

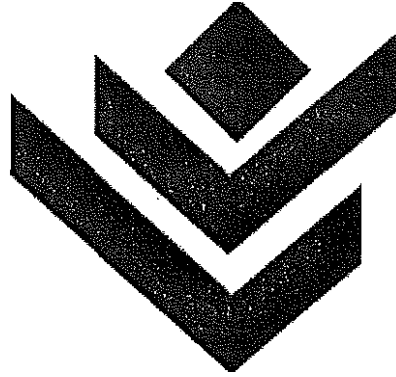


CITY OF  
BLOOMINGTON  
COUNCIL MEETING  
FEBRUARY 13, 2017

# AGENDA

# CONSENT AGENDA

# REGULAR AGENDA



## **City Logo Design Rationale**

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

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

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

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

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

## Brief Summary of Five Council Priorities

### Five Priorities

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

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

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

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

#### 1. Economic Development

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

#### 2. Infrastructure

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

3. Financial Planning

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

4. Reduced Emergency Response Times

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

5. Downtown Implementation Plan

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

**RESOLUTION NO. 2016 -29**

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

---

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

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

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

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

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

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

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

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

Vision: A Jewel of Midwest Cities

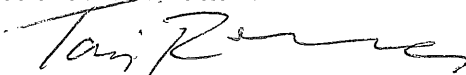
Values: Service-centered, results-driven, inclusive.

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

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


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

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



---

Cherry L. Lawson, City Clerk





## **CITY COUNCIL MEETING AGENDA**

### **CITY COUNCIL CHAMBERS**

**109 E. OLIVE STREET, BLOOMINGTON, IL 61701**

**MONDAY, FEBRUARY 13, 2017; 7:00 P.M.**

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call**
- 5. Recognition/Appointments**
  - A. Appointment of Nicole Chlebek to the Bloomington Planning Commission
  - B. Appointment of Loreto Delgado III to the Cultural District Commission

### **6. Public Comment**

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

### **7. “Consent Agenda”**

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

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

---

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

- A. Consideration of approving the Minutes of the January 23, 2017 Regular City Council Meeting. *(Recommend that the reading of the minutes be dispensed with and the minutes approved as printed.)*
- B. Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$ 8,863,098.01. *(Recommend that the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of \$8,863,098.01 and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of Appointments to Various Boards and Commissions. *(Recommend Nicole Chlebek be appointed to the Bloomington Planning Commission and that Loreto Delgado III be appointed to the Cultural District Commission.)*
- D. Consideration of a revised meeting monthly meeting schedule for the Beautification Committee. *(Recommend that the monthly meeting schedule be changed to the Third Thursday of each month at 6:00 p.m. in the BPD – Osborne Room).*
- E. Consideration of an Intergovernmental Agreement with McLean County for Booking Fees in the amount of \$27,108 annually. *(Recommend the City enter into an Intergovernmental Agreement with McLean County for Booking Fees in the amount of \$27108 annually, and authorize the Mayor and City Clerk to execute the necessary documents.)*
- F. Consideration of approving the purchase of twenty-three SWAN Turbiwell monitors for water treatment filters at Lake Bloomington Water Treatment Plant. *(Recommend Council approve waiving the formal bid process for the purchase of twenty-three SWAN Turbiwell Monitors from Midwest Water Group, Inc. to be approved in the amount of \$89,605.00, and the Procurement Manager be authorized to issue a Purchase Order.)*
- G. Consideration of approving amendments to the Lake Bloomington building and structures permitting ordinance. *(Recommend an Ordinance amending Chapter 23, Lake Bloomington, Section 3, regarding the permitting of any dock, wharf, boathouse, or anchored or stationary raft be approved and the Ordinance passed, and authorize the Mayor and City to execute the Ordinance.)*
- H. Consideration of
  - (1) Adopting an Ordinance to Rescind Ordinance 2016-24 which approved a Final Plat for the Third Addition to Shirk Commercial Subdivision on March 26, 2016; and
  - (2) Adopting an Ordinance approving a Petition from Sunrise Company, LLC, for a final plat for the Third Addition to Shirk Commercial Subdivision, located at the southwest corner of Hershey Road and College Avenue.

---

**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.

*RECOMMENDATION/MOTION:* (1.) *That an Ordinance be passed rescinding Ordinance No. 2016 - 24; (2.) that an Ordinance be passed approving the final plat for the Third Addition to Shirk Commercial Subdivision last revised January 27, 2017, and providing for escrow of the plat pending receipt by the escrow agent of documents required to complete Kroger Limited Partnership I's acquisition ("Acquisition") of Lots 8, 10, and 11 as shown on the plat, including the performance bond ("Bond") and tap-on fees ("Fees").*

- I. Consideration of passing an ordinance approving the Shirk Commercial Revised Preliminary Plan, approximately 35.56 acres, located southwest corner of Hershey Road and College Ave. *(Recommend an Ordinance approving the Shirk Commercial Revised Preliminary Plan, approximately 35.56 acres, located southwest corner of Hershey Road and College Ave be passed and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- J. Consideration of adopting an Ordinance approving a Petition from Wallace and Thelma Holderby Family Trust, for an expedited final plat for Holderby Subdivision, located east of McGregor Street and north of Lincoln Street. *(Recommend the Ordinance be passed approving the expedited final plat for Holderby Subdivision, and that the Mayor and City Clerk be authorized to sign the necessary documents.)*
- K. Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 18, 2017. *(Recommend the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 18, 2017 be passed, contingent on Party in a Pinch applying for and receiving the City's catering liquor license, and that the Mayor and City Clerk be authorized to execute the necessary documents).*

## **8. "Regular Agenda"**

- A. Consideration of a recommendation to widen Linden Street pavement, from Locust to Empire Streets, to 30 feet and that the street consist of two 10-foot driving lanes and one 7-foot parking lane plus new curbs and gutters. *(Recommend that Linden Street pavement be widened from 26 feet to 30 feet, from face of curb to face of curb, from Locust to Empire streets and that Linden through this area consist of two 10-foot driving lanes, one 7-foot parking lane, new curb and gutter, improved turn radius at Locust Street and other improvements related to street project.) (Presentation by Jim Karch, Public Works Director, 10 minutes, and Council discussion 15 minutes.)*
- B. Consideration of a Contract Award to Stark Excavating for the Grove Street and Olive Street Sewers (Bid #2017-22). *(Recommend the contract for Grove Street and Olive Street Sewers be awarded to Stark Excavating, Inc. in the amount of \$254,991.25 and the City Manager and*

---

**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.

*City Clerk be authorized to execute the necessary documents.) (Presentation by Jim Karch, Public Works Director, 10 minutes, and Council discussion 15 minutes.)*

- C. Consideration of a Resolution to accept permanent and temporary construction easements granted by the Bloomington Normal Water Reclamation District for rehabilitation of the Linden Street Bridge and an IDOT (Illinois Department of Transportation) Resolution for Improvement by Municipality in the amount of \$1,800,000.00 for the estimated construction cost. *(Recommend the Resolution to accept permanent and temporary construction easements granted by the Bloomington Normal Water Reclamation District for rehabilitation of the Linden Street Bridge and the IDOT Resolution for Improvement by Municipality in the amount of \$1,800,000.00, be approved and the Mayor and City Clerk be authorized to execute the necessary documents.) (Presentation by Jim Karch, Public Works Director, 5 minutes, and Council discussion 10 minutes.)*
  
- D. Consideration of an Intergovernmental Agreement between the City and the Town of Normal (Town) for cost-sharing for the construction of improvements to the intersection of Vernon Avenue and Towanda Avenue and consideration of a corresponding Motor Fuel Tax Resolution for funding the City’s portion of the construction.

**RECOMMENDATION/MOTION:**

- 1. *That the Intergovernmental Agreement with the Town of Normal be approved and the Mayor and City Clerk be authorized to execute the necessary documents, and;*
  
- 2. *That the Supplemental Motor Fuel Tax Resolution for the City’s portion of the construction costs at the intersection of Vernon Avenue and Towanda Avenue be approved and the Mayor and City Clerk be authorized to execute the necessary documents*

*(Presentation by Jim Karch, Public Works Director, 5 minutes, and Council discussion 10 minutes.)*

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

---

**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.



Council Date: February 13, 2017

## **COUNCIL AGENDA ITEM NO. 5**

### 5. Recognition/Appointments

- A. Appointment of Nicole Chlebek to the Bloomington Planning Commission
- B. Appointment of Loreto Delgado III to the Cultural District Commission



**CONSENT AGENDA ITEM NO: 7A**

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of approving the Minutes of the January 23, 2017 Regular City Council Meeting.

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

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

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

**BACKGROUND:** The minutes of the meetings provided have been reviewed and certified as correct and complete by the City Clerk.

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

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

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable

Respectfully submitted for Council consideration.

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

Recommended by:

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

David A. Hales  
City Manager

**Attachments:**

- January 23, 2017 Regular City Council Meeting Minutes
-

SUMMARY MINUTES  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS  
MONDAY, JANUARY 23, 2017; 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, January 23, 2017. The Meeting was called to order by Mayor Renner.

**2. Pledge of Allegiance to the Flag**

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

**3. Remain Standing for a Moment of Silent Prayer**

**4. Roll Call**

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

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

Staff Present: David Hales; City Manager, Jeffrey Jurgens; Corporation Counsel, Cherry L. Lawson; City Clerk, Steve Rasmussen; Assistant City Manager, Brendan Heffner, Police Chief Bob Yehl, Water Director; Scott Sprouls, IS Director, Nicole Albertson, Human Resource Director, and other City staff were also present.

**5. Recognition/Appointments**

**6. Public Comment**

Vickie Smith, Tasha Davis, Mike O'Donnell, Michael Donnelly, Billie Kiskton, Louis Goseland, Divan Griffan, Renee Cook, Laura Dick, Henry Dick, Paula Stubblefield, Surena Fish

**7. Consent Agenda**

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

**Motion by Alderman Painter, seconded by Alderman Schmidt, that the Consent Agenda be approved with the exception of item 7G.**

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

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

**Nays: None.**

**Motion carried.**

The following was presented:

Item 7A: Consideration of approving the Minutes of the January 9, 2017 Regular City Council Meeting.

The following was presented:

Item 7B: Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$ 5,592,554.20.

The following was presented:

Item 7C: Consideration of a Resolution authorizing a Change Order in the amount of \$70,000.00 between the City of Bloomington and Maurer Stutz for the FY 2016 Lift Station and Force Main Evaluation/Design (RFQ #2016-36) for the purpose of funding the completion of design and bidding documents.

#### RESOLUTION NO. 2017-01

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$70,000.00 ASSOCIATED WITH THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND MAURER-STUTZ, INC. (RFQ #2016-36)

The following was presented:

Item 7D: Consideration of approving an Intergovernmental Agreement with the Town of Normal Regulating Use of the Police Range Facility.

The following was presented:

Item 7E: Consideration of approving an Intergovernmental Agreement with the County of McLean Regulating Use of the Police Range Facility



The following was presented:

Item 7F: Consideration of approving a Professional Services Contract with Crawford, Murphy & Tilly, Inc. for Professional Engineering Services related to the Water Treatment Plant Recarbonation Bypass Line, (RFQ 2016-04, and Resolution 16-10).

The following was presented:

Item 7G: Consideration of approving a Professional Engineering Services Agreement with the Farnsworth Group, Inc. for design and specification for Szarek Drive, Cloud Street, and Fleetwood Subdivision water main replacement projects, (RFQ 2016-04, Resolution 16-10). *(Removed from the Consent Agenda.)*

**Motion by Alderman Hauman, seconded by Alderman Lower that the three Agreements with the Farnsworth Group, Inc. for professional engineering services for the design and specification for Szarek Drive, Cloud Street, and Fleetwood Subdivision water main replacement projects, in the not to exceed amount of \$27,100.00 for Szarek Drive, \$32,940.00 for Cloud Street, and \$65,370.00 for Fleetwood Subdivision be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.**

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

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

**Nays: None.**

**Recused: Alderman Buragas**

**[7:34 PM Departed]**

**[7:35 PM Returned]**

**Motion carried.**

The following was presented:

Item 7H: Consideration of approving a Professional Engineering Services Agreement with Hanson Professional Services, Inc. for design and construction plan preparation for Lake Bloomington Fill Site Restoration, (RFQ 2016-04, and Resolution 16-10).

The following was presented:

Item 7I: Consideration of approving a request to purchase Nimble Storage Array Additional Capacity.

The following was presented:

Item 7J: Consideration of approving amendments to Lake Bloomington Ordinances

ORDINANCE NO. 2017 - 05  
AN ORDINANCE AMENDING BLOOMINGTON  
CITY CODE CHAPTER 23, SECTION 44  
PERTAINING TO INTOXICATED PERSONS AND SECTION 54  
PERTAINING TO PENALTIES

The following was presented:

Item 7K: Consideration of adoption of an Ordinance approving a Special Use Permit for a lesser nonconforming use of grain inspection office/lab in the R-1C, High Density Single Family Residential District for the property located at 802 N. Morris Ave.

ORDINANCE NO. 2017- 06

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A  
LESSER NONCONFORMING USE OF GRAIN INSPECTION OFFICE/LAB  
IN THE R-1C DISTRICT  
FOR PROPERTY LOCATED AT: 802 N MORRIS AVE

The following was presented:

Item 7L: Consideration of approving an Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply at 802 North Main Street, former site of Quinn's Shell.

ORDINANCE NO. 2017- 07

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER  
AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF  
POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

**8. Regular Agenda**

The following was presented:

Item 8A: Administrative Review by City Council of the Zoning Board of Appeals denial of a petition for variances for an Accessory Structure requested for the property located at 1422 Butchers Lane.

Jeffrey Jurgens, Corporation Counsel, provided an overview of a petition filed seeking two (2) variances that would have allowed an accessory structure at 1422 Butchers Lane. The Zoning Board of Appeals (ZBA) voted four (4) against, two (2) in favor, and one (1) abstained. Less than

five (5) votes against the variance petition allowed an appeal to the City Council for Administrative Review. Council was required to determine if the administrative record supported for the granting of the variances based on criteria in the City Zoning Code Section 44.13-4D Variance Standards. Mr. Jurgens noted two alternate ordinances provided for use by the Council: one that upheld the action of the ZBA, and one that would reverse the action.

Alderman Buragas noted the need for consistency when working with the Zoning Code and provided alternatives to the reversal such as petitioning to change the zoning code and de-annexing. Alderman Schmidt stated the county was not interested in annexing land already given to the city.

Alderman Fruin questioned the commitment to remove existing structures. He also questioned how the decision would affect like appeals. Alderman Schmidt noted revised zoning codes could address future appeals. Alderman Buragas noted a commitment to remove structures was not a condition of receiving the variance.

**Motion by Alderman Schmidt, seconded by Alderman Lower that the decision of the Zoning Board of Appeals be reversed and an ordinance approving the petition for variances from Chapter 44 Section 4.4C Bulk Requirements for an Accessory Structure requested for the property located at 1422 Butchers Lane be passed, and that the Mayor and City Clerk be authorized to execute the necessary documents.**

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

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

**Nays: Aldermen Buragas and Fruin.**

**Motion carried.**

The following was presented:

Item 8B. Consideration of Approving a Lease from Mid-Central Community Action for the Jefferson Street Community House located at 828 W. Jefferson Street to be used by the Bloomington Police as an office and community house.

ORDINANCE NO. 2017-09  
AN ORDINANCE APPROVING A LEASE WITH MID-CENTRAL COMMUNITY ACTION  
FOR THE JEFFERSON COMMUNITY HOUSE LOCATED AT  
828 W. JEFFERSON STREET

Brendan Heffner, Police Chief, stated the neighborhood surrounding 828 W. Jefferson St. was one (1) of two (2) high crime rate areas. Statistics were considered when choosing the Jefferson Community House (JCH) location. Chief Heffner noted an increase in youth crime and the importance of engagement with the youth. Matt Drat, Director of Resource Development and

Community Engagement with Mid Central Community Action (MCCA), declared the JCH was space for resident engagement, community building, and neighborhood revitalization. Mr. Drat stated it was a time limited lease and that the home was still available for purchase as part of the MCCA and West Bloomington Housing Collaborative (WBHC) Home Ownership Promotion program. The JCH lease would terminate upon resident purchase.

Mr. Drat stated resident feedback was solicited prior to approval and adoption of the proposed project. Feedback was obtained by door to door resident conversations. A request was made to stakeholders to assist engaging neighborhood residents. Limited volunteers and staff resources affected the outcome of surveys. Surveys were conducted in two (2) defined zones and consisted of five (5) questions modeled after the NeighborWorks America Community Impact Measurement Research Tool. Of the one hundred eighty nine (189) households in Zone One (1), the neighborhood immediately surrounding the JCH, eighty two (82) were reached door to door. Online surveys were made available to unreached households and those located in Zone Two (2). A permanent email address was established to continually collect feedback. Stacey Tutt, Director of Community Preservation Clinic at University of Illinois, stated statistics provided had a deviation rate of +/- five (5) percent based on sample size.

Ms. Tutt noted resident concerns included greater transparency and accountability resulted in a minimum number of community engagement activities included in the lease. Upon approval of the lease more activities would be added.

Alderman Black questioned the lease with the police department. Ms. Tutt responded a variance was approved by the grant funder based on resident feedback. Alderman Black questioned Americans with Disabilities Act (ADA) accommodations. Ms. Tutt noted ADA modifications made to the JCH would benefit future homeowners.

Alderman Lower question engagement of the existing neighborhood watch. Chief Heffner stated the watch had been and continued to be engaged. Alderman Hauman questioned outcome of neighborhood activities. Ms. Tutt stated regular reports were provided to the grant funder.

Alderman Painter questioned the success of the City of Normal's substation. Chief Heffner stated results were positive but noted a difference in circumstances.

**Motion by Alderman Lower to extend discussion time by 10 minutes, seconded by Alderman Hauman.**

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

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

**Nays: None.**

**Motion carried.**

**Motion by Alderman Black, seconded by Alderman Schmidt, that the lease for Jefferson Street Community House located at 828 W. Jefferson Street be approved and that the Mayor and City Clerk be authorized to execute the necessary documents.**

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

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

**Nays: None.**

**Motion carried.**

**9. City Manager's Discussion**

Mr. Hales had no further comments to offer.

**10. Mayor's Discussion**

Mayor Renner had no further comments to offer.

**11. City Alderman's Discussion**

Alderman Painter read from a prepared statement summarizing justification for the recent speed limit changes on Hershey Rd.

**12. Adjournment**

**Motion made by Alderman Black, seconded by Alderman Hauman, to adjourn the meeting at 9:04 p.m.**

**Motion carried (viva voce).**

**CITY OF BLOOMINGTON**

**ATTEST**

---

Tari Renner, Mayor

---

Cherry L. Lawson, City Clerk



**CONSENT AGENDA ITEM: 7B**

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$8,863,098.01.

**RECOMMENDATION/MOTION:** That the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$8,863,098.01, 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 \$8,863,098.01 (Payroll total \$4,355,737.07, Accounts Payable total \$3,285,380.74, and Electronic Transfers total \$1,221,980.20).

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Accounts Payable

Reviewed by: Paulette Hurd, Chief Accountant

Recommended by:

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

David A. Hales, City Manager

**Attachment:**

- Bills, Payroll, and Electronic Transfers on file in the Clerk's office. Also available at [www.cityblm.org](http://www.cityblm.org).
- Summary Sheet Bills, Payroll, and Electronic Transfers

**CITY OF BLOOMINGTON FINANCE REPORT**

**Council of February 13, 2017**

**PAYROLL**

Date	Gross Pay	Employer Contribution	Totals
1/19/2017	\$ 1,390,042.03	\$ 365,797.61	\$ 1,755,839.64
1/20/2017	\$ 203,059.81	\$ 75,274.17	\$ 278,333.98
1/27/2017	\$ 209,229.42	\$ 75,263.03	\$ 284,492.45
2/2/2017	\$ 1,381,083.46	\$ 365,044.51	\$ 1,746,127.97
2/3/2017	\$ 197,976.61	\$ 72,900.79	\$ 270,877.40
			\$ -
1/26/2017	\$ 17,731.20	\$ 2,334.43	\$ 20,065.63
Off Cycle Adjustments			
		<b>PAYROLL GRAND TOTAL</b>	<b>\$ 4,355,737.07</b>

**ACCOUNTS PAYABLE**

Date	Bank	Total
2/13/2017	AP General	\$ 3,133,781.84
2/13/2017	AP Comm Devel	\$ 48,896.95
	AP IHDA	\$ -
2/13/2017	AP Library	\$ 34,638.15
2/13/2017	AP MFT	\$ 22,797.46
	Off Cycle Check Runs	
1/31/2017-2/1/2017		\$ 45,266.34
	<b>AP GRAND TOTAL</b>	<b>\$ 3,285,380.74</b>

**PCARDS**

Date Range	Total
<b>PCARD GRAND TOTAL</b>	

**WIRES**

Date Range	Total
1/11/2017-2/1/2017	\$ 1,221,980.20
<b>WIRE GRAND TOTAL</b>	<b>\$ 1,221,980.20</b>

**TOTAL** **\$ 8,863,098.01**

Respectfully,

Patti-Lynn Silva  
Finance Director



**CONSENT AGENDA ITEM NO. 7C**

**FOR COUNCIL:** February 13, 2017

**SUBJECT:** Consideration of Appointments to Various Boards and Commissions.

**RECOMMENDATION/MOTION:** That Nicole Chlebek be appointed to the Bloomington Planning Commission and that Loreto Delgado III 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:** The Mayor of the City of Bloomington has nominated and I ask your concurrence in the appointment of:

**Planning Commission.** Nicole Chlebek of 810 N Evans Street, Apt. 1, Bloomington, Illinois 61701, to the Bloomington Planning Commission. She will be completing the unfulfilled term previously held by Christopher Cornell who resigned April 13, 2016, and whose term will expire 4-30-17. Application is on file in the Administration Office.

**Cultural District Commission.** Loreto Delgado III of 1801 Pier Way, Apt. 211, Bloomington, Illinois 61704, to the Bloomington Cultural District Commission. He will be completing the unfulfilled term previously held by Karen Schmidt who resigned September 30, 2015, and whose term will expire 4-30-17. Application is on file in the Administration Office.

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

**FINANCIAL IMPACT:** Not applicable.

**COMMUNITY DEVELOPMENT IMPACT:** *(If applicable)* Not applicable.

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION:** *(If applicable)* Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

M. Beth Oakley, Executive Assistant



Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a large initial "D" and "H".

David A. Hales  
City Manager

**Attachments:**

- Roster





1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----











1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----





100%









\_\_\_\_\_

\_\_\_\_\_



1000

1000

1000

1. How many people are there in your class?

1

100

100

Number of members the following committee: 100

1



1000000

1



[Illegible text]

|



[Empty page with faint text]

|



|

|

Number of Transactions

1

Number of Export Transactions (1980-1990)

1



|

|





|

|

|

|

---

1000000





1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----











\_\_\_\_\_

100

100













100

1

100

1

1000

1000

1000









1

1





1000

1000

1





1

1



1

1

\_\_\_\_\_



**CONSENT AGENDA ITEM NO. 7D**

FOR COUNCIL: February 3, 2017

**SUBJECT:** Consideration of a revised monthly meeting schedule for the Beautification Committee.

**RECOMMENDATION/MOTION:** Recommend that the monthly meeting schedule be changed to the Third Thursday of each month at 6:00 p.m. in the BPD – Osborne Room

**STRATEGIC PLAN LINK:** Goal 5: Great Place to Live – Livable sustainable City

**STRATEGIC PLAN SIGNIFICANCE:** To create a more attractive city: commercial areas and neighborhoods

**BACKGROUND:** The monthly meeting schedule for the Beautification Committee for the year 2017 was incorrectly presented to Council. The schedule that was presented was for the 4<sup>th</sup> Thursday of each month in the Osborne room. The correct schedule is for the 3<sup>rd</sup> Thursday of the month at 6:00 pm in the Osborne room.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Beautification Committee, Parks and Recreation and Cultural Arts Department, City Manager, Assistant City Manager, and City Clerk.

**FINANCIAL IMPACT:** This is a volunteer organization that does not have a budget.

**COMMUNITY DEVELOPMENT IMPACT:** Not applicable

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

Respectfully submitted for Council consideration.

Prepared by: Robert Moews, Park Superintendent

Reviewed by: Jay Tetzloff, Director of Parks, Recreation and Cultural Arts

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a large initial "D" and "H".

David A. Hales  
City Manager

**Attachments:**

- 2017 Meeting Calendar

Citizens Beautification Committee

Meeting Dates 2017

Osborn Room, Police Station –*(Unless otherwise noted)*

January 19, 2017	6pm
February 16, 2017	6pm
March 16, 2017	6pm
April 26, 2017	5pm - City of Bloomington Park Maintenance Building
May 18, 2017	6pm
June 15, 2017	6pm
July 20, 2017	6pm
August 17, 2017	6pm
September 21, 2017	6pm
October 19, 2017	6pm
November 16, 2017	6pm
December	No meeting

Citizens Beautification meetings are the third Thursday unless otherwise noted.



**CONSENT AGENDA ITEM NO. 7E**

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of an Intergovernmental Agreement with McLean County for Booking Fees in the amount of \$27,108 annually.

**RECOMMENDATION/MOTION:** That the City enter into an Intergovernmental Agreement with McLean County for Booking Fees in the amount of \$27,108 annually, 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 e. Partnering with others for the most cost-effective service delivery.

**BACKGROUND:** For several years an intergovernmental agreement has been in effect between the City of Bloomington and McLean County Sheriff's Department for retention, mug shots, booking, and fingerprinting. This has proven to be an efficient and cost-effective booking procedure which has reduced our liability because incarcerated subjects are rarely kept in our facility.

The term of agreement is January 1, 2017-December 31, 2017, renewable on a year to year basis. The fee for booking services has increased by approximately 3% from \$26,238 to \$27,108.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:**

**FINANCIAL IMPACT:** The cost of the agreement for one year is \$27,108 (\$2,259 per month). This cost is budgeted in Police Department - Other Purchased Services account (10015110-70690). Funds are included in the FY 2017 Budget and the FY 2018 Proposed Budget to cover the monthly fee. Stakeholders can locate the FY 2017 portion in the FY 2017 Budget Book titled "Budget Overview & General Fund" on page 272.

**COMMUNITY DEVELOPMENT IMPACT:** *Not applicable*

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

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** 5

Respectfully submitted for Council consideration.

Prepared by: Marsha Ulrich, Office Manager

Reviewed by: Gregory A. Scott, Assistant Chief of Administration

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- List in order each attachment by name or file name with a bullet point for each item listed.



**OFFICE OF THE ADMINISTRATOR**

(309) 888-5110 FAX (309) 888-5111

115 E. Washington, Room 401 P.O. Box 2400 Bloomington, Illinois 61702-2400

---

January 11, 2017

City of Bloomington  
Renee Gooderham, Chief Deputy  
109 E Olive Street PO Box 3157  
Bloomington, IL 61702-3157

RE: Intergovernmental Booking Agreement

Enclosed are 5 partially executed copies of the Agreement. Please sign and return four fully executed copies of the Agreement.

Please feel free to contact the office if you have any questions.

Thanks

Diana Hospelhorn  
McLean County Administration  
115 East Washington Street, Room 401  
Bloomington, IL 61701  
Phone: 309-888-5110



**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE COUNTY OF McLEAN  
AND  
THE CITY OF BLOOMINGTON**

Whereas, the City of Bloomington has requested the County of McLean to provide booking services:

And

Whereas, the County of McLean has booking facilities:

And

Whereas, the Constitution of the State of Illinois, Article VII, Section 10 and 5 ILCS 220 et seq. permits and encourages intergovernmental cooperation and agreements;

Now therefore, the parties hereto agree as follows:

1. The County of McLean will perform booking services for the City of Bloomington which services shall include but not be limited to the following: completing all booking forms, finger-printing, taking mug shots, bonding, releasing and transferring persons in custody.
2. The City of Bloomington Police Department shall deliver any individuals taken into custody to the McLean County Detention Facility for booking. The City may bring individuals to the facility twenty-four (24) hours a day, seven (7) days a week, including holidays. The City will complete the necessary paperwork for each person delivered for booking. The County will not accept any individuals needing or asking for medical care. The City will obtain medical care for any individual apparently in need of such care prior to transferring that person to the facility for booking. The City of Bloomington shall have no responsibility for any individuals once they have been transferred to the County for booking, beyond that which may be required by statute.
3. The County shall have full responsibility for all individuals delivered for booking by the City of Bloomington. This responsibility shall include the cost of any medical care administered during the booking process. The County will indemnify and hold the City harmless from all causes of action, whether judicial or administrative, and the costs of defending any such actions arising out of any intentional or negligent act performed by the County, its employees and/or agents during the course of booking any individual for the City of Bloomington pursuant to this agreement. Such actions shall include, but are not limited to, civil rights actions, property damage actions, personal injury actions, or any actions seeking recovery of money or other remedies.
4. The City of Bloomington will indemnify and hold harmless the County of McLean from all causes of action, whether judicial or administrative, and the costs of defending any such actions arising out of any intentional or negligent acts performed by the City, its employees or agents prior to transferring an individual to the County for booking. Such action shall include but are not limited to civil rights actions, property damage actions, personal injury actions, or any actions seeking recovery of money or other remedies.
5. The City will pay the County at an annual rate of Twenty Seven Thousand One Hundred and Eight Dollars and no Cents (\$27,108.00) per year for booking services. The City will pay this fee regardless of whether it uses the County's booking services during any particular month and regardless of the number of individuals it delivers to the County for booking.

6. Total amount due herein shall be paid in twelve (12) equal monthly payments of Two Thousand Two Hundred and Fifty Nine Dollars and no Cents (\$2,259.00) at the first of each month.
7. The County may terminate this agreement at any time when payments required hereunder have not been paid. The County is relying on this agreement to hire personnel to satisfy its responsibilities under this agreement accordingly the City of Bloomington may not terminate this agreement without giving the County six (6) months notice of its intent to terminate.
8. This agreement shall be in effect from January 1, 2017 through December 31, 2017. Thereafter this agreement may be renewable on a year to year basis subject to adjustments in the amount charged for the services provided.
9. All notices required herein shall be in writing and shall be sent via registered or certified mail return requested or by an overnight courier service to the persons listed below. A notice shall be deemed to have been given when received by the party at the address set forth below.

Notices to Bloomington Police Department shall be sent to:

Brendan Heffner, Chief of Police  
Bloomington Police Department  
305 S. East  
Bloomington, IL. 61701

Notices to County of McLean shall be sent to:

Greg Allen, Chief Deputy  
McLean County Sheriff's Department  
104 West Front Street  
P.O. Box 2400  
Bloomington, IL. 61702-2400

10. Both parties agree to comply with all applicable federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations.
11. This Agreement is to be governed and construed in accordance with the laws of the State of Illinois.
12. The relationship of each party to the other under this Agreement shall be that of Independent Contractor.
13. The failure of either party at any time to enforce any provision of this Agreement shall in no way be construed to be a waiver of such provisions or affect the validity of this Agreement or any part thereof, or the right of either party thereafter to enforce each and every position in accordance with the terms of this Agreement.
14. In the event that any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of this Agreement, which shall remain in full force and effect and enforceable in accordance with its terms.
15. This Agreement may not be assigned by either party without the prior written consent of the other party.

16. This Agreement shall constitute the entire Agreement between the parties with respect to the subject matter herein supersedes all prior communications and writings with respect to the content of said Agreement.
17. This Agreement may not be modified by either party unless such modification is mutually acceptable to both parties, is reduced to writing and signed by both parties.

The persons signing this Agreement represent and warrant that they have authority to bind their respective parties.

---

**APPROVED:**

\_\_\_\_\_  
Tari Renner, Mayor, City of Bloomington

\_\_\_\_\_  
Date

\_\_\_\_\_  
Brendan Heffner, Chief of Police, City of Bloomington

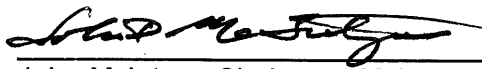
\_\_\_\_\_  
Date

**ATTEST:**

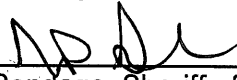
\_\_\_\_\_  
Cherry Lawson, City Clerk, City of Bloomington

\_\_\_\_\_  
Date

**APPROVED:**


  
\_\_\_\_\_  
John McIntyre, Chairman, McLean County Board

12-20-2016  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jon Sandage, Sheriff of McLean County

12-20-2016  
\_\_\_\_\_  
Date

**ATTEST:**

  
\_\_\_\_\_  
Kathy Michael, Clerk of the County Board of  
McLean County, IL

12-20-2016  
\_\_\_\_\_  
Date



## CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: February 23, 2017

**SUBJECT:** Consideration of approving the purchase of twenty-three SWAN Turbiwell monitors for water treatment filters at Lake Bloomington Water Treatment Plant.

**RECOMMENDATION/MOTION:** Recommend that Council approve the purchase of twenty-three SWAN Turbiwell Monitors, as a limited source, from Midwest Water Group, Inc. to be approved in the amount of \$89,605.00, and the Procurement Manager be authorized to issue a Purchase Order.

**STRATEGIC PLAN LINK:** Goal 2. Upgrade City Infrastructure and Facilities. Goal 5. Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** 2b. Quality water for the long term. 5a. Well-planned City with necessary services and infrastructure.

**BACKGROUND:** The Lake Bloomington Water Treatment Facility maintains a vigorous water quality monitoring process that includes monitoring the turbidity level at various stages of the treatment process. According to the U.S. Geological Survey Water Science School, ‘turbidity is the measure of relative clarity of a liquid. The higher the intensity of scattered light shined through the water sample, the higher the turbidity. In order to make the water safe to drink, the processes at the purification facility remove the materials that cause the water to be turbid. Turbidity monitoring provides a rapid and reliable way for operations staff to assess water treatment performance at the plant.

The Illinois Environmental Protection Agency requires the use of turbidity monitors for compliance with Safe Drinking Water Act regulations. The IEPA regulations require that the turbidity level of water leaving individual filters and water leaving the plant remain below a maximum level which is monitored by the turbidity monitors as well as individual testing to verify the accuracy of the turbidity monitors multiple times per day.

The Lake Bloomington water Treatment Facility is requesting to replace the existing turbidity monitors and replace them with new monitors. The existing monitors, while still operating within the IEPA regulation requirements, are obsolete technology and are no longer available for purchase. The purchase of twenty-three Turbiwell units will allow the Water Treatment Plant staff to monitor each step of the treatment process. The new monitors will be installed in each of the plant’s eighteen filters, at the Pump Stations at Evergreen Lake and Lake Bloomington, at the entry point to the Treatment Plant, and clarifiers before the water is filtered. This will also enable the Water Treatment Plant to have one unit as back-up.

Three units will be equipped with a self-draining mechanism for higher solids environments. The self-draining units will be installed at the entry point to the Water Treatment Plant and at the effluent lines of the clarifiers.

The AMI Turbiwell monitors offer newer technology, which is becoming the industry standard, which reduce maintenance requirements and increase reliability of test results. The AMI Turbiwell monitors are non-contact which means the light only goes through the water being measured, instead of needing to pass through a glass window or vials that need periodic clean by the Lake Bloomington Water Treatment staff. The AMI Turbiwell monitors are equipped with a heated plate that prevents condensation. The closest competitor uses a cuvette (glass vial) which requires careful cleaning and the use of disposable desiccant packets to prevent condensation on the cuvettes which requires replacement due to extremely humid conditions in the Water Treatment Facility. The majority of the Department's existing monitors utilize incandescent lightbulbs which degrade and lose effectiveness over time. The AMI Turbiwell monitors use a stable LED light source instead which increases the reliability of the measurements.

The Water Treatment Plant at Lake Bloomington piloted two SWAN Turbiwell monitors for four years with no problems, resulting in stable and accurate tests results. This is a limited source purchase as outlined on the attached form.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not Applicable

**FINANCIAL IMPACT:** Funds budgeted in the amount of \$98,000 are included in the FY 2017 Capital Lease-Capital Outlay Equipment Other Than Office account (40110135-72140). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Program" on pages 92 and 96.

**COMMUNITY DEVELOPMENT IMPACT:** *(If applicable)*

Link to Comprehensive Plan/Downtown Plan Goals: Infrastructure, Utilities, UEW-1  
Provide quality public infrastructure within the City to protect public health, safety and the environment.

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

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** 5

Respectfully submitted for Council consideration.

Prepared by: Richard Twait, Superintendent Water Purification

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a large initial "D" and "H".

David A. Hales  
City Manager

**Attachments:**

- Midwest Water Group, Inc. Quote
- Limited Source Justification Form
- Swan Turbiwell Product Information



**Quotation**

MIDWEST WATER GROUP, INC.  
 4410 S. HI-POINT RD.  
 MCHENRY, IL. 60050  
 Phone: 866.526.6558  
 Fax: 866.526.6559  
 www.midwestwatergroup.com

**Date:** 1/24/2017  
**Quote #:** 2340  
**Inside SR:** MH  
**Outside SR:** MH

**Bill To:**

City of Bloomington Water Dept.  
 22515 Waterside Way  
 Hudson, IL 61748

**Ship To:**

City of Bloomington Wtr Dept.  
 603 W. Division St.  
 Bloomington, IL 61701

Item	Description	Qty	Unit Price	Total
SWAN-TURBIW...	Turbiwell Changeout Program SWAN Part# A-25.411.700.1 Monitor AMI Turbiwell W/LED Analyzer for measurement of turbidity. Complete on mounting panel. Power supply: 85-265 VAC, 47 - 63 Hz Chamber drain: manual Includes a FULL 4 YEAR WARRANTY ON ALL PARTS AND LABOR.	20	3,750.00	75,000.00
SWAN-Turbiwell ...	SWAN Part # A-25.411.700.2 Monitor AMI Turbiwell W/LED; Auto-Drain Analyzer for measurement of turbidity. Complete on mounting panel. Power supply: 100-240 VAC, 50/60 Hz Chamber drain: automatic Includes a FULL 4 YEAR WARRANTY ON ALL PARTS AND LABOR.	3	4,750.00	14,250.00
SWAN-TURBIW...	Options SWAN ANALYTICAL Part# A-81.420.042 AMI USB Interface PCB Amicon USB including flash disc	1	355.00	355.00
FREIGHT	FREIGHT CHARGES (free freight)	1	0.00	0.00
TRAINING	Training at customer location if required	1	0.00	0.00

Any questions, please call Michelle Harrod at 630-408-7323

**Proposal Total**

\$89,605.00

## LIMITED SOURCE JUSTIFICATION

(Requester completes Section A and B)

### **SECTION A – LIMITED SOURCE PURCHASE:**

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

Vendor Name & #: Midwest Water Group, Inc.  
Vendor # 3888

Amount: \$89,605.00

Date: 01/23/2017

Description of item/service: Twenty-three Turbiwell monitors.

Justification: Explain why this vendor is the only vendor that can perform this work:  
The SWAN Turbiwell monitors utilize technology that increases the reliability of testing requirements set forth by the Illinois Environmental Protection Agency.

Competitors other than the closest one use incandescent bulbs for their light source. The SWAN units and the closest competitor's units use LED light source, which is becoming the industry standard, resulting in far greater stability of calibration. Incandescent bulbs need to be replaced annually, while the solid state light sources do not require periodic replacement.

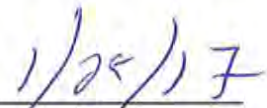
The SWAN units offer proprietary technology that reduces measurement variability by eliminating the use of vials. The SWAN turbiwell monitors utilize a heated plate that prevents condensation. The closest competitor uses a cuvette (glass vial) which requires careful cleaning and requires the use of disposable desiccant packets to prevent condensation on the cuvette. Condensation causes erroneous readings. These disposable desiccant packets will require regular replacement due to extremely humid conditions within the Water Treatment Plant, while the heated plate eliminates the need for desiccants.

The Water Treatment Plant at Lake Bloomington piloted two units of the SWAN Turbiwell monitors for four years with no problems resulting in stable and accurate tests results. SWAN will also provide on-site instruction and training.

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



(Name and Signature of Department Head)



Date



**SECTION C –TO BE COMPLETED BY PROCUREMENT OFFICE:**

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

Do not concur for the following reason(s):

\_\_\_\_\_  
Name and Signature of Purchasing Agent or Designee

\_\_\_\_\_  
Date

Don't explain why you want to use this vendor/product - explain what makes this vendor/product unique to the application.

Evaluate your narrative and make sure the following "tests" are contained in it:

- Sole Source: Only one sole vendor exists. If there is truly one vendor than the transaction being considered is non-biddable and a bid exemption can be granted. This rarely occurs. A signed letter from the vendor must be obtained and Procurement must verify.
- Limited Source: A much more common exemption may be granted if a good or service provided by a specialized supplier, meets or exceeds the City's specifications, or for improved public service or long term operational needs of the City based on security, patents, copyrights, critical need for responsiveness, proximity, Federal, State or other regulations, necessary replacement parts and/or compatibility, and warranty.

Good examples:

- IS - uses Dell computers and Cisco phone systems and has invested years of money and training into these purchases and therefore creates a limited source for operational reasons.
- BFD - uses certain turnout gear and self-contained breathing apparatus (SCBA) for firefighters, where consistency in equipment provides efficiencies in training and increased employee and public safety.
- Water – uses Neptune water meters and related appurtenances & software

Failure to adequately address required justifications will be cause for rejection of the Limited Source Justification request.

Valid for one year after the date of the signature of the Procurement Manager.



ANALYTICAL INSTRUMENTS

[www.swan-analytical-usa.com](http://www.swan-analytical-usa.com) · SWAN ANALYTICAL USA INC. · WHEELING, IL 60090 · PHONE 847 229 1290 · FAX 847 229 1320

January 1, 2017

To Whom it may concern,

Swan Analytical USA is the sole manufacturer of its products. The AMI Turbiwell is the first and only White LED approved by the US EPA for use in Water and Wastewater applications in the United States.

Midwest Water Group is the sole or exclusive representative for Swan Analytical within the states of Illinois, Indiana and Wisconsin for the purchase of new products, OEM repair parts and maintenance for 2017.

No other representatives can sell products, repair/replace parts, maintenance, repair/replace service, field service and technical support for Swan Analytical USA.

Your contact for Midwest Water Group is:

Michelle Harrod  
Midwest Water Group  
PO Box 909  
Lake Geneva, WI 53147  
Direct 630-408-7323  
866-526-6558

If you have questions regarding this issue, please contact Kevin Forsman at (847) 421-9563 or Colleen Chionis at (847) 229-1290.

Sincerely,

A handwritten signature in black ink, appearing to read "Colleen Chionis".

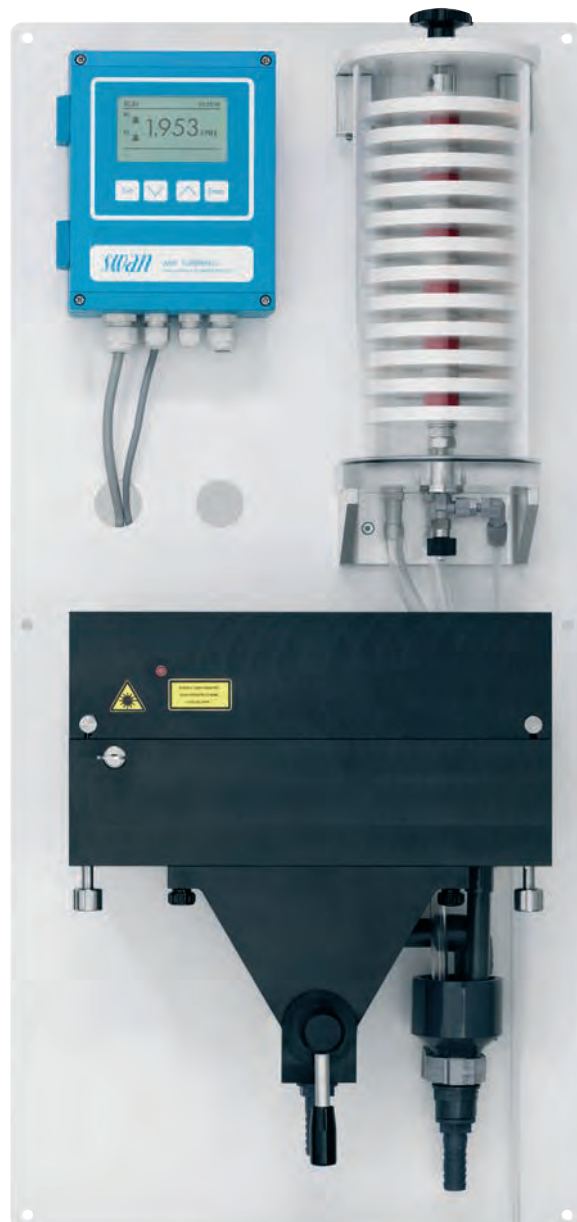
Colleen Chionis  
VP of Operations  
Swan Analytical USA  
225 Larkin Drive Unit 4  
Wheeling, IL 60090

## AMI Turbiwell

*Non-contact nephelometric system for the automatic and continuous measurement of turbidity in potable water, surface water and effluent (ISO 7027).*

- *Measuring range:  
0.000 – 200 FNU*
- *Precision:  
 $\pm 0.003$  FNU or 1% of the reading*
- *Non-contact turbidimeter:  
Optical elements are not in direct contact with the sample – no fouling*
- *Low-maintenance.*
- *High quality long life laser beam (class 3B).*
- *Complete system mounted on panel.*
- *Factory calibrated with Formazine.*
- *Ready for installation and operation.*

*(Data Sheet No. DenA2541X6XXX)*



*Low Level Turbidity*

# Turbidity in Potable Water, Surface Water and Effluent.

---



*Turbidity Verification Kit  
(available as low or high FNU)*

A-85.151.060 low FNU  
A-85.151.070 high FNU



## *Analytical System*

- *Range: 0.000 to 200.0 FNU with automatic range switching.*
- *High precision:  $\pm 0.003$  FNU or 1% of the reading.*
- *Heated optics, windows and sample compartment to avoid condensation.*
- *Optional sample degasser to avoid the formation of bubbles in the sample.*
- *2 versions of the AMI Turbiwell for purging of the sample chamber:*
  - *manual operation of the drain valve or*
  - *automatic regulation of the drain via electric motor*
- *Automatic laser beam switch off when opening the measuring chamber.*

## *AMI Electronic Unit*

- *Resistant aluminum housing IP66.*
- *Large backlit LC-Display for the reading of the measured value and status information.*
- *Full-text menu driven user interface.*
- *Two freely scalable current signal outputs (0/4 – 20 mA).*
- *Alarm relay and two programmable limit switches.*
- *Optional Profibus communication.*

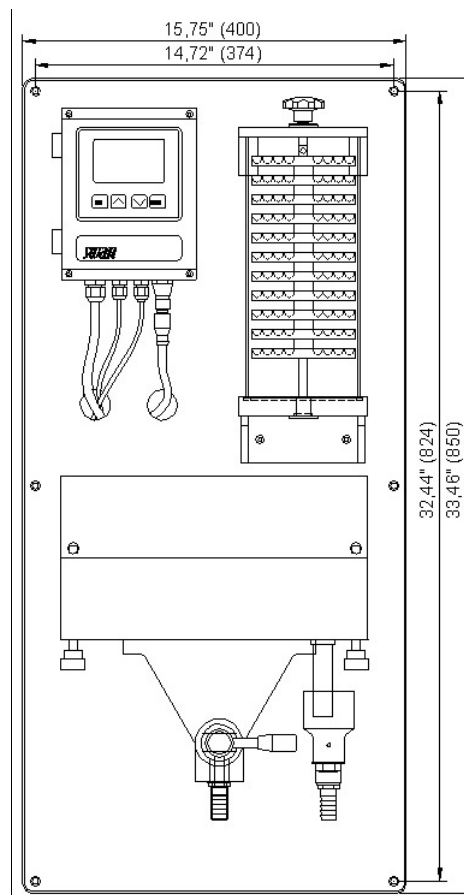
*swan*

ANALYTICAL INSTRUMENTS

Nephelometric system, approved alternative method to US EPA 180.1, for the automatic and continuous measurement of turbidity in potable water, surface water and effluent.

**Monitor AMI Turbiwell W/LED**

- Non-contact turbidimeter: System optics are not in direct contact with sample, no fouling on optical surfaces.
- Measuring range: 0.000 - 100.0 NTU  
Automatic range switching.
- Precision: ± 0.003 NTU or ± 1% of reading.
- Complete system including transmitter, control electronics, sample chamber and turbidimeter
- Manual or automatic valve for the drain of the sample chamber.
- Easy user menus in English, German, French and Spanish. Simple programming of all parameters by keypad.
- Electronic record of major process events and calibration data.
- Real-time clock for time stamp in data logs and for automated functions.
- Data logger for 1'500 data records stored at selectable intervals. (Data download to PC requires optional HyperTerminal interface).
- Big back-lit LCD display for the reading of all measured values and status information simultaneously.
- Measurement values are available as analog output signals.
- Potential-free alarm contact as summary alarm indication for programmable alarm values and for instrument errors.
- Input for potential-free contact to freeze the measuring value or to interrupt control in automated installations (hold function or remote-off).
- Factory tested, ready for installation and operation.
- Optional *sample degasser* to avoid the formation of interfering bubbles in the samples.



Monitor AMI Turbiwell W/LED with manual drain valve and optional sample degasser.

**Accessories:**

- Turbidity verification kits  
(Low or High NTU for dry verification)

Order scheme	Monitor AMI Turbiwell W/LED	A	2	5	4	1	X	7	X	X	X
<b>Power supply</b> .....	100 - 240 VAC, 50/60 Hz .....						1	↑			
	24 VDC, direct current .....						2				
<b>Signal output option</b> .....	None .....								0		
	Profibus DP interface .....								2		
	HyperTerminal interface (for logger download) .....								3		
	Modbus interface (for <i>Webserver</i> connection) .....								4		
<b>Sample degasser option</b> .....	None .....									0	
	Sample degasser .....									1	
<b>Drain valve</b> .....	Manual drain valve .....										1
	Automatic drain valve: "Auto-Drain" with electrical motor .....										2

**Turbidimeter System**

Nephelometer using a white light LED light source. Approved alternative method to US EPA 180.1.

Method number: SWAN AMI Turbiwell

Measuring range: 0.000 to 100.0 NTU  
Precision: ± 0.003 NTU or ± 1%, whichever is greater

Two-part turbidimeter body made of PETP with drain valve.  
Heated optics, windows and sample compartment to avoid condensation.

Easy cleaning of sample compartment.

Factory calibrated with Formazine.

**Transmitter Specifications and Functionality**

Electronics case: Aluminum  
Protection degree: IP 66 / NEMA 4X  
Display: backlit LCD, 2,95 x 1,77"  
Electrical connectors: screw clamps  
Ambient temperature: 14 to 122 °F  
Limit range of operation: -13 to 149 °F  
Storage and transport: -22 to 185 °F  
Humidity: 10 to 90 % relative, non condensing

**Power supply**

Voltage: 100 - 240 VAC (± 10 %),  
50/60 Hz (± 5 %)  
or 24 VDC (± 15 %)  
Power consumption: max. 20 VA

**Operation**

Easy operation based on separate menus for "Messages", "Diagnostics", "Maintenance", "Operation" and "Installation".

Separate, menu specific password protection.

Display of process value, alarm status and time during operation.

Storage of event log, alarm log and calibration history.

Storage of the last 1'500 data records in logger with selectable time interval.

**Real-time clock with calendar**

For action time stamp and preprogrammed actions.

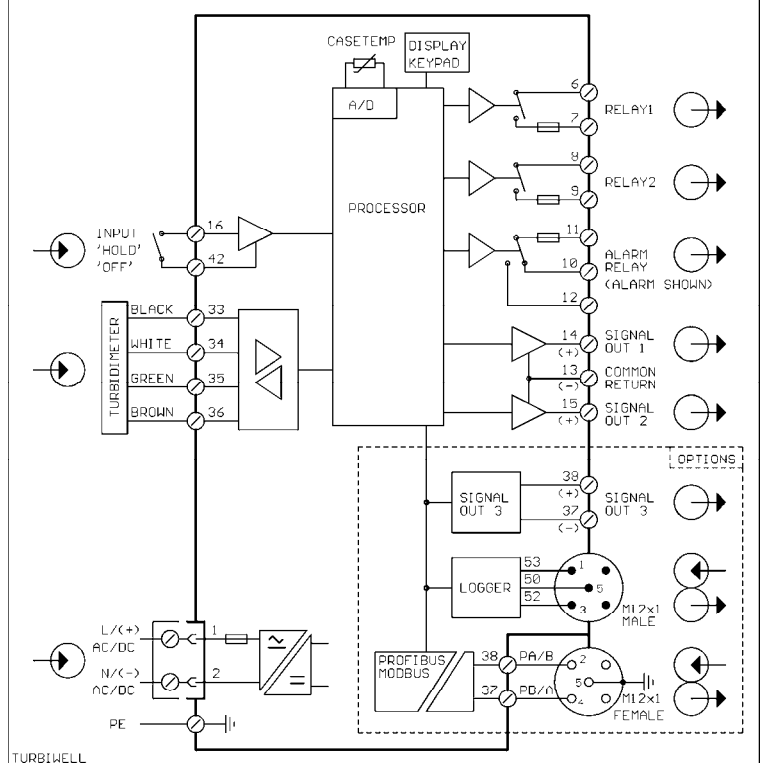
**Safety features**

No data loss after power failure, all data are saved in non-volatile memory.  
Over-voltage protection of in- and outputs.  
Galvanic separation of measuring inputs and signal outputs.

**Transmitter temperature monitoring**

With programmable high/low alarm limits.

**Electrical Connection Scheme**



**1 Alarm relay**

One potential free contact for summary alarm indication for programmable alarm values and instrument errors.  
Maximum load: 1A / 250 VAC

**1 Input**

One input for potential-free contact. Programmable hold or remote off function.

**2 Relay outputs**

Two potential-free contacts programmable as limit switches for measuring values, controllers or timer with automatic hold function.

Rated load: 1A / 250 VAC

**2 Signal outputs**

Two programmable signal outputs for measured values (freely scaleable, linear or bilinear) or as continuous control outputs (control parameters programmable).

Current loop: 0/4 - 20 mA

Maximum burden: 510 Ω

**Control functions**

Relays or current outputs programmable for 1 or 2 pulse dosing pumps, solenoid valves or for one motor valve. Programmable P, PI, PID or PD control parameters.

**1 Communication interface (option)**

RS232 interface for logger download to PC with Microsoft HyperTerminal or RS485 interface (galvanically separated) with Fieldbus protocol Modbus or Profibus DP.

Remote instrument access with PC requires Modbus interface and optional Webserver.

**Sample and Monitor Data**

**Sample conditions**

Flow rate: approx. 5 – 16 gal/h  
Temperature: up to 104 °F  
Sample temperature max. 9°F over ambient temperature  
Outlet pressure: pressure free, atmospheric drain

**Sample connections**

Inlet: ¼" thread / nozzle, Ø 0,39" (10mm)  
Drain: ½" thread / Ø 0,62" (16 mm), tubing 0,59 x 0,78" (15 x 20 mm)

**Panel**

Dimensions: 33,46 x 15,75 x 7,87" (850 x 400 x 200mm)

Material: white PVC

Weight: 22.0 lbs



## CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of approving amendments to the Lake Bloomington building and structures permitting ordinance.

**RECOMMENDATION/MOTION:** Recommend that an Ordinance amending Chapter 23, Lake Bloomington, Section 3, regarding the permitting of any dock, wharf, boathouse, or anchored or stationary raft be approved and the Ordinance passed, and authorize the Mayor and City to execute the Ordinance.

**STRATEGIC PLAN LINK:** Goal 5. Great place to live—livable, sustainable city

**STRATEGIC PLAN SIGNIFICANCE:** Objective 5b. City decisions consistent with plans and policies

**BACKGROUND:** Lake Bloomington, as well as the marginal, leased and non-leased land surrounding it, is owned by the City and functions as the City's primary water source. The Illinois Municipal Code, 65 ILCS 5/7-4-2, allows for the City to maintain jurisdiction and control over Lake Bloomington and its surrounding lands as if this area were within City boundaries. Chapter 23 of the City Code governs the use of Lake Bloomington and the surrounding land owned by the City.

The City of Bloomington began investigating docks and structures located on non-leased City park land in late-2015. Chapter 23, Section 3 requires all docks, wharfs, boathouses and anchored or stationary rafts located on Lake Bloomington to apply and be granted a permit for construction and placement on the Lake. Permits consider construction elements, location, size, and the impact to the Lake and other users.

City staff is currently in the process of citing and seeking the removal of docks, wharfs, boathouses and stationary rafts that are not in compliance with Section 3.

To date, the general practice of the City, from a policy standpoint, has been to only grant lease holders of lands directly adjacent the City's Lake front marginal (non-leased) land permits to construct structures on or adjacent the Lake itself. Staff seeks to codify this longstanding practice to ensure a consistent approach in the future. Staff believe that amending Chapter 23, Section 3 to include this limitation is in the best interest of the City. The limitation allows the Water Department to instill necessary controls to ensure water quality remains the highest priority. Staff recognizes that other individuals may desire to construct a dock or structure on the Lake, however, excessive development places the quality of the City's drinking water reservoir at risk. In addition, these lands create other access and related issues.

Codifying the limitation will not remove or limit the ability for access to the Lake by those who do not lease Lake front property. Other leased lots, along with the general public, are provided access to the Lake utilizing easements at various locations across City-owned non-leased land. Lake Bloomington offers a marina for on-the-water boat storage and the City maintains a public boat ramp, dock and park lands for additional access points.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable.

**COMMUNITY DEVELOPMENT IMPACT:** Not applicable.

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, Special Projects

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

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- Ordinance



**ORDINANCE 2017 - \_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 23 OF THE CITY CODE  
ON PERMITS ISSUED AT LAKE BLOOMINGTON**

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

**WHEREAS**, Lake Bloomington, as well as the marginal, leased and non-leased land surrounding it, is owned by the City and is the primary water source to the City; and

**WHEREAS**, the Illinois Municipal Code, 65 ILCS 5/7-4-2, allows for the City to maintain jurisdiction and control over Lake Bloomington and its surrounding lands as if this area were within the City boundaries; and

**WHEREAS**, Chapter 23 of the City Code governs the use of Lake Bloomington and the surrounding land owned by the City and establishes a process for permitting structures within such area;

**WHEREAS**, Chapter 23, Section 3 of the City Code sets forth that no dock, wharf, boathouse or anchored or stationary raft shall be permitted unless a permit is granted; and

**WHEREAS**, numerous individuals have constructed docks, wharfs, boathouses and anchored or stationary rafts either without a permit or not in compliance with said permit; and

**WHEREAS**, City staff is currently in the process of citing and seeking the removal of those that have docks, wharfs, boathouses and stationary rafts not in compliance with Section 3 and the City Council is supportive of both the prosecution and removal of such structures; and

**WHEREAS**, it is imperative to the safety of the City’s drinking water supply that the use of Lake Bloomington be limited, managed and well controlled; and

**WHEREAS**, it has come to the attention of the City that in some cases docks, wharfs, boathouses and anchored or stationary rafts have been placed on Lake Bloomington by individuals that do not lease land directly adjacent to the Lake; and

**WHEREAS**, the City Council finds it in the best interest of the City that only those who lease land directly adjacent to Lake Bloomington be granted permits for docks, wharfs, boathouses, and anchored or stationary rafts and that any such permits be strictly complied with and limited to effectuate the safety, public access and water quality of Lake Bloomington; and

**WHEREAS**, the City has a primary public policy interest in promoting water quality at Lake Bloomington, which serves as the primary water source for the City of Bloomington and limiting the number of docks, wharfs, boathouses and anchored or stationary rafts, at the Lake helps promote water quality; and

**WHEREAS**, it is imperative to limit the permitting of docks, wharfs, boathouses and anchored or stationary rafts at Lake Bloomington to leased premises so that appropriate controls can be put into place regarding development adjacent to and on the Lake, to ensure recreational opportunities and access for the general public and to provide governance necessary to improve water quality;

**WHEREAS**, it is further imperative to limit the permitting of docks, wharfs, boathouses and anchored or stationary rafts at Lake Bloomington to leased premises as the other land surrounding Lake Bloomington is not under private lease and is not designed for such private access and/or control and opening these areas up to such uses could interfere not only with water quality, but also public access to nature trails, lands, and the Lake; and

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

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

**SECTION 2.** A new Section 3 shall be amended in Chapter 23 as follows:

Section 3: Buildings and Structures.

No building or other structure, whether for habitation or otherwise, including any dock, wharf, boathouse or anchored or stationary raft shall be constructed, altered or maintained within the limits of the reservoir or marginal land, unless all applicable permits, based upon a written application setting forth the location, specifications and intended use thereof, are granted by the Water Department and as applicable the Community Development Department ~~appropriate divisions of the Building Department, including building, electric, plumbing and hearing.~~ No permit for any dock, wharf or boathouse or anchored or stationary raft shall be issued unless it is to be located adjacent to marginal land located directly adjacent to and bordering land leased by the applicant, and it is determined by the Water Director that the addition of such dock, wharf, boathouse or anchored or stationary raft is a mere extension of the leased premises to be used for the sole purpose of docking a boat. An anchored or stationary raft may be located off the marginal land adjacent to the applicant's leased premises, so long as it does not impact public access to the waterways and is otherwise in compliance with this section.

**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 February, 2017.

APPROVED this \_\_\_\_ day of February, 2017.

APPROVED:

---

Tari Renner  
Mayor

ATTEST:

---

Cherry Lawson  
City Clerk



## CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of

- (1) Adopting an Ordinance to Rescind Ordinance 2016-24 which approved a Final Plat for the Third Addition to Shirk Commercial Subdivision on March 26, 2016; and
- (2) Adopting an Ordinance approving a Petition from Sunrise Company, LLC, for a final plat for the Third Addition to Shirk Commercial Subdivision, located at the southwest corner of Hershey Road and College Avenue.

**RECOMMENDATION/MOTION:** 1. That an Ordinance be passed rescinding Ordinance No. 2016 - 24; 2. that an Ordinance be passed approving the final plat for the Third Addition to Shirk Commercial Subdivision last revised January 27, 2017, and providing for escrow of the plat pending receipt by the escrow agent of documents required to complete Kroger Limited Partnership I's acquisition ("Acquisition") of Lots 8, 10, and 11 as shown on the plat, including the performance bond ("Bond") and tap-on fees ("Fees").

**STRATEGIC PLAN LINK:** 3. Grow the Local Economy

**STRATEGIC PLAN SIGNIFICANCE:** 3e. Strong working relationship among the City, businesses, economic development organizations

**BACKGROUND:** This final plat consists of four lots and 1 outlot located at the southwest corner of Hershey Road and College Avenue. The petitioner, Sunrise Company LLC, would like to subdivide and sell a portion of the land to allow for the development of a Kroger Marketplace Grocery Store (14.624 acres) with two smaller lots (0.868 acres each) along College Avenue to be owned and developed by Kroger at a future date.

The final plat complies with City engineering standards (Manual of Practice and Chapter 24 of City Code) and City staff has no objections to the plan. The plat is in conformance with the preliminary plan also appearing before Council tonight (2/13/2017) for consideration.

A prior final plat was approved by Council on March 26, 2016, Ordinance No. 2016-24, but the plat was never recorded. The petitioner has requested that the ordinance approving this plat be rescinded. Chapter 24, Section 3.5.5 provides that if a final plat is not recorded within 90 days of approval it becomes null and void, so rescinding the ordinance will not effect a substantive change since the final plat approved by the ordinance has become null and void.

The tap on fees for Lots 8, 10, 11, & 12 as shown on the final plat will be paid by the developer. Upon complete execution of the plat of the Third Addition to Shirk Commercial Subdivision ("plat"), the City attorney [or other designated individual] will send the plat, in recordable form, to Fidelity National Title Insurance Company, at 4111 Executive Parkway, Suite 304,

Westerville, OH 43081 Attn: Nathan Heinz (“Fidelity”) to be held in escrow. Release from escrow will occur upon Fidelity’s receipt of documents required to complete Kroger Limited Partnership I’s acquisition (“Acquisition”) of Lots 8, 10, and 11 as shown on the plat, including, but not limited to Fidelity’s receipt of the performance bond (“Bond”) and tap-on fees (“Fees”) which are a requirement to record the plat. Upon the receipt of the Bond and Fees, and all other items necessary for the Acquisition, Fidelity will deliver the Bond and Fees to the City of Bloomington Clerk’s office and will submit the plat to the Office of the McLean County Recorder of Deeds for recording and processing. If the plat is not recorded in 90 days after being approved by Council, it will become null and void.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** As part of preliminary plan approval process, public notice was published in the Pantagraph on December 27, 2016 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 76 property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

**FINANCIAL IMPACT:** All platting, design, and public improvement costs will be paid by the developer. Development of the subject property will result in increased economic development, sales tax and property tax revenue for the City, and increased employment.

**COMMUNITY DEVELOPMENT IMPACT:**

Link to Comprehensive Plan/Downtown Plan Goals: It is currently vacant farmland and identified in the Comprehensive Plan 2035 as a Tier-1 Infill Development priority.

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

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** Majority

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, PE, Assistant City Engineer

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Community Development review by: Tom Dabareiner AICP, Community Development Director

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

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- Attachment 1 - Petition
- Attachment 2 - Ordinance Rescinding Ordinance 2016-24
- Attachment 3 – Final Plat Approval Ordinance
- Attachment 4 - Legal Description
- Attachment 5 - School District Certificate
- Attachment 6 - County Clerk's Certificate
- Attachment 7 - Owner's Certificate
- Attachment 8 - Drainage Statement
- Attachment 9 - Final Plat Checklist
- Attachment 10 - Council Map and Final Plat
- Attachment 11 - Tap-On Memo

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois )  
 )ss.  
County of McLean )

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

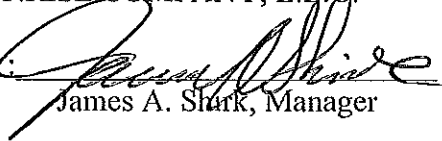
NOW COMES Sunrise Company, LLC, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference;
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Third Addition to Shirk Commercial Subdivision.
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960:  
None

WHEREFORE, your petitioner respectfully prays that said Final Plat for the Third Addition to Shirk Commercial Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

SUNRISE COMPANY, L.L.C.

By:   
James A. Shirk, Manager

**ORDINANCE NO. 2017 - \_\_\_\_\_**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE THIRD ADDITION TO SHIRK COMMERCIAL SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Third Addition to Shirk Commercial Subdivision last revised January 27, 2017, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

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

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code:

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

1. That the Final Plat of Shirk Commercial Subdivision last revised January 27, 2017, is hereby approved;
2. Upon complete execution of said final plat, the City attorney [or other designated individual] will send the plat, in recordable form, to Fidelity National Title Insurance Company, at 4111 Executive Parkway, Suite 304, Westerville, OH 43081 Attn: Nathan Heinz (“Fidelity”) to be held in escrow;
3. Upon the receipt of the Bond and Fees, and all other items necessary for the Acquisition, Fidelity will deliver the Bond and Fees to the City of Bloomington Clerk’s office and will submit the plat to the Office of the McLean County Recorder of Deed for recording and processing;
4. If the plat is not recorded in 90 days after being approved by Council, it will become null and void;
5. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED THIS 13<sup>th</sup> DAY OF FEBRUARY 2017.

APPROVED THIS \_\_\_ DAY OF FEBRUARY 2017.



**CITY OF BLOOMINGTON**

**ATTEST**

\_\_\_\_\_  
Tari Renner, Mayor

\_\_\_\_\_  
Cherry L. Lawson, City Clerk

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey R. Jurgens, Corporate Counsel

Exhibit "A"

Description of Property

That part of Lot 10 in Resurvey of Lot 8 in Shirk Survey, Bloomington, Illinois, lying west of a line being 43 feet normally distant west of the West Line of Land conveyed to Tiehack Corporation per Warranty Deed recorded July 28, 1995 as Document No. 95-15400 in the McLean County Recorder's Office and lying north of the North Right-of-Way Line of Jumer Drive, City of Bloomington, McLean County, Illinois.

PIN: A part of 14-26-426-005

SCHOOL DISTRICT CERTIFICATE

This is to certify that I, James A. Shirk, Manager of Sunrise Company, L.L.C., Owner of the property herein described in the Surveyor's Certificate, which will be known as Third Addition to Shirk Commercial Subdivision, to the best of my knowledge, is located within the boundaries of Community Unit School District #5, in McLean County, Illinois.

Dated this 13th day of January, 2016

Respectfully submitted,

SUNRISE COMPANY, L.L.C.

By: [Signature]  
James A. Shirk  
Its Manager

State of Illinois )  
                          )ss.  
County of McLean)

I, Julie L. Garrett a Notary Public in and for the county and State aforesaid, do hereby certify that James A. Shirk, personally known to me to be the Manager of Sunrise Company, L.L.C., on whose behalf he executed the foregoing School District Certificate, and appeared before me, this day, in person and acknowledged the execution of this Certificate as his free and voluntary act, and as the free and voluntary act of Sunrise Company, L.L.C.

Given under my hand and notarial seal this 13th day of January, 2016

[Signature]  
Notary Public

My commission expires: 12-7-2018



COUNTY CLERK'S CERTIFICATE

State of Illinois )  
                          )ss.  
County of McLean)

I, KATHY MICHAEL, County Clerk of McLean County, State of Illinois, do hereby certify that on the 19 day of JANUARY, 2017, there were no delinquent general or special assessments unpaid, special assessments or delinquent special assessments unpaid against the tract of land shown on the plat attached to this certificate and described in the certificate of the Surveyor attached hereto and to said Plat.

14-26-426-005

Kathy Michael  
County Clerk, McLean County, Illinois

OWNER'S CERTIFICATE

State of Illinois )
)ss.
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, hereby certifies that it is the owner of the premises embodied in the attached Plat of the Third Addition to Shirk Commercial Subdivision to the City of Bloomington, McLean County, Illinois, and that it has caused said Plat to be made and that it is a true and correct plat of Third Addition to Shirk Commercial Subdivision to the City of Bloomington, McLean County, Illinois as laid off in lots and streets by Farnsworth Group, Registered Illinois Land Surveyor Number ; and the undersigned does hereby dedicate and set apart to the City of Bloomington for general utility purposes, (and further dedicated the public use areas as shown on said Plat)\*

IN WITNESS WHEREOF, the undersigned has executed this Owner's Certificate this 13th day of January, 2017.

Respectfully submitted,

SUNRISE COMPANY, L.L.C.

By: [Signature]
James A. Shirk
Its Manager

(Seal)

\*where dedication is required under Section 3.5.

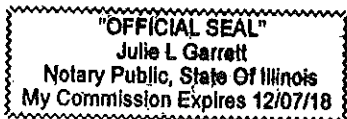
State of Illinois )
)ss.
County of McLean)

I, Julie L. Garrett a Notary Public in and for the county and State aforesaid, do hereby certify that James A. Shirk, personally known to me to be the Manager of Sunrise Company, L.L.C., on whose behalf he executed the foregoing Owner's Certificate, and appeared before me, this day, in person and acknowledged the execution of this Certificate as his free and voluntary act, and as the free and voluntary act of Sunrise Company, L.L.C.

Given under my hand and notarial seal this 13th day of January, 2017

[Signature]
Notary Public


My commission expires: 12-7-2018

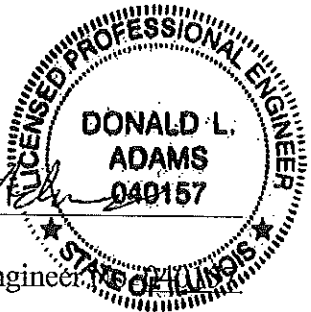


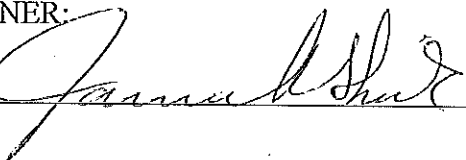
DRAINAGE STATEMENT

I, Donald L. Adams, Registered Professional Engineer, and Sunrise Company, LLC, being the owner of the premises heretofore platted by Brent A. Bazan, Illinois Professional Land Surveyor No. 3715, to be and become the "Third Addition to Shirk Commercial Subdivision", in the City of Bloomington, McLean County, Illinois, do hereby state that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or any part thereof; or that if such surface waters drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas or drains which the Subdivider has a right to use and that such waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

I further state that no lots are within the Special Flood Hazard Area, as identified by the Federal Emergency Management Agency.

  
\_\_\_\_\_  
Registered Professional Engineer



OWNER:  
BY:   
\_\_\_\_\_

Third Addition to Shirk Commercial Subdivision





--	--	--









































































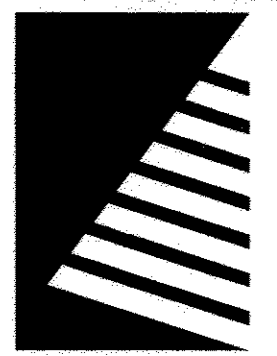






# THIRD ADDITION TO SHIRK COMMERCIAL SUBDIVISION

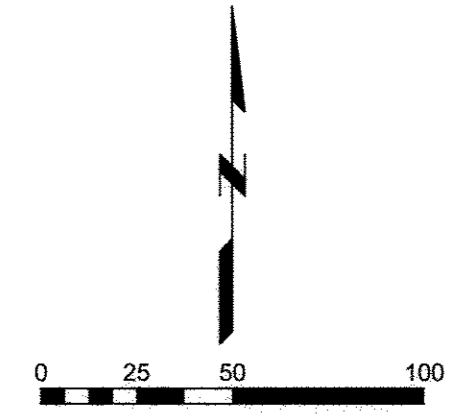
PART OF S.W. 1/4 SECTION 25 & S.E. 1/4 SECTION 26, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN  
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS



**Farnsworth GROUP**

2709 McGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435 / info@f-w.com

www.f-w.com  
Engineers | Architects | Surveyors | Scientists

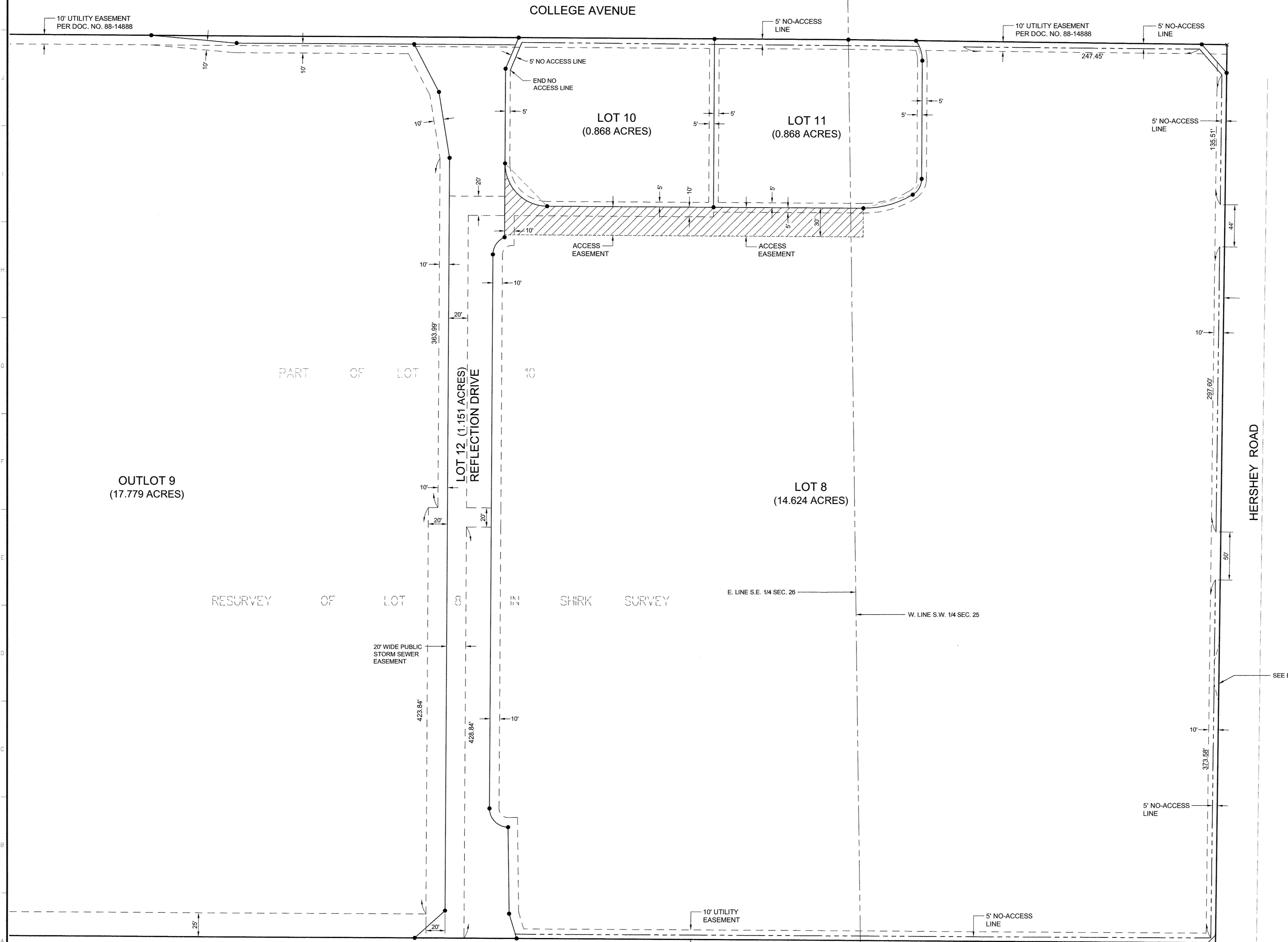


**LEGEND**

- IRON ROD
- x MAGNETIC NAIL
- UTILITY EASEMENT LINE
- 5' NO-ACCESS LINE
- /// ACCESS EASEMENT AREA

ISSUE:

#	Date:	Description:
1	03/04/16	ADDED RIGHT-OF-WAY DEDICATION
2	05/06/16	ADDED OUTLOT 9
3	12/09/16	ADDED LOTS 10 & 11
4	01/10/17	ADDED LOT 12 AND EASEMENTS
5	01/12/17	ADDED PUBLIC STORM SEWER EASE
6	01/27/17	ADDED STREET NAME & REVISED NOTE 2



I:\Projects\2016\2016-03-04\2016-03-04-03-04-16-00 - Shirk Commercial Subdivision Final Plat - 3rd Addition\Drawings\17-29-16.dwg | 1/17/2017  
 6:37 AM

PROJECT:

**THIRD ADDITION TO SHIRK COMMERCIAL SUBDIVISION**

BLOOMINGTON, ILLINOIS

Date: 3-04-16  
 Design/Drawn: DJM  
 Reviewed: -  
 Book No.: 2665/37 Field: 2-29-16  
 Project No.: 0160216.00

SHEET TITLE:  
**FINAL PLAT**

SHEET NUMBER:

**2**

**MEMORANDUM**

January 27, 2017

TO: Cherry Lawson, City Clerk  
FROM: Ryan L. Otto, P.E., Assistant City Engineer  
RE: **Third Addition to Shirk Commercial Subdivision**  
Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap On fees required from the developer before releasing for recording: **Third Addition to Shirk Commercial Subdivision** approved by the City Council on February 13, 2017.

**A. Performance Guarantee:**

A Performance Guarantee for 110% of the public improvements in the amount **\$772,710.95** is required.

Upon complete execution of the plat of the Third Addition to Shirk Commercial Subdivision ("Plat"), the City attorney [or other designated individual] will send the Plat, in recordable form, to Fidelity National Title Insurance Company, at 4111 Executive Parkway, Suite 304, Westerville, OH 43081 Attn: Nathan Heinz ("Fidelity") to be held in escrow; that release from escrow will occur upon Fidelity's receipt of documents required to complete Kroger Limited Partnership I's acquisition ("Acquisition") of Lots 8, 10, and 11 as shown on the Plat, including, but not limited to Fidelity's receipt of the performance bond ("Bond") and tap-on fees ("Fees") which are a requirement to record the Plat; that upon the receipt of the Bond and Fees, and all other items necessary for the Acquisition, Fidelity will deliver the Plat, together with the Bond and Fees to the City Clerk's office for recording and processing.

**B: Tap-On Fees:**

There are tap-on fees due for **Third Addition to Shirk Commercial Subdivision:**

		<b><u>Code</u></b>	<b><u>Total</u></b>
1	College Avenue Pavement	20300-57320	\$ 91,020.91
2	Hershey Road Pavement	20300-57320	\$ 89,041.20
3	College Avenue Water Main	50200-57320	\$ 29,829.29
	<b>Total</b>		<b>\$209,891.40</b>

Subdivision Area: 35.359 acs.

- 1) College Ave Pavement: \$60/ft+6% from 7/91
- 2) Hershey Rd Pavement: \$60/ft+6% from 11/95
- 3) College Avenue Water Main: \$15/Ft+6% from 05/84
- 4) Total Public Improvements Guarantee = (\$702,464.50 X 1.1) = \$772,710.95



**Public Works Department**

*ENGINEERING DIVISION*

115 E. Washington St., PO BOX 3157

Bloomington, IL 61702-3157

Phone: 309-434-2225

Fax: 309-434-2201

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

**ORDINANCE NO. 2017 - \_\_\_\_\_**

**AN ORDINANCE RESCINDING ORDINANCE NUMBER 2016-24**

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

1. That Ordinance Number 2016 - 24 approved by Council on March 26, 2017, be rescinded;
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED THIS 13<sup>TH</sup> DAY OF FEBRUARY 2017.

APPROVED THIS \_\_ DAY OF FEBRUARY 2017.

**CITY OF BLOOMINGTON**

**ATTEST**

\_\_\_\_\_  
Tari Renner, Mayor

\_\_\_\_\_  
Cherry L. Lawson, City Clerk

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey R. Jurgens, Corporate Counsel





## CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of passing an ordinance approving the Shirk Commercial Revised Preliminary Plan, approximately 35.56 acres, located at the southwest corner of Hershey Road and College Ave.

**RECOMMENDATION/MOTION:** That an ordinance approving the Shirk Commercial Revised Preliminary Plan, approximately 35.56 acres, located at the southwest corner of Hershey Road and College Avenue be passed and that the Mayor and City Clerk be authorized to execute the necessary documents.

**STRATEGIC PLAN LINK:** Goal 3. Grow the local economy

**STRATEGIC PLAN SIGNIFICANCE:** Expanded retail businesses (objective d). Encourage the revitalization of older commercial homes or infill development (objective c).

**BACKGROUND:** The subject property is approximately 35.56 acres located at the southwest corner of Hershey Road and College Avenue. It is currently farmland and identified in the Comprehensive Plan 2035 as a Tier-1 Infill Development priority. The petitioner, Sunrise Company LLC, would like to subdivide and sell a portion of the land to allow for the development of a Kroger Marketplace Grocery Store (14.624 acres) with two out lots (0.868 acres each) to be owned and developed by Kroger at a future date.

The proposed preliminary plan serves as a conceptual guide for future development of this area and is required to be approved by council before the land can be final platted. The City of Bloomington Community Development, Public Works, and Water Departments have been working with the petitioner to coordinate the location of ingress/egress in addition to the configurations of lots, utilities and easements. The preliminary plan shows the land being subdivided into the aforementioned three lots, one out lot (Out Lot 9, approximately 17.79 acres), and a lot to be used as a private access easement (Lot 12, approximately 1.151 acres). Detention for the area is provided by the Jumer Detention Basin located southwest of the subject property.

The City of Bloomington City Council approved an incentive agreement with Kroger Limited Partnership I on December 19, 2016 (Ord. 2016-133) encouraging the development of the Kroger Marketplace Grocery Store. Additionally, on March 28, 2016 the City Council approved an ordinance (Ord. 2016-23) rezoning the eastern portion of the subject property (approximately 17.5 acres) from Manufacturing to Business, also encouraging the retail development of Lots 12, 8, 10, and 11 on the proposed preliminary plan. A traffic study was conducted in 2016 and, as per staff's request, the petitioner and the future developer are accommodating the recommended intersection and traffic improvements.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This case was before the Planning Commission for a public hearing and review on January 11, 2017. No citizens, outside of the applicant, spoke in favor of the petition. One citizen spoke in opposition to the petition; and one citizen asked questions about the size of the development. Staff recommended in favor of the preliminary plan. The Board recommended approval of the Revised Preliminary Plan. The motion was passed by unanimous vote, 7-0. Public notice was published in *the Pantagraph* on December 27, 2016 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 76 property owners within 500 feet of the property. In addition, a public notice/identification sign was posted on the property.

**FINANCIAL IMPACT:** Development of the subject property will result in increased economic development, sales tax and property tax revenue for the City, and increased employment.

**COMMUNITY DEVELOPMENT IMPACT:**

Link to Comprehensive Plan/Downtown Plan Goals:

ED-1 Ensure a broad range of employment opportunities for all residents. This site is also designated as a Tier 1 infill development priority in the Bloomington Comprehensive Plan 2035.

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** Majority present

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by: Tom Dabareiner, AICP, Community Development Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

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

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- Ordinance for Shirk Commercial Revised Preliminary Plan with Exhibit A “Legal Description”
- Exhibit B “Shirk Commercial Revised Preliminary Plan”
- Petition
- Aerial Map of Subject Property
- Mailing Sample and Newspaper Publication
- Mailing List

- Planning Commission Report for 1-11-17
- Planning Commission Minutes for 1-11-17

**ORDINANCE NO. 2017-\_\_\_**

**AN ORDINANCE APPROVING THE SHIRK COMMERCIAL REVISED  
PRELIMINARY PLAN, APPROXIMATELY 35.56 ACRES, LOCATED AT THE  
SOUTHWEST CORNER OF HERSHEY ROAD AND COLLEGE AVENUE**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition for approval of the Shirk Commercial Revised Preliminary Plan dated December 19, 2016, legally described in Exhibit(s) A, which is attached hereto and made part hereof by this reference; and

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

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

WHEREAS, the City Council of the City of Bloomington has the power to pass this Ordinance and approve the Shirk Commercial Revised Preliminary Plan dated December 19, 2016;

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

1. That the Shirk Commercial Revised Preliminary Plan dated December 19, 2016, be and is hereby approved;
2. This Ordinance shall be in full force and effective upon passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CITY OF BLOOMINGTON:

ATTEST:

\_\_\_\_\_  
Tari Renner, Mayor

\_\_\_\_\_  
Cherry Lawson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jeffrey Jurgens, Corporation Counsel

EXHIBIT "A"

LEGAL DESCRIPTION

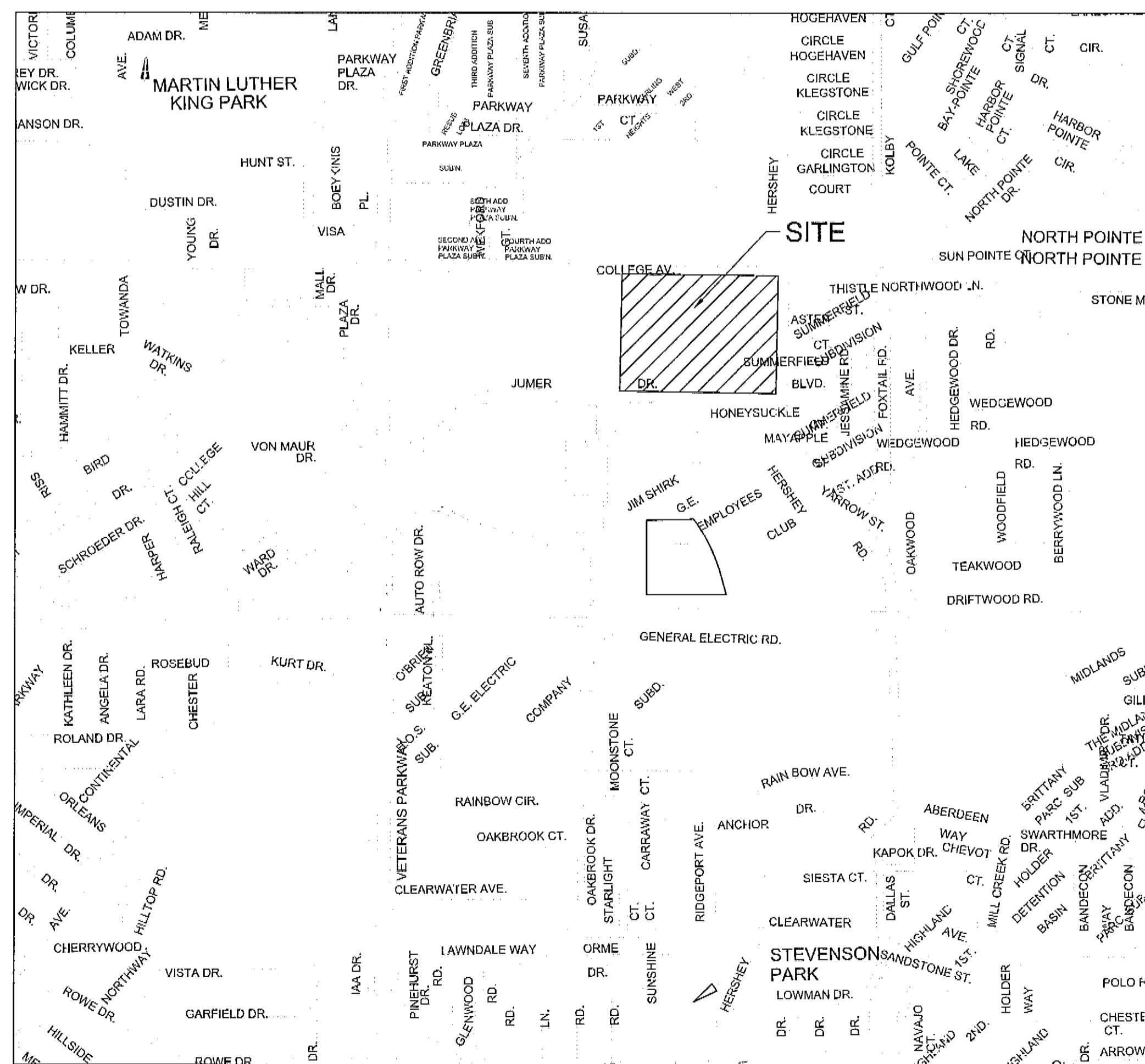
THAT PART OF LOT 10 IN RESURVEY OF LOT 8 IN SHIRK SURVEY,  
BLOOMINGTON, ILLINOIS, LYING WEST OF A LINE BEING 43 FEET  
NORMALLY DISTANT WEST OF THE WEST LINE OF LAND CONVEYED TO  
TIEHACK CORPORATION PER WARRANTY DEED RECORDED JULY 28, 1995  
AS DOCUMENT NO. 95-15400 IN THE MCLEAN COUNTY RECORDER'S OFFICE  
AND LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF JUMER DRIVE,  
CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

PIN: A PART OF 14-26-426-005

# SUNRISE, LLC SHIRK COMMERCIAL REVISED PRELIMINARY PLAN

BLOOMINGTON, ILLINOIS  
SEC. 26, T.24N., R.2E. 3P.M.

### Location Map



### Preliminary Plan Approval

RECOMMENDATION OF PRELIMINARY PLAN APPROVAL BY THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS:

"Notice is hereby given that this Revised Preliminary Plan of Shirk Commercial Subdivision shown hereon is recommended by the Planning Commission of Bloomington, Illinois, for City Council approval with the modifications contained in Appendix A (if any), which is attached hereto."

The Planning Commission of Bloomington, Illinois  
Date: \_\_\_\_\_  
By: \_\_\_\_\_  
Chairman  
By: \_\_\_\_\_  
Executive Secretary

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS:

"The Revised Preliminary Plan of Shirk Commercial Subdivision shown hereon has received approval by the City Council of Bloomington, Illinois, subject to the modifications contained in Appendix A which is attached hereto."

The City Council of Bloomington, Illinois  
Date: \_\_\_\_\_  
By: \_\_\_\_\_  
Mayor  
Attest: \_\_\_\_\_  
City Clerk

### Index of Drawings

COVER SHEET	
C0.0	COVER SHEET
C1.0	PRELIMINARY PLAN

### Professional Registrations

040157  
REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS  
Signature: Donald L. Adams  
DATE: 12/19/16  
EXPIRATION DATE: 11/30/17

Design Firm Registration #184001856

### Owner Information

SUNRISE, LLC  
103 ROBINSON STREET  
BLOOMINGTON, ILLINOIS 61701  
(309) 827-8580

### Engineer

DONALD L. ADAMS  
FARNSWORTH GROUP, INC.  
2709 MCGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435

### Attorney

WILLIAM WETZEL  
115 W. JEFFERSON, SUITE 400  
BLOOMINGTON, ILLINOIS 61701  
(309) 827-3432

EXISTING LEGEND	
●	IRON ROD
○	SANITARY MANHOLE
⊕	CURB INLET
⊙	STORM MANHOLE
⊗	POWER POLE
⊘	FIRE HYDRANT
○	SAN MANHOLE
—10" SA—	SANITARY SEWER
—12" ST—	STORM SEWER
—12" W—	WATER MAIN
—OE—	OVERHEAD ELECTRIC
---	UTILITY EASEMENT
—C—	GAS MAIN

PROPOSED LEGEND	
—15" ST—	STORM SEWER
—8" W—	WATER MAIN
814.5	INVERT ELEVATION
●	STORM MANHOLE
---	UTILITY EASEMENT
---	NO ACCESS EASEMENT
→	FLOW ARROW

### Notes

- THIS SITE CONTAINS 35.36 ACRES AND IS TO BE SUBDIVIDED INTO 4 LOTS AND 1 OUTLOT.
- LOTS 8, 10, 11 AND 12 ARE CURRENTLY ZONED B-1. OUTLOT 9 IS CURRENTLY ZONED M-1.
- NO PORTION OF THIS PROPERTY LIES WITHIN THE REGULATED FLOOD ZONE AS SHOWN ON MAP NO. 1711300510 DATED JULY 16, 2008.
- TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS FROM A COMBINATION OF A SURVEY BY ZIMMELT & ASSOCIATE, INC. AND FROM THE MCLEAN COUNTY GEOGRAPHIC INFORMATION SYSTEM. ELEVATIONS BASED ON AS-BUILT DRAWINGS.
- LOT 12 SHALL CONTAIN A PRIVATE ROADWAY AND ACCESS EASEMENT FOR LOTS 8, 10 AND OUTLOT 9. THIS LOT IS TO BE OWNED AND MAINTAINED PRIVATELY PER AN AGREEMENT BETWEEN THE SELLER AND THE PURCHASER OF LOT 8. A PRIVATE ACCESS EASEMENT FOR LOT 10 AND 11 SHALL BE RECORDED ON LOT 8 AS SHOWN ON THE PLAN.
- INTERSECTION & TRAFFIC SIGNALS IMPROVEMENTS SHALL BE CONSTRUCTED AT COLLEGE AVENUE AND LOT 12 AS REQUIRED BY THE CITY OF BLOOMINGTON PUBLIC WORKS DEPARTMENT. ADDITIONAL PUBLIC RIGHT-OF-WAY SHALL BE DEDICATED FOR COLLEGE AVENUE, JUMER DRIVE & HERSHEY ROAD AS NEEDED FOR THE INTERSECTION IMPROVEMENTS.
- A 5 FOOT WIDE, 6 INCH THICK PUBLIC SIDEWALK SHALL BE CONSTRUCTED ON THE NORTH SIDE OF JUMER DRIVE AND THE WEST SIDE OF HERSHEY ROAD AS SHOWN ON THE PLAN.
- CONNECT TRANSIT BUS STOPS SHALL BE CONSTRUCTED ON COLLEGE AVENUE AND HERSHEY ROAD AS SHOWN ON THE PLAN.
- STORM WATER DETENTION IS PROVIDED FOR THIS DEVELOPMENT IN THE PREVIOUSLY CONSTRUCTED "JUMER'S DETENTION BASIN".
- PROPOSED PUBLIC WATER MAINS AND STORM SEWERS SHOWN ON THE PLANS SHALL BE CONSTRUCTED IN PUBLIC RIGHT-OF-WAY OR IN PUBLIC EASEMENTS AND DEDICATED TO THE CITY OF BLOOMINGTON.
- NO ACCESS STRIPS SHALL BE DEDICATED ON LOTS 8, 10 AND 11 FOR COLLEGE AVENUE, HERSHEY ROAD AND JUMER DRIVE AS SHOWN ON THE PLAN. ANY FUTURE ACCESS ONTO COLLEGE AVENUE OR JUMER DRIVE FROM OUTLOT 9 SHALL BE SUBJECT TO RULES AND REQUIREMENTS OF THE CITY OF BLOOMINGTON.
- THE ENTIRETY OF LOT 12 SHALL BE DEDICATED AS A PRIVATE ACCESS & UTILITY EASEMENT FOR LOTS 8, 10, 11 & OUTLOT 9 ACCORDING TO A SEPARATE AGREEMENT BETWEEN THE OWNERS OF LOTS 8, 10, 11, & OUTLOT 9 AND IS NOT DEDICATED FOR PUBLIC USE. IN ADDITION, A PORTION OF LOT 12 WILL CONTAIN A PUBLIC STORM SEWER EASEMENT AS SHOWN ON THE PLAN.
- A HAISED CONCRETE BARRIER MEDIAN SHALL BE CONSTRUCTED IN HERSHEY ROAD AT THE PROPOSED LOCATION OF THE RIGHT IN RIGHT OUT DRIVEWAY ACCESS FROM LOT 8 AS REQUIRED BY CITY OF BLOOMINGTON PUBLIC WORKS DEPARTMENT.

### Benchmarks

- TOP OPERATING NUT OF FIRE HYDRANT  
N. SIDE OF JUMER DRIVE INTERSECTION OF TIEHACK CIRCLE  
U.S.G.S. ELEV.=803.51
- TOP OPERATING NUT OF FIRE HYDRANT  
N. SIDE OF JUMER DRIVE 5TH HYDRANT EAST OF TIEHACK CIRCLE  
U.S.G.S. ELEV.=821.93

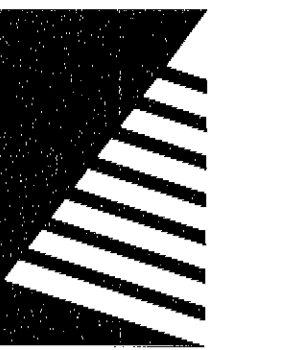
### Description of Property

THAT PART OF LOT 10 IN RESURVEY OF LOT 8 IN SHIRK SURVEY, BLOOMINGTON, ILLINOIS, LYING BEING 43 FEET NORMALLY DISTANT WEST OF THE WEST LINE OF LAND CONVEYED TO TIEHACK CORPORATION PER WARRANTY DEED RECORDED JULY 28, 1995 AS DOCUMENT NO. 95-15400 IN THE MCLEAN COUNTY RECORDER'S OFFICE AND LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF JUMER DRIVE, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS.

JOINT UTILITY LOCATION INFORMATION FOR EXCAVATORS:  
CONTRACTORS SHALL CALL THE TOLL FREE JULIE.  
TELEPHONE NUMBER, 1-800-892-0123, OR VISIT WEBSITE  
http://www.illinois-toll.com AT LEAST 48 HOURS BEFORE  
STARTING EXCAVATION.

Date: December 19th, 2016

Project No: 0161799.00

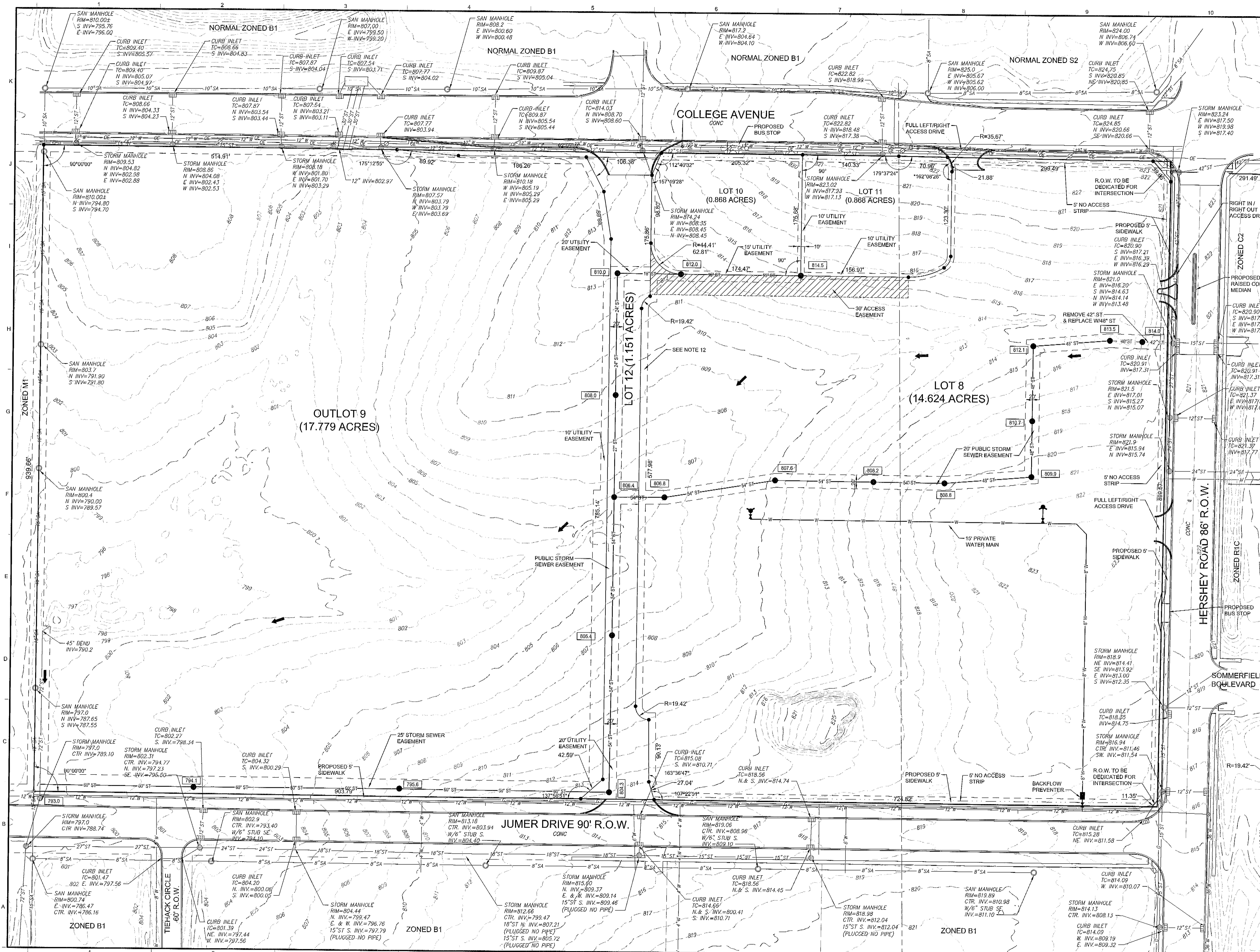
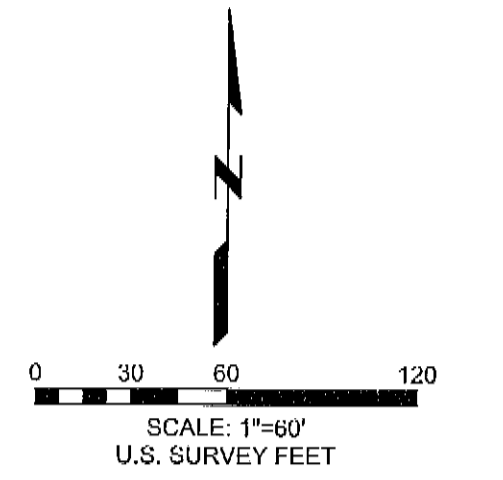


**Farnsworth GROUP**

2709 McGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435 / info@f-w.com

www.f-w.com  
Engineers | Architects | Surveyors | Scientists

#	Date:	Description:
1	01/18/2017	CITY REVIEW COMMENTS
2	01/13/2017	REVIEW COMMENTS



PROJECT:  
Jim Shirk

**Shirk Commercial  
Revised Preliminary  
Plan**

Date:	12/9/2016
Design/Drawn:	EMR
Reviewed:	DLA
Field Book No.:	

**PRELIMINARY PLAN**

SHEET NUMBER:

**C1.0**

Project No.: 0161799.00





PETITION FOR APPROVAL OF PRELIMINARY PLAN FOR A SUBDIVISION

State of Illinois )  
 )ss.  
County of McLean )

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

Now come(s) Sunrise Company, L.L.C., hereinafter referred to as your Petitioner(s) respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) interested as owner in the premises hereinafter in Exhibit(s) "A", attached hereto and made a part hereof to be known by this reference;
2. That your Petitioner(s) seek(s) approval of the Preliminary Plan for a subdivision of said premises to be known and described as Shirk Commercial Revised Preliminary Plan, which Preliminary Plan is attached hereto and made a part hereof;
3. That your Petitioner(s) also seek(s) approval of the following exemptions or variations from the provisions of Chapter 24, of the Bloomington City Code:  
None.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHEREFORE, your Petitioner(s) pray(s) that the Preliminary Plan for the Shirk Commercial Revised Preliminary Plan submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

SUNRISE COMPANY, L.L.C.

By: William C. Wetzel  
William C. Wetzel  
Its Attorney

**Exhibit "A"**

Description of Property

That part of Lot 10 in Resurvey of Lot 8 in Shirk Survey, Bloomington, Illinois, lying west of a line being 43 feet normally distant west of the West Line of Land conveyed to Tiehack Corporation per Warranty Deed recorded July 28, 1995 as Document No. 95-15400 in the McLean County Recorder's Office and lying north of the North Right-of-Way Line of Jumer Drive, City of Bloomington, McLean County, Illinois.

PIN: A part of 14-26-426-005



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

Printed: 1/3/2017 4:48:09 PM

Notes



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

December 28, 2016

Dear Property Owner or Resident:

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on Wednesday, January 11, 2017 at 4:00 p.m. in the City Hall Council Chambers, 109 E. Olive St., Bloomington, Illinois, to hear testimony on a petition submitted by Sunrise Company, LLC requesting approval of a preliminary plan titled "Shirk Commercial Revised Preliminary Plan" for the property, approximately 35.36 acres, located at the corner of Hershey Road and College Avenue in Bloomington, IL. The preliminary plan is a conceptual layout for lots, utilities, streets, etc. required prior to the subdivision of land. The proposed use of a portion of the subject property is a Kroger Marketplace Grocery Store (14.624 acres). The petitioner or his/her Counsel/Agent must attend the meeting.

The subject property is legally described as follows:

THAT PART OF LOT 10 IN RESURVEY OF LOT 8 IN SHIRK SURVEY BLOOMINGTON, ILLIONIS, LYING WEST OF A LINE BEING 43 FEET NORMALLY DISTANT WEST OF THE WEST LINE OF LAND CONVEYED TO TIEHACK CORPORATION PER WARRANTY DEED RECORDED JULY 28,1995 AS DOCUMENT NO. 95-15400 IN THE MCLEAN COUNTY RECORDER'S OFFICE AND LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF JUMER DRIVE, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon matters pertaining to the preliminary plan during the public hearing. Communications in writing in relation thereto may be filed with the Department of Community Development, or at such hearing. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

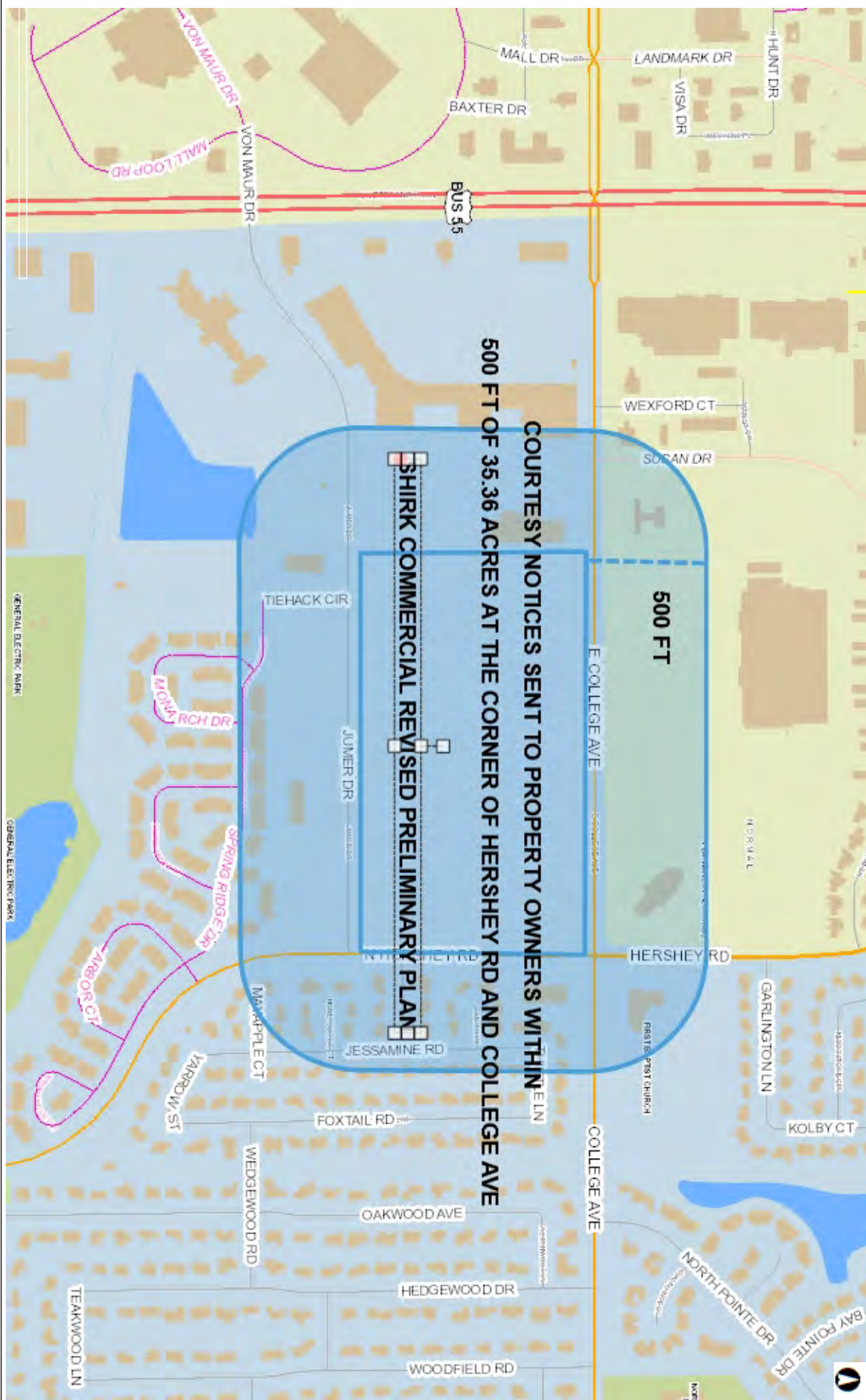
Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

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

Sincerely,

Katie Simpson  
City Planner

# PUBLIC HEARING FOR A PRELIMINARY PLAN



By using any McGIS products or services, you indicate your acceptance of the Licensing Agreement:

<http://www.McGIS.org/License>

Printed: 12/29/2016 10:40:28 AM

Notes

20855879  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE

Public Notice is hereby given that the Bloomington Planning Commission will hold a public hearing on Wednesday, January 11, 2017 at 4:00 p.m. in the City Council Chambers, City Hall, 109 E. Olive St., Bloomington, IL.

The Petition filed by: Sunrise Company, LLC, requesting approval of a Shirk Commercial Revised Preliminary Plan, for property commonly located southwest corner of College Ave. and Hershey Rd. consisting of approximately 35.56 acres, more or less.

Legal Description:

That part of Lot 10 in Resurvey of Lot 8 in Shirk Survey, Bloomington, Illinois, lying west of a line being 43 feet normally distant west of the West Line of Land conveyed to Tiehack Corporation per Warranty Deed recorded July 28, 1995 as Document No. 95-15400 in the McLean County Recorder's Office and lying north of the North Right-of-Way Line of Jumer Drive, City of Bloomington, McLean County, Illinois.

PIN: A part of 14-26-426-005

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

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

Cherry L. Lawson, CMC

City Clerk

Published in the Pantagraph:  
December 27, 2016

SUMMERFIELD ASSOCIATION  
% PAUL H LEBER 2105 FOXTAIL RD  
BLOOMINGTON IL 61704

LYNDA MARIE RACUTT  
1 Honeysuckle Ct  
Bloomington IL 617041532

CHU-YUAN CHENG  
116 Spring Ridge Dr  
Bloomington IL 617049099

ATTEN: JUDY CHIEN  
INTERCONTINENTAL  
1270 SOLDIERS FIELD RD  
BOSTON MA 02135

CRAIG FOWLER  
2 HONEYSUCKLE CT  
BLOOMINGTON IL 617041533

DONNA J GOLOMB  
202 SPRING RIDGE DR  
BLOOMINGTON IL 61704

FRANCIS & PATRICIA YOGGERST  
206 SPRING RIDGE  
BLOOMINGTON IL 61704

DELORES J HOMANN  
2101 SUMMERFIELD BLVD  
BLOOMINGTON IL 617041527

RALPH & ELAINE MARSHALL  
2104 Summerfield Blvd  
Bloomington IL 617041526

GAYLE EUGENE CYRULIK JR  
2105 SUMMERFIELD BLVD  
BLOOMINGTON IL 617041527

JAMES O'DONNELL  
% SPRING RIDGE HOMEOWNER ASSOC  
27 ARBOR CT  
BLOOMINGTON IL 61704

GEORGE WALDEN M/M  
1 MAYAPPLE DR  
BLOOMINGTON IL 617041534

JOHN R LAWRENCE  
118 SPRING RIDGE DR  
BLOOMINGTON IL 61704

SUPER MACOMB  
1308 BROAD CREEK RD  
BLOOMINGTON IL 617048527

KEVIN & RAQUEL ROMAN  
2 MAYAPPLE DR  
BLOOMINGTON IL 617041535

RODNEY L BRENT  
204 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

Norma J Van Scoyoc Trustee  
208 Spring Ridge Dr  
Bloomington IL 617049106

JOAN F GUMMERE  
2102 SUMMERFIELD BLVD  
BLOOMINGTON IL 61704

% PAUL H LEBER SUMMERFIELD  
ASSOCIATION  
2105 Foxtail Rd  
Bloomington IL 617041515

TIMOTHY A & P JEANETTE TONN  
2106 SUMMERFIELD BLVD  
BLOOMINGTON IL 617041526

RICHARD BILL  
1 ASTER COURT  
BLOOMINGTON IL 61704

DAVID A STRAND  
1 MONARCH DR  
BLOOMINGTON IL 617049092

GALEN CROW  
120 SPRING RIDGE DR  
BLOOMINGTON IL 617049099

MATTHEW P SLATER  
2 ASTER COURT  
BLOOMINGTON IL 61704

FIRST PRESBYTERIAN CHURCH OF  
NORMAL  
2000 E COLLEGE AVE  
NORMAL IL 61761

HERMES EQUIPMENT CO  
205 S LEE ST  
BLOOMINGTON IL 617015034

DOUGLAS & ADELIN DEGRAAF  
210 SPRING RIDGE ROAD  
BLOOMINGTON IL 61704

FAREDUN MEHRIOJKULOV  
2103 SUMMERFIELD  
BLOOMINGTON IL 61704

ROBERT D & CAROL E JONES  
2105 JESSAMINE RD  
BLOOMINGTON IL 617041529

JOHN F. & AMY L. JOHNSON  
2107 JESSAMINE  
BLOOMINGTON IL 61704

MARK J & DONNA L THORNSBROUGH  
2109 JESSAMINE RD  
BLOOMINGTON IL 617041529

MICHAEL LOMMATSCH  
2111 Jessamine Rd  
Bloomington IL 617041529

NORMAN T ENDSLEY  
212 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

DONNA SCOTT  
214 SPRING RIDGE DRIVE  
BLOOMINGTON IL 61704

THOMAS MAJERCZYK  
216 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

CECIL D GROETKEN  
218 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

TODD W HAAB  
220 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

WILLIAM & JEANNE STARNES  
2201 JESSAMINE RD  
BLOOMINGTON IL 617041521

MALKOLM & DENIESHIA BLACK  
2202 THISTLE LN  
BLOOMINGTON IL 617041518

DEANNA M KNOLL  
2203 JESSAMINE RD  
BLOOMINGTON IL 617041521

JUDITH R JENNINGS  
2204 Thistle Ln  
Bloomington IL 617041518

HEATHER J BROWN  
2205 JESSAMINE RD  
BLOOMINGTON IL 617041521

IRA & CAROLINE HALPERIN  
2207 JESSAMINE RD  
BLOOMINGTON IL 617041521

THOMAS M & LISA CAPARELLI KRIEGER  
2209 JESSAMINE RD  
BLOOMINGTON IL 617041521

CARRIE L COMBS  
2210 JESSAMINE RD  
BLOOMINGTON IL 617041520

FRED E HARVEY  
2211 JESSAMINE RD  
BLOOMINGTON IL 617041521

BEVERLY G GALE  
2212 JESSAMINE RD  
BLOOMINGTON IL 617041520

JOYCE A SCHLEDER TRUSTEE DR D W  
SCHLEDER FAMILY TRUST  
222 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

STEVE WHELAN  
224 SPRING RIDGE DR  
BLOOMINGTON IL 617049106

CATHERINE M ALBERT  
226 Spring Ridge Dr  
Bloomington IL 617049106

FIRST BAPTIST CHURCH  
2502 E COLLEGE  
BLOOMINGTON IL 61704

Attn: Property Tax Dept Meijer Realty  
Company  
2929 Walker Ave NW  
Grand Rapids MI 495446402

Attn: Property Tax Dept Meijer Realty  
Company  
2929 Walker Ave NW  
Grand Rapids MI 495446402

Attn: Property Tax Dept Meijer Realty  
Company  
2929 Walker Ave NW  
Grand Rapids MI 495446402

Attn: Property Tax Dept Meijer Realty  
Company  
2929 Walker Ave NW  
Grand Rapids MI 495446402

LUANN R GRAMM TRUSTEE  
3 ASTER CT  
BLOOMINGTON IL 617041525

JOHN & JENNIFER A KANSKI LYLE  
3 HONEYSUCKLE  
BLOOMINGTON IL 61704

RUSSELL BEDFORD TRUSTEE  
304 Spring Ridge Dr  
Bloomington IL 617049072

BRUCE & DAWN ZYWIEC  
306 SPRING RIDGE DR  
BLOOMINGTON IL 617049072

LINDA J HEATH TRUSTEE  
308 SPRING RIDGE DR  
BLOOMINGTON IL 617049072



ROGER & ANITA NOREM  
310 SPRINGRIDGE DR  
BLOOMINGTON IL 61704

ROBERT & EDIE LANE  
312 SPRING RIDGE DR  
BLOOMINGTON IL 617049072

HOWARD & SHARON HUME  
314 SPRING RIDGE DR  
BLOOMINGTON IL 617049072

JAMES FELDKAMP  
316 Spring Ridge Dr  
Bloomington IL 617049072

DELENA RHODES  
318 SPRING RIDGE DR  
BLOOMINGTON IL 617049072

MCLEAN COUNTY PROPERTIES LLC  
3519 W OAK CREEK CT  
DUNLAP IL 615251501

RAVISANKAR KURUMBAILMADAM  
4 ASTER COURT  
BLOOMINGTON IL 61704

RICK K LASHER  
4 HONEYSUCKLE CT  
BLOOMINGTON IL 617041533

JOSEPH W & MAVIS F SONEY  
4 MAYAPPLE DR  
BLOOMINGTON IL 617041535

CULLINAN MEDICAL 4 LLC  
420 N MAIN ST  
EAST PEORIA IL 616112018

BRANDON C & AMANDA WHATLEY  
5 ASTER CT  
BLOOMINGTON IL 617041525

DANIEL U & HEIDI A KIM TRUST  
5 HONEYSUCKLE CT  
BLOOMINGTON IL 617041532

Jesse Kohlbecker  
6 Aster Ct  
Bloomington IL 617041524

GREGORY & SHERI CARTER  
6 HONEYSUCKLE CT  
BLOOMINGTON IL 617041533

ROGER HOLLIS  
6 MAY APPLE COURT  
BLOOMINGTON IL 61704

SUNRISE LLC JMR NO  
PO BOX 1549  
BLOOMINGTON IL 617021549

**CITY OF BLOOMINGTON  
REPORT FOR THE PLANNING COMMISSION  
JANUARY 11, 2017**

<b>CASE NUMBER:</b>	<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
PS-01-17	Shirk Commercial Revised Preliminary Plan (35.56 acres)	Preliminary Plan	Katie Simpson City Planner

**REQUEST**

The petitioner is seeking approval of a revised preliminary plan for the property located at the southwest corner of Hershey Road and College Ave, approximately 35.56 acres. The proposed preliminary plan is titled “Shirk Commercial Revised Preliminary Plan.”

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on December 27, 2016.

**GENERAL INFORMATION**

Owner and Applicant: Sunrise Company, LLC

**PROPERTY INFORMATION**

Existing Zoning: M-1, Restricted Manufacturing (~17.5 acres) and B-1, Highway Business (~17.5 acres) District

Existing Land Use: The property is vacant, and used as farm land

Proposed Use: The eastern portion of the property (Lot 8) is intended to be developed as a Kroger Marketplace Grocery Store with a pharmacy and fuel center

**Surrounding Zoning and Land Uses**

Zoning

North: B-1 (Normal)

S-2 (Normal)

South: B-1, Highway Business District

East: R-1C, Single-Family Residential District

C-2, Neighborhood Shopping District

West: B-1, Highway Business District

M-1, Restricted Manufacturing District

Land Uses

Retail (Grocery and General), Restaurant

Church

Offices

Single family houses

Offices

Retail (Grocery and General)

Medical offices, health care clinic

**BACKGROUND**

The subject property is approximately 35.56 acres located north of Jumer Drive, south of College Ave, west of Hershey Rd., east of the OSF medical complex. The property is currently unimproved and used as farmland. On March 28, 2016 approximately 17.5 acres, on the eastern half of the subject property, were rezoned from M-1, Restricted Manufacturing, to B-1, Highway Business District. The rezoning (ORD # 2016-23) was initiated to allow for the construction of a Kroger Marketplace grocery store. A final plat was also approved for the property in March 2016 but was never recorded. The petitioner wishes to subdivide the property in order to sell land to

accommodate the proposed Kroger Marketplace grocery store. A preliminary plan was not previously required for the subdivision of the subject property since the prior subdivision involved less than three (3) lots and complied with the requirements of Chapter 24 Section 3.5.5 for an expedited final plat. However, due to changes in the lot configurations and the agreement between land owner and purchaser, the petitioner is now proposing to subdivide the property into four (4) lots triggering the requirement of a preliminary plan.

A preliminary plan serves as a concept plan for the development of the subject property. It is a guide for the location of public and private utilities, street layouts, drainage, sewers, and proposed land uses and lot layouts for the subject property. A preliminary plan is reviewed by the Planning Commission and, once approved by City Council, is valid for three (3) years. Following the preliminary plan process, the land owner will file for a Final Plat. The Final Plat process formalizes the layout of utilities, lots, easements, etc. and must be approved by City Council and recorded. The preliminary plan procedure occurs very early in the site development process. It may not be possible to address more specific site details, such as landscaping, building height, parking lot layout, etc., at this time, as all of these details are subject to change based on the vision of the final land owner. Such items will be regulated by the zoning district and City Zoning and Building Codes and Ordinances.

## **ANALYSIS**

### **Submittals**

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

1. Petition to approve the Shirk Commercial Revised Preliminary Plan
2. Shirk Commercial Revised Preliminary Plan.
3. Aerial photographs.
4. Photographs of internal and adjacent sites

## **PROJECT DESCRIPTION**

The proposed Shirk Commercial Revised Preliminary Plan includes four (4) lots. Lot 8 (14.624 acres) is intended to be developed in 2018 as a Kroger Marketplace grocery store with a pharmacy and fuel center. Lots 10 (0.868 acres) and 11 (0.868 acres) will remain vacant at the moment but may be developed in the future with uses permitted in the B-1, Highway Business District. Lot 12 (1.151 acres) will be developed as a private drive and serve as an access easement for Lots 8, 9, 10 and 11. There are no specific plans for Lot 9 (17.779 acres) at the moment. The preliminary plan includes a number of public improvements such as a raised median on Hershey Road, sidewalk, and public storm sewer. Additionally, the Kroger development team are proposing to add bus stops along College Ave and Hershey Road, and the proposed sidewalk exceeds the current city requirements. Access for the Kroger Marketplace will be taken from Hershey Road, College Ave and from the private drive. A traffic study was completed for the development in 2016. City staff are working with the petitioner to address ingress/egress and intersection/traffic improvements including “no access” strips along College Ave for Lots 8, 10 and 11 and a raised median at the “right-in/right-out” access on Hershey Road.

City staff continue to work with the petitioner to provide feedback on the proposed preliminary plan. Staff is asking the petitioner to address the attached comments before final approval by City Council.

**Compliance with the Comprehensive Plan**

The 2035 Bloomington Comprehensive Plan identifies the subject property as a Tier-1, Infill Development Priority, and contemplates future land use for this site as Regional Commercial.

**Findings of Fact:**

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

1. *To protect, provide and promote the public health, safety and general welfare of the City;* the proposed preliminary plan meets the requirements outlined in Chapter 24 and the Manual of Practice. The subdivision will allow for in-fill development of this parcel, a goal of the comprehensive plan which utilizes existing infrastructure and utilities. The standard is met.
2. *To guide the future growth and development of the City, in accordance with the Comprehensive Plan;* the subject property is identified as a Tier-1 Development Priority in the Comprehensive Plan. This planned development aligns with the Future Growth and Land Use section of the Comprehensive Plan and is compatible with the contemplated Regional Commercial use. The standard is met.
3. *To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population;* staff are working with the petitioner to address storm water management and traffic flow. The proposed lots are adequate in size and shape. The building footprint, lot coverage, and landscaping will be regulated by the zoning districts and City's Zoning Ordinance. The standard is met.
4. *To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the community;* the subject property is a Tier-1 In-fill Development Priority. The proposed preliminary plan addresses public utilities, access and storm water management. The proposed preliminary plan encourages the development of this area which contributes to the economic growth of the city and quality of life for residents. The standard is met.
5. *To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings;* Lot 12 serves as an access drive for Lots 8, 9, 10, and 11. The B-1 zoning of Lots 8, 12, 10 and 11 aligns with the future land use identified in the Comprehensive Plan. The petitioner is considering addressing the zoning of the Lot 9 in the future. The standard is met.

6. *To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities;* The City's Public Works and Water Departments reviewed the plan and comments are attached to this report. Addressing the comments provided by staff will allow the petitioner to meet the standard.
7. *To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the property location and width of streets and buildings setback lines;* A traffic study was completed for this site. The petitioner is addressing traffic concerns by limiting access on College Ave and Hershey Road, by adding a right turn lane on College Ave, and by adding a raised median on Hershey Road to facilitate a "right-in/right-out" ingress/egress access. Additionally the petitioner is proposing bus stops and sidewalks to facilitate multiple modes of transportation. The standard is met.
8. *To establish reasonable standards of design and procedures for subdivision codes and re-subdivisions, in order to further the orderly layout and use of land, and to insure property legal descriptions and monumenting of subdivided land;* the preliminary plan is in agreement with Chapter 24 and the Manual of Practice and Design. The standard is met.
9. *To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision code and area reasonably anticipated to be served by such facilities;* this is an in-fill site, public facilities are available and adequate. The standard is met.
10. *To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability and beauty of the community and the value of the land;* detention for this property is provided by the Jumer Detention Basin located southwest of the subject property. Landscaping and lighting are subject to Chapter 44 of the City Code and can be addressed at the time of site plan review and site development. The standard is met.
11. *To preserve the natural beauty and topography of the City and to insure appropriate development with regard to these natural features;* appropriate development with regard to natural features including storm water mitigation will be determined at the time each lot is developed. The standard is met.
12. *To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the City's zoning ordinance (Ordinance No. 1998-42).* Each lot meets the minimum width requirements for the zoning district, the standard is met.

The Shirk Commercial Revised Preliminary Plan should incorporate the comments, attached to this report, from City of Bloomington staff before consideration by council.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission pass a motion recommending that the City Council **approve** the petition for the Shirk Commercial Revised Preliminary Plan, **incorporating the comments from the City of Bloomington staff**, for the property located at the southwest corner of College Ave and Hershey Road, approximately 35.56 acres.

Respectfully submitted,

Katie Simpson  
City Planner

Attachments:

1. City of Bloomington Staff Comments
2. Petition for approval of the Shirk Commercial Revised Preliminary Plan
3. Exhibit A-“Legal Description”
4. Exhibit B-Shirk Commercial Revised Preliminary Plan
5. Draft Ordinance
6. Zoning Map
7. Aerial Map
8. Newspaper publication and neighborhood notice

**DRAFT MINUTES  
BLOOMINGTON PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, JANUARY 11, 4:00 P.M.  
COUNCIL CHAMBERS, CITY HALL  
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

**MEMBERS PRESENT:** Mr. Justin Boyd, Ms. Megan Headean, Mr. James Pearson, Mr. John Protzman, Mr. Ryan Scrtichlow, Mr. Kevin Suess, Chairman David Stanczak

**MEMBERS ABSENT:** Mr. J. Balmer, Mr. Eric Penn

**OTHERS PRESENT:** Mr. Tom Dabareiner, Director of Community Development; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Kevin Kothe, City Engineer; Mr. Tony Meizelis, Civil Engineer I; Mr. Austin Grammer, Economic Development Coordinator.

**CALL TO ORDER:** Chairman Stanczak called the meeting to order at 4:01 PM

**ROLL CALL:** Mr. Dabareiner called the roll. With seven members in attendance, a quorum was present.

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

**MINUTES:** The Commission reviewed the December 14, 2016 minutes. No changes were proposed and Mr. Scritchlow moved to approve the minutes as written; Mr. Pearson seconded the motion, which was passed by a voice vote of 7-0.

**REGULAR AGENDA:**

**PS-01-17 Public hearing, review and action on the petition submitted by Sunrise Company LLC requesting approval of the “Shirk Commercial Revised Preliminary Plan” for the property located at the southwest corner of College Avenue and Hershey Road, approximately 35.56 acres.**

Chairman Stanczak introduced the case. Ms. Simpson presented staff’s report and summarized the purpose for the hearing. She stated that there are a few updates to the preliminary plan staff is still awaiting from the developer. She noted the zoning and described the surrounding area and properties. She stated this property is a Tier One property in the comprehensive plan. She reviewed the intention to place a Kroger grocery store on the property, described the outlots, and located the private drive. She highlighted the access points to the various lots. Ms. Simpson reviewed the standards for approval of preliminary plan. She stated the plan and use aligns favorably with the comprehensive plan. She stated staff is recommending in favor with the condition that the changes requested be made prior to council consideration.

Chairman Stanczak asked if the north-south access drive would remain private; Ms. Simpson responded yes. Mr. Scritchlow asked if this was the property rezoned a few months ago and whether the rezoning aligns with the proposed lot configurations; Ms. Simpson noted that it was rezoned to B-1 from Manufacturing and it aligns with the proposed Lot 12 which is the north-south access drive. Mr. Kothe stated that staff is fine with the road remaining private.

Mr. William Wetzel, attorney for the property owner, was sworn in and spoke on behalf of the petitioner. He complimented City staff for the review process and detailed report. He introduced Mr. Jim Shirk as the property owner, and Don Adams, Farnsworth Group, and Brianna Cotton, Kroger as consultants on the project. Mr. Wetzel reviewed the approval process for preliminary plans in the City. He made the group representing the petition available for questions from the Commission.

Mr. Scritchlow asked why the southern entrance along Hershey Road was not lined up across from Sommerfield Boulevard; Mr. Kothe noted that typically staff would seek such an alignment however this location fit with the proposed Kroger site plan and was far enough away from Sommerfield to be able to not require the alignment.

Mr. Jim Schutter, Newmark Grubb Knight and Frank, representing the nearby Parkway Shopping Center, was sworn in. He asked about store size and timing for the development. Brianna Cotton, representing Kroger, responded to the question, noting this will be a 128,000 square foot store and their intention is to start construction later this year and open in 2018.

Mr. John Kanski, 3 Honeysuckle Court, was sworn in. He expressed concerns about potential impact on traffic of the development from the northern entrance along Hershey Road. Mr. Kothe noted that where entrances are located close to intersections, the access is restricted to right-in-right-out with a barrier median to prevent further congestion.

Mr. Boyle asked how close the petitioner is to addressing the remaining comments from staff. Mr., Simpson described the needed changes and stated she expects the corrections with a day.

Mr. Pearson motioned to approve the revised preliminary plan in PS-01-17 as presented; seconded by Ms. Headean. The following votes were cast: Mr. Pearson—yes, Ms. Headean—yes, Mr. Scritchlow—yes, Mr. Boyd—yes, Mr. Protzman—yes, Mr. Suess—yes, Chairman Stanczak—yes. Motion **approved** 7-0.

#### **OLD BUSINESS:**

**Zoning Ordinance Update.** Ms. Simpson stated that staff is meeting this week with the consultant and that we hope to have something more to report later this month.

#### **NEW BUSINSS**

None



**ADJOURNMENT:** Mr. Boyd moved to adjourn; seconded by Mr. Scritchlow, which passed unanimously by voice vote. The meeting was adjourned at 4:26 pm.

Respectfully,

Tom Dabareiner AICP  
Community Development Director



## CONSENT AGENDA ITEM NO. 7J

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of adopting an Ordinance approving a Petition from Wallace and Thelma Holderby Family Trust, for an expedited final plat for Holderby Subdivision, located east of McGregor Street and north of Lincoln Street.

**RECOMMENDATION/MOTION:** That the Ordinance be passed approving the expedited final plat for Holderby Subdivision, and that the Mayor and City Clerk be authorized to sign the necessary documents.

**STRATEGIC PLAN LINK:** Goal 4. Strong Neighborhoods

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

**BACKGROUND:** This final plat consists of two lots located east of McGregor Street and north of Lincoln Street. The zoning in this area is R-2 Mixed Residence District.

The proposed final plat splits the current lot (Parcel number 21-10-251-004) into two lots to form Lots 1 and 2. This is being done to prepare the property for sale to two different owners.

The final plat complies with City engineering standards (Manual of Practice and Chapter 24 of City Code) and City staff has no objections to the plan.

There are no tap on fees due for this subdivision. No public improvements are proposed; no performance guarantee is required for this subdivision. There are no pending public street improvements adjacent to this subdivision; no adjacent substandard street improvement bond is required. Each new lot already has its own separate sewer and water service, thus new services are not required.

This final plat qualifies for submission under the Expedited Final Plat submission process, Chapter 24, Section 3.5.6 of the Bloomington City Code.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Wallace and Thelma Holderby Family Trust

**FINANCIAL IMPACT:** None. All survey and plat costs were paid by the Wallace and Thelma Holderby Family Trust.

**COMMUNITY DEVELOPMENT IMPACT:** Not applicable

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION:** None.

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** Majority present

Respectfully submitted for Council consideration.

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

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

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

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- Attachment 1 - Petition
- Attachment 2 - Ordinance
- Attachment 3 - Legal Description
- Attachment 4 - School District Certificate
- Attachment 5 - County Clerk's Certificate
- Attachment 6 - Owner's Certificate
- Attachment 7 - Drainage Statement
- Attachment 8 - Final Plat Checklist
- Attachment 9 - Council Map and Final Plat
- Attachment 10 – Request for waiver of preliminary plan

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes the Wallace and Thelma Holderby Family Trust, 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.
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Holderby Subdivision.

~~3. That your petitioner also seeks three variances described as follows:~~

~~A. Variance from the side yard requirement in R-2 Mixed Residence District.~~

~~B. Variance from the rear yard requirement in R-2 Mixed Residence District.~~

~~C. Variance for shared existing paved driveway.~~

WHEREFORE, your petitioner respectfully prays that said Final Plat for Holderby Subdivision and said variances be approved with the exemptions or variations as requested herein.

Respectfully submitted,  
Wallace and Thelma Holderby Family Trust

By: Steve Shipley  
Steve Shipley, Successor Trustee

**ORDINANCE NO. 2017 - \_\_\_\_\_**

**AN ORDINANCE APPROVING THE FINAL PLAT OF HOLDERBY SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of Holderby Subdivision dated January 23, 2017, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: waiver of preliminary plan; and

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

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

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

1. That the Final Plat of Holderby Subdivision dated January 23, 2017, is hereby approved;
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED THIS 13<sup>th</sup> DAY OF FEBRUARY 2017.

APPROVED THIS \_\_ DAY OF FEBRUARY 2017.

**CITY OF BLOOMINGTON**

**ATTEST**

\_\_\_\_\_  
Tari Renner, Mayor

\_\_\_\_\_  
Cherry L. Lawson, City Clerk

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey R. Jurgens, Corporate Counsel

Holderby Subdivision Legal Description

The East 154 feet of Lot 44 in C. Weed's Subdivision of the North Part of the Northeast Quarter of Section 10, Township 23 North, Range 2 East of the Third Principal Meridian, in McLean County, Illinois.

SCHOOL DISTRICT CERTIFICATE

This is to certify that the property herein described in the Surveyor's Certificate, which will be known as Holderby Subdivision, to the best of my knowledge, is located within the boundaries of Bloomington School District #87 in McLean County, Illinois.

Dated this 15<sup>th</sup> day of December, 2016.

Respectfully submitted,  
Wallace and Thelma Holderby Family Trust

By: Steve M. Shipley  
Steve Shipley, Successor Trustee

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF MCLEAN    )

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Steve Shipley, personally known to be the same person whose name is subscribed to the foregoing school district certificate, appeared before me this day, in person, and acknowledged the execution of this statement as his free and voluntary act.

Given under my hand and notarial seal this 15<sup>th</sup> day of December, 2016.

Morgan Spann  
Notary Public



**COUNTY CLERK'S CERTIFICATE**

State of Illinois    )  
                          )ss.  
County of McLean)

I, KATHY MICHAEL, County Clerk of McLean County, State of Illinois, do hereby certify that on the 17 day of December, 2016, there were no delinquent general or special assessments unpaid, special assessments or delinquent special assessments unpaid against the tract of land shown on the plat attached to this certificate and described in the certificate of the Surveyor attached hereto and to said Plat.

21-10-252-004

Kathy Michael  
County Clerk, McLean County, Illinois



OWNER'S CERTIFICATE

State of Illinois )  
 )ss.  
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, hereby certifies that it is the owner of all the premises embodied in the attached Plat of Holderby Subdivision, to the City of Bloomington, McLean County, Illinois, and that it has caused said Plat to be made and that it is a true and correct plat of Holderby Subdivision to the City of Bloomington, McLean County, Illinois as laid off in lots and streets by Joseph D. Adams, Registered Illinois Land Surveyor Number 3704; and we, the undersigned, hereby dedicate and set apart to the City of Bloomington for general utility purposes those areas shown for same on the Plat.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 15<sup>th</sup> day of December, 2016.

Respectfully submitted,  
Wallace and Thelma Holderby Family Trust

By: Steve Shipley  
Steve Shipley, Successor Trustee

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MCLEAN )

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Steve Shipley, personally known to be the same person whose name is subscribed to the foregoing owner's certificate, appeared before me this day, in person, and acknowledged the execution of this statement as his free and voluntary act.

Given under my hand and notarial seal this 15<sup>th</sup> day of December, 2016.

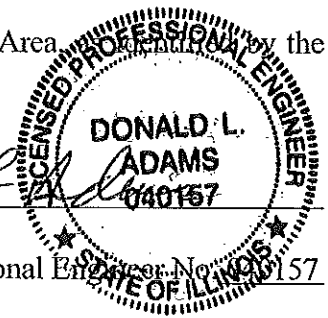
Morgan Spann  
Notary Public



DRAINAGE STATEMENT

I, Donald L. Adams, Registered Professional Engineer, and Wallace and Thelma Holderby Family Trust, being the owner of the premises heretofore platted by Joseph D. Adams, Illinois Professional Land Surveyor No. 3704, to be and become the "Holderby Subdivision", in the Town of Bloomington, McLean County, Illinois, do hereby state that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or any part thereof; or that if such surface waters drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas or drains which the Subdivider has a right to use and that such waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

I further state that no lots are within the Special Flood Hazard Area designated by the Federal Emergency Management Agency.

  
Donald L. Adams  
Registered Professional Engineer License No. 040157  
STATE OF ILLINOIS

OWNER:  
BY: Steven G. Shirley

Holderby Subdivision



--	--	--











































































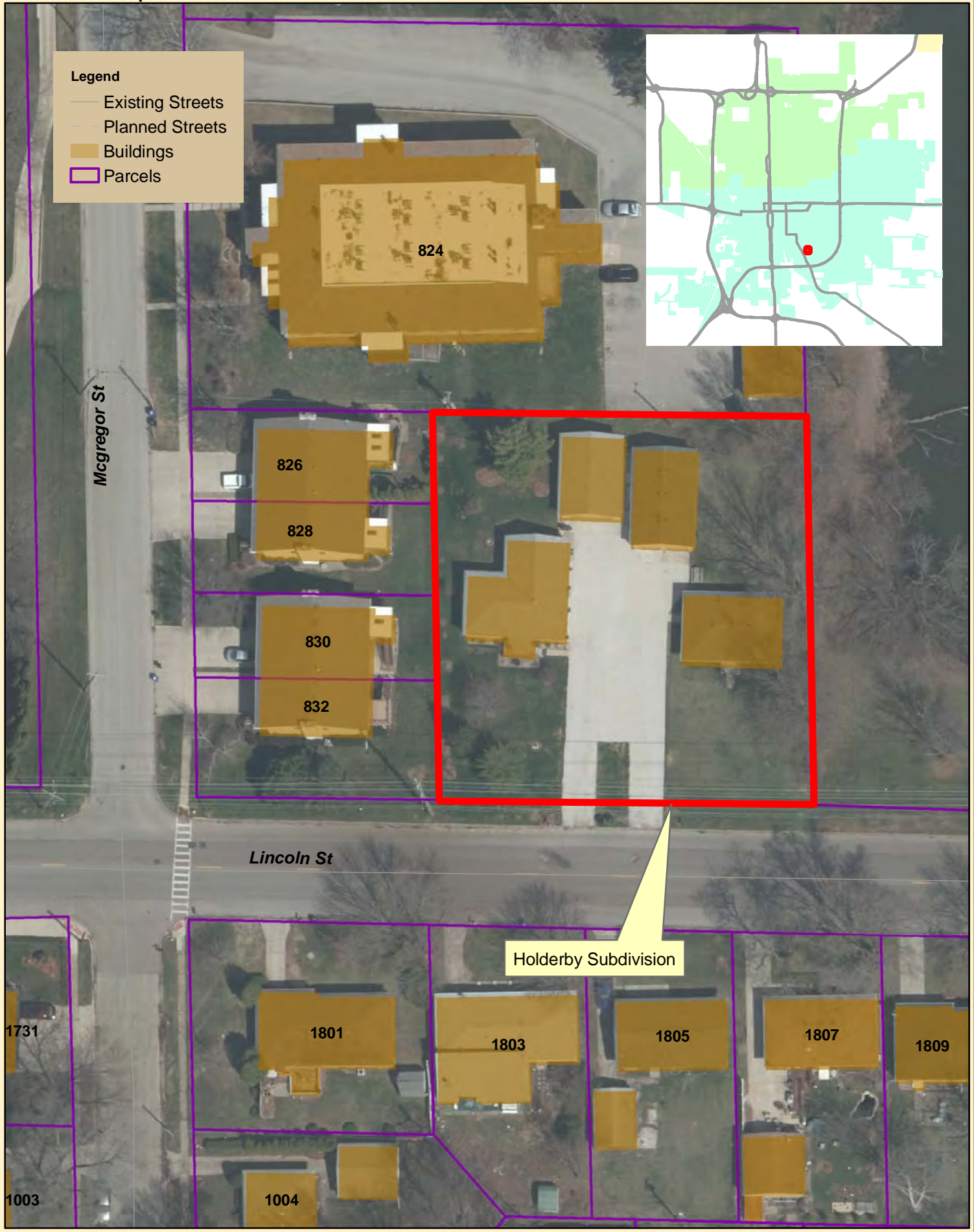
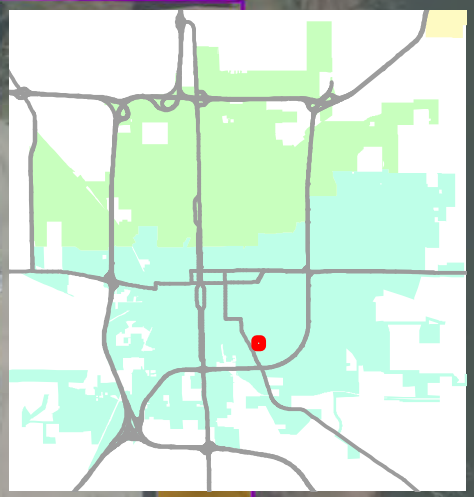


# Holderby Subdivision



**Legend**

- Existing Streets
- Planned Streets
- Buildings
- Parcels

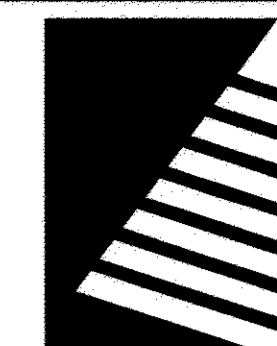


Holderby Subdivision



# HOLDERBY SUBDIVISION

PART OF NE 1/4 SECTION 10, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN  
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

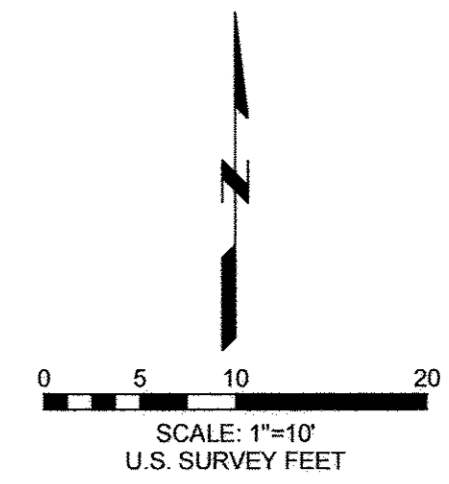


**Farnsworth**  
GROUP

2709 McGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435 / info@f-w.com

www.f-w.com  
Engineers | Architects | Surveyors | Scientists

ISSUE:  
# Date: Description:  
1 01/23/17 ADDED ACREAGE & UTILITY EASEMENT



**LEGEND**

- EX EXISTING MONUMENT
- SET SET MONUMENT
- IRON ROD
- IRON PIPE
- x MAG SURVEY SPIKE
- (M) BEARINGS OR DISTANCES MEASURED THIS SURVEY
- (P) BEARINGS OR DISTANCES FROM PLAT OF C.WEEDS SUBDIVISION (PLAT BOOK 2, PAGE 129)
- UTILITY EASEMENT LINE

**SURVEYOR'S DECLARATION**

The following described property has been surveyed and platted under my direction and conforms to the current Illinois minimum standards for a boundary survey:

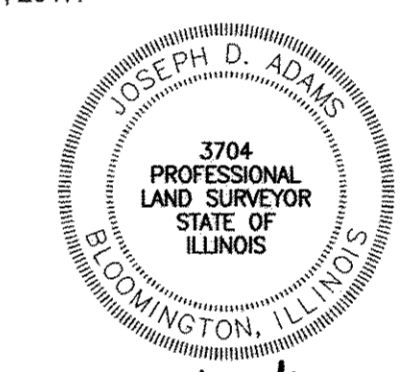
The East 154 feet of Lot 44 in C. Weed's Subdivision of the North Part of the Northeast Quarter of Section 10, Township 23 North, Range 2 East of the Third Principal Meridian, in McLean County, Illinois.

This property contains 0.567 acres, more or less, and has been subdivided into 2 lots, numbered 1 and 2 and easement as shown. Said Subdivision is to be known as "Holderby Subdivision" in the City of Bloomington, McLean County, Illinois.

This Subdivision lies within Zone X (Areas Determined to be Outside the 0.2% Annual Chance Floodplain) according to the Federal Emergency Management Agency's Flood Insurance Rate Map for McLean County, Illinois, Community No. 170490, Map No. 17113C0503E, dated July 16, 2008.

Witness my hand and seal this 23rd day of January, 2017.

FARNSWORTH GROUP, INC.  
2709 McGRAW DRIVE  
BLOOMINGTON, IL 61704



By: Joe Adams  
Joseph D. Adams  
Professional Land Surveyor No. 3704

DATE: 1/23/17  
EXP. DATE: 11-30-2018  
DESIGN FIRM REGISTRATION NO. 184-001856

**NOTES:**

- Bearings for this survey are based on Illinois State Plane Coordinate System, East Zone, NAD 83.
- The subject property is commonly known as 1804 (Lot 2) and 1806 (Lot 1) E. Lincoln St. (PIN 21-10-251-004).

**OWNER/DEVELOPER:**  
Wallace and Thelma Holderby  
Family Trust  
c/o Jim & Reta Holderby  
1804 E. Lincoln St.  
Bloomington, IL 61701

**ATTORNEY:**  
Todd Bugg  
1001 N. Main St., Suite A  
Bloomington, IL 61701  
(309) 828-6241

**CITY CLERK'S CERTIFICATE**

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF McLEAN )

I, \_\_\_\_\_, City Clerk of the City of Bloomington, Illinois, do hereby certify that the foregoing is a true and complete copy of an original "Holderby Subdivision", presented, passed and approved at a regular meeting of said City Council, held on the \_\_\_\_\_ Day of \_\_\_\_\_, 2017, by an affirmative vote of the majority of all members of said council, the vote having been taken by yeas and nays and entered on the record of the proceedings of said council.

Witness my hand and seal of said city of Bloomington, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
City Clerk

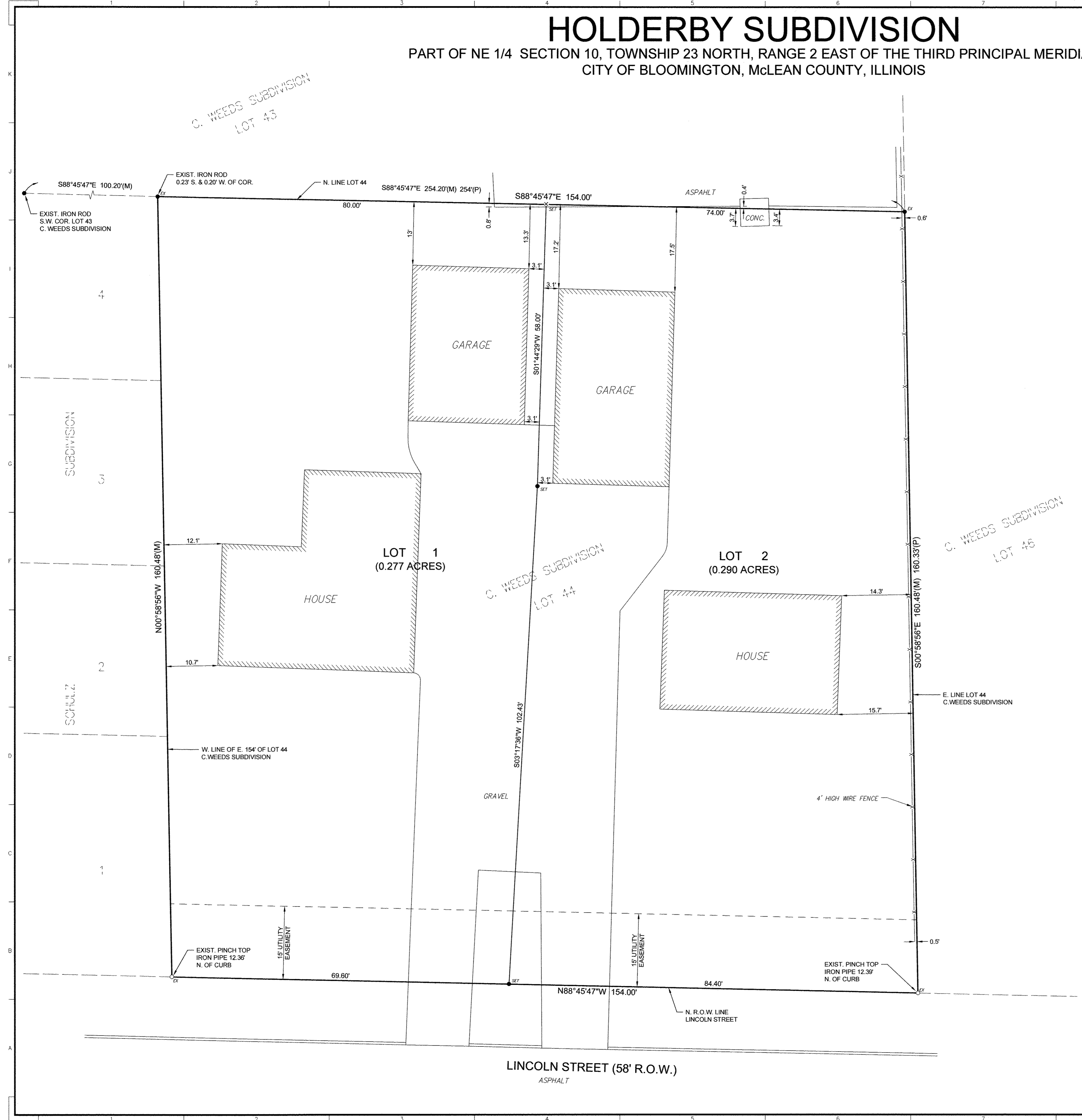
**CITY ENGINEER'S CERTIFICATE**

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF McLEAN )

I, \_\_\_\_\_, City Engineer for the City of Bloomington, hereby certify that the land improvements described in the annexed plat and the plans and specification therefor meet the minimum requirements for said City of Bloomington outlined in Chapter 24 of the Bloomington City code.

Dated at Bloomington, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
City Engineer  
Bloomington, Illinois



PROJECT:  
**HOLDERBY SUBDIVISION**

BLOOMINGTON, ILLINOIS

Date: 11-28-16

Design/Drawn: DJM

Reviewed: BAB

Book No.: 3218/06 Field: 11-2-16

Project No.: 0161596.00

SHEET TITLE:  
**FINAL PLAT**

SHEET NUMBER:  
**1**

File No.: 24-9174

I:\draft\1\_A\2016\0161596.00 - Holderby Subdivision\Survey\07\_Drawing\0161596.00 - Holderby Final Plat.dwg | 11/28/2016 9:02 AM |

NE 1/4 SEC. 10, T.23N., R.2E. 3P.M.



2709 McGraw Drive  
Bloomington, Illinois 61704  
p 309.663.8435 f 309.663.1571

[www.f-w.com](http://www.f-w.com) | [www.greennavigation.com](http://www.greennavigation.com)

January 23, 2017

Ms. Renee Gooderham (Records and Information Manager)  
Bloomington City Clerk  
Bloomington City Hall  
109 E. Olive Street  
Bloomington, IL 61704

Subject: Holderby Subdivision  
Request for Waiver of Preliminary Plan

The Developer respectfully requests a waiver of the preliminary plan, submission, review, and approval process pursuant to Chapter 24, Sec. 3.5.6(b)(1) of the Bloomington City Code. The reason is in order to qualify for the expedited final plat process. Holderby Subdivision divides property in the Northeast Quarter of Section 10 which currently contains 2 residences into 2 lots (one for each residence).

Very truly yours,

FARNSWORTH GROUP, INC.

A handwritten signature in black ink that reads "Joe Adams".

Joseph D. Adams  
PLS

cc: Tony Meizelis - COB Engineering  
Ryan Otto - COB Engineering  
Todd Bugg - Developer's Attorney



## CONSENT AGENDA ITEM NO. 7K

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 18, 2017.

**RECOMMENDATION/MOTION:** That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on March 18, 2017 be passed, contingent on Party in a Pinch applying for and receiving the City's catering liquor license, and that the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

**BACKGROUND:** On January 10, 2017, the Bloomington Liquor Commissioner, Tari Renner, called a hearing to order to hear the request of Robert King and Sara Finney to allow moderate consumption of alcohol at their March 18, 2017 wedding reception to be held at Miller Park Pavilion.

Staff Present: George Boyle, Asst. Corporation Counsel; and Cherry Lawson, City Clerk.

Mr. King came forward to provide testimony for his request, acknowledging the date and location of the wedding reception. When asked whether the caterer had received their license or applied for the caterer permit by the City, Mr. King stated Party in a Pinch (Farmer City) was awaiting receipt of its license by the State.

Commissioner Renner stated he would recommend the item be sent to Council for its review and consideration on the February 13, 2017 Regular Council Meeting agenda, but that it would be contingent on Party in a Pinch applying for and receiving the City's catering liquor license.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the January 10, 2017 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None.

**COMMUNITY DEVELOPMENT IMPACT:** None.

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION:** None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry L. Lawson, City Clerk  
Jay Tetzloff, Parks, Recreation and Cultural Arts Director

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

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

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- Ordinance
- Letter of Request

**ORDINANCE NO. 2017 -**

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION AT MILLER PARK PAVILION ON MARCH 18, 2017**

WHEREAS, Robert King and Sara Finney are planning to hold their wedding reception at Miller Park Pavilion from 4:00 p.m. to 10:00 p.m. on March 18, 2017; and

WHEREAS, Robert King and Sara Finney have requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, for the duration of the wedding reception at Miller Park Pavilion on March 18, 2017 from 4:00 pm to 10:00 pm.

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

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

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

**PASSED this 13<sup>th</sup> day of February, 2017.**

**APPROVED this \_\_\_ day of February, 2017.**

**CITY OF BLOOMINGTON**

**ATTEST**

\_\_\_\_\_  
**Tari Renner, Mayor**

\_\_\_\_\_  
**Cherry L. Lawson, C.M.C, City Clerk**

**APPROVED AS TO FORM**

**Jeffrey R. Jurgens, Corporation Counsel**

**From:** Robert King < >  
**To:** cityclerk@cityblm.org

---

**Date:** Monday, December 12, 2016 03:16PM  
**Subject:** King Wedding

---

Hello my name is Robert King and I am contacting you regarding the liquor license I must obtain for my upcoming wedding. The information for the wedding is listed below:

When: March 18, 2017  
Where: The Miller Park Pavilion  
Time: 4 p.m. to 10 p.m.  
Guests: Approximately 100  
Caterer: Party in a Pinch (Farmer City)  
Bride and Grooms name: Sara Finney and Robert King

If you have an additional questions or I need to provide anymore information feel free to contact me anytime at

Thank you,  
Robert King

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



## REGULAR AGENDA ITEM NO. 8A

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of a recommendation to widen Linden Street pavement, from Locust to Empire Streets, to 30 feet and that the street consist of two 10-foot driving lanes and one 7-foot parking lane plus new curbs and gutters.

**RECOMMENDATION/MOTION:** That Linden Street pavement be widened from 26 feet to 30 feet, from face of curb to face of curb, from Locust to Empire streets and that Linden through this area consist of two 10-foot driving lanes, one 7-foot parking lane, new curb and gutter, improved turn radius at Locust Street and other improvements related to street project.

**STRATEGIC PLAN LINK:** 2. Upgrade City Infrastructure and Facilities

**STRATEGIC PLAN SIGNIFICANCE:** 2a. Better quality roads and sidewalks

**BACKGROUND:** Linden Street from Locust to Empire is a collector street in a mixed-used neighborhood that includes businesses, single-family homes and residential rentals. It is a valuable collector in that it links the one-way arterial street couplets of Empire and Locust and continues as a traffic collector through Normal. The stretch of Linden from Locust to Empire has deteriorated to conditions rated as 2 and 3, in various sections, on a scale of 10. The curb and gutter condition is also poor. The street width is below modern standards. It measures 26 feet from face of the curb to face of the curb. By comparison, a new residential (non-collector) street is a minimum of 30 feet, face to face of curb, by code. Public Works applied this minimum residential street standard of 30 feet when it began planning the resurfacing work in 2013. While collector streets are typically wider and the City has ample right of way (66 feet), Public Works wanted to limit the widening out of sensitivity to the neighborhood and particularly to residential owners and tenants adjacent to the right of way.

The project was scheduled for 2016 construction. Construction was postponed when several residents came forward with objections to widening. At the request of the City Manager and City Council members, Public Works reviewed the project and considered different options. The Public Works review included, but was not limited to, the three options presented here: Leaving the existing width of 26 feet, widening the street to 30 feet, and widening it further to accommodate bicycle lanes. The Department also reviewed the impact of removing the street's only parking lane, on the west side of the street. Cost estimates for the three options presented are based on unit prices from Bloomington's FY 2016-17 resurfacing contract.

Option: Repair at existing width (Estimated Cost - \$585,000)



The street as configured falls short of standards for collector streets. Resurfacing and curb and gutter replacement using the existing footprint will result in the street becoming still narrower.

This is because the existing gutters, 1.5 feet wide on each side, have been overlaid with asphalt. Curbs are shallow and, at points, missing entirely. Paving over gutters was a common past practice undertaken to save money by not fixing gutters. This poor practice often resulted in poor drainage conditions and deteriorated curb lines. In effect, the paved gutters on Linden Street currently add 3 feet of pavement width. That footage will be lost once new gutters are installed and proper drainage is restored.



Instead, the new gutters will serve their intended purpose: draining storm water and keeping moving and parked vehicles on the roadway.

In summary, new curbs and gutters are greatly needed, but their installation will further tighten the width of the street if the street is not widened. The width of driving lanes would be 8 feet, which falls well under standards for any type of street. The legal maximum width of a delivery truck's body is 8.5 feet, and side mirror widths extend beyond that.

The existing single parking lane on Linden is a valued feature; removal may cause at least one business to move or close while causing inconvenience to other businesses and residences. Public Works recommends against the option of leaving the street at 26 feet.

#### Option: 10-foot lanes and retaining parking- (Estimated Cost - \$625,000)

The State (IDOT) standard lane width for a collector street is 12 feet. The City practice is to request a variance to install a minimum of 11-foot lanes on its collector streets. However, Public Works analyzes each street project individually. A standard that may apply to construction of new streets sometimes is not practical or desirable when applied to existing areas. Public Works finds that 10-foot lanes on Linden Street can suffice. This cross section provides for a nominal 30 feet, face of curb to face of curb, pavement width which yields two 10' travel lanes and one 7' parking lane.

Public Works takes into account the concerns of a neighborhood and concerns of the Council as part of any analysis; it is not a strictly technical and mathematical process. Public Works also as a matter of practice tries to retain on-street parking when possible. On-street parking is a valued infrastructure feature for businesses and residents. An expansion of pavement by 2 feet on each side of Linden Street should cause minimal negative impact to the neighborhood while having significant positive impacts on transportation. The widening requires removal of two trees. Those

trees were removed in anticipation of widening, which had been planned for summer 2016. No additional trees will be removed. Therefore, this option is **recommended.**

**Option: Widening to include bicycle lanes- (Estimated Cost - \$1,000,000)**

Public Works also looked at multimodal opportunities as emphasized in the Complete Streets Ordinance. The City has 66 feet of right of way, which would provide ample room for bicycle lanes. Using a conservative approach to car and bike lane widths to try and limit the neighborhood impact, the Department found that bike lanes, two traffic lanes and a parking lane would require 39 feet of width, from face of curb to face of curb. The widening would be 13 feet total. This could mean adding 6.5 feet of pavement to each side rather than adding 2 feet to each side, as would be the case with the recommended option. Public Works recommends against bicycle lanes at this location at this time. Some people in the neighborhood already object to the loss of 4 feet of green space (2 feet per side). Loss of more green space would draw objections from the neighborhood. If this stretch of Linden Street was recognized as a key area for bike lanes, Public Works might recommend them despite objections. However:

- The Bicycle Master Plan does not identify Linden as a placement for bicycle lanes.
- The Constitution Trail is located less than one block to the west.
- The construction cost would be approximately \$375,000 more than the recommended option.
- The option would require additional tree removals and utility relocations while substantially reducing green space in the right of way.
- The project would require additional design and survey work, delaying the needed repairs until later in the year with the potential for work to continue past the 2017 construction season.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public Works staff has communicated periodically by letter and in person with property owners along the project area since 2013. It hosted a meeting for the general public on September 20, 2016. In addition to issuing the routine meeting postings, Public Works sent letters of invitation more than 200 property owners from along the project area and the adjacent areas to the public meeting. Eleven people attended. Only one person voiced support for the project while others opposed it or expressed no opinion. Public Works also polled property owners along the project area to gauge opinion on a compromise idea raised at the public meeting. They were asked whether to widen Linden or not widen Linden while removing the parking lane. Nine respondents said widen, while four said don't widen and remove parking. Four owners did not respond.

**FINANCIAL IMPACT:** If approved by the Council, the project will be incorporated into the FY 2018 street resurfacing budget for completion in the summer of 2017.

**COMMUNITY DEVELOPMENT IMPACT:**

**Link to Comprehensive Plan/Downtown Plan Goals:** This project promotes the "Solid Infrastructure" goal. In addition to street and curb/gutter upgrades, the project encompasses sewer, stormwater and sidewalk improvements.

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:**     **Majority Present**

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Engineering Technician

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a large initial "D" and "H".

David A. Hales  
City Manager

**Attachments:**

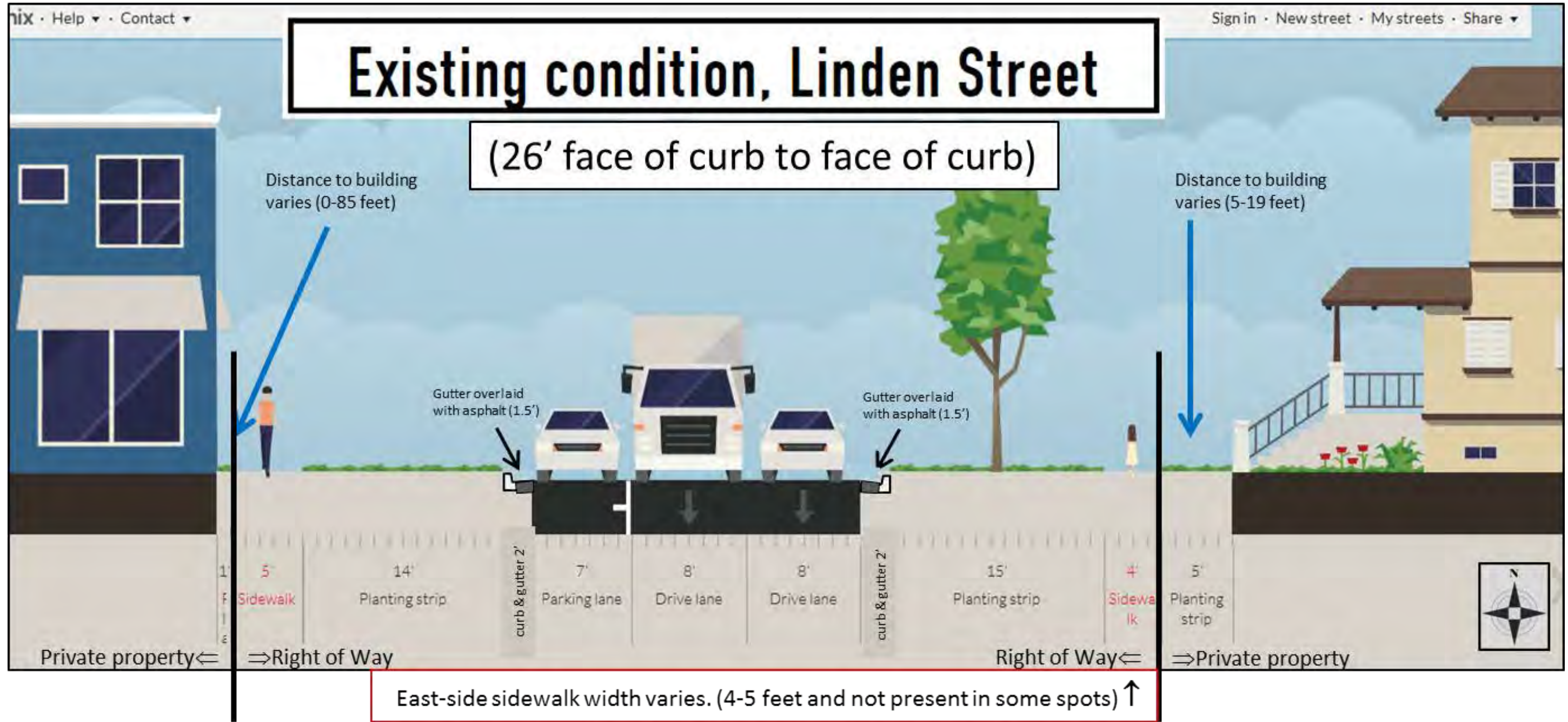
- Graphic depictions of Linden Street options.

# Linden Street

Locust Street to Empire Street



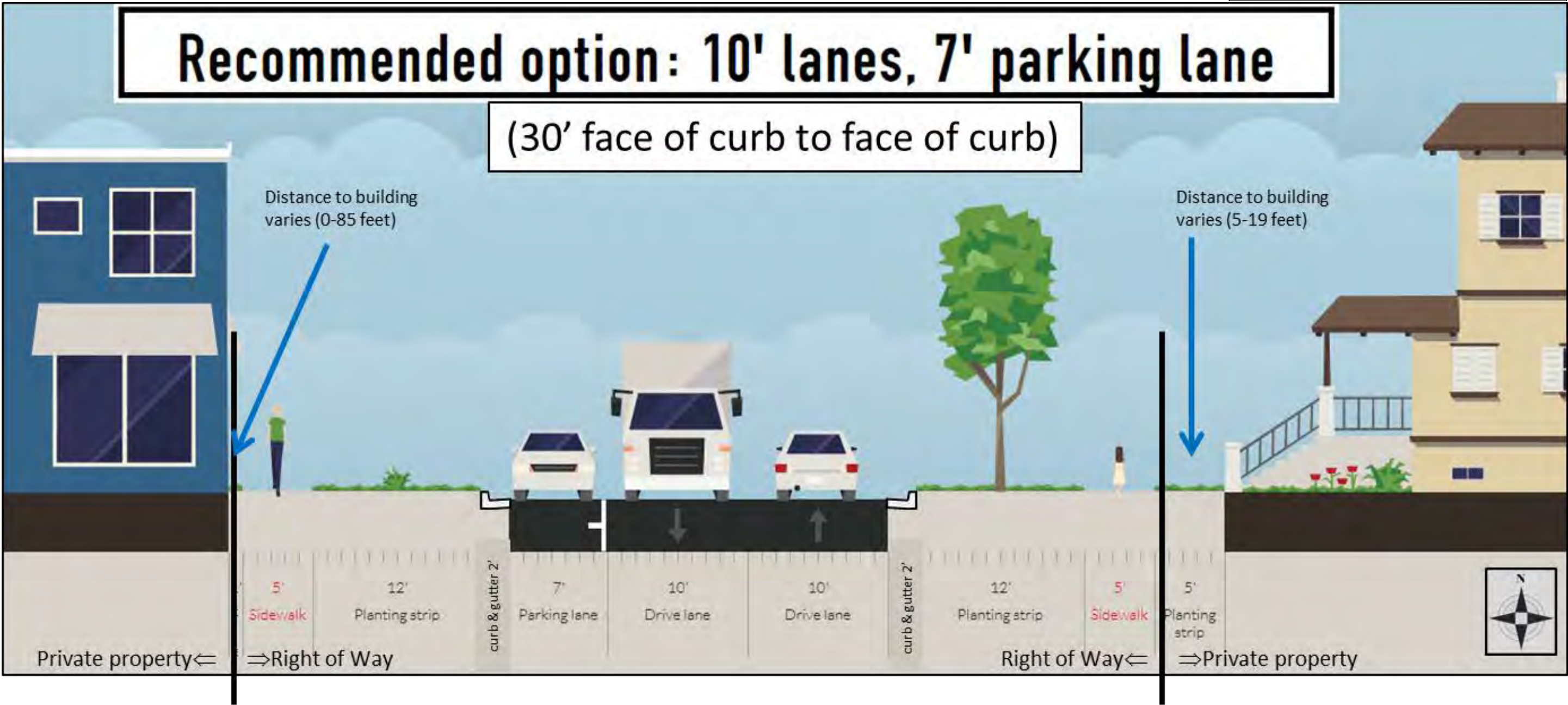
Estimated Cost repair using existing pavement footprint: \$585,000



Estimated cost: \$625,000

# Recommended option: 10' lanes, 7' parking lane

(30' face of curb to face of curb)



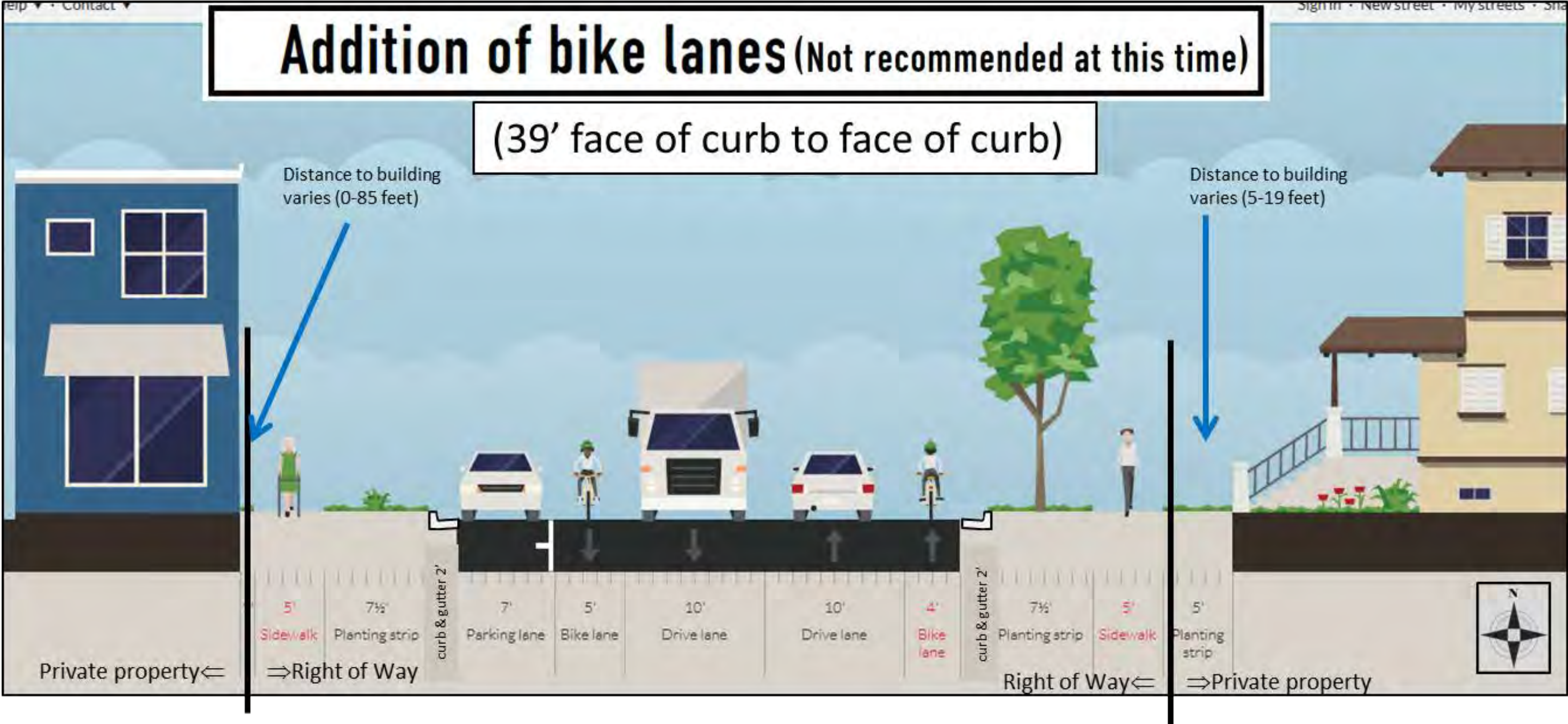
Estimated cost: \$1,000,000

# Addition of bike lanes (Not recommended at this time)

(39' face of curb to face of curb)

Distance to building varies (0-85 feet)

Distance to building varies (5-19 feet)





**REGULAR AGENDA ITEM NO. 8B**

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of a Contract Award to Stark Excavating for the Grove Street and Olive Street Sewers (Bid #2017-22)

**RECOMMENDATION/MOTION:** That the contract for Grove Street and Olive Street Sewers be awarded to Stark Excavating, Inc. in the amount of \$254,991.25 and the City Manager and City Clerk be authorized to execute the necessary documents.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objectives 2c. Functional, well maintained sewer collection system. Objective 5a. Well-planned City with necessary services and infrastructure.

**BACKGROUND:** Work proposed within this contract consists of constructing sanitary sewer for the 400 blocks of east Grove Street and Olive Street. There is no public sanitary sewer main in these blocks. Properties are currently served from long, private sewer services.



Figure 1: Private Sewer Services

Figure 1 illustrates the existing private sewers. The public sewer is the pink lines running along Gridley Street and McLean Street. The other multi-colored lines show private sewer services in the area. The investigation of these private sewer services included the staff engaging the property owners. At this time the project was explained to the property owners. In addition, individualized letters were sent to each owner to describe how the project affected their property and offering further meetings at the owners’ request. These letters (which are attached) also described the owners’ responsibility for connection to this new sewer. Generally, a sewer service will be stubbed in the parkway for the owner to utilize at their expense if and when they choose to. Three properties will be connected to the new sewer with this project because their existing sewer service must be disconnected with the project.

The contract allows 120 calendar days for the work to be completed from the issuance of the Notice to Proceed. The selected contractor will be required to

provide a Performance Bond and Certificates of Insurance within ten (10) days after receipt of the Notice of Award.

The Public Works Department’s Engineering Division prepared plans and specifications for the Grove Street and Olive Street Sewers project and the project was advertised for bids beginning on November 29, 2016. Bids were received until 2:00 PM Tuesday January 17, 2017, in the office of the City Clerk. Three (3) bids were received and opened in a public meeting in the procurement office at City Hall. The bid tabulation is attached.

<b>Stark Excavating (Low Bid)</b>	<b>\$ 254,991.25</b>
Hoerr Construction	\$ 372,950.00
George Gildner Inc.	\$ 338,715.00
<i>Engineer’s Estimate</i>	\$ 305,045.00

This project will be funded through the Sanitary Sewer fund (FY 17).

A comprehensive approach was taken when looking at the infrastructure in this area. The water mains in the area are not being replaced at this time due to the fact that there is not a history of leaks in this area. Grove Street is planned to be resurfaced in 2018 and necessary sidewalk repairs will be made by 2019 to complete the rehabilitation on these blocks.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The residents and landowners along each of the blocks were sent a letter regarding this project. Additionally, staff met with most property owners during the investigation of current conditions and initial project planning, in summer 2016. This project was advertised in The Pantagraph on November 29 and December 6, 2016, and a pre-bid meeting was held at 9:30 AM on December 13, 2016, in the Public Works Department Conference Room.

**FINANCIAL IMPACT:** The funds for the work are included in the FY 2017 Budget under the Sanitary Sewer-Sewer Construction account (51101100-72550). The cost of this work (\$254,991.25) is under budget for this project (\$320,000 budgeted). This project was included in the budget as two separate projects: \$160,000 for Grove Street Sanitary Sewer (400 East Block) and \$160,000 for Olive Street Sanitary Sewer (400 East Block). Stakeholders can locate this in the FY 2017 Budget Book titled “Other Funds & Capital Improvement Fund” on pages 142, 275, 388, and 394-397.

**COMMUNITY DEVELOPMENT IMPACT:** This project will provide public sanitary sewer access to the properties on the east 400 block of Grove Street and Olive Street.

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY**

**CONSTRUCTION:** The proposed facilities are gravity sewers which require no operational cost other than normal maintenance and repair.

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** 5

Respectfully submitted for Council consideration.



Prepared by: Luke Thoele, PE, Civil Engineer I  
Reviewed by: Jim Karch, PE, CFM, Director of Public Works  
Financial & budgetary review by: Chris Tomerlin, Budget Analyst  
Legal review by: Jeffrey R. Jurgens, Corporation Counsel  
Recommended by:



David A. Hales  
City Manager

**Attachments:**

- BID TABULATION Grove and Olive Sewers 02132017
- 4C AGREEMENT Grove and Olive Sewers 02132017
- 4C LETTERS Grove and Olive Sewers 02132017

**Grove Street and Olive Street Sewers**

City Project # 50-03-53854-16-00

Bid No. 2017-22

**Bid Tabulation**

Opening Date: 1/17/2017 Attended by: Luke Thoele Misty Schafer

Opening Time: 2:00 PM Andrew Coffey Robert Vigh

Prepared By: SMA 1/17/2017 Stephen Arney

Ryan Otto

BASE PROPOSAL				Engineer's Estimate		Hoerr Construction Inc		Stark Excavating		George Gildner Inc.	
ITEM											
NO.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Sanitary Sewers, 8"	LF	600	\$ 100.00	\$ 60,000.00	\$130.00	\$78,000.00	\$54.00	\$32,400.00	\$91.00	\$54,600.00
2	Sanitary Service Sewers, 6"	LF	300	\$ 80.00	\$ 24,000.00	\$150.00	\$45,000.00	\$63.00	\$18,900.00	\$110.00	\$33,000.00
3	Sanitary Service Cleanout	EA	11	\$ 350.00	\$ 3,850.00	\$775.00	\$8,525.00	\$370.00	\$4,070.00	\$300.00	\$3,300.00
4	Connect to Existing Sanitary Sewer Service	EA	5	\$ 500.00	\$ 2,500.00	\$900.00	\$4,500.00	\$1,300.00	\$6,500.00	\$600.00	\$3,000.00
5	Manhole Type A, 4' Dia.	EA	3	\$ 3,500.00	\$ 10,500.00	\$7,500.00	\$22,500.00	\$6,250.00	\$18,750.00	\$4,980.00	\$14,940.00
6	Abandon Existing Sewer with CLSM	LF	455	\$ 12.00	\$ 5,460.00	\$41.00	\$18,655.00	\$9.00	\$4,095.00	\$63.00	\$28,665.00
7	Connect to Existing Manhole	EA	1	\$ 1,000.00	\$ 1,000.00	\$6,200.00	\$6,200.00	\$3,200.00	\$3,200.00	\$6,000.00	\$6,000.00
8	Select Granular Backfill	LF	900	\$ 50.00	\$ 45,000.00	\$50.00	\$45,000.00	\$40.00	\$36,000.00	\$65.00	\$58,500.00
9	Pavement Removal and Replacement, Special	LF	850	\$ 80.00	\$ 68,000.00	\$70.00	\$59,500.00	\$69.50	\$59,075.00	\$76.00	\$64,600.00
10	Sidewalk Removal	SF	55	\$ 2.00	\$ 110.00	\$2.00	\$110.00	\$1.00	\$55.00	\$2.00	\$110.00
11	PCC Sidewalk, 4"	SF	55	\$ 15.00	\$ 825.00	\$24.00	\$1,320.00	\$12.25	\$673.75	\$8.00	\$440.00
12	Curb and Gutter Removal and Replacement	LF	110	\$ 80.00	\$ 8,800.00	\$84.00	\$9,240.00	\$61.00	\$6,710.00	\$56.00	\$6,160.00
13	Topsoil Placement and Seeding, Special	SY	150	\$ 40.00	\$ 6,000.00	\$72.00	\$10,800.00	\$18.75	\$2,812.50	\$20.00	\$3,000.00
14	Erosion Control	LS	1	\$ 1,500.00	\$ 1,500.00	\$1,300.00	\$1,300.00	\$250.00	\$250.00	\$700.00	\$700.00
15	Traffic Control	LS	1	\$ 7,500.00	\$ 7,500.00	\$2,300.00	\$2,300.00	\$1,500.00	\$1,500.00	\$1,700.00	\$1,700.00
16	Point Repairs	LS	1	\$ 60,000.00	\$ 60,000.00	\$60,000.00	\$60,000.00	\$60,000.00	\$60,000.00	\$60,000.00	\$60,000.00
Total As Read					\$305,045.00		\$372,950.00		\$254,991.25		\$338,715.00

## **AGREEMENT**

THIS AGREEMENT, Made and entered into this **13th day of February, 2017**, by and between, **Stark Excavating, Inc.**, first party, also hereinafter referred to as "Contractor", and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did on November 29<sup>th</sup> and December 6<sup>th</sup>, 2016, by advertisement, call for bids for furnishing all labor and material for the construction of **GROVE STREET AND OLIVE STREET SEWERS** project for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on **January 17, 2017**, submit this bid to said City of Bloomington for furnishing all of the labor and materials for the construction of said **GROVE STREET AND OLIVE STREET SEWERS** on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

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

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

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of **\$254,991.25** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

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

IT IS FURTHER AGREED that said Contractor shall complete all work within **120 calendar days** of issuance of the written NOTICE TO PROCEED.

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

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

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

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

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

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

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

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

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

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

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

(Seal)

ATTEST;

\_\_\_\_\_  
City Clerk

CITY OF BLOOMINGTON

By: \_\_\_\_\_  
City Manager

WITNESS:

CONTRACTOR (Seal)

\_\_\_\_\_



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax : 309-434-2201

November 10, 2016

Dawn Peters and Diana Krieg  
1708 E. Jackson  
Bloomington, IL 61701  
RE: Grove sewer project

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private “wildcat” sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid in December, with construction during the spring or summer of 2017.

Dear property owners:

As the City of Bloomington prepares sewer improvements in the 400 block of Olive and Grove streets, we are contacting individual property owners to explain plans/implications for each property.

Your property at 402 E. Grove was dye tested the summer. The test confirmed that the plumbing was connected to a private sewer pipe which feeds directly into the manhole in the north portion of the Gridley-Grove intersection. We later discovered that, at some point unknown to us, the piping from 410 merges with piping from 402 to form a 2-on-1 sewer laterals. 2-on-1 connections are not recommended, and they open up issues of ownership and liability when problems occur.

The new City sewer will start at the manhole on the south side of the Gridley-Grove intersection and will continue east to a new manhole near McLean Street. At 402 E. Grove, we will run piping from the new sewer main to the grassy area, the “parkway.” We will “stub” it there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. The City will not require you to connect into the new sewer along Grove Street at this time. Should you choose to connect during the City project, we can coordinate with the contractor of your choice.



Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.

Sincerely,

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

P.S. Give us your contact information, please: We are compiling a list of e-mails so we can send updates during the project. Please send us an e-mail with your information. Please place “Olive-Grove sewers” in the subject line.



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 10, 2016

Carlo Robustelli &  
Emily Marie Kelahan  
401 E. Grove Street  
RE: Sewer project

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private "wildcat" sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid in December, with construction in the spring or summer of 2017.

Dear property owners:

As the City of Bloomington prepares sewer improvements in the 400 blocks of Olive and Grove streets, we are contacting individual property owners to explain plans/implications for each property.

As we have discussed with Carlo earlier this year, the plumbing for 401 E. Grove Street connects to the Gridley Street sewer at midblock on Gridley. We anticipate no changes.

Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.

Sincerely,

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

P.S. Give us your contact information, please: We are compiling a list of e-mails so we can send updates during the project. Please send us an e-mail with your information. Please place "Olive-Grove sewers" in the subject line.



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 10, 2016

Joseph C. Boyce  
208 S. Cherry  
Lexington, IL 61753  
RE: Grove St sewer project

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private "wildcat" sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid in December with construction during the spring or summer of 2017.

Dear Joe:

As the City of Bloomington prepares sewer improvements in the 400 block of Olive and Grove streets, we are contacting individual property owners to explain plans/implications for each property.

As you may recall from our inspection this summer, the lateral from your rental property at 410 E. Grove runs out the back into the alley. At a point unknown to us, this private line turns south and eventually merges with the private sewer line being used by 402 E. Grove. The 2-on-1 sewer lateral then connects directly into the City manhole in Gridley Street on the north side of the intersection. 2-on-1 connections are not recommended, and they open up issues of ownership and liability when problems occur.

The new City sewer will start at the manhole on the south side of the Gridley-Grove intersection and will continue to a new manhole near McLean Street. At 410 E. Grove, we will run piping from the new sewer main to the grassy area, the "parkway." We will "stub" it there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. The City will not require you to connect into the new sewer along Grove Street at this time. Should you choose to connect during the City project, we can coordinate with the contractor of your choice.



Example of exterior sewer clean-out

Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.

Sincerely,

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

P.S. Give us your contact information, please: We are compiling a list of e-mails so we can send updates during the project. Please send us an e-mail with your information. Please place "Olive-Grove sewers" in the subject line.



November 10, 2016

John Elterich and Karen Schmidt  
409 E Grove Street  
Bloomington IL 61701

RE: Sewers in your neighborhood

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently served by private “wildcat” sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid in December with construction during the spring or summer of 2017.

Dear John and Karen:

As the City of Bloomington prepares sewer improvements in the 400 blocks of Olive and Grove streets, we are contacting individual property owners to explain plans and implications for each property.

In your case, because of your ownership of multiple properties, it may be preferable to you to sit down with us to discuss each property so we can fully answer your questions. But we will give a written explanation here, starting with your own home.

409 E. Grove Street: Dye testing shows the plumbing runs to the south to the middle of Olive Street, where it merges with a line being used by the Warrens. This combined line then runs to the Gridley Street sewer. When we construct the new Olive Street sewer, we will remove the old line underneath Olive Street and connect the homes separately. We will extend pipe from the new sewer to your property, where it will link with your current sewer lateral. We will join the old and new piping at a “clean-out,” which enables easy private lateral inspection in the future. You will not be charged for any of this work.



414-416 E. Grove: Sewer video from the existing sewer on Grove appeared to show an active sewer tap for 414-416 E. Grove. Dye testing confirmed that the property is using the old Grove private sewer, running under the street. The old private sewer under the road will be replaced. New pipe will be installed from the sewer toward the grassy parkway at the apartment house. Old and new piping to the residence will be linked at a new clean-out. Again, none of this work is charged to the property owner.

418 E. Grove: Dye testing confirmed that 418 Grove plumbs out the back and shares a tap-on with 410 into the McLean Street sewer main. 2-on-1 private sewer tap-ons are potentially problematic and are not allowed in new construction. Of primary concern is that problems with

plumbing on one property can impact the other property.

For 418, the City will run piping from the new Grove Street main to the parkway. We call this “stubbing.” The City will install a clean-out. This will allow you or a future owner to re-plumb 418 and connect to the Grove Street sewer. It is up to the property owner to pay for piping from the building to the clean-out. However, should you want to do this at the time of our sewer construction, we will coordinate with the contractor you choose to fix your end of the sewer lateral.

For 420, we find no practical advantage to connecting to the new Grove main. It can remain tied to the McLean main, and there is no plan to stub from the Grove sewer to the property.

421 E. Grove Street: This rental connects to the McLean sewer, as proven by dye testing. We are unaware of any problems and expect the property to continue to use the McLean sewer main.

As we stated earlier, this is a lot to take in. We would be happy to meet with you at a mutually convenient time.

Sincerely,

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

P.S. Give us your contact information, please: We are compiling a list of e-mails so we can send updates during the project. Please send us an e-mail with your information. Please place “Olive-Grove sewers” in the subject line.



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 10, 2016

Mr. and Mrs. James Warren  
407 E. Grove Street  
RE: Sewer project

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private "wildcat" sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid in December with construction during the spring or summer of 2017.

Dear Warrens:

As the City of Bloomington prepares sewer improvements in the 400 block of Olive and Grove streets, we are contacting individual property owners to explain plans/implications for each property.

As shown by camera and dye-testing, the plumbing from your home runs through the backyard, to Olive Street. In the street, it combines with the Schmitt-Elterich line. This combined line connects to the Gridley Street sewer.

This combined line will be removed when we install sewer underneath the 400 block of Olive Street. We will run separate connections from the new sewer to the respective properties. In the grassy parkway, we will connect new piping to your private sewer piping. The connection will be made at a clean-out, similar to the one in your backyard. There will be no cost to you for this construction.



Also recall that we ran a camera from the clean-out in your backyard. We found a fair amount of root intrusion into your private line. This may become an issue. The City will not pay to remove roots from your private piping.

Finally, a personal note to thank you for your cooperation during our multiple trips to the neighborhood, and thank you for the interest that you and your children have shown in the project.

Do not hesitate to contact us with questions/concerns about the project.

Sincerely,

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

P.S. Give us your contact information, please: We are compiling a list of e-mails so we can send updates during the project. Please send us an e-mail with your information. Please place “Olive-Grove sewers” in the subject line.



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 17, 2016

Linda Gleason  
2920 Fox Creek Road  
Bloomington IL 61705  
RE: Olive Street sewer project

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private "wildcat" sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid in December with construction during the spring or summer of 2017.

Dear Linda:

As the City of Bloomington prepares sewer improvements in the 400 block of Olive and Grove streets, we are contacting individual property owners to explain plans/implications for each property.

Your property at 403 E. Olive St plumbs to the rear. The sewer lateral leaves the property at the alley to the south. The lateral for 403 connects to a pipe that runs underneath the alley to the Gridley Street sewer. This alley pipe is not a public sewer, meaning the City of Bloomington does not own, maintain or repair it. It serves four structures on the block. The City discourages multiple hookups to a private sewer line as it opens questions of responsibility and liability when there are problems.

The City will install a new sewer under Olive Street. It will also install piping from the new sewer main to the grassy area, the "parkway," in front of your property. We will "stub" the pipe there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. While we are not forcing property owners to tap on to the new Olive Street sewer, at this time, we are encouraging them to do so. Should you decide to connect to the new sewer at the time of the project, the City will coordinate the work with the contract of your choosing.



Example of exterior sewer clean-out

Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.

Sincerely,

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org

P.S. Give us your contact information, please: We are compiling a list of e-mails so we can send updates during the project. Please send us an e-mail with your information. Please place “Olive-Grove sewers” in the subject line.



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 17, 2016

Shirley and John Armstrong  
105 E. Parkway  
Lexington, IL 61753  
RE: Olive Street sewer project

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private "wildcat" sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid this winter with construction during the spring or summer of 2017.

Dear property owners:

As the City of Bloomington prepares sewer improvements in the 400 blocks of Olive and Grove streets, we are contacting individual property owners to explain plans/implications for each property.

Your property at 405 E. Olive plumbs to the rear. The sewer lateral leaves the property at the alley to the south. The lateral for 405 connects to a sewer pipe under the alley, and this pipe serves four structures on the block. The pipe runs empties into to the Gridley Street sewer. This alley pipe is not a public sewer, meaning the City of Bloomington does not own, maintain, or repair it.



The City will run piping from the sewer main to the parkway. We will "stub" it there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. As stated previously, your property is currently served by a private sewer and you are not required to connect into the new sewer along Olive Street.

Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.

Sincerely,

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 17, 2016

Wayne A and Mary Pelhank  
2625 Day Lily Run  
The Villages FL 32162-2050  
RE: Olive Street sewer

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private “wildcat” sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid this winter with construction during the spring or summer of 2017.

Dear Property owners:

As the City of Bloomington prepares sewer improvements in the 400 blocks of Olive and Grove streets, we are contacting individual property owners to explain plans and implications for each property.

The sewer piping from your property at 407 E. Olive runs to the south. It connects to another pipe underneath the alley. This alley sewer connects to four properties and empties into the Gridley Street sewer. The alley sewer is not owned, maintained, or repaired by the City of Bloomington. The City will run piping from the sewer main to the parkway. We will “stub” it there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. As stated previously, your property is currently served by a private sewer and you are not required to connect into the new sewer along Olive Street. Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.



Sincerely,

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org





Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 17, 2016

Lyle Lee and Barbara Sue Busick  
409 E. Olive Street  
Bloomington, IL 61701  
RE: Olive Street sewer

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private “wildcat” sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid this winter with construction during the spring or summer of 2017.

Dear Property owners:

As the City of Bloomington prepares sewer improvements in the 400 blocks of Olive and Grove streets, we are contacting individual property owners to explain plans and implications for each property.

The sewer piping from your property at 409 E. Olive runs to the south. It connects to another pipe underneath the alley. This alley sewer connects to four properties and empties into the Gridley Street sewer. The alley sewer is not owned, maintained, or repaired by the City of Bloomington. The City will run piping from the sewer main to the parkway. We will “stub” it there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. As stated previously, your property is currently served by a private sewer and you are not required to connect into the new sewer along Olive Street. Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.



Sincerely,

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org



Public Works Department  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

November 17, 2016

Mr. Jesse Estrada  
411 E. Grove Street  
RE: Olive Street sewer

Project description: The City plans to install new sewer mains in the east 400 blocks of Grove and Olive streets. The properties along these streets are currently serve by private “wildcat” sewers. This project will provide a public sewer for the properties in this area. The project is expected to be bid this winter with construction during the spring or summer of 2017.

Dear Property owners:

As the City of Bloomington prepares sewer improvements in the 400 blocks of Olive and Grove streets, we are contacting individual property owners to explain plans and implications for each property.

The sewer piping from your property at 411 E. Olive runs to the south. It eventually ties into the Sewer on Taylor Street. The sewer that takes it from your property to the Taylor street is not owned, maintained, or repaired by the City of Bloomington. The City will run piping from the new sewer main in Olive Street to the parkway. We will “stub” it there at a clean-out. This will be done at no cost to the property owner. However, the property owner will be responsible for installation of piping from the building to the clean-out. As stated previously, your property is currently served by a private sewer and you are not required to connect into the new sewer along Olive Street. Please do not hesitate to contact us if you would like to meet and discuss the project or if you have any questions or concerns.



Example of exterior sewer clean-out

Sincerely,

Luke Thoele, PE  
Project Engineer  
(309) 434-2437  
lthoele@cityblm.org

Steve Arney  
Engineering Technician  
(309) 434-2419  
sarney@cityblm.org



## REGULAR AGENDA ITEM NO. 8C

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of a Resolution to accept permanent and temporary construction easements granted by the Bloomington Normal Water Reclamation District for rehabilitation of the Linden Street Bridge and an IDOT (Illinois Department of Transportation) Resolution for Improvement by Municipality in the amount of \$1,800,000.00 for the estimated construction cost.

**RECOMMENDATION/MOTION:** That the Resolution to accept permanent and temporary construction easements granted by the Bloomington Normal Water Reclamation District for rehabilitation of the Linden Street Bridge and the IDOT Resolution for Improvement by Municipality in the amount of \$1,800,000.00, be approved 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 2a “Better quality roads and sidewalks”, and 2d “Well-designed, well-maintained City facilities emphasizing productivity and customer service”.

**BACKGROUND:** At the Work Session of May 11, 2015 Council approved the expansion of work scope for the Linden Street bridge improvements to include accommodation for a future bike trail underpass. At the Council Meeting of September 14, 2015, Council approved the selection of Farnsworth Group, Inc. (FGI) to provide structural engineering design services for the Linden Street Bridge Rehabilitation Project including accommodation for a trail underpass. FGI has completed plans and specifications as well as documents for easements to be obtained prior to construction of the Linden Street Bridge.

In order to accommodate the future trail underpass of the Linden Street Bridge, it is necessary to obtain permanent easements from the Bloomington Normal Water Reclamation District (BNWRD) to grade the Sugar Creek channel bank to allow trail access down to the underpass and back up to the top of bank on the other side. Attachments 2 & 3 include the easement terms negotiated with BNWRD by City Legal Counsel and the plat document describing locations of the easements. While this BNWRD easement grant approves construction of the trail underpass and grading of the channel bank to provide for future trail access, it does not grant approval to use the underpass for trail purposes. Future negotiations with BNWRD will be required to agree on acceptable terms for allowing trail traffic on property currently owned by BNWRD.

Approval of the Illinois Department of Transportation (IDOT) Resolution for Improvement by Municipality in the amount of \$1,800,000.00 for estimated construction cost is necessary for IDOT to approve the City’s use of Motor Fuel Tax (MFT) funds for this construction project.

IDOT requires that the City adopt a Resolution authorizing the expenditure of MFT funds for the bridge project. The resolution amount reflects the estimated construction cost.

Currently the plans are ready for bid after easements are finalized. It is expected that various utility companies will perform their needed relocation work over the winter and early spring months and that bridge construction will begin in late spring and continue through the entire 2017 construction season.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** BNWRD and other property owners adjacent to the project from whom the City is requesting easements.

**FINANCIAL IMPACT:** There is no additional cost associated with the acceptance of this easement other than those already incurred under the FGI design services contract to develop easement documents.

**COMMUNITY DEVELOPMENT IMPACT:** See Attached

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

Respectfully submitted for Council consideration.

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

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- City Resolution
- Easement Text
- Easement Plat
- IDOT Resolution for Improvement by Municipality
- Aerial Map

**RESOLUTION NO. 2017 -**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS GRANTED  
FROM THE BLOOMINGTON NORMAL WATER RECLAMATION DISTRICT TO  
THE CITY OF BLOOMINGTON FOR CONSTRUCTION OF LINDEN STREET  
BRIDGE IMPROVEMENTS.**

WHEREAS, the Bloomington Normal Water Reclamation District agrees to grant permanent and temporary construction easements to the City of Bloomington for construction of improvements to the bridge on Linden Street north of Emerson Street; and

WHEREAS, for the reasons set forth in the City Council memo on February 13, 2017 it is necessary to; and

WHEREAS, it is the finding of the City Council that acceptance of the easements are in the best interest of the City of Bloomington and authorized by law.

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

That acceptance of easements from the Bloomington Normal Water Reclamation District for construction of Linden Street Bridge improvements be approved.

ADOPTED this 13th day of February, 2017.

APPROVED this \_\_\_\_ day of February, 2017.

APPROVED:

\_\_\_\_\_  
Tari Renner  
Mayor

ATTEST:

\_\_\_\_\_  
Cherry Lawson  
City Clerk

## EASEMENT GRANT

THIS INDENTURE WITNESSETH, that the Grantor, **Bloomington and Normal Water Reclamation District**, a body corporate and politic, with offices at 2015 West Oakland Avenue, County Road McLean County, Illinois, for and in consideration of the sum of ten dollars and other good and valuable consideration in hand paid, CONVEYS AND GRANTS to the **CITY OF BLOOMINGTON**, a body corporate and politic, with offices at 109 E. Olive Street, Bloomington, Illinois, by and through its employees, agents, and/or contractors and subcontractors, a permanent easement to grade, seed, establish and maintain a pathway, and to install appropriate infrastructure and ground cover to avoid soil erosion related thereto or resulting therefrom; provided, use of which is strictly prohibited except as otherwise provided herein. Additionally, the CITY OF BLOOMINGTON may maintain, occupy, construct and replace its water main and sewer within the permanent easement. The location of the permanent easement shall be as depicted on attached Exhibit A, together with the depicted temporary easement, as required for working purposes. Use of the pathway for any purpose, other than its establishment and maintenance, shall require subsequent authority from the Grantor, which may be withheld in Grantor's sole discretion.

Grantee shall repair any damage to property of Grantor occasioned by or resulting from the grading, seeding, establishment and maintenance of a pathway, and the associated installation and maintenance of appropriate infrastructure and ground cover to avoid soil erosion related thereto and resulting therefrom, 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 Grantor and one of whom shall be selected by Grantee, their 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 Grantee shall immediately pay such damages.

Grantee will indemnify and save harmless the Grantor and 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, Grantor or other persons, caused by any of the work performed under this easement or the use of the easement area for any purpose not specifically authorized by this easement, and shall require its contractors and subcontractors to so indemnify, defend, and save harmless the Grantor and 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 attorney's fees (whether for negotiation, trial, appellate, or other legal services) incurred by Grantor and its successors and assigns.

Grantee shall install appropriate signage and barriers to preclude usage of the pathway by the general public, and shall be responsible for any changes in the flow of the waterway or use of the land by Grantor, occasioned by the construction and maintenance of the anticipated pathway. In the event the construction and maintenance of the intended pathway negatively impacts the waterway, or results in unforeseen consequences, Grantor may require Grantee take additional actions to repair or maintain the easement area, which shall be at Grantee's sole expense. All work performed shall be done in good and workmanlike fashion.

IN WITNESS WHEREOF, the undersigned has affixed its signature on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Bloomington and Normal Water  
Reclamation District

By \_\_\_\_\_

Attest:

\_\_\_\_\_

STATE OF ILLINOIS        )  
  ) ss  
COUNTY OF MCLEAN     )

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of Bloomington and Normal Water Reclamation District and \_\_\_\_\_ personally known to me to be the \_\_\_\_\_ of said Corporation, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as \_\_\_\_\_ and \_\_\_\_\_ they signed and delivered the said instrument as \_\_\_\_\_ and \_\_\_\_\_ of said Bloomington and Normal Water Reclamation District, and caused the seal of said Corporation to be affixed thereto pursuant to authority given by the Board of Directors of Bloomington and Normal Water Reclamation District as their free and voluntary act and as the free and voluntary act and deed of said Bloomington-Normal Water Reclamation District for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

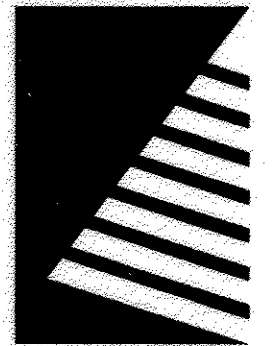
This instrument was prepared by: \_\_\_\_\_

Return recorded document to: \_\_\_\_\_



# EASEMENT PLAT

PART OF SE 1/4 SECTION 33 & SW 1/4 SECTION 34, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN  
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

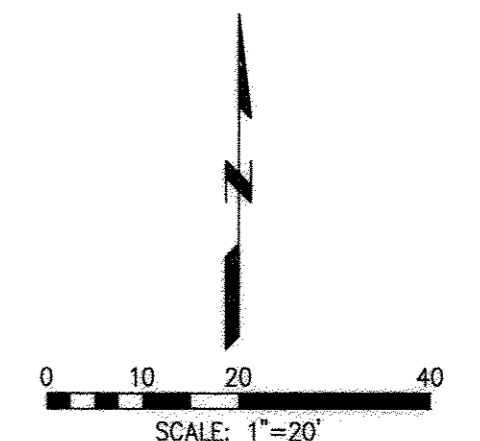


**Farnsworth**  
GROUP

2709 McGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435 / info@f-w.com

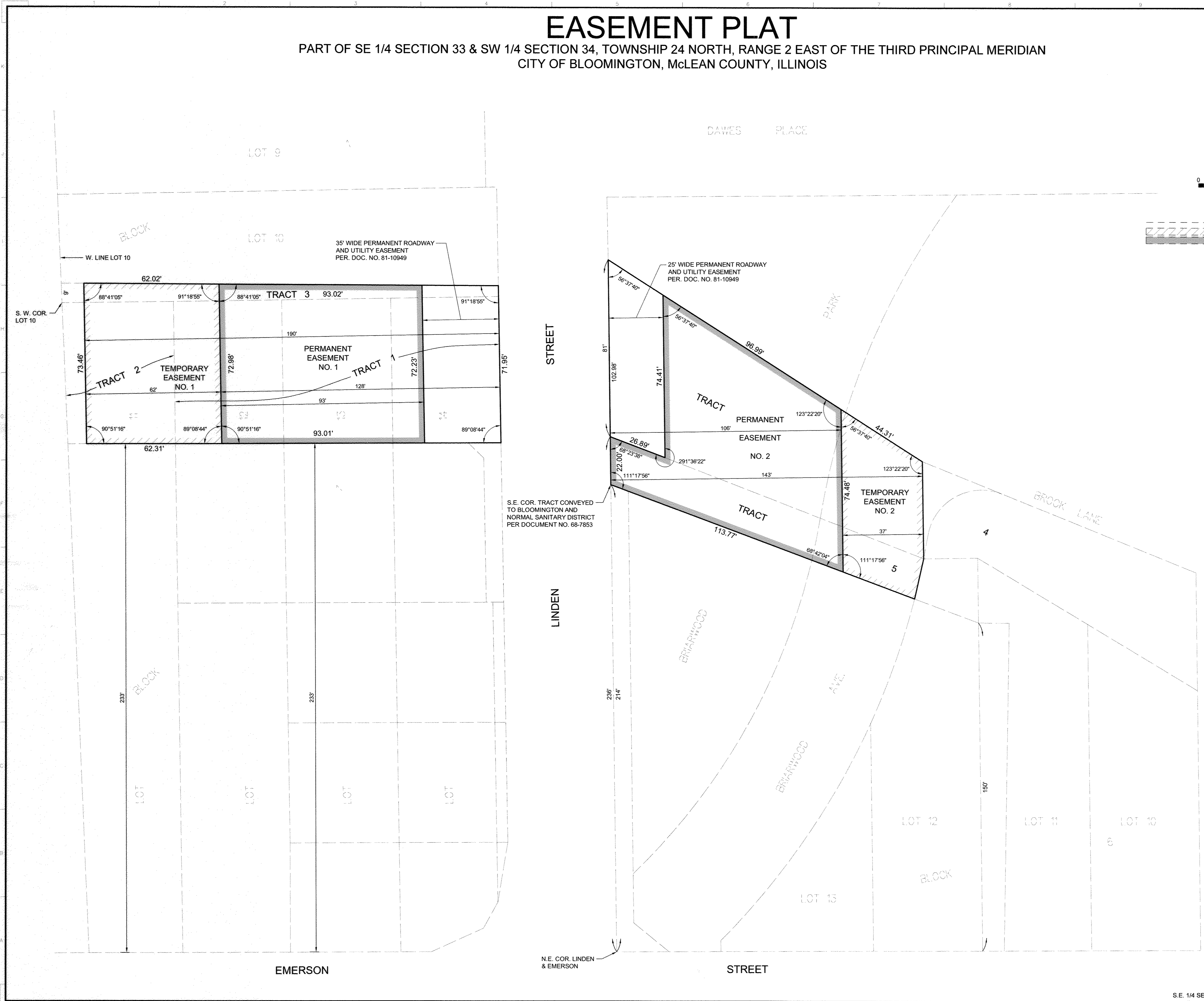
www.f-w.com  
Engineers | Architects | Surveyors | Scientists

ISSUE:  
# Date: Description:



**LEGEND**

- EASEMENT LIMITS LINE
- TEMPORARY EASEMENT AREA
- PERMANENT EASEMENT AREA



I:\projects\15 McLEAN\CONNECTION\EASEMENT\0151362.00 - Linden Street Bridge Rehabilitation\Map\EMD - Temporary Easement Plat.dwg (1/4/2016 10:59 AM)

PROJECT:

**LINDEN STREET BRIDGE**

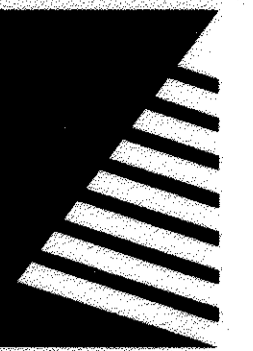
BLOOMINGTON, ILLINOIS

Date: 04-04-16  
 Design/Drawn: DJM  
 Reviewed: BAB *BJM*  
 Book No.: - Field: -  
 Project No.: 0151362.00

**EASEMENT PLAT**

SHEET NUMBER:

**1**



# Farnsworth GROUP

2709 McGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435 / info@f-w.com

www.f-w.com  
Engineers | Architects | Surveyors | Scientists

ISSUE:  
# Date: Description:

PROJECT:

## LINDEN STREET BRIDGE

BLOOMINGTON, ILLINOIS

Date: 04-04-16

Design/Drawn: DJM

Reviewed: BAB *Bm*

Book No.: - Field: -

Project No.: 0151362.00

SHEET TITLE:

## EASEMENT PLAT

SHEET NUMBER:

# 2

File No.: 24-9135

**Owner:** Bloomington and Normal Sanitary District

### Description of Property encompassing permanent Easement No. 1 and Temporary Easement No. 1:

#### Tract 1:

Lots 12, 13 and 14, in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, except the south 233 feet of said Lots.

#### Tract 2:

Lot 11 in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, except the south 233 feet of said Lot, McLean County, Illinois.

#### Tract 3:

A part of Lot 10 in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, described as follows: Beginning at the Southeast Corner of said Lot 10, thence westerly to the Southwest Corner of Lot 10, thence northerly 9 feet along the West Line of said Lot 10, thence easterly to a point on the East Line of said Lot 10, said point being 5 feet northerly of the Southeast Corner, thence southerly 5 feet to the Point of Beginning.

#### Permanent Easement No. 1:

The West 93.00 feet of the East 128.00 feet of the following described property:

#### Tract 1:

Lots 12, 13 and 14, in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, except the south 233 feet of said Lots.

#### Tract 2:

Lot 11 in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, except the south 233 feet of said Lot, McLean County, Illinois.

#### Tract 3:

A part of Lot 10 in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, described as follows: Beginning at the Southeast Corner of said Lot 10, thence westerly to the Southwest Corner of Lot 10, thence northerly 9 feet along the West Line of said Lot 10, thence easterly to a point on the East Line of said Lot 10, said point being 5 feet northerly of the Southeast Corner, thence southerly 5 feet to the Point of Beginning.

Permanent Easement No. 1 contains 6752 square feet or 0.155 acre, more or less.

#### Temporary Easement No 1:

The West 62.00 feet of the East 190.00 feet of the following described property:

#### Tract 1:

Lots 12, 13 and 14, in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, except the south 233 feet of said Lots.

#### Tract 2:

Lots 11 in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, except the south 233 feet of said Lot, McLean County, Illinois.

#### Tract 3:

A part of Lot 10 in Block 1 in J. P. Walker's Second Addition to the City of Bloomington, described as follows: Beginning at the Southeast Corner of said Lot 10, thence westerly to the Southwest Corner of Lot 10, thence northerly 9 feet along the West Line of said Lot 10, thence easterly to a point on the East Line of said Lot 10, said point being 5 feet northerly of the Southeast Corner, thence southerly 5 feet to the Point of Beginning.

Temporary Easement No. 1 contains 4,540 Sq. Ft. or 0.104 acre, more or less.

### Description of Property encompassing permanent Easement No. 2 and Temporary Easement No. 2:

#### Tract 4:

Commencing at a point on the East Line of Linden Street in the City of Bloomington 236 feet North of the Northeast Corner of the intersection of Linden and Emerson Streets, thence North along the East Line of Linden Street a distance of 81 feet, thence Southeasterly to a point where the East Line of Lot 11 of Block 6 of Second Briarwood Addition to the City of Bloomington if extended would intersect with the South Line of Brook Lane, thence Southeasterly along the South Line of Brook Lane to a point where the East Line of Lot 10 of Block 6 of Second Briarwood Addition to the City of Bloomington if extended would intersect with the South Line of Brook Lane, thence South to the Northeast Corner of Lot 10 of Block 6 of Second Briarwood Addition to the City of Bloomington, thence Northwesterly along the North Line of Lots 10, 11, and 12 of Block 6 of Second Briarwood Addition to the City of Bloomington to the Northwest Corner of said Lot 12 of Block 6 of Second Briarwood Addition to the City of Bloomington, thence Northwesterly on a straight line to the Point of Beginning.

#### Tract 5:

A part of Lot 12 and all of Lot 13 in Block 6, a part of Briarwood Avenue, and a part of Briarwood Park, all in the Second Briarwood Addition to the City of Bloomington, McLean County, Illinois, described as follows: Commencing at the Southeast corner of said Lot 12, thence north along the east line of said Lot 12 to a point 20 feet south of the Northeast corner of said Lot 12, thence west 30 feet to the east line of Briarwood Avenue, thence northeasterly on a curve with a radius of 343.5 feet a distance of 21.2 feet to the Northwest corner of said Lot 12, thence northwesterly a distance of 154.7 feet to a point on the east line of Linden Street 236 feet north of the Northeast corner of the intersection of Linden and Emerson Streets, thence south along the east line of Linden Street to the Northeast corner of the intersection of Linden and Emerson Streets, thence east along the north line of Emerson Street to the place of beginning, except that part of the foregoing which lies south of the following described line: Beginning at a point on the east line of Linden Street, said point being 214 feet north of the Northeast corner of the intersection of Linden and Emerson Streets, thence southeasterly to a point on the east line of Lot 12 in Block 6 of Second Briarwood Addition to the City of Bloomington, said point being 150 feet north of the Southeast corner of Lot 12.

#### Permanent Easement No. 2:

The West 106.00 feet of the following described property:

#### Tract 4:

Commencing at a point on the East Line of Linden Street in the City of Bloomington 236 feet North of the Northeast Corner of the intersection of Linden and Emerson Streets, thence North along the East Line of Linden Street a distance of 81 feet, thence Southeasterly to a point where the East Line of Lot 11 of Block 6 of Second Briarwood Addition to the City of Bloomington if extended would intersect with the South Line of Brook Lane, thence Southeasterly along the South Line of Brook Lane to a point where the East Line of Lot 10 of Block 6 of Second Briarwood Addition to the City of Bloomington if extended would intersect with the South Line of Brook Lane, thence South to the Northeast Corner of Lot 10 of Block 6 of Second Briarwood Addition to the City of Bloomington, thence Northwesterly along the North Line of Lots 10, 11, and 12 of Block 6 of Second Briarwood Addition to the City of Bloomington to the Northwest Corner of said Lot 12 of Block 6 of Second Briarwood Addition to the City of Bloomington, thence Northwesterly on a straight line to the Point of Beginning.

Except the West 25 feet thereof granted to the City of Bloomington for a permanent roadway and utility easement per Document No. 81-10949.

#### Tract 5:

A part of Lot 12 and all of Lot 13 in Block 6, a part of Briarwood Avenue, and a part of Briarwood Park, all in the Second Briarwood Addition to the City of Bloomington, McLean County, Illinois, described as follows: Commencing at the Southeast corner of said Lot 12, thence north along the east line of said Lot 12 to a point 20 feet south of the Northeast corner of said Lot 12, thence west 30 feet to the east line of Briarwood Avenue, thence northeasterly on a curve with a radius of 343.5 feet a distance of 21.2 feet to the Northwest corner of said Lot 12, thence northwesterly a distance of 154.7 feet to a point on the east line of Linden Street 236 feet north of the Northeast corner of the intersection of Linden and Emerson Streets, thence south along the east line of Linden Street to the Northeast corner of the intersection of Linden and Emerson Streets, thence east along the north line of Emerson Street to the place of beginning, except that part of the foregoing which lies south of the following described line: Beginning at a point on the east line of Linden Street, said point being 214 feet north of the Northeast corner of the intersection of Linden and Emerson Streets, thence southeasterly to a point on the east line of Lot 12 in Block 6 of Second Briarwood Addition to the City of Bloomington, said point being 150 feet north of the Southeast corner of Lot 12.

Permanent Easement No. 2 contains 7,463 Sq. Ft. or 0.171 acre, more or less.

#### Temporary Easement No 2:

The East 37.00 feet of the West 143.00 feet of the following described property:

#### Tract 4:

Commencing at a point on the East Line of Linden Street in the City of Bloomington 236 feet North of the Northeast Corner of the intersection of Linden and Emerson Streets, thence North along the East Line of Linden Street a distance of 81 feet, thence Southeasterly to a point where the East Line of Lot 11 of Block 6 of Second Briarwood Addition to the City of Bloomington if extended would intersect with the South Line of Brook Lane, thence Southeasterly along the South Line of Brook Lane to a point where the East Line of Lot 10 of Block 6 of Second Briarwood Addition to the City of Bloomington if extended would intersect with the South Line of Brook Lane, thence South to the Northeast Corner of Lot 10 of Block 6 of Second Briarwood Addition to the City of Bloomington, thence Northwesterly along the North Line of Lots 10, 11, and 12 of Block 6 of Second Briarwood Addition to the City of Bloomington to the Northwest Corner of said Lot 12 of Block 6 of Second Briarwood Addition to the City of Bloomington, thence Northwesterly on a straight line to the Point of Beginning.

#### Tract 5:

A part of Lot 12 and all of Lot 13 in Block 6, a part of Briarwood Avenue, and a part of Briarwood Park, all in the Second Briarwood Addition to the City of Bloomington, McLean County, Illinois, described as follows: Commencing at the Southeast corner of said Lot 12, thence north along the east line of said Lot 12 to a point 20 feet south of the Northeast corner of said Lot 12, thence west 30 feet to the east line of Briarwood Avenue, thence northeasterly on a curve with a radius of 343.5 feet a distance of 21.2 feet to the Northwest corner of said Lot 12, thence northwesterly a distance of 154.7 feet to a point on the east line of Linden Street 236 feet north of the Northeast corner of the intersection of Linden and Emerson Streets, thence south along the east line of Linden Street to the Northeast corner of the intersection of Linden and Emerson Streets, thence east along the north line of Emerson Street to the place of beginning, except that part of the foregoing which lies south of the following described line: Beginning at a point on the east line of Linden Street, said point being 214 feet north of the Northeast corner of the intersection of Linden and Emerson Streets, thence southeasterly to a point on the east line of Lot 12 in Block 6 of Second Briarwood Addition to the City of Bloomington, said point being 150 feet north of the Southeast corner of Lot 12.

Except that portion of the above described property lying east of vacated Briarwood Avenue.

Temporary Easement No. 2 contains approximately 2,520 Sq. Ft. or 0.05 acre, more or less.



# Linden Street Bridge



260 130 0 Feet





## **REGULAR AGENDA ITEM NO. 8D**

FOR COUNCIL: February 13, 2017

**SUBJECT:** Consideration of an Intergovernmental Agreement between the City and the Town of Normal (Town) for cost-sharing for the construction of improvements to the intersection of Vernon Avenue and Towanda Avenue and consideration of a corresponding Motor Fuel Tax Resolution for funding the City's portion of the construction.

### **RECOMMENDATION/MOTION:**

- A. That the Intergovernmental Agreement with the Town of Normal be approved and the Mayor and City Clerk be authorized to execute the necessary documents, and;
- B. That the Motor Fuel Tax Resolution for the construction costs at the intersection of Vernon Avenue and Towanda Avenue 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.
2. Upgrade City Infrastructure and Facilities.

### **STRATEGIC PLAN SIGNIFICANCE:**

- 1e. Partnering with others for the most cost-effective service delivery.
- 2a. Better quality roads and sidewalks.

### **BACKGROUND:**

The City and Town of Normal jointly own and operate the intersection of Towanda Avenue and Vernon Ave. and its traffic signals. The existing traffic signal equipment was installed in 1975. The equipment is obsolete. It cannot be modified to meet today's standards and traffic demands. The south leg of the intersection is Bloomington's, and the west, east and north legs are the Town's. On August 14, 2014 the Bloomington City Council approved a contract for engineering services with Knight E/A Inc. to study the intersection, propose improvements and prepare construction documents. The traffic study completed by Knight E/A shows that northbound Towanda Avenue would be well-served by a right turn lane at the intersection with Vernon Avenue. Right-of-way acquisition is not required for the planned improvements.

The proposed Intergovernmental Agreement between the City and the Town does the following:

- Formalizes plans to proceed with the northbound right-turn lane and associated traffic signal upgrade for Intersection.
- Obligates the City to pay for roadway, sidewalk, and storm sewer work at the intersection and 25% of costs for the construction of updated traffic signals.

The City intends to use state Motor Fuel Tax for its share of the construction cost, and has budgeted \$450,000 in MFT money for the current fiscal year. It is staffs' understanding that the

Town of Normal has budgeted \$300,000 to cover its share of the project cost. The Intergovernmental Agreement will be considered by the Town of Normal at a future meeting of its council. The final balance of costs between the parties will be determined by the actual bid prices.

Bidding is planned for late February with construction beginning in the spring or early summer. The project is planned to be completed during the 2017 construction season.

The Intergovernmental Agreement is attached along with an MFT Resolution.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Illinois Department of Transportation, Town of Normal Staff, Ameren IP, Comcast Cable, Freedom Oil, LaGondola Restaurant, and other affected utilities and area businesses. The project includes changeable message signs to give notice to motorists of the project commencement.

**FINANCIAL IMPACT:** The MFT resolution appropriates \$750,000 for the total project construction cost. The City's estimated share of \$450,000 is included in the FY 2017 MFT budget for the work at this intersection as shown on pages 10, 273, 279, 290 and 291 in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Program". The Town of Normal's estimated share will be paid by the City and reimbursed by the Town.

**COMMUNITY DEVELOPMENT IMPACT:** *Not applicable*

**FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY**

**CONSTRUCTION:** There is an existing intergovernmental agreement between the City and the Town of Normal for the maintenance of traffic signals at various locations. The agreement provides that the City will maintain this signal and the Town will reimburse the City for 75% of the cost of maintenance and electricity.

**NUMBER OF REQUIRED VOTES TO APPROVE ITEM:** 5

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, PE, Assistant City Engineer

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales  
City Manager

**Attachments:**

- Intergovernmental Agreement Between the City of Bloomington and the Town of Normal for Intersection Improvements at Vernon Avenue and Towanda Avenue.
- Resolution for Improvement by Municipality Under the Illinois Highway Code
- Intersection Improvement Plan

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF BLOOMINGTON AND THE TOWN OF NORMAL  
FOR INTERSECTION IMPROVEMENTS AT  
VERNON AVENUE AND TOWANDA AVENUE**

**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 City of Bloomington, hereinafter called "City", is a municipal corporation and the Town of Normal, hereinafter called "Town", is a municipal corporation, and;

**WHEREAS**, it is in the best interest of the public health, safety and welfare that traffic studies are performed at intersections of high volume, and;

**WHEREAS**, the City Public Works Department has performed an Engineering Study at the intersection of Vernon Avenue and Towanda Avenue, and;

**WHEREAS**, a Right Turn Lane is needed and Traffic Control Signal Upgrades are warranted at the intersection of Vernon Avenue and Towanda Avenue, and;

**WHEREAS**, the City and Town agree that the cost of construction and maintenance for the Traffic Control Signals at the intersection of Vernon Avenue and Towanda Avenue should be shared based on the number of legs of the intersection for which each has jurisdiction, and, now:

**THEREFORE**, be it hereby mutually agreed as follows:

1. The City has had the necessary preliminary engineering performed.
2. The City and Town agree to proceed with the construction of the right-turn lane and traffic control signal upgrades and the associated necessary work.
3. The construction shall be performed in the summer of 2017, and shall be bid prior to May 1, 2017.
4. The City shall be the lead agency, and has entered into an Engineering Agreement for a final Intersection Design Study (IDS), the Traffic Signal Design and Intersection & Turn Lane Design.
5. The City will take bids and enter into Contract with concurrence from the Town, and supervise the construction of the project.



6. The Town shall reimburse the City for their share of the project cost incurred as per the following:

The City of Bloomington shall pay for all of the removals, base widening, resurfacing, curb & gutter, driveway, and storm sewer. The City shall pay for the sidewalk and associated handicap ramps on the southeast corner of the intersection and on both sides of Towanda south of the intersection. The City shall also pay for 25% of all Traffic Signal improvements. The City shall pay for all permanent pavement markings on Towanda Ave. south of the south edge of pavement of Vernon Ave.

The Town of Normal shall pay for replacing the sidewalk and the associated handicap ramps on the southwest, northwest, and northeast corners of the intersection. The Town shall also pay for 75% of all Traffic Signal improvements. The Town shall pay for all permanent pavement markings in the intersection, north of the south edge of pavement of Vernon Ave.

7. The City and Town agree to pay their respective proportional shares of maintenance and energy costs to operate the signals in the amounts specified and attributable to each entity identified in Exhibit A. of the Intergovernmental Agreement for Maintenance and Operation of Traffic Control Devices approved by the City Council on July 14, 2003 as amended,
8. This agreement shall be in effect for three years from the date the last party approves same, unless amended by mutual agreement.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor Tari Renner (date)  
City of Bloomington

\_\_\_\_\_  
Cherry Lawson  
City of Bloomington Clerk

\_\_\_\_\_  
Mayor (date)  
Town of Normal

\_\_\_\_\_  
Town of Normal Clerk



BE IT RESOLVED, by the Mayor and Council of the City of Bloomington Illinois that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: VERNON AVENUE, FAU 6354, TOWANDA AVE. (FAU 6413)

BE IT FURTHER RESOLVED, 1. That the proposed improvement shall consist of Reconstruction of the intersection of Vernon Avenue and Towanda Avenue to include a northbound right turn lane, larger corner radii, hot mix asphalt resurfacing, and traffic signal replacement.

The south approach to the intersection (Towanda Avenue) and shall be constructed 68 feet edge to edge wide and be designated as Section 14-00353-00-TL

2. That there is hereby appropriated the (additional [X] Yes [ ] No) sum of Seven hundred fifty thousand ----- and Zero/100 Dollars ( \$750,000.00 ) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by CONTRACT ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved \_\_\_\_\_ Date \_\_\_\_\_ Department of Transportation \_\_\_\_\_ Regional Engineer \_\_\_\_\_

I, Cherry Lawson City Clerk in and for the City of Bloomington City, Town or Village County of McLean, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the City Council Council or President and Board of Trustees at a meeting on February 13, 2017 Date IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ (SEAL) \_\_\_\_\_ City, Town, or Village Clerk

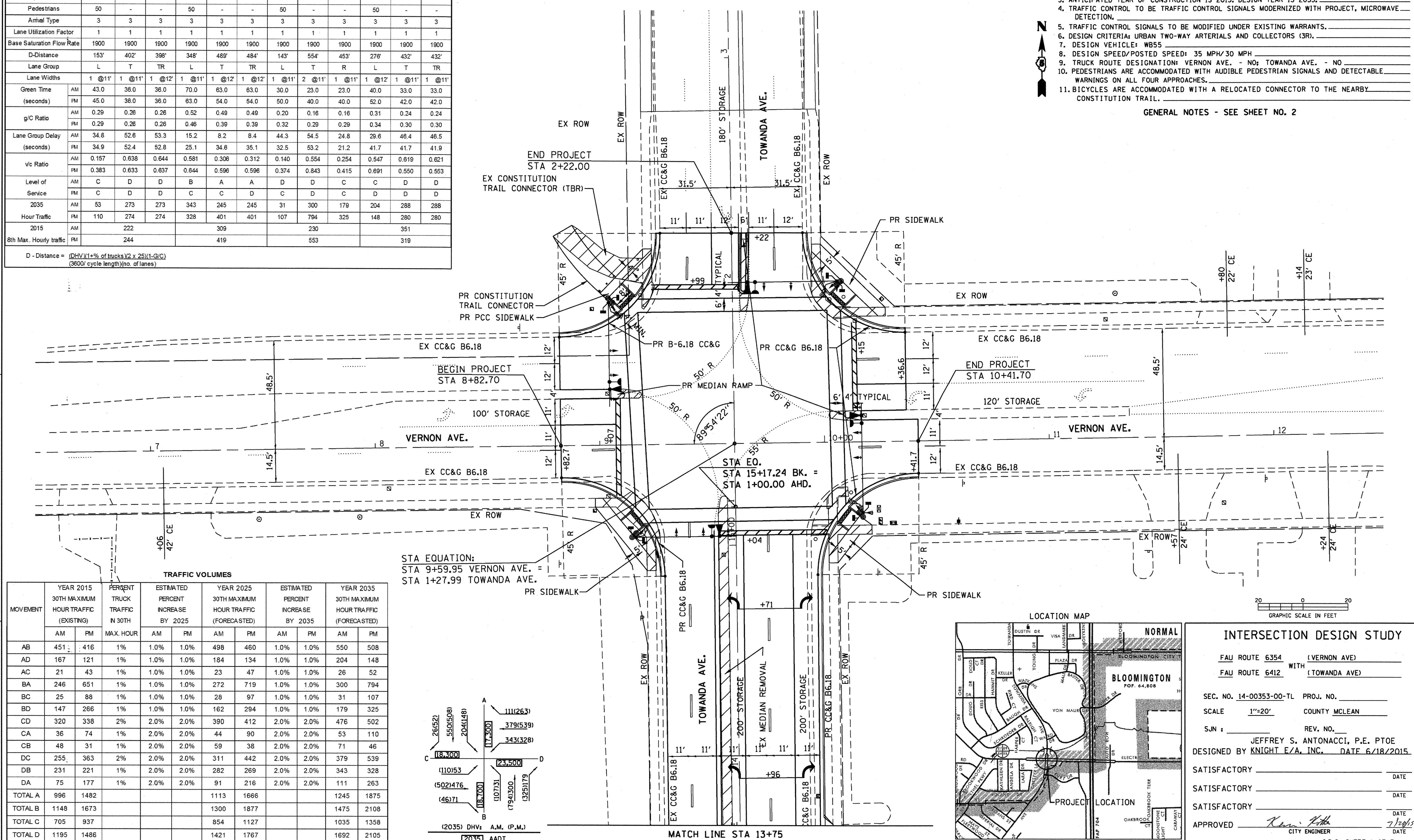
CAPACITY DESIGN STUDY

PHASE 6		AREA: NON CBD		INTERSECTION LEVEL				
SEC. CYCLE: AM 140 sec.		AVERAGE INTERSECTION DELAY: AM 34.9 sec.		OF SERVICE: AM C				
P.M. 140 sec.		P.M. 40.7 sec.		P.M. D				
SIGNAL TYPE: Actuated		Program Used: HCS 2010						
APPROACH	(EB) VERNON AVE.	'C'	(WB) VERNON AVE.	'D'	(NB) TOWANDA AVE.	'B'	(SB) TOWANDA AVE.	'A'
Bus Stop Condition	-	-	-	-	-	-	-	-
Parking Maneuver/Hr	-	-	-	-	-	-	-	-
Pedestrians	50	-	50	-	50	-	50	-
Arrival Type	3	3	3	3	3	3	3	3
Lane Utilization Factor	1	1	1	1	1	1	1	1
Base Saturation Flow Rate	1900	1900	1900	1900	1900	1900	1900	1900
D-Distance	153'	402'	398'	348'	489'	484'	143'	554'
Lane Group	L	T	TR	L	T	TR	L	T
Lane Widths	1 @11'	1 @11'	1 @12'	1 @11'	1 @12'	1 @11'	2 @11'	1 @11'
Green Time (seconds)	AM 43.0	38.0	38.0	70.0	63.0	63.0	30.0	23.0
g/C Ratio	AM 0.29	0.26	0.26	0.52	0.49	0.49	0.20	0.16
Lane Group Delay (seconds)	AM 34.8	52.6	53.3	15.2	8.2	8.4	44.3	54.5
v/c Ratio	AM 0.157	0.638	0.644	0.581	0.306	0.312	0.140	0.554
Level of Service	AM C	D	D	B	A	A	D	D
Hour Traffic	AM 53	273	273	343	245	245	31	300
8th Max. Hourly Traffic	AM 224			309			230	

PHASE I	PHASE II	PHASE III	PHASE IV	PHASE V	PHASE VI
YELLOW RED	YELLOW RED	YELLOW RED	YELLOW RED	YELLOW RED	YELLOW RED
AM=7.0 Sec. 4.0 PM=9.0 Sec. 4.0	AM=27.0 Sec. 4.0 PM=18.0 Sec. 4.0	AM=36.0 Sec. 4.0 PM=36.0 Sec. 4.0	AM=7.0 Sec. 4.0 PM=10.0 Sec. 4.0	AM=10.0 Sec. 4.0 PM=2.0 Sec. 0.0	AM=23.0 Sec. 4.0 PM=40.0 Sec. 4.0

- ELEMENTS CONTROLLING DESIGN**
- DESIGN DESIGNATION: VERNON AVENUE - MINOR ARTERIAL 15,800 ADT 2015  
23,500 ADT 2035
  - VERNON AVENUE IS THE PREFERENCE ROUTE
  - ANTICIPATED YEAR OF CONSTRUCTION IS 2015. DESIGN YEAR IS 2035.
  - TRAFFIC CONTROL TO BE TRAFFIC CONTROL SIGNALS MODERNIZED WITH PROJECT, MICROWAVE DETECTION.
  - TRAFFIC CONTROL SIGNALS TO BE MODIFIED UNDER EXISTING WARRANTS.
  - DESIGN CRITERIA: URBAN TWO-WAY ARTERIALS AND COLLECTORS (3R).
  - DESIGN VEHICLE: WB55
  - DESIGN SPEED/POSTED SPEED: 35 MPH/30 MPH
  - TRUCK ROUTE DESIGNATION: VERNON AVE. - NO TOWANDA AVE. - NO
  - PEDESTRIANS ARE ACCOMMODATED WITH AUDIBLE PEDESTRIAN SIGNALS AND DETECTABLE WARNINGS ON ALL FOUR APPROACHES.
  - BICYCLES ARE ACCOMMODATED WITH A RELOCATED CONNECTOR TO THE NEARBY CONSTITUTION TRAIL.

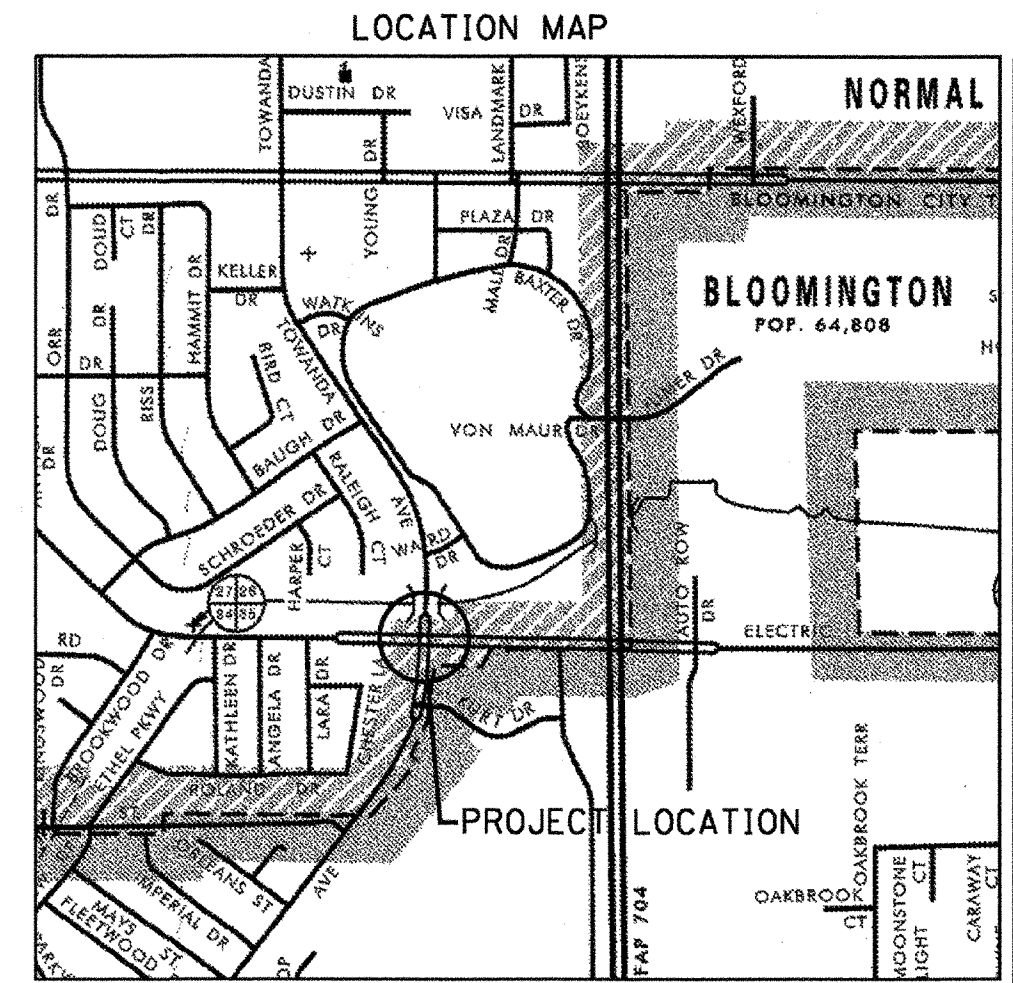
GENERAL NOTES - SEE SHEET NO. 2



STA EQUATION:  
STA 9+59.95 VERNON AVE. =  
STA 1+27.99 TOWANDA AVE.

**TRAFFIC VOLUMES**

MOVEMENT	YEAR 2015 30TH MAXIMUM HOUR TRAFFIC (EXISTING)		PERCENT TRUCK TRAFFIC IN 30TH MAX. HOUR	ESTIMATED PERCENT INCREASE BY 2025		YEAR 2025 30TH MAXIMUM HOUR TRAFFIC (FORECASTED)		ESTIMATED PERCENT INCREASE BY 2035		YEAR 2035 30TH MAXIMUM HOUR TRAFFIC (FORECASTED)	
	AM	PM		AM	PM	AM	PM	AM	PM	AM	PM
AB	451	416	1%	1.0%	1.0%	498	460	1.0%	1.0%	550	508
AD	167	121	1%	1.0%	1.0%	184	134	1.0%	1.0%	204	148
AC	21	43	1%	1.0%	1.0%	23	47	1.0%	1.0%	26	52
BA	246	651	1%	1.0%	1.0%	272	719	1.0%	1.0%	300	794
BC	25	88	1%	1.0%	1.0%	28	97	1.0%	1.0%	31	107
BD	147	266	1%	1.0%	1.0%	162	294	1.0%	1.0%	179	325
CD	320	338	2%	2.0%	2.0%	390	412	2.0%	2.0%	476	502
CA	36	74	1%	2.0%	2.0%	44	90	2.0%	2.0%	53	110
CB	48	31	1%	2.0%	2.0%	59	38	2.0%	2.0%	71	46
DC	255	363	2%	2.0%	2.0%	311	442	2.0%	2.0%	379	539
DB	231	221	1%	2.0%	2.0%	282	269	2.0%	2.0%	343	328
DA	75	177	1%	2.0%	2.0%	91	216	2.0%	2.0%	111	263
TOTAL A	996	1482				1113	1666			1245	1875
TOTAL B	1148	1673				1300	1877			1475	2108
TOTAL C	705	937				854	1127			1035	1358
TOTAL D	1195	1486				1421	1767			1692	2105



**INTERSECTION DESIGN STUDY**

FAU ROUTE 6354 (VERNON AVE)  
FAU ROUTE 6412 (TOWANDA AVE)

SEC. NO. 14-00353-00-TL PROJ. NO. \_\_\_\_\_  
SCALE 1"=20' COUNTY MCLEAN  
SUN: \_\_\_\_\_ REV. NO. \_\_\_\_\_  
DESIGNED BY KNIGHT E/A, INC. DATE 6/18/2015

SATISFACTORY \_\_\_\_\_ DATE \_\_\_\_\_  
SATISFACTORY \_\_\_\_\_ DATE \_\_\_\_\_  
SATISFACTORY \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED *Kevin P. Kott* DATE 7/28/15  
CITY ENGINEER

CADD FILE NAME: [ ] I.D.S. SHEET 1 OF 3

PLOT DATE = 6/18/2015  
 FILE NAME = Z:\7185\CAD\Drawings\Roadway\105\7185-1.dwg  
 PLOT SCALE = 48.0000 / 1" = 100'  
 USER NAME = jowley