Budget in the amount of \$91,403.00.

RECOMMENDATION/MOTION: That the unit prices and Contract with Stark Excavating, Inc. for the City Hall Annex Demolition, Bid 2018-11, in the amount of \$681,403 for Base Bid 1 + Alternate 1.1; approve an Ordinance Amending the Budget and authorize the Mayor and City Clerk to execute the Ordinance, and authorize the City Manager and City Clerk to execute the necessary contract documents.

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 Hall Annex is past its useful life and has been vacant for several years. The roof is leaking, mold is present throughout the building, ceilings are collapsing and the rafters are showing signs of failure. Interior photos of the Annex are attached. The space created by the demolition will be used by Fleet Management for vehicle maneuvering and staging, equipment and material storage and parking. The project is rather complicated due to existing utility installations, grade differences and proximity to other buildings. A map which shows these issues is attached. To accomplish the work in the most efficient manner and find potential cost savings, the project was bid with the following alternates.

BASE BID 1

Base Bid 1 includes the following major work items.

- Relocating fiber optic, communication and traffic signal cables that run through the building.
- Removal and disposal of asbestos containing materials in the building.
- Installation of a permanent retaining wall to accommodate demolition and protect adjacent buildings and underground infrastructure.
- Demolition of the building.
- Installation of concrete pavement and drainage improvements on the site.

ALTERNATE 1.1

Alternate 1.1 includes the installation of a concrete façade on the permanent sheet pile wall. The exposed face of sheet piling is a rust color which is often considered unattractive. Painting the sheet piling can be performed, but requires ongoing long term maintenance. The concrete façade provides a long term maintenance free surface that matches the existing Police Department parking garage walls.

BASE BID 2

Base Bid 2 includes the following major work items.

- Relocating fiber optic, communication and traffic signal cables that run through the building.
- Removal and disposal of asbestos containing materials in the building.
- Installation of a temporary retaining wall to accommodate demolition and protect adjacent buildings and underground infrastructure.
- Demolition of the building.
- Placement and compaction of fill over the building site at a 4:1 slope.
- Removal of the temporary sheet piling.
- Grading, shaping and seeding the fill area.
- Installation of concrete pavement and drainage improvements on the site.

The bids are summarized below and a Bid Tab which includes the Local Preference Purchasing Policy evaluation for all alternates is attached.

| <u>ITEM</u> | <u>S. SHAFER EXCAVATING</u> | <u>IRONHUSTLER EXCAVATING</u> | <u>STARK EXCAVATING</u> |
|----------------------------|---------------------------------|-----------------------------------|-----------------------------|
| Base Bid 1 | \$620,000 | \$652,261 | \$659,685 |
| Base Bid 1 + Alternate 1.1 | \$692,000 | \$704,961 | \$681,403 |
| Base Bid 2 | \$420,000 | \$446,012 | \$441,236 |

Base Bid 1 provides 13,700 square feet of additional space at a cost of \$43.40 per square foot. Base Bid 1 + Alternate 1.1 provides the same additional space at a cost of \$53.43 per square foot. Base Bid 2 provides 6,050 square feet of additional space at a cost of \$75.11 per square foot.

Staff recommends Base Bid 1 + Alternate 1.1. This option provides the most useable space for equipment storage and vehicle parking. An ongoing maneuverability issue is also resolved with this option. Currently, fire trucks and other large City vehicles and equipment must be backed into or out of the fleet maintenance area. This operation takes place on Business Route 51 and can block one or even two lanes of the road. The additional space created by the demolition and permanent retaining wall eliminates this dangerous operation. Alternate 1.1 is also recommended since it provides a long term maintenance free surface on the retaining wall. The concrete façade is also more aesthetic than the exposed sheet pile wall, which will be readily visible from Business 51 once the demolition is complete. Visual representations of the three alternates are attached.

This project was originally bid in April 2017, but all bids were rejected due to FY 2017 budget constraints and a substantial bid irregularity. The Farnsworth Group and City staff reviewed the project and specifications relative to potential cost savings. A specification which prohibited sheet pile installation during normal business hours was identified as an unnecessary and costly requirement. The requirement was included in the original specifications due to concerns about

noise and vibration in City Hall. This concern was resolved during recent sheet pile installation for the Mclean County Jail Expansion project. Minimal noise and vibration were noticed in City Hall during this work. As a result, the weekend sheet pile installation requirement was removed and the project rebid in August 2017.

The project is not specifically included in the FY 2018 budget. However, funding of \$250,000 from Major Facility Repairs and \$340,000 from Police Administration Roof Replacement will be used. Both of these items are included in the FY 2018 budget and are not expected to be pursued during the current fiscal year. The Major Facility Repairs item was budgeted specifically for unforeseen issues such as this. The Police Administration roof was inspected by a contractor and City staff and both are confident that the existing roof will remain functional for at least one to two more years. The roof replacement will be included in the proposed FY 2019 budget. The Public Works Department has agreed to fund the remaining unbudgeted balance of \$91,403 since they are advocating for the installation of the retaining wall.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The project was advertised in The Pantagraph on August 14, 2017. A pre-bid meeting was held on August 17, 2017 with multiple contractors in attendance. A bid opening was held on August 28, 2017 at 2:00 pm in City Hall. The project was also coordinated with the Public Works and Information Services Departments.

FINANCIAL IMPACT: Funds totaling \$590,000 are available in the FY 2018 Budget for this project under Capital Improvement-Buildings account (40100100-72520). Stakeholders can locate this in the FY 2018 Budget Book titled “Adopted Budget Other Funds” on pages 93, 97, 293, 309, 320 and 321. The Proposed Budget Amendment will lower by \$91,403.00 the Fleet-Gas & Diesel Fuel account (10016310-71070). The Fleet-Gas & Diesel Fuel account can be located in the FY 2018 Budget Book titled “Adopted General Fund Budget” on page 386. A transfer from the General Fund Transfer department will be processed to the Capital Improvement Fund to provide the remaining funding for the work. Please see FAC 1H Exhibit.

COMMUNITY DEVELOPMENT IMPACT: N/A

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

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, P.E., Facilities Manager

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

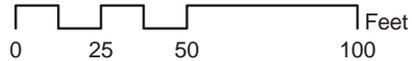
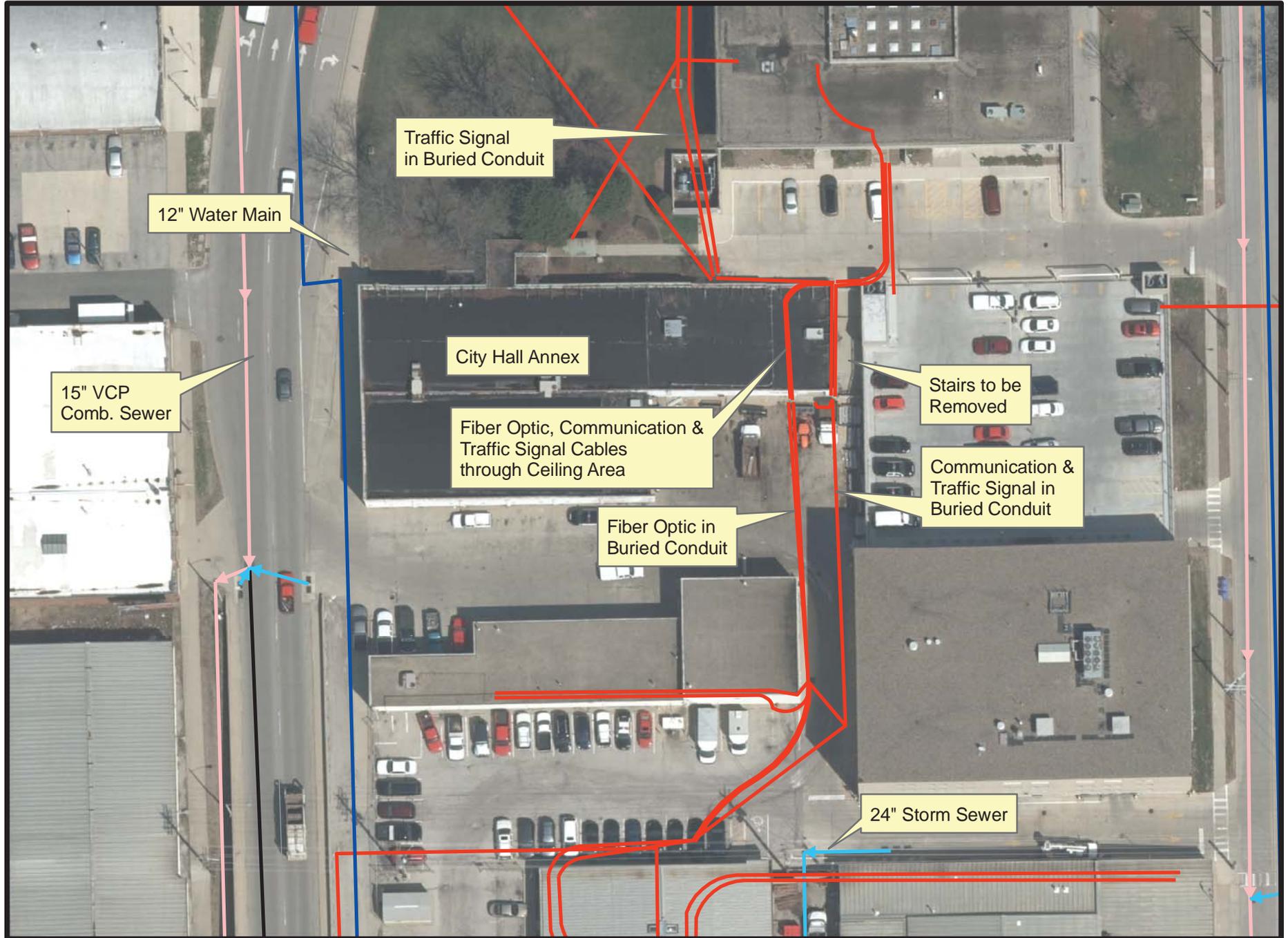


David A. Hales
City Manager

Attachments:

- Map
- Interior Photos
- Bid Tab
- Visual Representation of Alternates
- Contract
- Ordinance
- Exhibit

CITY HALL ANNEX - SITE MAP







City of Bloomington, Illinois
City Hall Annex Demolition
Bid 2018-11
BID TABULATION

| | | | | S. SHAFER EXCAVATING | | IRONHUSTLER EXCAVATING | | STARK EXCAVATING | | | |
|---|--|----|---|----------------------|---------------|------------------------|---------------|------------------|---------------|---------------|------------|
| Base Bid 1 Items (See Plans & Specifications) | | | | Units | Qty | Unit Cost | Total Cost | Unit Cost | Total Cost | Unit Cost | Total Cost |
| 1 | Fiber, Communication & Signal Cable Relocations, ACM Material Removal, Demolition, Retaining Wall, Pavement, Sidewalk, Seeding & Restoration, Etc. (See Plans & Specs) | LS | 1 | \$ 595,000.00 | \$ 595,000.00 | \$ 627,261.00 | \$ 627,261.00 | \$ 634,685.00 | \$ 634,685.00 | | |
| 5 | Contingency Items (T&M) | LS | 1 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | | |
| Base Bid 1 Total | | | | | | \$ 620,000.00 | | \$ 652,261.00 | | \$ 659,685.00 | |
| Local Preference Purchasing Policy Adjustment | | | | | | \$ - | | \$ - | | \$ 19,790.55 | |
| Adjusted Base Bid 1 Total (Evaluation Purposes Only) | | | | | | \$ 620,000.00 | | \$ 652,261.00 | | \$ 639,894.45 | |
| Alternate Items (See Plans & Specifications) | | | | Units | Qty | Unit Cost | Total Cost | Unit Cost | Total Cost | Unit Cost | Total Cost |
| 1.1 | Retaining Wall Concrete Façade | LS | 1 | \$ 72,000.00 | \$ 72,000.00 | \$ 52,700.00 | \$ 52,700.00 | \$ 21,718.00 | \$ 21,718.00 | | |
| Base Bid 1 + Alternate 1.1 Total | | | | | | \$ 692,000.00 | | \$ 704,961.00 | | \$ 681,403.00 | |
| Local Preference Purchasing Policy Adjustment | | | | | | \$ - | | \$ - | | \$ 20,442.09 | |
| Adjusted Base Bid 1 + Alternate 1.1 Total (Evaluation Purposes Only) | | | | | | \$ 692,000.00 | | \$ 704,961.00 | | \$ 660,960.91 | |
| Base Bid 2 Items (See Plans & Specifications) | | | | Units | Qty | Unit Cost | Total Cost | Unit Cost | Total Cost | Unit Cost | Total Cost |
| 1 | Fiber, Communication & Signal Cable Relocations, ACM Material Removal, Demolition, Temporary Retaining Wall, Fill, Pavement, Sidewalk, Seeding & Restoration, Etc. (See Plans & Specs) | LS | 1 | \$ 395,000.00 | \$ 395,000.00 | \$ 421,012.00 | \$ 421,012.00 | \$ 416,236.00 | \$ 416,236.00 | | |
| 5 | Contingency Items (T&M) | LS | 1 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | \$ 25,000.00 | | |
| Base Bid 2 Total | | | | | | \$ 420,000.00 | | \$ 446,012.00 | | \$ 441,236.00 | |
| Local Preference Purchasing Policy Adjustment | | | | | | \$ - | | \$ - | | \$ 13,237.08 | |
| Adjusted Base Bid 2 Total (Evaluation Purposes Only) | | | | | | \$ 420,000.00 | | \$ 446,012.00 | | \$ 427,998.92 | |



EXISTING CITY HALL ANNEX



BASE BID 1



BASE BID 1 + ALTERNATE 1.1



BASE BID 2

CITY OF BLOOMINGTON
CONTRACT WITH
STARK EXCAVATING, INC.
FOR
CITY HALL ANNEX DEMOLITION

THIS AGREEMENT, dated this 11th day of September, 2017, is between the City of Bloomington (hereinafter "CITY") and Stark Excavating, Inc. (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

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

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms / Prevailing Wage.

This work was subject to the following procurement initiative by the CITY:

City Hall Annex Demolition (Bid 2018-11) (hereinafter "Request")

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

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: Demolition of City Hall

Annex and other related work. Specifically Base Bid 1 + Alternate 1.1

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

A flat fee up to \$681,403.00 as set forth in the Procurement Documents.

Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided

thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

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

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

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

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

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

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

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

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

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

CITY OF BLOOMINGTON

STARK EXCAVATING, INC.

By: _____ Its City Manager

By: _____ Its _____

ATTEST:

By: _____ City Clerk

By: _____ Its _____

ORDINANCE NO. 2017 –

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2018**

WHEREAS, on April 10, 2017 by Ordinance Number 2017-26, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2018, which Ordinance was approved by Mayor Tari Renner on April 11, 2017; and

WHEREASE, a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 2017-26 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2018) is further hereby amended by inserting the following line item and amount presented in Exhibit 3A in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2017-26 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 2017-26.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED the 11th day of September 2017.

APPROVED the ____ day of September 2017.

APPROVED:

Tari Renner
Mayor

ATTEST:

APPROVED AS TO FORM

Cherry L. Lawson
City Clerk

Jeffery R. Jurgens
Corporation Counsel

FY 2018 Budget Amendment-FAC 1H Exhibit

| Account # | Fund | Account Description | Amount | Comments |
|--|---------------------|-----------------------------|----------------|-----------------|
| 10016310-71070 | General | Gas & Diesel Fuel | \$ (91,403.00) | |
| 10019180-89410 | General | To Capital Improvement Fund | \$ 91,403.00 | |
| TOTAL TRANSFER OUT FROM GENERAL FUND: | | | \$ - | |
| 40100100-85100 | Capital Improvement | From General Fund | \$ (91,403.00) | |
| 40100100-72520 | Capital Improvement | Buildings | \$ 91,403.00 | |
| TOTAL TRANSFER IN: | | | \$ - | |
| Net Transaction: | | | \$ - | |



REGULAR AGENDA ITEM NO. 8B

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of a Resolution adopting the Downtown Design and Branding Concept recommended by the Downtown Signage Committee.

RECOMMENDATION/MOTION: Approve a resolution adopting the Downtown Design and Branding Concept recommended by the Downtown Signage Committee, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE: 6b. Downtown Vision and Plan used to guide development, redevelopment and investments; 6c. Downtown becoming a community and regional destination

BACKGROUND: On August 24, 2015, the Bloomington City Council adopted the 2035 Comprehensive Plan, which was developed from an intensive community engagement process. The Plan identifies Downtown Bloomington as a core attraction for employment, specialty retail, innovative mixed uses, and cultural and entertainment uses. The Plan highlights many strengths of Downtown Bloomington including its history, architecture and nightlife. However, a salient theme emerged during the outreach process—*there is a clear lack of understanding in the community regarding the boundaries of Downtown*. The Plan recommends unified marketing and branding for the Downtown district, and the creation of signage and wayfinding installations promoting that brand.

A committee of Downtown stakeholders formed with the task of developing a brand and the Committee contracted the services of KMA Design (KMA), a reputable design firm from Pittsburg. Last fall, KMA surveyed residents and determined strategic locations for wayfinding signage and gateway installations. The survey results aligned with the findings from the Comprehensive Plan specifically the need for a unified, clear message. Additionally the survey reinforced Downtown Bloomington’s biggest strengths as its history, architecture, nightlife and arts scene. The proposed logo and branding message (described below) created by KMA Design and recommended by the Downtown Signage Committee builds upon these strengths.

“Dream Big”

Derived from the ever-growing and changing downtown area that presents itself with diverse options for the future and today, “Dream Big” is endless and represents a culture that encourages residents of all ages to experience the rebirth of the community and invites Millennial and student populations and tourists to enjoy what Bloomington has to offer. “Dream Big” is endless and opens up the town and its amenities to be of interest to everyone today and tomorrow. (KMA designs)

The branding message “Dream Big” draws from the inspiration and invention of the founders, political icons, architects, artists, leaders—male and female, and the hardworking citizens who built the City and its commercial and cultural center. The message encourages community members and the community to continue to achieve their greatest aspirations, to be creative and resourceful, and most importantly, to persist with innovative solutions during times of adversity. The message can appeal to entrepreneurs, artists, musicians, and inventors, young and old.

“Dream Big” is underlined by the “stroke of a paintbrush,” a symbolic representation of artistic expression and the inclusive and diversity prevalent in the Downtown creative community. The bold, patriotic color pallet represents Bloomington’s significant political history forged by critical thinkers like Abraham Lincoln, Adali Stevenson and David Davis, and coordinates with the City of Bloomington’s prominent red chevron.

Like the Downtown Bloomington buildings, the wayfinding concept incorporates a blend of decorative styles and features. The primary source of inspiration for the design is Downtown’s beautiful art-deco architecture including significant buildings such as Holy Trinity Catholic Church, the State Farm Building and Ensenberger Building. Additional stylistic elements, such as the square massing of the posts and the hard, square lines at the tops of the signs pay tribute to the decorative parapets and cornices found throughout Downtown and allude to the Downtown Square—a critical gathering point improved with the iconic McLean County Courthouse. Finally, the gateways are designed to incorporate changeable LED lights—a strategic feature which lends itself to downtown place making and could be incorporated into a downtown decorative lighting strategy.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Over the past two years, the Downtown Signage Committee held 47 public meetings to create the proposed design concept. On September 27, 2016, KMA Designs held a public meeting and open forum at the Bloomington Center for the Performing Arts. KMA also distributed surveys at the meeting and online. 70 residents and visitors responded to the survey.

FINANCIAL IMPACT: The “Dream Big” signs remind patrons that they have arrived at Bloomington’s interesting, safe, and friendly downtown destination. The positive financial impacts of implementing a unified marketing and branding concept for Downtown are tangentially related to the initial investment. Many direct benefits of the marketing campaign, like improved sense of community and place, may be difficult to quantify. “Dream Big” means having a comprehensive vision and working to achieve it—the positive message parallels the City’s efforts to implement the 2035 Comprehensive Plan and promote an enhanced quality of life for residents. Funding for the construction of these signs has already been approved by the council in the current budget.

COMMUNITY DEVELOPMENT IMPACT:

D.2-3 Improve Wayfinding Downtown

D2-3a. Install wayfinding signage for parking garages and attractions.

D.2-3b. Develop consistent branding and iconography for wayfinding and gateways.

D.2-3c. Solicit cooperation from Downtown businesses to promote consistent wayfinding and branding messages.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY

CONSTRUCTION: Future operational costs directly related to implementing the wayfinding strategy are addressed in a separate memo and resolution.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Council

Recommended by:



David A. Hales
City Manager

Attachments:

- CD 3B Draft Resolution
- CD 3C Proposed design and branding concept for Downtown Bloomington

RESOLUTION NO. 2017- _____

RESOLUTION TO ADOPT THE DOWNTOWN DESIGN AND BRANDING CONCEPT RECOMMENDED BY THE DOWNTOWN SIGNAGE COMMITTEE BE APPROVED AND THE MAYOR AND CITY CLERK BE AUTHORIZED TO EXECUTE THE NECESSARY DOCUMENTS.

WHEREAS, the City of Bloomington Comprehensive Plan 2035, adopted by City Council on August 24, 2015, recommends the City improve wayfinding in the downtown core; and

WHEREAS, the Mayor appointed a Downtown Signage Committee to develop a unified marketing, branding and wayfinding campaign for Downtown; and

WHEREAS, said Committee contracted the services of KMA Design to develop a downtown design and branding concept; and,

WHEREAS, following 47 public meetings held between 2015 and 2017, said Committee and KMA Designs developed a the unified design and branding concept entitled “DREAM BIG” and described in Exhibit “A”, attached to this resolution and herein incorporated by reference; and,

WHEREAS, said Committee has the authority to recommend to the City Council of the City of Bloomington that the Council officially adopt the recommended concept.

WHEREAS, the Downtown Signage Committee recommends that Council adopt the design concept prepared by KMA Designs, described in Exhibit “A”,

WHEREAS, the Downtown Signage Committee recognizes that the concept is conceptual and may change slightly throughout implementation and the Downtown Signage Committee, therefore also recommends City Council authorize the Committee to make minor changes to the concept throughout the implementation process.

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

1. That the “DREAM BIG”, Downtown Design and Branding Concept, described in Exhibit “A”, is approved by the City Council.
2. That the Downtown Signage Committee is authorized to make minor changes to the concept throughout the implementation process as necessary.

PASSED and APPROVED this ___ day of September 2017.

CITY OF BLOOMINGTON

ATTEST:

Tari Renner, Mayor

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

EXHIBIT "A"

DOWNTOWN DESIGN AND
BRANDING CONCEPT

Dream Big

Downtown Bloomington

DESIGN DEVELOPMENT
06.27.2017



THEK MAGROUP.COM

104 Broadway Street
Carnegie, PA 15106

V. 412.429.4071
F. 412.200.2275

PROJECT # 1608.07

Dream Big
**DOWNTOWN
 BLOOMINGTON**

Dream Big
 DOWNTOWN BLOOMINGTON
 ↑ Cultural District
 David Davis Mansion →
 ← Museum

Dream Big
 DOWNTOWN BLOOMINGTON
 ↑ County Government Center
 ↑ Health Department
 ↑ Miller Park Zoo
 Cultural District →
 David Davis Mansion →
 Franklin Park →

Dream Big
 DOWNTOWN BLOOMINGTON
 P
 Main Street Parking

Dream Big
 DOWNTOWN BLOOMINGTON
 ★
 Center for the Performing Arts



Downtown Gateway

Vehicular Directional Single Panel

Vehicular Directional Double Panel

Vehicular Directional Parking

Destination Identification



KMA DESIGN
 104 Broadway Street
 Carnegie, Pa 15106

THEKMAGROUP.COM
 V. 412-429-4071
 F. 412-200-2275

OWNER:
 City of
 Bloomington, IL

PROJECT:
 City Wayfinding

PROJECT #
 1608.07

DRAWING TITLE:
 Exterior Sign Family
 Development

DRAWN BY: Daniel Grushecky
 PROJECT MANAGER: Vicki Aubele

ISSUED FOR:
 Design Development

DATE:
 06-27-2017

CUSTOMER APPROVAL:

DATE:

SHEET
 01



Downtown Gateway - Ground Mounted

Downtown Informational L.E.D.

Pedestrian Kiosk

Pedestrian Kiosk
End View



KMA DESIGN
104 Broadway Street
Carnegie, Pa 15106

THEKMA GROUP COM
V. 412-429-4071
F. 412-200-2275

OWNER:
City of
Bloomington, IL

PROJECT:
City Wayfinding

PROJECT #
1608.07

DRAWING TITLE:
Exterior Sign Family
Development

DRAWN BY: Daniel Grushecky
PROJECT MANAGER: Vicki Aubele

ISSUED FOR:
Design Development

DATE:
06-27-2017

CUSTOMER APPROVAL:

DATE:

SHEET
02



REGULAR AGENDA ITEM NO. 8B-a

FOR COUNCIL: September 11, 2017

SUBJECT: Consideration of a Resolution approving a Change order for the Contract with Kerestes Martin Associates Inc. (aka KMA Design) (RFQ# 2017-10) for continuing Professional Services for Downtown Branding and Wayfinding in the amount of \$28,095.10.

RECOMMENDATION/MOTION: Council adopts a Resolution approving the Change Order in the amount of \$28,095.10 with Kerestes Martin Associates Inc. (aka KMA Design), and authorize the Mayor City Clerk to execute the Resolution.

STRATEGIC PLAN LINK: 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE: 6 a-c

- a. More beautiful clean Downtown area
- b. Downtown Vision and Plan used to guide development, redevelopment and investments.
- c. Downtown becoming a community and regional destination

BACKGROUND: On August 22, 2016 the City Council approved a contract with Kerestes Martin Associates Inc. (aka KMA Design) in the amount of \$62,190.00 (PO 20170182-00) to provide wayfinding and branding design services focused on improving navigation to and around Downtown Bloomington. The Downtown Signage Committee along with City staff has met numerous times working with the consultant to develop a plan for wayfinding, branding and gateways for the downtown. The approval of the conceptual designs is the subject of a separate memo.

The scope of work under the current contract did not include creating construction documents in preparation for bidding or field services. The committee and staff think that it is in the best interest of the City to continue working with KMA Design to develop the detailed plans and specifications necessary for bidding including some limited field work. The cost for providing these additional services would be limited to \$28,095.10. The FY 2018 Budget has \$250,000 to begin the installation of signs in the downtown. This would leave \$221,904.90 available for construction and installation of the signs. Once the plans and specifications are ready, the proposed work will be publicly bid and the Council will need to approve a contract before actual sign installation can begin.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Downtown Signage Committee includes citizens appointed by the Mayor and Council.

FINANCIAL IMPACT: The project is budgeted at \$250,000 and is included in the FY 2018 Budget under Capital Improvement Fund-Other Capital Improvement account (40100100-72620). Stakeholders can locate this in the FY 2018 Budget Book titled “Adopted Other Funds Budget” on pages 94, 97, 293, 309, 318 and 319.

COMMUNITY DEVELOPMENT IMPACT:

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

Respectfully submitted for Council consideration.

Prepared by: Kevin Kothe, City Engineer

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Fee sheet

RESOLUTION NO. 2017 - _____

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$28,095.10 ASSOCIATED WITH THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND KERESTES MARTIN ASSOCIATES INC FOR PROFESSIONAL SERVICES

WHEREAS, the City of Bloomington has previously authorized a contract with Kerestes Martin Associates, Inc., for the provision of wayfinding and branding design services focused on improving navigation to and around downtown Bloomington; and

WHEREAS, the scope of the Kerestes contract did not include creating construction documents in preparation for bidding or field services, which are services now desired by the City; and

WHEREAS, the change order is germane to the initial contract which involved the provision of professional services in relation to the signage in downtown Bloomington; and

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

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

That a change order in the amount of \$28,095.10 is approved in relation to the contract between the City of Bloomington and Kerestes Martin Associates, Inc., and may be executed by the City Manager or his designee.

PASSED AND APPROVED this _____, of September 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

Fee Sheet for the City of Bloomington

I. Construction Documents

| Item | Description | \$150.00 PIC | \$120.00 PD | \$110.00 SPM | \$85.00 PC | \$85.00 SGD | \$75.00 GD | Subtotal Hours | Subtotal Costs |
|----------------|--|-----------------|----------------|-----------------|---------------|----------------|---------------|----------------|--------------------|
| 1 | Finalize signage details | 1 | | 3 | 1 | 3 | 6 | 14 | \$ 1,270.00 |
| 2 | Obtain final approval from local regulatory agencies | | 0.5 | 0.5 | 2 | | | 3 | \$ 280.00 |
| 3 | Prepare 50% construction document package | | | 1 | 1 | 2 | 4 | 8 | \$ 665.00 |
| 4 | Hold virtual conference to present 50% construction document package | 1 | 1 | 2 | 1 | 2 | | 7 | \$ 735.00 |
| 5 | Incorporate comments to designs, locations, and messaging as needed | 0.25 | 0.25 | 0.5 | 1 | 2 | 4 | 8 | \$ 675.00 |
| 6 | Prepare 90% construction document package | | | 0.5 | 2 | 1 | 2 | 5.5 | \$ 460.00 |
| 7 | Present 90% construction document package (Site Visit #1) | 0.5 | 1 | 1 | 1 | 1 | | 4.5 | \$ 465.00 |
| 8 | Incorporate comments accordingly | 0.25 | 0.25 | 0.5 | 2 | 1 | 4 | 8 | \$ 675.00 |
| 9 | Prepare final details and construction document package | 1 | 1 | 1 | 2 | 4 | 6 | 15 | \$ 1,330.00 |
| 10 | Develop Sign Specifications (10 14 00) | | 1 | 2 | 2 | | | 5 | \$ 500.00 |
| 11 | Prepare final cost analysis | | 1 | 2 | 2 | | | 5 | \$ 500.00 |
| 12 | Submit 100% construction document package for final approval | 0.25 | 0.5 | 0.5 | 1 | 1 | 2 | 5.25 | \$ 467.50 |
| 13 | Incorporate comments, revise accordingly, and submit final deliverable | 0.25 | 0.5 | 1 | 1 | 1 | 2 | 5.75 | \$ 522.50 |
| 14 | City of Bloomington Approval | | | | 0.5 | | | 0.5 | \$ 42.50 |
| Totals: | | 4.5 | 7 | 15.5 | 19.5 | 18 | 30 | 94.5 | \$ 8,587.50 |

II. Bid Negotiations & Construction Administration

| Item | Description | \$150.00 PIC | \$120.00 PD | \$110.00 SPM | \$85.00 PC | \$85.00 SGD | \$75.00 GD | Subtotal Hours | Subtotal Costs |
|----------------|--|-----------------|----------------|-----------------|---------------|----------------|---------------|----------------|---------------------|
| 1 | Develop Bid Form | 0.5 | | 1 | 2 | | | 3.5 | \$ 355.00 |
| 2 | Prepare Invitation to Bid and coordinate with the City's purchasing department | | 2 | 2 | 4 | | | 8 | \$ 780.00 |
| 3 | Answer RFIs | | 4.5 | 5 | 2 | | | 11.5 | \$ 1,215.00 |
| 4 | Issue Addenda as required | 0.5 | 0.5 | 2 | 2 | 1 | 1 | 7 | \$ 680.00 |
| 5 | Attend pre-bid meeting (Site Visit #2) | | | 0.5 | 2 | | | 2.5 | \$ 225.00 |
| 6 | Review substitutions | | 0.5 | 1 | 2 | | | 3.5 | \$ 335.00 |
| 7 | Receive bids and analyze unit costs for accuracy | 0.5 | 0.5 | 1 | 2 | | | 4 | \$ 410.00 |
| 8 | Value engineer if required | | 0.5 | 1 | 2 | | | 3.5 | \$ 335.00 |
| 9 | Check bidder references | 0.5 | | | 2 | | | 2.5 | \$ 245.00 |
| 10 | Make recommendations on selected bidder | | 1 | | 3 | | | 4 | \$ 365.00 |
| 11 | Review contract | | | | 2 | | | 2 | \$ 170.00 |
| 12 | Kick-off meeting and site walk-through with fabricator (Site Visit #3) | | 1 | 4 | 4 | | | 9 | \$ 890.00 |
| 13 | Review samples, prototypes, materials | 1 | 1 | 2 | 4 | 1 | 2 | 11 | \$ 1,055.00 |
| 14 | Review shop drawings | 1 | 1 | 2 | 4 | 2 | 4 | 14 | \$ 1,290.00 |
| 15 | Obtain signed and sealed structural drawings | | 2 | 2 | 2 | | | 6 | \$ 610.00 |
| 16 | Approve payment requests | | | | 1 | | | 1 | \$ 85.00 |
| 17 | Approve change order requests | | 1 | 1 | 2 | | | 4 | \$ 390.00 |
| 18 | Site walk-through to stake signs (Site Visit #4) | | 2 | 2 | 2 | | | 6 | \$ 610.00 |
| 19 | Weekly progress conference calls | | | 4 | 2 | | | 6 | \$ 610.00 |
| 20 | Document decisions, changes, schedule compliance | | 1 | | 2 | | | 3 | \$ 280.00 |
| 21 | Observe installation (Site Visit #5) | | 2 | | 2 | | | 4 | \$ 390.00 |
| 22 | Develop punch list (Site Visit #6) | 1 | 1 | 1 | 1 | | | 4 | \$ 455.00 |
| 23 | City of Bloomington Approval | | | | 0.5 | | | 0.5 | \$ 42.50 |
| 24 | Project Closeout | | 1 | 1 | 1 | | | 3 | \$ 305.00 |
| Totals: | | 4 | 17.5 | 30.5 | 42 | 4 | 7 | 93 | \$ 12,127.50 |

| | | | | | | | | | |
|--------------------------------|--|------------|-------------|-----------|-------------|-----------|-----------|-----------------------------|---------------------|
| Totals for Phases I-II: | | 8.5 | 24.5 | 46 | 61.5 | 22 | 37 | 187.5 | \$ 20,715.00 |
| | | | | | | | | Expenses: | \$ 7,380.10 |
| | | | | | | | | Not To Exceed Total: | \$ 28,095.10 |



REGULAR AGENDA ITEM NO. 8B-b

FOR COUNCIL: September 11, 2017

SUBJECT: Approve Reappointments to the Downtown Signage Ad Hoc Committee for a term of one year.

RECOMMENDATION/MOTION: Approve the reappointment of Carl Teichman, Vicki-Lynn Tilton, Beth Whisman, Dave Park, Thom Jones, and Crystal Howard, and Tom Krieger.

STRATEGIC PLAN LINK: 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: The Downtown Signage Committee has met diligently, 47 times to be exact, over the last two years to execute the Council's desire to improve Downtown Wayfinding. Its work has succeeded in developing a Tag Line, Architectural Designs, Color Schemes, and Location Recommendation. Its work has included public meetings, working with a signage architect and securing funding from the City Council. As it nears completion of its work, however, its appointment as an ad hoc committee needs to be renewed for an additional year for it to complete this important and meaningful work.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

DBA Board. Downtown Property Owners association. Downtown businesses in general.

FINANCIAL IMPACT: None.

COMMUNITY DEVELOPMENT IMPACT:

This effort directly furthers the recommendations of the Comprehensive Plan. In Chapter Six, Economic Development, paragraph D-2.1 says "Identify and designate gateways to Downtown." Paragraph D-2.3 says "Improve wayfinding Downtown."

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

Respectfully submitted for Council consideration.

Prepared by: Kevin Kothe, City Engineer

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Scott Rathbun, Interim Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a large initial "D" and "H".

David A. Hales
City Manager

Attachments:

None