



COUNCIL MEETING AGENDA

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, JUNE 22, 2015 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. Public Comment**

(A Public Comment period not to exceed fifteen (15) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council, Committee of the Whole and Special Meetings of the City Council not designated as Work Sessions. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

Anyone desiring to address the Board, Commission or City Council, as applicable, must complete a public comment card available in the meeting location up to fifteen (15) minutes prior to the start of the meeting. The person must include their name, address, and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five (5) individuals desire to make a public comment, the order of the speakers shall be by random draw. (Ordinance No. 2014-82))

6. Recognition/Appointments

- A. Appointment of Brandi Sweeney to the Scott Estate Health Care Trust Investment Committee.
- B. Appointment of Eric Penn to the Board of Fire and Police Commissioners.
- C. Reappointment of Susan (Albee) Grant to the John M. Scott Health Care Commission.
- D. Reappointment of Dr. Donna Hartweg to the John M. Scott Health Care Commission.

7. “Consent Agenda”

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.

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 Council Proceedings of June 8, 2015 and Work Session of June 8, 2015. *(Recommend that the reading of the minutes of the previous Council Proceedings of June 8, 2015 and Work Session of June 8, 2015 be dispensed with and the minutes approved as printed.)*
- B. Consideration of approving Bills and Payroll. *(Recommend that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of approving the approving appointments and reappointments to various boards and commissions. *(Recommend That Brandi Sweeney be appointed to the Scott Estate Health Care Trust Investment Committee, Susan (Albee) Grant be reappointed to the John M. Scott Health Care Commission, Dr. Donna Hartweg be reappointed to the John M. Scott Health Care Commission, and Eric Penn be appointed to the Board of Fire and Police Commissioners.)*
- D. Consideration of approving a renewal maintenance agreement with Tyler Technologies for software license maintenance and support in the amount of \$156,002.74 for several modules of the City's Munis Modules Enterprise Resource Planning System. *(Recommend that the maintenance agreement for software license maintenance and support invoice Tyler Technologies, covering various modules of the City's Munis Enterprise Resource Planning (ERP) system, in the amount of \$156,002.74, be approved.)*
- E. Consideration of adopting a Resolution waiving the formal bidding process and authorize the Water Department to purchase the specialty water treatment chemical, polymer, from Brenntag Mid-South, Inc. for the year March 30, 2016. *(Recommend That the Council approve waiving the formal bidding process for the specialty water treatment chemical, polymer and purchase this chemical from Brenntag Mid-South, Inc. the supplier at the quoted price for the year of \$.665 per pound for cationic polymer and \$1.25 per pound for anionic polymer.)*
- F. Consideration of:
 - a. Adopting a Resolution waiving a formal bid process and a supplemental agreement for an Engineering Services Contract with Clark Dietz Inc.,
 - b. Adopting a Resolution with Illinois State Department of Transportation (IDOT) to close out Motor Fuel Tax-funded projects, in the amount of up to \$35,283.

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(Recommend that Council adopt the Resolution waiving the formal bid process and approve a supplemental agreement for an Engineering Services Contract with Clark Dietz Inc., and adopt a Resolution with IDOT for work on MFT project closeouts for a maximum amount of \$35,283, and the Mayor and City Clerk be authorized to execute the necessary documents.)

G. Consideration of:

- a. Formal Bid Waiver for the purchase of limited source water meters and related accessories for the Water Departments FY 2016 water meter installation program.,
- b. Authorize the payment of invoice (0138556) from June 2, 2015 in the amount of \$95,669.30 to Ferguson Waterworks for 50 Compound Meters.

(Recommend that Council waive, as a limited source the formal bidding process and retroactively authorize the purchase of water meters and related accessories from Ferguson Waterworks that have been received, the authorized Neptune water meter supplier for this area, at the purchase prices listed on the attached price list.)

- H. Consideration of review, analysis and approval of Bid No. 2015-55 and contract with J. Gill and Company for the Lincoln Parking Garage Improvements in the amount of \$245,265 the conditions therein. *(Recommend that the contract prices from J. Gill and Company be accepted and approved in the amount of \$245,265, and authorize the Mayor and City Clerk to execute the necessary documents once approval of the work is provided by McLean County and the Public Building Commission.)*
- I. Consideration of approving an Indemnification Agreement with the Bloomington and Normal Reclamation District (BNWRD) for Relocation of the two 24” Transmission Mains in the Town of Normal at the Main Street Bridge. *(Recommend that the City enter into an Indemnification Agreement with Bloomington and Normal Reclamation District, and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- J. Consideration of approving an Ordinance approving Case No. Z-03-15 Rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for the property at 315 N Prairie Street. *(Recommend That the City Council approve an ordinance approving Case Z-03-15 rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for land located 315 N Prairie Street.)*

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- K. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a wedding at Davis Lodge. *(Recommend that the Ordinance Suspending a Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code be approved, and authorize the Mayor and City Clerk to sign the ordinance.)*
- L. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a birthday celebration at Davis Lodge. *(Recommend that the Ordinance Suspending a Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code be approved, and authorize the Mayor and City Clerk to sign the ordinance.)*
- M. Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 2, Block 26 of Camp Potawatomie, from Emma Lou Steffen Trust to John & Laura Dirks. *(Recommend That the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.*

8. “Regular Agenda”

- A. Consideration of denial of an Ordinance for Case No. Z-04-15 requesting the approval of a Rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for the property at 1314 Fell Avenue. *(Recommend That the City Council uphold the recommendations of the Planning Commission to deny the adoption of an ordinance for Case Z-04-15 for the rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for land located at 1314 Fell Avenue.) (5 Minutes Presentation, 10 Minutes Discussion – Tom Dabareiner, PACE)*
- B. Consideration of approving an Ordinance Amending the Public Comment Rules at City Council Meetings for The City of Bloomington. *(Recommend that the Ordinance Amending the Procedures for Public Comments be approved.)(5 Minutes Presentation, 20 Minutes Discussion, Jeffery Jurgens, Corporate Counsel)*

9. City Manager’s Discussion

10. Mayor’s Discussion

11. City Aldermen’s Discussion

12. Executive Session: Pursuant to Section 2(c)(11) - Litigation

13. Adjournment

14. Notes

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.



CONSENT AGENDA ITEM: 7A

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving the Council Proceedings of June 8, 2015 and Work Session of June 8, 2015.

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of June 8, 2015 and Work Session of June 8, 2015 be dispensed with and the minutes approved as printed.

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

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

BACKGROUND: The Council Proceedings of June 8, 2015 and Work Session of June 8, 2015 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: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk

Recommended by:

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

David A. Hales
City Manager

Attachments:

Attachment 1. Draft Council Proceedings for June 8, 2015
Attachment 2. Draft Work Session for June 8, 2015

Motion: That the reading of the minutes of the previous Council Proceedings of June 8, 2015 and Work Session of June 8, 2015 be dispensed with and the minutes approved as printed.

Motion: _____ Seconded by: _____

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



**REGULAR CITY COUNCIL MEETING SESSION
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, JUNE 8, 2015; 7:00 P.M.**

1. Call to Order

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, June 8, 2015, with Mayor Renner calling the meeting to order.

2. Pledge of Allegiance to the Flag

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

3. Moment of Silence Prayer

4. Roll Call

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

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

City Staff in Attendance:

City Manager David Hales, City Clerk Cherry L. Lawson and Corporate Counsel Jeffery Jurgens were also present.

5. Public Comments

The following citizens offered comments to the Council.

Kelby Cumpston
Patricia Martin
Judy Stearns
Alton Franklin
Donna Boelen

6. Recognition/Appointments

The following was presented:

Item 6A. Presentation of Awarding Certificates of Completion to Spring 2015 Bloomington 101 Participants.

Alderman Black asked Mr. Hales or Nora Dukowitz, Communication Manager to provide an overview of the Bloomington 101 program to the public.

Mr. Hales provided a brief overview of the concept of the Bloomington 101 program and stated that the City is currently accepting applications for the fall session.

Ms. Dukowitz stated that due to the popularity of the program, the fall session applications have been posted on the City's website for persons interested in learning more about the Bloomington community. She stated that the program accepts up to 20 participants.

The following was presented:

Item 6B. Appointment Jessielee Hinshaw to the Cultural District Commission

Mayor Renner asked whether there were any items that Alderman wished to have pulled from the agenda. Alderman Mwilambwe request to have Item 7I as he had a conflict with the deliberating on the item. Alderman Fruin requested Item 7F be pulled from the Consent Agenda.

7. **Consent Agenda**

Item 7A: Consideration of approving the Council Proceedings of May 26, 2015 and Work Session of May 26, 2015.

Motion by Alderman Schmidt, seconded by Alderman Painter that the reading of the minutes of the previous Council Proceedings of May 26, 2015 and the Work Session of May 26, 2015 be dispensed with and the minutes approved as printed.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

The following was presented:

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of May 26, 2015 and Work Session of May 26, 2015 be dispensed with and the minutes approved as printed.

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

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

BACKGROUND: The Council Proceedings of May 26, 2015 and Work Session of May 26, 2015 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:	Renee Gooderham, Chief Deputy Clerk
Reviewed by:	Cherry Lawson, City Clerk
Recommended by:	David A. Hales, City Manager

Item 7B. Consideration of approving payment for Bills and Payroll.

Motion by Alderman Schmidt, seconded by Alderman Painter that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

The following was presented:

RECOMMENDATION/MOTION: That the bills and payroll be allowed 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 \$6,043,015.26, (Payroll total \$2,255,724.69, and Accounts Payable total \$3,787,290.57).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance
Recommended by: David A. Hales, City Manager

The following was presented:

Item 7C. Consideration of approving an Appointment to the Cultural District Commission.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Appointment be approved.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None.

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That Jessielee Hinshaw be appointed to the Cultural District Commission.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

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

BACKGROUND: I ask your concurrence in the appointment of:

Jessielee Hinshaw of 1410 Fell Avenue, Bloomington, IL 61701 to the Cultural District Commission. Her three (3) year term will be 5/1/15 – 4/30/18. Application is on file in the Administration Office.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration for approval.

Prepared by: M. Beth Oakley, Executive Asst.
Recommended by: Tari Renner, Mayor

The following was presented:

Item 7D. Consideration of review, analysis and rejection of Bid Number (2015-58) scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.

Motion by Alderman Schmidt, seconded by Alderman Painter that all bids be rejected related to Bid No. 2015-58 scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: Staff recommends that all bids be rejected related to Bid No. 2015-58 scheduled replacement of Grapple Boom for Parks Division of the Parks, Recreation and Cultural Arts Department.

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

STRATEGIC PLAN SIGNIFICANCE: In order to be responsive to citizen needs, adequate resources must be provided to employees to fulfill the goal of providing quality basic services.

BACKGROUND: Bids were opened on April 10th at 2:00 PM. A total of 5 submissions were received of which 1 was a no Bid. The results are as follow:

Vendor	Knuckle Boom Loader, Dump Body & Chassis
Rush Truck Centers	\$174,800
Central Illinois Trucks	\$186,155
Truck Center Inc.	\$189,788
EJ Equipment	\$135,996
Drake-Scruggs	No Bid

The Parks Department currently has a grapple boom, and though it is aged, the Department was asked by Administration to delay this \$174 K purchase as an effort to economize as we move into planning for the FY 17 budget. The aged grapple boom can be made to service for another year and the debt service can be used toward funding other much needed infrastructure repair. If not purchased this year staff will certainly look at purchasing next year.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

FINANCIAL IMPACT: The Parks Maintenance Division of the Parks, Recreation and Cultural Arts Department had \$160,130.00 budgeted last fiscal year in the FY 2014 Capital Lease-Capital Outlay Licensed Vehicle Account (40110130-72130) which will not be spent lowering the City's debt obligation.

Respectfully submitted for Council consideration.

Prepared by: Rob Kronen, Superintendent of Fleet Maintenance
Reviewed by: Stephen Rasmussen, ACM
Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager
Legal review by: Jeffery R. Jurgens, Corporation Counsel
Recommended by: David A. Hales, City Manager

The following was presented:

Item 7E. Consideration of Approving Payment for Street Lighting electrical energy and fixture rental charges through a Motor Fuel Tax (MFT) General Maintenance program.

Motion by Alderman Schmidt, seconded by Alderman Painter that the MFT Resolution and associated estimate of costs for a MFT General Maintenance Street Lighting FY2016 program (16-00000-00-GM) for Street Lighting System electrical energy and fixture rental

charges be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That the MFT Resolution and associated estimate of costs for a MFT General Maintenance Street Lighting FY2016 program (16-00000-00-GM) for Street Lighting System electrical energy and fixture rental charges be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: The City of Bloomington historically uses the General Fund to pay for street lighting energy and fixture rental charges throughout Bloomington. Costs are incurred to Ameren and Corn Belt Energy for these charges. State Motor Fuel Tax historically is designated for street and bridge repair, street extensions and intersection improvements including installation of traffic signals.

However, staff looked at other options to pay for street lighting for FY16 because of the City's overall budget situation this fiscal year. One option is use of state Motor Fuel Tax money. MFT money is eligible for this use when the following two conditions are met:

1. It is used only for street lighting along improved streets – that is, streets within the City that conform to basic, uniform standards, and are in satisfactory condition. This covers most lighting costs.
2. The City passes a resolution and the Illinois Department of Transportation approves the program. This chain of events occurs with all state MFT expenditures (but not with the local Motor Fuel Tax).

An official from the Illinois Department of Transportation (IDOT) provided preliminary approval of draft material for the street lighting MFT general maintenance program. Now, IDOT needs a final document and approval of a City Council resolution. Staff would like the program to be in place by August 1, 2015. A review of past Ameren and CornBelt Street Lighting System invoices indicates the City pays approximately \$79,000 per month for these charges. Staff therefore anticipates that passage of the resolution now will provide enough time for IDOT to

approve the general maintenance program so that the City can use \$500,000 in MFT money for eligible street lighting charges this fiscal year, as budgeted by the City Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Benjamin Setzer and Tim Roark, Illinois Department of Transportation.

FINANCIAL IMPACT:

The FY 2016 Bloomington budget projects \$1,881,354 in revenue from the state Motor Fuel Tax. The City Council budgeted for \$500,000 of that to be used for street lighting and maintenance in Motor Fuel Tax-Electricity (20300300-71320). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 10.

Respectfully submitted for Council consideration.

Prepared by:	Stephen Arney, Public Works Administration
Reviewed by:	Kevin Kothe, City Engineer
Financial & budgetary review by:	Chris Tomerlin, Budget Analyst Carla A. Murillo, Budget Manager
Legal review by:	Jeffery R. Jurgens, Corporate Counsel
Recommended by:	David A. Hales, City Manager

The following was presented:

Item 7F. Consideration of approving a Fourth Tolling Agreement with McLean County Land Trust CC-1 to extend the period until December 15, 2015, and to waive any defense by way of any statute of limitations which would otherwise arise during such period. (PULLED FROM CONSENT AGENDA.)

The following was presented:

Item 7G. Consideration of approving an Intergovernmental Agreement between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/Downtown Shuttles and Transportation Network Services in both Bloomington and Normal.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Intergovernmental Agreement be approved between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/ Downtown Shuttles and Transportation Network Services in both Bloomington and Normal, and authorize the Mayor and City Clerk to execute the necessary paperwork

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

The following was presented:

RECOMMENDATION/MOTION: That the Intergovernmental Agreement be approved between the City of Bloomington and Town of Normal Providing for the City of Bloomington to Regulate Taxicabs, Vehicles for Hire/Downtown Shuttles and Transportation Network Services in both Bloomington and Normal, and authorize the Mayor and City Clerk to execute the necessary paperwork.

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

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

BACKGROUND: In June, 1978, the City of Bloomington and the Town of Normal entered into an Intergovernmental Agreement providing that the City of Bloomington would regulate taxicab service throughout the Bloomington-Normal area. The proposed Intergovernmental Agreement updates the language and provides specifically for the City to regulate taxicabs, transportation network companies and vehicles for hire/downtown shuttles throughout Bloomington-Normal.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Intergovernmental Agreement was drafted in collaboration with Town of Normal staff. The same agreement is to be presented to the Normal Town Council.

FINANCIAL IMPACT: None

Respectfully submitted for Council consideration.

Prepared by:	George D. Boyle, Assistant Corporation Counsel
Reviewed by:	Jeffrey R. Jurgens, Corporation Counsel
Financial & Budgetary review by:	Carla A. Murillo, Budget Manager
Legal review by:	Jeffrey R. Jurgens, Corporation Counsel
Recommended by:	David A. Hales, City Manager

The following was presented:

Item 7H. Consideration of approving the Application of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Schmidt, seconded by Alderman Painter that an RAS liquor license for Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That an RAS liquor license for Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.

STRATEGIC PLAN LINK: Goal 4. Grow the local economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. Retention and growth of current local business.

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called the hearing to order to hear the request of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk, Julia Davis, registered agent/attorney for the applicant and Brandon Fried, owner/operator.

Julia Davis and Brandon Fried addressed the Commission. Mr. Fried noted that he was the owner/operator of the Fireside Inn, located in Lexington, IL.

Commissioner Renner questioned the difference between the new proposal and the former Main St. Grill, which had been located at the same premises. Mr. Fried stated that Catch 22 would be

a full service restaurant. The beach volleyball court would be removed to offer more outdoor seating. He would market to the lunch time crowd and late night dinners.

Commissioner Renner questioned video gaming. Mr. Fried stated that two (2) machines would be removed.

Mr. Fried noted that he was BASSETT (Beverage Alcohol Sellers and Servers Education) certified. The four (4) bartenders would also receive certification.

Commissioner Jordan questioned the number of employees. Mr. Fried stated 8-10.

Commissioner Tomkins noted that the manager should be a Bloomington resident. Mr. Fried stated that he resides in Bloomington.

Commissioner Jordan questioned when food would be available. Mr. Fried stated the hours would be 11:00 a.m. to 11:00 p.m. He noted that there will be a late night menu.

Motion by Commissioner Tomkins, seconded by Commissioner Jordan that the application of Catch 22, LLC, d/b/a Catch 22, located at 517 N. Main St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon a fully executed lease agreement and compliance with all applicable health and safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged Mr. Fried to attend.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on May 4, 2015 in accordance with City Code. In accordance with City Code, approximately 173 courtesy copies of the Public Notice were mailed on May 4, 2015. In addition, the Agenda for the May 12, 2015 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: The annual fee for an RAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk
Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by: Tari Renner, Mayor

The following was presented:

Item 7I. Consideration of approving an Application of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. **(PULLED FROM CONSENT AGENDA)**

The following was presented:

Item 7J. Consideration of approving an Application of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Schmidt, seconded by Alderman Painter that the an RBS liquor license for Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That an RBS liquor license for Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes.

STRATEGIC PLAN LINK: Goal 4. Grow the local economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. Retention and growth of current local business.

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk and Denny Firkins, owner/operator.

Mr. Firkins addressed the Commission. He stated that beer and wine would be served Monday through Sunday. Ninety percent (90%) of sales would be generated from food.

Commissioner Tomkins questioned familiarity with Chapter 6, Alcoholic Beverages. Mr. Firkins responded negatively. He was BASSETT (Beverage Alcohol Sellers and Servers Education) certified.

Commissioner Jordan questioned the number of employees. Mr. Firkins responded two (2) cooks and four (4) servers.

Motion by Commissioner Tomkins, seconded by Commissioner Jordan, that the application of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd, requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all applicable health and safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged Mr. Firkins to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on April 6, 2015 in accordance with City Code. In accordance with City Code, approximately twenty – two (22) courtesy copies of the Public Notice were mailed on April 6, 2015. In addition, the Agenda for the May 12, 2015 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: Annual fee for an RBS liquor license is \$1,110.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk
Reviewed by: George D. Boyle, Assistant Corporation Counsel
David A. Hales, City Manager

Recommended by: Tari Renner, Mayor

The following was presented:

Item 7K. Consideration of Adopting an Ordinance Suspending Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge.

Motion by Alderman Schmidt, seconded by Alderman Painter the that the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge be adopted.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an August 14, 2015 rehearsal dinner and an August 15, 2015 wedding reception at Davis Lodge be adopted.

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: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the request of Robert Ameday and Ariel Amante to allow moderate consumption of alcohol at their August 14, 2015 rehearsal dinner and at their August 15, 2015 wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan, Commissioners; George Boyle, Asst. Corporation Counsel and Renee Gooderham, Chief Deputy Clerk and Robert and Ameday and Ariel Amante groom and bride.

Robert Ameday and Ariel Amante, groom and bride, addressed the Commission. They stated that Biaggi's would be catering the event. Beer and wine only would be served.

Motion by Commissioner Jordan, seconded by Commissioner Tomkins that the request of Robert Ameday and Ariel Amante to allow moderate consumption of alcohol at their August 14, 2015 rehearsal dinner and at their August 15, 2015 wedding reception to be held at Davis Lodge be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 8, 2015 Consent Agenda. He encouraged them to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 12, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk
Reviewed by: Brett Lueschen, Interim Water Director
George D. Boyle, Assistant Corporation Counsel
David A. Hales, City Manager

Recommended by: Tari Renner, Mayor

The following was presented:

Item 7L. Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda.

Motion by Alderman Schmidt seconded by Alderman Painter the Lake Lease Transfer Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda be approved and authorize the Mayor and City Clerk to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That the Lake Lease Transfer Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potowatomie, from Dustin & Dagan Brucker to Mark & Carol Csanda be approved and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

BACKGROUND: The sewage disposal system inspection was completed in May, 2015. The septic system appears to be functioning normally. The septic tank does not need to be pumped

but should be checked regularly. A chlorine tablet should be placed in the chlorinator tube regularly as needed. The age of the sewage disposal system is over twenty-five (25) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$486.79 per year in lease income. This lake lease income will be posted to Lake Maintenance- Lease Income Account (50100140-57590). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 104.

Respectfully submitted for Council consideration.

Prepared by: Connie Fralick, Office Manager
Reviewed by: Brett Lueschen, Interim Water Director
Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager
Legal review by: Jeffery R. Jurgens, Corporation Counsel
Recommended by: David A. Hales, City Manager

The following was presented:

Item 7M: Consideration of Adopting an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15.

Motion by Alderman Schmidt seconded by Alderman Painter that Council adopt an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15 as described in Exhibit A, conditioned upon making updates to the plan including adding sidewalks, bike paths, and the extension of Hotel Drive, along with and the rerouting of the sewers to the larger detention basin.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That the City Council adopt an Ordinance amending the Preliminary Plan for the Parkway Village PUD Phase 4 for land located at the southeast corner of Mercer Avenue and Veterans Parkway, Case No. PS-01-15 as described in Exhibit A, conditioned upon making updates to the plan including adding sidewalks, bike paths, and the extension of Hotel Drive, along with and the rerouting of the sewers to the larger detention basin.

STRATEGIC PLAN LINK: The amended preliminary plan is linked to Goal 3, Grow the Local Economy and Objective D, Expanded Retail Businesses.

STRATEGIC PLAN SIGNIFICANCE: The amended preliminary plan will facilitate the objective of expanded retail businesses by allowing new commercial businesses on vacant land in the Parkway Village development. This will include a financial institution and a retail strip center with up to six tenants.

BACKGROUND:

The Parkway Village Planned Unit Development (PUD) currently has three businesses in place, namely a pharmacy, a restaurant and a hotel. If the amended preliminary plan is approved the construction of a financial institution and a retail strip center will begin this summer. The development has direct access to Mercer Avenue, Ireland Grove Road and Loop Road.

Most of the development will remain as previously approved. On the eastern portion of Parkway Village, lot 303 is being split into two lots, namely lots 402 and 403. A retail strip center is proposed for lot 402 with a similar design as to what was planned for lot 301 to the northeast. Lot 403 has no proposed development. In the north, lots 301 and 302 are proposed to be combined into one lot, namely lot 401. The financial institution intends to build on lot 401. The streets will remain private and no new access points are proposed to City streets and Veteran's Parkway. There are also some changes to the easements required due to the lot reconfigurations, which staff agrees with.

PLANNING COMMISSION

This case was before the Planning Commission for a public hearing and review on May 13, 2015. Staff explained the proposed changes to the PUD and why Hotel Drive needs to be fully extended. The extension will prevent a long dead end street which will help circulation and emergency vehicles. The new streets need to include bike lanes and sidewalks, as provided now in other parts of the development. Staff recommended approval condition upon complying with these items.

The engineer for the developer explained the detention basin south of the retail strip center is being filled in and deleted. He said it is addressed in the construction plans. He said the final plan will be revised and the basin to the northeast will be sufficient to handle the storm water. He also explained they were not planning to extend Hotel Drive in this phase because they were waiting for the parcel to the west of the strip center to be developed. He requested that there be a waiver

until that time and not incur that cost for this small strip center. No one else from the public spoke regarding the petition.

The Planning Commission felt the road extension should be included because otherwise it would be a long distance for anyone wanting to get to the new development. The Planning Commission recommended approval by a vote of 9-0 conditioned on updating the plan to include sidewalks, bike paths, the extension of Hotel Drive, and the rerouting of the sewers to the larger detention basin. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 29 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

FINANCIAL IMPACT:

If the amended preliminary plan is approved, there should be an increase in property and sales taxes for the city as the site is developed.

Respectfully submitted for Council consideration.

Prepared by:	Mark Woolard, City Planner
Reviewed by:	Tom Dabareiner, Director of Community Development
Financial & Budgetary review by:	Chris Tomerlin, Budget Analyst
Legal review by:	Jeffery R. Jurgens, Corporation Counsel
Recommended by:	David A. Hales, City Manager

The following was presented:

Item 7N: Consideration of Adopting an Ordinance Approving Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy with conditions listed therein.

Motion by Alderman Schmidt seconded by Alderman Painter that the Council adopt the Ordinance Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy., and the final plat approved subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: Adopt the Ordinance approving Final Plat for the Parkway Village Phase 4 Subdivision, commonly located east of Mercer Ave., north of Ireland Grove Rd., and south of Veterans Pkwy., and the final plat approved subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 5e. More attractive City: commercial areas and neighborhoods.

BACKGROUND: This Planned Unit Development (PUD) commercial subdivision is located south of Veterans Pkwy, and east of Mercer Ave. The Final Plat is in conformance with the amended Preliminary PUD Plan to be approved by Council tonight. This Final Plat re-plats part of Phase 3 in preparation for a proposed financial institution along Veterans Pkwy, and a proposed retail strip mall north of the existing Residence Inn Hotel.

As provided with the Bloomington City Code, Chapter. 24: Section 3.5.5: Recording that within seven (7) days from the date of adoption of an Ordinance approving the final plat, or within seven (7) days from the date on which the last event referred to this Code or characterized in the Ordinance as a prerequisite to recording of the final plat occurs, whichever is later, the City Clerk shall record a copy of the final plat, a certified copy of the Ordinance approving the Final Plat, and any supporting certificates necessary to accomplish the recording in the Office of the Recorder of Deeds of McLean County. If such final plat is not recorded within ninety (90) days of City Council approval such plan shall become null and void.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Parkway Partners-One, Inc., Landmark Engineering Group.

FINANCIAL IMPACT: The cost of all public improvements, platting, and recording will be borne by the petitioner.

Respectfully submitted for Council consideration.

Prepared by:	Anthony J. Meizelis PE, Civil Engineer I.
Reviewed by:	Tom Dabareiner, Director, Planning and Code Enforcement
Financial & budgetary review by:	Chris Tomerlin, Budget Analyst Carla A. Murillo, Budget Manager
Legal review by:	Jeffery R. Jurgens, Corporation Counsel
Recommended by:	David A. Hales, City Manager

The following was presented:

Item 70: Consideration of cost modifications associated with the Stark Excavating, Inc. Contract for Relocation of the two (2) 24” Transmission Mains in the Town of Normal at the Main Street Bridge.

Motion by Alderman Schmidt, seconded by Alderman Painter that the City Manager be authorized to enter into a change order with Stark Excavating, Inc. on its Contract for Relocation of the two (2) 24” Transmission Mains in the Town of Normal at the Main Street Bridge to account for changes in costs due to delays in construction of the project, and approve a resolution authorizing same, and to authorize the City Manager to any and all other actions, including execution of documents, necessary to authorize the work with the modified costs.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: Recommend that the City Manager be authorized to enter into a change order with Stark Excavating, Inc. on its Contract for Relocation of the two (2) 24” Transmission Mains in the Town of Normal at the Main Street Bridge to account for changes in costs due to delays in construction of the project, and approve a resolution authorizing same, and to authorize the City Manager to any and all other actions, including execution of documents, necessary to authorize the work with the modified costs.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objectives 2c. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

BACKGROUND: The IDOT is replacing the Main St. Bridge that crosses Sugar Creek in the Town of Normal. The City has two (2) 24” transmission mains located under the bridge. With the bridge replacement the City has to relocate these two (2) mains. The mains will need to be relocated before IDOT can start the bridge work in the spring of 2015. The transmission mains provide water from the Fort Jesse pump station to the underground storage reservoirs at the Division St. Pump Station.

Requests for bids for the above-mentioned project were advertised and fourteen (14) plan sets were picked up by interested contractors. On February 9, 2015, the City Council awarded the contract to the low bidder, Stark Excavating. However, the contract approval was contingent upon the City completing acquisition of necessary easements which were acquired on May 29, 2015. Per the bid documents, the bid prices were to remain accepted for 60 days following the bid opening. Due to the delay in acquiring the easements, over 130 days have passed since the bid opening and construction has been delayed. As a result, there have been increases in both labor and supply costs necessitating a change order or contract alteration to cover the additional expenses. The final amounts of the increase will be updated on Monday, June 8, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Stark Excavating, Inc.

FINANCIAL IMPACT: Payment for the Relocation of the Transmission Mains was budgeted in the Water Transmission & Distribution-Water Main Construction & Improvements (50100120-72540) account. The funds for \$326,640 were encumbered on Purchase Order 20150240 from FY 2015 to FY 2016. The additional change order amount of \$28,820 will be paid from the same account where funds are available. Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds and Capital Improvement Program” on page 101.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel
On behalf of Brett Lueschen, Interim Water Director

Recommended by: David A. Hales, City Manager

The following was presented:

Item 7F. Consideration of approving a Fourth Tolling Agreement with McLean County Land Trust CC-1 to extend the period until December 15, 2015, and to waive any defense by way of any statute of limitations which would otherwise arise during such period. **PULLED FROM CONSENT AGENDA.**

Alderman Fruin stated that he does not have any financial benefits within this agenda item. He recommends that Item No. 7F be approved as presented by City Staff. This item appears to be a continuation of staff’s efforts in working with the developer to resolve pay issues while seeking a resolution. He stated that this appears to be the right thing to do. It is important to know that one of the principal partners in Dave Fedder who was recently appointed to the Budget Task Force Committee. Mr. Fedder has a great reputation in the community especially with his financial abilities—this is important to know.

Mr. Hales stated that the last efforts to come to a resolution; this area was to be a potential park area. Currently, the contract allowed the developer to deed to the City land that is south of the Norfolk Southern Railroad, which would have little value or benefit, or utility for the development. He stated, basically, the City is asking the developer to reconsider a modified to

really change what they were initially allowed to do under the original agreement. The City would, in discussion, and would not be used to convert the value of a land dedication that wouldn't be used to the potential of the dedication land in the development for use by all of the residents. For the City, it would be a tremendous win. So far, the developer has been participating in discussions.

Mr. Hales stated that in a couple of weeks, a meeting will be held in that area to discuss with the residents the potential of using some of that land for parks.

Motion by Alderman Schmidt, seconded by Alderman Painter that the Fourth Tolling Agreement with McLean County Land Trust CC-1 be approved to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion carried.

RECOMMENDATION/MOTION: That the Fourth Tolling Agreement with McLean County Land Trust CC-1 be approved to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2.Upgrade City infrastructure and facilities, and Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks, and Objective 5b. City decisions consistent with plans and policies.

BACKGROUND: The City and McLean County Land Trust CC-1 are parties to several annexation agreements from the 1990s related to the development of the Fox Creek Subdivision area. The Third Amendment is the final amendment to the Fox Creek Annexation Agreement, and effectively replaced the original annexation agreement and the first two amendments, and became the parties' agreement. The City contends that pursuant to the parties' agreements, the owner owes the City development fees and additional work on a detention basin and on sidewalks in the 12th addition of the Fox Creek Subdivision. Paragraph 18 of the Third amendment provided that: "This Agreement shall be enforceable for a period of 20 years from the date of passage of the annexation ordinance contemplated by this agreement." Ordinance No. 1994-41, which ratified the Third Amendment, was passed on April 25, 1994 and approved on

April 26, 1994. The effective term of the parties' annexation agreement arguably ends on April 24, 2014. Section 11-15.1-4 of the Illinois Municipal Code provides that a "lawsuit to enforce and compel performance of the [annexation] agreement must be filed within the effective term of the agreement or within 5 years from the date the cause of action accrued, whichever is later".

On April 14, 2014, the City approved a tolling agreement to waive a right to claim that litigation should be dismissed due to the expiration of a statute of limitations. This agreement gave the parties an additional six-month period during which the parties were able to work together in good faith to resolve their differences and reach resolution. During the tolling period, the parties also waive any defense by way of any statute of limitations which would otherwise arise during such period. The term of that tolling agreement expired on April 14, 2014. A Second Tolling Agreement was entered into at that time which is set to expire on January 13, 2015, and a Third Tolling Agreement was approved on January 12, 2015, set to expire on June 13, 2015.

Although the parties have resolved nearly all of the outstanding issues, additional time is needed to draft the necessary amendments to the annexation agreements and to finalize certain details. Accordingly, the parties desire to enter into a third tolling agreement to extend the period until December 15, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Snyder Development, A. Clay Cox.

FINANCIAL IMPACT: It is estimated McLean County Land Trust CC-1 currently owes the City \$562,194.78 in development fees. There are other "punch list" items that are covered by this agreement that have not yet been estimated.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by: David A. Hales, City Manager

The following was presented:

Item 7I. Consideration of approving an Application of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. **PULLED FROM CONSENT AGENDA**

Alderman Mwilambwe recuse himself from deliberating on the item indicating that he works for Illinois State University.

Motion by Alderman Schmidt, seconded by Alderman Painter that Recommend that an LB liquor license for the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., be approved

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: None

Absent: None

Recuse: Mwilambwe

Motion Carried.

Item 8A. Presentation of the Downtown Bloomington Association Annual Report, by Tricia Stiller.

Tricia Stiller provided an overview of the activities of the Downtown Bloomington Association as well as providing a PowerPoint Presentation to the Council.

Item 8A1. Consideration of approving an Agreement with the Downtown Bloomington Association (DBA) for Fiscal Year 2016.

Alderman Lower expressed concern with the agreement of providing the DBA with a \$90,000 subsidy to continue its operations. He commented on other area businesses that are struggling each day to continue its operations. He stated that he is not diminishing the fact that the DBA is good for the community; however, does not agree to continue to financially support the DBA with taxpayer dollars. Lower stated that perhaps it is time for the DBA to look at ways of becoming self-sustaining so as to decrease dependency on the City.

Alderman Black thanked Ms. Stiller for her presentation and complimented her on being one of the unsung heroes in working to bring viability back to the downtown area, that he strongly supports this item.

Mayor Renner commented on having a thriving downtown community benefits the community as well as the employment sector, and has a far reaching impact on tourism and visitors to the area.

Alderman Buragas commented on the use of the tax-payers dollars being used for not only the downtown area; however, the entire community benefits for having a thriving downtown community.

Motion by Alderman Black, seconded by Alderman Painter that the Council accept the Downtown Bloomington Association Annual Report, and approve the FY 2016 Service

Agreement with the Downtown Bloomington Association in the amount of \$90,000, and authorize the Mayor and City Clerk to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

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

Nays: Lower

Absent: None

Recuse: Schmidt

Motion carried.

The following was presented:

9. City Manager's Discussion

Mr. Hales stated that he did not have a report.

10. Mayor's Discussion

Mayor Renner commented on the newly restored Loft Apartments in the downtown area.

11. City Aldermen's Discussion

No report/discussion provided by the Aldermen.

12. Executive Session - cite section

13. Adjournment

Motion by Alderman Black, seconded by Alderman Painter that the meeting be adjourned. Time: 7:56 p.m. Motion carried.

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



**SUMMARY MINUTES OF THE
WORK SESSION CITY COUNCIL MEETING
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, JUNE 8, 2015; 5:45 PM**

The Council convened in Work Session in the Council Chambers, City Hall Building, at 5:45 p.m., Monday, June 8, 2015.

1. CALL TO ORDER

The Meeting was called to order by Mayor Renner who directed the City Clerk to call the roll and the following members answered present:

2. ROLL CALL

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

STAFF PRESENT: City Manager David Hales, Assistant City Manager Steve Rasmussen, Jeffery Jurgens, Corporate Counsel, City Clerk Cherry L. Lawson, Finance Director Patti-Lynn Sylva, and other City staff were present.

3. PUBLIC COMMENT

The following citizens provided comments:

Donna Boelen
Alton Franklin

4. DISCUSSION TOPIC

- A. Reconsideration of Parkland Dedication Fees. (*Recommend that Council provide direction to staff on whether to proceed with an Amendment to an Annexation Agreement to waive Parkland Fees in lieu of dedication requirements for the Hawthorne Commercial Subdivision, 12th Addition and Sapphire Lake Subdivision 3rd Addition.*) Remarks by Larry Bielfeldt, (5 minutes Presentation, 10 minutes Discussion)

Corporate Council Jeffery Jurgens provided a brief overview of the item and introduced Mr. Larry Bielfeldt and stated that City staff is seeking direction from Council regarding this item.

Mayor Renner stated that although there will not be a formal vote of the Council, polling would occur to determine consensus of the Council.

Mr. Jurgens stated that staff would need to bring this item back to Council for a possible amendment, public hearing of an annexation or related...That basically, staff is looking for a consensus of the Council to move forward.

Mr. Hale stated that after Mr. Bielfeldt speaks, staff would like the opportunity to make some final comments or remarks.

Julie Davison, Attorney for Larry Bielfeldt, she is before the Council to request reconsideration of a decision that was made requiring him to pay Parkland Dedication Fees. She stated that Mr. Bielfeldt had dedicated 2.14 acres of land in that same subdivision last year with a value of \$70,000. The Parkland Dedication Fee is based on fact that he came back to Council to request that an assisted living facility be built, which was the purpose of what the land dedication fee is for...to serve the people who live in that area. If a fee is going to be charged, that those fees should be held for use for the residents in that area. She stated that an assisted living facility is not the same as a single facility dwelling. Ms. Davison stated that she is requesting that Council reconsider allowing the 2.14 acres be credited in lieu of paying for the Parkland Dedication Fee.

Mr. Bielfeldt read from a prepared statement explaining his reason for dedicating the 2.14 acres of parkland, and wanting to build an assisted living facility. In his opinion, no assisted living facility should be required to pay the Parkland Dedication Fee. He asked Council for reconsideration of the fees to be paid.

Mr. Hales commented on the growing and aging trend in the country as in communities like Bloomington/Normal community, the focus being on the type of leisure services that are provided within the community for that aging population. He stated that there is a need for this type of residentially type developments and are required to pay Parkland Dedication Fees as required by City Code. There are some unique aspects to this transaction that was discussed and the City wrote in great detail, with complexities and issues. In light of information provided to the Council this evening, the City does not believe it should reverse its decision to require payment of the Parkland Dedication Fees for this project as City staff has recommended back in March 2015.

Mayor Renner asked whether it would set a precedence if the Council set aside the requiring Mr. Bielfeldt to pay the Parkland Dedication Fees.

Mr. Hales stated in his recollection that (though not 100%) any type of residential development, including assisted living facilities is required to pay those Parkland Dedication Fees, if they do not dedicate land. He stated that this is not the first time that this type of development was presented before the Council, of those that have paid. This is a unique situation, given the requirement was that Mr. Bielfeldt purchased the property that there would be some Parkland Development provision made. That was by the seller of the property; not the City. The City believes that one can infer that particular requirement would have been taken into account in the

sales price for the property. He stated that the land could not have been used for any other revenue or development.

Mr. Hales stated that this is a unique situation; although not precedence setting, because of the rarity to see a transaction like this where the original seller mandated land dedication...I have only seen a couple of examples like that in land development.

Alderman Hauman asked whether the two assisted living facilities in town were required to pay Parkland Development Fees.

Mr. Hales stated that he could not confirm, but would need time to verify specifically. However, stated that he doubts that there were any waivers at that time.

Alderman Mwilambwe stated that his question was that of Alderman Hauman for the sake of consistency...Was there a similar facility that was required, but did not pay Parkland Dedication Fees.

Mr. Hales stated that staff would research that and report its findings back to the Council by the next meeting.

Mayor Renner stated that information is needed in order for the Council to have make a decision.

Mr. Hales stated that he is reporting on the ordinance as it was in place two to three years ago, as he was here at the time it was amended to state any residential type use that be required to pay Parkland Development Fees.

Alderman Schmidt asked for clarification on zoning for assisted living facilities, if not residential.

Mr. Hales stated that you can have some of these types of facilities in our business zones B1 Zone, etc. dual type for development –residential living facilities, multi-family developments...

Alderman Schmidt asked whether it was a special use permit type of use, where the City would not require the payment of Parkland Development Fees.

Mr. Hales stated the ordinance in the past would state the Parkland Development Fees would be predicated on the zoning of the property—which he believes was in error. That was one of the reasons the ordinance was amended and brought before the Council. He stated zoning is not the issue, the use of the land is the concern. If it is a residential use, then there is a demand on parks and recreational facilities; then, the fee applies. Mr. Hales stated that City staff has never come to him for waivers even when the development is a residential or assisted facility type of living.

Mr. Jurgens stated that maybe this is the first residential or assisted living type facility that we have come across where the ordinance applies in Parkland Fees having to be assessed. He stated that, though not certain, even with the zoning if used for residential use, those Parkland Development Fees would apply.

Alderman Mwilambwe asked whether this item should be tabled until the Council receive the additional information from City staff.

Mayor Renner inquired as to the timeframe when the amended ordinance became effective.

Mr. Hales deferred to Kevin Kothe.

Mr. Kothe stated that it was approximately two and one half years ago (2 ½).

Alderman Black inquired whether the ordinance has applied to Bloomington in the past or other municipalities like Bloomington.

Alderman Fruin stated the issue could be a misunderstanding or misinterpretation of the Code. He asked whether there is some sort of compromise that can be reach to assist Mr. Bielfeldt.

Mayor Renner stated that staff is seeking direction on the issue from Council. Unfortunately, there is a piece of information that is missing that is preventing the Council from moving forward.

Alderman Lower inquired as to whether the City should look at the timeline from which Mr. Bielfeldt initially proposed his project, and a change with the assisted living facility, as well as when the ordinance was enacted, and when it became effective.

Mayor Renner replied that the ordinance is in effect at this time.

Alderman Lower stated that we change the rules on these business folks mid-stream, and does not believe it to be a fair situation.

B. Review and discussion regarding Budget Task Force Meeting philosophy on the organizational structural deficit and priority based budgeting. Alderman David Sage (30 minutes Presentation and Discussion)

Alderman Sage stated the Budget Task Force is working with a very short timeline in order to bring back to Council some recommendations to close the multi-million structural dollar deficit; however we are looking at our colleagues in Springfield to see what measures they are looking to make. He stated that the Committee is looking at some options for closing the structural gap; however stated that the Committee will need some help in answering philosophical questions related to the budgeting process.

Alderman Sage provided the three options for closing the multi-million structural deficit in next year's city budget which includes: 1) Only spending (Service) Decreases; 2) Only Revenue (Tax/Fee) Increases; and 3) A 50/50 combination of the above #1 and #2. He asked Council for a consensus of the options that they prefer.

Council provided a general consensus of option #3: A 50/50 combination of 1 and 2.

Alderman Sage stated at last year's Council planning session, the Council made its first attempt at prioritizing the large allocations of core services of city expenses. The priority that was reached, on a scale from 1 to 6 as follow:

1. *Safety and Security (generally Police and Fire)*
2. *Enduring, Sound Infrastructure (generally Public Works and Enterprise Fund Water)*
3. *Vibrant Local Economy (generally Community Development)*
4. *Healthy, Livable Neighborhoods (generally Community Development)*
5. *Revitalized, Thriving Downtown*
6. *Distinctively Bloomington (community amenities, parks, library, etc.) (generally Parks, Recreation & Cultural Arts, Library by way of Tax Levy)*

Alderman Sage stated that those are the core services that the Budget Task Force Committee developed with are citizen facing services. He stated that there are other departments that support the core departments such as:

- *Administration*
- *City Clerk*
- *Finance*
- *Human Resources*
- *Information Services*
- *Legal*

Alderman Sage asked Council whether they are still comfortable with the priorities set (1-6) that the previous Council had set. He asked whether reprioritization was necessary by the Council.

Alderman Schmidt asked whether the list includes solid waste.

Alderman Sage stated that solid waste could be placed anywhere...If Council prefers it to be placed with Enduring Sound Infrastructure as it could relate to maintenance of our streets—proper maintenance of our streets and solid waste management.

Alderman Schmidt stated as does not see pensions provided on the list. It is a priority, yet a different priority, that does not fit nicely into the list provided. She does not know... but does not wish to do what our neighbors to the South or West have done.

Alderman Sage thanked Alderman Schmidt for mentioning pensions, stating it was a subject area that was discussed at the Budget Task Force Meeting held this day. It is certainly one of those large items that will need to be reviewed as part of the total cost to deliver services.

Alderman Lower stated that pensions are a debt service—that it is not less or more important than any other debt service, but that it is a debt and a fixed expense. It is definable, and we [City] knows what that debt will be. He stated that we could put it off, pay a bit more, which is something that we have done in the past, but it is a debt service. As a City, it is something that we are obligated to do, regardless. It is to be treated the same as though we are paying our bond

debt or any other debt that we have incurred over time. He stated that it is important to take the feeling away from it and treat it the same as any debt that the City owes.

Mayor Renner stated with the bonds, the City has no choice. However, we [City] received an award last year for pensions....

Alderman Lower responded there are many different models to use to pay our debt, but it is still a debt.

Alderman Black stated that he is not a fan of the numbering system (1-6); as they all intertwine and are interrelated. It is very important to see how all are interrelated as there are some concerns from his Ward of potential cuts to programming as a result. He stated that it is incumbent upon the Council to have an understanding how each of the listed items relates. That the General Fund Departments do the background work that the public does not see, and assists the other departments in its functions and operations. There is a downside to this—as we begin to get away from the long-term operations, in terms of increases and decreases; there is a cost associated with those functions over time.

Alderman Black stated that he is supportive of the list that we [City] have; however, it is important that the Council is aware of the interrelationship of services from all departments, including debt, pension and bond service.

Alderman Fruin stated that he agrees with Alderman Black's statement. However, he does not see any mentioning of financial stability noted in terms of the City's reserves. It needs to be included on the list.

Alderman Sage thanked the Council for its comments and confirm the comments of Council stating to acknowledge a relationship whether it is a pension or debt service. He stated that the Task Force does have an awareness of these items. He read the third sentence as follows:

The last five years the City Council has chosen to not raise the Property Tax Rate, which along with the EAV then sets the Property Tax Levy. Rather more focus has been placed on more specific targeted user fees. While neither approach is absolute, conceptually the user fee is more consistent with asking those who consume more services to pay more for what they use, while property taxes balance costs to residents, helping to subsidize greater users of city services. Philosophically would you like to see the BTF continue focusing on user fees or shift focus to something like property taxes to cover the city's operational expenses?

Alderman Sage stated in the big picture, if you [business/resident] consume more services, you pay for those services. However if you [business/resident] use less services, you pay for less services. He asked whether Council would like for the Task Force to look in terms of subsidy for those services regardless of the consumption rate by the consumer.

Alderman Painter asked for an example of how operational expenses would relate to this focus.

Alderman Sage stated, solid waste comes to mind.

Alderman Painter asked whether there was any other example aside from solid waste.

Mayor Renner stated that one of the things that we have not reviewed is, there has not been any increases to liquor license fees, video poker and other. Since he has been in office, there has been little increase in fees. That 100% of administration has been born by the taxpayers. The City provides services to the community that we do not charge a fee.

Alderman Sage stated that the Budget Task Force would come back with some options that he is looking at a broader view of services. That if we need to review those areas that the City has not adjusted fees in years or decades, we can present that information as well.

Alderman Painter stated that's a fair assessment.

Alderman Schmidt commented on her constituents' view of property taxes or utility taxes being used for pension debt. She stated that the Council would need to review the intention of the use property tax; what are the core services that are expected from it? What are the peripheral services that residents actually have a choice on? She indicated that she struggles with the notion of solid waste is in the Enterprise Fund; she views it as a core service.

Alderman Sage stated Alderman Schmidt makes a fair comment; that no matter how or where from the service is paid, we still need to provide the service.

Alderman Schmidt stated that the public does not pay when they have to call the police or fire departments when they are in need of assistance. She believes that are some things that have been shared as a fundamental service that are a common good.

Alderman Fruin stated people who come into the Bloomington/Normal Community are often astounded to learn about the amount of property taxes we pay. He stated the amount may be a combination of school and state drove. Overall, taxes are too high, and citizens are having to choose between household necessities and services. He believes there should be a combination of both. He would like to see others pay whenever it is possible; whether tourist, retail, motel/hotel, and pursue those regional service dollars for providing regional services. He stated that the City needs to look at those service users for the revenue that we have not recouped.

Alderman Mwilambwe asked where the conversation regarding property tax freeze lie. He asked whether it is with the state, and when will we initiate that discussion.

Mayor Renner stated they are a little lower—12 day about ½ million, a buck and one-half less.

Alderman Sage asked whether Alderman Mwilambwe was reacting to the conversation in Springfield...regarding the actions of the legislature. He stated that is why he is trying not to stick so much to the specifics, as much as possible; and to understand the philosophical sense of the Council.

Alderman Sage asked for a consensus of whether the Council wants to see the budget cuts focused more on those who consume more services pay more or whether look at a more constant subsidized caused by way of property taxes. He stated that he want to have a philosophical sense of the Council.

Alderman Sage stated those who consumes more city services should pay more for those a high level of consumption. Or, should everyone pay the same price no matter the amount of services used.

Aldermen provided a consensus for a combination of both—a balance.

Alderman Sage asked as part of the final BTF recommendation would you like to see the BTF develop and deliver a type of repeatable process for the Council and Staff to use in outlying budget years.

Aldermen provided a consensus affirming that they would like to see the Budget Task Force develop and deliver a repeatable process.

*C. Review and discussion regarding the City of Bloomington Vision, Mission and Goals.
Alderman Diana Hauman*

Alderman Hauman presented a PowerPoint Presentation on the City of Bloomington Vision, Mission and Goals that included the following points.

Vision: The Jewel of the Midwest

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

Shared Values

- Accountability
- Integrity
- Service Orientation/Focus/Centered
- Respect
- Team Culture
“tool”
- Empower
- Attitude
- Inclusiveness/Value Diversity
- Transparency
- Performance Driven
- Direction, Planning
- Prioritization
- Empathy
- Professionalism

Service Centered

- Professionalism

- Empathy
- Respect
- Value Diversity/Inclusive
- Ethical
- Results Driven
- Act with Professionalism
- Be Accountable
- Respectful
- Empathetic
- Empowering/Empowered
- Act with Integrity
- Dedication
- Be Transparent
- Results Driven
- Pride In Performance
- Empowered
- Use Objective Criteria
- Commitment
- Inclusive
- Respectful
- Value Diversity
- Representative
- Team Culture
- Collaborative

Alderman Hauman provided a brief overview of this item and stated that as part of the two day retreat last November, the Council began looking at a possible revision to the City’s Mission, Vision and Core Value Statement from the 10 Year Plan that was developed and adopted in 2010. At the time of the retreat, we have tabled this, and Mayor Tari Renner has agreed to move forward with this as it included Aldermen, Directors, City Staff and participants from the Bloomington 101. She stated that this was discussed at the retreat and one of the questions asked was, “Is the Mission, Vision and Core Value Statements for the Council, Staff or everyone.”

She stated that this was discussed at the November retreat, and was decided overwhelmingly that the Mission, Vision and Core Value Statement were for all of us; as we are all moving in the same direction—hence the relationship with Council, Staff, and businesses. We use these definitions for our workgroup, mission as the purpose of our organization, and core focus; vision—something to be pursued, a declaration for the organization objectives intended to guide its internal decision-making; and finally values our qualities that define expectations at the most basic level and foundation of which this town was built.

Alderman Hauman stated that the Mission, Vision and Value statement is on the back of our business cards as follows: *The Mission of the City of Bloomington is to be Financially Responsible Providing Quality Basic Municipal Services at the Best Value. The City Engages*

Residents and Partners with Others for Community Benefit. This is not inspiring. The recommendation that came from the retreat in November for 2025 was to change it to:

Draft Mission:

To lead, serve and uplift the City of Bloomington

We felt that this was a mission that we all (City staff, Council, residents) could embrace, as it could serve as a filter to determine a guide for action as a City.

Draft Vision:

A Jewel of Midwest Cities

Alderman Hauman stated that we felt that last Jewel of the Midwest Cities was really what we wanted to be recognized as A Jewel of Midwest Cities. She stated that 'A' was added as Chicago was similar to our current vision, and we wanted to distinguish Bloomington as 'A' Jewel of Midwest Cities.

Draft Values:

Service-Centered

Results-Driven

Inclusive

Alderman Hauman stated that this was the most difficult section to modify as they had a list of action driven words for the Core Values. She stated, ideally as a City Council team, and Department Directors can go back and determine for themselves what does each of these look like: Service-Centered, Results-Driven and Inclusive. She asked, how do we know if we are being inclusive? Each entity can go back and review those areas.

Alderman Hauman summarized stating, this is what the work group is recommending for inspiration of the Mission Statement: To lead, serve and uplift the City of Bloomington. Vision: A Jewel of Midwest Cities. Core Values: Service-Center, Results-Driven and Inclusive.

Mayor Renner clarified stating, before the newly elected Aldermen were sworn in, he and Alderman Sage had a conversation about forming a group to work together...to determine where we go from here.

Alderman Lower stated, he is not in favor of changing the Mission Statement. The City has had numerous problems in maintaining financial responsibility, and providing those quality basic governmental service. Yes, it is boring! Sorry, that is what we are doing here. We have an issue trying to maintain that.

Alderman Sage thanked Alderman Hauman for the presentation, and stated it looks as though less is more, to be more tactical in nature that may have been around the ratio in nature. Those higher end statements whether they were mission or value ended...those things that we talked about, and expressed in more detail.

Alderman Hauman stated that this was discussed at the retreat...

Alderman Sage stated that he does not have a sense of it either way, but is a fan of less is more.

Alderman Hauman stated that in speaking with Department Directors, the mission statement is global; departments can add to the statement as it best serves the respective department.

Mayor Renner thanked Alderman Hauman for the presentation.

Alderman Schmidt asked for clarification stating this mission is for all of us, Council, City staff, and citizens.

Alderman Hauman confirmed that the Mission Statement is an accountability statement for Council, City staff and citizens.

Alderman Schmidt acknowledged the comments from Alderman Lower and stated that the proposed Mission Statement is missing a business element; that perhaps it sounds more spiritual in nature.

Alderman Hauman stated that the proposed Mission Statement is an inclusive statement for all— Council, City staff and citizens. From the proposed statement, Department Directors could fine tune it to their departments.

Alderman Fruin stated, he would rubber stamp with approval. From time to time, the City does need to reevaluate its Mission, Vision and Core Value Statement to determine whether we as a City is keeping up with time. He thanked Alderman Hauman for her presentation.

5. ADJOURNMENT

Mayor Renner asked for a motion to adjourn the meeting.

Motion by Alderman Black, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 6:48 p.m.

Motion carried.

Tari Renner, Mayor

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



CONSENT AGENDA ITEM: 7B

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving Bills and Payroll

RECOMMENDATION/MOTION: That the bills and payroll be allowed 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 \$7,440,066.76 (Payroll total \$2,348,223.75 and Accounts Payable total \$4,938,129.10).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Attachment: Attachment 1. Bills and Payroll on file in the Clerk’s office. Also available at www.cityblm.org.
Attachment 2. Summary Sheet Bills and Payroll Report

Motion: That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

Motion: _____ Seconded by: _____

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



CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving appointments and reappointments to various boards and commissions

RECOMMENDATION/MOTION: That Brandi Sweeney be appointed to the Scott Estate Health Care Trust Investment Committee, Susan (Albee) Grant be reappointed to the John M. Scott Health Care Commission, Dr. Donna Hartweg be reappointed to the John M. Scott Health Care Commission, and Eric Penn be appointed to the Board of Fire and Police Commissioners.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

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

BACKGROUND:

Scott Estate Health Care Trust Investment Committee: On October 23, 1992, the Judge of the Circuit Court approved the Trustee recommendation for the diversification of Trust investments and requested Trustees to appoint an Investment Committee, a custodial bank, and an investment manager.

On October 28, 1999, the City Council, as Trustee of the John M. Scott Health Care Trust, adopted and approved a revised Investment Policy entitled "John M. Scott Health Care Trust Investment Procedures and Policies." This Policy states that "Individuals serving on the Investment Committee must be recommended by the Scott Commission and approved by the Trustee. As a Subcommittee of the Scott Health Care Commission, the Investment Committee must be authorized to oversee and make investment decisions, select investment managers, allocate or reallocate funds among the various types of investment or managed funds for the Trust, subject to the review and approval of the Scott Health Care Commission and the Trustee."

I ask your affirmation of the following appointment to the Investment Committee recommended by the Scott Commission on January 14, 2015.

Brandi Sweeney of P.O. Box 2850, Bloomington, IL 61702-2840. Ms. Sweeney will replace Ms. Annette Martinez. Her three (3) year term will be 5/1/15 – 4/30/18.

I ask your affirmation of the following appointment to the Board of Fire and Police Commissioners:

Board of Fire and Police Commissioners: Eric Penn of 1016 McGregor, Bloomington, IL 61701 to the Board of Fire and Police Commissioners. His three (3) year term will be 5/1/15 – 4/30/18.

I ask your affirmation of the following reappointments to the John M. Scott Health Resource Center:

John M. Scott Health Resource Center: Susan (Albee) Grant of 200 W Front Street, Bloomington, IL 61701, representing McLean County Health Department to the John M. Scott Health Care Commission (JMSHCC). Her third three (3) year term will be 5/1/15 – 4/30/18.

Dr. Donna Hartweg of 1608 East Washington, Bloomington, IL 61701, representing 9th District Nurses Association to the John M. Scott Health Care Commission (JMSHCC). Her third three (3) year term will be 5/1/15 – 4/30/18.

Applications/letters of interest are on file in the Administration Office.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Board Roster

Motion: That Brandi Sweeney be appointed to the Scott Estate Health Care Trust Investment Committee, Susan (Albee) Grant be reappointed to the John M. Scott Health Care Commission, Dr. Donna Hartweg be reappointed to the John M. Scott Health Care Commission, and Eric Penn be appointed to the Board of Fire and Police Commissioners.

Motion: _____ Seconded by: _____

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

John M. Scott Health Care Commission

Mayor Appointed	Staff/Chair	Title	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Email	Street	City	Zip	Home Phone	Work Phone	Cell Phone	Notes
	Advocate Bromenn Health Care		Brandi	Sweeney	04/30/20	04/27/15	2015	brandi.sweeney@advocatehealth.com	P.O. Box 2850	Bloomington	61702		268-5521		1st term
	Chair/McLean County Board of Health		Susan	Grant	04/30/18	06/22/15	2009	susan.albee@mcleancountyil.gov	200 West Front	Bloomington	61701		888-5464		3rd term
	Bim Regional Optometric Society	Dr.	John	Couillard	04/30/17	11/24/14	2008	jcod6562@aol.com	2404 Northwood Ln.	Bloomington	61704	661-6562	662-2277		
	OSF		Annette	Martinez	04/30/15	11/24/14	2009	annette.r.martinez.CAE0@statefarm.com	1 State Farm Plaza	Bloomington	61710		766-2664		resigned
	McLean Co Dental Society	Dr.	David	Wyse	04/30/20	11/24/14	2014 rep Doran	info@chrismandental.com	207 S Prospect Ave	Bloomington	61704		663-6393		
	9th District Nurses Association	Dr.	Donna	Hartweg	04/30/18	06/22/15	2009	dhartweg@ivw.org	1608 E Washington	Bloomington	61701	829-2678		531-2509	3rd term
	McLean Co Medical Society	Dr.	James	Swanson	04/30/19	07/28/14		jmswanson52@gmail.com	1401 Eastland Dr.	Bloomington	61701		663-8311	825-0718	
	United Way of McLean County		Nicole	Aune	04/30/18	03/24/14		rsmith@uwaymc.org	201 E Grove St	Bloomington	61701		828-7383		
	Second Presbyterian Church	Dr.	Scott	Hamilton	04/30/17	11/24/14		Hamilton.R.Scott@comcast.net	405 Kays Drive, Suite C	Normal	61761		664-3130	706-4641	
	Mid Central Community Action		Laura	Grant	04/30/16	03/24/14		LauraG@mccainc.org	1301 W Washington St	Bloomington	61701		834-9227	824-9587	
			VACANT												
	Contact - Township Super.		Deb	Skillrud				dskillrud@cityblm.org	607 S Gridley, Suite C	Bloomington	61701		828-2356	530-6408	

Details:

Term: 3 years

Term Limit per City Code: 3 terms/9 years

Members: 11 members

Number of members the Mayor appoints: 0

Type: Independent

City Code:

Required by State Statute: No

Intergovernmental Agreements:

Funding budgeted from COB for FY2014:

Meetings: 2nd Wednesday of each month in the Township Office at 5:30pm

Appointment/Reappointment Notes:

City controls the Trust through IGA with Township, city does audit on Trust

At this time the Mayor does NOT appoint ANY members to this board, all appointments are made by the Township

Couillard expired 5/31/14 and reappointed 11/24/14 to his 3rd and final term

Wyse replacing Doran and completing his term with new term ending 2020. Elig for 2 additional terms with max of 3 consecutive

Swanson replacing Halperin

Dr. Timothy Buffey (Bromenn) replacing Chase, Buffey resigned Oct. 2014, Sweeney replaced Buffey serving out his term ending 4/30/17 with new term added ending 4/30/20

McLean Co Dental Society		Steve	Doran						109 N. Regency Dr.	Bloomington	61701		663-2526		
Galley Eye Clinic		Gregory I	Halperin						1213 E Washington St	Bloomington	61701	828-0077	829-5311		
Bromenn		Carmen	Chase						413 Alden Dr	Normal	61761		268-5990	287-9418	



CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving a renewal maintenance agreement with Tyler Technologies for software license maintenance and support in the amount of \$156,002.74 for several of the City’s Munis Modules Enterprise Resource Planning System.

RECOMMENDATION/MOTION: That maintenance agreement be renewed and the payment for software license maintenance and support invoice with Tyler Technologies, covering various modules of the City’s Munis Enterprise Resource Planning (ERP) system, in the amount of \$156,002.74 be approved.

STRATEGIC PLAN LINK: This activity promotes Goal 1, Financially Sound City, Providing Quality Basic Services, and Objective D City services delivered in the most cost-effective, efficient manner.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.d. The Munis ERP system is critical to the daily operations of every City department. As the ERP system is implemented, it is helping to streamline and automate many service-related processes throughout the City. The maintenance agreement is a key ongoing requirement as it provides technical support and software updates for the system.

BACKGROUND: Staff has requested Council approve the payment to Tyler Technologies for the maintenance agreement for multiple Munis modules. This payment provides coverage from May 2015, through April 2016. Modules included in this maintenance agreement request are:

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: Funds are included in the FY 2016 Budget under the Information Services-Repair/Maintenance Office & Computer Equipment Account (10011610-70530). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Budget Overview & General Fund” on page 146.

Respectfully submitted for Council consideration.

Prepared by: Scott A. Sprouls, Information Services Director

Reviewed by: Alexander McElroy, Assistant to the City Manager

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Tyler Technologies Invoice No. 045-129573, dated: 4/1/2015

Motion: That the maintenance agreement be renewed and the payment for software license maintenance and support invoice with Tyler Technologies, covering various modules of the City’s Munis Enterprise Resource Planning (ERP) system, in the amount of \$156,002.74, be approved.

Motion: _____ Seconded by: _____

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



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

Invoice

Invoice No	Date	Page
045-129573	04/01/2015	1 of 3

Empowering people who serve the public®

Questions:

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



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

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

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	63785		USD	NET30	05/01/2015

Date	Description	Units	Rate	Extended Price
Contract No.: BLOOMINGTON, IL				
	SUPPORT & UPDATE LICENSING - PROJECT ACCOUNTING Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,792.38	3,792.38
	SUPPORT & UPDATE LICENSING - TYLER CASHIERING Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	6,667.92	6,667.92
	SUPPORT & UPDATE LICENSING - INVENTORY Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	5,042.61	5,042.61
	SUPPORT & UPDATE LICENSING - HUMAN RESOURCES MANAGEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	2,396.29	2,396.29
	SUPPORT & UPDATE LICENSING - BID MANAGEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	2,292.10	2,292.10
	SUPPORT & UPDATE LICENSING - CONTRACT MANAGEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	2,292.10	2,292.10
	SUPPORT & UPDATE LICENSING - TREASURY MANAGEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,542.33	3,542.33
	SUPPORT & UPDATE LICENSING - TYLER INCIDENT MANAGEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	6,251.18	6,251.18
	SUPPORT & UPDATE LICENSING - WORK ORDERS, FLEET & FACILITIES MANAGEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	6,303.27	6,303.27
	SUPPORT & UPDATE LICENSING - TYLER CONTENT MANAGER SE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	6,251.18	6,251.18
	SUPPORT & UPDATE LICENSING - ACCOUNTS RECEIVABLE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	4,584.20	4,584.20
	SUPPORT & UPDATE LICENSING - UTILITY BILLING CIS Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	8,543.27	8,543.27
	SUPPORT & UPDATE LICENSING - PERFORMANCE BASED BUDGETING Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	6,042.80	6,042.80
	SUPPORT & UPDATE LICENSING - ROLE TAILORED DASHBOARD Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,438.15	3,438.15
	SUPPORT & UPDATE LICENSING - PAYROLL WITH EMPLOYEE SELF SERVICE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	4,896.76	4,896.76
	SUPPORT & UPDATE LICENSING - BUSINESS & VENDOR SELF SERVICE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,542.33	3,542.33
	SUPPORT & UPDATE LICENSING - CITIZEN SELF SERVICE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	4,584.20	4,584.20
	SUPPORT & UPDATE LICENSING - PERMITS & CODE ENFORCEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	8,913.71	8,913.71
	SUPPORT & UPDATE LICENSING - CAFR STATEMENT BUILDER Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	2,605.05	2,605.05



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

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Invoice No	Date	Page
045-129573	04/01/2015	2 of 3

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

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

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	63785		USD	NET30	05/01/2015

Date	Description	Units	Rate	Extended Price
	SUPPORT & UPDATE LICENSING - REQUISITIONS Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,542.33	3,542.33
	SUPPORT & UPDATE LICENSING - UTILITY BILLING INTERFACE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	2,750.52	2,750.52
	SUPPORT & UPDATE LICENSING - PURCHASE ORDERS Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	5,000.94	5,000.94
	SUPPORT & UPDATE LICENSING - EMPLOYEE EXPENSE REIMBURSEMENT Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	1,875.35	1,875.35
	TYLER FORM PROCESSING SUPPORT :	1	2,894.06	2,894.06
	Maintenance: Start: 01/May/2015, End: 30/Apr/2016			
	SUPPORT & UPDATE LICENSING - FIXED ASSETS Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	5,042.61	5,042.61
	SUPPORT & UPDATE LICENSING - STANDARD FUEL INTERFACE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	791.82	791.82
	SUPPORT & UPDATE LICENSING - ACCTG/GL/BUDGET/AP Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	16,669.80	16,669.80
	SUPPORT & UPDATE LICENSING - INTERFACE TO BMI TRACKING Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	791.82	791.82
	SUPPORT & UPDATE LICENSING - TYLER REPORTING SERVICES Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	5,788.13	5,788.13
	SUPPORT & UPDATE LICENSING - MUNIS MAPLINK Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,438.15	3,438.15
	SUPPORT & UPDATE LICENSING - APPLICANT TRACKING Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	1,146.05	1,146.05
	SUPPORT & UPDATE LICENSING - GENERAL BILLING Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	2,083.73	2,083.73
	SUPPORT & UPDATE LICENSING - BUSINESS LICENSES Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	4,167.45	4,167.45
	SUPPORT & UPDATE LICENSING - MUNIS OFFICE Maintenance: Start: 01/May/2015, End: 30/Apr/2016	1	3,438.15	3,438.15



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

Invoice

Invoice No	Date	Page
045-129573	04/01/2015	3 of 3

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Questions:

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

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

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

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	63785		USD	NET30	05/01/2015

Date	Description	Units	Rate	Extended Price
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****ATTENTION****

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

Subtotal	151,402.74
Sales Tax	0.00
Invoice Total	151,402.74



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

Invoice

Invoice No	Date	Page
045-129574	04/01/2015	1 of 1

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Questions:

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



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

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

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41401	63789		USD	NET30	05/01/2015

Date	Description	Units	Rate	Extended Price
Contract No.: BLOOMINGTON, IL				
	TYLER UNLIMITED CLIENT ACCESS MAINTENANCE	1	4,600.00	4,600.00
Maintenance: Start: 01/May/2015, End: 30/Apr/2016				

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

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



CONSENT AGENDA ITEM NO. 7E

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of adopting a Resolution waiving the formal bidding process and authorize the Water Department to purchase the specialty water treatment chemical, polymer, from Brenntag Mid-South, Inc. for the year March 30, 2016.

RECOMMENDATION/MOTION: That the Council adopt a Resolution waiving the formal bidding process for the specialty water treatment chemical, polymer and purchase this chemical from Brenntag Mid-South, Inc. a limited source supplier, at the quoted price for the year of \$.665 per pound for cationic polymer and \$1.25 per pound for anionic polymer.

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: Each year, staff has requested competitive bids for the Water Department's annual water treatment chemical needs. However, these bids have historically not included polymers for the water clarification process. The Water Department, through years of exhaustive bench testing and actual use in the water treatment plant, has determined what polymers have worked with the specific water quality that is experienced in our water treatment plant. The polymers used by the City are as follows

Cationic polymer; product name: Robin 120, with a typical dosage of ~1.25 - 1.75 parts per million.

Anionic polymer; product name: Robin 30A, with a typical dosage of ~0.25 - 0.50 parts per million.

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

Polymers are, generally, long chains of carbon groups linked together with other functional groups to "connect" the heavier-than-water particles and precipitated minerals to improve their settling characteristics. Small changes in formulations can have large effects on treatment performance. Characteristics of individual water sources and temperature also affect polymer performance. Many surface water reservoir supplies in central Illinois use a variation of a class of polymers called poly-diallyldiammonium chloride (polyDADMAC for short). The City uses a low molecular weight version that is currently purchased from Brenntag Mid-South, Inc. The anionic polymer is also purchased Brenntag Mid-South, Inc. Once a polymer is found that works well for a particular water source and treatment system, utilities generally stay with the product unless reliability of supply or if raw water or polymer characteristics change to where treatment efficiencies change.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: There were no Community Groups contacted for this petition as it is a routine matter.

FINANCIAL IMPACT: Payment for the purchase of water treatment chemicals throughout the year will be made from the Water Purification-Water Chemicals Account (50100130-71720).

This account has a budget of \$841,948 for all of the water treatment chemicals in FY 2016. Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 103.

Respectfully submitted for Council consideration.

Prepared by: Rick Twait, Water Purification Superintendent

Reviewed by: Brett Lueschen, Interim Water Director

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1- Resolution.

Motion: That the Council adopt a Resolution waiving the formal bidding process for the specialty water treatment chemical, polymer and purchase this chemical from

Brenntag Mid-South, Inc. a limited source supplier, at the quoted price for the year of \$.665 per pound for cationic polymer and \$1.25 per pound for anionic polymer.

Motion: _____ Seconded by: _____

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

RESOLUTION NO. 2015 - _____

A RESOLUTION AUTHORIZING IN THE AMOUNT OF \$.665.00 PER POUND FOR CATIONIC POLMER AND \$1.25 PER POUND FOR ANIONIC POLYMER IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND BRENNTAG MID-SOUTH, INC.

WHEREAS, the City of Bloomington has previously entered into a contract with Brenntag Mid-South, Inc.

WHEREAS, for the reasons to purchase water treatment chemicals and polymers for a year contract.

WHEREAS, it is the finding of the City Council that the decision to purchase the chemicals from Brenntag Mid-South, Inc. was 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 in the amount of \$.665.00 per pound for cationic polmer and \$1.25 per pound for anionic polymer from Brenntag Mid-South, Inc. enter in the contract between the City of Bloomington and be approved.

PASSED this 22nd day of June 2015.

APPROVED this ____ day of June 2015

CITY OF BLOOMINGTON

ATTEST:

Tari Renner, Mayor

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

APPROVED AS TO FORM:

Jeffery R. Jurgens, Corporation Counsel



CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of:

- A. Adopting a Resolution waiving a formal bid process and a supplemental agreement for an Engineering Services Contract with Clark Dietz Inc.,
- B. Adopting a Resolution with Illinois State Department of Transportation (IDOT) to close out Motor Fuel Tax-funded projects, in the amount of up to \$35,283.

RECOMMENDATION/MOTION: Adopt the Resolution waiving the formal bid process and approve a supplemental agreement for an Engineering Services Contract with Clark Dietz Inc., and adopt a Resolution with IDOT for work on MFT project closeouts for a maximum amount of \$35,283, and the Mayor and City Clerk be authorized to execute the necessary documents.

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 Department of Transportation has stringent requirements regarding project documentation when Motor Fuel Tax is used on a project. (This applies only to state MFT, not Bloomington's local fuel tax.) Because of the work load and limited staff, the Public Works Department has been unable to devote staff time to close out its files for numerous projects. Closing out these projects will help to maintain our working relationship with the Illinois Department of Transportation (IDOT), enable the City to focus on upcoming projects, and reallocate any available MFT funds that are currently encumbered by these projects.

On July 28, 2014, the City Council approved an agreement to hire Clark Dietz Inc. to assemble and oversee closing out twenty-three MFT projects. Fifteen closeouts have been completed and progress has been made on the remaining eight under the MFT agreement. Clark Dietz states that some of the projects were more time-consuming than had been initially estimated based on limited information. City staff concurs with this assessment. It is evident to Public Works management that Clark Dietz performed outstanding work on this time-consuming, complex task. Additional detailed information regarding status performed to date can be found in the attachments.

Staff recommends that the contract be extended through a supplemental agreement so that Clark Dietz can complete the final eight projects, which will require an estimated 250 hours. Clark Dietz would be paid utilizing the "cost plus fixed fee" method for this continuation of the work.

Clark Dietz staff works from City computers in the Public Works office at the Government Center. Electronic and paper records are located at Public Works. Given Clark Dietz's familiarity with the work and the records and given the progress already made, Staff recommends retaining Clark Dietz to complete this work.

Rationale for no-bid: Clark Dietz personnel did what staff considers an excellent and time-efficient job on MFT close-out work. Its staff members have a firm grasp of the projects involved and what work is required to close out specific projects. They also know how these files are organized and rapidly retrieved from City databases. If another firm was selected, personnel from a different firm would have to learn the database system and duplicate the groundwork that Clark Dietz staff has already laid for MFT close-outs. This would be wasteful and not in the interest of taxpayers.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The Motor Fuel Tax-Engineering Services Account (20300300-70050) will be used for payment of up to \$35,283 in FY 2016. Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 10.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

Reviewed by: Kevin Kothe, City Engineer
Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

Attachment 1. IDOT resolution
Attachment 2: Engineering service agreement
Attachment 3. Letter and progress report from Clark Dietz Inc.

Motion: Adopt the Resolution waiving the formal bid process and approve a supplemental agreement for an Engineering Services Contract with Clark Dietz Inc., and adopt a Resolution

with IDOT for work on MFT project closeouts for a maximum amount of \$35,283, and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

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

RESOLUTION NO. 2015 – _____

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING AN ENGINEERING SERVICE CONTRACT, SUPPLEMENTAL
AGREEMENT, WITH CLARK DIETZ INC. NOT TO EXCEED \$35,283.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON,
ILLINOIS,

1. That the bidding process be waived and the Mayor and City Clerk be authorized to enter into an agreement for Engineering Services in an amount not to exceed \$35,283 for the purpose of generating documentation of previous MFT projects and closing out these projects in cooperation with the Illinois Department of Transportation.

PASSED this 22nd day of June 2015.

APPROVED THIS _____ DAY OF JUNE 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM

Jeffery R. Jurgens, Corporation Counsel

Municipality City of Bloomington	L O C A L A G E N C Y	 Illinois Department of Transportation Preliminary/Construction Engineering Services Agreement For Motor Fuel Tax Funds Supplement No.1	C O N S U L T A N T	Name Clark Dietz, Inc.
Township				Address 125 West Church Street
County McLean				City Champaign
Section 14-00352-00-EG				State Illinois

THIS AGREEMENT is made and entered into this _____ day of _____, _____ between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above PROJECT. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

WHEREVER IN THIS AGREEMENT or attached exhibits the following terms are used, they shall be interpreted to mean:

Regional Engineer	Deputy Director Division of Highways, Regional Engineer, Department of Transportation
Resident Construction Supervisor	Authorized representative of the LA in immediate charge of the engineering details of the PROJECT
Contractor	Company or Companies to which the construction contract was awarded

Section Description

Name Various - Various Route n/a Length n/a miles Structure No. n/a
Termini n/a

Description
General project administration and engineering services for various MFT funded projects. See attached scope of services for additional information.

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA in connection with the proposed improvement herein before described, and checked below:
 - a. Make such detailed surveys as are necessary for the preparation of detailed roadway plans.
 - b. Make stream and flood plain hydraulic surveys and gather high water data and flood histories for the preparation of detailed bridge plans.
 - c. Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.

- e. Prepare Army Corps of Engineers Permit, Division of Water Resources Permit, Bridge waterway sketch and/or Channel Change sketch, Utility plan and locations and Railroad Crossing work agreements.
- f. Prepare Preliminary Bridge Design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.

NOTE Four copies to be submitted to the Regional Engineer

- g. Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
- h. Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easements and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.
- i. Assist the LA in the receipt and evaluation of proposals and the awarding of the construction contract.
- j. Furnish or cause to be furnished:
 - (1) Proportioning and testing of concrete mixtures in accordance with the "Manual of Instructions for Concrete Proportioning and Testing" issued by the Bureau of Materials and Physical Research, of the DEPARTMENT and promptly submit reports on forms prepared by said Bureau.
 - (2) Proportioning and testing of bituminous mixtures (including extracting test) in accordance with the "Manual of Instructions for Bituminous Proportioning and Testing" issued by the Bureau of Materials and Physical Research, of the DEPARTMENT, and promptly submit reports on forms prepared by said Bureau.
 - (3) All compaction tests as required by the specifications and report promptly the same on forms prepared by the Bureau of Materials and Physical Research.
 - (4) Quality and sieve analyses on local aggregates to see that they comply with the specifications contained in the contract.
 - (5) Inspection of all materials when inspection is not provided at the sources by the Bureau of Materials and Physical Research, of the DEPARTMENT and submit inspection reports to the LA and the DEPARTMENT in accordance with the policies of the said DEPARTMENT.
- k. Furnish or cause to be furnished
 - (1) A resident construction supervisor, inspectors, and other technical personnel to perform the following work: (The number of such inspectors and other technical personnel required shall be subject to the approval of the LA.)
 - a. Continuous observation of the work and the contractor's operations for compliance with the plans and specifications as construction proceeds, but the ENGINEER does not guarantee the performance of the contract by the contractor.
 - b. Establishment and setting of lines and grades.
 - c. Maintain a daily record of the contractor's activities throughout construction including sufficient information to permit verification of the nature and cost of changes in plans and authorized extra work.
 - d. Supervision of inspectors, proportioning engineers and other technical personnel and the taking and submitting of material samples.
 - e. Revision of contract drawings to reflect as built conditions.
 - f. Preparation and submission to the LA in the required form and number of copies, all partial and final payment estimates, change orders, records and reports required by the LA and the DEPARTMENT.
- l. See Attachment A.

NOTE: *When Federal funds are used for construction and the ENGINEER or the ENGINEER's assigned staff is named as resident construction supervisor, the ENGINEER is required to be prequalified with the STATE in Construction Inspection. The onsite resident construction supervisor and project inspectors shall possess valid Documentation of Contract Quantities certification.*

2. That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to this agreement will be in accordance with the current standard specifications and policies of the DEPARTMENT, it being understood that all such reports, plats, plans and drafts shall before being finally accepted, be subject to approval by the LA and the said DEPARTMENT.
3. To attend conferences at any reasonable time when requested to do so by the LA or representatives of the DEPARTMENT.
4. In the event plans, surveys or construction staking are found to be in error during the construction of the PROJECT and revisions of the plans or survey or construction staking corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the contractor.
5. The basic survey notes and sketches, charts, computations and other data prepared or obtained by the ENGINEER pursuant to this agreement will be made available upon request to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
6. To make such changes in working plans, including all necessary preliminary surveys and investigations, as may be required after the award of the construction contract and during the construction of the improvement.
7. That all plans and other documents furnished by the ENGINEER pursuant to the AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.
8. To submit, upon request by the LA or the DEPARTMENT a list of the personnel and the equipment he/she proposes to use in fulfilling the requirements of this AGREEMENT.

The LA Agrees,

1. To pay the Engineer as compensation for all services performed as stipulated in paragraphs 1a, 1g, 1i, 2, 3, 5 and 6 in accordance with one of the following methods indicated by a check mark:

- a. A sum of money equal to _____ percent of the awarded contract cost of the proposed improvement as approved by the DEPARTMENT.
- b. A sum of money equal to the percentage of the awarded contract cost for the proposed improvement as approved by the DEPARTMENT based on the following schedule:

Schedule for Percentages Based on Awarded Contract Cost

Awarded Cost Under \$50,000	Percentage Fees	(see note)
	_____	%
	_____	%
	_____	%
	_____	%
	_____	%

Note: Not necessarily a percentage. Could use per diem, cost-plus or lump sum.

- c. Cost Plus Fixed Fee per the attached Cost Estimate of Consultant Services (CECS) form – Attachment B.
2. To pay for services stipulated in paragraphs 1b, 1c, 1d, 1e, 1f, 1h, 1j and 1k of THE ENGINEER AGREES at the hourly rates stipulated below for personnel assigned to this PROJECT as payment in full to the ENGINEER for the actual time spent in providing these services the hourly rates to include profit, overhead, readiness to serve, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under paragraphs 1b, 1c, 1d, 1e, 1f, 1j and 1k of THE ENGINEER AGREES. If the ENGINEER sublets all or a part of this work, the LA will pay the cost to the ENGINEER plus a five (5) percent service charge. "Cost to ENGINEER" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm including the Principal Engineer perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

**Grade Classification
of Employee**

Hourly Rate

Principal Engineer / Project Director
Senior Project Manager
Project Manager / Senior Engineer
Project Engineer
Engineer
Senior Technician
Technician
Administrative

See attached CECS form
for payroll rates of the
classifications specified herein

The hourly rates itemized above shall be effective the date the parties, hereunto entering this AGREEMENT, have affixed their hands and seals and shall remain in effect until 1/1/2016. In event the services of the ENGINEER extend beyond 1/1/2016, the hourly rates will be adjusted yearly by addendum to this AGREEMENT to compensate for increases or decreases in the salary structure of the ENGINEER that are in effect at that time.

3. That payments due the ENGINEER for services rendered pursuant to this AGREEMENT will be made as soon as practicable after the services have been performed, in accordance with the following schedule:
 - a. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1g under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 90 percent of the total fee based on the above fee schedule and the approved estimate of cost.
 - b. Upon award of the contract for the improvement by the LA and its approval by the DEPARTMENT, 100 percent of the total fee (excluding any fees paragraphs 1j and 1k of the ENGINEER AGREES), based on the above fee schedule and the awarded contract cost, less any previous payment.
 - c. Upon completion of the construction of the improvement, 90 percent of the fee due for services stipulated in paragraphs 1j and 1k.
 - d. Upon completion of all final reports required by the LA and the DEPARTMENT and acceptance of the improvement by the DEPARTMENT, 100 percent of the total fees due under this AGREEMENT, less any amounts previously paid.

By mutual agreement, partial payments, not to exceed 90 percent of the amount earned, may be made from time to time as the work progresses.

4. That should the improvements be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a and 1g, and prior to the completion of such services the LA shall reimburse the ENGINEER for his actual costs plus 186.6% percent incurred up to the time he is notified in writing of such abandonment "actual cost" being defined as material costs plus actual payrolls, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost.
5. That should the LA require changes in any of the detailed plans, specifications or estimates (except for those required pursuant to paragraph 4 of THE ENGINEER AGREES) after they have been approved by the DEPARTMENT, the LA will pay the ENGINEER for such changes on the basis of actual cost plus 186.6% percent to cover profit, overhead and readiness to serve - "actual cost" being defined as in paragraph 4 above. It is understood that "changes" as used in this paragraph shall in no way relieve the ENGINEER of his responsibility to prepare a complete and adequate set of plans.
6. That should the LA extend completion of the improvement beyond the time limit given in the contract, the LA will pay the ENGINEER, in addition to the fees provided herein, his actual cost incurred beyond such time limit - "actual cost" being defined as in paragraph 4 above.
7. To submit approved forms BC 775 and BC 776 with this AGREEMENT when federal funds are used for construction.

It is Mutually Agreed,

1. That any difference between the ENGINEER and the LA concerning the interpretation of the provisions of this

AGREEMENT shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.

- 2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all drawings, specifications, partial and completed estimates and data if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
- 3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under the AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
- 4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized offices.

Executed by the LA:

City of Bloomington of the
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its

By _____
Clerk

City Council

By _____

(Seal)

Title:

Executed by the ENGINEER:

Clark Dietz, Inc.

ATTEST:

By Nancy J. Hines for S&W

By 

Title: Project Manager

Title: Executive Vice President

Approved

Date
Department of Transportation

Regional Engineer

Attachment A

Scope of Services Summary

City of Bloomington: Closeout of Outstanding MFT Funded Projects

Attachment A: Scope of Services

Description:

Clark Dietz will provide general project administration and engineering services for various MFT funded projects. Clark Dietz will cause or cause to be furnished the preparation and submission of contract closeout documentation on behalf of the Local Agency to the Illinois Department of Transportation. Anticipated documentation includes Final Pay Estimates, Material Certifications and Final Reports for the MFT projects referenced below.

Reference Number	MFT Number	Priority	Common Name	Estimated Hours to Complete:			
				Final Pay Estimate	Material Certification	Final Report	Total Hours
1	99-00319-00-BR	1	Morris Ave Bridge over Goose Creek	0	0	6	6
3	09-00344-00-RS	2	Lincoln (Main to Mercer), Ireland Grove Rd (Bridge to Dover) ERP Project	0	0	6	6
4	10-00346-00-RS	2	General Maintenance Resurfacing 2010-11	0	20	6	26
5	92-00283-00-RP	3	Lincoln St. (Bunn to Morrissey)	0	44	6	50
8	05-00332-00-PV	3	Mitsubishi Mtwy (Six Points to Sugar Creek)	0	44	6	50
18	06-00336-00-PV/PT	4	Lafayette St (Maple to Morrissey)	0	12	6	18
21	11-00348-00-PV	4	Locust - Colton CSO Elimination Phase 1	0	6	6	12
22	12-00349-00-PV	4	Morris Ave (Fox Hill Apts to Six Points)	0	30	12	42
Subtotal							210
General Project Administration and Miscellaneous Coordination							40
Total							250

Attachment B

Cost Estimate of Consultant Services

**PAYROLL ESCALATION TABLE
FIXED RAISES**

FIRM NAME Clark Dietz, Inc.
PRIME/SUPPLEMENT Prime

DATE 05/22/15
PTB NO. _____

CONTRACT TERM 6 MONTHS
START DATE 7/1/2015
RAISE DATE 1/1/2016

OVERHEAD RATE 186.60%
COMPLEXITY FACTOR 0
% OF RAISE 3.00%

ESCALATION PER YEAR

7/1/2015 - 1/1/2016

6
6

= 100.00%
= 1.0000

The total escalation for this project would be: 0.00%

PAYROLL RATES

FIRM NAME Clark Dietz, Inc. DATE 05/22/15
PRIME/SUPPLEMENT Prime
PSB NO. _____

ESCALATION FACTOR 0.00%

CLASSIFICATION	CURRENT RATE	CALCULATED RATE
Principal/Project Director	\$70.00	\$70.00
Sr. Project Manager	\$61.04	\$61.04
Project Mngr. / Sr. Engr.	\$53.39	\$53.39
Project Engineer	\$41.46	\$41.46
Engineer	\$31.33	\$31.33
Senior Technician	\$37.02	\$37.02
Technician	\$28.99	\$28.99
Administrative	\$26.06	\$26.06

Subconsultants

FIRM NAME Clark Dietz, Inc.
PRIME/SUPPLEMENT Prime
PSB NO. _____

DATE 05/22/15

NAME	Direct Labor Total	Contribution to Prime Consultant
------	--------------------	----------------------------------

0.00
0.00
0.00
0.00
0.00
0.00
0.00
0.00

Total 0.00 0.00



MEMO

To: Bob Yehl, PE
Assistant City Engineer
From: Sean Widener, PE, PTOE
Department Manager
Date: May 20, 2015
Subject: Closeout of Outstanding MFT Funded Projects
Section No. 14-00352-00-EG
Copies: Doug Grovesteen, PE (Clark Dietz), File

Clark Dietz was retained by the City of Bloomington for general project administration and engineering services for various MFT funded projects. The original scope of services included 390 labor hours that was directed towards twenty-three (23) outstanding MFT funded projects as identified by the City of Bloomington. Progress to date includes the successful closure of fifteen (15) MFT funded projects with varying amounts of progress made on the remaining eight (8) MFT funded projects (see attached). Typical efforts included the following work tasks:

- Preparation of final pay estimates
- Certification of construction materials
- Preparation of final project reports

Clark Dietz estimates an additional 250 hours and 6 weeks to completely closeout the list of outstanding MFT funded projects. The proposed addendum and additional effort can be contributed to the following circumstances:

- The age of outstanding projects and difficulty locating the appropriate paperwork required by IDOT. The oldest projects date back to the 1980's.
- Lack of project specific knowledge due to personnel changes at the City of Bloomington, IDOT and the Contractors.
- The actual level of closeout effort required for some of the various projects proved to be more substantial when compared to the original estimates which were based on limited information.

If found to be acceptable by the City of Bloomington, the additional effort will be processed as an addendum to the Local Agency Preliminary/Construction Engineering Services Agreement dated September 18, 2014.

STATUS OF CLOSE-OUT OF THE CITY OF BLOOMINGTON'S OUTSTANDING MFT PROJECTS

Revised 5/18/2015

dgg /rdy

CDI completed work as part of Phase 2 (14-00352-00-EG).
 CDI pending work

No.	MFT Number	Priority	Common Name	Change Order (final)		Final Pay Estimate		Material Certification		Final Report		Comments
				Sent	Approved	Sent	Approved	Sent	Approved	Sent	Approved	
1	99-00319-00-BR	1	Morris Ave Bridge over Goose Creek		5/26/2009	5/14/2009	*	1/28/2014 2/11/2014	5/15/1015	5/14/2009	*	* Tim Roarke of IDOT indicated approval was pending and should arrive very soon !!
2	02-00325-00-BR	2	Fell Ave Bridge Replacement				Yes		Yes	1/29/2014	2/11/2014	DONE !
3	09-00344-00-RS	2	Lincoln (Main to Mercer), Ireland Grove Rd (Bridge to Dover) ERP Project			3/23/2012		2/10/2014	TR will verify Mats	3/23/2012		Invoice for 56K mailed to IDOT Nov, 2014.
4	10-00346-00-RS	2	General Maintenance Resurfacing 2010-11			2/14/2014		Need List from IDOT		2/14/2014		May also need BLR 13210 Req for Chng in Plan. Russ submitted.
5	92-00283-00-RP	3	Lincoln St. (Bunn to Morrissey)	10/16/2014	10/23/2014	10/27/2014		Need List from IDOT		Draft Prepared		Supplemental Resolution submitted. 9150's sent 4/6/2015
6/7	02-00328-00-TL/PV	3	Downtown Intersections (Arena) Improv				Yes		5/20/2008	1/24/2014 10/21/14	10/23/2014	DONE !
8	05-00332-00-PV	3	Mitsubishi Mtwy (Six Pnts to Sugar Crk)	11/5/2014	11/20/2014	11/5/2014		Need List from IDOT		Draft Prepared		9150's sent 3/12/2015
9	82-00240-00-PV	4	ML King Dr (Oakland to Washington)	NA	NA	NA	NA	NA	NA	3/10/2015	4/9/2015	DONE !
10	93-00295-00-PV	4	Biech/Hamilton at Veterans Parkway		X		X		X		10/31/2011	DONE !
11	93-00295-02-PV	4	Hamilton Rd (Greenwood to Timberlake)		X		X		X		8/4/2011	DONE !
12	93-00295-03-PV	4	Hamilton Rd (Timberlake to Main)		X		X		X	11/25/2014	1/2/2015	DONE !
13	96-00306-00-SP	4	White Oak Rd & ML King Intersection		X		X		X	10/3/2011	X	DONE !
14	96-00314-00-RP	4	Washington St (Clayton to Colton)				4/23/2008		4/16/2008	1/23/2014	2/6/2014	DONE !
15	97-00315-00-RP/TL	4	Airport Rd (IL Rt 9 to Gill)			2/12/2014		Yes	Yes	2/12/2014 10/21/14	10/23/2014	DONE !
16	03-00327-00-TL	4	Market St. (W Rt 9)and I-55/74 Ramp							11/7/2014	11/20/2014	DONE !
17	03-00330-00-TL	4	McArthur & Bus US 51 (Main) Signals				Yes	10/20/2014	Yes **	3/11/2008 **		DONE !
18	06-00336-00-PV	4	Lafayette St (Maple to Morissey)	11/14/2014	11/20/2014	11/14/2014		2/18/2015 2/26/2015		Draft Prepared		Comments rcvd 4/20/15 from IDOT Matl Section, reply in progress - need documentation from Rowe
19	07-00339-00-BD	4	904 E. Lincoln St Building Demolition	11/5/2014	11/20/2014	11/5/2014	11/20/2014	X	X	12/3/2014	1/2/2015	DONE !
20	11-00348-00-PV	4	Locust - Colton CSO Elimination Phase 1	12/12/2014 1/29/2015	1/2/2015 2/25/2015	12/12/2014 1/29/2015		2/3/2015 4/13/2015		Draft Prepared		Comments rcvd 3/30/15 from IDOT Matl Section and addressed 4/13/15
21	12-00349-00-PV	4	Morris Ave (Fox Hill Apts to Six Pnts)	2/14/2014	5/19/2014	2/14/2014		In Progress		2/14/2014 ROW - redo		Def Matl List rcvd 3/30/15 from IDOT Matl Section, need documentation from Stark
22	12-00350-00-TL	4	Veterans Pkwy Traffic Signal UPS Instl (IDOT Project)	N/A	N/A	N/A	N/A	N/A	N/A	1/15/2015	2/5/2015	DONE !
23	05-00231-00-TL	4	College Avenue & Hershey Traffic Signals	X	X	X	X	X	X	6/22/2011	8/12/2011	DONE ! Verified w. IDOT & obtained copy of approved Final Report
24	81-00230-00-PV	4	Veterans Pkwy & Morris (IDOT Project)	N/A	N/A	N/A	N/A	N/A	N/A	1/26/2015	2/25/2015	DONE !



CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of:

- a. Formal Bid Waiver for the purchase of limited source water meters and related accessories for the Water Departments FY 2016 water meter installation program.
- b. Authorize the payment of invoice (0138556) from June 2, 2015 in the amount of \$95,669.30 to Ferguson Waterworks for 50 Compound Meters.

RECOMMENDATION/MOTION: That Council waive, as a limited source the formal bidding process and retroactively authorize the purchase of water meters and related accessories from Ferguson Waterworks that have been received, the authorized Neptune water meter supplier for this area, at the purchase prices listed on the attached price list.

STRATEGIC PLAN LINK: Objective 4 – City Services delivered in the most cost-effective, efficient manner

STRATEGIC PLAN SIGNIFICANCE: Goal 1 - Financially Sound City Providing Quality Basic Services, and Goal 2. Upgrade City infrastructure.

BACKGROUND: Currently, water metering technology varies greatly from one manufacturer to another as different technologies and proprietary components are used, particularly in the areas of communication of meter reading information. At this point, the reading equipment and interactivity with the utility billing software makes it is extremely difficult and not cost productive to invest in more than one type of meter Simply put, different brands of water meters do not communicate well, if at all, with one another. Therefore, many utilities have settled upon a particular brand of meter and negotiated the price of the water meters and the related accessories. That is what the City has done for at least 20 years. The City cannot competitively bid water meters of different brands and integrate them into the existing system.

The City embraced the emerging technology of radio frequency (RF) transmitting data collectors on water meters and the resultant efficiencies of reduced personnel needed for meter reading through City Council action on February 28, 2005, specifically identifying Neptune as the manufacturer of water meters to be used by the City. The Water Department has been installing RF transmitting data collectors on its water meters since that time and is approximately 90% deployed (approximately 27,500 RF units installed on 32,000 total water meters). The City has reduced its meter reading force by two employees over that.

The Water Department, is requesting the waiving of the formal bidding process due to its limited source and the authorization of the purchase of Neptune Water meters and the related accessories listed in the attached price list for its FY 2016 water meter program.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None

FINANCIAL IMPACT: Water meter and ancillary components are included in the 2016 Water Meter Service Department budget in the amount of \$1,300,000.00 under the Meter Services-Meters Account (50100150-71730). City Council approve the payment of invoice (0138556) from June 2, 2015 in the amount of \$95,669.30 to Ferguson Waterworks for 50 Compound Meters. The remaining \$1,204,330.70 will be spent on Neptune meters and ancillary components in the 2016 fiscal year.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Stephen Rasmussen, Assistant City Manager

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Invoice

Motion: That Council waive, as a limited source the formal bidding process and retroactively authorize the purchase of water meters and related accessories from Ferguson Waterworks that have been received, the authorized Neptune water meter supplier for this area, at the purchase prices listed on the attached price list.

Motion: _____ Seconded by: _____

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



a WOLSELEY company
1917 1ST AVE N
FARGO, ND 58102-4118



Please contact with Questions: 888-873-5685

INVOICE NUMBER	CUSTOMER	PAGE
0138556	4931	1 of 1

PLEASE REFER TO INVOICE NUMBER WHEN
MAKING PAYMENT AND REMIT TO:

FERGUSON WATERWORKS #2516
PO BOX 802817
CHICAGO, IL 60680-2817

6241 1 MB 0.439 E0426X I0782 D1364259588 P2639807 0001:0001



CITY OF BLOOMINGTON
METERS
WATER DEPARTMENT
603 W DIVISION ST
BLOOMINGTON IL 61701-1889

SHIP TO:

CITY OF BLOOMINGTON
METERS
603 W DIVISION ST
BLOOMINGTON, IL 61701

SHIP WHSE.	SELL WHSE.	TAX CODE	CUSTOMER ORDER NUMBER	SALESMAN	JOB NAME	INVOICE DATE	BATCH ID
2521	2521	ILE	VERBAL NICK	TJR	2 CMPDS	06/05/15	6814
ORDERED	SHIPPED	ITEM NUMBER	DESCRIPTION	UNIT PRICE	UM	AMOUNT	
50	50	NEC2ARWF3	2 HP T/F CMPD MTR V4 R9001 CF PIT	1913.386	EA	95669.30	
INVOICE SUB-TOTAL						95669.30	
<p>LEAD LAW WARNING: IT IS ILLEGAL TO INSTALL PRODUCTS THAT ARE NOT "LEAD FREE" IN ACCORDANCE WITH US FEDERAL OR OTHER APPLICABLE LAW IN POTABLE WATER SYSTEMS ANTICIPATED FOR HUMAN CONSUMPTION. PRODUCTS WITH "NP" IN THE DESCRIPTION ARE NOT LEAD FREE AND CAN ONLY BE INSTALLED IN NON-POTABLE APPLICATIONS. BUYER IS SOLELY RESPONSIBLE FOR PRODUCT SELECTION.</p>							
<p>RECEIVED Date: <u>6-2-15</u> Name (Print): <u>C. Fralick</u> Comments: <u>50100150-71730</u> <u>COMM-241010</u></p>							
<p>Thank you for your business</p>							

TERMS: NET 10TH PROX	ORIGINAL INVOICE	TOTAL DUE	\$95,669.30
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All past due amounts are subject to a service charge of 1.5% per month, or the maximum allowed by law, if lower. If Buyer fails to pay within terms, then in addition to other remedies, Buyer agrees to pay Seller all costs of collection, including reasonable attorney fees. Complete terms and conditions are available upon request or at http://wolseley.com/terms_conditionsSale.html and are incorporated by reference. Seller may convert checks to ACH.

0001:0001



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of review, analysis and approval of Bid No. 2015-55 and contract with J. Gill and Company for the Lincoln Parking Garage Improvements in the amount of \$245,265 the conditions therein.

RECOMMENDATION/MOTION: That the contract prices from J. Gill and Company be accepted and approved in the amount of \$245,265, and authorize the Mayor and City Clerk to execute the necessary documents, after written approval is given by the McLean County and the Public Building Commission.

STRATEGIC PLAN LINK: Goal 2. Upgrade City Infrastructure & Facilities.

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

BACKGROUND: The Lincoln Parking Garage was originally constructed as a three level facility in 1990. Two additional levels were added to the garage in 2004. Both of these construction projects were performed by the Public Building Commission of McLean County in accordance with intergovernmental agreements between the City, McLean County and the Public Building Commission. These agreements stipulate that the City operate and maintain the parking garage and lease parking spaces to McLean County until the expiration of the agreements, which is in 2021. The agreements also indicate that the City must obtain approval from the County and Public Building Commission before any maintenance expense over \$5,000 is performed.

City staff has consulted with representatives from both the County and Public Building Commission on this project. Staff is also working with the County on establishing new procedures for operation and maintenance of the facility and a request will be made to the County to pay 50% for these repairs.

The attached Faithful & Gould Condition Assessment summary of the Lincoln Garage indicates recommended improvements. Many of the recommended improvements for the 2015 project year are safety issues or items which could cause damage to vehicles using the facility. The repairs to be performed in this contract will address the safety and potential vehicle damage issues. Repairs include minor structural repairs, expansion joint repairs, sealant replacement, stairwell repairs and drain & piping replacement. A summary of the submitted bids follows and the bid tabulation is attached.

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate 1</u>	<u>Total Bid</u>	
J. Gill and Company Inc.	\$ 208,305	\$ 36,960	\$ 245,265	Low Bid
Western Waterproofing	\$ 225,629	\$ 52,654	\$ 278,283	
Otto Baum	\$ 439,897	\$ 33,333	\$ 473,230	

Budget \$ 251,700

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This work was advertised in The Pantagraph on March 23, 2015 and a pre-bid meeting was held at 10:00 a.m. on March 31, 2015 in the parking garage.

FINANCIAL IMPACT:

Funding for this project in the amount of \$251,700 is included in the FY2016 Budget under Capital Lease-Buildings Account (40110133-72520). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on pages 79, 199, 240, 264 and 265.

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, P.E., Facilities Manger

Reviewed by: Stephen Rasmussen, Assistant City Manager

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

- Attachments:**
- Attachment 1: Bid Tabulation
 - Attachment 2: Faithful & Gould Condition Assessment for Lincoln Garage
 - Attachment 3: Repair Photos
 - Attachment 4: Contract

Motion: That the contract prices from J. Gill and Company be accepted and approved in the amount of \$245,265, and authorize the Mayor and City Clerk to execute the necessary documents after written approval is given by the McLean County and the Public Building Commission.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Fruin				Alderman Sage			

Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

City of Bloomington, Illinois
Lincoln Parking Garage Improvements
Bid 2015-55 - R1-2014-821
BID TABULATION

BASE BID				ENGINEERS ESTIMATE		J. GILL		WESTERN WATERPROOFING		OTTO BAUM		
Work Item	Reference	Units	Total Estimated Quantity	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	
General												
G1	Contractor Mobilization		L.S.	1	\$ 35,000.00	\$ 35,000	\$ 15,950.00	\$ 15,950	\$ 4,072.00	\$ 4,072	\$ 5,000.00	\$ 5,000
G2	Contractor General Conditions		L.S.	1	\$ 15,000.00	\$ 15,000	\$ 7,500.00	\$ 7,500	\$ 18,204.00	\$ 18,204	\$ 29,442.00	\$ 29,442
G3	Quantity Allowance for Unexpected Issues		ALL	1	\$ 15,000.00	\$ 15,000	\$ 15,000.00	\$ 15,000	\$ 15,000.00	\$ 15,000	\$ 15,000.00	\$ 15,000
CONCRETE												
C1	Topping Slab / Wash Repair	2/SR501	S.F.	200	\$ 45.00	\$ 9,000	\$ 40.00	\$ 8,000	\$ 53.65	\$ 10,730	\$ 199.45	\$ 39,890
C2	Curb Repair	3/SR501	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C3	Wall/Column Repair	4/SR501	S.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C4	Epoxy Fill at Ponding Areas	7/SR501	S.F.	580	\$ 10.00	\$ 5,800	\$ 9.50	\$ 5,510	\$ 10.95	\$ 6,351	\$ 25.10	\$ 14,555
C5	Railing Post Anchorage Repair	16/SR501	EA.	4	\$ 125.00	\$ 500	\$ 300.00	\$ 1,200	\$ 607.50	\$ 2,430	\$ 209.50	\$ 838
C6	Shear Connector - Remove Spall, Coat	6/SR501	L.S.	1	\$ 30,000.00	\$ 30,000	\$ 5,650.00	\$ 5,650	\$ 58,030.00	\$ 58,030	\$ 111,862.00	\$ 111,862
C7	Steel Support at Failed Shear Connector	11/SR511	EA.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C8	Tee Flange Edge Repair	8/SR501	S.F.	20	\$ 160.00	\$ 3,200	\$ 95.00	\$ 1,900	\$ 125.00	\$ 2,500	\$ 241.10	\$ 4,822
C9	Tee Flange Repair	9/SR501	S.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C10	Tee Stem Repair	10/SR501	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C11	Beam/Slab Edge Repair	11/SR501	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C12	Replace Stair Nosing	13/SR501	EA.	125	\$ 300.00	\$ 37,500	\$ 350.00	\$ 43,750	\$ 183.00	\$ 22,875	\$ 323.14	\$ 40,393
C13	Haunch Repair	14/SR501	EA.	5	\$ 1,000.00	\$ 5,000	\$ 375.00	\$ 1,875	\$ 826.40	\$ 4,132	\$ 346.20	\$ 1,731
C14	Facade Repairs	12/SR501	S.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
WATERPROOFING												
W1	Rout and Seal Cracks	4/SR511	L.F.	180	\$ 6.00	\$ 1,080	\$ 6.50	\$ 1,170	\$ 4.40	\$ 792	\$ 13.82	\$ 2,488
W2a	Replace Joint Sealants (100%)	1&3/SR511	L.S.	1	\$ 28,000.00	\$ 28,000	\$ 60,900.00	\$ 60,900	\$ 27,260.00	\$ 27,260	\$ 70,564.00	\$ 70,564
W2b	Replace Joint Sealants (as needed)	1&3/SR511	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
W3a	Replace Cove Sealants (100%)	2/SR511	L.S.	1	\$ 13,000.00	\$ 13,000	\$ 14,000.00	\$ 14,000	\$ 18,325.00	\$ 18,325	\$ 35,381.00	\$ 35,381
W3b	Replace Cove Sealants (as needed)	2/SR511	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
W4	New Expansion Joint	9/SR511	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
W5	Deck Coating at Washes	SR511	S.F.	7,400	\$ 5.00	\$ 37,000	\$ 3.50	\$ 25,900	\$ 4.72	\$ 34,928	\$ 9.18	\$ 67,932
Base Bid Total					\$ 235,080		\$ 208,305		\$ 225,629		\$ 439,897	

Alternate 1 - Additional Items dependent on Budget

Work Item	Reference	Units	Total Estimated Quantity	Unit Cost	Total Cost							
MISCELLANEOUS												
M1	Masonry Wall Repair	12/SR511	L.F.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
M2	Repair/Replace Doors	Specs	EA.	12	\$ 1,250.00	\$ 15,000	\$ 1,680.00	\$ 20,160	\$ 3,242.00	\$ 38,904	\$ 1,935.92	\$ 23,231
M3	Clean & Paint Railings, Doors, Etc.	Specs	L.S.	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
M4	Add/Replace Drains	15/SR501	EA.	4	\$ 2,500.00	\$ 10,000	\$ 2,200.00	\$ 8,800	\$ 1,950.00	\$ 7,800	\$ 1,485.50	\$ 5,942
M5	Drain Pipe/Connection Replacement	Specs	L.F.	100	\$ 100.00	\$ 10,000	\$ 80.00	\$ 8,000	\$ 59.50	\$ 5,950	\$ 41.60	\$ 4,160
Alternate 1 Total					\$ 35,000		\$ 36,960		\$ 52,654		\$ 33,333	
Total (Base Bid + Alternate 1)					\$ 270,080		\$ 245,265		\$ 278,283		\$ 473,230	

2015

Building	System Grouping	Recommendation	Defect Category	Priority	Project Year	Risk Priority	Cost
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P2 Level)	CR	III	2015	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Sealants Between Precast Tees (P5 Level)	DM	III	2015	B. Medium 18-29	\$37,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P5 Level)	DM	III	2015	B. Medium 18-29	\$13,440.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P4 Level)	CR	III	2015	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P4 Level)	DM	III	2015	B. Medium 18-29	\$14,720.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P3 Level)	CR	III	2015	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P3 Level)	DM	III	2015	B. Medium 18-29	\$14,720.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Traffic Bearing Membrane + Re-Stripe (P5 Level)	CR	III	2015	C. Low 1-17	\$159,732.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Sealants Between Precast Tees (P3 Level)	DM	III	2015	B. Medium 18-29	\$37,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Currently Failed Sealants Between Precast Tees (P2 Level)	DM	III	2015	B. Medium 18-29	\$4,940.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P2 Level)	DM	III	2015	B. Medium 18-29	\$29,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Expansion Joint Filler (P1 to P2 Level)	DM	III	2015	B. Medium 18-29	\$7,200.00
Lincoln Garage	Building Infrastructure & Fabric	Re-Stripe P1 Level	CR	III	2015	C. Low 1-17	\$3,000.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Failed Concrete at Steps & Seal Steps	DM	III	2015	C. Low 1-17	\$51,700.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Failed Drains & Piping	DM	III	2015	B. Medium 18-29	\$10,000.00
						Total For: 2015	\$466,392.00

2019

Building	System Grouping	Recommendation	Defect Category	Priority	Project Year	Risk Priority	Cost
Lincoln Garage	Mechanical Electrical & HVAC	Refurbish Air Handling Unit	CR	III	2019	C. Low 1-17	\$15,000.00
Lincoln Garage	Mechanical Electrical & HVAC	Replace Emergency Generator	CR	III	2019	C. Low 1-17	\$65,000.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P5 Level)	SM	III	2019	B. Medium 18-29	\$13,440.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P4 Level)	CR	III	2019	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Sealants Between Precast Tees (P4 Level)	CR	III	2019	C. Low 1-17	\$37,440.00
Lincoln Garage	Building Infrastructure & Fabric	Re-Stripe P1 Level	CR	III	2019	C. Low 1-17	\$3,000.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P4 Level)	SM	III	2019	B. Medium 18-29	\$14,720.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P3 Level)	CR	III	2019	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Parking Control Devices	CR	III	2019	C. Low 1-17	\$15,000.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P3 Level)	SM	III	2019	B. Medium 18-29	\$14,720.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Sealants Between Precast Tees (P2 Level)	CR	III	2019	C. Low 1-17	\$32,500.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P2 Level)	SM	III	2019	B. Medium 18-29	\$29,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Failed Drains & Piping	CR	III	2019	B. Medium 18-29	\$10,000.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P2 Level)	CR	III	2019	C. Low 1-17	\$27,540.00
						Total For: 2019	\$332,880.00

2024

Building	System Grouping	Recommendation	Defect Category	Priority	Project Year	Risk Priority	Cost
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P2 Level)	SM	III	2024	B. Medium 18-29	\$29,440.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Traffic Bearing Membrane + Re-Stripe (P5 Level)	CR	III	2024	C. Low 1-17	\$159,732.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Sealants Between Precast Tees (P5 Level)	SM	III	2024	B. Medium 18-29	\$37,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P5 Level)	SM	III	2024	B. Medium 18-29	\$13,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Failed Concrete at Steps & Seal Steps	CR	III	2024	C. Low 1-17	\$51,700.00
Lincoln Garage	Building Infrastructure & Fabric	Re-Stripe P1 Level	CR	III	2024	C. Low 1-17	\$3,000.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P3 Level)	CR	III	2024	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P2 Level)	CR	III	2024	C. Low 1-17	\$27,540.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P3 Level)	SM	III	2024	B. Medium 18-29	\$14,720.00
Lincoln Garage	Mechanical Electrical & HVAC	Modernize Elevator	CR	IV	2024	C. Low 1-17	\$175,000.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Delaminated Concrete (P4 Level)	SM	III	2024	B. Medium 18-29	\$14,720.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Sealants Between Precast Tees (P3 Level)	CR	III	2024	B. Medium 18-29	\$37,440.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Expansion Joint Filler (P1 to P2 Level)	CR	III	2024	B. Medium 18-29	\$7,200.00
Lincoln Garage	Building Infrastructure & Fabric	Replace Failed Drains & Piping	CR	III	2024	B. Medium 18-29	\$10,000.00
Lincoln Garage	Building Infrastructure & Fabric	Apply Clear Penetrating Sealer + Re-Stripe (P4 Level)	CR	III	2024	C. Low 1-17	\$27,540.00
						Total For: 2024	\$636,452.00
						Total	\$1,435,724.00



Storm water ponds, leaks through Joints and can damage vehicles on lower levels.

2015/05/20 6:03 am

A photograph of a concrete wall. A red pipe runs vertically along the right side. There is a large, dark blue stain on the wall, possibly from a spill. The wall shows signs of wear, including some white residue and a crack. A red box with white text is overlaid on the image.

Joint damage and leakage

2015/05/20 5:56 am



Joint failure

2015/05/20 5:58 am



Joint failure.
Can see entirely through joint.

2015/05/20 5:58 am



Leaking drains and pipes.
Can damage vehicles below.

2015/05/20 5:50 am

HARLOTTE PI

Deteriorating stairs

2015/05/20 6:09 am





Loose stair nosing.
Potential tripping hazard.

2015/05/20 5:53 am



Loose stair nosing.
Potential tripping hazard.

2015/05/20 5:54 am



Cracked Beam
Concrete pieces may fall
and damage vehicles below

2015/05/20 5:50 am

Deteriorating column

2015/05/20 5:54 am



A close-up photograph of a concrete T-beam showing significant deterioration. The top surface is heavily stained with brown and orange rust, particularly along a horizontal crack that runs across the width of the beam. The concrete appears pitted and eroded. A red-bordered text box is overlaid on the upper left portion of the image.

Deteriorating T-Beam
Concrete pieces may fall
and damage vehicles below.

2015/05/20 6:08 am

**CITY OF BLOOMINGTON
CONTRACT WITH J. GILL and Company
FOR LINCOLN PARKING GARAGE IMPROVEMENTS**

THIS AGREEMENT, dated this 22nd day of June, 2015, is between the City of Bloomington (hereinafter "CITY") and J. Gill and Company (hereinafter "CONTRACTOR").

WHEREAS, the CITY sought bids for the Lincoln Parking Garage Improvements on April 9, 2015; and

WHEREAS, the CONTRACTOR submitted a base bid of \$208,305 and an alternate 1 bid of \$36,960 for a combined total of \$245,265 to perform the Lincoln Parking Garage Improvements and desires to enter into a contract with the CITY to provide the services.

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 perform all services contained within the bid documents. Hereinafter, these services shall be collectively referred to as "the Work". CONTRACTOR shall complete all work no later than **September 30, 2015**.

Section 3. Incorporation of Proposal Terms. The provisions of the bid documents submitted by CONTRACTOR, 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.

Section 4. Payment & Term. For the Work performed by CONTRACTOR, the CITY shall pay CONTRACTOR as follows:

CONTRACTOR shall submit monthly invoices for its services that detail the work performed and expense. Upon receipt of a proper invoice, payment will be due 30 days thereafter. For any invoice, the CITY may require supporting documentation for items identified before making payment.

Section 5. Prevailing Wage. 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.

Section 6. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. For purposes of this Contract, any disruption in service caused or created by CONTRACTOR's failure to obtain proper permits or financial difficulties, including insolvency, reorganization and/or voluntary and involuntary bankruptcy, shall be deemed to be within CONTRACTOR'S control and shall constitute an event of default hereunder. 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.

Section 7. Indemnification. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, MCLEAN COUNTY, PUBLIC BUILDING COMMISSION of MCLEAN COUNTY, their 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 8. General Liability Insurance. CONTRACTOR shall maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, as set forth within the Invitation to Bid, with general limits shall be less than \$2,000,000.00. Certificates of insurance shall be provided and the CITY, MCLEAN COUNTY and PUBLIC BUILDING COMMISSION of MCLEAN COUNTY shall be named as an additional insured under the policy. Insurance certificates must specify that should described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

CONTRACTOR shall also maintain Umbrella Liability Coverage with limits of \$4,000,000 for each occurrence and \$4,000,000 aggregate. These limits will be excess over all underlying coverage documents and would be the minimum required.

Section 9. Performance Bond CONTRACTOR will furnish a bond to the City of Bloomington in the penal sum of **(100% of Contract Amount)** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

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

Section 10. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work.

Section 11. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 12. Compliance with Laws. CONTRACTOR and all work performed under this Contract by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 13. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 14. 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 15. 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 16. 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 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

CONTRACTOR

By: _____
Its Mayor

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____



Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

J. Gill & Company
236 E. 161st Place
Suite A
South Holland, IL 60473

SURETY:

(Name, legal status and principal place of business)

The Ohio Casualty Insurance Company
62 Maple Avenue
Keene, NH 03431

Mailing Address for Notices

The Ohio Casualty Insurance Company
Attention: Surety Claims Department
1001 4th Avenue, Suite 1700
Seattle, WA 98154

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

City of Bloomington
109 East Olive Street
Bloomington, IL 61701

BOND AMOUNT: 5% of Bid Amount

PROJECT:

(Name, location or address, and Project number, if any)

Lincoln Parking Garage Improvements #2015-55, 109 East Olive Street, Bloomington, IL 61701

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 24th day of March, 2015

J. Gill & Company

(Principal)

(Seal)

(Title) James J. Gill, President

The Ohio Casualty Insurance Company

(Surety)

(Title) G. Mark Duncan, Attorney-in-Fact

(Witness)

(Witness)

POWER OF ATTORNEY
The Ohio Casualty Insurance Company

Bond Number: _____

Principal: J. Gill & Company

Agency Name: RWC INSURANCE GROUP

Obligee: City of Bloomington

Agent Code: 128652

Know All Men by These Presents: That The Ohio Casualty Insurance Company, pursuant to the authority granted by Article IV, Section 12 of the Code of Regulations and By-Laws of The Ohio Casualty Insurance Company, do hereby nominate, constitute and appoint: G. Mark Duncan, Raymond A. Mathews of FRANKFORT, Illinois its true and lawful agent(s) and attorney(ies)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon.

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of said Company at their administrative offices in Keene, New Hampshire, in their own proper persons. The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(ies)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of said Company this 18th day of November, 2013.



David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA
COUNTY OF MONTGOMERY

On this 18th day of November, 2013 before the subscriber, a Notary Public of the State of Pennsylvania, in and for the County of Montgomery, duly commissioned and qualified, came David M. Carey, Assistant Secretary of The Ohio Casualty Insurance Company, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposes and says that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Plymouth Meeting, State of Pennsylvania, the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

Notary Public in and for County of Montgomery, State of Pennsylvania
My Commission expires March 28, 2017

This power of attorney is granted under and by authority of Article IV, Section 12 of the By-Laws of The Ohio Casualty Insurance Company, extracts from which read:

ARTICLE IV - Officers: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bond, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary.

Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of The Ohio Casualty Insurance Company effective on the 15th day of February, 2011:

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Company and the above resolution of their Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 24th day of March, 2015.



Gregory W. Davenport, Assistant Secretary



CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving an Indemnification Agreement with the Bloomington and Normal Reclamation District (BNWRD) for Relocation of the two 24” Transmission Mains in the Town of Normal at the Main Street Bridge.

RECOMMENDATION/MOTION: That the City to enter into an Indemnification Agreement with Bloomington and Normal Reclamation District, and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal #2 – Upgrade City Infrastructure and Facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective #2 – Quality Water for the Long Term and Objective #5 – Investing in the City’s future through a realistic, funded capital improvement program.

BACKGROUND:

The Illinois Department of Transportation is replacing the Main Street Bridge that crosses Sugar Creek in the Town of Normal. The City of Bloomington has two 24” transmission mains that are located under the bridge. With the bridge replacement the City of Bloomington has to relocate these two mains. The mains will need to be relocated before IDOT can start the bridge work in the summer of 2015. These transmission mains provide water from the Fort Jesse Pump Station to the underground storage reservoirs at the Division Street pump station. BNWRD owns and controls part of the property where the relocation work will be performed, and has requested that the City enter into an Indemnification Agreement. This agreement requires the City to indemnify and hold BNWRD harmless for any damages that occur as a result of the project. This is standard in the industry and the City would require such indemnification for work on its property.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen
Interim Water Director

Reviewed by: Stephen Rasmussen, Assistant City Manager

Financial & Budgetary review by: Patti-Lynn Sylva, Finance Director

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 2.

Motion: That the City to enter into an Indemnification Agreement with Bloomington and Normal Reclamation District, and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

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

The photo below is the Main Street Bridge in the Town of Normal. The Bridge will be replaced by IDOT in the spring of 2015. The two Transmission Mains are located on the North side of the bridge.



INDEMNIFICATION AGREEMENT

THIS INDEMNIFICATION AGREEMENT (“Agreement”), an intergovernmental agreement, is entered into by and between the Bloomington and Normal Water Reclamation District, a Municipal Corporation, and the City of Bloomington, a Municipal Corporation.

WHEREAS, Article VII, Section 10 of the Illinois Constitution and the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1, *et seq.*), permits and encourages local governments to enter into intergovernmental agreements to obtain or share services or to exercise, combine, or transfer powers and functions; and

WHEREAS, the Bloomington and Normal Water Reclamation District, is a Municipal Corporation established under the Sanitary District Act of 1917 (70 ILCS 2405) (hereinafter, “BNWRD”), and the City of Bloomington, a Municipal Corporation (hereinafter, “City”); and

WHEREAS, the BNWRD is the owner of certain real property located in the City of Bloomington, McLean County, Illinois in which lies certain infrastructure owned by the City, including two (2) twenty-four inch (24”) transmission lines; and

WHEREAS, as a part of a larger State of Illinois project for replacing USB51 Bridge over Sugar Creek, the City is obligated to move said transmission lines (the “Project”); and

WHEREAS, the City holds no easement grant from the BNWRD with respect to said transmission lines; and

WHEREAS, upon information and belief, the timeframe for completing the Project expires at the end of 2015, and work must be timely commenced to allow sufficient time for the Project’s completion prior to the expiration date; and

WHEREAS, the BNWRD and City deem it to be in the best interests of the BNWRD, the City, and their constituents, to allow the Project to be completed upon executing this Indemnification Agreement, upon the City providing a Certificate of Insurance bearing the limits required by the BNWRD, in addition to receiving an executed Indemnification Agreement and Certificate of Insurance from City’s Contractor for performing the work required as a part of the Project.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the BNWRD and the City agree as follows:

1. **Repair of Damages.** City, by and through its employees, agents, contractors, and subcontractors shall repair any damage to property of BNWRD resulting from, or related to completing the Project, except damages to trees, shrubs, bushes, roots or any other obstacles caused by trimming or removal; said damages, if not mutually agreed

upon, shall be ascertained by three disinterested persons, one of whom shall be selected by BNWRD and one of whom shall be selected by City, its successors or assigns, and the third by the two selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts and City shall immediately pay such damages.

2. **Indemnification of the BNWRD.** City will indemnify and save harmless the BNWRD, its trustees, employees, agents, its successors and assigns from any and every claim, demand, suit and payment in respect thereof, or in respect of any of them, with reference to personal injury to persons, or damage to the property of, the BNWRD or other persons, caused by any of the work performed as a part of, or related to, completion of the Project, and shall require its contractors and subcontractors to so indemnify, defend, and save harmless the BNWRD, its trustees, employees, agents, its successors and assigns, respecting actions of any type initiated to recover damages from any such injuries and/or damages and liability arising therefrom, including but not limited to all expenses, including court costs and attorneys' fees (whether for negotiation, trial, appellate, or other legal services) incurred by BNWRD, its trustees, employees, agents, its successors and assigns.

3. **Notices.** Any notice given pursuant hereto shall be in writing and shall either be personally delivered, sent by recognized overnight courier or by verified facsimile transmission. If to BNWRD, notice shall be given to its Executive Director, and forwarded to 2015 W. Oakland Avenue, Bloomington, Illinois 61701. If to the City, notice shall be given to its City Manager, and forwarded to 109 E. Olive Street, Bloomington, Illinois 61701.

Any notice (i) personally delivered shall be deemed to have been given upon such delivery or refusal of delivery, (ii) sent by overnight courier shall be deemed given on the next business day after depositing with said courier, or (iii) given by verified facsimile shall be deemed given upon the date of verification of said transmittal.

4. **Section Headings.** The Section Headings in this Agreement are for convenience only; they form no part of this Agreement and shall not affect its interpretation.

5. **Construction.** The parties acknowledge and agree that (i) each party and its counsel have reviewed the terms and provisions of this Agreement and have contributed to its revision, (ii) the normal rule of construction, to the effect that any ambiguities are resolved against the drafting party, shall not be employed in the interpretation of this Agreement, and (iii) the terms and provisions of this Agreement shall be construed fairly as to all parties hereto and not in favor of or against any party, regardless of which party was generally responsible for the preparation of this Agreement.

6. **Miscellaneous.** This Agreement shall in all respects be governed by, and enforced and interpreted in accordance with, the laws of the State of Illinois. This Agreement constitutes the entire agreement between the parties hereto, supplanting any prior written or verbal agreement with respect to completion of the Project on BNWRD

property.

7. **Effective Date.** This Agreement shall be effective when executed by the BNWRD and the City.

IN WITNESS WHEREOF, the Bloomington and Normal Water Reclamation District has authorized and caused this instrument to be executed in its corporate name by its Executive Director, and the City of Bloomington has caused this instrument to be executed in its corporate name by its Mayor under the attestation of its City Clerk and its corporate seal to be affixed, all in duplicate originals.

BLOOMINGTON/NORMAL WATER
RECLAMATION DISTRICT:

Executive Director

Date

CITY OF BLOOMINGTON:

ATTEST

Its Mayor

City Clerk

Date



CONSENT AGENDA ITEM NO. 7J

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving an ordinance approving Case No. Z-03-15 Rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for the property at 315 N Prairie Street.

RECOMMENDATION/MOTION: That the Council approve an ordinance approving Case Z-03-15 for the rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for land located 315 N Prairie Street.

STRATEGIC PLAN LINK: The rezoning is linked to Goal 3, Grow the Local Economy and Objective D, Expanded Retail Businesses.

STRATEGIC PLAN SIGNIFICANCE: The rezoning will facilitate the objective of expanded retail businesses by allowing a new nonprofit business to operate in a building that has been vacant in recent years.

BACKGROUND:

N. Prairie Historical Synagogue desires the rezoning to enable the building to be used as a community center. The historic zoning and character of the building will be maintained. The building has been vacant recently but had been used as a residence. Originally it was constructed as a Jewish synagogue. With the change in use the Zoning Ordinance requires off-street parking for the site yet most of the site is occupied by the building. Little if any land is available for onsite parking. With a change to the B-3 zoning, no parking is required.

The subject property has three adjacent sites all with B-3 zoning. The adjacent property uses include a temple, churches and a school administration building which are all compatible with a community center and other B-3 uses.

If approved the rezoning will remove a "spot zone." Generally zoning districts should contain more than one parcel. This is to create more compatible land uses and cohesive neighborhoods.

PLANNING COMMISSION

This case was before the Planning Commission for a public hearing and review on May 27, 2015. Staff explained how the rezoning is compatible with the nearby land uses. The petitioner explained the intentions for the property including preserving the historic character of the building. No one else from the public spoke regarding the petition. The Planning Commission voted to recommend approval of the rezoning by a vote of 8-0. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 49 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

FINANCIAL IMPACT:

If the rezoning is approved, there could be a slight increase in sales tax for the city as materials are purchased for renovations.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

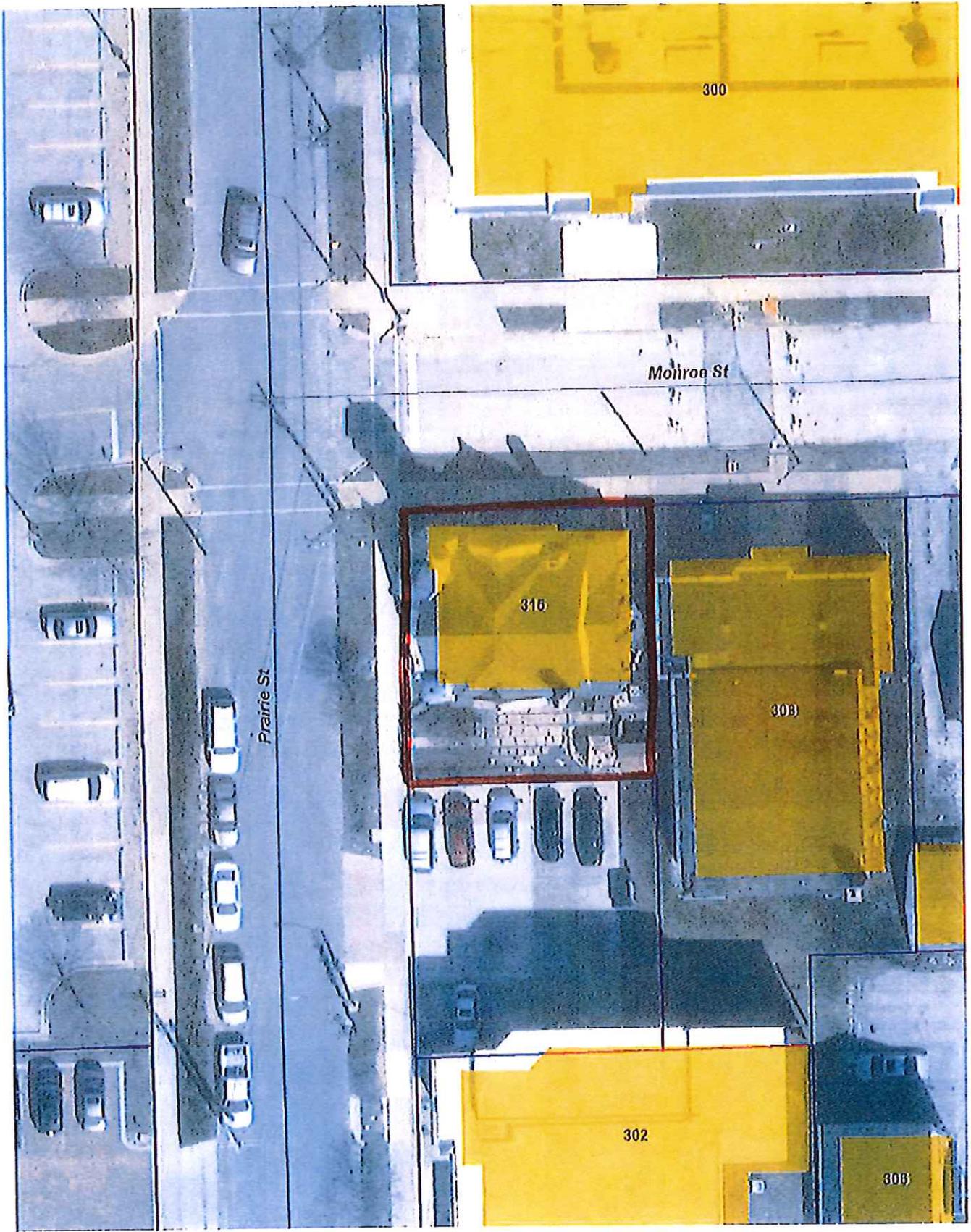
Attachments:

- Aerial Photograph
- 5-27-15 Planning Commission Minutes
- Planning Commission Report for 5-27-15 meeting
- List of Property Owners Notified of Public Hearing
- Map of Parcels Where Owners Notified of Public Hearing
- Zoning Map of Subject Property and Nearby Parcels
- Photographs of Subject Property and Nearby Properties

Motion: That the City Council approve an ordinance approving Case Z-03-15 rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for land located 315 N Prairie Street.

Motion: _____ Seconded by: _____

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



 315 N. PRAIRIE: SITE OF REZONING PETITION

SUBJECT PROPERTY - NORTH ELEVATION



**VIEW OF ADJACENT PROPERTY TO
EAST OF SUBJECT PORPERTY**



VIEW TO NORTH FROM SUBJECT PROPERTY



**VIEW OF ADJACENT PROPERTY
NORTH OF SUBJECT PROPERTY**



VIEW TO WEST FROM SUBJECT PROPERTY



**UNAPPAROVED MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MAY 27, 2015, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Diamond, Mr. Pearson, Mr. Protzman, Ms. Schubert, Mr. Scritchlow, Mr. Stanczak, Mr. Suess

MEMBERS ABSENT: Mr. Cornell

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director
Mr. Kevin Kothe, City Engineer
Mr. Mark Woolard, City Planner

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

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

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the May 13, 2015 minutes. On page one “being” is to be deleted after “Hotel Drive needs to be”. Three sentences later “condition” is to be “conditioned”. On page two “they” is to be deleted after the first “401”. In the next paragraph “and no one spoke” is to be added after “petition”. Mr. Pearson moved to approve the May 13, 2015, minutes. Mr. Scritchlow seconded the motion which passed by a vote of 9-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Ms. Schubert-yes; Mr. Suess-yes.

REGULAR AGENDA:

Z-03-15. Public hearing and review on the petition submitted by N. Prairie St. Historical Synagogue requesting the approval of a rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for the property located at 315 N. Prairie Street.

Chairman Stanczak introduced the case. Mr. Woolard identified the location, the adjacent zoning and land uses. He explained the rezoning is consistent with the Comprehensive Plan. He explained the B-3 and proposed land uses are compatible with the adjoining uses. Three adjacent sites also have the B-3 zoning. The B-3 zone does not require parking and the site cannot accommodate parking as required in the B-2 zone. No change is proposed to the existing S-4, Historic Preservation overlay zoning. He said staff supports the request. Mr. Suess questioned how the property was zoned B-2. Mr. Balmer explained there was at one point an intention to having a resident and a business. The zoning made sense because of the other nearby zoning.

Chairman Stanczak opened the public hearing. Leslie Maurer, 402 Thicket Point, Normal, was sworn in. She stated she is the owner of the building. She said she is trying to make the building

into a community center. She wants it used by and enjoyed by the public. The rezoning will help to not need a variance for parking. The neighbors are helping with all the parking she needs. The Second Presbyterian Church and PNC Bank will let her use their parking lots. She is also pursuing national landmark status because this is an important piece of Bloomington's history. The building will be used for girl scouts, weddings, parties, business meetings, art, community events and art or other educational classes.

Chairman Stanczak asked if there was anyone in opposition, in favor or had questions regarding the petition and no one spoke. Chairman Stanczak closed the public hearing.

Mr. Balmer moved in regards to Z-03-15 for 315 N. Prairie Street that we recommend to the City Council that the request be approved as written. Mr. Diamond seconded the motion which passed by a vote of 8 to 0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett-yes; Mr. Balmer-yes; Mr. Protzman-yes; Ms. Schubert-abstain; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Mr. Suess-yes.

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
MAY 27, 2015**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-03-15 315 N. Prairie Street	Rezoning from B-2, General Business District with S-4 Historic Preservation to B-3, Central Business District with S-4 Historic Preservation	Mark Woolard City Planner

REQUEST

The petitioner is seeking a rezoning from B-2, General Business District with a S-4 Historic Preservation overlay to B-3, Central Business District with a S-4 Historic Preservation overlay.

NOTICE

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

GENERAL INFORMATION

Owner and Applicant: N. Prairie St. Historical Synagogue

PROPERTY INFORMATION

Existing Zoning: B-2, General Business District with a S-4 Historic Preservation overlay
 Existing Land Use: Vacant former synagogue building
 Property Size: 3360 square feet
 PIN: 21-04-266-001

Surrounding Zoning and Land Uses

Zoning

North: S-2, Public Lands and Institutions District
 South: B-3, Central Business District
 East: B-3, Central Business District
 West: B-3, Central Business District

Land Uses

School Administrative Building
 Masonic Lodge
 Church.
 Church

ANALYSIS

Submittals

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

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

Project Description

The petitioner desires to change the B-2 zoning to a B-3 zoning to enable the conversion of the building to a community center while maintaining the historic character of the building. The building has been recently vacant but had been used as a residence. Originally it was constructed as a Jewish synagogue. With the change in use the Zoning Ordinance requires off-street parking for the site yet most of the site is occupied by the building. Little if any land is available for onsite parking. With a change to the B-3 zoning, no parking is required. Parking is not required in this district because the downtown has several parking garages as well as street parking.

Compliance with the Comprehensive Plan

The property is designated Government/Institutional in the Comprehensive Plan. The Comprehensive Plan does not have a specific category just for downtown nor prescriptive uses for all categories. The Land Use Plan in Chapter five does have the Government/Institutional and Neighborhood Commercial categories. The plan has areas throughout the downtown that have both of these classifications. It also has an objective for the downtown as, "A combination of mixed and multiple uses which include government and public services, cultural attractions, commerce, professional services, and residences". Thus even though Government/Institutional might seem to be more in line with a S-2, Public Lands and Institution District, either of the two categories in the plan are appropriate for a B-3 zone. In fact the property directly to the west of the subject site has a church in a B-3 District even though the Comprehensive Plan designates the site as Government/Institutional.

Nearby Zoning and Land Uses

The subject property has three adjacent sites all with B-3 zoning. The adjacent property uses, such as the churches are compatible with a community center and other B-3 uses.

If approved the rezoning will remove a "spot zone." Generally zoning districts should contain more than one parcel. This is to create more compatible land uses and cohesive neighborhoods.

FINDINGS OF FACT

The Zoning Ordinance has "*Zoning Map Amendment Guidelines*" and by states, "*In making its legislative determination to zone or rezone property to a B-3 Central Business District, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The relationship of the subject property to the City's transportation systems and the impact the permitted uses would have upon these systems. Potential conflicts between pedestrians and motorized traffic are a major concern;*

Traffic should not have a significant impact because the downtown street grid network can disperse traffic throughout the downtown area.

2. *The extent to which surrounding zoning and land usage provides adequate transition from this intense business use to uses of lesser intensity;*

Most of the surrounding zoning is identical to the proposed zoning. The nearby land uses are very compatible with other B-3 land uses.

3. *The potential impact the uses authorized in the district would have upon any existing or permitted uses, especially residential, in the surrounding area;*

There should be little or no impact from the B-3 land uses since there are other business or institutional uses between the subject site and residential uses.

4. *The extent to which the proposal is a logical extension of the Bloomington Central Business District and its conformance with the Official Comprehensive Plan or any applicable development plans and the Official Map;*

The proposed B-3 District is a logical extension of the district because so much of the nearby land is already B-3. The rezoning will be in conformance with the intent of the Official Comprehensive Plan.

5. *The capacity of existing and proposed community facilities and utilities, including water and sewer systems, to serve the permitted uses which might lawfully occur on the property so zoned;*

The capacity of the existing utilities is adequate to serve the new land use associated with the proposed change.

6. *The adequacy of public services, including police and fire protection, serving the property and the impact the permitted uses would have upon these services;*

The site will be adequately served by public services for the permitted uses in the B-3 district.

7. *The impact any natural disasters, including flooding, would have upon the permitted uses;*

The impact of a natural disaster would not be significantly different with this change in zoning.

8. *The impact the permitted uses would have upon the environment including noise, air, and water pollution. (Ordinance No. 2006-137)*

Since the site is relatively small there will be not be any significant impact upon the environment.

STAFF RECOMMENDATION:

Since the requested zoning change is compatible with surrounding land uses and zoning, and based on the above findings staff recommends the Planning Commission pass a motion recommending that the City Council rezone the property in Case Z-03-15 from B-2, General Business District with a S-4 Historic Preservation overlay to B-3, Central Business District with a S-4 Historic Preservation overlay, for the property located at 315 N. Prairie Street.

Respectfully submitted,

Mark Woolard
City Planner

RANDY BUTTS
% EXCEL PO BOX 594
NORMAL, IL 61761-0594

AREBIN LLC
% JEFFREY AUGSBURGER 1600 HUNT DR S
NORMAL, IL 61761-6163

STATE FARM MUTUAL AUTO INS
1 STATE FARM PLAZA
BLOOMINGTON, IL 61701

SASIL PROPERTEIS LLC
1020 LONGMEADOW LN
WESTERN SPRINGS, IL 60558-2108

SASIL PROPERTIES, LLC
1020 LONGMEADOW LN
WESTERN SPRINGS, IL 60558-2108

DANIEL HARMS
107 PARKVIEW DR
BLOOMINGTON, IL 61701-2035

CITY OF BLOOMINGTON
109 E OLIVE ST
BLOOMINGTON, IL 61701-5217

CITY OF BLOOMINGTON
109 E Olive St
Bloomington, IL 61701-5217

ALLIED PROPERTIES LLC
1306 E WASHINGTON ST
BLOOMINGTON, IL 61701

SMITH FAMILY PARTNERSHIP LP
1308 CROSS CREEK RD
MAHOMET, IL 61853-3724

ROSS FERRARO
14315 W MAUNA LOA LN
SURPRISE, AZ 85379-5798

WILLIAM EDWARDS
15577 CRESTWICKE DR
BLOOMINGTON, IL 61704-5419

BRIAN T & TRACY H RILEY
205 WILLARD AVE
BLOOMINGTON, IL 61701

CHAD SEEMAN
208 PRAIRIE RIDGE DR
LEXINGTON, IL 61753-4509

WILLIAM C WAGNER
211 N PRAIRIE ST
BLOOMINGTON, IL 61701-4031

BOKAT INC
226 E MARKET ST
BLOOMINGTON, IL 61701

JERRY L RAY
22642 STATE ROAD 37 N
NOBLESVILLE, IN 46060-6955

% SCHROF COMPANIES CARL SCHROF
2303 E WASHINGTON ST
BLOOMINGTON, IL 61704-4438

DALE S STRASSHEIM
24843 NIGHTHAWK RD
HUDSON, IL 61748-7508

JOAN R MILES-JONES
2504 Piney Run
Bloomington, IL 61705-6448

FRONTIER COMMUNICATIONS CORP
3 HIGH RIDGE PARK
STAMFORD, CT 06905

BOARD OF EDUCATION ESC
300 E MONROE
BLOOMINGTON, IL 61701

AF & AM BLOOMINGTON LODGE #43
302 E JEFFERSON ST
BLOOMINGTON, IL 61701-4015

HOUSE OF PRAYER NO 6 APOSTOLIC
CHURCH OF GOD
303 E MONROE ST
BLOOMINGTON, IL 61701

SECOND PRESBYTERIAN CHURCH
313 N EAST ST
BLOOMINGTON, IL 61701-4004

BRADLEY S BEARD
360 W Broadway St
Roseville, IL 61473-9576

AMY M WITZIG
401 E MONROE ST
BLOOMINGTON, IL 61701-4029

NORTH GRIDLEY HILL CONDO ASSOC
401 N GRIDLEY ST
BLOOMINGTON, IL 61701

BERNICE FISHEL
402 E Market St
Bloomington, IL 61701-4044

ETHEL MURRAY
404 E MARKET ST
BLOOMINGTON, IL 61701-4044

CANDACE L COLBUM
408 E MONROE ST APT 1
BLOOMINGTON, IL 61701-4090

SABRINA ZREKAT
408 N MCLEAN ST
BLOOMINGTON, IL 61701-4046

TEQUILA J GUNN
409 E MARKET ST
BLOOMINGTON, IL 61701-4043

ARTHUR L VALEU
409 E MONROE
BLOOMINGTON, IL 61701

BRANDON KENIFIC
411 E MARKET ST
BLOOMINGTON, IL 61704

% MIKE MANNA ZCV3 LLC
419 N MAIN ST #B
BLOOMINGTON, IL 61701-3915

MIKE MANNA
419 N MAIN ST STE B
BLOOMINGTON, IL 61701-3915

HARVEY REED
422 W 96TH PL
CHICAGO, IL 60628

THOMAS WELLS
501 N PRAIRIE ST
BLOOMINGTON, IL 61701-4034

MICHAEL GILLMAN
6502 N SAINT LOUIS AVE
LINCOLNWOOD, IL 60712-3833

JOHN P FINLEY
671 CANYON CREEK RD
NORMAL, IL 61761-9577

EDWARD BEASLEY
PO BOX 1732
DECATUR, IL 62525-1732

COSTIGAN & WOLLRAB PC
PO BOX 3127
BLOOMINGTON, IL 61702-3127

%MARVIN F POER & CO PNC REALTY
SERVICES
PO Box 52427
Atlanta, GA 30355-0427

CITY OF REFUGE MINISTERIE
PO BOX 866
BLOOMINGTON, IL 61702-0866

SMITH FAMILY PARTNERSHIP LP
1308 CROSS CREEK RD
MAHOMET, IL 61853-3724

DANIEL HARMS
107 PARKVIEW DR
BLOOMINGTON, IL 61701-2035

JOHN P FINLEY
671 CANYON CREEK RD
NORMAL, IL 61761-9577

BRIAN T & TRACY H RILEY
205 WILLARD AVE
BLOOMINGTON, IL 61701

CANDACE L COLBUM
408 E MONROE ST APT 1
BLOOMINGTON, IL 61701-4090

EDWARD BEASLEY
PO BOX 1732
DECATUR, IL 62525-1732

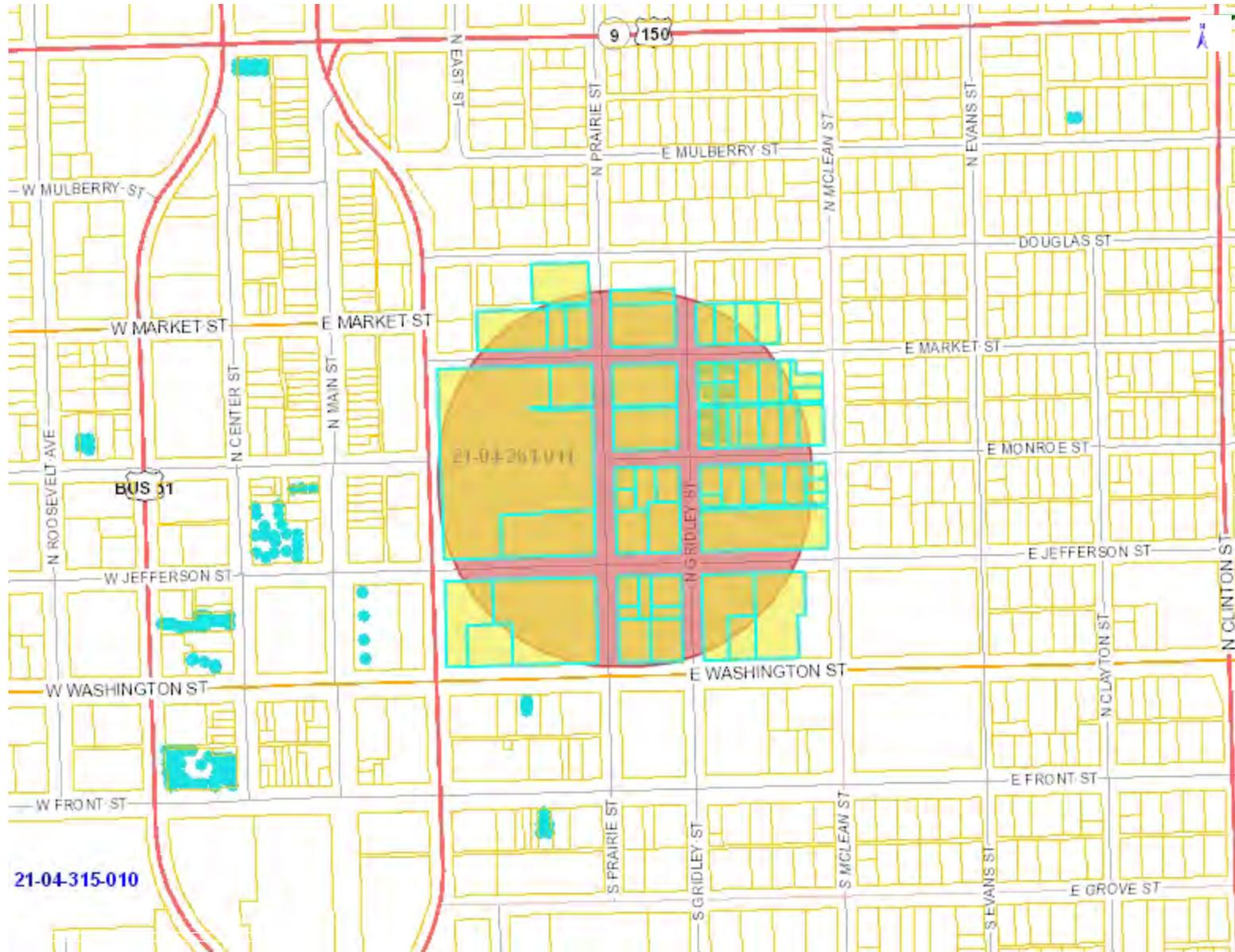
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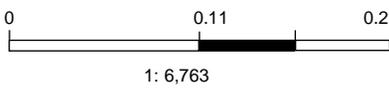
TEQUILA J GUNN
409 E MARKET ST
BLOOMINGTON, IL 61701-4043

STATE FARM MUTUAL AUTO INS
1 STATE FARM PLAZA
BLOOMINGTON, IL 61701



Legend

- Parcels
- Condo_Improve
- Interstates
- US_Highways
- State_Highways
- County_Highways
- Minor_Arterial
- Major_Collector
- Minor_Collector
- Local_Road_Street
- Alleys
- Private_Streets
- Railroad
- County



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

Notes

Properties Where Owners Notified - Within 500' of 315 N Prairie

EXHIBIT A

James White Addition N 60' W56 45

PIN 21-04-266-001

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 N. Prairie St. Historical Synagogue, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner 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 a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of B-2 with S-4 overlay; General Business District with Historic Preservation District overlay 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 petitioners hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the B-3 with S-4 overlay; Central Business District with Historic Preservation District overlay, zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from B-2 with S-4 overlay to B-3 with S-4 overlay.

Respectfully submitted,

By: David Silver
Board Member

ORDINANCE NO. _____

**AN ORDINANCE REZONING
315 N. PRAIRIE
FROM B-2 WITH S-4 OVERLAY TO B-3 WITH S-4 OVERLAY**

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

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

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

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

1. That the premises hereinafter described in Exhibit "A" shall be and the same are hereby rezoned from B-2 with S-4 overlay; General Business District with Historic Preservation District overlay to B-3 with S-4 overlay; Central Business District with Historic Preservation District overlay.
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 AND ADOPTED THIS 22nd DAY OF JUNE 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM

Jeffery R. Jurgens, Corporation Counsel

EXHIBIT A

James White Addition N 60' W56 45

PIN 21-04-266-001

FRONT OF SUBJECT PROPERTY - WEST ELEVATION





CONSENT AGENDA ITEM: 7K

FOR COUNCIL: June 22, 2015

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

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 be approved, the Mayor and City Clerk authorized to executed 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: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the request of Ian Spencer-Smith and Abby Spachman to allow moderate consumption of alcohol at their July 17, 2015 wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Asst. Corporation Counsel, George Boyle, Asst. Chief Wheeler and Chief Deputy Clerk, Renee Gooderham and Jim Spachman father of Abby Spachman.

Jim Spachman father of Abby Spachman, addressed the Commission. He stated that Biaggi's would cater the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Ian Spencer-Smith and Abby Spachman to allow moderate consumption of alcohol at their July 17, 2015 wedding reception to be held at Davis Lodge be approved.

Motion carried, (viva voce).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the June 9, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

Brett Lueschen, Interim Water Director

Reviewed by:

Jeffery R. Jurgens, Corporation Counsel

Recommended by:



Tari Renner

Mayor

Attachments: Attachment 1. Request
Attachment 2: Ordinance

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 be approved, the Mayor and City Clerk authorized to executed the necessary documents.

Motion: _____ Seconded by: _____

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

ORDINANCE NO. 2015 - __

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

WHEREAS, Ian Spencer-Smith and Abby Spachman are planning to hold their wedding reception at Davis Lodge from 5:30 p.m. to 9:30 p.m. on July 17, 2015; and

WHEREAS, Ian Spencer-Smith and Abby Spachman 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, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with 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 for the duration of the wedding reception at Davis Lodge on July 17, 2015 under the conditions set forth in the rental agreement.

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

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 1960 Illinois Constitution.

PASSED this 22nd of June 2015

APPROVED this day of June, 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM

Jeffery R. Jurgens, Corporation Counsel

answer questions for the Commission. At that time I will talk to him about how the item will appear for Council.

Thanks,

Andrew Coffey
Support Staff IV
City Clerk's Office
(309) 434-2240

[CityBLM.org](#) - [Facebook](#) - [Twitter](#) - [YouTube](#)

-----Mary Spencer-Smith <maryspencersmith@me.com> wrote: -----

To: "acoffey@cityblm.org" <acoffey@cityblm.org>
From: Mary Spencer-Smith <maryspencersmith@me.com>
Date: 05/08/2015 01:22PM
Subject: Rehearsal Dinner 7/17/15 Davis Lodge

Hello Andrew

Elizabeth Coon contacted me from Biaggis Restaurant and told me that I needed to forward to you information regarding our future Rehearsal Dinner.

We are having a Wedding Rehearsal Dinner at Lake Bloomington Davis Lodge Friday 5:30 to 9:30 pm July 17 2015.

Biaggis is catering for us.

We are having only wine & beer--no open bar.

We will have approximately 120 guests

The bride is Abby Spachman (309)2611892
The groom is Ian Spencer-Smith (818)4151592
Mother of the groom: Mary Spencer-Smith (818)3140977
Father of the bride: Jim Spachman (309)261-1890

We live in California, but Jim Spachman has told me that if you need someone to come in in person he would be happy to do it for wine/beer approval at the Davis Lodge.

Thank you so much

Mary L Spencer-Smith

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CONSENT AGENDA ITEM: 7L

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Birthday Celebration 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 Birthday Celebration at Davis Lodge be approved, the Mayor and City Clerk authorized to executed 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: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the request of Beth Laakman-Schaumburg to allow moderate consumption of alcohol at her husband’s birthday party on July 17, 2015 at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Asst. Corporation Counsel, George Boyle, Asst. Chief Wheeler and Chief Deputy Clerk, Renee Gooderham and Beth Laakman-Schaumburg.

Beth Laakman-Schaumburg, addressed the Commission. She stated that Time Past would cater the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Beth Laakman-Schaumburg to allow moderate consumption of alcohol at her husband’s birthday party on July 17, 2015 at Davis Lodge be approved.

Motion carried, (viva voce).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the June 9, 2015 Meeting of the Liquor Commission was placed on the City’s web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:
Reviewed by:

Brett Lueschen, Interim Water Director
Jeffery R. Jurgens, Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1: Request
Attachment 2: Ordinance

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 Birthday Celebration at Davis Lodge be approved, the Mayor and City Clerk authorized to executed the necessary documents.

Motion: _____ Seconded by: _____

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

ORDINANCE NO. 2015 - __

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A BIRTHDAY CELEBRATION AT DAVIS LODGE

WHEREAS, Beth Laakman-Schaumburg is planning to hold her husband's birthday party at Davis Lodge from 5:30 p.m. to 11:00 p.m. on July 10, 2015; and

WHEREAS Beth Laakman-Schaumburg has 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, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with 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 for the duration of the birthday party at Davis Lodge on July 10, 2015 under the conditions set forth in the rental agreement.

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

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 1960 Illinois Constitution.

PASSED this 22nd of June 2015

APPROVED D this _____ day of June, 2015.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

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

APPROVED AS TO FORM:

Jeffery R. Jurgens, Corporation Counsel

From: Beth Laakman-Schaumburg <blaakmans@gmail.com>
To: acoffey@cityblm.org

Date: Monday, June 01, 2015 09:31PM
Subject: Davis Lodge July10 2015

Mr. Coffey,

My daughter, Meredith Husnik, contacted you about our request to rent the Davis Lodge at Lake Bloomington for my husband's 60th birthday. The following are the details that you requested

- Date and time of event
Friday, July 10 5:30-11pm
- Location of event
Davis Lodge at Lake Bloomington
- If the event location has been reserved
Yes
- Contact names, phone numbers and email addresses
Beth Laakman-Schaumburg blaakmans@gmail.com
Brian Schaumburg 309-723-6423 bpsfarm@maxwire.net
Meredith Husnik 309-531-0214 meredith.husnik@gmail.com
- Contact information for any other individual representing the organizers
none
- Number of guests expected
134 persons will be invited but do not anticipate that number will attend
- Name of catering business that has been selected.
Times Past Inn

I will be attending the Liquor Commission meeting June 9 at 4pm at City Hall in the Council Chambers. Please advise me if there is something I should prepare in advance to this meeting or if you need more information.

Your assistance in this matter is greatly appreciated.

Sincerely,
Beth Laakman-Schaumburg

Websense: Click [here](#) to report this email as spam.



CONSENT AGENDA ITEM NO. 7M

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 2, Block 26 of Camp Potawatomie, from Emma Lou Steffen Trust to John & Laura Dirks.

RECOMMENDATION/MOTION: That the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: The sewage disposal system inspection was completed in May 2015. The septic system appears to be functioning normally. The septic tank does not need to be pumped but should be checked regularly. The age of the sewage disposal system is over twenty-five (25) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$974.06 per year in lease income. This lake lease income will be posted to Lake Maintenance-Lease Income Account (50100140 – 57590). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds & Capital Improvement Program” on page 104.

Respectfully submitted for Council consideration.

Prepared by: Connie Fralick, Office Manager

Reviewed by: Brett Lueschen, Interim Water Director

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Maps

Motion: That the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

MEMO

TO: Connie Fralick, Water Dept.
FROM: Andrew Coffey, Support Staff IV
DATE: May 28, 2015
SUBJECT: Lake Bloomington Lease Transfer

A Petition and Lake Lease Transfer request has been submitted for Lot 2 in Block 26 in Camp Potawatomie, from Emma Lou Steffen Trust to John & Laura Dirks. Attached please find the Lake Lease Transfer documents.

EAV for this property is \$243,515.00. The Lake Lease is currently at a 0.15 rate, generating \$365.27 in revenue. The lake lease rate will change to 40 cents per \$100 EAV, generating \$974.06 in revenue. The PIN number is 07-12-205-002.

Please prepare a Council memorandum for the June 22, 2015 meeting. The deadline for this meeting is **Wednesday, June 10th at 12:00 pm**.

If you have any questions or require additional information, please contact the Clerk's Office.

Thank you for your prompt attention to this matter.

cc: Legal Dept.

LAKE BLOOMINGTON LEASE TRANSFER REQUEST

The following is a step by step process to be followed in order to insure a timely transfer of the lease for property at Lake Bloomington. Depending upon the time the documents are submitted to the City Clerk's Office, the existence of any problems the staff might discover, and the scheduling of Council Meetings, it could take from 2-4 weeks to process a Lake Bloomington Lease transfer.

1. Prior to submitting the Petition and Lease to the Clerk's Office, the potential lessee should have a licensed septic system installer inspect the septic system and present the septic system inspection results at the same time that the Petition and Lease is submitted to the Clerk's Office.
2. Submit the Petition, two (2) copies of the Lease, and the septic system inspection results to the Clerk's Office and pay a \$50.00 Filing Fee plus the current year's lot rental (if not already paid). Petition and Leases must have original signature(s) before they can be processed. The filing fee will increase to \$75.00 beginning May 1, 2008 and increase again to \$100.00 beginning May 1, 2009.
3. The City Clerk sends copies of all documents to the Engineering Department and Legal Department for their approval and confirmation that the lease transfer is in order and ready for council action.
4. After receiving approval from the Engineering Department and Legal Department, the City Clerk will place the Lease Transfer on the next Council Agenda for Council action.
5. After Council approval, the City Clerk will return one (1) signed lease to the Petitioner or their attorney.

PARTICULAR ATTENTION SHOULD BE PAID TO THE FOLLOWING:

1. Section 9 of the Lease pertaining to restrictions on subleasing;
2. Ordinance No. 1983-58 pertaining to prohibition of multiple ownership of Lake Bloomington Lots which prohibits any person from leasing more than one (1) parcel of land at Lake Bloomington.

If you have any questions about this matter, feel free to call us and we shall try to help you in anyway we can. Thank you very much.

Tracey Covert
Bloomington City Clerk
(309)434-2240

LAKE BLOOMINGTON LEASE TRANSFER PETITION

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

Lot 2 Block 26 of Camp Potawatomie

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

From: Emma Lou Steffen (Sellers Name)

To: John + Laura Dirks (Buyers Name)

Emma Lou Steffen

(Signatures of Seller)

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

Now comes John A. Dirks and Laura B. Dirks (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of Emma Lou Steffen (Seller) In and

to the Lease made on the (Date) _____ upon the above property, all located in McLean County, Illinois, together with all the improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said (Seller)

has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore your petitioner.

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

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

Respectfully submitted,

John A. Dirks
Laura B. Dirks

(Signature of Buyer(s))

*****W

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT 2
BLOCK 26 CAMP Potawatomie, OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title and interest of (seller) _____ in and to the premises known as Lot _____ Block _____ in Camp _____, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

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

Executed this _____ day of _____, _____.

Mayor

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the _____
day of _____,
between the City of Bloomington, a municipal
corporation, of McLean County, Illinois, hereinafter
called _____ CITY _____ and



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

WITNESSETH

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

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

Lot 2 in Block 26 in Camp Potawatomie according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.
2. TERM OF LEASE. The term of this Lease shall be for a term commencing (**cross out the one that does not apply**) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.
3. RENT.

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

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

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

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

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

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

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

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

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as

Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.

6. **SEPTIC SYSTEM.** Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.
7. **WATER.** Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.
8. **GARBAGE.** City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
9. **ASSIGNMENT.** Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
10. **RULES & REGULATIONS.** Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
11. **USE OF AND ACCESS TO LAKE.** Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
12. **TREE CUTTING.** No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
13. **DEFAULT.** If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the

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

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

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

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

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

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

City

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

Lessee Name and Mailing Address

John and Laura Dirks
24775 Nighthawk
Hudson, IL

Lessee Billing Address

John and Laura Dirks
1122 E Monroe
Bloomington, IL
61701

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

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

-Lessor-

-Lessee-

CITY OF BLOOMINGTON

By:

Its Mayor

Attest:

City Clerk

John A. Smith

Closing 4/30/15

LAKE BLOOMINGTON LEASE TRANSFER REQUEST

The following is a step by step process to be followed in order to insure a timely transfer of the lease for property at Lake Bloomington. Depending upon the time the documents are submitted to the City Clerk's Office, the existence of any problems the staff might discover, and the scheduling of Council Meetings, it could take from 2-4 weeks to process a Lake Bloomington Lease transfer.

1. Prior to submitting the Petition and Lease to the Clerk's Office, the potential lessee should have a licensed septic system installer inspect the septic system and present the septic system inspection results at the same time that the Petition and Lease is submitted to the Clerk's Office.
2. Submit the Petition, two (2) copies of the Lease, and the septic system inspection results to the Clerk's Office and pay a \$50.00 Filing Fee plus the current year's lot rental (if not already paid). Petition and Leases must have original signature(s) before they can be processed. The filing fee will increase to \$75.00 beginning May 1, 2008 and increase again to \$100.00 beginning May 1, 2009.
3. The City Clerk sends copies of all documents to the Engineering Department and Legal Department for their approval and confirmation that the lease transfer is in order and ready for council action.
4. After receiving approval from the Engineering Department and Legal Department, the City Clerk will place the Lease Transfer on the next Council Agenda for Council action.
5. After Council approval, the City Clerk will return one (1) signed lease to the Petitioner or their attorney.

PARTICULAR ATTENTION SHOULD BE PAID TO THE FOLLOWING:

1. Section 9 of the Lease pertaining to restrictions on subleasing;
2. Ordinance No. 1983-58 pertaining to prohibition of multiple ownership of Lake Bloomington Lots which prohibits any person from leasing more than one (1) parcel of land at Lake Bloomington.

If you have any questions about this matter, feel free to call us and we shall try to help you in anyway we can. Thank you very much.

Tracey Covert
Bloomington City Clerk
(309)434-2240

Real Estate Agent
Cathy Brown
309-824-1152

LAKE BLOOMINGTON LEASE TRANSFER PETITION

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

Lot 2 Block 26 of Camp Potawatomie

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

From: Emma Lou Steffen (Sellers Name)

To: John & Laura Dirks (Buyers Name)

Emma Lou Steffen

(Signatures of Seller)

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

Now comes John A. Dirks and Laura R. Dirks (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of

Emma Lou Steffen (Seller) In and

to the Lease made on the (Date) _____ upon the above property, all located in McLean County, Illinois, together with all the improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said (Seller)

has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore your petitioner.

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

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

Respectfully submitted,

John A. Dirks
Laura R. Dirks

(Signature of Buyer(s))

*****W

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT 2
BLOCK 26 CAMP Potawatomie, OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title and interest of (seller) _____ in and to the premises known as Lot _____ Block _____ in Camp _____, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

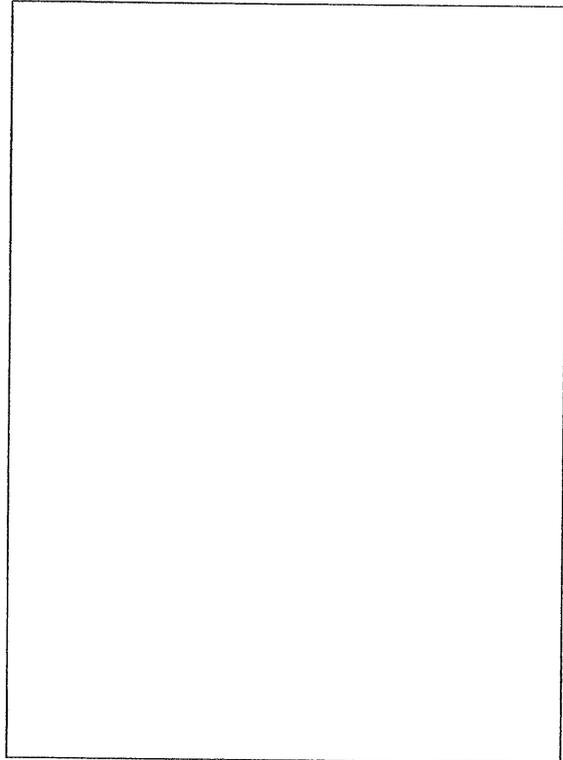
Said consent to said assignment and transfer however, is with the express understanding that the said Lessor retains all right in said leases provided, and particularly its right to the payment of any unpaid rental thereon with all legal remedies incidental thereto.

Executed this _____ day of _____, _____.

Mayor

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the _____
day of _____,
between the City of Bloomington, a municipal
corporation, of McLean County, Illinois, hereinafter
called _____ CITY _____ and



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

WITNESSETH

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

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

Lot 2 in Block 26 in Camp Potawatomie according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.
2. TERM OF LEASE. The term of this Lease shall be for a term commencing (~~cross out the one that does not apply~~) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.
3. RENT.

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

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

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

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

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

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

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

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

4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as

Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.

6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.
7. WATER. Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.
8. GARBAGE. City will provide weekly garbage service at a fee to be set by the. City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
9. ASSIGNMENT. Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
10. RULES & REGULATIONS. Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
11. USE OF AND ACCESS TO LAKE. Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
12. TREE CUTTING. No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
13. DEFAULT. If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the

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

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

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

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

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

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

City

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

Lessee Name and Mailing Address

John and Laura Dirks
24775 Nighthawk
Hudson, IL

Lessee Billing Address

John and Laura Dirks
1122 E Monroe
Bloomington, IL
61701

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

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

-Lessor-

-Lessee-

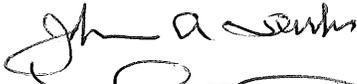
CITY OF BLOOMINGTON

By: _____

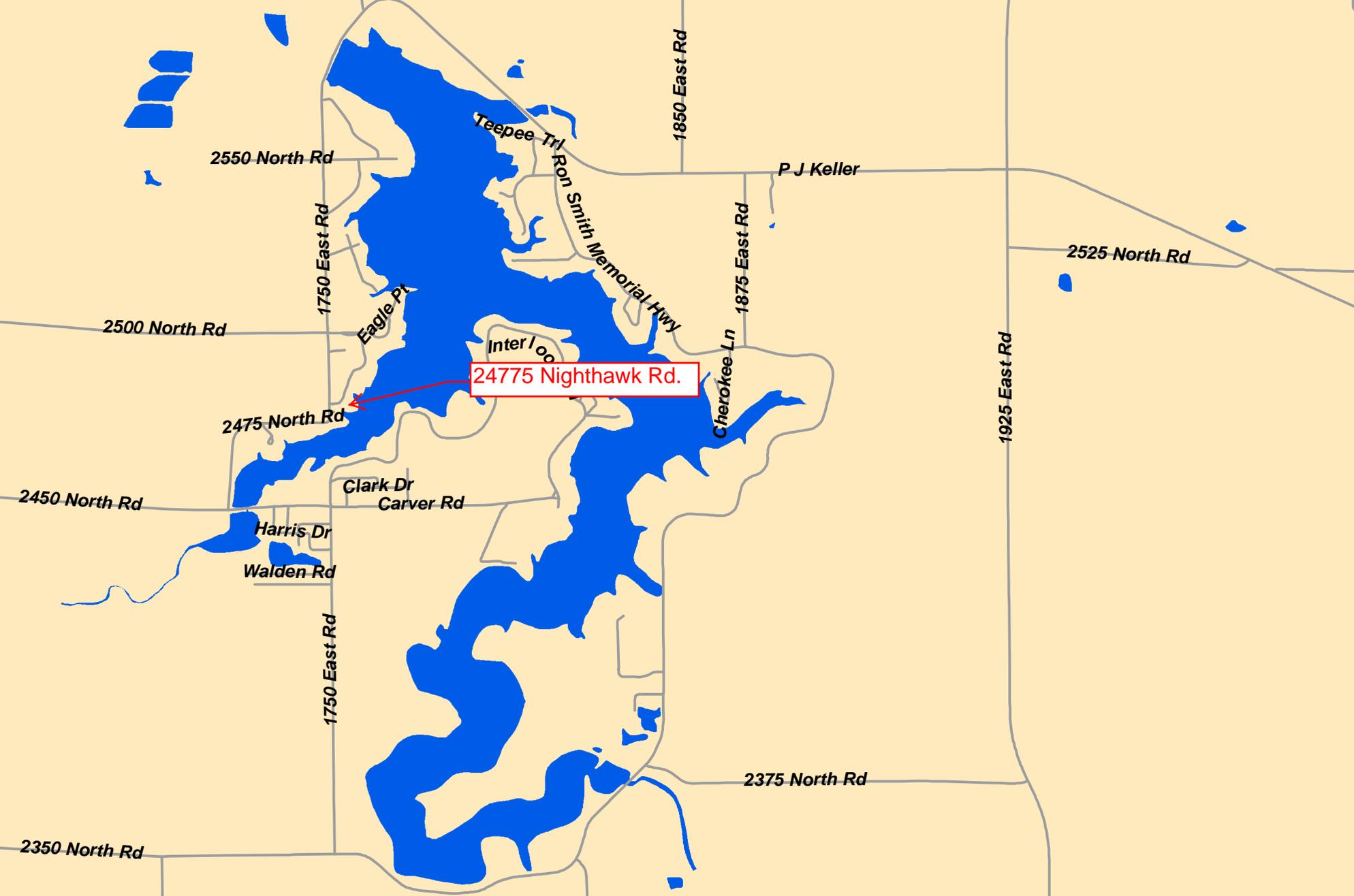
Its Mayor

Attest: _____

City Clerk







2550 North Rd

1850 East Rd

Teepee Trl
Ron Smith Memorial Hwy

P J Keller

1750 East Rd

1875 East Rd

2500 North Rd

2525 North Rd

Eagle Pt

Interloop

24775 Nighthawk Rd.

2475 North Rd

Cherokee Ln

1925 East Rd

2450 North Rd

Clark Dr
Carver Rd

Harris Dr

Walden Rd

1750 East Rd

2375 North Rd

2350 North Rd

24807

24794

Nighthawk Rd

24791

24775

24775 Nighthawk Rd
Lot: 2
Block: 26
Camp: Potawatomie



CONSENT AGENDA ITEM NO. 8A

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of denial of an ordinance for Case No. Z-04-15 requesting the approval of a Rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for the property at 1314 Fell Avenue.

RECOMMENDATION/MOTION: That the City Council uphold the recommendations of the Planning Commission to deny the adoption of an ordinance for Case Z-04-15 for the rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for land located at 1314 Fell Avenue.

STRATEGIC PLAN LINK: The denial of the rezoning is linked to Goal 4, Strong Neighborhoods and Objective A, Residents feel safe in their homes and neighborhoods, and Objective C. Preservation of property/home valuations.

STRATEGIC PLAN SIGNIFICANCE: The denial of the rezoning will facilitate the above objective A. by not increasing nuisance complaints, vandalism, congestion and traffic associated with multi-family housing. The property values of a predominately single-family neighborhood will be maintained by denying rezoning.

BACKGROUND:

RJV Properties, LLC desires the rezoning to enable the conversion of a long-vacant house to multi-family housing. The existing building is currently vacant, but more than 15 years ago it was a legal non-conforming rooming house. Legal nonconforming uses are discouraged in the Zoning Code from continuing to operate and once gone, are not permitted to return under the current code.

The property is designated low/medium density residential in the Comprehensive Plan and is inconsistent with the proposed rezoning. The existing zoning for the subject property is R-1C as well as what is to the north, south and west. Across Fell Avenue the zoning is R-1B and this is very compatible with R-1C since both districts allow single-family and do not allow multi-family. The predominate neighborhood use is single-family. The neighborhood has eight two-family and 58 single-family residences. The neighborhood contains a single 4-unit building. Thus the requested R-2 zoning district is inconsistent with the adjacent and nearby zoning and land uses.

If approved the R-2, Mixed Residence District will be a one parcel zoning district and considered a "spot zone." Generally a zoning district should contain multiple parcels. This is to create more compatible land uses and cohesive neighborhoods.

There would be a negative impact to nearby uses from a potential multi-family use on the subject property. It would alter the character of the neighborhood as a predominately single-family and secondarily two-family neighborhood. The change would result in an increase in neighborhood density and could create an increase in noise, traffic and other nuisances in the neighborhood.

PLANNING COMMISSION

This case was before the Planning Commission for a public hearing and review on May 27, 2015. Staff explained how the rezoning is incompatible with the nearby land uses and zoning as well as create a spot zone. The petitioner explained the property's recent history and his intention of having apartments for young professionals. Two citizens spoke in favor of the rezoning stating the previous use did not create neighborhood trouble. Six citizens spoke in opposition to and eight letters opposing the rezoning were submitted. Their comments pertained to the following: other apartment buildings have been converted to single-family and we should not go backward, the subject site was built as a single-family, and apartments are not in the interest of the neighborhood and there are other profitable options. Other opposing comments were the neighborhood is predominately single-family and if rezoned then one can do anything that is allowed in the R-2 District. They said it would be a spot zone, and it is not the fault of the neighborhood that the owner did not do his due diligence. Neighbors in opposition also stated the rezoning would diminish property values; harm the neighborhood history, beauty and cohesion; add traffic; and, create conflicts where renters are not attached to the neighborhood. The Planning Commission voted to recommend denial of the rezoning by a vote of 6-2. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 83 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

FINANCIAL IMPACT:

If the rezoning is denied there should be no change to city revenues.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

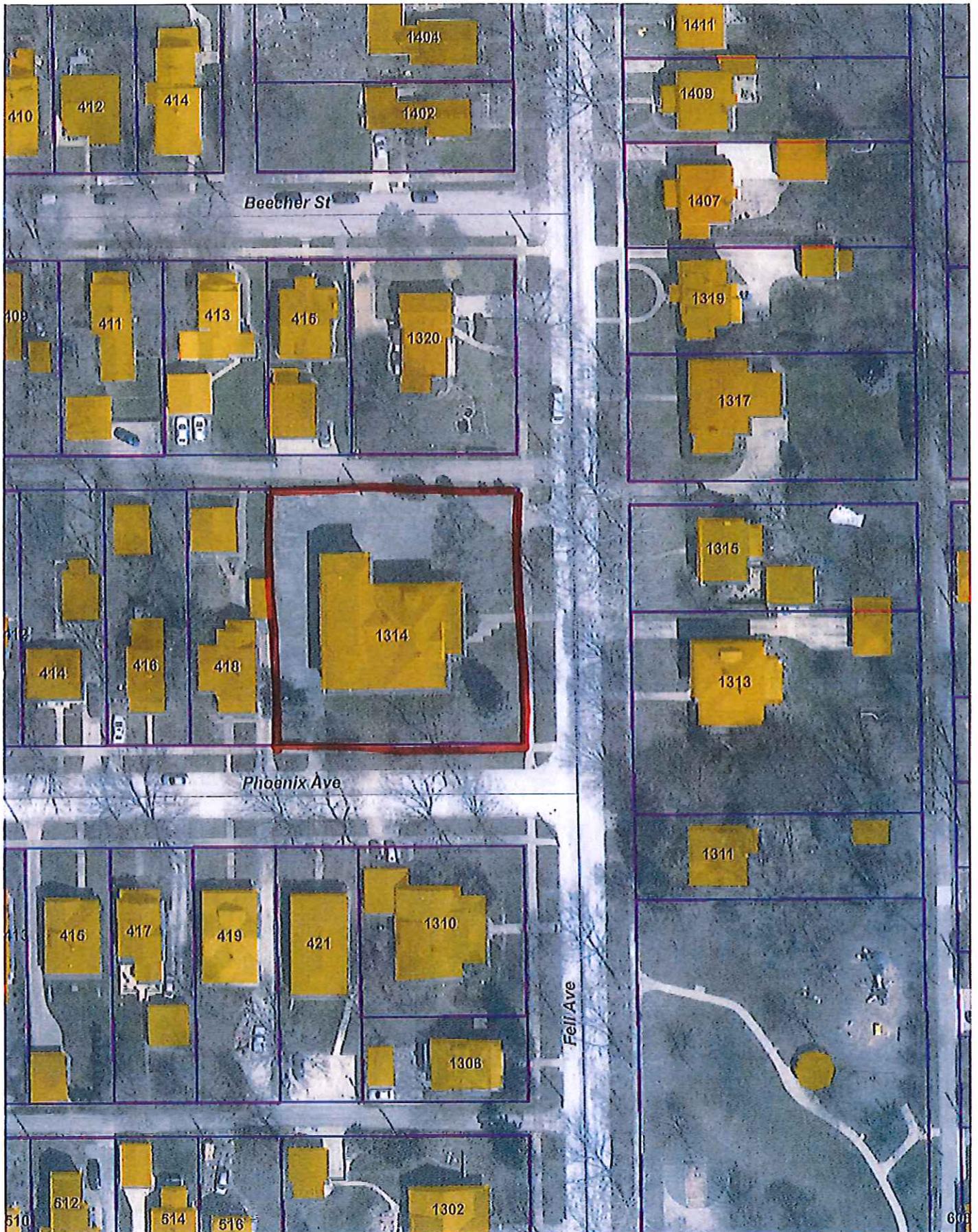
Attachments:

- Aerial Photograph
- 5-27-15 Planning Commission Minutes
- Planning Commission Report for 5-27-15 meeting
- List of Property Owners Notified of Public Hearing
- Map of Parcels Where Owners Notified of Public Hearing
- Zoning Map of Subject Property and Nearby Parcels
- Photographs of Subject Property and Nearby Properties
- Letters from Neighbors
- PowerPoint Presentation

Motion: That the City Council deny Case Z-04-15 for the rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for land located at 1314 Fell Avenue.

Motion: _____ Seconded by: _____

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



 1314 FELL AVENUE: SITE OF REZONING PETITION



SUBJECT PROPERTY - SOUTH ELEVATION ALONG PHOENIX



VIEW TO SOUTH ACROSS PHOENIX AVENUE FROM SUBJECT PROPERTY



REAR OF SUBJECT PROPERTY - WEST ELEVATION



BERKSHIRE
HATHAWAY
Suzanne King Sklar
309-663-7653
FOR LEASE
John Albee
309-275-8646

**VIEW TO
WEST FROM
SUBJECT
PROPERTY
ALONG
PHOENIX**

**VIEW TO NORTH FROM SUBJECT
PROPERTY ALONG FELL AVENUE**



From: Giovanni Testolin <giotest131@yahoo.com>
To: "mwoolard@cityblm.org" <mwoolard@cityblm.org>

Date: Wednesday, May 27, 2015 01:42PM
Subject: 1314 Fell Ave, zoning change

Dear Mr. Woolard,

I am writing to express my opposition to the zoning change request to 1314 Fell in Bloomington. Our neighborhood is by and large made up of single family homes. A change to a multi-family residence (multi-apartment) would allow a precedent to be set that few in our neighborhood are in favor of. While the builder's intentions sound good, we can never be certain of who would inhabit the building and whether it might be permitted to change to a halfway house or other kind of establishment in the future.

I believe that everyone in the neighborhood would like to support a change in the status of 1314 Fell (that is, a change from vacant home with wild animals and broken windows) and perhaps with some creative thinking and the support of grants that we are not currently aware of, that house or lot could evolve into a vibrant home or homes again. Please convey to the board that we look forward to future proposals that do not involve a multi-apartment building.

Giovanni Testolin

From: Nancy Tague/Cityblm
To: Mark Woolard/Cityblm@Cityblm, Tom Dabareiner/Cityblm@Cityblm

Date: Wednesday, May 27, 2015 12:42PM
Subject: Fw: Zoning of 1314 Fell Ave, Bloomington Il 61701

Nancy Tague
Office Manager
PACE Department
City of Bloomington, IL
309-434-2444
ntague@cityblm.org

-----Forwarded by Nancy Tague/Cityblm on 05/27/2015 12:41PM -----

To: "pace@cityblm.org" <pace@cityblm.org>
From: Kirk Ladick <kirkladick@yahoo.com>
Date: 05/27/2015 11:25AM
Subject: Zoning of 1314 Fell Ave, Bloomington Il 61701

I am writing concerning the rezoning of the property at 1314 Fell Ave. We currently own the property next door at 1320 Fell. I cannot say how against this rezoning we are. This is a family neighborhood. Lots of small children. We do not need to have a multiple apartment complex, rented out to most likely young students. Who will have party's, take up our parking and the trash. It is known that the RJV company has had properties that already have trash and problems. WE DO NOT NEED THIS IN OUR NEIGHBORHOOD. It devalues my property and would make not only us, but our neighbors have a hard time reselling if we wanted to do so. This property was even declined by Illinois Wesleyan when it was offered free as a donation because it would take too much money to repair. RJV will most likely put a "lipstick" finish to it and rent to people who would not respect this family neighborhood.

I might add that last year our home won an award from the City of Bloomington for Home Beautification. All our hard work goes down the tube if this rezoning passes. We are pleading with the zoning commission to turn down this application. I will also be calling 434-2341 with my concerns. We have been out of town dealing with a death in the family and have been unable to respond to the zoning until this time.

Sincerely,
Kirk Ladick & Lynda Krouse

Websense: Click [here](#) to report this email as spam.

From: Mary Coleman <mary.clayton.coleman@gmail.com>
To: mwoolard@cityblm.org

Date: Wednesday, May 27, 2015 11:55AM
Subject: Written Comments to the Planning Commission

Dear Mr. Woolard,

I am writing with written comments to the Planning Commission regarding 1314 Fell Avenue because I am out of town and unable to attend today's meeting. I would be very grateful if you could share my comments with the Commission members.

I am attaching my comments as a PDF and also pasting them below, in case you have trouble opening the attachment.

Thank you very much for your help.

Best,
Mary Coleman

To the Planning Commission:

My partner and I live at 1313 Fell Avenue, directly across the street from 1314 Fell Avenue. We bought our home in 2010 with the intention of raising a family here, and we now have a three-month-old daughter. We are strongly opposed to the petition for 1314 Fell to be re-zoned R-2. Our understanding is that this is one of the steps the owner is taking toward the goal of converting the property into eight rental apartments. We are strongly opposed to the property being converted into apartments. This conversion would be harmful to the neighborhood in many important ways. It would substantially increase the traffic and noise on our block of Fell. This would be detrimental not only for those of us who live on this block but also for our many neighbors who use Fell Park, which is located on our block (at the corner of Fell and University). Fell Park was designed for and is used by people of all ages, from very young children to adults. It is a great value to the neighborhood, and we would be very disappointed to see that value diminished.

We understand that the owner of the property would like to rent to "young professionals," but with Illinois Wesleyan so close by, it seems very likely that some if not all of the apartments will be rented to college students. I teach at IWU, so I know firsthand that the vast majority of IWU students are responsible, mature young adults. However, even responsible, mature college students tend to live a different lifestyle than adults with families. College students tend to come and go later at night, to have more visitors, and to be noisier than families. All of that would be detrimental to the family-friendly atmosphere of our neighborhood.

Finally, our block is part of the White Place Historic District. We understand this district was created in the 1980's in an attempt to prevent properties in the area from being converted into

rentals. Apparently, 1314 Fell was not included in the historic district because of its poor condition and because of renovations that had already been made that were not historically sensitive. Since multi-unit rental properties are very often not maintained as well as owner-occupied properties, if 1314 Fell were converted to rental apartments, this property would be likely to further erode the value of our historic neighborhood.

We strongly urge the Planning Commission to reject the petition for 1314 Fell Avenue to be rezoned R-2. Please reject this petition and protect our historic, family-friendly neighborhood.

Sincerely,

Mary Clayton Coleman

--

Mary Clayton Coleman
Associate Professor and Chair
Philosophy Department
Illinois Wesleyan University
PO Box 2900
Bloomington, IL 61702
phone: 309-556-3705
fax: 309-556-1713

Websense: Click [here](#) to report this email as spam.

Attachments:

Comments to Planning Commission.pdf

From: Laura Edwards <lcedwar@ilstu.edu>
To: "mwoolard@cityblm.org" <mwoolard@cityblm.org>
Cc: Giovanni Testolin <giotest131@yahoo.com>

Date: Wednesday, May 27, 2015 09:00AM
Subject: 1314 Fell in Bloomington -zoning change request

Dear Mr. Woolard,

I am writing to express my opposition to the zoning change request to 1314 Fell in Bloomington. Our neighborhood is by and large made up of single family homes. A change to a multi-family residence (multi-apartment) would allow a precedent to be set that few in our neighborhood are in favor of. While the builder's intentions sound good, we can never be certain of who would inhabit the building and whether it might be permitted to change to a halfway house or other kind of establishment in the future.

I believe that everyone in the neighborhood would like to support a change in the status of 1314 Fell (that is, a change from vacant home with wild animals and broken windows) and perhaps with some creative thinking and the support of grants that we are not currently aware of, that house or lot could evolve into a vibrant home or homes again. Please convey to the board that we look forward to future proposals that do not involve a multi-apartment building.

Laura Edwards
1409 Fell
Bloomington, IL 61701

827.9494

From: "McDowell, Karin (RIS-HBE)" <Karin.McDowell@lexisnexis.com>
To: "mwoolard@cityblm.org" <mwoolard@cityblm.org>

Date: Wednesday, May 27, 2015 08:59AM
Subject: 1314 Fell Ave

Dear Mark,

I'm writing regarding the property at 1314 Fell Ave. I currently reside at 1417 Fell Ave.

As an IWU alum, I'm particularly fond of the structure; I had many friends who lived there during our time at Wesleyan. But the current building is not what it once was. As a result, I'm in full agreement something should be done with the property.

I understand there's a proposal on the table to turn the building into apartments. While I'm not categorically against multi-family housing, renting or doing something with the property, I am concerned about the follow-through with the plan as outlined. I understand if the zoning variation is allowed to go through the developer could move forward and do anything within the R-2 zoning allowances.

As a resident of the block, I'd prefer to see the structure removed (since it can't be restored to its original state as a Pillsbury home), and the lot divided for two homes, consistent with the tone of the Historic District.

Please contact me if you have any questions about my opinion, as a resident of Fell Ave.

Thank you!

Karin

309-532-7766

----- The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be

From: "Kris & Eric" <anderson@telstar-online.net>
To: Mwoolard@cityblm.org

Date: Wednesday, May 27, 2015 08:55AM
Subject: Rezoning of 1314 N Fell St

Mark,
Good morning.
I am out of town in business and unable to attend the public hearing today.
I did want to reach out to you to let you know I oppose the rezoning of 1314 North Fell Street.
I recently was outside working and saw a neighbor if ours, they weren't up for the rezoning either.
Thanks for considering my thoughts on this matter.
Eric Anderson

Websense: Click [here](#) to report this email as spam.

From: shawn billo <sabillo@ilstu.edu>
To: mwoolard@cityblm.org
Cc: eric anderson <jeander@ilstu.edu>

Date: Wednesday, May 27, 2015 07:47AM
Subject: oppose rezoning 1314 N. Fell Ave

History: ↻ This message has been replied to.

Good Morning Mark -

Thank you for allowing us to have input on the proposed rezoning. We oppose the rezoning of 1314 N. Fell Ave. We are not able to attend the public hearing on May 27, but would like more info. Where can we go for more info after the public hearing?

All of the neighbors I've spoke with are not in favor of the rezoning.

Thank you,
Shawn Billo

Sarah Rundle
1315 Fell Ave
Bloomington, IL 61701
309-820-1393
serundle@gmail.com
May 26, 2015

Mark Woolard
City Planner
City of Bloomington
109 E Olive St
Bloomington, IL

Dear Mark Woolard:

I am writing in OPPOSITION to the rezoning for 1314 Fell Ave; I live at 1315 Fell Ave. I am opposed to rezoning for the following reasons:

1. IT WILL DIMINISH THE HISTORICAL APPEAL of the neighborhood. There are only a handful of these charming, historical neighborhoods left in Bloomington that haven't been altered by the addition of out of context structures and poor maintenance. By allowing spot zoning, we begin the process of altering this neighborhood. Once these historical areas are altered and slowly eroded away, they are gone. Instead, these neighborhoods need to be protected and preserved.
2. INCREASED TRAFFIC/NOISE. There are homes with young children, two school bus stops, along with a popular park for children, Fell Park, in very close proximity to the proposed rezoning site. Increased traffic is a significant safety concern. Also, the intersection of Fell Ave and Emerson Ave is a dangerous one; car accidents occur routinely. The increased traffic will aggravate this situation.
3. IT WILL LOWER MY HOME'S VALUE. A significant part of my home's appeal is the residential environment of the neighborhood. Families want to live in neighborhoods of single home residences. Allowing spot-zoning to creep in, causes families to look for other options, like subdivisions, instead of a neighborhood. The people in this neighborhood care about preserving the neighborhood's atmosphere.

Do not hesitate to contact me with any questions. I am willing to serve on a committee and/or work with the city towards implementing a plan for this site that preserves the neighborhood and its historical appeal.

The current zoning is the correct zoning for the neighborhood and the city. One bad business decision should not be "fixed" with spot zoning at the cost of the city's historical districts, neighborhoods, and residents.

Sincerely,

Sarah Rundle

**UNAPPROVED MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MAY 27, 2015, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Diamond, Mr. Pearson, Mr. Protzman, Ms. Schubert, Mr. Scritchlow, Mr. Stanczak, Mr. Suess

MEMBERS ABSENT: Mr. Cornell

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director
Mr. Kevin Kothe, City Engineer
Mr. Mark Woolard, City Planner

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

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

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the May 13, 2015 minutes. On page one “being” is to be deleted after “Hotel Drive needs to be”. Three sentences later “condition” is to be “conditioned”. On page two “they” is to be deleted after the first “401”. In the next paragraph “and no one spoke” is to be added after “petition”. Mr. Pearson moved to approve the May 13, 2015, minutes. Mr. Scritchlow seconded the motion which passed by a vote of 9-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Ms. Schubert-yes; Mr. Suess-yes.

REGULAR AGENDA:

Z-04-15. Public hearing and review on the petition submitted by RJV Properties, LLC requesting the approval of a rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for the property located at 1314 N. Fell Avenue.

Chairman Stanczak introduced the case. Mr. Woolard identified the location, the adjacent zoning and land uses. He stated the petitioner desires multi-family for the property and in the R-2 district a special use permit is required. There is only one apartment building nearby and it is a four unit. The rezoning is inconsistent with the Comprehensive Plan. The R-1B and the R-1C zones are compatible with each other and the titles are single-family residence districts. The predominant neighborhood land use is single-family residential with some two-family residences. Three adjacent sites also have the B-3 zoning. There are 8 two-family dwellings, about 60 single-family and one multi-family dwelling. If rezoned this would be a spot zone which is generally discouraged because the district should have more than one parcel as a part of the district. With more properties in the district we create more properties that are compatible with each other. Staff recommends denial. The property at 421 Phoenix is considered a nonconforming use and there are restrictions on nonconforming uses.

Chairman Stanczak opened the public hearing. Bob Vericella, 125 S. Bellemont Road, was sworn in. He stated the property was a sorority house for probably 60-70 years. He stated the current owner bought the house in 2003 and zoned it as a rooming house. He was unaware that he had to renew the rooming house license and the property got rezoned to a single-family house. He stated the owner has not done anything with it. He said in 2006 he (Mr. Vericella) tried to get it rezoned with a different use in mind and it did not work out. Since 2006 it has been sitting there. He has a purchase option on it pending the zoning. He intends to demolish the inside which is full of mold. He will put in 6-8 luxury housing for young professionals. His company owns a fair amount of property around Wesleyan and downtown and they lack young professional units. They do not plan to set it up not for students but young professionals.

Carl Teichman, of Illinois Wesleyan University, PO Box 2900, Bloomington, was sworn in. He stated they do not have any interest in the property and have no intention of owning, buying or occupying property along that historic area. He stated the university has decided to not take any position on this matter and will leave it up to the neighbors to decide.

Mr. Vericella stated when he was looking at options they decided the R-2 would be less of an impact with less density than R-3. The R-2 would have more stipulations as to what could go there. If approved, the mold would be removed right away and an architect would be brought in. They would start right away. He stated it would be very expensive to remove the building.

Katie Gronemeier, 22 Whites Place was sworn in. She stated that district has been designated a historic district. This property is on the west side of Fell and the east side has the designation. She said over the years many people have bought apartments and brought them back to single-family housing. Many have done that including like theirs where there were five apartments and now it is a single-family. The property has been vacant for a long time with mold and asbestos. It was built in 1913 as a Phillsbury single-family residence and it was that a long time before being a sorority. It is not in the best interest of the neighborhood to do this and needs to be torn down. They could make money with the three parcels. It makes no sense to go backwards when the area has worked very hard to be a single-family or a family duplex area. It makes no financial sense to anyone else who owns property there. The proposal is not consistent with the neighborhood. She identified other properties that changed to single-family residences. The property is unsafe and there are some duplexes but it is predominately single-family. Once it is rezoned anyone can go in and do what they want. There might be nice intentions now but not in ten years.

Michael E. Berkoviac, 1310 Fell, was sworn in. He does not know why Whites Place gets involved because they do not live close. They never had any trouble with parking. He said he has not seen anyone go in there or wild animals. It could be made into a beautiful home. The apartment building next to him has parking problems once in a while but they park on Phoenix which is fine. He talked to neighbors who do not have bad comments like White Place. He would be in support of the rezoning and they never had problems with the girls. He lived there for 42 years. He does not see where the professionals will bother people.

Ann Bailen, 1406 N, Clinton, was sworn in. She stated we have been here before where the same person wanted the rezoning. The entire neighborhood came together with the exception of this gentleman here and some renters on Phoenix. She said we were totally opposed to this spot zone.

She said she hired Frank Miles and it did not go anywhere. This is not to say that the building is not in terrible shape. The doctor who bought the building did not do his due diligence. He did not realize or the realtor did not tell him that he could not have multi-family there but that is not the neighborhood's fault. To go backwards and to devalue the neighborhood with spot zoning would be such an erroneous thing to do. She has lived in her house for 18 years and has sold a dozen. They have all been improved and an undesirable element of the rentals is now gone. The homes have done nothing but increase in value. Phoenix cannot be compared with Fell because that is primarily rental. The building can be restored and it will sell well or it can be a green space but to bust up the neighborhood with this zoning change is a death nail for the historic neighborhood.

Tom Petersen, 307 Seville Road, was sworn in. He stated he is Mr. Vericella's realtor for the property. He said every possible buyer who walked through the home were investors and not home buyers. The owner did not want to make contingencies but after another deal fell through he did make it contingent on the rezoning. Being a Phillipsbury home, it would be great for Mr. Vericella to revamp the property and get it back to looking good. There is no issue with the asbestos if it is not irritated.

Jackie Mitchell, 418 Phoenix Avenue, was sworn in. She stated she had difficulty in buying her house because she did not know what would happen to the former sorority house. She loved the neighborhood so she purchased the house. Now the house needs something done with it. She would love to see it tore down and a single-family built that would fit into the neighborhood. She also does not mind as much what is proposed for 6-8 units. Her huge concern is that once it is rezoned it is wide open to anything and at a later time it could go to subsidized housing, section eight, or something like that. She said she thinks at her age if she should decide to move she would have a very difficult time selling her house right behind the property.

Kathy Leverton, 1311 Fell, was sworn in. She stated that they bought their house because of the historic neighborhood and if rezoned it will destroy the history, beauty and the cohesion of the neighborhood. She would like it to stay the same and has a problem with the rezoning because we cannot go back. She would rather see the state of the property stay as is than the rezoning.

Carolyn Hoyt, 1317 Fell was sworn in. She stated did not know if the petitioner meant rentals or condos for young professionals. She questioned if his plan was the only option. We are all single-family and we want to keep it that way. She said he did not mention the price of the properties once broken up and we do not know if it would be young professional prices or something else. Someone else could leave the building standing and come up with a better proposal. Maybe it could be rehabbed with a better outcome than the undesired apartments.

Mr. Vericella said these will be rental units and he is not going to subdivide it into condos. They will be studio, one or two bedroom. Exterior asbestos can be painted and is okay if undisturbed. To tear it down you would have to contain it. The interior pipes could be encapsulated.

Travis Rundle, 1315 Fell, was sworn in. He stated he also speaks for his neighbors who could not be here. He said they are one of the newer families who moved into the neighborhood. They have three young kids and their biggest concern is about the added traffic and the apartments. They use to live next to college and young professionals and their aim was to get away from apartments where conflicts come up because they are not fully attached to the neighborhood.

When you bring in renters the sense of belonging disappears. He said they are fine with the way the building is now. They have young children and want to keep it single-family living like it is.

Chairman Stanczak closed the public hearing. He stated the Commission has received about ten emails which will be part of the record. Mr. Balmer stated he is generally in favor of repurposing properties and in housing young professionals. He only remembers spot zoning being approved when it was to be more rather than less restrictive. With a couple of exceptions there is an overwhelming opposition to the rezoning. He sees no compelling reason to change the zone, particularly with spot zoning and there are other things that can be done with the property. Mr. Scritchlow stated the new comprehensive plan discussion has been about revitalization in older neighborhoods. He said the house is vacant and something needs to be done with it and he thinks it is not economically feasible to turn it into single-family or even three houses. It does have historic significance and does not know if anything will come out of it by just letting it rot away. Mr. Diamond stated it is a cohesive neighborhood that does not want its character changed and feels a spot zone in this area is not compatible with the character of the neighborhood. He is inclined to not accept the proposal. Mr. Barnett stated he understands the impact this can take on a neighborhood but something positive needs to be done with the home and there is a need for young professional housing. He said it is more consistent with what it was as a sorority house. Mr. Pearson said something needs to be done and is in favor of it. Mr. Suess said he sees the impact that multi units have on the cohesiveness of the neighborhood. There may be alternatives and he does not see a spot zone as being an alternative. Chairman Stanczak said everyone agrees that something needs to be done to the house. The question is whether the rezoning would be the way to go and in his mind it would be a classic spot zoning. The size of the lot is at least twice the size of the adjacent lots and it could be resubdivided. He believes the rezoning is not the way to go. There was a brief discussion on what other developments can be placed on the site.

Mr. Pearson moved to accept the petitioner's rezoning on case Z-04-15 for 1314 N. Fell Avenue seeking a rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District to be submitted to the City Council. Mr. Scritchlow seconded the motion which failed by a vote of 2-6 with the following votes being cast on roll call: Mr. Scritchlow-abstain; Mr. Barnett -yes; Mr. Balmer-no; Mr. Protzman-no; Mr. Stanczak-no; Mr. Diamond-no; Mr. Pearson-yes; Ms. Schubert-no; Mr. Suess-no.

Mr. Diamond moved for case Z-04-15 for 1314 N. Fell Avenue to recommend that the City Council deny the petitioner seeking a rezoning from R-1C, to R-2, Mixed Residence District. Mr. Balmer seconded the motion which passed by a vote of 6-2 with the following votes being cast on roll call: Mr. Scritchlow-abstain; Mr. Barnett -no; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-no; Ms. Schubert-yes; Mr. Suess-yes.

Chairman Stanczak thanked everyone for coming out and sharing their opinions.

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
MAY 27, 2015**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-04-15 1314 N. Fell Avenue	Rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District	Mark Woolard City Planner

REQUEST

The petitioner is seeking a rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District.

NOTICE

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

GENERAL INFORMATION

Applicant: RJV Properties, LLC

PROPERTY INFORMATION

Existing Zoning: R-1C, Single-Family Residence District

Existing Land Use: Vacant

Surrounding Zoning and Land Uses

Zoning

North: R-1C, Single-Family Residence

South: R-1C, Single-Family Residence

East: R-1B, Single-Family Residence

West: R-1C, Single-Family Residence

Land Uses

North: Single-Family Residence

South: Single-Family & Multi-Family Residences

East: Single-Family Residence

West: Single-Family Residence

Analysis

Submittals

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

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

PROJECT DESCRIPTION

The petitioner desires the R-2 zoning to enable the conversion of the building into a multi-family building. The existing building is currently vacant. It has access to Phoenix and Fell Avenues.

Compliance with the Comprehensive Plan

The property is designated Low/Medium Density Residential in the Comprehensive Plan. This designation is inconsistent with the proposed zoning of the property.

Nearby Zoning and Land Uses

The existing zoning for the subject property is R-1C as well as what is to the north, south and west. Across Fell Avenue the zoning is R-1B and this is very compatible with R-1C since both districts allow single-family and do not allow multi-family. The predominate neighborhood uses are single-family or two-family residences. There are no multi-family residences in the immediate neighborhood with only one exception and that is on the south side of Phoenix across from the subject property. A multi-family residential building exists with four units at that location. The neighborhood has eight two-family and 58 single-family residences. Thus the requested R-2 zoning district is inconsistent with the adjacent and nearby zoning and land uses.

If approved the R-2, Mixed Residence District will be a one parcel zoning district and considered a “spot zone.” Generally zoning districts should contain more than one parcel. This is to create more compatible land uses and cohesive neighborhoods.

FINDINGS OF FACT

The Zoning Ordinance has “*Zoning Map Amendment Guidelines*” and states, “*In making its legislative determination to zone or rezone property to the R-2 Mixed Residence District zoning classification, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*”

1. *The availability of permanent open spaces including public parks, golf courses, schools, and similar such uses in proximity to the subject property;*

There is no open space change proposed in close proximity to the subject property.

2. *The distance the proposal is from primary service facilities and activity centers including schools, commercial centers, cultural nodes and place of employment;*

Illinois Wesleyan University is a major place of employment relatively close to the subject property but does not impact the zoning.

3. *The capacity of existing and proposed community facilities and utilities including water, sewer, and transportation systems to serve the permitted uses which might lawfully occur on the property so zoned;*

The capacity of community facilities and utilities are not impacted by the proposed zoning change.

4. *The relationship of the subject property to the various aspects of the City’s transportation system including pedestrian ways, bicycle paths, major and collector streets, and public transit;*

The relationship of the transportation system are not impacted by the proposed zoning change.

5. *The adequacy of public services including schools, police and fire protection, and solid waste collection serving the property and the impact the permitted uses would have upon these services;*

There may be a slight increase in police and fire calls to the site consistent with a multi-family use but overall public services are not impacted by the proposed zoning change.

6. *The potential impact existing or permitted uses in the vicinity would have upon the land uses authorized in the R-2 District and the impact such uses, if developed, would have upon existing uses in the vicinity;*

There would be a negative impact to nearby uses from a potential multi-family use on the subject property. This would increase neighborhood density and alter the character of the neighborhood as a predominately single-family and two-family neighborhood.

7. *The extent to which the proposal will promote balanced growth in the community and will be consistent with the City's goals for equal housing opportunity and a variety of housing types;*

There is a substantial amount of multi-family residences in the community and more multifamily units are not necessary in this location to achieve balanced growth.

8. *The impact any natural disasters, including flooding, would have upon the permitted uses;*

The impact of a natural disaster would not be significantly different with this change in zoning.

9. *The impact the proposal would have upon the environment including noise, air and water pollution;*

The change in zoning would result in an increase in neighborhood density and could easily create an increase in noise in the neighborhood.

10. *The conformance of the proposal to the Official Comprehensive Plan and Official Map. (Ordinance No. 2006-137)*

The proposed zoning would not be in conformance with the Comprehensive Plan.

STAFF RECOMMENDATION:

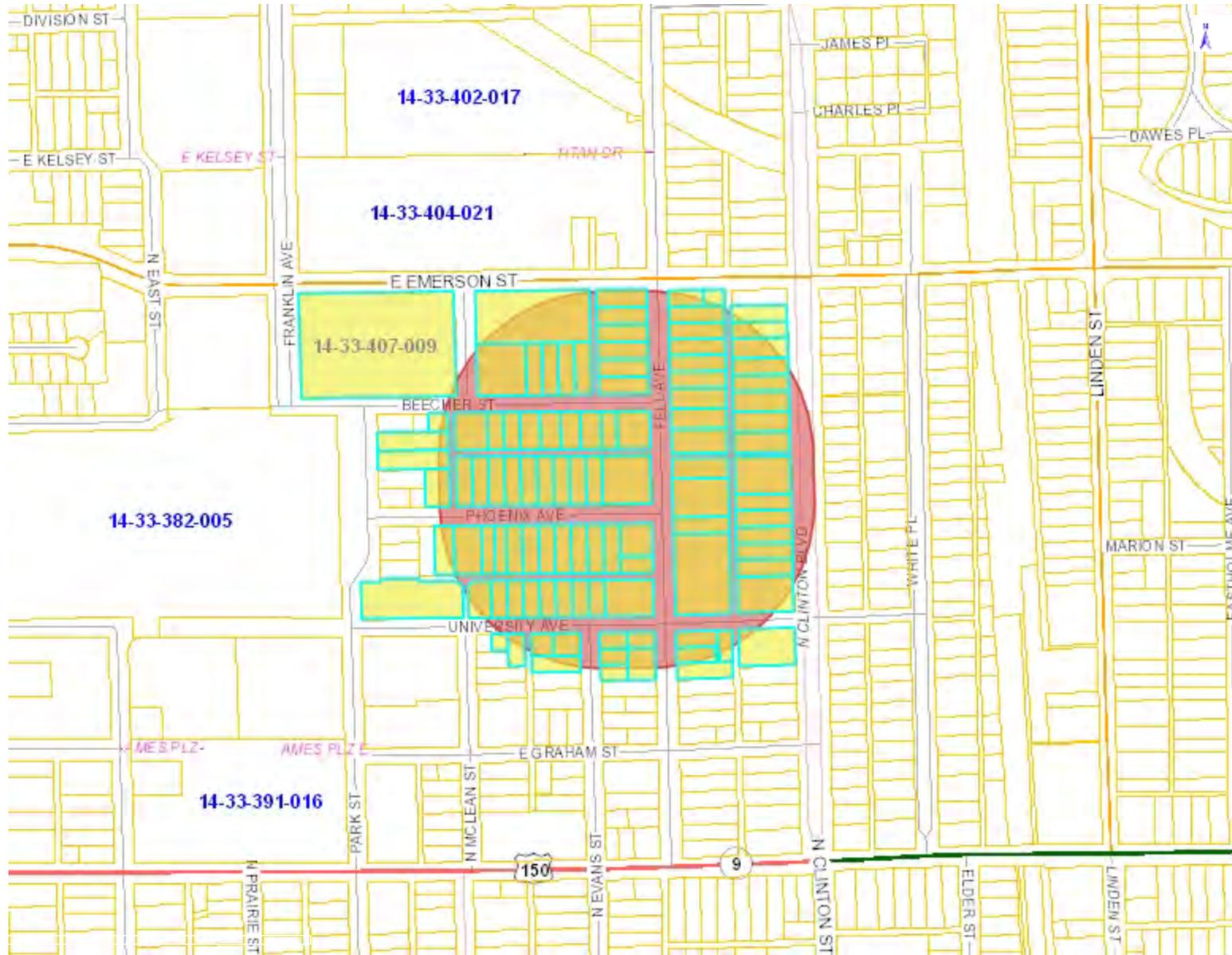
Since the requested zoning change is not compatible with surrounding land uses and zoning, is inconsistent with the Comprehensive Plan, would create a spot zone, and based on the above findings staff recommends the Planning Commission pass a motion recommending that the City Council deny the rezoning of the property in Case Z-04-15 from R-1C, Single-Family Residence District to R-2, Mixed Residence District, for the property located at 1314 N. Fell Avenue.

Respectfully submitted,

Mark Woolard
City Planner

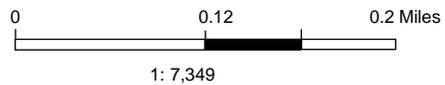


Properties Where Owners Notified - Within 500' of 1314 N Fell



Legend

- Parcels
- Condo_Improve
- Interstates
- US_Highways
- State_Highways
- County_Highways
- Minor_Arterial
- Major_Collector
- Minor_Collector
- Local_Road_Street
- Alleys
- Private_Streets
- Railroad
- County



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Notes

ATG TRUST COMPANY
1 S WACKER DR FL 24
CHICAGO, IL 60606-4654

CITY OF BLOOMINGTON
109 E OLIVE ST
BLOOMINGTON, IL 61701

JOHN DOLAN
11006 N 1900 EAST RD
BLOOMINGTON, IL 61704-5377

JOHN J DOLAN
11006 N 1900 EAST RD
BLOOMINGTON, IL 61704-5377

ROB MATTHEWS
1209 FELL AVE
BLOOMINGTON, IL 61701-1826

LAURIE A SEXTON
1209 NORTH EVANS
BLOOMINGTON, IL 61701

DIANA L NUDING
1210 FELL AVE
BLOOMINGTON, IL 61701-1827

KENDRA FUDGE
1211 FELL AVE
BLOOMINGTON, IL 61701-1826

DOUGLAS SUTTER
1211 N EVANS
BLOOMINGTON, IL 61701

NADEAU CAROLYN A SANDERS CHAD O
1212 N CLINTON BLVD
BLOOMINGTON, IL 61701

JEFFREY A & JACQUELINE A WEBER
1213 N FELL
BLOOMINGTON, IL 61701

RJV PROPERTIES LLC
125 S BELLEMONT RD
BLOOMINGTON, IL 61701-4304

ROBERT VERICELLA II
125 S BELLEMONT RD
BLOOMINGTON, IL 61701-4354

ZACH L KUHFUSS
1302 FELL AVE
BLOOMINGTON, IL 61701-1829

MICHAEL GORMAN
1304 N CLINTON BLVD
BLOOMINGTON, IL 61701-1810

DAVID MOSS
1306 N CLINTON BLVD
BLOOMINGTON, IL 61701-1810

WILLIAM F & KATHLEEN E BEHRENS
1306 N FELL AVE
BLOOMINGTON, IL 61701

SHARON ZECK
1308 N CLINTON BLVD
BLOOMINGTON, IL 61701-1810

MICHAEL E BARKOVIK M/M
1310 FELL AVE
BLOOMINGTON, IL 61701-1829

RANDEE MALONE
1310 N Clinton Blvd
Bloomington, IL 61701-1810

CATHY J LEVERTON
1311 FELL AVE
BLOOMINGTON, IL 61701-1828

THOMAS PRAHL
1312 N CLINTON BLVD
BLOOMINGTON, IL 61701-1810

MARY C & JULIA M EMIG COLEMAN
1313 FELL AVE
BLOOMINGTON, IL 61701-1828

STEVE & TERI PARKER
1314 N CLINTON BLVD
BLOOMINGTON, IL 61701-1810

TRAVIS & SARAH RUNDLE
1315 FELL AVE
BLOOMINGTON, IL 61701-1828

FREDERICK B & CAROLYN S HOYT
1317 FELL AVE
BLOOMINGTON, IL 61701-1828

KIRK A LADICK
1320 FELL AVE
BLOOMINGTON, IL 61701-1862

CHARLES W WILLIAMS
1325 E EMPIRE
BLOOMINGTON, IL 61701

WILLIAM & KELLY ALLEN
1402 CLINTON BLVD
BLOOMINGTON, IL 61701

LENORE T CLARK
1404 FELL AVE
BLOOMINGTON, IL 61701-1831

JASON & JENNIFER BOOKER SMITH
1404 N CLINTON
BLOOMINGTON, IL 61701

MEGHAN BURKE
1406 FELL AVE
BLOOMINGTON, IL 61701-1831

ANN BAILEN
1406 N CLINTON BLVD
BLOOMINGTON, IL 61701

GEORGE V WAINWRIGHT
1407 FELL AVE
BLOOMINGTON, IL 61701-1830

HANNELORE HECKMANN
1408 N CLINTON BLVD
BLOOMINGTON, IL 61701-1812

LAURA C EDWARDS
1409 FELL AVE
BLOOMINGTON, IL 61701-1830

MATTHEW J HINSHAW
1410 Fell Ave
Bloomington, IL 61701-1831

MARK P PICKERING
1410 N CLINTON BLVD
BLOOMINGTON, IL 61701-1812

SANDRA E LAWYER
1411 FELL AVE
BLOOMINGTON, IL 61701-1830

WM T & PHYLLIS A JACKSON
1412 FELL AVE
BLOOMINGTON, IL 61701-1831

DANIEL S & JANI N HALL
1412 N CLINTON BLVD
BLOOMINGTON, IL 61701-1812

JEROME F & JILL QUINN
1413 FELL AVE
BLOOMINGTON, IL 61701-1830

RICHARD D BALDWIN
1414 N CLINTON BLVD
BLOOMINGTON, IL 61701

MICHAEL R COX
1415 N FELL
BLOOMINGTON, IL 61701

CHARLES G MCCARTHY TRUSTEE
1416 N CLINTON BLVD
BLOOMINGTON, IL 61701-1812

KARIN M MCDOWELL
1417 FELL AVE
BLOOMINGTON, IL 61701

ERIC ANDERSON
16072 DEE MAC RD
MACKINAW, IL 61755-9492

J ERIC ANDERSON
16072 DEE MAC RD
MACKINAW, IL 61755-9492

% MARTI RAVE IUVO CONSTRUCTION LLC
1709 TULLAMORE AVE STE B
BLOOMINGTON, IL 61704-9603

RICHARD D & NORA K SUTTER
18 HAWTHORNE DR
NORMAL, IL 61761-4018

SHAWN BILLO
2802 ALANA WAY
BLOOMINGTON, IL 61704-7002

THOMAS & KRISTIN ZONA
401 PHOENIX
BLOOMINGTON, IL 61701

MICK & CONNIE NETHERTON
402 WHISPERING PINES
NORMAL, IL 61761

MIKE A EHRMANTRAUT
404 PHOENIX AVE
BLOOMINGTON, IL 61701-1850

JULIANNE & MICHAEL T JOHNSON
405 PHOENIX
BLOOMINGTON, IL 61701

STEPHEN J SWEENEY
407 BEECHER ST
BLOOMINGTON, IL 61701-1801

DIANA E CUNNINGHAM
408 BEECHER ST
BLOOMINGTON, IL 61701-1802

CARROL B COX JR
409 PHOENIX AVE
BLOOMINGTON, IL 61701-1849

COLLEEN RIESSelman
411 BEECHER ST
BLOOMINGTON, IL 61701-1801

STEVEN P GORDON
412 PHOENIX AVE
BLOOMINGTON, IL 61701

ROBERT BRAY
413 PHOENIX
BLOOMINGTON, IL 61701

CINDY S HARRELL
414 PHOENIX AVE
BLOOMINGTON, IL 61701

Cathleen Fogler
415 Beecher St
Bloomington, IL 61701-1801

CALEB GRIFFITH
417 PHOENIX
BLOOMINGTON, IL 61701

JAQUELYN S MITCHELL TRUSTEE
418 PHOENIX AVE
BLOOMINGTON, IL 61701-1850

JOHN B POWERS
500 MAPLE AVE
WILMETTE, IL 60091-3432

KEVIN PRENDERGAST
501 E EMERSON
BLOOMINGTON, IL 61704

WADE D ABELS
503 E EMERSON ST
BLOOMINGTON, IL 61701-1818

WILLIAM R SUTTER
504 UNIVERSITY ST
BLOOMINGTON, IL 61701-1853

DARYL R CLINE
505 E UNIVERSITY
BLOOMINGTON, IL 61701

JUDITH G & JERRY H STONE
509 UNIVERSITY ST
BLOOMINGTON, IL 61701-1852

STEVEN A LEMONS
510 UNIVERSITY ST
BLOOMINGTON, IL 61701-1853

MARLEENA J LESLIE
516 University St
Bloomington, IL 61701-1853

ELISABETH R FRIEDMAN
605 University St
Bloomington, IL 61701-1874

MARTIN SCHROEDER
6199 MEMORIAL DR
DUBLIN, OH 43017

LESLIE T & SHEILA A ALLEN
8 EBACH DR
BLOOMINGTON, IL 61701-2006

TERRY D BLAGG
8451 E 1100 NORTH RD
BLOOMINGTON, IL 61705-6706

GREG & DEANN FISHER
9725 N 1250 EAST RD
SHIRLEY, IL 61772-9581

THOMAS W SIMON
HOPKINS-NANJING CENTER 1G2 SHANGHAI

ILLINOIS WESLEYAN UNIVERSITY
P O BOX 2900
BLOOMINGTON, IL 61702

HAROLD PATRICK
PO BOX 1522
BLOOMINGTON, IL 61702-1522

WESLEY JOHNSON
PO BOX 1686
BLOOMINGTON, IL 61702-1686

ILLINOIS WESLEY UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702-2900

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702-2900

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702

ILLINOIS WESLEYAN UNIVERSITY
PO Box 2900
Bloomington, IL 61702-2900

SABRE INVESTMENTS LLC
PO BOX 3074
CARBONDALE, IL 62902-3074

ILLINOIS WESLEYAN UNIVERSITY
P O BOX 2900
BLOOMINGTON, IL 61702

ZACH L KUHFUSS
1302 FELL AVE
BLOOMINGTON, IL 61701-1829

MARLEENA J LESLIE
516 University St
Bloomington, IL 61701-1853

JOHN J DOLAN
11006 N 1900 EAST RD
BLOOMINGTON, IL 61704-5377

THOMAS W SIMON
HOPKINS-NANJING CENTER 1G2 SHANGHAI

ROBERT VERICELLA II
125 S BELLEMONT RD
BLOOMINGTON, IL 61701-4354

ILLINOIS WESLEY UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702-2900

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702-2900

WILLIAM F & KATHLEEN E BEHRENS
1306 N FELL AVE
BLOOMINGTON, IL 61701

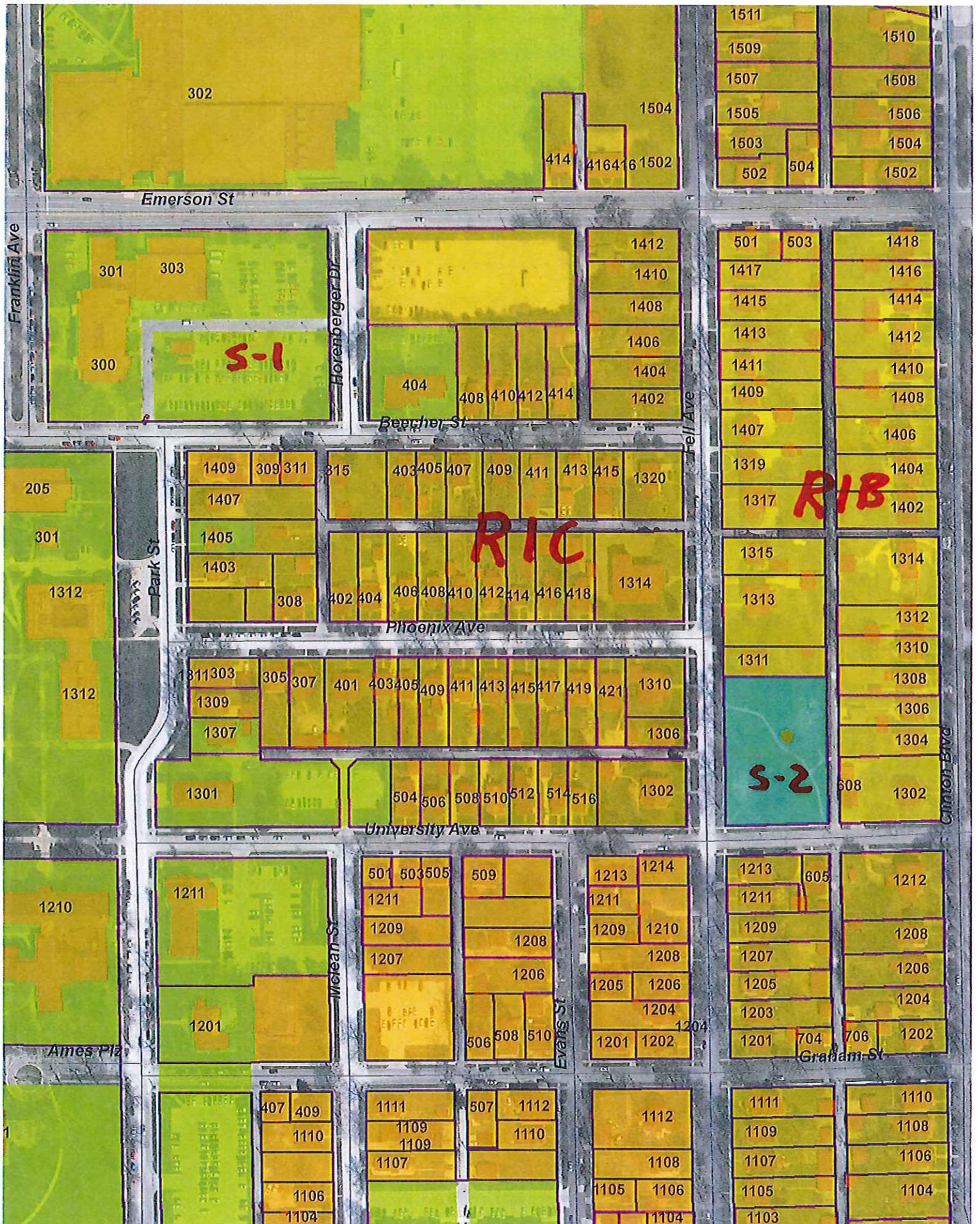
JOHN DOLAN
11006 N 1900 EAST RD
BLOOMINGTON, IL 61704-5377

ILLINOIS WESLEYAN UNIVERSITY
PO Box 2900
Bloomington, IL 61702-2900

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702

ILLINOIS WESLEYAN UNIVERSITY
PO BOX 2900
BLOOMINGTON, IL 61702



302

Emerson St

Franklin Ave

301 303

300

S-1

Horenberger Dr

404 408 410 412 414

Beecher St

1412 1410 1408 1406 1404 1402

1511 1509 1507 1505 1503 502 504 1510 1508 1506 1504 1502

501 503 1418 1417 1416 1415 1414 1413 1412 1411 1410 1409 1408 1407 1406

1319 1404 1317 RIB 1402

205

301

1312

Park St

1409 309 311 1407 1405 1403 308

315 403 405 407 409 411 413 415 1320

RIC

402 404 406 408 410 412 414 416 418 1314

Phoenix Ave

1315 1314 1313 1312 1310 1308 1306 1304

S-2

1311 303 305 307 401 403 405 409 411 413 415 417 419 421 1310 1309 1307 1306

1301 504 506 508 510 512 514 516 1302

University Ave

Clinton Blvd

1210

1211

1201

501 503 505 509 1211 1209 1207 1208 1206 506 508 510

McLean St

Evans St

1213 1214 1211 1209 1210 1208 1206 1205 1204 1201 1202

1213 605 1212 1211 1209 1208 1207 1206 1205 1204 1203 1201 704 706 1202

Graham St

Ames Plz

407 409 1110 1106 1104

1111 1109 1109 1107 507 1112 1110

1112 1108 1105 1106 1104

1111 1109 1107 1105 1103 1110 1108 1106 1104



VIEW TO EAST ACROSS FELL AVENUE FROM SUBJECT PROPERTY



SUBJECT PROPERTY - NORTH ELEVATION



FRONT OF SUBJECT PROPERTY - EAST ELEVATION



REGULAR AGENDA ITEM 8B

FOR COUNCIL: June 22, 2015

SUBJECT: Consideration of approving and Ordinance Amending the Public Comment Rules at City Council Meetings for the City of Bloomington.

RECOMMENDATION/MOTION: That the Ordinance amending the procedures for Public Comment be approved.

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

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

BACKGROUND: The Mayor and various aldermen have requested that City staff review the City's public comment rules and advise on the ability to help keep public comment focused on agenda items. Elected officials have also indicated an interest to follow rules similar to the Town of Normal and the McLean County Board.

As background, the Illinois Open Meetings Act provides "any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body." 5 ILCS 1/2.06(g). The City's current rules are set forth in Section 85 and provide for public comment at nearly all meetings, but there are no limitations on the subject matter.

In contrast to the City's existing rules, the rules for the Town of Normal provide as follows: (1) individuals wishing to speak at a Town Council Meeting shall provide the City Manager's office two hours advance notice of intent to speak; (2) the topics to be discussed must be germane to the meeting agenda of the Town Council meeting; (3) the public comment period for any single meeting shall not exceed ten minutes; (4) no individual shall speak for more than two minutes at a single meeting; (5) no individual representing a group shall speak for more than five minutes at a single meeting; (6) the Mayor shall determine the order of speakers; and (7) individuals shall be limited to addressing the Town Council no more than one time in a forty-five day period. The Town's rules also provide the Mayor may suspend any of the above rules in order to provide more public comment, as deemed appropriate.

The rules for the McLean County Board are as follows: (1) there shall be a total maximum of fifteen (15) minutes allotted during each County Board meeting for appearances by all non-members (note any member may request an extension of this time limit by making a request to allow the nonmember to continue pursuant to the Board's rules); (2) all requests by non-members for appearance before the Board shall be made prior to the meeting at which the non-member wishes to appear (such requests shall be submitted to the County Administrator, in writing or by email identifying the subject matter or agenda item to be addressed); (3) requests

to appear that are directly related to an item on an agenda for a County Board meeting shall be submitted not less than twenty four (24) hours prior to the published start time of the Board meeting at which the non-member wishes to appear (requests to appear that are not directly related to an item on an agenda for the County Board meeting shall be submitted not less than one hundred and twenty (120) hours prior to the published start time of the Board meeting at which the non-member wishes to appear); (4) appearances by non-members with regard to any particular topic, including any topic on the agenda, shall be limited to a time not to exceed three minutes for each individual or five minutes for a representative spokesperson of a group (any member may request an extension of this time limit by making a request to allow the nonmember to continue pursuant to the rules); (5) Non-members who have properly submitted requests to appear shall appear in the order of the receipt of their requests; (6) County Board members may not engage in discussion with, address or ask questions of non-members during the time allowed for non-member appearances under the rules.

The revisions to the rules for public comment in the City would: (1) require public comment to address an item on the agenda; (2) require individuals seeking to address the City Council to register with the City Clerk at least two hours before the meeting and to identify the agenda item(s) to be addressed; (3) provide if an individual has spoken within the last 15 days at any meeting of the City Council, he or she shall only be allowed to speak if time allows. Note the revised rules also provided for public comment at City Council work sessions. Allowance of public comment at such meetings has been the recent practice and this change would clarify the intent of the City Council to have public comment at work sessions. A change was also made to clarify public comment is required at committee meetings established by Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Ordinance Amending the Public Comment Rules for the City of Bloomington

Motion: That the Ordinance amending the procedures for Public Comment be approved.

Motion: Seconded by:

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			

Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

ORDINANCE 2015 - _____

AN ORDINANCE AMENDING THE PUBLIC COMMENT RULES
FOR THE CITY OF BLOOMINGTON

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BLOOMINGTON, ILLINOIS:

SECTION 1. That Chapter 2, Article V, Section 85 of Bloomington City Code, 1960, as amended, shall be further amended as follows (unless otherwise noted, additions are indicated by underlines; deletions indicated by strikeouts):

Chapter 2: Section 85: Public Comment.

(a) A public comment period not to exceed fifteen (15) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council meetings, Committee of the Whole meetings, meetings of committees and/or task forces (hereinafter “committees”) created by the City Council, work sessions, and special meetings of the City Council ~~not designated as work sessions~~. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

(b) Anyone desiring to address the Board, Commission, Committee or City Council, as applicable, must notify the City Clerk, or his or her designee, at least two hours in advance of the meeting for which the public comment is sought to be given. The notice can be emailed, faxed or hand delivered to the City Clerk. Persons unable to provide advance written notice may contact the City Clerk’s office by telephone to provide the notice. Any notice of an intent to speak at a public meeting must contain a reference to the agenda item(s) to be discussed. Complete a public comment card available in the meeting location up to fifteen (15) minutes prior to the start of the meeting. The person must include their. The notice must also include the individual’s name, address and any other desired contact information, although said person shall not be required to publicly state their address information. Written procedures for providing the notice may be further established by the City Clerk. If more than five individuals desire to make a public comment, the order of speakers shall be by random draw. If an individual is not able to speak due to the time limitation, said individual shall be given priority to speak at the next meeting of the City Council or Board or Commission, as may be applicable. If an individual has given public comment at any meeting of the same group within the previous 15 days, said individual shall only be allowed to speak if time allows.

(c) The public comment portion of the meeting shall be placed on the agenda for regular City Council meetings, as well as any rescheduled meeting of the City Council, after roll call and prior to appointment recognition and/or the consent agenda. For any other special City Council meeting or meeting of any other Board, Committee or Commission of the City, public

comment shall be listed on the agenda immediately after roll call. Nothing within this section shall limit the ability of the City Council, by majority vote, to change the placement of public comment during a meeting.

(d) Comments are limited to three (3) minutes per speaker. A speaker cannot give his or her allotted minutes to another speaker to increase that person's allotted time.

(e) Speakers will be acknowledged by the Chair and shall address the Board, Commission, Committee or City Council, as applicable, from the designated area in the meeting location and not approach the Board, Commission, City Council or City staff. Speakers will begin their statement by first stating their name for the record and second by specifying the agenda item(s) the person will be providing public comment on. If an individual begins to address something not on the agenda, he or she shall be reminded by the chair that the comments must be germane to the specified agenda item(s). Upon a second occurrence by the individual at the same meeting, the chair shall dismiss the speaker and the individual's time to provide public comment at the meeting shall be ceased.

(f) Public comment is not intended to require Board, Commission, Committee or City Council members to provide any answer to the speaker. Discussions between speakers and members of the audience will not be allowed.

(g) Speakers will be well-mannered in their language and presentation. Any person who engages in threatening or disorderly behavior when addressing a Board, Commission, Committee or the City Council shall be deemed out-of-order by the presiding officer and their time ceased to address the Board, Commission, or City Council at said meeting.

(h) After the speaker has made his or her statement, he or she shall be seated with no further debate, dialogue or comment.

(i) In addition to speaking at a meeting of the City Council, written comments may also be submitted to the City Council by filing same with the City Clerk at least 24 hours prior to the start time of the meeting. Said written comments shall be copied and distributed to each member of the City Council by the City Clerk prior to the start of the meeting and made part of the official record of the meeting. ~~This shall include work sessions of the City Council even though no public comment period is provided at work sessions.~~ Outside of written comments directed for a specific meeting, written comments may otherwise be shared with the City Council at any time by sending an e-mail correspondence to the entire City Council at citycouncil@cityblm.org or to individual council members at the email addresses listed on the City's website. Those without e-mail capability may submit written comments to the City Clerk's office which comments will be provided to the City Council as a whole or individual council member, as directed. Any written comments provided to the City Council as a whole will be made part of the public record. The City Clerk may establish written rules to govern the written comment process and recording of same. Nothing herein shall require the City Clerk to

copy documents or records and provide them to City Council, only the written comments of an individual.

SECTION 2. That Chapter 2, Article II, Section 16.2 of Bloomington City Code, 1960, as amended, shall be further amended as follows (unless otherwise noted, additions are indicated by underlines; deletions indicated by strikeouts):

Chapter 2: Section 16.2: Public Comment.

The City Council may meet in a work session meeting prior to the commencement of a regular or special meeting. The work session shall be devoted exclusively to the subjects for which the preliminary receipt and discussion of information is deemed appropriate as identified on the work session agenda. Work sessions are primarily designed for informal presentation and discussion among Council members and City staff. Although questions may be asked and answered at the direction of the Chairperson, there will normally be no public input at work sessions beyond any public comment period as required by Section 85, nor will the Council take any final action by vote at a work session. However, nothing herein shall prevent a polling of the Council or the taking of any informal vote on any matter under discussion. Work sessions shall be open to the public and notice procedures for regular and special meetings shall be followed.

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

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

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

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

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

PASSED this _____ day of June, 2015.

APPROVED this _____ day of June, 2015.

APPROVED:

Tari Renner, Mayor

ATTEST:

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM:

Jeffery R. Jurgens, Corporation Counsel