



CITY OF  
BLOOMINGTON  
COUNCIL MEETING  
JULY 22, 2019



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

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

PUBLIC COMMENT

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

CONSENT AGENDA

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

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

PUBLIC HEARING

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

REGULAR AGENDA

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

MAYOR AND COUNCIL MEMBERS

Mayor, At-Large - Tari Renner

City Council Members

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

City Manager - Tim Gleason

Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

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

MISSION, VISION, AND  
VALUE STATEMENT

**MISSION**

To Lead, Serve and Uplift the  
City of Bloomington

**VISION**

A Jewel of the Midwest Cities

**VALUES**

Service-Centered,  
Results-Driven,  
Inclusive

STRATEGIC PLAN GOALS

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

# AGENDA



CITY COUNCIL MEETING AGENDA  
CITY HALL COUNCIL CHAMBERS  
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701  
MONDAY, JULY 22, 2019, 6:00 P.M.

1. Call to order
2. Pledge of Allegiance to the Flag
3. Remain Standing for a Moment of Silent Prayer
4. Roll Call
5. Recognition/Appointments
6. Public Comment
7. Consent Agenda
  - A. Consideration and action to approve the Minutes of the July 8, 2019 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*
  - B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$6,131,582.66, as requested by the Finance Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*
  - C. Consideration and action to approve an Agreement with the State of Illinois to jointly pay up to \$600,000 for the design of the Hamilton Road from Bunn Street to Commerce Parkway project, and the corresponding Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate \$600,000 of State MFT funds for the City to front these costs, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement and Resolution be approved.)*
  - D. Consideration and action on an Ordinance Suspending Portions of Chapter 6 of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for the Second Annual Pride Fest to be held in Portions of Downtown Bloomington on Saturday, July 27, 2019, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
  - E. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 3, Block 5 in Camp Kickapoo, from Stephen and Marlene Lau to the petitioners, Daniel and Courtney Lau, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*
  - F. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 3 in Camp Eagle Pointe, from Edmonson Family Trust to the petitioners, Megan

Dortenzo and Thomas Carey, as requested by the Public Works Department.  
*(Recommended Motion: The proposed Lease Transfer be approved).*

**8. Regular Agenda**

- A. Consideration and action on an Ordinance Amending Chapter 7 of the City Code on Exceptions to the Moratorium on Video Gaming Licenses Within the City, as requested by the Administration Department. *(Recommended Motion: The proposed Ordinance be approved.) (Brief overview by Billy Tyus, Deputy City Manager, and City Council discussion, 5 minutes.)*
- B. Report of a Classified (Non-Union) IMRF Retirement, as requested by the Human Resources Department. *(Recommended Motion: Informational only, as required pursuant to the Local Government Wage Increase Transparency Act, 50 ILCS 155/1.) (Overview and discussion by Billy Tyus, Deputy City Manager, 5 minutes; and City Council discussion, 5 minutes.)*
- C. Consideration and action on the application of Puma Enterprise, Inc., d/b/a Park Pantry, located at 906 S. Morris Ave., requesting a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved subject to the following conditions: 1. Store closes at 11:00 p.m.; 2. Outdoor cameras and lighting be installed; 3. Liquor sales must be less than 50% of total revenue; 4. Six months from store opening the Liquor Commission shall assess the store's sales receipts to ensure liquor sales are below 50% of total revenue; and 5. Single-serve liquors of 24 oz or less are prohibited.) (Overview by Billy Tyus, Deputy City Manager, 5 minutes; and City Council discussion, 5 minutes.)*

**9. City Manager's Discussion**

- A. Finance Director's Report

**10. Mayor's Discussion**

**11. Council Member's Discussion**

**12. Executive Session - Cite Section**

- A. Personnel - Section 2 (c)(1) of 5 ILCS 120 (30 minutes)

**13. Adjournment**

# CONSENT AGENDA



CONSENT AGENDA ITEM NO: 7A

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** Consideration and action to approve the Minutes of the July 8, 2019 Regular City Council Meeting, as requested by the City Clerk Department.

**RECOMMENDED MOTION:** The proposed Minutes be approved.

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

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

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

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

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

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** N/A

**FINANCIAL IMPACT:** N/A

**COMMUNITY DEVELOPMENT IMPACT:** N/A

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

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, City Clerk

Recommended by:

A handwritten signature in black ink, appearing to read "Tim Gleason".

Tim Gleason,  
City Manager

**Attachments:**

- CLK 1A Minutes July 8, 2019 Regular City Council Meeting



MINUTES

PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS  
MONDAY, JULY 8, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:03 p.m., Monday, July 8, 2019.

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

Council Members: Jamie Mathy, Donna Boelen, Mboka Mwilambwe, Julie Emig, Joni Painter, Scott Black, Kim Bray, and Mayor Tari Renner.

Council Members Jenn Carrillo and Jeff Crabill were absent from the meeting.

Staff Present: Tim Gleason, City Manager; Billy Tyus, Deputy City Manager; George Boyle, Asst. Corporation Counsel; Nicole Albertson, Human Resources Director; Scott Rathbun, Finance Director; Scott Sprouls, Information Services Director; and other City staff were present.

Recognition/Appointments

Public Comment

Mayor Renner opened the meeting to receive public comment, and the following individuals provided comments to the Council:

Sam Kassis	Ron Ronok
Tim Piercy	Carl Segobiano
Dilpreet Ghuman	Carrie Handy
Scott Stimeling	Gary Lambert
Karen Bays	De Urban
Surena Fish	Nathan Russo
Debra Hawkins	

Consent Agenda

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

Council Member Painter made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all the items listed below, be approved as presented with the exception of Item 7N.

Item 7A. Consideration and action to approve the Minutes of the June 24, 2019 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed minutes be approved.)*

Item 7B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$7,998,072.94, as requested by the Finance Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*

Item 7C. Consideration and rejection of submittals for RFQ #2020-02 for an Arc Flash Study of Multiple City Facilities as requested by the Facilities Management and Public Works Departments. *(Recommended Motion: All Submittals be rejected.)*

Item 7D. Consideration and action to approve the 2019 Supportive Housing Program/Continuum of Care Planning Grant agreement (IL1647L5T121800), in the amount of \$45,991.00, from the US Department of Housing and Urban Development, as requested by the Community Development Department. *(Recommended Motion: The proposed Grant Agreement be approved.)*

Item 7E. Consideration and action to approve a Road Dedication Agreement with Bond Drug Company of Illinois, an Illinois Corporation (dba Walgreens) in the amount of \$18,500.00, for right-of-way dedication, temporary easement, and payment for future repairs to the irrigation system, in conjunction with the GE Road and Keaton Place/Auto Row Drive Intersection Improvement project, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 7F. Consideration and action to adopt an Ordinance Recognizing the Property at 1301 N. Clinton Boulevard for Historic Integrity, Designating 1301 N. Clinton Boulevard as a Historic Resource and Rezoning the Property from R-1C Single Family Residential District to R-1C with the S-4 Historic District Zoning Overlay, as requested by the Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7G. Consideration and action to approve the Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for street lighting electrical energy and rental charges through the FY 2020 Motor Fuel Tax (MFT) General Maintenance Program, and the corresponding Local Public Agency General Maintenance Estimate of Maintenance Costs, in the amount of \$500,000, for the period May 1, 2019, through April 30, 2020, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution and Estimate be approved.)*

Item 7H. Consideration and action to approve the Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for purchase of right-of-way and easements, associated with intersection improvements at GE Road and Keaton Place/Auto Row Drive, in the amount of \$43,801.00, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 7I. Consideration and action on an Ordinance Amending Chapter 29 of City Code to Incorporate Various Routine Changes to the In-Place Traffic Control Devices and/or Regulations, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7J. Consideration and action on an Ordinance Amending Chapter 33 of the City Code Regarding Registration of Solicitors and Chapter 1 to Add a Fee for Solicitor Registration

to the Schedule of Fees, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7K. Consideration and action on an Ordinance Amending Chapter 6, Section 6 of the Bloomington City Code to Eliminate Quarterly Billing for Liquor Licenses and Defining Parameters for License Expiration, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7L. Consideration and action on an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as They Pertain to the Davis Lodge on August 23, 2019, to allow moderate consumption of alcohol, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7M. Consideration and action on the application for the McLean County Fair Association d/b/a McLean County Fair, located at 1106 Interstate Drive, requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) liquor license, which would allow the sale of all types of liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application and License be approved.)*

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

Item 7O. Consideration and action on the Change of Ownership Application of Hurley Consolidated Enterprises, LLC d/b/a Drifters, located at 612 N. Main Street, currently holding a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license, which allows the sale of liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application for Change of Ownership be approved and a License issued.)*

Item 7P. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 5 & 8, Block 23 in Camp Potawatomie, from Amy and Kyle Tague to the petitioner, Travis Miller, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

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

**Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Black, and Bray.**

**Nays: None.**

**Motion carried.**

The following item was pulled from the Consent Agenda by Council Member Mathy.

Item 7N. Consideration and action on the application of Puma Enterprise, Inc., d/b/a Park Pantry, located at 906 S. Morris Ave., requesting a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved subject to the following conditions: 1. Store closing hours at 11:00 P.M. 2. Install outdoor cameras and outdoor lighting. 3. Liquor sales must be less than 50% of total revenue.)*

Council Member Mathy asked a few questions regarding how the Liquor Commission had intended to monitor the hours of operation and percentage of liquor sales conditions placed on the license.

Mayor Renner, who is also the City's Liquor Commissioner, explained how the Liquor Commission came to add the proposed conditions. He asked Asst. Corporation Counsel George Boyle, who advises the Liquor Commission, to come forward and further address Council Member Mathy's question.

Mr. Boyle stated that, just as any other business selling alcohol in the City, the Bloomington Police Department would be responsible for monitoring the business' hours of operation. He explained that, under the third condition, the Liquor Commission would maintain the right to request business records and receipts for evaluation of liquor sales verses food sales.

Council Member Mathy thanked the Mayor and Mr. Boyle for their time and mentioned the need for a timeline to be set for regular review of business records.

Mr. Boyle provided additional insight and few ideas.

Council Member Mwilambwe expressed concerns about statement from neighbors of the business stating they had not received appropriate notice. He wondered whether the business would possibly consider altering the business model presented.

Council Member Black ask whether Council holds the power to pull a liquor license. Mr. Boyle responded in the affirmative. Council Member Black also stressed that a six-month timeline be added to allow for regular review of the business' records.

Mayor Renner discussed trends the Liquor Commission has seen with other convenience stores.

Council Member Painter suggested that the item be tabled until Council Member Carrillo, who represents Ward 2 in which the establishment sits, could be present to provide her opinion.

Council Member Bray ask Mr. Boyle to define the different liquor licenses the City offers. Mr. Boyle walked through a variety of other license types and a discussion was held regarding single-serve bottles. Council Member Bray expressed interest in putting additional conditions on the license if approved.

Council Member Boelen read a portion of Puma Enterprises' application out loud. She expressed concerns that the proposed store would be similar to the Hot Spot location in eastside Bloomington.

Council Member Emig stated that she received many emails in support of the proposed license. She was sympathetic to the public comment Council had heard and offered support for the item being sent back to the Liquor Commission.

Mayor Renner mentioned that the benefit of sending the item back to the Liquor Commission would be that it would allow the proposed license holder's attorney to also weigh-in on the discussion and conditions.

Council Member Black wanted to find a way to address the concerns heard in Public Comment while also being sure to not limit the business opportunity of a new business wanting to invest in the westside.

Council Member Black made a motion, seconded by Council Member Mathy, to send the item back to the Liquor Commission with express instructions to 1) hold a Special Meeting for a second hearing on the proposed license; 2) ensure appropriate notice to neighbors including providing tonight's meeting minutes; 3) explore options for single-serve ("walk away") sales limitations; 4) set procedure for evaluating the sales of the business including a specific review schedule, and 5) make a recommendation back to Council by the end of the month.

Council Member Mwilambwe discussed making a motion to send the item back to the Liquor Commission for further investigation, but without such specific direction. No second was received, the motion failed on the floor.

Council Member Black offered support for the specificity of his motion on the table.

Council Member Bray supported a less specific motion and expressed concern that the motion on the table contained a presumption that a liquor license would result.

Council Member Black asked questions clarifying whether the item would be returned to Council no matter the recommendation given by the Liquor Commission. Mayor Renner confirmed that it would return.

Council Member Emig confirmed the motion on the table. Mayor Renner and Mr. Boyle clarified procedure.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Black, and Bray.

Nays: None.

Motion carried.

## Regular Agenda

### City Manager's Discussion

City Manager Tim Gleason discussed the upcoming calendar available on the City's website and complimented recent downtown events. He pointed out that the video gaming moratorium will be discussed at the July Committee of the Whole meeting on July 15, 2019. He also reminded Council that July has five Mondays in case Council needed to hold an additional meeting to discuss Item 7N.

### Mayor's Discussion

Mayor Renner talked about his recent conference and a variety of topics he plans to bring to Council soon.

### Council Member's Discussion

Council Member Bray complimented the Director of Parks, Recreation, and Cultural Arts, Jay Tetzloff, on how well the Fourth of July events were executed.

Council Member Emig complimented the Westside Fest and Bloomington Public Library's 'How To' Fest. She also mentioned the upcoming IDOT Route 9 Public Meeting being held on Thursday, July 11, 2019 and requested that staff provide a visual of what the impact would look like if approved.

Council Member Mwilambwe expressed appreciation for his being able to participate in a few events on the Mayor's behalf while he was out. He also complimented Miller Park's Fourth of July events.

Council Member Mathy ask whether Mr. Gleason had any comments about the IDOT Public Hearing. Mr. Gleason clarified that the IDOT Route 9 project is a State project which IDOT has requested the City to weigh-in and concur on. The State asked the City to hold the meeting and allow a channel for citizens to provide feedback. Council Member Mathy offered support for the community to attend and voice their thoughts.

**Executive Session**

**Adjournment**

Council Member Mwilambwe made a motion, seconded by Council Member Painter, that the meeting be adjourned.

Motion carried unanimously (viva voce).

The meeting adjourned at 7:21 p.m.

**CITY OF BLOOMINGTON**

**ATTEST**

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Tari Renner, Mayor

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Leslie Yocum, City Clerk



CONSENT AGENDA ITEM: 7B

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** Finance

**SUBJECT:** Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$6,131,582.66, as requested by the Finance Department.

**RECOMMENDED MOTION:** The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.

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

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

**BACKGROUND:** Bills, Payroll, Electronic Transfers, and Procurement Card Purchases on file in the City Clerk's Department, available at [www.cityblm.org](http://www.cityblm.org).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** N/A

**FINANCIAL IMPACT:** Total disbursements to be approved \$6,131,582.66 (Payroll total \$2,589,307.12, Accounts Payable total \$3,059,365.87, Electronic Transfers total \$356,594.87, and Procurement Card Purchases total \$126,314.80).

**COMMUNITY DEVELOPMENT IMPACT:** N/A

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

Respectfully submitted for Council consideration.

Prepared By: Frances Watts, Accounts Payable

Reviewed By: Scott Rathbun, Finance Director

Recommended By:

A handwritten signature in black ink, appearing to read "Tim Gleason".

Tim Gleason  
City Manager





CONSENT AGENDA ITEM NO. 7C

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to approve an Agreement with the State of Illinois to jointly pay up to \$600,000 for the design of Hamilton Road from Bunn Street to Commerce Parkway project, and the corresponding Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate \$600,000 of State MFT funds for the City to front these costs, as requested by the Public Works Department.

**RECOMMENDED MOTION:** The proposed Agreement and Resolution be approved.

**STRATEGIC PLAN LINK:** Goals 2. Upgrade City Infrastructure and Facilities; 3. Grow the Local Economy; and 5. Great Place - Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objectives 2a. Better quality roads and sidewalks; 3e. Strong working relationship among the City, businesses, economic development organizations; and 5a. Well-planned City with necessary services and infrastructure.

**BACKGROUND:** Public Works is recommending the approval of an agreement with the State of Illinois to jointly pay up to \$600,000 for the design of the Hamilton Road from Bunn Street to Commerce Parkway project, and the corresponding Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate \$600,000 of State MFT funds for the City to front these costs. This design will be completed using 80 percent federal funds (Surface Transportation - Urban) with a 20 percent local match. That means that the City will be reimbursed \$480,000 if the entire \$600,000 is spent. On January 14, 2019, City Council approved an agreement with Hanson Professional Services in the amount of \$558,460.32 to complete the Phase II design. The agreement between the City and the Illinois Department of Transportation (IDOT) is for an amount greater than the agreement between the City and Hanson because IDOT prefers a buffer in the event of a change order. City Council approval would be required prior to spending an amount greater than \$558,460.32.

The extension of Hamilton Road from Bunn Street to Commerce Parkway has been a priority for the City of Bloomington for many years. City Council has set this project as a high priority by approving multiple design contracts, applications for TIGER grants, FASTLANE grants, OneVoice trips, the potential closures of City streets at two railroad crossings, and, most recently, a Resolution to commit to providing construction funds. The current effort to complete this project began in 2015 with a Phase I contract which is scheduled to be completed in the summer of 2019. The City has spent more than \$28 million on the south corridor, starting in the 1990s, and is moving forward on the other unimproved gap in the corridor: Fox Creek Road, from Danbury Drive to Beich Road, which will cost another \$7.4 million.

The current construction estimate for this project is \$12.5 million dollars, assuming an agreement can be made with Norfolk Southern Railway to construct a new at-grade railroad crossing rather than a bridge. Staff included an estimated \$2.5 million dollars to relocate the existing railroad siding storage tracks in the construction estimate. Currently, this amount is budgeted from the City MFT fund. Staff is currently preparing a BUILD grant application that would dedicate Federal funds for the construction of this project and would offset a portion of the currently allocated Surface Transportation - Urban funds.

<b>Hamilton Road - Bunn Street to Commerce Parkway Funding</b>				
Year	Description	Total Cost	Funding Source	
			Local	Federal
2019	Phase II Design	\$558,460.32	\$111,692.06	\$446,768.26
2020	Right-of-Way	\$2,000,000 (Est.)	\$400,000 (Est.)	\$1,600,000 (Est.)
	Railroad Siding Relocation	\$2,500,000 (Est.)	\$2,500,000 (Est.)	\$0
2022	Construction	\$7,400,000 (Est.)	\$1,480,000 (Est.)	\$5,920,000 (Est.)
<b>Total</b>		<b>\$12,458,460.32 (Est.)</b>	<b>\$4,491,692.06 (Est.)</b>	<b>\$7,966,768.26 (Est.)</b>

Hamilton Road, from Bunn Street to Commerce Parkway, is the remaining street segment needed to provide a continuous east-west transportation corridor south of Veterans Parkway (another remaining segment, Fox Creek from Danbury to Beich, is funded and in the design phase.) The Hamilton-Fox Creek corridor is at a critical juncture that relies on a commitment from the City of Bloomington for funding for Construction of the Bunn-to-Commerce segment.

The completed project will:

- Complete an essential east-west arterial from Fox Creek Subdivision to 0.5 miles east of Hershey Road;
- Promote multi-modal transportation from residential and recreational areas to employment centers by connecting multi-use trails that run east and west in the area;
- Facilitate in-fill commercial and residential development as advocated in the Comprehensive Plan;
- Construct approximately 3,000 feet of new four-lane arterial road between Bunn Street and Commerce Parkway;
- Relocate existing Norfolk Southern Railway (NS) sidings;



- Close the intersection of Rhodes Lane and US 150 (Morrissey Drive); and
- Construct a new at-grade crossing with NS.

On August 28, 2017 Council adopted Resolution 2017-30 to commit the City to fund 20 percent of the project once an Illinois Commerce Commission (ICC) Order (which would approve the railroad plan) is passed. This Resolution was critical to show Norfolk Southern that the City is serious about this project. Discussions with Norfolk Southern have progressed since Council adopted the Resolution. The approval of Phase I design (anticipated in August) and commencement of Phase II should help these negotiations as well.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Staff held a public open house for the Hamilton Road from Bunn Street to Commerce Parkway project on September 22, 2016. Staff invited members of the community to ask questions and provide comments. Those in attendance were largely in favor of the project.

In addition, staff held a public open house for the potential closure of the Roosevelt Avenue and Western Avenue railroad crossings on September 20, 2016. The closures are anticipated to be necessary to add the proposed at-grade crossing at Hamilton Road. A representative of Norfolk Southern Railroad flew in from Atlanta, GA to attend the meeting. Staff invited members of the community to ask questions and provide comments. Those in attendance had concerns but were largely understanding of the situation.

Staff also held a meeting with representatives from State Farm on October 12, 2016. City staff explained the project and the implications to State Farm property.

**FINANCIAL IMPACT:** Phase II design for this project has a total allocation of \$600,000 of state MFT funds through this Agreement and Resolution. The City will initially encumber up to \$600,000 and then incrementally pay the total and be reimbursed 80 percent with Federal Funds, Surface Transportation - Urban (STU), as the invoices are paid. City Council approval would be required prior to spending in an amount greater than \$558,460.32, which was approved by Council through an agreement with Hanson Professional Services by Council on January 14, 2019 and encumbered on Purchase Order #20190548.

With this agreement with IDOT Surface Transportation - Urban funds are allocated for the Phase II design. These funds were previously budgeted in IDOT's FY 2019-2024 Proposed Highway Improvement Program in the amount of \$800,000. The Federal share of the cost is \$480,000.

**COMMUNITY DEVELOPMENT IMPACT:** Goal TAQ-1. A safe and efficient network of streets, bicycle-pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objectives TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system; TAQ-1.2. Data-driven transportation infrastructure policy and management; TAQ-1.3. Safe and efficient off-road bicycle trails integrated with direct on-road routes, connecting residential areas to activity centers, developing areas and all other modes of transportation; TAQ-1.4. Pedestrian safety for users of all transportation

facilities with a Sidewalk Master Plan, and sidewalk system that provides safe access throughout the transportation network; TAQ-1.5. Plan for appropriate and safe access to major surface transportation facilities, including arterial and collector streets; and TAQ-1.6. A transportation network that facilitates prompt emergency response and management.

This project would be a great accomplishment for the TAQ-1 goal as well as promote the core value of "Solid Infrastructure". This section of Hamilton Road runs through an area with a land use priority of Tier 2 with access to City services. Additionally, it would provide better connection, and therefore increase the likelihood of development, for many areas that have a land use priority of Tier 1 and Tier 2.

The Hamilton, Bunn, to Commerce Parkway is also a regional project that provides to McLean County residents and the Bloomington/Normal Urban Area. The project aligns with Goals 1 and 5 of the Regional Long Range Transportation Plan *BN Mobile* which promotes preserving the integrity of our transportation system and improving the quality of the freight and distribution network.

- Goal 1: we will increase the utility of the transportation system to maintain its operational integrity, leverage previous investment and meet future needs.
- Objective 5.2: providing first and last mile infrastructure connections to key facilities that provide access to goods, markets, and modes.

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

Respectfully submitted for Council consideration.

Prepared By: Luke Thoele, P.E., Assistant City Engineer  
Michael Hill, Management Analyst

Reviewed By: Jim Karch, P.E., MPA, Director of Public Works

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Community Development Review By: Bob Mahrt, Community Development Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- PW 4B Local Public Agency Agreement\_Resolution for Imp\_Map\_Hamilton Road

 <b>Illinois Department of Transportation</b> <b>Local Public Agency Agreement for Federal Participation</b>	Local Public Agency City of Bloomington	State Contract	Day Labor	Local Contract X	RR Force Account
	Section 16-00360-00-PV	Fund Type STU 5-200K	ITEP, SRTS, or HSIP Number(s)		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
		D-95-038-18	F3PS(358)		

This Agreement is made and entered into between the above local public agency, hereinafter referred to as the "LPA", and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LPA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans prepared by, or on behalf of the LPA, approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration, hereinafter referred to as "FHWA".

**Location**

Local Name Hamilton Road Route FAU 6371 Length 0.47 mi  
 Termini Hamilton Road from 0.1 mile east of Bunn Street to Commerce Parkway

Current Jurisdiction City of Bloomington TIP Number B-03-09 Existing Structure No \_\_\_\_\_

**Project Description**

New 5 lane construction and realignment of Hamilton Road from Bunn Street to Commerce Parkway

**Division of Cost**

Type of Work	STU	%	%	LPA	%	Total
Participating Construction		( )	( )		( )	
Non-Participating Construction		( )	( )		( )	
Preliminary Engineering	480,000	( 80 )	( )	120,000	( 20 )	600,000
Construction Engineering		( )	( )		( )	
Right of Way		( )	( )		( )	
Railroads		( )	( )		( )	
Utilities		( )	( )		( )	
Materials						
<b>TOTAL</b>	<b>\$ 480,000</b>			<b>\$ 120,000</b>		<b>\$ 600,000</b>

**NOTE:** The costs shown in the Division of Cost table are approximate and subject to change. The final LPA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

**Local Public Agency Appropriation**

By execution of this Agreement, the LPA attests that sufficient moneys have been appropriated or reserved by resolution or ordinance to fund the LPA share of project costs. A copy of the authorizing resolution or ordinance is attached as an addendum (required for State-let contracts only)

**Method of Financing (State Contract Work Only)**

METHOD A---Lump Sum (80% of LPA Obligation) \_\_\_\_\_  
 METHOD B--- \_\_\_\_\_ Monthly Payments of \_\_\_\_\_ due by the \_\_\_\_\_ of each successive month.  
 METHOD C---LPA's Share \_\_\_\_\_ divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

## Agreement Provisions

### THE LPA AGREES:

- (1) To acquire in its name, or in the name of the **STATE** if on the **STATE** highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established State policies and procedures. Prior to advertising for bids, the **LPA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LPA**, and the **STATE** and the **FHWA**, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and the **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after final project close-out by the **STATE**, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LPA** agrees to cooperate fully with any audit conducted by the Auditor General and the **STATE**; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
  - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the **LPA**'s estimated obligation incurred under this Agreement. The **LPA** will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) within thirty (30) calendar days of billing in a lump sum, upon completion of the project based on final costs.
  - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LPA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
  - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of receipt, an amount equal to the **LPA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C, shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to **LPA** on this or any other contract. The **STATE**, at its sole option, upon notice to the **LPA**, may place the debt into the Illinois Comptroller's Offset System (15 ILCS 405/10.05) or take such other and further action as may be required to recover the debt.
- (11) (Local Contracts or Day Labor) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of, the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.

- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The **LPA** is responsible for the payment of the railroad related expenses in accordance with the **LPA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates shall be in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
  - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above, and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the **LPA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LPA's** certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
  - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
  - (c) The **LPA** shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) To complete this phase of the project within three (3) years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (23) To comply with the federal Financial Integrity Review and Evaluation (FIRE) program, which requires States and subrecipients to justify continued federal funding on inactive projects. 23 CFR 630.106(a)(5) defines an inactive project as a project which no expenditures have been charged against Federal funds for the past twelve (12) months.
- To keep projects active, invoicing must occur a minimum of one time within any given twelve (12) month period. However, to ensure adequate processing time, the first invoice shall be submitted to the **STATE** within six (6) months of the federal authorization date. Subsequent invoices will be submitted in intervals not to exceed six (6) months.
- (24) The **LPA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets or summaries, vendor invoices, vendor receipts, cost plus fix fee invoice, progress report, and personnel and direct cost summaries and other documentation supporting the requested reimbursement amount (Form BLRS 05621 should be used for consultant invoicing purposes). **LPA** invoice requests to the **STATE** will be submitted with sequential invoice numbers by project.

The **LPA** will submit to the **STATE** a complete and detailed final invoice with applicable supporting documentation of all incurred costs, less previous payments, no later than twelve (12) months from the date of completion of this phase of the improvement or from the date of the previous invoice, which ever occurs first. If a final invoice is not received within this time frame, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) The **LPA** shall provide the final report to the appropriate **STATE** district within twelve months of the physical completion date of the project so that the report may be audited and approved for payment. If the deadline cannot be met, a written explanation must be provided to the district prior to the end of the twelve months documenting the reason and the new anticipated date of completion. If the extended deadline is not met, this process must be repeated until the project is closed. Failure to follow this process may result in the immediate close-out of the project and loss of further funding.
- (26) (Single Audit Requirements) That if the **LPA** expends \$750,000 or more a year in federal financial assistance they shall have an audit made in accordance with 2 CFR 200. **LPAs** expending less than \$750,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Finance and Administration, Audit Coordination Section, 2300 South Dirksen Parkway, Springfield, Illinois, 62764), within 30 days after the completion of the audit, but no later than one year after the end of the **LPA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.

Federal funds utilized for construction activities on projects let and awarded by the **STATE** (denoted by an "X" in the State Contract field at the top of page 1) are not included in a **LPA's** calculation of federal funds expended by the **LPA** for Single Audit purposes.

- (27) That the **LPA** is required to register with the System for Award Management or SAM (formerly Central Contractor Registration (CCR)), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/portal/public/SAM/#1>.

The **LPA** is also required to obtain a Dun & Bradstreet (D&B) D-U-N-S Number. This is a unique nine digit number required to identify subrecipients of federal funding. A D-U-N-S number can be obtained at the following website: <http://fedgov.dnb.com/webform>.

#### THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LPA's** certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LPA** to proceed with the construction of the improvement when Agreed Unit Prices are approved, and to reimburse the **LPA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) For agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the **LPA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LPA**;
- (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

#### IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction and federal Buy America provisions.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation within one (1) year of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (4) For contracts awarded by the **LPA**, the **LPA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LPA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LPA's** DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the **STATE** may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for

enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LPA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE's** USDOT approved Disadvantaged Business Enterprise Program.

- (5) In cases where the **STATE** is reimbursing the **LPA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (6) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

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**ADDENDA**

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1- Location Map. Number 2 – LPA Appropriation Resolution

(Insert Addendum numbers and titles as applicable)

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The **LPA** further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all Addenda indicated above.

**APPROVED**

Local Public Agency

Tari Renner

\_\_\_\_\_  
Name of Official (Print or Type Name)

Mayor

\_\_\_\_\_  
Title (County Board Chairperson/Mayor/Village President/etc.)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

The above signature certifies the agency's TIN number is  
376001563 conducting business as a Governmental  
Entity.

DUNS Number 060864170

**APPROVED**

State of Illinois  
Department of Transportation

\_\_\_\_\_  
Randall S. Blankenhorn, Secretary of Transportation

\_\_\_\_\_  
Date

By:

\_\_\_\_\_  
Erin Aleman, Director of Planning & Programming

\_\_\_\_\_  
Date

\_\_\_\_\_  
Erin Aleman, Director of Planning & Programming

\_\_\_\_\_  
Date

\_\_\_\_\_  
Philip C. Kaufmann, Chief Counsel

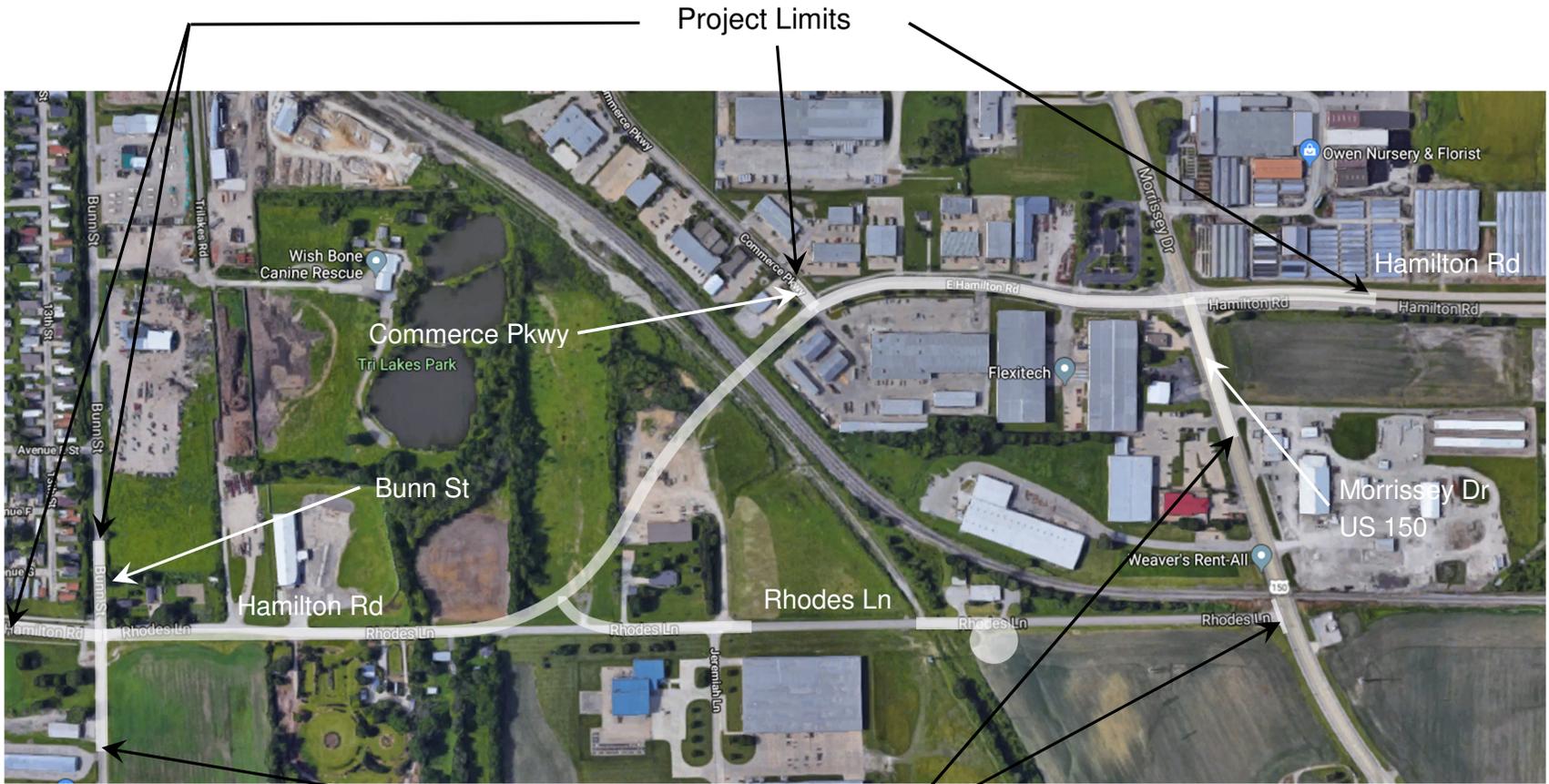
\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeff Heck, Chief Fiscal Officer (CFO)

\_\_\_\_\_  
Date

**NOTE:** If the LPA signature is by an **APPOINTED** official, a resolution authorizing said appointed official to execute this agreement is required.

Addenda Number 1



Project Limits

Location Map



## **Addendum No. 3**

### **Grant Accountability and Transparency Act (GATA)**

#### **Required Uniform Reporting**

The Grant Accountability and Transparency Act (30 ILCS 708), requires a uniform reporting of expenditures. Uniform reports of expenditures shall be reported no less than quarterly using IDOT's [BoBS 2832](#) form available on IDOT's web page under the "Resources" tab.

Additional reporting frequency may be required based upon specific conditions, as listed in the accepted Notice of State Award (NOSA). Specific conditions are based upon the award recipient/grantee's responses to the Fiscal and Administrative Risk Assessment (ICQ) and the Programmatic Risk Assessment (PRA).

**PLEASE NOTE:** Under the terms of the Grant Funds Recovery Act (30 ILCS 705/4.1), "*Grantor agencies may withhold or suspend the distribution of grant funds for failure to file requirement reports*" if the report is more than 30 calendar days delinquent, without any approved written explanation by the grantee, the entity will be placed on the Illinois Stop Payment List. (Refer to the Grantee Compliance Enforcement System for detail about the Illinois Stop Payment List: <https://www.illinois.gov/sites/GATA/Pages/ResourceLibrary.aspx> )



REGULAR AGENDA ITEM NO. 7D

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** Consideration and action on an Ordinance Suspending Portions of Chapter 6 of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for the Second Annual Pride Fest to be held in Portions of Downtown Bloomington on Saturday, July 27, 2019, as requested by the City Clerk Department.

**RECOMMENDED MOTION:** The proposed Ordinance be approved.

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

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

**BACKGROUND:** The Bloomington Liquor Commission met on July 9, 2019, to consider the Request from Momma Inc., dba The Bistro for Suspension of Portions of Chapter 6 of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for an Outdoor Summer Concert on Saturday, July 27, 2019, from 12:00 p.m. to 11:00 p.m. The request will close Center St. from Washington St. to the alleyway before Monroe St., and Jefferson St. from Main St. to the alley after the Illinois House, and Main St. from Washington to Jefferson.

Present: Commissioner Lindsey Powell and Commissioner Jim Jordan; Absent: Commissioner Tari Renner; Staff present: George Boyle, Asst. Corporation Counsel; Dan Donath, Asst. Police Chief; and Amanda Mohan, Deputy City Clerk.

Jan Lancaster, owner of The Bistro, addressed the Commission. This will be the second year for the festival. No major changes are expected, with the exception that alcohol will be sold outside of The Bistro with a Secondary Premise License, to relieve congestion issues resulting from all liquor sales occurring inside The Bistro at last year's event.

Commissioner Jordan asked if she was aware of other vendors that would be participating in selling alcohol at the event in addition to The Bistro and if the wristbands are specific to the event.

Jan Lancaster responded stating wristbands are specific to the event and there are no other vendors in the area, to her knowledge, that would be participating.

Commissioner Jordan asked Dan Donath, Assistance Police Chief, to come forward and address any concerns from the Police Department including barricades and security.

The Police had no concerns as they had no complaints from last year.

Commissioner Powell mentioned she believed the event went over well last year.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve.

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

Ayes: Commissioners Powell and Jordan.

Absent: Commissioner Renner.

Nays: None.

Motion carried.

The Bistro has a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This item was contained on the Liquor Commission Agenda on July 9, 2019, and was posted to the City Website on Thursday, July 4, 2019. The owner previously contacted the Economic Development Department to apply for a Special Event Permit that has been issued. The event organizer has been in contact with businesses and persons within the affected area. At least one week prior to the event, the event organizer is responsible for notifying all residents, property owners, and businesses within three blocks or 1,000 feet in every direction of the event site of the event.

**FINANCIAL IMPACT:** N/A

**COMMUNITY DEVELOPMENT IMPACT:** N/A

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

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Legal Review By: George Boyle, Asst. Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 1B Special Event Permit 2<sup>nd</sup> Pride Fest\_Redacted
- CLK 1C Maps 2<sup>nd</sup> Annual Pride Fest
- CLK 1D Bistro Class TAS Liquor License
- CLK 1E Insurance Bistro Pride Fest\_Redacted
- CLK 1F Ordinance 2019-56 2<sup>nd</sup> Annual Pride Fest\_Special Event

**SPECIAL EVENT PERMIT  
BISTRO PRIDE FEST  
DATE: SATURDAY, JULY 27, 2019  
TIME: 12:00 P.M. UNTIL 11:00 P.M.**

Date Prepared: June 13, 2019, **Revised: June 28, 2019**

DISTRIBUTION LIST	
Tim Gleason, City Manager	Billy Tyus, Deputy City Manager
Amanda Mohan, City Clerk Department	Assistant Chief Ken Bays, Police Department
Catherine Dunlap, Economic Development	Phil Allyn, Traffic Engineer, Public Works
Bob Mahrt, Community Development	Darwin Miles, Public Works
Martin Glaze, Connect Transit	Bill Givens, Public Works
Russ Waller, Facilities	Jim Karch, Public Works
Deputy Chief Eric West, Fire Department	Kevin Kothe, Public Works
Linda Foutch, McLean County Health Dept.	George Kutz, Public Works
Bob Moews, Parks & Recreation Department	Troy Olson, Public Works
Assistant Chief Greg Scott, Police Department	Colleen Winterland, Public Works
Melissa Hon, Economic Development	Brett Lueschen, Water Department
	Joe DeGraeve, Public Works

Meeting date: N/A

SPONSORING ORGANIZATION(S): The Bistro

CONTACT PERSON: Ian Lancaster

PHONE NO.:

EMAIL:

APPLICATION RECEIVED: Yes

CERTIFICATE OF INSURANCE RECEIVED: Yes

HOLD HARMLESS: Yes

**NATURE OF EVENT:** A celebration of the Bloomington's second annual Bloomington PrideFest in the 300 Block of North Main and the 100 block of W. Monroe. There will be live music, food truck vendors, spray chalk pride colored crosswalks in the event area.

**EVENT LOCATION/PARADE ROUTE:** 300 Block of North Main, 100 block of West Monroe

**TRAFFIC CONTROL ARRANGEMENTS:** Main Street will be closed between Jefferson and Monroe St. and Monroe from Main to Center from 12:00 p.m. to 11 p.m. and no parking in the first parking spot on the northeast corner of Jefferson and Main for porta-potties. No parking in first parking spot on the southwest corner on Monroe and Main for a generator.

Post "No Parking" signs by 12 a.m. on July 24 in the three (3) parking spaces on the southwest corner of the 300 block of Main St (Main & Jefferson) for a vendor who wants to start cooking on Friday night.

# SPECIAL EVENT PERMIT

## BISTRO PRIDE FEST

**POLICE:** Ask to tow vehicles from the areas marked no parking. Possible congestion and crowd control. Provide trailer camera(s) for the event, if available.

**PUBLIC WORKS WILL PROVIDE THE FOLLOWING:** Install “No Parking” signs on Main Street for Saturday, July 27 12:00 p.m. to 11 p.m. no later than 12 p.m. on Thursday, July 25

Close Main St. between Jefferson and Monroe and **Monroe from Main to Center Street** on Saturday, July 27 at 12 p.m.

Reopen the street at the end of the event.

**LIQUOR:** Each business who intends to sell/serve liquor outside of their original approved premise must contact the City Clerk Department at (309)434-2240 to obtain the correct application and information needed. If applicable, the organizer will be scheduled to appear at a regular Liquor Commission Meeting to provide details to the Commissioners regarding the event. **The organizer must attend this meeting.** If approved at the Liquor Commission, the organizer’s item will then continue on to the appropriate City Council Meeting for approval. If approved, the organizer must contact the City Clerk Department to obtain any necessary information or certificates required before serving/selling liquor.

If the only required liquor aspect is Suspending the Ordinance to allow Possession of Open Alcohol on Public Property, the City Clerk Department will place the event on the next applicable Liquor Commission Agenda to be considered. **The organizer must attend this meeting.** If approved at the Liquor Commission, the organizer’s item will then continue on to the appropriate City Council Meeting for approval. The organizer may call the City Clerk Department at (309)434-2240 on the day following the assigned City Council Meeting to make sure the item was approved. If so, the organizer does not need additional documentation to show the approval of the Ordinance Suspension.

### **ORGANIZER RESPONSIBILITIES:**

1. Notify residents, property owners, and businesses about event at least one (1) week prior to event within a three block or 1,000 feet in every direction of the event site. Include in the notification that the Liquor Commission will review your request for a suspension of ordinance on July 9<sup>th</sup>.
2. The organizer is in charge of all garbage and recycle collection and disposal. Ensure that the streets are returned to the same condition they were in prior to the event.
3. Provide security/volunteers so that adequate controls are in place for alcohol consumption in the event area.
4. Provide and install fencing around the event area.
5. Provide two porta potties on the northeast corner of Jefferson and Main streets
6. No alcohol shall be allowed to leave the event area. Last call will be given at 10 pm. Ensure that anyone who purchases alcohol to be consumed inside the event area wears a wrist band.
7. Appoint a designated volunteer or staff person to be in charge of ensuring that barricades remain intact. It is the City’s recommendation that barricades not be moved. Only the

## **SPECIAL EVENT PERMIT BISTRO PRIDE FEST**

designated volunteer(s) can move the barricades, if necessary. The designated person must meet with Public Works staff prior to the event so that staff can train the volunteer on proper barricade set up. You can make this appointment by calling Colleen Winterland at 309-434-2225. If that volunteer is not available, contact Police, non-emergency 309-820-8888 prior to moving barricades. Keep in mind Staff at this number will not be able to respond instantly. It is the responsibility of the organizer to ensure that nobody removes, changes, or anyway interferes with the setup of barricades, signs, or any other traffic control device set up by City staff, except for the designated volunteer(s). Contact the Police, non-emergency 309-820-8888, to report anyone tampering of such. There is a fine ranging from \$250-\$500 for illegal moving the barricades or other traffic control devices.

8. The event organizer must post a notice to inform the public and victims of human trafficking of the telephone hotline number of the Human Traffic Resource Center as required by the Human Trafficking Resource Center Notice Act. (775 ILCS 50/1, et seq.) Find helpful models at <https://www.dhs.state.il.us/page.aspx?item=82023>. The notice must be posted in a conspicuous and accessible place in clear view of the public and employees where similar notices are customarily posted. Failure to do so could result in a \$500 fine per violation.
9. If you have any tents larger than 10' x 10', please get the required permits from Community Development.
10. Insure all food vendors are registered with the McLean County Health Department.
11. Make sure that all spray chalk in crosswalks is installed after the streets are closed and removed prior to the streets reopening to traffic at the end of the event.
12. Contacts for Saturday, July 27: Police non-emergency, 309-820-8888 and Public Works Colleen Winterland, 309-434-2225

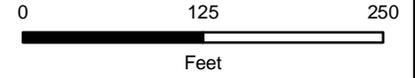
**CANCELLATION POLICY:** If you need to cancel your event, please call the Bloomington Police non-emergency number at 309-820-8888 at least 2 hours prior to your event. They will notify the appropriate department staff. The more advance notice you can provide helps the staff considerably.

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FOR OFFICE USE ONLY

Notes: \_\_\_\_\_

# Second Annual Pride Fest



Date: 6/27/2019



Diagonal Closure  
Across Road  
Barricades with Road Closed

-  Route Closed
-  Road Closed
-  Road Closed Ahead





**ORDINANCE NO. 2019 - 56**

**AN ORDINANCE SUSPENDING PORTIONS OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE PROHIBITING POSSESSION OF OPEN ALCOHOL IN PUBLIC FOR THE SECOND ANNUAL PRIDE FEST TO BE HELD IN PORTIONS OF DOWNTOWN BLOOMINGTON ON JULY 27, 2019**

WHEREAS, The Second annual Pride Fest will be held on Saturday, July 27, 2019, from 12:00 p.m. to 11:00 p.m.; and

WHEREAS, The event organizer has requested permission to allow sales and consumption of beer and wine during the event; and

WHEREAS, to allow possession of an open container of alcohol on a public street, Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits the possession of open containers of alcohol on public streets, must be suspended.

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

Section 1: That Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, is suspended on Saturday, July 27, 2019, for the areas specifically depicted on attached map, designated Exhibit A, from 12:00 p.m. to 11:00 p.m. The following conditions apply to this suspension:

- (a) the suspension shall be effective only as to persons inside the designated area wearing event-related wristbands;
- (b) the suspension shall be effective only as to persons having in their possession alcohol purchased from the licensed event vendor contained in plastic or paper cups.

Section 2: Except for the dates, times, and location and conditions set forth in Section 1 of this Ordinance, 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 Section 26(d).

Section 3: 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.

Section 4: This Ordinance shall take effect immediately upon its passage and approval.

**PASSED** this 22<sup>nd</sup> of July 2019.

**APPROVED** this \_\_\_ day of July 2019.

**CITY OF BLOOMINGTON**

**ATTEST**

---

Tari Renner, Mayor

---

Leslie Yocum, City Clerk



CONSENT AGENDA ITEM NO. 7E

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 3, Block 5 in Camp Kickapoo, from Stephen and Marlene Lau to the petitioners, Daniel and Courtney Lau, as requested by the Public Works Department.

**RECOMMENDED MOTION:** The proposed Lease Transfer be approved.

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

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

**BACKGROUND:** The Public Works Department is recommending the approval of a Petition for the Lake Bloomington Lease Transfer of Lot 3, Block 5 in Camp Kickapoo. Lot 3 has a residence, a septic system and a boat dock.

A licensed septic inspector, Kenneth Koons, inspected the septic system on May 2, 2018, and noted minor deficiencies, though found the septic system to be in good repair, functioning properly and within the size requirements of the McLean County Health Department. The McLean County Health Department noted that the system had failed in 2011, however, a multi-flow system was installed to bring the failed system back into compliance. The Health Department does not feel that the current system needs any changes and that the system is functioning properly at this time.

Staff has investigated the property and found no deficiencies or ordinance violations.

There is currently one boat dock on the subject lot. The proposed lessee will need to obtain a permit, after signing the lease, in order to comply with all applicable ordinances.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** N/A

**FINANCIAL IMPACT:** This petition will have a financial impact in that the current lease uses the formula of \$0.15 per \$100.00 Equalized Assessed Value for determining the Lake Lease Fee. With this transfer, the Lake Lease formula will increase to the current formula of \$0.40 per \$100.00 of Equalized Assessed Value. With the increased lake lease formula, this lease income will generate approximately \$808.18 per year in lease income in addition to \$128.28 for garbage pickup. Lease revenue is posted into the Lake Maintenance Lease Income account (50100140-57590). The Garbage Collection fee is recorded in the Lake Maintenance Other Charges for Services account (50100140-54990). Stakeholders can locate this in the FY 2020 Budget Book titled "Other Funds & Capital Improvements" on page 124.

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

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

Respectfully submitted for Council consideration.

Prepared By: Joseph M. Darter, Property Manager  
Brett Lueschen, Operations Manager  
Michael Hill, Management Analyst

Reviewed By: Jim Karch, P.E., MPA, Director of Public Works

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- PW 2B Current Lease Lau to Lau Lake Lease Transfer\_redacted
- PW 2C Property Manager Memo Lau to Lau Lake Lease Transfer
- PW 2D Petition Lau to Lau Lake Lease Transfer\_redacted
- PW 2E MCHD Evaluation Lau to Lau Lake Lease Transfer\_redacted
- PW 2F Lease Lau to Lau Lake Lease Transfer\_redacted
- PW 2G Location Map Lau to Lau Lake Lease Transfer
- PW 2H Unrecorded Plat Map Lau to Lau Lake Lease Transfer
- PW 2I Structure Map Lau to Lau Lake Lease Transfer
- PW 2J Photographs Lau to Lau Lake Lease Transfer

**LAKE BLOOMINGTON LEASE**

THIS LEASE is entered into on the 8TH day of DECEMBER, 1997 between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called "City," and Stephen Lau + Marlene Lau (if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (~~as tenants in common~~) (~~as tenants by the entirety~~) of [REDACTED], County of McLean, State of Illinois, hereinafter called "Lessee," Cook

**WITNESSETH**

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

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

Lot 03 in Block 05 in Camp Kickapoo, according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.

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

3. RENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City

Lessee Name and Mailing Address

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

Stephen Lau  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

-Lessor-

-Lessee-

CITY OF BLOOMINGTON

By: *[Signature]*  
Its Mayor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attest:

\_\_\_\_\_  
\_\_\_\_\_

*Danny Couert*

\_\_\_\_\_

**MEMO**

To: Jim Karch, Public Works Director

From: Joseph M. Darter, Property Manager

Date: July 3, 2019

Re: Lot 3, Block 5 in Camp Kickapoo Lake Lease Transfer

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A petition and Lake Lease Transfer request has been submitted for Lot 3, Block 5 in Camp Kickapoo, from Stephen and Marlene Lau to the petitioner, Daniel and Courtney Lau.

EAV for this property is \$\$202,046. The Lake Lease is currently at a rate of \$0.15 per \$100.00 of EAV. The Lake Lease rate will increase \$0.40 per \$100.00 of EAV.

This petition will have a financial impact in that the current lease uses the formula of \$0.15 per \$100.00 Equalized Assessed Value for determining the Lake Lease Fee. With this transfer, the Lake Lease formula will increase to the current formula of \$0.40 per \$100.00 of Equalized Assessed Value. With the increased lake lease formula, this lease income will generate approximately \$808.18 per year in lease income in addition to \$128.28 for garbage pickup. This lake lease income will be posted to the Lake Maintenance-Lease Income account 57590 (50100140-57590).

If you have any questions, please feel free to contact me directly.

Sincerely,



Joseph M. Darter  
City of Bloomington | Property Manager  
Public Works Department | Water Division  
25515 Waterside Way | Hudson, IL 61748  
Office: (309) 434-2431 | Cell: (309) 275-8087  
Fax: (309) 434-2951 | Email: [jdarter@cityblm.org](mailto:jdarter@cityblm.org)

LAKE BLOOMINGTON LEASE TRANSFER PETITION

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

Lot 3 Block 5 of Camp Kickapoo

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

From: Stephen C. Lau and Marlene A. Lau (Sellers Name)

To: Daniel Lau and Courtney Lau (Buyers Name)

[Redacted Signature Area]

(Signatures of Seller)

\*\*\*\*\*

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

Now comes Daniel Lau and Courtney Lau (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of Stephen C. and Marlene A. Lau (Seller) In and

to the Lease made on the (Date) 11/14/1988 upon the above property, all located in McLean County, Illinois, together with all the improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said (Seller) Stephen C. Lau and Marlene A. Lau

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

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

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

Respectfully submitted,

[Redacted Signature Area]

(Signature of Buyer(s))

\*\*\*\*\*

**WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT 3 BLOCK 5 CAMP Kickapoo, OF LAKE BLOOMINGTON.**

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title and interest of (seller) Stephen C. Lau and Marlene A. Lau in and to the premises known as Lot 3 Block 5 in Camp Kickapoo, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

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

Executed this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
, Mayor



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

---

May 17, 2018

Mr. Steven Lau  
[REDACTED]

Re: Septic Permit #77-7451  
Parcel #08-07-127-003  
Lot 191, Lake Bloomington – Kickapoo Subdivision

Dear Mr. Lau:

On May 10, 2018, this department received a septic system evaluation report from Mr. Kenneth Koons, a McLean County licensed private sewage system installer, regarding the above-referenced property. The septic system evaluation was performed on May 1, 2018 and the following deficiencies were noted:

- The seepage field is installed up to 6” deeper than allowed by current code. This may remain as is until the septic system is repaired or replaced.
- The pump chamber does not have dual pumps or adequate reserve volume above the pumping level of the chamber. The sand filter component of this septic system was determined to be failing in 2011 and was taken out of service at that time. The sand filter is currently being used for reserve storage capacity for the pump system which is typically only allowed under the provision of a variance. This department has no record on file of a variance to use the sand filter in this manner. This may remain as is until the septic system is repaired or replaced.
- The alarm for the pump system is located in the laundry room. This may remain as is until the septic system is repaired or replaced.
- There is currently not a maintenance contract in place for the aerobic treatment unit. This department recommends that the unit be maintained in accordance with the manufacturer’s instructions.

In summary, the septic system was installed in 1977 and is now approximately 41 years old. This office considers the average life expectancy of a septic system to be 20 to 25 years. For information on routine operation and maintenance of your septic system, please visit our website at [www.health.mcleancountyil.gov](http://www.health.mcleancountyil.gov).

Mr. Steven Lau  
May 17, 2018  
Page 2

If you have any questions, please contact Mr. Jared Johnson, of this department, at (309) 888-5482.

Respectfully,

Handwritten signature of Thomas J. Anderson in cursive, with the initials "AC" written below the signature.

Thomas J. Anderson  
Director of Environmental Health

cc: Mr. Kenneth Koons, Koons Construction Inc.  
Mr. Rick Twait, City of Bloomington  
Mr. Dan Lau

TJA:AC:hm

AC-0601-18-082

RE: [REDACTED]

Hendershott, John <John.Hendershott@mcleancountyil.gov>

Mon 7/8/2019 10:29 AM

To: Joe Darter <jdarter@cityblm.org>

Hi Joe,

Based on the evaluation there do not appear to be any operational issues. I would recommend requiring maintenance. The latest evaluation indicates there was no maintenance contract in place.

An aerobic treatment unit (ATU) requires evaluation and maintenance at least once every 6 months. Usually the system is evaluated by a Private Sewage Disposal System Installation Contractor. The Illinois Department of Public Health as a form on their website that can be used to document. The records could be sent to the City or McLean County Health Department. Although we do not have the resources to verify if they are not being done. If the records are maintained be the owner the records should be required to be transferred from owner to owner, kept for the life of the system, and be available upon request.

Respectfully,



**John Hendershott**

*Environmental Health Programs Supervisor*

**P: (309) 888-5482**

**F: (309) 888-5506**

**E: [john.hendershott@mcleancountyil.gov](mailto:john.hendershott@mcleancountyil.gov)**

**200 W. Front St., Bloomington, IL 61701 •**  
**health.mcleancountyil.gov**



**LEGALLY PRIVILEGED AND CONFIDENTIALITY NOTICE:** This correspondence and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient of this correspondence, or the person responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, printing, copying or other use of the correspondence, and any attachments thereto, is strictly prohibited. If you have received this correspondence in error, please respond immediately to the individual sending the message and permanently delete or destroy the original as well as any copy of the correspondence and attachments.

---

**From:** Joe Darter <jdarter@cityblm.org>

**Sent:** Monday, July 8, 2019 8 10 AM

**To:** Hendershott, John <John.Hendershott@mcleancountyil.gov>

**Subject:** Re [REDACTED]

**Importance:** High

Hello John,

We are going to the City Council on July 22 for the subject property lease transfer. We had a phone call conversation about this property several weeks ago. Can you please respond to this email with your thoughts about the condition of the system and whether or not you feel to be in good working condition? We will need to update our Council Memo with your email.

I apologize for needing this right of way

Thank you,

\$205 location

For Office Use Only

# EVALUATION REPORT FOR A MCLEAN COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM

Log #: \_\_\_\_\_

Date Received: \_\_\_\_\_

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

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

### 1. Current Owner Information:

Name: Steven Lau

Address: \_\_\_\_\_

Phone #: Da \_\_\_\_\_ Home: \_\_\_\_\_

### 2. Requestor Information:

Name: Dan Lau

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ H \_\_\_\_\_

### 3. Property Information:

Parcel Number (Tax ID): 08-07-127-003

Date Evaluation Performed: 5-1-18

Address of property evaluated: \_\_\_\_\_ Lot: K-191 Lot #3 Camp Kickapoo Bks 5

Permit available from Health Dept.: Yes  No  Permit Number: 77-7451

### 4. Interview Information:

Person interviewed: Steven - owner

Original owner: Yes  No

Age of home (years): 1977 - 41 yrs old

Intended for seasonal use: Yes  No

Date last occupied: current

Number of occupants: 4

Has tank ever been pumped: Yes  No

If yes, how often: 2016 + socks changed

*Accepted - No Service Contract in place*

### 5. Interior Evaluation:

Number of bedrooms: 3

Garbage disposal: Yes  No

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

Water softener discharges to: NONE

Clothes washer discharges to: Septic

Dishwasher discharges to: Septic

Hot tub discharges to: NONE

Basement plumbing fixtures:

Discharge locations:

a. NO Basement - Slab

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

Basement floor drains discharge to: NONE

Garage floor drains discharge to: NONE / no garage just shed

Sump pit/pump discharges to: NONE

Downspouts discharge to: Side yard + to lake

Joseph M. Darter

Property Manager | City of Bloomington

Public Works Department | Water Division

25432 Davis Lodge Road | Hudson, IL 61748

Office: (309) 434-2431 | Cell: (309) 275-8087

Fax: (309) 434-2998 | Email: [jdarter@cityblm.org](mailto:jdarter@cityblm.org)

---

**From:** Joe Darter

**Sent:** Wednesday, May 29, 2019 3:48 PM

**To:** Hendershott, John

**Subject:** Re: [REDACTED].

Hello John,

Thanks. I should be around but will be in meetings tomorrow morning.

Thanks,

Joseph M. Darter

Property Manager | City of Bloomington

Public Works Department | Water Division

25432 Davis Lodge Road | Hudson, IL 61748

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Fax: (309) 434-2998 | Email: [jdarter@cityblm.org](mailto:jdarter@cityblm.org)

---

**From:** Hendershott, John <[John.Hendershott@mcleancountyil.gov](mailto:John.Hendershott@mcleancountyil.gov)>

**Sent:** Wednesday, May 29, 2019 3:18 PM

**To:** Joe Darter

**Subject:** [REDACTED]

Hi Joe,

I said I would call you about the pump chamber and sand filter as reserve capacity. I am waiting an installer to call me back on it. I will call you when I hear back from him, could be a day or two.

Respectfully,



## **John Hendershott**

*Environmental Health Programs Supervisor*

**P: (309) 888 5482**

**F: (309) 888-5506**

**E: [john.hendershott@mcleancountyil.gov](mailto:john.hendershott@mcleancountyil.gov)**

**200 W. Front St., Bloomington, IL 61701 •**

**[health.mcleancountyil.gov](http://health.mcleancountyil.gov)**



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

**6. Exterior Evaluation Points:**

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

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

Tank One: N/A <input type="checkbox"/>		Yes	No	Tank Two: N/A <input checked="" type="checkbox"/>		Yes	No
Depth of soil to top of tank: <u>0"</u> inches				Depth of soil to top of tank: _____ inches			
Tank has access within 12" of ground surface:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tank has access within 12" of ground surface:		<input type="checkbox"/>	<input type="checkbox"/>
Size: <u>500 gal</u> gallons Type: <u>Mult. Flow / Fiberglass</u>				Size: _____ gallons Type: _____			
Meets current code: <u>Des. sized for 3 bedroom</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Meets current code:		<input type="checkbox"/>	<input type="checkbox"/>
Tank lids in good condition:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tank lids in good condition:		<input type="checkbox"/>	<input type="checkbox"/>
Inlet baffle in good condition: <u>Socks changed 2/16</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Inlet baffle in good condition:		<input type="checkbox"/>	<input type="checkbox"/>
Evidence of solids on inlet baffle: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>	Evidence of solids on inlet baffle:		<input type="checkbox"/>	<input type="checkbox"/>
Outlet baffle in good condition: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>	Outlet baffle in good condition:		<input type="checkbox"/>	<input type="checkbox"/>
Evidence of solids on outlet baffle:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Evidence of solids on outlet baffle:		<input type="checkbox"/>	<input type="checkbox"/>
Water standing in outlet:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water standing in outlet:		<input type="checkbox"/>	<input type="checkbox"/>
Water level below outlet:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water level below outlet:		<input type="checkbox"/>	<input type="checkbox"/>
Tank needs to be pumped: <u>pumped 2/16</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tank needs to be pumped:		<input type="checkbox"/>	<input type="checkbox"/>
Outlet device/filter on tank:		<input type="checkbox"/>	<input type="checkbox"/>	Outlet device/filter on tank:		<input type="checkbox"/>	<input type="checkbox"/>
Type: <u>Socks changed 2/16</u>				Type: _____			
Back flow into tank from system after pumping:				Back flow into tank from system after pumping:			
Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>				Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			

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

Depth to top of field: 15" inches to 30" inches

Square feet of field: 636 square feet

	Yes	No
Meets current code sizing requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Seepage standing on ground surface:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lush vegetation or saturated soil on or near seepage field area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence that water has ponded over seepage field or the soil is saturated:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solids or "carry over" material present in the rock or bedding material:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Depth of water in trench: <u>trace - 0"</u> inches		<u>4 probes - All clear rock</u>

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

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

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

**D. SEEPAGE BED -- This Section N/A**

Depth to top of bed: \_\_\_\_\_ inches to \_\_\_\_\_ inches

Square feet of bed: \_\_\_\_\_ square feet

	Yes	No
Meets current code sizing requirements:	<input type="checkbox"/>	<input type="checkbox"/>
Seepage standing on ground surface:	<input type="checkbox"/>	<input type="checkbox"/>
Lush vegetation or saturated soil on or near seepage bed area:	<input type="checkbox"/>	<input type="checkbox"/>
Evidence water has ponded over seepage bed or is soil saturated:	<input type="checkbox"/>	<input type="checkbox"/>
Solids or "carry over" material present in the rock or bedding material:	<input type="checkbox"/>	<input type="checkbox"/>
Depth of water in the bed: _____ inches		

**E. SAND FILTER -- This Section N/A**

Minimum soil cover depth to top of sand filter: 30" inches  
 Square feet of sand filter: 91 square feet

	Yes	No
Is water standing in the distribution pipes or in the rock that surrounds the pipe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Meets current code sizing requirements:	<input type="checkbox"/>	<input checked="" type="checkbox"/> Discharges to leech field (636 ft)
Seepage standing on ground surface over filter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lush vegetation on or near sand filter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence if water has ponded over sand filter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Sand filter vented as required:</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/> No vent
Vent in good repair:	<input type="checkbox"/>	<input checked="" type="checkbox"/> None found
Chlorinator with screw on cap present:	<input type="checkbox"/>	<input checked="" type="checkbox"/> Discharge to leech field
Chlorinator tube with corrosion resistant handle present:	<input type="checkbox"/>	<input type="checkbox"/> N/A
Evidence of chlorination:	<input type="checkbox"/>	<input type="checkbox"/> N/A
Evidence of restricted flow in chlorinator:	<input type="checkbox"/>	<input type="checkbox"/> N/A
Sample port with screw on cap present:	<input type="checkbox"/>	<input checked="" type="checkbox"/> None present/Pump Chamber w/ access
Where does the contact tank discharge to: (Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.)	<u>636 ft leech field</u>	

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

	Yes	No
Pump chamber an approved design:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chamber volume 1.5 times the daily flow:	<input type="checkbox"/>	<input checked="" type="checkbox"/> - reserve capacity of sand filter
Is there a dual pump:	<input type="checkbox"/>	<input checked="" type="checkbox"/> - reserve capacity of sand filter
Alarm present:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alarm location: <u>laundry room / inside</u>		
Alarm properly working with audio and visual functions:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**G. AEROBIC UNIT -- This Section N/A**

Manufacturer: Multiflow Model number: RT-0.5  
 Size of unit: 500 GPD gallons

	Yes	No
Pump running at time of inspection:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Current maintenance contract in place:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Who is maintenance contract with: _____		
Alarm present:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alarm location: <u>laundry room / inside</u>		
Alarm properly working with audio and visual functions:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Unit discharges to: Seepage field <input type="checkbox"/> Seepage bed <input checked="" type="checkbox"/> Sand filter <input type="checkbox"/> Other: <u>4 then to seepage field</u>		
If other, what method of chlorination is used: <u>seepage field</u>		
Chlorinator with screw on cap present:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinator tube with corrosion resistant handle present:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evidence of chlorination:	<input type="checkbox"/>	<input type="checkbox"/> N/A
Where does the contact tank discharge to: (Be specific, examples would be: farm tile, ground surface on or off property, IDPH common collector, IEPA common collector, etc.)	<u>Discharges to seepage field on city property</u>	

*★ Attached*

**Include all distances as described below.**

NOTE: Be sure to attach drawing to this report.

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

*Well or cistern to: <input checked="" type="checkbox"/> N/A	*Geothermal unit to: <input checked="" type="checkbox"/> N/A	*Building to:
Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Geothermal unit: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	Septic tank: <u>10'</u> feet Seepage system: <u>102'</u> feet Sand filter: <u>18'</u> feet Effluent tile: <u>30'</u> feet Effluent discharge: <u>102'</u> feet Geothermal unit: _____ feet Aerobic unit: <u>10'</u> feet
*Water line to:	*Body of water to: <input type="checkbox"/> N/A	
Septic tank: <u>28'?</u> feet Seepage system: <u>29'</u> feet Sand filter: <u>25'?</u> feet Effluent tile: <u>Sealed</u> feet Effluent discharge: <u>29' to leech field</u> feet Aerobic unit: <u>28'?</u> feet	Septic tank: <u>over 100'</u> feet Seepage system: <u>over 100'</u> feet Sand filter: <u>over 100'</u> feet Effluent tile: <u>over 100'</u> feet Effluent discharge: <u>over 100'</u> feet Aerobic unit: <u>over 100'</u> feet	

Top part to be filled in by inspector at time of inspection.

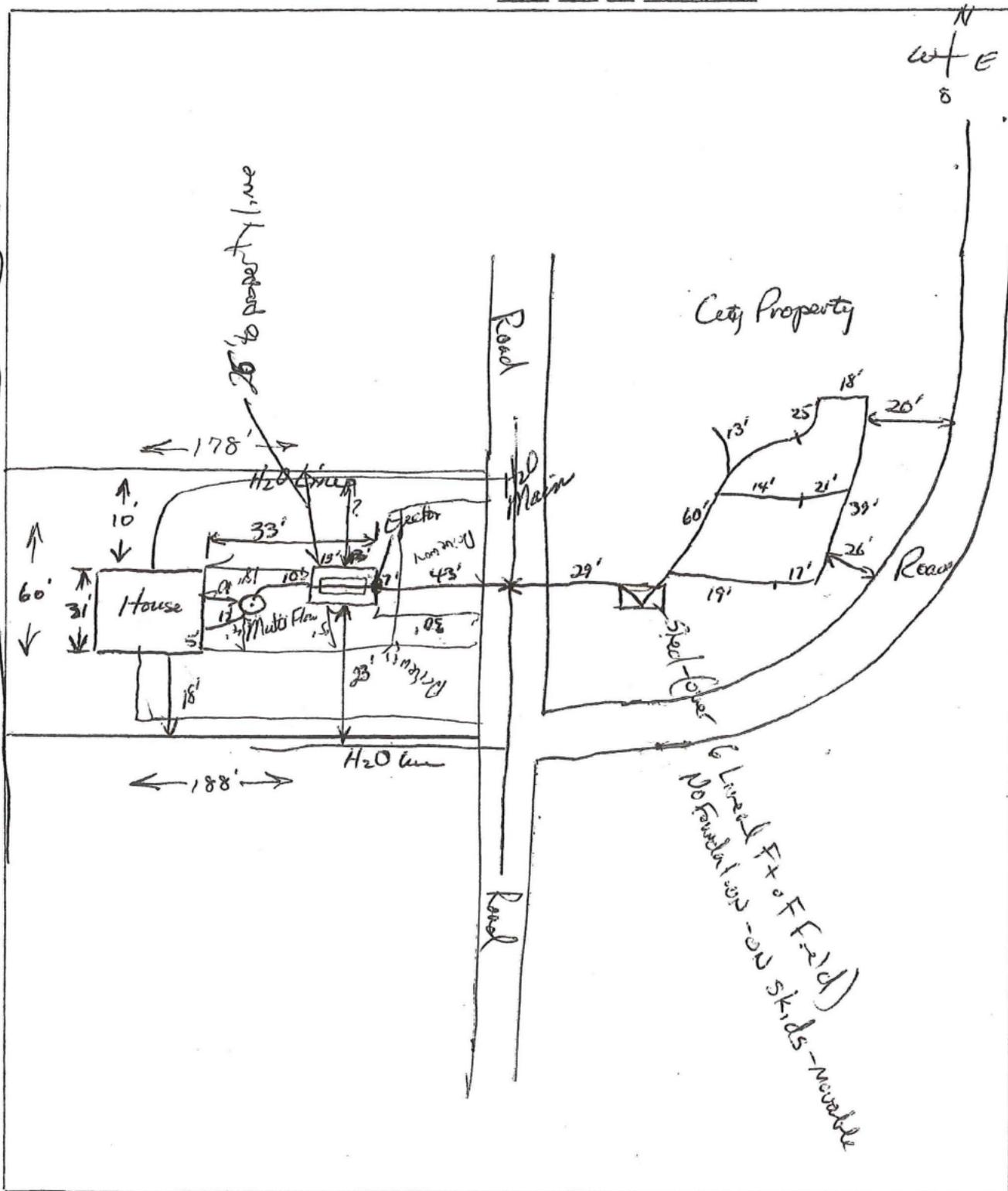
NAME OF OWNER A Nussbaum TANK SIZE(S) Multi Flor

LOCATION OF SYSTEM IL-191 L Blr SQ. FT. of BED or SAND FILTER 91 S.F. - 636 Seepage Field

DATE OF INSPECTION 9/9/77

INSTALLER Reel Hite INSPECTOR JB

PLOT PLAN OF SEWAGE DISPOSAL SYSTEM - MAKE OUT IN DUPLICATE



Comments:

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

On 5-1-18 I, Kenneth D. Kewes, inspected the septic system at [redacted] Upward Bay of inspections everything was operating properly at this time. Address in records was [redacted] needs changed. All Discharges to correct locations. Multi-Flo 500 gal tank levels + operation looked good. Socks changed & tank pumped 2016 (per owner). Minor paper on top of cover lid from soap suds (common with new socks) - recommend low sudsing detergents, Pump chamber with Alarm in laundry room & new single pump recently, Alarm for Multi-Flo in laundry also - both checked OK. Single pump w/ approximately 50 gallon capacity pump chamber using sand filter for Chamber Volume. Sand Filter Probed Clean - 3 Probes. Septic leech Field across road on city property checked clean - 4 probes. Trace of water only in first 40' (Rest Dry). No Vent on Sand Filter. No Chlorination - (No surface Discharge). Water line is said to be sleeved as old paper work.  
\* Maintenance/Service Contract Needed

This is the condition I found the septic system on this day. This evaluation is not and should not be considered a guarantee of how the sewage disposal system may function at any time in the future.

Kenneth D. Kewes

Inspector Name (print)



Signature

5-2-18

Date



McLEAN COUNTY HEALTH DEPARTMENT  
 401 West Virginia Avenue  
 Normal, Illinois 61761  
 Telephone 829-3363

APPLICATION FOR PERMIT TO CONSTRUCT A PRIVATE SEWAGE DISPOSAL SYSTEM  
 (Complete in Duplicate) Date: 8-31-77

Permit is hereby requested to: (Circle applicable words)  
 install or repair  
septic tank  
disposal field  
sand filter  
 other (identify) \_\_\_\_\_

Will the house have a garbage Disposal? Yes \_\_\_\_\_ No \_\_\_\_\_

NAME (Owner) ALDEN NUSS BAYM Tel. No. \_\_\_\_\_  
 PRESENT ADDRESS \_\_\_\_\_  
 ADDRESS or LOT NO. of PROPOSED SYSTEM K-191 L.BIM  
 DIRECTIONS TO INSTALLATION SITE \_\_\_\_\_

Minimum Septic Tank Size Requirements: (Circle applicable gal. capacity)

Number of Bedrooms	Without Garbage Disposal	or	With Garbage Disposal
2 or less	750 gal.	or	1,250 gal.
<u>3</u>	1,000 gal.	or	1,500 gal.
4	1,250 gal.	or	1,875 gal.
5	1,500 gal.	or	2,250 gal.

*MULTI-FLOW TANK*

When a garbage disposal is planned, two (2) tanks in a series or an approved tank with two (2) compartments is recommended.

Percolation Test: 1 2 3 4 Test Hole Number (Locate on Plot Plan)  
 \_\_\_\_\_ Minutes required for last 6" to seep away  
 AVERAGE TIME \_\_\_\_\_

(Circle applicable figures for your test average)

Average Time for last 6"	Square feet of absorption area required per Bedroom
30	130
60	165
90	210
120	235
150	265
180	290
240	320
300	350
360	385

Over 360 Alternative system shall be installed.

Multiply \_\_\_\_\_ X \_\_\_\_\_ = 100 SQ. FT. SAND FILTER + 600 SQ. FT. FIELD BED.  
 sq. ft. per bedroom Number of bedrooms Total sq. ft. required

Percolation tests made and compiled by: \_\_\_\_\_

Installer: \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

X \_\_\_\_\_  
 Signature of Owner

Date \_\_\_\_\_



LAKE

60'-0"

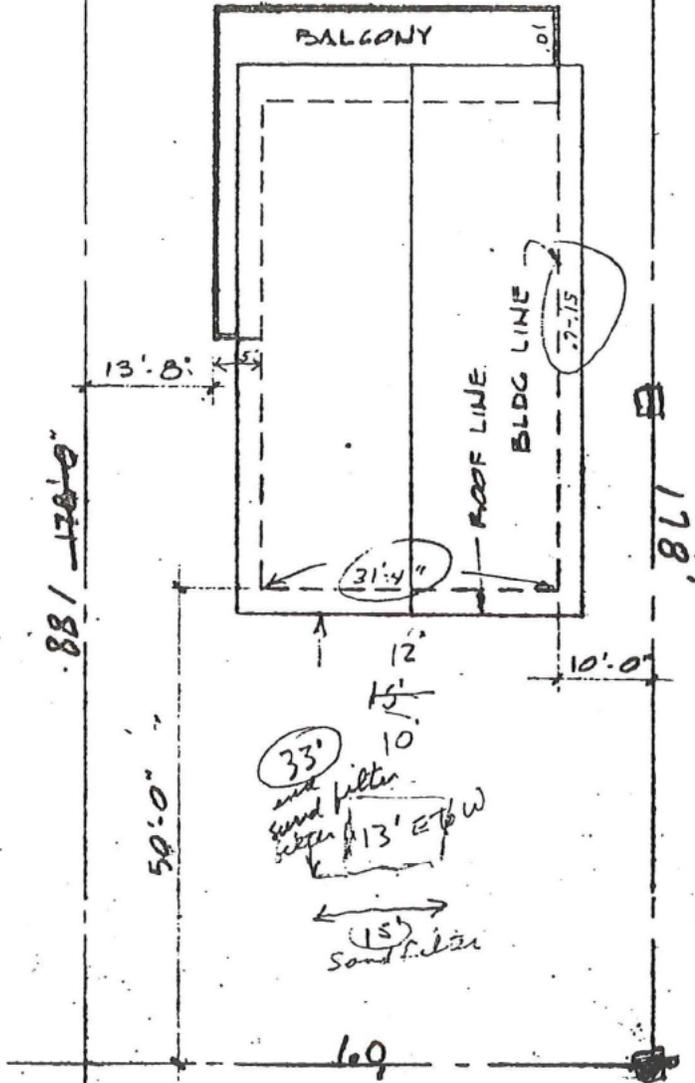
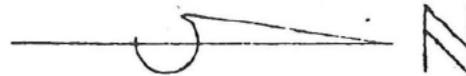
08-07-127-003

77-052

LEGAL:

K-191  
LOT 3, TAYLOR ADDITION  
LAKE BLOOMINGTON

$\frac{3}{188} \frac{62}{}$



# SITE PLAN

SCALE 1" = 20'-0"

43'  
Middle  
of Road

INSPECTION FOR A PRIVATE SEWAGE DISPOSAL SYSTEM

INSTALLER

*Red Hite*

PERMIT # 8239

Inspection Points in House

Yes No

1. The clothes washer drains to \_\_\_\_\_  Yes  No
2. Do all basement floor drains flow to the Septic Tank? \_\_\_\_\_  Yes  No  
If no, explain \_\_\_\_\_
3. The water softener discharges to \_\_\_\_\_  Yes  No
4. a. Sump Pump drains the \_\_\_\_\_  Yes  No  
and discharges to \_\_\_\_\_
- b. Sump Pump drains the \_\_\_\_\_  Yes  No  
and discharges to \_\_\_\_\_
5. Is a garbage disposal present or planned? \_\_\_\_\_  Yes  No
6. If Disposal is present or planned, is tank(s) correct size? \_\_\_\_\_  Yes  No
7. Does the number of bedrooms correspond to number on Application? \_\_\_\_\_ (3)  Yes  No

B. House to Tank Sewer Line

1. Is an approved 4" material used for the line? \_\_\_\_\_  Yes  No
2. Is minimum distance requirement of 5 ft. met? \_\_\_\_\_  Yes  No
3. Are all joints properly sealed? \_\_\_\_\_  Yes  No
4. Proper slope? (1/8" /ft. min) \_\_\_\_\_  Yes  No

C. Septic Tank Inspection

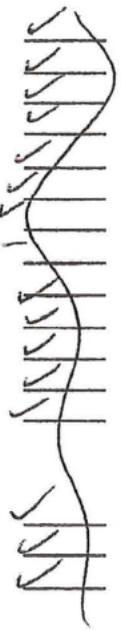
1. a. Tank Mfg. & # \_\_\_\_\_ *Malle Flow* b. Size(s) \_\_\_\_\_ c. Tank Level? \_\_\_\_\_
2. Are the tank inspection holes accessible for inspection? \_\_\_\_\_  Yes  No
3. Is the inlet line properly placed in inlet hole? \_\_\_\_\_  Yes  No
4. Is the outlet line properly placed in the outlet hole? \_\_\_\_\_  Yes  No
5. Are Tee baffles constructed of approved materials (Schedule 40)? \_\_\_\_\_  Yes  No
6. Are the concrete baffles tight against walls of tank? \_\_\_\_\_  Yes  No
7. Is the inside of tank clean? \_\_\_\_\_  Yes  No
8. Was the underground H<sub>2</sub>O at least 2' below trenches? (Check around tank) \_\_\_\_\_  Yes  No

D. Effluent Line from Tank to Field or Sand Filter

1. Is an approved material used for the line?  
(Must be Sch 40 or equivalent - No cast iron) \_\_\_\_\_  Yes  No
2. Does the line have the proper slope? (3" drop minimum) \_\_\_\_\_  Yes  No  
a. On serial distribution systems? (9" drop minimum) \_\_\_\_\_  Yes  No
3. Is line installed on 3 ft. of undisturbed earth? \_\_\_\_\_  Yes  No

E. Disposal Field

1. Does the number of square feet of disposal field equal or exceed the required amount? \_\_\_\_\_  Yes  No
2. Is disposal field "level"? (Esp. important on serial dist. system) \_\_\_\_\_  Yes  No
3. Is the width of the trenches acceptable? (3' Max.) \_\_\_\_\_  Yes  No
4. Is the depth of the trenches acceptable? \_\_\_\_\_  Yes  No
5. Is an approved type of rock used? \_\_\_\_\_  Yes  No
6. Is an approved material used for the seepage line? \_\_\_\_\_  Yes  No
7. Are the holes in the tile large enough? (5/8" Min.) \_\_\_\_\_  Yes  No
8. If field tile are used, are the tiles properly spaced? (1/4" Min.) \_\_\_\_\_  Yes  No
9. Is the depth of the rock correct? \_\_\_\_\_  Yes  No
10. Was gravel properly covered with paper, straw, etc.? \_\_\_\_\_  Yes  No
11. Are the lines "tied" together? \_\_\_\_\_  Yes  No
12. Is the bed at least 20' from building? \_\_\_\_\_  Yes  No
13. Is bed at least 10' from property line? \_\_\_\_\_  Yes  No
14. Drop Downs - Transit must be used to check elevations.
  - a. Was invert of the overflow at least 3" lower than invert of tank outlet? \_\_\_\_\_  Yes  No
  - b. Was solid line used for the stepdown? \_\_\_\_\_  Yes  No
  - c. Was the stepdown line built on undisturbed earth? \_\_\_\_\_  Yes  No



		Yes	No
<b>F. Sand Filter</b>			
1.	Does the number of square feet equal or exceed the required amount?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	Was an approved material used for the collection line? <i>4 1/2" plastic &amp; holes</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	Did the collection line have the proper amount of slope? (3"/50 ft.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.	Was an approved filter sand used? <i>Not seen</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Were the required amounts of sand and gravel used?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Was an approved material used for the distribution lines? <i>4 1/2" plastic &amp; holes</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Was a vent pipe installed? <i>To ejector pump</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.	Is a sand filter at least 10' from property line?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.	Is chlorinator of an approved design and properly installed?	<input type="checkbox"/>	<input type="checkbox"/>
10.	What type of chlorinator was installed?	<input type="checkbox"/>	<input type="checkbox"/>
11.	Is holding chamber of approved design and capacity? (50 gal.)	<input type="checkbox"/>	<input type="checkbox"/>
12.	Where does holding chamber drain? <i>To seepage field</i>	<input type="checkbox"/>	<input type="checkbox"/>
13.	Was top layer of gravel properly covered? <i>Leaves</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3. Water Supply</b>			
1.	Is well or cistern at least 50' from tank and 75' from field bed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Is water line at least 10' from sewer line and tank?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Is water line at least 25' from field bed or sand filter?	<input type="checkbox"/>	<input type="checkbox"/>
<b>1. Miscellaneous</b>			
1.	Are neighboring wells 75' or more from system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Are the downspouts directed away from the system?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	Have the proper materials been used for any lines that are under drives parking areas, etc. (Sch 40 or equivalent)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.	Are directions, distances from tank and field to wells, house, water lines, property lines, streams, lakes, etc. indicated on layout drawing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Was installer present at time of inspection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Was transit (available <u>used</u> ) for checking system?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**COMMENTS:**

1. H<sub>2</sub>O line to be installed
2. Allow to seepage encased in Sch 40 plastic 10' on either side of H<sub>2</sub>O line in road.

6-78 ME  
 H<sub>2</sub>O line comes in 1" or 2" within the N. prop. line. Can't tell where prop. line is tho.  
 H<sub>2</sub>O line in the street is properly encased in Sch 40 pipe

Sanitarian \_\_\_\_\_ Date 9/9/77 Installer \_\_\_\_\_

**KOONS CONSTRUCTION, INC.**

P.O. Box 551  
Hudson, Illinois 61748  
(309) 726-2810  
Mobile (309) 275-8039

**STATEMENT**

DATE	5-2-18
NUMBER	390

TERMS

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

\$ 425.00

DATE	CHARGES AND CREDITS	BALANCE
	BALANCE FORWARD	0
5-2-18	Pay Lan [REDACTED]	
	Septic Inspection + Evaluation for [REDACTED] Inspect Discharges / Aerators / Sand Filters / leach Field. Results in report. As Quoted - \$425.00	
	For Maintenance & Service contract Contact - Wayne L. Twiler Excavating 7316 Sparrow Rd Hopedale, IL 61747 (309)-449-3280 They are the only local Multi-Flu Distributor	

KOONS CONSTRUCTION, INC.

Thank You

PAY LAST AMOUNT  
IN THIS COLUMN

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the \_\_\_\_\_ day of  
July, 2019  
between the City of Bloomington, a municipal corporation,  
of McLean County, Illinois, hereinafter called CITY and

Daniel Lau and Courtney Lau

(If more than one Lessee, cross out 2 of the following  
that do not apply) ~~(as joint tenants)~~ ~~(as tenants in common)~~  
(as tenants by the entirety) of , Bloomington,  
County of McLean, State of Illinois, hereinafter called "Les-  
see,"

WITNESSETH

In consideration of the mutual covenants hereinafter con-  
tained, the parties agree as follows:

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

Lot 3 in Block 5 in Camp Kickapoo according to the  
private unrecorded plat of the ground belonging to the City located around Lake Bloomington in  
Hudson and Money Creek Townships in McLean County, Illinois.

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

- 3. RENT.

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

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

- A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each  
year, the amount designated hereafter:  
  
1) If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate  
of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, in-  
cluding land and improvements, as determined by the Supervisor of Assessments of

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

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

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

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

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

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

- 5
7. **WATER.** Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.
  8. **GARBAGE.** City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
  9. **ASSIGNMENT.** Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
  10. **RULES & REGULATIONS.** Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
  11. **USE OF AND ACCESS TO LAKE.** Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
  12. **TREE CUTTING.** No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
  13. **DEFAULT.** If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.
  14. **TERMINATION BY LESSEE.** Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any

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

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

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

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

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

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

Lessee Name and Mailing Address

Daniel & Courtney Leach  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Lessee Billing Address

As above  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

-Lessor-

-Lessee-

CITY OF BLOOMINGTON

By: \_\_\_\_\_  
Its Mayor

\_\_\_\_\_  
\_\_\_\_\_

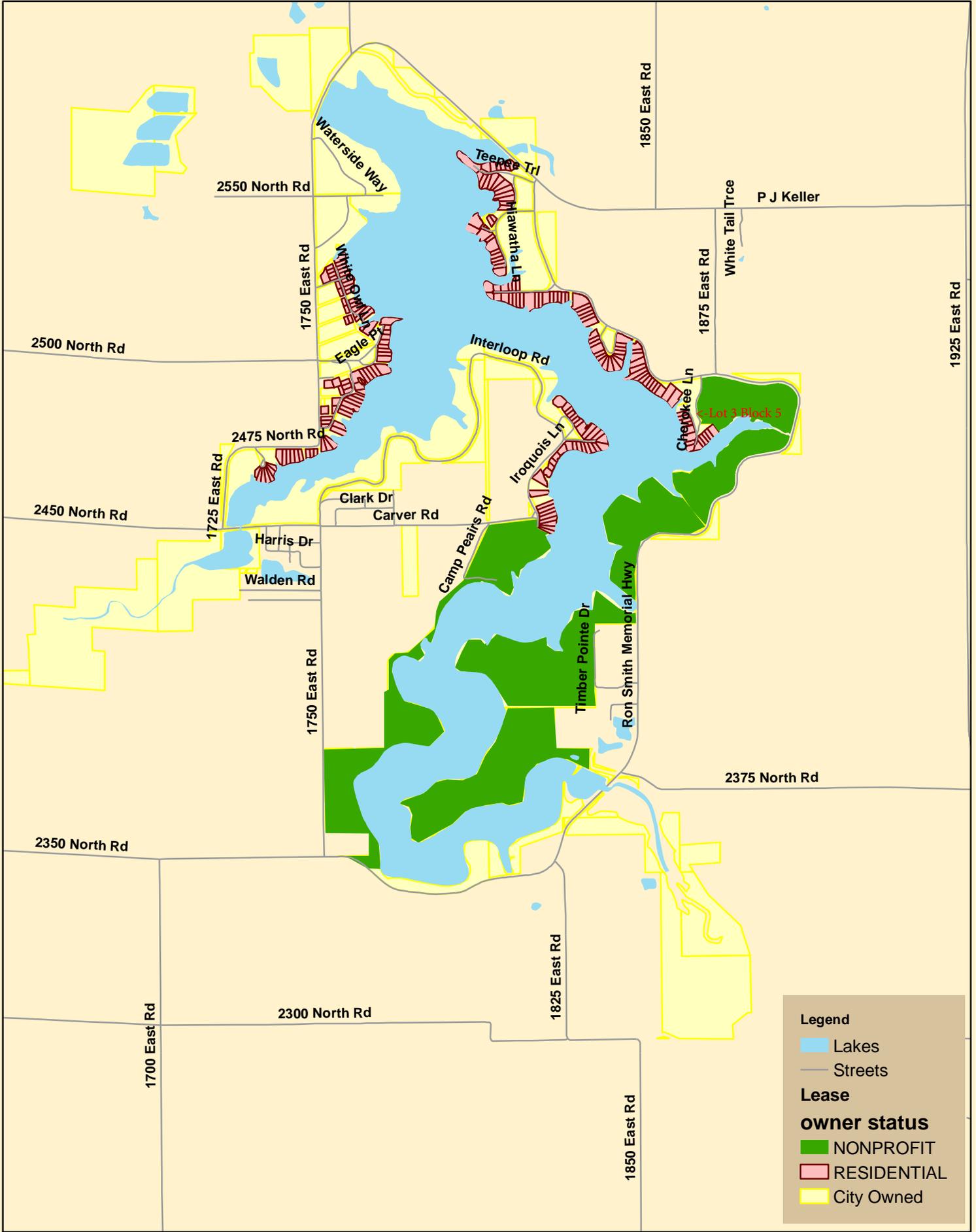
Attest: \_\_\_\_\_  
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
\_\_\_\_\_

# Lake Bloomington Lease Map

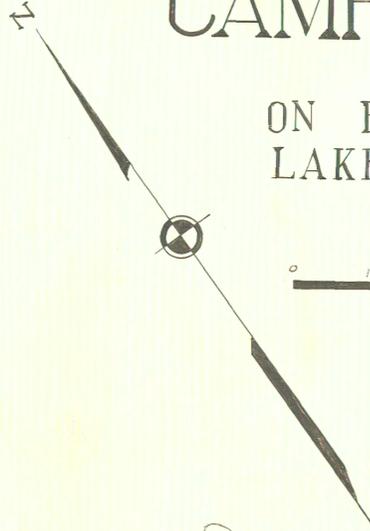


DATE 06/01/2010  
Public Works Department



# CAMP KICKAPOO

ON EAST SHORE OF  
LAKE BLOOMINGTON



- LEGEND -  
□ Concrete Post (1951)  
x Iron Pin  
K193 = MAILING ADDRESS 1/86



# Lot 3 Block 5 Camp Kickapoo Structure Map



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

0 0.00350.007 0.014 mi









CONSENT AGENDA ITEM NO. 7F

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 3 in Camp Eagle Pointe, from Edmonson Family Trust to the petitioners, Megan Dortenzo and Thomas Carey, as requested by the Public Works Department.

**RECOMMENDED MOTION:** The proposed Lease Transfer be approved.

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

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

**BACKGROUND:** The Public Works Department is recommending the approval of a Petition for the Lake Bloomington Lease Transfer of Lot 3 in Camp Eagle Pointe. Lot 3 has a residence, a shared septic system and a boat dock, as well as a shared dock with Lot 4 in Camp Eagle Pointe.

A licensed septic inspector, Rob Williamson, inspected the septic system on April 10, 2019, and found the septic system to be in good repair and within the size requirements of the McLean County Health Department. The evaluation report, dated April 10, 2019, indicates the sand filter is being shared by other homes. Both the evaluator and the McLean County Health Department believe the sand filter to be functioning properly. Staff has investigated the property and found no deficiencies or ordinance violations.

There is currently a boat dock and a shared boat dock (permitted jointly with Camp Eagle Pointe, Lot 4 tenant) on the subject lot. The proposed lessee will need to obtain a permit, after signing the lease, in order to comply with all applicable ordinances.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** N/A

**FINANCIAL IMPACT:** This petition will have a financial impact in that the current lease uses the formula of \$0.15 per \$100.00 Equalized Assessed Value for determining the Lake Lease Fee. With this transfer, the Lake Lease formula will increase to the current formula of \$0.40 per \$100.00 of Equalized Assessed Value. With the increased lake lease formula, this lease income will generate approximately \$943.48 per year in lease income in addition to \$128.28 for garbage pickup. Lease revenue is posted into the Lake Maintenance Lease Income account (50100140-57590). The Garbage Collection fee is recorded in the Lake Maintenance Other Charges for Services account (50100140-54990). Stakeholders can locate this in the FY 2020 Budget Book titled "Other Funds & Capital Improvements" on page 124.

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

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

Respectfully submitted for Council consideration.

Prepared By: Joseph M. Darter, Property Manager  
Brett Lueschen, Operations Manager  
Michael Hill, Management Analyst

Reviewed By: Jim Karch, P.E., MPA, Director of Public Works

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- PW 1B Current Lease Edmonson to Dortenzo-Carey Lake Lease Transfer\_redacted
- PW 1C Property Manager Memo Edmonson to Dortenzo-Carey Lake Lease Transfer
- PW 1D Petition Edmonson to Dortenzo-Carey Lake Lease Transfer\_redacted
- PW 1E MCHD Evaluation Edmonson to Dortenzo-Carey Lake Lease Transfer\_redacted
- PW 1F Dortenzo-Carey Lease Edmonson to Dortenzo-Carey Lake Lease Transfer\_redacted
- PW 1G Location Map Edmonson to Dortenzo-Carey Lake Lease Transfer
- PW 1H Unrecorded Plat Map Edmonson to Dortenzo-Carey Lake Lease Transfer
- PW 1I Structure Map Edmonson to Dortenzo-Carey Lake Lease Transfer
- PW 1J Photographs Edmonson to Dortenzo-Carey Lake Lease Transfer

**LAKE BLOOMINGTON LEASE**

THIS LEASE is entered into on the 2nd day of December, 1997 between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called "City," and James W. Edmondson & Susanne M. Edmondson as Trustees of the Edmondson Family Trust, dated August 3, 1990 (if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (as tenants in common) (as tenants by the entirety) of Hudson, County of McLean, State of Illinois, hereinafter called "Lessee,"

**WITNESSETH**

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

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

Lot 03 in Block 00 in Camp Eagle Pointe, according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.

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

3. RENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City

Lessee Name and Mailing Address

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

Edmondson Family Trust

[Redacted]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

-Lessor-

-Lessee-

CITY OF BLOOMINGTON

By: [Signature]  
Its Mayor

Attest:

[Signature]

[Redacted]

James W. Edmondson, Trustee

[Redacted]

Susanne M. Edmondson, Trustee

\_\_\_\_\_

**MEMO**

To: Jim Karch, Public Works Director

From: Joseph M. Darter, Property Manager

Date: July 3, 2019

Re: Lot 3 in Camp Eagle Pointe Lake Lease Transfer

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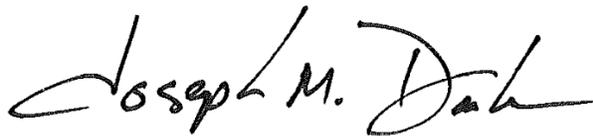
A petition and Lake Lease Transfer request has been submitted for Lot 3 in Camp Eagle Pointe, from Edmonson Family Trust to the petitioner, Megan Dortenzo and Thomas Carey.

EAV for this property is \$\$235,870. The Lake Lease is currently at a rate of \$0.15 per \$100.00 of EAV. The Lake Lease rate will increase \$0.40 per \$100.00 of EAV.

This petition will have a financial impact in that the current lease uses the formula of \$0.15 per \$100.00 Equalized Assessed Value for determining the Lake Lease Fee. With this transfer, the Lake Lease formula will increase to the current formula of \$0.40 per \$100.00 of Equalized Assessed Value. With the increased lake lease formula, this lease income will generate approximately \$943.48 per year in lease income in addition to \$128.28 for garbage pickup. This lake lease income will be posted to the Lake Maintenance-Lease Income account (50100140-57590).

If you have any questions, please feel free to contact me directly.

Sincerely,



Joseph M. Darter  
City of Bloomington | Property Manager  
Public Works Department | Water Division  
25515 Waterside Way | Hudson, IL 61748  
Office: (309) 434-2431 | Cell: (309) 275-8087  
Fax: (309) 434-2951 | Email: [jdarter@cityblm.org](mailto:jdarter@cityblm.org)

**Lake Bloomington Lease Transfer Petition**

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

LOT: 3 BLOCK — of Camp EAGLE POINTE

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

From: (please print) EDMONDSON FAMILY TRUST  
JAMES / SUSANNE EDMONDSON - TRUSTEES (Seller Name)

To: (please print) MEGAN DORTENZO & THOMAS CAREY (Buyer Name)

Signatures of Sellers

Signatures of Sellers

\*\*\*\*\*

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

Now comes (please print) Thomas Carey  
megan dortenzo (Buyer) and

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

EDMONDSON FAMILY TRUST  
JAMES / SUSANNE EDMONDSON - TRUSTEES (Seller) In and to the Lease made on the

(Date) 8/25/19 upon the above property, all located in McLean County, Illinois, together with all the

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

(Seller) EDMONDSON FAMILY TRUST  
JAMES / SUSANNE EDMONDSON - TRUSTEES has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore your petitioner.

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

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

Respectfully submitted

Signature of Buyer

Signature of Buyer

\*\*\*\*\*

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON:

LOT 3 BLOCK - CAMP EAGLE POINTE,  
OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title, and interest of (Seller) <sup>EDMONDSON FAMILY TRUST TRUSTEES</sup> JAMES & SUSANNE EDMONDSON, in and to the premises known as LOT 3 BLOCK - in Camp EAGLE POINTE, in McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

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

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
, Mayor



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

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April 26, 2019

Mr. & Mrs. Jay Edmondson

Re: Septic Permit #92-8461  
Parcel #07-01-458-007  
Lot 3, Lake Bloomington – Eagle Pointe Subdivision

Dear Mr. & Mrs. Edmondson:

On April 10, 2019, this department received a septic system evaluation report from Mr. Rob Williamson, a McLean County licensed private sewage system installer, regarding the above-referenced property. The septic system evaluation was performed on April 9, 2019 and the following deficiency was noted:

- There is not a screw-on type cap present on the chlorinator. This must be provided.  
**A screw on cap has been provided and verified on April 24, 2019.**

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

1. As of February 10, 2014, any proposed new or replacement surface discharging system must have coverage under a National Pollutant Discharge Elimination System (NPDES) permit prior to installation. For more information, please visit our website at <https://health.mcleancountyil.gov>.
2. Routine sampling of the effluent discharged from the system and the reporting of the laboratory results to a regulatory agency or agencies.
3. The cost of effluent sampling and any additional treatment components needed to keep the system compliant with permit requirements will be the responsibility of the owner of the system.
4. The Illinois Department of Public Health (IDPH) now requires additional operation and maintenance for on-site wastewater treatment systems repaired or installed after January 1, 2014.
5. Future regulations may be implemented by the Illinois Environmental Protection Agency (IEPA) and/or the IDPH for systems constructed prior to February 10, 2014.

Mr. & Mrs. Jay Edmondson  
April 26, 2019  
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Chlorine tablets made for use in the chlorinator are available through the following companies:

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

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

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

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

In summary, the septic system was installed in 1992 and is now approximately 27 years old. This office considers the average life expectancy of a septic system to be 20 to 25 years. The property has been used seasonally and may evaluate differently under normal use conditions.

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

If you have any questions, please contact Mr. Jared Johnson, of this department, at (309) 888-5482.

Respectfully,



Thomas J. Anderson  
Director of Environmental Health

cc: Mr. Rob Williamson, Williamson Excavating, LLC  
Mr. Rick Twait, City of Bloomington  
Mr. Thomas Carey and Ms. Megan Dortenzo

TJA:AC:du

AC-0601-19-052a

# EVALUATION REPORT FOR A MCLEAN COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM

For Office Use Only

Log #: \_\_\_\_\_

Date Received: \_\_\_\_\_

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

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

### 1. Current Owner Information:

Name: Jay & Sue Edmondson

Address: \_\_\_\_\_

Phone #: Day \_\_\_\_\_ Home \_\_\_\_\_

### 2. Requestor Information:

Name: Megan Dortenzo & Thomas Carey

Address: \_\_\_\_\_

Phone #: Day \_\_\_\_\_ Home \_\_\_\_\_

### 3. Property Information:

Parcel Number (Tax ID): ( ) 07-01-458-007

Date Evaluation Performed: 04-09-19

Address of property evaluated: \_\_\_\_\_ Sub. & Lot: Eagle Pointe #3

Permit available from Health Dept.: Yes  No  Permit #: 92-8461

### 4. Interview Information:

Person interviewed: Jay Edmondson

Original owner: Yes  No

Age of home (years): 26

Intended for seasonal use: Yes  No

Date last occupied: currently

Number of occupants: 2

Has tank ever been pumped: Yes  No

If yes, how often: 3 yrs ago

### 5. Interior Evaluation:

Number of bedrooms: 3

Garbage disposal: Yes  No

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

Water softener discharges to: n/a

Clothes washer discharges to: septic

Dishwasher discharges to: septic

Hot tub discharges to: n/a

Basement plumbing fixtures:

Discharge locations:

a. all

a. septic

b. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

d. \_\_\_\_\_

Basement floor drains discharge to: septic

Garage floor drains discharge to: n/a

Sump pit/pump discharges to: ground surface

Downspouts discharge to: tile

**6. Exterior Evaluation Points:**

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

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

Tank One: N/A <input type="checkbox"/>	Yes	No	Tank Two: N/A <input checked="" type="checkbox"/>	Yes	No
Depth of soil to top of tank: 26 inches			Depth of soil to top of tank: _____ inches		
Tank has access within 12" of ground surface	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tank has access within 12" of ground surface	<input type="checkbox"/>	<input type="checkbox"/>
Size: 1500 gallons Type:			Size: _____ gallons Type:		
Meets current code:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Meets current code:	<input type="checkbox"/>	<input type="checkbox"/>
Tank lids in good condition:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tank lids in good condition:	<input type="checkbox"/>	<input type="checkbox"/>
Inlet baffle in good condition:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Inlet baffle in good condition:	<input type="checkbox"/>	<input type="checkbox"/>
Evidence of solids on inlet baffle:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Evidence of solids on inlet baffle:	<input type="checkbox"/>	<input type="checkbox"/>
Outlet baffle in good condition:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Outlet baffle in good condition:	<input type="checkbox"/>	<input type="checkbox"/>
Evidence of solids on outlet baffle:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Evidence of solids on outlet baffle:	<input type="checkbox"/>	<input type="checkbox"/>
Water standing in outlet:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water standing in outlet:	<input type="checkbox"/>	<input type="checkbox"/>
Water level below outlet:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water level below outlet:	<input type="checkbox"/>	<input type="checkbox"/>
Tank needs to be pumped:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tank needs to be pumped:	<input type="checkbox"/>	<input type="checkbox"/>
Outlet device/filter on tank:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outlet device/filter on tank:	<input type="checkbox"/>	<input type="checkbox"/>
Type:			Type:		
Back flow into tank from system after pumping:			Back flow into tank from system after pumping:		
Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		

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

Depth to top of field: \_\_\_\_\_ inches to \_\_\_\_\_ inches

Square feet of field: \_\_\_\_\_ square feet

	Yes	No
Meets current code sizing requirements:	<input type="checkbox"/>	<input type="checkbox"/>
Seepage standing on ground surface:	<input type="checkbox"/>	<input type="checkbox"/>
Lush vegetation or saturated soil on or near seepage field area:	<input type="checkbox"/>	<input type="checkbox"/>
Evidence that water has ponded over seepage field or the soil is saturated:	<input type="checkbox"/>	<input type="checkbox"/>
Solids or "carry over" material present in the rock or bedding material:	<input type="checkbox"/>	<input type="checkbox"/>
Depth of water in trench : _____ inches		

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

	Yes	No
Are the serial distribution relief or "step-down" pipes in compliance with Section 905.60 (d) of the code?	<input type="checkbox"/>	<input type="checkbox"/>

**D. SEEPAGE BED -- This Section N/A**

Depth to top of bed: \_\_\_\_\_ inches to \_\_\_\_\_ inches

Square feet of bed: \_\_\_\_\_ square feet

	Yes	No
Meets current code sizing requirements:	<input type="checkbox"/>	<input type="checkbox"/>
Seepage standing on ground surface:	<input type="checkbox"/>	<input type="checkbox"/>
Lush vegetation or saturated soil on or near seepage bed area:	<input type="checkbox"/>	<input type="checkbox"/>
Evidence water has ponded over seepage bed or is soil saturated:	<input type="checkbox"/>	<input type="checkbox"/>
Solids or "carry over" material present in the rock or bedding material:	<input type="checkbox"/>	<input type="checkbox"/>
Depth of water in bed : _____ inches		

**E. SAND FILTER -- This Section N/A**

Minimum soil cover depth to top of sand filter: 48 inches

Square feet of sand filter: 1400 square feet

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

Yes No

Meets current code sizing requirements:

Seepage standing on ground surface over filter:

Lush vegetation on or near sand filter:

Evidence if water has ponded over sand filter:

Sand filter vented as required:

Vent in good repair:

Chlorinator with screw on cap present:

Chlorinator tube with corrosion resistant handle present:

Evidence of chlorination:

Evidence of restricted flow in chlorinator:

Sample port with screw on cap present:

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

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

Pump chamber an approved design:

Yes No

Chamber volume 1.5 times the daily flow:

Is there a dual pump:

Alarm present:

Alarm location: \_\_\_\_\_

Alarm properly working with audio and visual functions:

**G. AEROBIC UNIT -- This Section N/A**

Manufacturer: \_\_\_\_\_ Model number: \_\_\_\_\_

Size of unit:                  gallons

Pump running at time of inspection:

Yes No

Current maintenance contract in place:

Who is maintenance contract with: \_\_\_\_\_

Alarm present:

Alarm location: \_\_\_\_\_

Alarm properly working with audio and visual functions:

Unit discharges to: Seepage field  Seepage bed  Sand filter  Other: \_\_\_\_\_

If other, what method of chlorination is used: \_\_\_\_\_

Chlorinator with screw on cap present:

Chlorinator tube with corrosion resistant handle present:

Evidence of chlorination:

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

**Include all distances as described below.**

NOTE: Be sure to attach drawing to this report.

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

*Well or cistern to: N/A <input type="checkbox"/>	*Geothermal unit to: N/A <input type="checkbox"/>	*Building to:
Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Geothermal unit: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Geothermal unit: _____ feet Aerobic unit: _____ feet
*Water line to:	*Body of water to: N/A <input type="checkbox"/>	
Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	Septic tank: _____ feet Seepage system: _____ feet Sand filter: _____ feet Effluent tile: _____ feet Effluent discharge: _____ feet Aerobic unit: _____ feet	

Comments:

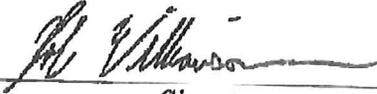
This section is to include any maintenance (pumping) repairs or problems in the history of the septic system. Write any observations and/or conclusions made by probing or excavating the seepage field or sand filter. A serial distribution system must include the condition of each level of field or trench.

*The septic tank does not need to be pumped at this time but it should be checked regularly and pumped as needed in the future. The sand filter chlorinator has a slip-on cap rather than a screw-on cap. The sand filter is shared with other houses so I am assuming it is still sized correctly for the number of bedrooms in the houses being served by it. This septic system appears to be functioning at this time.*

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

*Rob Williamson*

Inspector's Name (print)



Signature

*04-10-19*

Date

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the 27<sup>th</sup> day of August, 2019 between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called CITY and MEGAN DORTENZO / THOMAS CAREY

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

WITNESSETH

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

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

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

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

- 3. RENT.

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

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

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

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

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

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

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

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

- B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.
4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.
6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made available to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.

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

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

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

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

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

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

City

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

Lessee Name and Mailing Address (as of 8/27/19)

Thomas Carey  
Megan Dortenzo

Lessee Billing Address

Same as above (as of 8/27/19)

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

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

-Lessor-

CITY OF BLOOMINGTON

By:

Its Mayor

Attest:

City Clerk

-Lessee-

Thomas Carey  
Megan Dortenzo  
(as of 8/27/19)

## Lake Bloomington Dock Permit Application

Date: 6/2/19

### Applicant Information

Full Name: CAREY Thomas J.  
Last First M.I.

Lot Lease: 3 - Eagle Pointe  
Lot Block Camp

Lot Lease Address: \_\_\_\_\_  
Street Address City State Zip

Mailing Address: \_\_\_\_\_  
Street Address City State Zip

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Co-Applicant Information (If applicable)

- If additional co-applicants exist please attach this Section's information for each applicant via a separate sheet of paper. All applicants must also sign and date the disclosure at the end of this application.
- Reminder: Dock permits run with the owner ("applicant") and are not transferrable. Therefore, if one applicant withdraws in the future a new permit application is required.

Co-Applicant: DORTENZO Megan D  
Last First M.I.

Lot Lease: 3 - Eagle Pointe  
Lot Block Camp

Lot Lease Address: \_\_\_\_\_  
Street Address City State Zip

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Insurance Requirements

- A copy of your certificate of insurance must be provided with this application
- Minimum of \$100,000 coverage is required
- City of Bloomington must be listed on the provided policy as an Additional Insured party

Do you have a liability insurance policy worth at least \$100,000 on this dock? YES  NO  If yes, who is the insurer? \_\_\_\_\_

Insurer's Contact: \_\_\_\_\_  
Contact Name Phone Email

### Boat Dock Information

Dock Site Address: \_\_\_\_\_  
Street Address City State Zip

Do you own multiple permanent docks? YES  NO  If yes, how many? \_\_\_\_\_

Are there additional structures, not requiring a permit, associated to the leased lot? (swim platforms, inflatables, etc.) YES  NO  If yes, how many? \_\_\_\_\_

Types of Additional Structures: \_\_\_\_\_

Additional Information (if any): \_\_\_\_\_

**Type of Application**  
(check one)

- Annual Dock Permit Fee (\$50)       New Dock Permit Fee (\$250)  
 Non-profit / Marina Dock Permit Fee (Fee Waived)

**Application Checklist**  
(All items must be included with this application in order to be considered complete)

- Copy of all Lake Bloomington lot leases associated to this dock permit request  
 Certificate of Insurance (minimum of \$100,000 coverage and City listed as additional insured)  
 Payment of fee made out to the City of Bloomington

**Disclaimer and Signature**

*I certify that my answers are true and complete to the best of my knowledge. If this application leads to my receiving a dock permit, I understand that false or misleading information in my application may result in the loss of my permit.*

*I have read, acknowledge, accept, and agree to follow Chapter 23, Section 3.1 of the Bloomington City Code, which established provisions on Boat Dock Permits including rules and regulations, and further, I understand it is my duty to follow Council action in the future as the Code may be amended from time to time.*

*I hereby agree to abide by any rules and regulations implemented by the City of Bloomington at Lake Bloomington.*

*I understand that failure to comply with the provisions applicable to the Boat Dock Permitting Program may result in the loss of the privilege of maintaining structures on the marginal land and reservoir and should a violation occur, the structures may be ordered to be removed at my expense.*

*I acknowledge that any violation of the same may also result in an ordinance violation and/or court summons against me, which puts my dock permit at risk and may also include penalties and fines.*

*I am aware that approval of my Dock Permit Application may also require issuance of a Building Permit from the City of Bloomington Community Development Department.*

*I recognize that dock permits are a privilege and that all permits and licenses issued by the City are not transferable in any way and that all benefits derived therefrom accrue only to the person the permit was originally issued by the City. Further, all permits are subject to revocation by the City whenever the holder of such permit in any way violates or permits the violation of any law, ordinance, rule or regulation for the regulation, care, protection or control of the reservoir, drainage area or water supply of the City.*

Applicant Signature: \_\_\_\_\_ Date: 6-2-19

Co-Applicant Signature: \_\_\_\_\_ Date: 6-2-19



Lake Bloomington Dock Permit

WAIVER AND RELEASE OF LIABILITY, ASSUMPTION OF RISK & IDEMNITY AGREEMENT

IN CONSIDERATION of the City of Bloomington (hereinafter "City") issuing a dock permit at Lake Bloomington; I, for myself, and on behalf of my spouse, children, parents, guardians, heirs and next of kin, and any legal and personal representatives, executors, administrators, successors and assigns (hereinafter collectively "Permittee"), hereby agree to and make the following contractual representations pursuant to this Waiver and Release of Liability, Assumption of Risk and Indemnity Agreement (hereinafter the "Agreement") which is hereby agreed to, accepted and acknowledged as set forth below, including warranting that all representations made by me below are true and accurate:

- (1) The City shall not be held liable for any injury to either public or private property located on Marginal Land (leased or non-leased) and the Reservoir and instead Permittee shall hold harmless and indemnify City for any and all such claims as set forth herein;
(2) The City shall not be held liable for any injury that may result in personal bodily harm on the Marginal Land (leased and non-leased) and the Reservoir and instead Permittee shall hold harmless and indemnify City for any and all such claims as set forth herein.
(3) The Permittee hereby agrees to save, hold harmless, and indemnify the City from and against all injury, death, damage, loss, claims, and liability caused by or arising out of the use of my dock and thereafter by the Permittee, its employees, agents, or sub-contractors. This agreement extends to all claims, of any nature, whether made by the Permittee or third parties.
(4) The Permittee shall indemnify and save harmless the City, its officers, agents, employees and servants against all loss, damage or expense that it or they may sustain as a result of any suits, actions or claims of any character brought on account of property damage, injury to or death of any person or persons, including all persons rightfully using the dock or upon it by trespass.
(5) Except for the gross negligence or willful or wanton conduct by the City, its officers, employees or agents, the Permittee shall indemnify and hold the City harmless from any and all damages and claims arising out of damage or use thereafter to the Improvements caused in whole or in part by the City, its officers, employees, and agents or by any other person(s) whether or not they have a permit from the City and whether or not they are associated with the City in any direct or indirect manner. Permittee waives all claims, except for gross negligence or willful or wanton conduct by the City, its officers, employees or agents, against the City, whether arising directly, by subrogation, assignment, or otherwise, for any and all damages, direct or indirect, resulting from damage to the Improvements structures done in whole or in part by the City, its officers, employees and agents or by any other person(s) whether or not they have a permit from the City and whether or not they are associated with the City in any direct or indirect manner, provided however, that the City shall notify Permittee in advance of any construction activity the City plans to undertake in or around the Improvements.
(6) Permittee shall continue to be bound by and follow all applicable laws and regulations and agrees to comply with same, including those of the City, County, State and Federal Government.

I hereby warrant that I have read this Agreement carefully, understand its terms and conditions, acknowledge that I will be giving up substantial legal rights by signing it (including the rights of the minor, my spouse, children, parents, guardians, heirs and next of kin, and any legal and personal representatives, executors, administrators, successors and assigns), acknowledge that I have signed this Agreement freely and voluntarily, without any inducement, assurance or guarantee, and intend for my signature to serve as confirmation of my complete and unconditional acceptance of the terms, conditions and provisions of this Agreement. This Agreement represents the complete understanding between the parties regarding these issues and no oral representations, statements or inducements have been made apart from this Agreement. If any provision of this Agreement is held to be unlawful, void, or for any reason unenforceable, then that provision shall be deemed severable from this Agreement and shall not affect the validity and enforceability of any remaining provisions.

IN WITNESS WHEREOF, the above stated terms are accepted and approved on this 21 day of June, 2019

Permittee Printed Name: Thomas Lopez Permittee Signature: Megan D'Amico

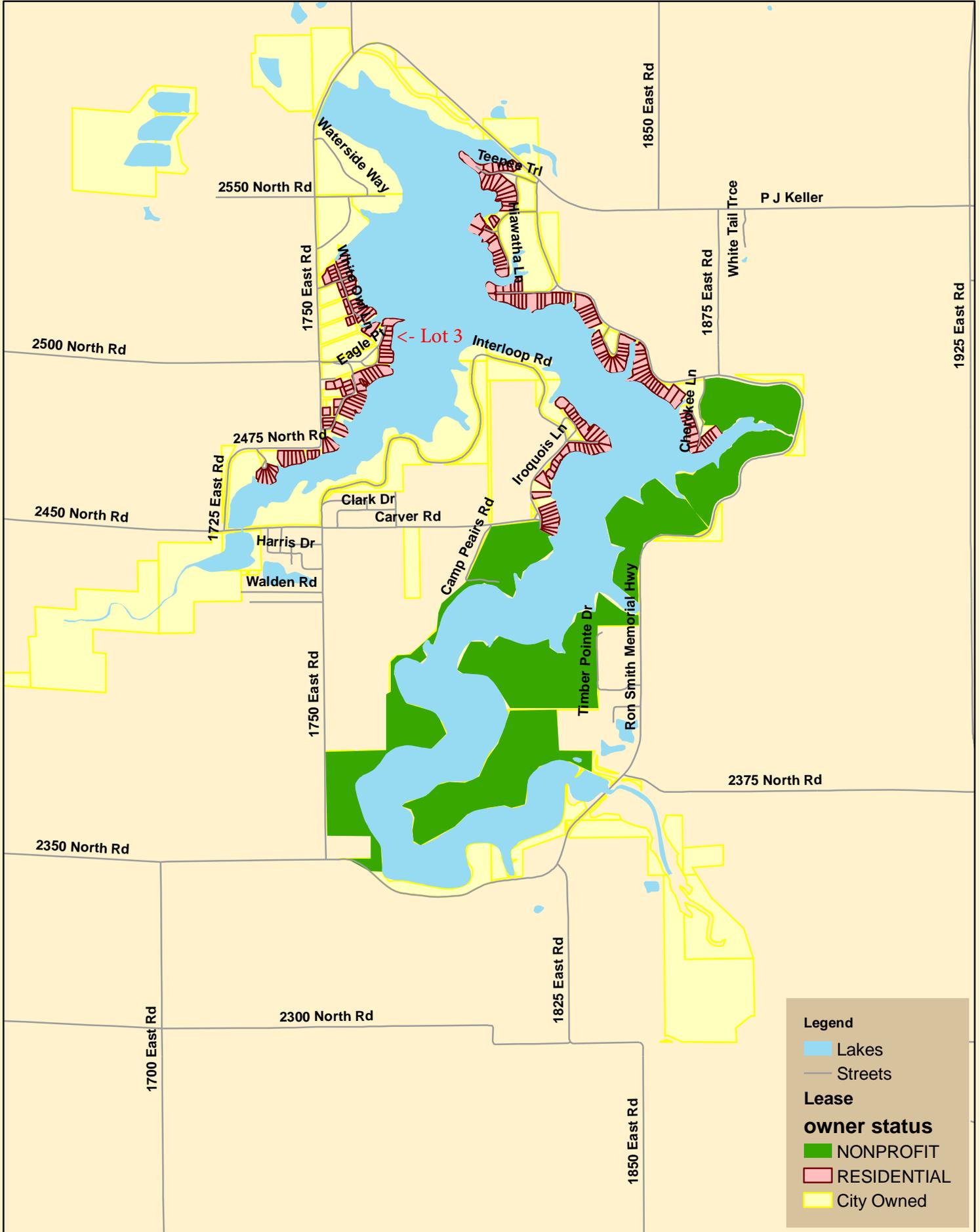
Additional Permittee Printed Name: [Redacted] Additional Permittee Signature: [Redacted]

Dock Site Address: [Redacted]

# Lake Bloomington Lease Map



DATE 06/01/2010  
Public Works Department



**Legend**

- Lakes
- Streets

**Lease owner status**

- NONPROFIT
- RESIDENTIAL
- City Owned



# Lot 3 Camp Eagle Pointe Structure Map



McGIS



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

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# REGULAR AGENDA



REGULAR AGENDA ITEM NO. 8A

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** Administration

**SUBJECT:** Consideration and action on an Ordinance Amending Chapter 7 of the City Code on Exceptions to the Moratorium on Video Gaming Licenses Within the City, as requested by the Administration Department.

**RECOMMENDED MOTION:** The proposed Ordinance be approved.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services and Goal 5. Great Place - Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1c. Engaged residents that are well informed and involved in an open governance process and Objective 5E. More attractive City, commercial areas and neighborhoods.

**BACKGROUND:** In 2012, the Video Gaming Act began permitting video gaming within the State of Illinois. That same year, in July, the City Council adopted an ordinance allowing video gaming within the City. In 2018, the City Council amended the City Code to establish framework for licensing video gaming terminals within the City. Under that framework, effective April 1, 2018, no establishment was to have on its premises any video gaming terminal without first obtaining a video gaming license from the City. Along with this framework, the City Council placed a moratorium on *new* video gaming terminals until March 1, 2019. Earlier this year, the moratorium was extended through September 1, 2019.

Under the moratorium, no establishment is eligible for a video gaming license unless it had video gaming terminals that were operational as of March 1, 2018. City Administration is proposing an amendment to this provision that would also allow an establishment to obtain a license if it had video gaming terminals that were operational prior to March 1, 2018, but that ceased operation due to the destruction of the establishment.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** N/A

**FINANCIAL IMPACT:** City staff are aware of one establishment that would qualify for the exception. Assuming that said establishment obtains a video gaming license, they will have to pay the licensing fee of \$500 per terminal. Video Gaming License revenues are posted in the Non Departmental - Video Gaming License account (10010010-51021). Stakeholders can locate this in the FY2020 Budget Book titled "Budget Overview & General Fund" on page 120.

**COMMUNITY DEVELOPMENT IMPACT:** Goal ED-1 Ensure a broad range of employment opportunities for all residents, Objective ED-1.1. Focus on retention and expansion of

existing businesses; Goal D-1. Continue to build a healthy Downtown that offers a range of employment, retail, housing, cultural, and entertainment opportunities for all, Objective D-1.1. Strengthen business recruitment and retention activities.

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

Respectfully submitted for Council consideration.

Prepared By: Jeffrey R. Jurgens, Corporation Counsel

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Water/Community Dev. Review By: Katie Simpson, City Planner

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- ADM 1B Ordinance 2019-55 on Video Gaming Licenses\_Exception

ORDINANCE NO. 2019 - 55

AN ORDINANCE AMENDING CHAPTER 7 OF THE CITY CODE ON EXCEPTIONS TO THE MORATORIUM ON VIDEO GAMING LICENSES WITHIN THE CITY

WHEREAS, the City of Bloomington, Mclean County, Illinois (hereinafter referred to as "City") is an Illinois home-rule municipality; and

WHEREAS, the City Council has the authority to regulate video gaming in a manner not inconsistent with the provisions of the Illinois Video Gaming Act; and

WHEREAS, on February 26, 2018, the City Council adopted an Ordinance establishing a framework for licensing video gaming terminals and establishing a moratorium on the issuance of new video gaming licenses within the City; and

WHEREAS, the moratorium on the issuance of new video gaming licenses within the City was set to expire on March 1, 2019 and was later extended until September 1, 2019; and

WHEREAS, the City Council desires to further update the City Code to allow establishments that had video gaming terminals operational prior to March 1, 2018, to obtain a video gaming license from the City if said establishment temporarily ceased operation of its video gaming terminals due to the destruction and re-construction of the establishment; and

WHEREAS, the City Council finds it in the best interest of the City to approve the updated moratorium language as set forth herein.

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. Chapter 7, Article XIII, Section 122 of the City Code shall be amended as follows:

**Chapter 7: Section 122: Moratorium on New Licenses and Expansion.**

(a) Except for establishments that have existing video gaming terminals that are operational as of March 1, 2018, as evidenced by documentation from the Illinois Video Gaming Board, no application for a new video gaming license will be accepted by the City until September 1, 2019. In addition, any establishment may apply for and receive a license that had video gaming terminals that were operational prior to March 1, 2018, but where said operations ceased as a result of the destruction of the establishment and where said establishment has since been reconstructed.

(b) Only establishments with existing video gaming terminals that were ~~are~~ operational as of ~~the~~ March 1, 2018, or that had video gaming terminals that

were operational prior to March 1, 2018, where said establishment has now been reconstructed as identified in subsection (a), shall be permitted and eligible to apply for and be granted licenses under Section 121. and considered grandfathered and eligible for a license under this Chapter.

**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 in full force and effect from and after passage, approval and publication in pamphlet form 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 22<sup>nd</sup> day of July 2019.

APPROVED this \_\_\_\_ day of July 2019.

**CITY OF BLOOMINGTON**

**ATTEST**

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

\_\_\_\_\_  
Leslie Yocum, City Clerk



REGULAR AGENDA ITEM NO. 8B

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** Human Resources

**SUBJECT:** Report of a Classified (Non-Union) IMRF Retirement, as requested by the Human Resources Department.

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

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

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

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

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

In accordance with the Local Government Wage Increase Transparency Act, the City has its eighth Classified employee 'triggering' event with the retirement of Debbie Bohannon. Ms. Bohannon is an Office Manager in the Parks Department, and a non-represented (Classified) employee in the Illinois Municipal Retirement System (IMRF) who has expressed her intent to retire from the City as of October 4, 2019.

In accordance with policies and practices of the City for Classified employees hired before May 1, 2012, Ms. Bohannon has accrued \$29,097.70 of unused, accrued sick leave which is to be paid into her retirement health savings (RHS) account, to be made in three (3) equal payments in the 3 months (July, August & September) prior to her retirement. Under Section 5(c) of the Act, the following disclosures are made:

**Employee Name: Debbie Bohannon**

- (1) The identity of the employee: Debbie Bohannon.
- (2) The purpose and amount of the increases or payments: \$39,180.66 (includes \$29,097.70 of earned sick leave and \$10,082.96 of accrued vacation time that will be paid out upon retirement - assumes no sick leave or vacation usage until retirement date).
- (3) The proposed retirement date: October 4, 2019.
- (4) The effect of the payment(s) upon the expected retirement annuity of the employee: an increase of \$386.72 per month.
- (5) The effect of the payment(s) upon the liability of the employer to the Article 7 Fund: The disclosable payment is projected to increase the pension liability of the City by \$63,768.00.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A**

**FINANCIAL IMPACT:** The estimated amount of Ms. Bohannon's sick leave/vacation payout is anticipated to be \$39,180.66, assuming she does not diminish her sick leave bank or use vacation time prior to her retirement date. The "accelerated payment" for this payout is expected to be \$63,768.00.

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

**COMMUNITY DEVELOPMENT IMPACT: N/A**

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

Respectfully submitted for Council consideration.

Prepared By: Josh Hansen, Compensation & Benefits Mgr.

Reviewed By: Nicole Albertson, HR Director

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', with a stylized flourish at the end.

Tim Gleason  
City Manager



REGULAR AGENDA ITEM NO. 8C

**FOR COUNCIL:** July 22, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** Consideration and action on the application of Puma Enterprise, Inc., d/b/a Park Pantry, located at 906 S. Morris Ave., requesting a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week, as requested by the City Clerk Department.

**RECOMMENDED MOTION:** The proposed License be approved subject to the following conditions: 1. Store closed by 11:00 P.M.; 2. Installation of outdoor cameras and lighting; 3. No single-serves of alcohol 24 ounces or less; 4. Less than 50% of sales from the sale of alcohol, with a hearing to monitor compliance with this condition 6 months after issuance of license/store opening.

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

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

**BACKGROUND:** Puma Enterprises, Inc. d/b/a Park Pantry is requesting a Class PAS liquor license to sell all types of packaged liquor for consumption off the premises seven (7) days a week. Park Pantry will occupy the building previously held by West Side Liquors, Inc. d/b/a West Side Food & Beverage.

On Monday, July 8, 2019, the Bloomington City Council held a Regular City Council Meeting. Park Pantry's liquor license request was heard at the meeting. Council Member Black made a motion, seconded by Council Member Mathy, to send the item back to the Liquor Commission with express instructions to 1) hold a Special Meeting for a second hearing on the proposed license; 2) ensure appropriate notice to neighbors including providing Council minutes from July 8, 2019; 3) explore options for single-serve ("walk away") sales limitations; 4) set procedure for evaluating the sales of the business including a specific review schedule; and 5) make a recommendation back to Council by the end of the month. The motion passed 7-0.

At the direction of the City Council, the Bloomington Liquor Commission held a Special Meeting on July 16, 2019, to consider an application of Puma Enterprise, Inc., d/b/a Park Pantry, located at 906 S. Morris Ave., requesting a Class PAS (Package Sales/All Types/Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Dan Donath, Asst. Police Chief; and Amanda Mohan, Deputy City Clerk.

Richard Marvel, attorney for Puma Enterprises, Inc. d/b/a Park Pantry, came forward to address the Commission. He was sworn in and testified as follows.

Mr. Marvel began by providing the Commission with a copy of the presentation he planned to make. The Clerk accepted the presentation as Group Exhibit A for the file.

Mr. Marvel discussed the PAS liquor license requested and talked about traffic counts on Morris Avenue, where the business would be located. He requested to have a document regarding the traffic count for Morris Avenue entered as an exhibit. The exhibit was accepted, marked for identification as Exhibit B and entered into the file.

Mr. Marvel described the proposed improvements to the building where the establishment would be located, overviewed the history of the building, and described the proposed business model as a convenience store focusing on sales of groceries and "grab and go" food items.

Commissioner Renner described the Liquor Commission had previously recommended conditions be imposed on the license: the store closing at 11:00 p.m., Liquor sales would remain below 50% of total sales, and lights and cameras would be installed to ensure safety.

Mr. Marvel stated that he and his client had no objections to those conditions placed on the License by the Liquor Commission. He went on to point out distances of churches and other liquor license that he had researched in the area.

Commissioner Jordan asked questions clarifying some of Mr. Marvel's statements. He particularly inquired about package licenses in the area.

Leslie Yocum, City Clerk, clarified that the Parkview Inn and Sport & Bait, both located on Morris Avenue, hold package license.

Adjeet Singh, President and owner of Puma Enterprises Inc., was sworn in and testified as follows.

Mr. Singh discussed the layout of the store, inventory and quick-serve items to be sold, such as Hunt Brothers Pizza.

Commissioner Renner asked where hard liquor would be located. Mr. Singh stated that hard liquor would be kept behind the cashier's counter along with cigarettes.

Mr. Marvel approached with photos of Hunt Brothers Pizza displays and asked that the pictures be entered as an exhibit. The Clerk accepted the document as Group Exhibit C for the file.

Mr. Singh expressed appreciation for the neighbors coming forward and stated that he learned a lot from their comments. He briefly touched on the inventory he planned to sell and walked through his belief on how sales of the business will result. He addressed the fact that he is not local and that he lives in Plainville, IL. He stated that he would like to one day move to Bloomington, but that his son plays basketball in Plainville, which requires him to live there as well. He asked that the Commission and neighbors not confuse him with the previous owner of the store. He stated that he is committed to the success of the business and that over time he intends to invest \$600,000 into the property.

Mayor Renner asked George Boyle, Asst. Corporation Counsel, to clarify the Code on how the Commission has interpreted the Code requirement for liquor license holders to live in McLean County. Mr. Boyle stated that the Commission has required that all businesses holding liquor licenses have a Manager that lives in the County. He pointed out the importance of having a local contact and someone who could accept service on behalf of the business.

Commissioner Jordan asked for clarification regarding whether \$600,000 will be invested. Mr. Marvel provided a breakdown of the \$600,000, which included eventually buying the building.

Commissioner Jordan asked how much Mr. Singh believed his inventory would cost at start-up. Mr. Singh believed that he would invest \$70,000 to \$90,000 on starting inventory.

Commissioner Jordan asked for Mr. Singh to break down the \$70,000 to \$90,000 into how much would be spent on grocery items and liquor items. Mr. Singh stated that he believed the break down would be 60/40 split with grocery items being the higher.

Mr. Boyle referenced the 8-10% square foot of the store's footprint that Mr. Singh had stated would be attributed to liquor. He asked whether he was referring to hard liquor. Mr. Singh replied that he was referring to hard liquor only. He stated that beer and wine held in walk-in coolers had not been included in those numbers. Discussion followed regarding coolers.

Mr. Boyle asked if the business was an Illinois corporation and asked about the business' agent. Mr. Singh confirmed that corporation is an Illinois corporation and stated that Mr. Marvel is the agent and could accept service. Mr. Boyle also asked the name of the Manager. Mr. Singh stated that Sanjeer Singh, who had worked for him for seven years, would be the Manager.

Mr. Marvel made two clarifications to the Commission. He told the Commission that he and Mr. Singh met with representatives of the neighborhood to discuss the business. He presented a petition that he requested be entered as an exhibit. The Clerk accepted the document as Group Exhibit D for the file.

Commissioner Renner stated that another petition had been given to the Commission from the opposing neighbors and instructed the Clerk to accept it as Neighborhood Exhibit A. The Clerk accepted the document for the file.

Commissioner Jordan asked whether it was safe to assume that the floor layout would mimic the layout at the Hot Spot off Hershey, which he was familiar with. Mr. Singh confirmed his previous ownership in the Hot Spot and stated that some differences would exist between the two stores. He mentioned that the current owner had made some changes in his 8-9 months owning the business. He stated that the proposed store would be more like Franzetti's Pantry on Washington Street.

Tim Piercy, 1225 Theta, was sworn in and testified. He has grown up in the neighborhood and thinks that the store is a good idea. He believed the neighborhood would benefit from being able to pick up convenience and quick serve items.

Commissioner Jordan asked how close Mr. Piercy lived to the location. Mr. Piercy stated that he lives approximately 1.5 miles away.

Paul Hursey, 820 W. Oakland, was sworn in and testified. He lives approximately 4 blocks away and has lived in the same home for 20 years. He was opposed to another liquor store. He stated that he lives off an alley nearby and that under previous ownership he was constantly picking up trash, witnessing urination, and having drunk persons walk down the alley near his home. He had no issue with groceries but was especially adamant about single serve liquor in particular.

Commissioner Renner asked if he would be more in favor of the store having a liquor license if there was a limitation on single serve. Mr. Hursey stated that single serve beer, mini bottles, etc. are a problem and should not be sold. He expressed interest in convenience and grocery items.

Commissioner Jordan asked for confirmation that he had been in the same house for 20 years. Mr. Hursey confirmed and stated that he is a homeowner.

Stephanie Stone, 603 S. Morris, who lives less than .25 miles from the proposed location was sworn in and testified. She offered support for the convenience items whether liquor is to be sold or not. She mentioned that since the closing of the previous business, trash still appears in her yard and that it had not changed since the previous store's closing. She expressed support for the proposed store and having accessibility to convenience items. She has lived in the neighborhood close to 15 years.

Mr. Boyle asked if she had an opinion on single serve liquor. She did not have an opinion.

Jeff Piercy, 103 Stapleton, was sworn in and testified. He stated that he will be one of the contractors for the remodel of the building. He pointed out additional improvements that had not been included in previous testimony. He stated that an additional walk-way would be added with a canopy over it including seating for customers. He mentioned that Mr. Singh's idea was to create a family-friendly environment.

Commissioner Renner asked what prevented the seating area he mentioned from being frequented by drinkers. Mr. Piercy stated that he had worked on Mr. Singh's store in Urbana and could attest to the tight security that Mr. Singh utilizes. He pointed out that tight security will assist in keeping "riffraff" from frequenting the location.

Commissioner Jordan asked for confirmation that Mr. Piercy will not actually be impacted by the store. Mr. Piercy confirmed, but stated that he grew up in the area and still knows lots of people in the area. He believed the business would be a benefit to the community.

Nathan Russo, 827 W. Oakland, was sworn in and testified. He believed the petition that was shared by Mr. Marvel was not representative of people who will be immediately affected by the store. He made a comparison to the petition that he and his neighbors presented versus the petition presented by Mr. Marvel. He did not want liquor at all. He mentioned several churches near the location that had not been previously mentioned and believed that the stores used for comparison by Mr. Marvel were not relative to the area. He also pointed out other items he believed were issues with Mr. Marvel's presentation. Among them, was that Mr. Marvel had testified that there was only one church in the area, but there are three others.

Commissioner Renner reviewed the conditions that the Liquor Commission had previously added to the license and asked whether he would be in favor of additional conditions. Mr. Russo was opposed to liquor at the store at all.

Commissioner Jordan asked how long he has lived in the neighborhood. Mr. Russo stated that he has lived in the same home for 8 years and his wife was there the previous 12 years.

Commissioner Powell asked how far he lives from the location. He stated 3 blocks.

Carrie Handy, 1209 W. Elm, was sworn in and testified. She stated that she lives directly caddy corner from the proposed business. She had met Mr. Singh and a few others at a meeting the night before. She believed they were nice people and had respect for them. She had an issue with the neighborhood continually being titled a business district. She agreed that the new owners should not be held accountable for the previous owners but had issues with the hours of operation and did not want alcohol sold at the store.

Commissioner Renner clarified that Mr. Marvel was referring to the business address as being in a business district, not the neighborhood. He asked whether any of the conditions

discussed would suffice. She stated that she supports no alcohol and brought up an issue with the outdoor seating area. She expressed concerns with the persons included on the petition and believed that many of them don't live in the area. She provided examples of problems she'd personally experienced with the previous store. She sympathized with the owners and thought they was nice and good people, but stood her ground not being in favor.

Commissioner Jordan expressed an issue with liquor not being represented in the pictures previously presented.

Mr. Marvel mentioned a chart discussed at the meeting he had participated in the night before. He asked whether Ms. Handy believed the business was unique to surrounding stores.

Ms. Handy described the chart mentioned and stated that she created it to get an understanding as to where packaged licensed liquor locations were in the area. She stated that the locations of existing businesses in the area were different because she felt they were appropriately placed on busy streets.

Mr. Marvel asked whether she had the same concerns and issues with the Parkview Inn. She was not aware Parkview Inn had a package license but believed that the area already had enough access to packaged liquor.

Karen Bays, 1210 W. Elm, was sworn in and testified. She stated she was not aware of package sales at Parkview Inn either, but offered support for Parkview Inn. She mentioned that she, too, had met with Mr. Singh at the meeting the night before and believed he was a nice man; however, she was not supportive of liquor at the location.

Commissioner Jordan asked how long she'd lived there. She lived there 53 years. He asked whether she opposed a convenience store without liquor. She offered support for grocery items, but no liquor.

Commissioner Powell asked whether she thought the business would be successful without liquor. She believed it would be and thought that the neighbors would promote the business as such.

Surena Fish, 909 W. Wood, was sworn in and testified. She lives directly across from the main entrance of Miller Park. She wished that the neighbors would have had more time to collect signatures, but understood the quick turnaround needed for the meeting. She discussed Elm Street and listed a variety of issues that neighbors have experienced. Drunk people had cut through her and her neighbor's yard and left trash when the previous business was there. She talked about a previous business that had issues that the neighborhood helped to close and mentioned having FOIA'd incidents for businesses in the area. She had attended the meeting last night and discussed a few topics of discussion. She did not support any type of liquor at the store.

Commissioner Jordan asked how long she had lived in the neighborhood. She stated she lived in her home for 21 years.

James Bays, 1210 W. Elm, was sworn in and testified. He offered additional history of the building and pointed out that the building was not 47yrs old. He discussed the outdoor seating area and showed a guard rail that was added because the store was hit several times by vehicles.

Dustin Stone, 603 S. Morris, was sworn in and testified. He stated that he can see the location from his home and has been there for 15 years. He offered support for the business and stated that he doesn't understand the concerns mentioned. He believed that the new business would be great for the neighborhood.

Commissioner Jordan clarified that he can see the store from his home. Mr. Stone confirmed and reiterated he thinks it will be a great addition to the neighborhood.

Commissioner Powell asked whether the trash issues have continued. He stated that he continues to have trash in his yard and that it's no different than it was with the previous business.

Mr. Marvel asked whether he would like to see the store improved. He replied he would and that he had never had issues with drunk persons, not with the previous business.

Daniel Taylor, 1215 W. Elm, was sworn in and testified. He lived there since 1980. He understood that trash continues but stated that it was worse during the previous business' operation. He offered examples of issues with the store and stated that he does not support liquor at the store.

Commissioner Jordan asked his location. He stated that he lives ½ block away. He stated that he patronized all the previous businesses and still does not support liquor.

Commissioner Powell asked whether he would consider a liquor license that didn't include single serve. He believed that the same people from the previous business that were a problem will also frequent the new business. He stated that he prefers no liquor, but that a condition would be helpful if the license was granted.

Charlene Sapp, 827 W. Elm, was sworn in and testified. She has lived in her home 24 years and also grew up in the neighborhood. She mentioned that she also speaks on behalf of her mother who is also present. She provided examples of urination in the parking lot, drug deals, underage sales, car accidents, and many other examples on Elm Street. She also discussed the impact each of the mentioned incidents had on the neighborhood and her family.

Commissioner Renner asked whether the traffic on Elm Street had subsided. She stated it had.

Commissioner Jordan asked whether a store without liquor would be supported. She expressed interest in no liquor at the location.

Commissioner Powell asked whether lights and cameras would help. She stated that she didn't think it would help and provided an example of people jumping her fence to get to the store.

Mr. Marvel asked whether she believed the location is the issue, not the store. She confirmed and stated the neighborhood refers to the store as the Ghetto Market. Mr. Marvel asked if there are a reasons why certain people would frequent the store, but not the Parkview Inn and Sport & Bait. She didn't know.

Mike Sapp, 827 W. Elm, was sworn in and testified. He showed the Commission videos from mid-June of 2019 that showed no traffic on his street. He stated that since the previous store had closed his neighborhood has been peaceful.

Discussion was held on how to save the videos to the file. The videos will be marked Neighborhood Group Exhibit B.

Mr. Sapp mentioned the number of reported incidents at the previous location and discussed the conditions on the license. He asked what happened if the business failed to meet the 50% condition.

Commissioner Renner stated that the condition could be held in perpetuity and pointed out that the it would require liquor sales to stay below 50% of total sales.

Mr. Sapp added concerns about Eric's Restaurant and the parking lot exit on Elm Street.

Debra Hawkins, 1208 W. Elm and business owner at 929 W. Wood Street, was sworn in and testified. She expressed opposition to the license from personal and business perspectives. She has lived in the neighborhood 4 years. She discussed incidents of intoxicated persons talking to her grandchildren and then began to discuss her business. Her business has been safer and has had some customers return to doing business with her since the liquor store closed. She provided many examples of issues she had experienced and discussed the conditions previously proposed. She believed that adding lighting to the proposed business would be helpful but mentioned that it would not help to make her business safer. She supported a convenience store with no liquor license.

Commissioner Jordan asked the type of business she operates. She stated that she operates an automotive shop and provided history on the shop.

Nick Tulley, who declined giving his address, was sworn in and testified. He has lived and worked in Bloomington for 20 years. He stated that he respects the opinions of the neighbors, but thought that this was a Bloomington Citywide issue, not just a neighborhood one. He pointed out that the store will impact everyone who visits Miller Park and thought it would be a great asset to park visitors. He had issue with neighbors only having concerns with the proposed store and not with others in the area. He also discussed trash in comparison to other locations in Bloomington. He supported a liquor license to allow the business to sustain so that other items can be available.

Commissioner Jordan asked approximately how far he lived from the location. He stated 2-3miles. Commissioner Jordan asked follow-up questions and discussed a few differences he sees between Parkview Inn and a convenience store.

De Urban, 924 W. Grove, was sworn in and testified. She reminded the Commission that Mr. Singh can open a convenience store without the Commission's permission. She recommended that he open the store without liquor until he can prove he can operate a reputable business and then be given the chance to come back to the Commission to request a liquor license. She requested that a liquor license not be issued at this time.

Commissioner Jordan asked what timeline for reevaluation would seem reasonable to her. She recommended a 6-12 month trial period.

Adal Goumacouam, citizen of the United States, was sworn in and testified. He came forward to speak on behalf of Mr. Singh. He sympathized with the neighborhood and begged for Mr. Singh to have the opportunity to open the store with liquor. He believed that Mr. Singh would operate a quality business because he is good man and emphasized the character of the operator being most important. Mr. Adal stated that he has lived in the United States for 40 years, is 60 years old and retired from the State.

Commissioner Jordan asked whether he lives in Bloomington. He stated he has lived in Bloomington for 40 years and previously lived near the location. He currently lives near the airport. He restated that the quality of the person operating the business is what matters.

Eric Trujillo, who operates a business at 903 W. Wood, was sworn in and testified. He offered support for the business and believed that Mr. Singh deserves a chance. He pointed out several things the business would do for the neighborhood including improving the store. He believed that without liquor the business could not survive. He discussed rental properties he owns in the area and pointed out that many in the area don't have a vehicle, so they would benefit from the store more than others. He wished that all the businesses in the area could

be favored by the neighborhood as much as Rick, the owner of Parkview Inn. He asked the Commission to give Mr. Singh a chance and provided examples of how business owners can assist in making the location better, pointing out how they can address issues like the ones the neighbors have described. He liked the quick-serve food opportunities and stressed that the proposed business is not Westside Liquor.

Mr. Marvel asked whether he believed this store would be beneficial to those who don't drive in the area. He agreed that it would.

Commissioner Renner asked whether he would see the business as a competitor. He stated that there is room for everybody.

Carl Segobiano, 1306 S. Low, was sworn in and testified. He knows Mr. Singh personally and lives 5 blocks from the business. He has lived there for 50 years. He stated that Mr. Singh runs good businesses and will do this business right. He stated that he cannot believe the previous testimony and that the issues they stated are that bad. He pointed out that a convenience store is being discussed not a bar. He stressed that Mr. Singh will not tolerate drunk persons in or outside the business. He thought a remodel to the location would greatly improve the neighborhood.

Commissioner Jordan questioned whether his perspective would change if he had personally experienced the same problems previously mentioned. He stated that he probably would, but he questioned the truthfulness of the prior statements.

Mr. Boyle asked how he was familiar with Mr. Singh and his business. He responded he had done some work for him and had visited his other businesses.

Commissioner Jordan asked whether he was a subcontractor for Mr. Singh. He stated he had done odd-end jobs for him over the years.

Peggy Malcolm, who does not live in the area, was sworn in and testified. She stated that she frequents the neighborhood and has for many years. She had issues with contractor who previously spoke. She supported the neighbors that spoke in opposition and supported the truthfulness of their statements because she has known many of them of years. She believed that the same clientele will frequent the store as when Westside Liquors was open. She didn't believe that people from Miller Park would want to frequent a store that has drunk persons coming in and out. She did not support the store having liquor due to the issues that she believed to be inevitable if a license was granted.

Commissioner Jordan asked how long she has lived in Bloomington. She replied 57 years.

Commissioner Powell asked whether she lived near the proposed business. She stated that she did not live in the area, but has visited the area regularly for most of her life.

The hearing was closed at 8:11 pm.

Commissioner Renner reconvened the hearing at 8:19 p.m. He clarified procedure and pointed out that the counsel for Mr. Singh, Mr. Marvel, had a right to make a closing statement.

Mr. Marvel pointed out the focus of the testimony being centered on issues with the prior business. He stressed that Mr. Singh has the same concerns as the neighbors and could not benefit or profit from the business if drunk persons were seen in his store or if loitering was allowed. He made comparisons to other current businesses in the neighborhood and pointed out that they too needed liquor licenses to survive. He requested that liquor be approved and stressed that the proposed store would be a convenience store, not a liquor store.

Commissioner Renner discussed the options available to the Commission and clarified that the item must go back to Council. He pointed out that Mr. Singh wants to invest in and improve the building and the area. He did not believe that there was a clear answer. He looked to hear from his Commissioners, but first recognized Council Members Carrillo, Boelen, and Crabill for being in attendance.

Mr. Boyle discussed the options available to the Commission and stated that a positive or negative recommendation would need to be made. He also went through the motion made by Council.

Commissioner Powell talked about the business and pointed out that without a liquor license the business would not open. She stated that it is extremely difficult for small business convenience stores to sustain without liquor. She stressed that she had heard the concerns expressed, but strongly believed the new business should not be held responsible for issues of the previous business. She offered support for granting a license with no single serve sales and recommended the business be reevaluated in December.

Commissioner Jordan stated that he had also heard the neighbors plea for no liquor and believed a convenience store with no liquor would be welcomed. He reiterated that if Mr. Marvel believed the store would only rely upon 30% of sales for liquor the business could survive without it. He discussed ways of examining the business' books. He expressed concerns that the store had not presented itself fully by not including pictures of liquor in the pictures presented. The decision was difficult to make for him. He supported the idea that a convenience store be opened without liquor and then 6 months after opening the business could request consideration for a liquor license. He also had concerns with some of the signatures collected and pointed out that some of them didn't live in the area. He worried that the same problem customers would frequent the new store, just as they had the old one.

Commissioner Powell pointed out that an empty building with no lights and cameras was far more concerning than an improved building with lights and cameras. She stated that she would rather see an improved building.

Commissioner Renner knew he had a difficult decision to make. He does not like abandoned buildings and provided some similar issues he had experienced in his own previous residence. He restated procedure and made a positive recommendation including the previous conditions and the following conditions added: (1) no single servings of anything 24oz or smaller and (2) the business's books be evaluated that liquor sales are below 50% in December of 2019. He also reminded attendants that he has no idea whether the item will pass Council and that he has not engaged the rest of Council for their opinion. He continued discussing the close calls that the Commission has had to make and that it's a hard job.

Commissioner Jordan expressed concerns that the timeline for review needed to be based on the business being open for a certain period. He recommended 6 months of business records and invoicing.

Commissioner Jordan expressed support for invoicing being the evaluation stance over receipts because invoices come from an outside business over receipts.

Commissioner Powell believed that the evaluation should be based on sales.

Commissioner Renner entertained a statement from Mr. Marvel.

Mr. Marvel recommended that sales be the basis as the business will have to be sent to the City either way. He pointed out that criminal charges are available should the representation be true.

Commissioner Jordan provided input as to why receipts are problematic. He stated that the State utilizes invoicing for a number of reasons. He provided examples of investigations he has been involved in with the State.

Commissioner Renner asked a clarifying question to Mr. Boyle and whether the Commission could decide to investigate further should it use sales for the evaluation. Mr. Boyle answered in the affirmative.

Additional discussion resulted on how the evaluation can go beyond sales if necessary.

Commissioner Powell made the motion, seconded by Commissioner Powell, to send the matter to Council the following conditions: 1. Store closed by 11:00 P.M.; 2. Installation of outdoor cameras and lighting; 3. No single-serves of alcohol 24 ounces or less; 4. Less than 50% of sales from the sale of alcohol, with a hearing to monitor compliance with this condition 6 months after issuance of license/store opening.

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

Ayes: Commissioners Renner and Powell.

Nays: Commissioner Jordan

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** In accordance with City Code, on May 31, 2019, Public Notice for the June 11, 2019 Liquor Commission meeting was published in the Pantagraph. Approximately seventy-nine (79) courtesy copies of the Public Notice were mailed to neighboring properties within 500-feet of Puma Enterprise, Inc. d/b/a Park Pantry.

At the direction of the City Council, staff reviewed the 500-foot radius used for noticing the June 11, 2019 Liquor Commission meeting and discovered that three additional addresses could be added. On July 12, 2019, eighty-two (82) courtesy copies of the Public Notice for the July 16, 2019 Special Liquor Commission Meeting were mailed to neighboring properties within 500-feet of Puma Enterprise, Inc. d/b/a Park Pantry.

In accordance with City Code, on July 13, 2019, Public Notice for the July 16, 2019 Special Liquor Commission meeting was published in the Pantagraph.

**FINANCIAL IMPACT:** The current annual license fee for a Class TAPS liquor license is \$2,950, which will be recorded in the Non-Departmental Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2020 Budget Book titled "Budget Overview & General Fund" on page 120.

**COMMUNITY DEVELOPMENT IMPACT:** N/A

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

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By:

Chris Tomerlin, Budget Manager  
Scott Rathbun, Finance Director

Legal Review By:

George Boyle, Asst. Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 2B 07162019 Draft Liquor Commission Special Meeting Minutes
- CLK 2C 07082019 Draft Council Minutes
- CLK 2D 06112019 Liquor Comm Minutes
- CLK 2E 07162019 Notice Park Pantry Special Meeting Creation (PAS)
- CLK 2F 06112019 Notice Park Pantry Creation (PAS)
- CLK 2G Application Park Pantry Creation PAS\_Redacted
- CLK 2H 07162019 Park Pantry Group Exhibit A - Model Photos
- CLK 2I 07162019 Park Pantry Exhibit B - Traffic Report
- CLK 2J 07162019 Park Pantry Group Exhibit C - Hunt Brothers Pizza
- CLK 2K 07162019 Park Pantry Group Exhibit D - Petition
- CLK 2L 07162019 Neighborhood Group Exhibit A - Petition
- CLK 2M 07162019 Neighborhood Group Exhibit B - Video
- CLK 2N 06112019 Park Pantry Exhibit A - Current Building Photo
- CLK 2O 06112019 Park Pantry Exhibit B - Model Photos



**DRAFT SPECIAL MEETING MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE LIQUOR COMMISSION OF BLOOMINGTON, ILLINOIS  
TUESDAY, JUNE 16, 2019, 6:00 P.M.**

The Liquor Commission convened in Special Session in the Council Chambers, City Hall Building at 6:00 p.m., Tuesday, June 16, 2019.

Commissioner Renner directed the City Clerk to call the roll and the following answered present:

Commissioners: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

**Public Comment**

Commissioner Renner opened the meeting to receive public comment and no one came forward.

The following was presented:

Item 4. Continuation of the Public Hearing on the Application of Jay Goga, Inc. d/b/a Illini Liquor, located at 2402 E. Oakland Ave., Suite 6, requesting a Class PAS (Package, All Types of Alcoholic Liquor and Sunday Sales) liquor license, which would allow the sale of all types of packaged alcoholic liquor for consumption off premises seven (7) days a week, as requested by the Liquor Commission.

The public hearing opened at 6:02 p.m.

Commissioner Renner opened the floor for individuals to come forward to speak for or against the business. No one came forward.

Commissioner Renner reminded attendants that this hearing is a continuation of the previous hearing held on July 9, 2019. He stated that he had listened to the recording of the previous public hearing and ask all speakers and presenters to pick-up where they left off, being mindful that everything previously stated is already part of the record. He discussed his understanding of the location and the experience of the proposed owner and operator with liquor license in other municipalities. He stated that he was in support of the business obtaining a liquor license.

Mr. Marvel, attorney for the Jay Goga, Inc. d/b/a Illini Liquor, came forward to address the Commission and requested to have a document regarding the traffic count of 12,200 for Oakland Avenue, where the business would be located, entered as an exhibit. The Clerk accepted the document as Exhibit A for the file.

**Commissioner Powell made a motion, seconded by Commissioner Renner, to approve the item and send it to Council for final approval.**

Commissioner Jordan stated that he hoped the business would follow its promise in operating as a convenience store and not a liquor store. He reminded the applicants that they had testified that 70% of sales would be attributed to dry goods and only 30% from alcohol. He

hoped that would be the actual result of sales and expressed some concerns with the hours of the business.

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

**Ayes: Commissioners Renner, Jordan, and Powell.**

**Nays: None.**

**Motion carried.**

The public hearing closed at 6:06 p.m.

The following was presented:

Item 5. Second Public Hearing on an Application of Puma Enterprises, Inc. d/b/a Park Pantry, located at 906 S. Morris Avenue, requesting a Class PAS (Package, All Types of Alcoholic Liquor and Sunday Sales) liquor license, which would allow the sale of all types of packaged liquor for consumption off the premises seven (7) days a week, as requested by the City Council.

The public hearing opened at 6:06 p.m.

Richard Marvel, attorney for Puma Enterprises, Inc. d/b/a Park Pantry, came forward to address the Commission. He was sworn in and testified as follows.

Mr. Marvel began by providing the Commission with a copy of the presentation he planned to make. The Clerk accepted the presentation as Group Exhibit A for the file.

Mr. Marvel discussed the PAS liquor license requested and talked about traffic counts on Morris Avenue, where the business would be located. He requested to have a document regarding the traffic count for Morris Avenue entered as an exhibit. The exhibit was accepted, marked for identification as Exhibit B and entered into the file.

Mr. Marvel described the proposed improvements to the building where the establishment would be located, overviewed the history of the building, and described the proposed business model as a convenience store focusing on sales of groceries and "grab and go" food items.

Commissioner Renner described the Liquor Commission had previously recommended conditions be imposed on the license: the store closing at 11:00 p.m., Liquor sales would remain below 50% of total sales, and lights and cameras would be installed to ensure safety.

Mr. Marvel stated that he and his client had no objections to those conditions placed on the License by the Liquor Commission. He went on to point out distances of churches and other liquor license that he had researched in the area.

Commissioner Jordan asked questions clarifying some of Mr. Marvel's statements. He particularly inquired about package licenses in the area.

Leslie Yocum, City Clerk, clarified that the Parkview Inn and Sport & Bait, both located on Morris Avenue, hold package license.

Adjeet Singh, President and owner of Puma Enterprises Inc., was sworn in and testified as follows.

Mr. Singh discussed the layout of the store, inventory and quick-serve items to be sold, such as Hunt Brothers Pizza.

Commissioner Renner asked where hard liquor would be located. Mr. Singh stated that hard liquor would be kept behind the cashier's counter along with cigarettes.

Mr. Marvel approached with photos of Hunt Brothers Pizza displays and asked that the pictures be entered as an exhibit. The Clerk accepted the document as Group Exhibit C for the file.

Mr. Singh expressed appreciation for the neighbors coming forward and stated that he learned a lot from their comments. He briefly touched on the inventory he planned to sell and walked through his belief on how sales of the business will result. He addressed the fact that he is not local and that he lives in Plainville, IL. He stated that he would like to one day move to Bloomington, but that his son plays basketball in Plainville, which requires him to live there as well. He asked that the Commission and neighbors not confuse him with the previous owner of the store. He stated that he is committed to the success of the business and that over time he intends to invest \$600,000 into the property.

Mayor Renner asked George Boyle, Asst. Corporation Counsel, to clarify the Code on how the Commission has interpreted the Code requirement for liquor license holders to live in McLean County. Mr. Boyle stated that the Commission has required that all businesses holding liquor licenses have a Manager that lives in the County. He pointed out the importance of having a local contact and someone who could accept service on behalf of the business.

Commissioner Jordan asked for clarification regarding whether \$600,000 will be invested. Mr. Marvel provided a breakdown of the \$600,000, which included eventually buying the building.

Commissioner Jordan asked how much Mr. Singh believed his inventory would cost at start-up. Mr. Singh believed that he would invest \$70,000 to \$90,000 on starting inventory.

Commissioner Jordan asked for Mr. Singh to break down the \$70,000 to \$90,000 into how much would be spent on grocery items and liquor items. Mr. Singh stated that he believed the break down would be 60/40 split with grocery items being the higher.

Mr. Boyle referenced the 8-10% square foot of the store's footprint that Mr. Singh had stated would be attributed to liquor. He asked whether he was referring to hard liquor. Mr. Singh replied that he was referring to hard liquor only. He stated that beer and wine held in walk-in coolers had not been included in those numbers. Discussion followed regarding coolers.

Mr. Boyle asked if the business was an Illinois corporation and asked about the business' agent. Mr. Singh confirmed that corporation is an Illinois corporation and stated that Mr. Marvel is the agent and could accept service. Mr. Boyle also asked the name of the Manager. Mr. Singh stated that Sanjeer Singh, who had worked for him for seven years, would be the Manager.

Mr. Marvel made two clarifications to the Commission. He told the Commission that he and Mr. Singh met with representatives of the neighborhood to discuss the business. He presented a petition that he requested be entered as an exhibit. The Clerk accepted the document as Group Exhibit D for the file.

Commissioner Renner stated that another petition had been given to the Commission from the opposing neighbors and instructed the Clerk to accept it as Neighborhood Exhibit A. The Clerk accepted the document for the file.

Commissioner Jordan asked whether it was safe to assume that the floor layout would mimic the layout at the Hot Spot off Hershey, which he was familiar with. Mr. Singh confirmed

his previous ownership in the Hot Spot and stated that some differences would exist between the two stores. He mentioned that the current owner had made some changes in his 8-9 months owning the business. He stated that the proposed store would be more like Franzetti's Pantry on Washington Street.

Tim Piercy, 1225 Theta, was sworn in and testified. He has grown up in the neighborhood and thinks that the store is a good idea. He believed the neighborhood would benefit from being able to pick up convenience and quick serve items.

Commissioner Jordan asked how close Mr. Piercy lived to the location. Mr. Piercy stated that he lives approximately 1.5 miles away.

Paul Hursey, 820 W. Oakland, was sworn in and testified. He lives approximately 4 blocks away and has lived in the same home for 20 years. He was opposed to another liquor store. He stated that he lives off an alley nearby and that under previous ownership he was constantly picking up trash, witnessing urination, and having drunk persons walk down the alley near his home. He had no issue with groceries but was especially adamant about single serve liquor in particular.

Commissioner Renner asked if he would be more in favor of the store having a liquor license if there was a limitation on single serve. Mr. Hursey stated that single serve beer, mini bottles, etc. are a problem and should not be sold. He expressed interest in convenience and grocery items.

Commissioner Jordan asked for confirmation that he had been in the same house for 20 years. Mr. Hursey confirmed and stated that he is a homeowner.

Stephanie Stone, 603 S. Morris, who lives less than .25 miles from the proposed location was sworn in and testified. She offered support for the convenience items whether liquor is to be sold or not. She mentioned that since the closing of the previous business, trash still appears in her yard and that it had not changed since the previous store's closing. She expressed support for the proposed store and having accessibility to convenience items. She has lived in the neighborhood close to 15 years.

Mr. Boyle asked if she had an opinion on single serve liquor. She did not have an opinion.

Jeff Piercy, 103 Stapleton, was sworn in and testified. He stated that he will be one of the contractors for the remodel of the building. He pointed out additional improvements that had not been included in previous testimony. He stated that an additional walk-way would be added with a canopy over it including seating for customers. He mentioned that Mr. Singh's idea was to create a family-friendly environment.

Commissioner Renner asked what prevented the seating area he mentioned from being frequented by drinkers. Mr. Piercy stated that he had worked on Mr. Singh's store in Urbana and could attest to the tight security that Mr. Singh utilizes. He pointed out that tight security will assist in keeping "riffraff" from frequenting the location.

Commissioner Jordan asked for confirmation that Mr. Piercy will not actually be impacted by the store. Mr. Piercy confirmed, but stated that he grew up in the area and still knows lots of people in the area. He believed the business would be a benefit to the community.

Nathan Russo, 827 W. Oakland, was sworn in and testified. He believed the petition that was shared by Mr. Marvel was not representative of people who will be immediately affected by the store. He made a comparison to the petition that he and his neighbors

presented versus the petition presented by Mr. Marvel. He did not want liquor at all. He mentioned several churches near the location that had not been previously mentioned and believed that the stores used for comparison by Mr. Marvel were not relative to the area. He also pointed out other items he believed were issues with Mr. Marvel's presentation. Among them, was that Mr. Marvel had testified that there was only one church in the area, but there are three others.

Commissioner Renner reviewed the conditions that the Liquor Commission had previously added to the license and asked whether he would be in favor of additional conditions. Mr. Russo was opposed to liquor at the store at all.

Commissioner Jordan asked how long he has lived in the neighborhood. Mr. Russo stated that he has lived in the same home for 8 years and his wife was there the previous 12 years.

Commissioner Powell asked how far he lives from the location. He stated 3 blocks.

Carrie Handy, 1209 W. Elm, was sworn in and testified. She stated that she lives directly caddy corner from the proposed business. She had met Mr. Singh and a few others at a meeting the night before. She believed they were nice people and had respect for them. She had an issue with the neighborhood continually being titled a business district. She agreed that the new owners should not be held accountable for the previous owners but had issues with the hours of operation and did not want alcohol sold at the store.

Commissioner Renner clarified that Mr. Marvel was referring to the business address as being in a business district, not the neighborhood. He asked whether any of the conditions discussed would suffice. She stated that she supports no alcohol and brought up an issue with the outdoor seating area. She expressed concerns with the persons included on the petition and believed that many of them don't live in the area. She provided examples of problems she'd personally experienced with the previous store. She sympathized with the owners and thought they was nice and good people, but stood her ground not being in favor.

Commissioner Jordan expressed an issue with liquor not being represented in the pictures previously presented.

Mr. Marvel mentioned a chart discussed at the meeting he had participated in the night before. He asked whether Ms. Handy believed the business was unique to surrounding stores.

Ms. Handy described the chart mentioned and stated that she created it to get an understanding as to where packaged licensed liquor locations were in the area. She stated that the locations of existing businesses in the area were different because she felt they were appropriately placed on busy streets.

Mr. Marvel asked whether she had the same concerns and issues with the Parkview Inn. She was not aware Parkview Inn had a package license but believed that the area already had enough access to packaged liquor.

Karen Bays, 1210 W. Elm, was sworn in and testified. She stated she was not aware of package sales at Parkview Inn either, but offered support for Parkview Inn. She mentioned that she, too, had met with Mr. Singh at the meeting the night before and believed he was a nice man; however, she was not supportive of liquor at the location.

Commissioner Jordan asked how long she'd lived there. She lived there 53 years. He asked whether she opposed a convenience store without liquor. She offered support for grocery items, but no liquor.

Commissioner Powell asked whether she thought the business would be successful without liquor. She believed it would be and thought that the neighbors would promote the business as such.

Surena Fish, 909 W. Wood, was sworn in and testified. She lives directly across from the main entrance of Miller Park. She wished that the neighbors would have had more time to collect signatures, but understood the quick turnaround needed for the meeting. She discussed Elm Street and listed a variety of issues that neighbors have experienced. Drunk people had cut through her and her neighbor's yard and left trash when the previous business was there. She talked about a previous business that had issues that the neighborhood helped to close and mentioned having FOIA'd incidents for businesses in the area. She had attended the meeting last night and discussed a few topics of discussion. She did not support any type of liquor at the store.

Commissioner Jordan asked how long she had lived in the neighborhood. She stated she lived in her home for 21 years.

James Bays, 1210 W. Elm, was sworn in and testified. He offered additional history of the building and pointed out that the building was not 47yrs old. He discussed the outdoor seating area and showed a guard rail that was added because the store was hit several times by vehicles.

Dustin Stone, 603 S. Morris, was sworn in and testified. He stated that he can see the location from his home and has been there for 15 years. He offered support for the business and stated that he doesn't understand the concerns mentioned. He believed that the new business would be great for the neighborhood.

Commissioner Jordan clarified that he can see the store from his home. Mr. Stone confirmed and reiterated he thinks it will be a great addition to the neighborhood.

Commissioner Powell asked whether the trash issues have continued. He stated that he continues to have trash in his yard and that it's no different than it was with the previous business.

Mr. Marvel asked whether he would like to see the store improved. He replied he would and that he had never had issues with drunk persons, not with the previous business.

Daniel Taylor, 1215 W. Elm, was sworn in and testified. He lived there since 1980. He understood that trash continues but stated that it was worse during the previous business' operation. He offered examples of issues with the store and stated that he does not support liquor at the store.

Commissioner Jordan asked his location. He stated that he lives ½ block away. He stated that he patronized all the previous businesses and still does not support liquor.

Commissioner Powell asked whether he would consider a liquor license that didn't include single serve. He believed that the same people from the previous business that were a problem will also frequent the new business. He stated that he prefers no liquor, but that a condition would be helpful if the license was granted.

Charlene Sapp, 827 W. Elm, was sworn in and testified. She has lived in her home 24 years and also grew up in the neighborhood. She mentioned that she also speaks on behalf of her mother who is also present. She provided examples of urination in the parking lot, drug deals, underage sales, car accidents, and many other examples on Elm Street. She also discussed the impact each of the mentioned incidents had on the neighborhood and her family.

Commissioner Renner asked whether the traffic on Elm Street had subsided. She stated it had.

Commissioner Jordan asked whether a store without liquor would be supported. She expressed interest in no liquor at the location.

Commissioner Powell asked whether lights and cameras would help. She stated that she didn't think it would help and provided an example of people jumping her fence to get to the store.

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Discussion was held on how to save the videos to the file. The videos will be marked Neighborhood Group Exhibit B.

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Nick Tulley, who declined giving his address, was sworn in and testified. He has lived and worked in Bloomington for 20 years. He stated that he respects the opinions of the neighbors, but thought that this was a Bloomington Citywide issue, not just a neighborhood one. He pointed out that the store will impact everyone who visits Miller Park and thought it would be a great asset to park visitors. He had issue with neighbors only having concerns with the proposed store and not with others in the area. He also discussed trash in comparison to other locations in Bloomington. He supported a liquor license to allow the business to sustain so that other items can be available.

Commissioner Jordan asked approximately how far he lived from the location. He stated 2-3miles. Commissioner Jordan asked follow-up questions and discussed a few differences he sees between Parkview Inn and a convenience store.

De Urban, 924 W. Grove, was sworn in and testified. She reminded the Commission that Mr. Singh can open a convenience store without the Commission's permission. She recommended that he open the store without liquor until he can prove he can operate a reputable business and then be given the chance to come back to the Commission to request a liquor license. She requested that a liquor license not be issued at this time.

Commissioner Jordan asked what timeline for reevaluation would seem reasonable to her. She recommended a 6-12 month trial period.

Adal Goumacouam, citizen of the United States, was sworn in and testified. He came forward to speak on behalf of Mr. Singh. He sympathized with the neighborhood and begged for Mr. Singh to have the opportunity to open the store with liquor. He believed that Mr. Singh would operate a quality business because he is good man and emphasized the character of the operator being most important. Mr. Adal stated that he has lived in the United States for 40 years, is 60 years old and retired from the State.

Commissioner Jordan asked whether he lives in Bloomington. He stated he has lived in Bloomington for 40 years and previously lived near the location. He currently lives near the airport. He restated that the quality of the person operating the business is what matters.

Eric Trujillo, who operates a business at 903 W. Wood, was sworn in and testified. He offered support for the business and believed that Mr. Singh deserves a chance. He pointed out several things the business would do for the neighborhood including improving the store. He believed that without liquor the business could not survive. He discussed rental properties he owns in the area and pointed out that many in the area don't have a vehicle, so they would benefit from the store more than others. He wished that all the businesses in the area could be favored by the neighborhood as much as Rick, the owner of Parkview Inn. He asked the Commission to give Mr. Singh a chance and provided examples of how business owners can assist in making the location better, pointing out how they can address issues like the ones the neighbors have described. He liked the quick-serve food opportunities and stressed that the proposed business is not Westside Liquor.

Mr. Marvel asked whether he believed this store would be beneficial to those who don't drive in the area. He agreed that it would.

Commissioner Renner asked whether he would see the business as a competitor. He stated that there is room for everybody.

Carl Segobiano, 1306 S. Low, was sworn in and testified. He knows Mr. Singh personally and lives 5 blocks from the business. He has lived there for 50 years. He stated that Mr. Singh runs good businesses and will do this business right. He stated that he cannot believe the previous testimony and that the issues they stated are that bad. He pointed out that a convenience store is being discussed not a bar. He stressed that Mr. Singh will not tolerate drunk persons in or outside the business. He thought a remodel to the location would greatly improve the neighborhood.

Commissioner Jordan questioned whether his perspective would change if he had personally experienced the same problems previously mentioned. He stated that he probably would, but he questioned the truthfulness of the prior statements.

Mr. Boyle asked how he was familiar with Mr. Singh and his business. He responded he had done some work for him and had visited his other businesses.

Commissioner Jordan asked whether he was a subcontractor for Mr. Singh. He stated he had done odd-end jobs for him over the years.

Peggy Malcolm, who does not live in the area, was sworn in and testified. She stated that she frequents the neighborhood and has for many years. She had issues with contractor who previously spoke. She supported the neighbors that spoke in opposition and supported the truthfulness of their statements because she has known many of them of years. She believed that the same clientele will frequent the store as when Westside Liquors was open. She didn't believe that people from Miller Park would want to frequent a store that has drunk persons coming in and out. She did not support the store having liquor due to the issues that she believed to be inevitable if a license was granted.

Commissioner Jordan asked how long she has lived in Bloomington. She replied 57 years.

Commissioner Powell asked whether she lived near the proposed business. She stated that she did not live in the area, but has visited the area regularly for most of her life.

The hearing was closed at 8:11 pm.

Commissioner Renner reconvened the hearing at 8:19 p.m. He clarified procedure and pointed out that the counsel for Mr. Singh, Mr. Marvel, had a right to make a closing statement.

Mr. Marvel pointed out the focus of the testimony being centered on issues with the prior business. He stressed that Mr. Singh has the same concerns as the neighbors and could not benefit or profit from the business if drunk persons were seen in his store or if loitering was allowed. He made comparisons to other current businesses in the neighborhood and pointed out that they too needed liquor licenses to survive. He requested that liquor be approved and stressed that the proposed store would be a convenience store, not a liquor store.

Commissioner Renner discussed the options available to the Commission and clarified that the item must go back to Council. He pointed out that Mr. Singh wants to invest in and improve the building and the area. He did not believe that there was a clear answer. He looked to hear from his Commissioners, but first recognized Council Members Carrillo, Boelen, and Crabill for being in attendance.

Mr. Boyle discussed the options available to the Commission and stated that a positive or negative recommendation would need to be made. He also went through the motion made by Council.

Commissioner Powell talked about the business and pointed out that without a liquor license the business would not open. She stated that it is extremely difficult for small business convenience stores to sustain without liquor. She stressed that she had heard the concerns expressed, but strongly believed the new business should not be held responsible for issues of the previous business. She offered support for granting a license with no single serve sales and recommended the business be reevaluated in December.

Commissioner Jordan stated that he had also heard the neighbors plea for no liquor and believed a convenience store with no liquor would be welcomed. He reiterated that if Mr. Marvel believed the store would only rely upon 30% of sales for liquor the business could survive without it. He discussed ways of examining the business' books. He expressed concerns that the store had not presented itself fully by not including pictures of liquor in the pictures presented. The decision was difficult to make for him. He supported the idea that a convenience store be opened without liquor and then 6 months after opening the business could request consideration for a liquor license. He also had concerns with some of the

signatures collected and pointed out that some of them didn't live in the area. He worried that the same problem customers would frequent the new store, just as they had the old one.

Commissioner Powell pointed out that an empty building with no lights and cameras was far more concerning than an improved building with lights and cameras. She stated that she would rather see an improved building.

Commissioner Renner knew he had a difficult decision to make. He does not like abandoned buildings and provided some similar issues he had experienced in his own previous residence. He restated procedure and made a positive recommendation including the previous conditions and the following conditions added: (1) no single servings of anything 24oz or smaller and (2) the business's books be evaluated that liquor sales are below 50% in December of 2019. He also reminded attendants that he has no idea whether the item will pass Council and that he has not engaged the rest of Council for their opinion. He continued discussing the close calls that the Commission has had to make and that it's a hard job.

Commissioner Jordan expressed concerns that the timeline for review needed to be based on the business being open for a certain period. He recommended 6 months of business records and invoicing.

Commissioner Jordan expressed support for invoicing being the evaluation stance over receipts because invoices come from an outside business over receipts.

Commissioner Powell believed that the evaluation should be based on sales.

Commissioner Renner entertained a statement from Mr. Marvel.

Mr. Marvel recommended that sales be the basis as the business will have to be sent to the City either way. He pointed out that criminal charges are available should the representation be true.

Commissioner Jordan provided input as to why receipts are problematic. He stated that the State utilizes invoicing for a number of reasons. He provided examples of investigations he has been involved in with the State.

Commissioner Renner asked a clarifying question to Mr. Boyle and whether the Commission could decide to investigate further should it use sales for the evaluation. Mr. Boyle answered in the affirmative.

Additional discussion resulted on how the evaluation can go beyond sales if necessary.

Commissioner Powell made the motion, seconded by Commissioner Powell, to send the matter to Council the following conditions: 1. Store closed by 11:00 P.M.; 2. Installation of outdoor cameras and lighting; 3. No single-serves of alcohol 24 ounces or less; 4. Less than 50% of sales from the sale of alcohol, with a hearing to monitor compliance with this condition 6 months after issuance of license/store opening.

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

**Ayes:** Commissioners Renner and Powell.

**Nays:** Commissioner Jordan

**Motion carried.**

**Old Business**

**New Business**

## Adjournment

Commissioner Powell made a motion, seconded by Commissioner Jordan, to adjourn.

Motion carried unanimously (viva voce).

The meeting adjourned at 8:58 p.m.

Respectfully submitted,

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Leslie Yocum, City Clerk

DRAFT



**DRAFT MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS  
MONDAY, JULY 8, 2019, 6:00 P.M.**

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:03 p.m., Monday, July 8, 2019.

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

Council Members: Jamie Mathy, Donna Boelen, Mboka Mwilambwe, Julie Emig, Joni Painter, Scott Black, Kim Bray, and Mayor Tari Renner.

Council Members Jenn Carrillo and Jeff Crabill were absent from the meeting.

Staff Present: Tim Gleason, City Manager; Billy Tyus, Deputy City Manager; George Boyle, Asst. Corporation Counsel; Nicole Albertson, Human Resources Director; Scott Rathbun, Finance Director; Scott Sprouls, Information Services Director; and other City staff were present.

**Recognition/Appointments**

**Public Comment**

Mayor Renner opened the meeting to receive public comment, and the following individuals provided comments to the Council:

Sam Kassis	Ron Ronok
Tim Piercy	Carl Segobiano
Dilpreet Ghuman	Carrie Handy
Scott Stimeling	Gary Lambert
Karen Bays	De Urban
Surena Fish	Nathan Russo
Debra Hawkins	

**Consent Agenda**

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

**Council Member Painter made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all the items listed below, be approved as presented with the exception of Item 7N.**

Item 7A. Consideration and action to approve the Minutes of the June 24, 2019 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed minutes be approved.)*

Item 7B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$7,998,072.94, as requested by the Finance Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*

Item 7C. Consideration and rejection of submittals for RFQ #2020-02 for an Arc Flash Study of Multiple City Facilities as requested by the Facilities Management and Public Works Departments. *(Recommended Motion: All Submittals be rejected.)*

Item 7D. Consideration and action to approve the 2019 Supportive Housing Program/Continuum of Care Planning Grant agreement (IL1647L5T121800), in the amount of \$45,991.00, from the US Department of Housing and Urban Development, as requested by the Community Development Department. *(Recommended Motion: The proposed Grant Agreement be approved.)*

Item 7E. Consideration and action to approve a Road Dedication Agreement with Bond Drug Company of Illinois, an Illinois Corporation (dba Walgreens) in the amount of \$18,500.00, for right-of-way dedication, temporary easement, and payment for future repairs to the irrigation system, in conjunction with the GE Road and Keaton Place/Auto Row Drive Intersection Improvement project, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 7F. Consideration and action to adopt an Ordinance Recognizing the Property at 1301 N. Clinton Boulevard for Historic Integrity, Designating 1301 N. Clinton Boulevard as a Historic Resource and Rezoning the Property from R-1C Single Family Residential District to R-1C with the S-4 Historic District Zoning Overlay, as requested by the Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7G. Consideration and action to approve the Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for street lighting electrical energy and rental charges through the FY 2020 Motor Fuel Tax (MFT) General Maintenance Program, and the corresponding Local Public Agency General Maintenance Estimate of Maintenance Costs, in the amount of \$500,000, for the period May 1, 2019, through April 30, 2020, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution and Estimate be approved.)*

Item 7H. Consideration and action to approve the Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for purchase of right-of-way and easements, associated with intersection improvements at GE Road and Keaton Place/Auto Row Drive, in the amount of \$43,801.00, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 7I. Consideration and action on an Ordinance Amending Chapter 29 of City Code to Incorporate Various Routine Changes to the In-Place Traffic Control Devices and/or Regulations, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7J. Consideration and action on an Ordinance Amending Chapter 33 of the City Code Regarding Registration of Solicitors and Chapter 1 to Add a Fee for Solicitor Registration

to the Schedule of Fees, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7K. Consideration and action on an Ordinance Amending Chapter 6, Section 6 of the Bloomington City Code to Eliminate Quarterly Billing for Liquor Licenses and Defining Parameters for License Expiration, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7L. Consideration and action on an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as They Pertain to the Davis Lodge on August 23, 2019, to allow moderate consumption of alcohol, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7M. Consideration and action on the application for the McLean County Fair Association d/b/a McLean County Fair, located at 1106 Interstate Drive, requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) liquor license, which would allow the sale of all types of liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application and License be approved.)*

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

Item 7O. Consideration and action on the Change of Ownership Application of Hurley Consolidated Enterprises, LLC d/b/a Drifters, located at 612 N. Main Street, currently holding a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license, which allows the sale of liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application for Change of Ownership be approved and a License issued.)*

Item 7P. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 5 & 8, Block 23 in Camp Potawatomie, from Amy and Kyle Tague to the petitioner, Travis Miller, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

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

**Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Black, and Bray.**

**Nays: None.**

**Motion carried.**

**The following item was pulled from the Consent Agenda by Council Member Mathy.**

**Item 7N. Consideration and action on the application of Puma Enterprise, Inc., d/b/a Park Pantry, located at 906 S. Morris Ave., requesting a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved subject to the following conditions: 1. Store closing hours at 11:00 P.M. 2. Install outdoor cameras and outdoor lighting. 3. Liquor sales must be less than 50% of total revenue.)***

Council Member Mathy asked a few questions regarding how the Liquor Commission had intended to monitor the hours of operation and percentage of liquor sales conditions placed on the license.

Mayor Renner, who is also the City's Liquor Commissioner, explained how the Liquor Commission came to add the proposed conditions. He asked Asst. Corporation Counsel George Boyle, who advises the Liquor Commission, to come forward and further address Council Member Mathy's question.

Mr. Boyle stated that, just as any other business selling alcohol in the City, the Bloomington Police Department would be responsible for monitoring the business's hours of operation. He explained that, under the third condition, the Liquor Commission would maintain the right to request business records and receipts for evaluation of liquor sales verses food sales.

Council Member Mathy thanked the Mayor and Mr. Boyle for their time and mentioned the need for a timeline to be set for regular review of business records.

Mr. Boyle provided additional insight and few ideas.

Council Member Mwilambwe expressed concerns about statements from neighbors of the business stating they had not received appropriate notice. He wondered whether the business would possibly consider altering the business model presented.

Council Member Black asked whether Council holds the power to pull a liquor license. Mr. Boyle responded in the affirmative. Council Member Black also stressed that a six-month timeline be added to allow for regular review of the business's records.

Mayor Renner discussed trends the Liquor Commission has seen with other convenience stores.

Council Member Painter suggested that the item be tabled until Council Member Carrillo, who represents Ward 2 in which the establishment sits, could be present to provide her opinion.

Council Member Bray asked Mr. Boyle to define the different liquor licenses the City offers. Mr. Boyle walked through a variety of other license types and a discussion was held regarding single-serve bottles. Council Member Bray expressed interest in putting additional conditions on the license if approved.

Council Member Boelen read a portion of Puma Enterprises' application out loud. She expressed concerns that the proposed store would be similar to the Hot Spot location in eastside Bloomington.

Council Member Emig stated that she received many emails in support of the proposed license. She was sympathetic to the public comment Council had heard and offered support for the item being sent back to the Liquor Commission.

Mayor Renner mentioned that the benefit of sending the item back to the Liquor Commission would be that it would allow the proposed license holder's attorney to also weigh-in on the discussion and conditions.

Council Member Black wanted to find a way to address the concerns heard in Public Comment while also being sure to not limit the business opportunity of a new business wanting to invest in the westside.

Council Member Black made a motion, seconded by Council Member Mathy, to send the item back to the Liquor Commission with express instructions to 1) hold a Special Meeting for a second hearing on the proposed license; 2) ensure appropriate notice to neighbors including providing tonight's meeting minutes; 3) explore options for single-serve ("walk away") sales limitations; 4) set procedure for evaluating the sales of the business including a specific review schedule; and 5) make a recommendation back to Council by the end of the month.

Council Member Mwilambwe discussed making a motion to send the item back to the Liquor Commission for further investigation, but without such specific direction. No second was received, the motion failed on the floor.

Council Member Black offered support for the specificity of his motion on the table.

Council Member Bray supported a less specific motion and expressed concern that the motion on the table contained a presumption that a liquor license would result.

Council Member Black asked questions clarifying whether the item would be returned to Council no matter the recommendation given by the Liquor Commission. Mayor Renner confirmed that it would return.

Council Member Emig confirmed the motion on the table. Mayor Renner and Mr. Boyle clarified procedure.

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

**Ayes:** Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Black, and Bray.

**Nays:** None.

**Motion carried.**

## Regular Agenda

### City Manager's Discussion

City Manager Tim Gleason discussed the upcoming calendar available on the City's website and complimented recent downtown events. He pointed out that the video gaming moratorium will be discussed at the July Committee of the Whole meeting on July 15, 2019. He also reminded Council that July has five Mondays in case Council needed to hold an additional meeting to discuss Item 7N.

### Mayor's Discussion

Mayor Renner talked about his recent conference and a variety of topics he plans to bring to Council soon.

### Council Member's Discussion

Council Member Bray complimented the Director of Parks, Recreation, and Cultural Arts, Jay Tetzloff, on how well the Fourth of July events were executed.

Council Member Emig complimented the Westside Fest and Bloomington Public Library's 'How To' Fest. She also mentioned the upcoming IDOT Route 9 Public Meeting being held on Thursday, July 11, 2019 and requested that staff provide a visual of what the impact would look like if approved.

Council Member Mwilambwe expressed appreciation for his being able to participate in a few events on the Mayor's behalf while he was out. He also complimented Miller Park's Fourth of July events.

Council Member Mathy asked City Manager Gleason if he had any comments about the IDOT (Illinois Department of Transportation) Public Hearing. Mr. Gleason stated that the IDOT Route 9 project is a State project that IDOT has requested the City weigh-in and concur. The State asked the City to hold a Public Hearing to allow citizens to provide feedback. Council Member Mathy offered support for the hearing and recommended the community attend and voice their thoughts.

**Executive Session**

**Adjournment**

**Council Member Mwilambwe made a motion, seconded by Council Member Painter, that the meeting be adjourned.**

**Motion carried unanimously (viva voce).**

The meeting adjourned at 7:21 p.m.

**CITY OF BLOOMINGTON**

**ATTEST**

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

\_\_\_\_\_  
Leslie Yocum, City Clerk



**MINUTES**  
**PUBLISHED BY THE AUTHORITY OF**  
**THE LIQUOR COMMISSION OF THE CITY OF BLOOMINGTON, ILLINOIS**  
**TUESDAY, JUNE 11, 2019, 4:00 P.M.**

The Liquor Commission convened in Regular Session in the Council Chambers, City Hall Building at 4:00 p.m., Tuesday, June 11, 2019.

Commissioner Renner directed the City Clerk to call the roll and the following answered present:

Commissioners: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Dan Donath, Asst. Police Chief; and Amanda Mohan, Deputy City Clerk.

**Public Comment**

Commissioner Renner opened the meeting to receive public comment. No public comments were received.

The following was presented:

Item 4. Consideration of approving the Liquor Commission minutes of May 14, 2019.

Commissioner Renner pulled the Liquor Commission minutes of May 14, 2019 to allow more time for review by the Legal Department.

The following was presented:

Item 5. Consideration of the Request from Robert Avery and Donavon Hobbs to allow moderate consumption of alcohol at their June 29, 2019, wedding reception to be held at Davis Lodge at Lake Bloomington.

A representative was not able to attend the Liquor Commission meeting for this item. Commissioner Renner stated there are still options available to review and approve before their event. No action was not taken on this item.

The following was presented:

Item 6. Consideration of the Request from Josh Fry and Shannon Hancock to allow moderate consumption of alcohol at their July 13, 2019, wedding reception to be held at Davis Lodge at Lake Bloomington.

The Clerk stated the Request from Josh Fry and Shannon Hancock was withdrawn as they decided not to have liquor at their July 13, 2019, wedding reception to be held at Davis Lodge at Lake Bloomington. No action was taken on this item.

The following was presented:

Item 7. Consideration of the Request from Bradley Baer to allow moderate consumption of alcohol on August 23, 2019, for a wedding rehearsal to be held at Davis Lodge at Lake Bloomington.

Bradley Baer, groom's father, addressed the Commission. He told the Commission that approximately 60-65 guests are anticipated to attend the event which would be catered by

Lake Road Inn. He confirmed that only beer and wine would be served and that the event would be held from 6:30 p.m. to 10:00 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the request made by Bradley Baer including suspension of the appropriate ordinances to allow moderate consumption of alcohol on August 23, 2019, for his son's rehearsal dinner to be held at Davis Lodge.

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

**Ayes:** Commissioners Powell, Jordan, and Renner.

**Nays:** None.

**Motion carried.**

The following was presented:

Item 8. Public Hearing on the request by McLean County Fair Association, d/b/a McLean County Fair, requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Mr. Mike Swartz, representative of McLean County Fair Association, d/b/a McLean County Fair also known as the Interstate Center, addressed the Commission. Mr. Swartz is the manager of the McLean County Fair Association (MCFA) which hosts the McLean County Fair and the non-fair events that are held throughout the year. He provided background and explained that within the last 12 months, they have hosted 120 different events represented by 77 different contracts. Fifteen of those events requested liquor which was fulfilled by local liquor license holders. Mr. Swartz continued stating the McLean County Fair Association have requested a Class EAS to be able to provide liquor for these events internally as well as use it to attract more use of the facility. He also informed the Commission that currently, 50% of MCFA's revenue is Fair-related while the other 50% of revenue is from rentals and miscellaneous.

Commissioner Renner asked what type(s) of alcohol would be served and how would it be controlled. Mr. Swartz stated that draft beer, canned beer, glasses of wine, bottles of champagne for weddings, and hard liquor by the glass in bar situations would be offered. He also stated that all guests will be carded, and staff will be BASSET trained.

Commissioner Jordan asked for more details on how carding will be managed. Mr. Swartz stated at the Fair events, guests must show their ID and will receive a wristband if drinking at a separate station than the bar. IDs will be checked at non-fair events by the bartenders. Commissioner Jordan inquired about security at large events. Mr. Swartz explained that additional security would be hired for large events based on need.

Commissioner Renner asked if the Police Department had any comments. Asst. Police Chief Donath addressed the Commission. He stated a concern with large crowds and the potential for underage drinking. He agreed that a station where IDs would be checked as well as wristbands given to drinking participants would be acceptable for crowd control.

Mr. Boyle, Assistant Corporation Counsel, asked for clarification on if the Commission would like to put conditions on the license as well as gave information on similar licenses issued.

Commissioner Renner stated he did not think conditions on the liquor license were necessary at this time; however, should issues arise conditions would be addressed at that time. Commissioner Powell agreed.

Commissioner Jordan asked if the MCFA Board had interest in video gaming. Mr. Swartz stated that the Board had no interest.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend approval of the item.

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

**Ayes: Commissioners Powell, Jordan, and Renner.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 9. Public Hearing on the request by Puma Enterprise, Inc., d/b/a Park Pantry, requesting a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week.

Richard Marvel, Attorney for Puma Enterprise, Inc., d/b/a Park Pantry, addressed the Commission. Amanda Mohan, Deputy Clerk, swore in Mr. Marvel.

Mr. Marvel described the liquor store to the Commission. He provided a brief history of the location and shared a photo of the current state of the building via a tablet. The photo was provided to the Commission as Exhibit A.

Mr. Marvel provided information to the Commission on how the owner, Adjeet Singh, who previously owned and operated Hot Spot, planned to invest and refurbish the building as well as add full convenience items to the store's offerings. Mr. Singh's experience managing Hot Spot will be used in the design and operations of Park Pantry and will be used as a model to update Park Pantry's building. Mr. Marvel provided the Commission with multiple photos of Hot Spot as a visual example. The photos were provided to the Commission as Exhibit B. The implementation of an ID scanner for liquor purchases, new fridges, better lighting, and cameras in addition to the BASSET trained staff will further improve the business. Hard liquor will be stored behind the counter.

Commissioner Jordan asked if the owners plan to include a drive-up option to purchase liquor. Mr. Marvel confirmed the owners had no intention of having a drive-up window and stated they estimate only 20-30% of sales to be from alcohol.

Ast. Police Chief Donath did not have any concerns.

Mr. Boyle, Assistant Corporation Counsel, inquired about the ownership of the building. Mr. Marvel responded that the building is owned by a third party who entered into a lease with Puma Enterprise, Inc. with the option to buy. Mr. Boyle had additional questions for the manager, Sanjeer Singh, including if he resided in Bloomington, how long he has been a resident, length of employment at Hot Spot and if there were any violations to his knowledge. Mr. Singh has been a resident of Bloomington for 15 years and worked at Hot Spot for seven (7) and there were no violations while he worked there.

Commissioner Renner opened the public hearing to receive comments.

James Bays, of 1210 W. Elm, after being sworn in, stated concerns regarding the heavy foot traffic, speeding cars, loud music, yelling, and fighting. He also expressed concern regarding extended hours of operation, the amount of potential liquor sales, and the safety of the neighborhood. Mr. Bays also stated that since the previous business, (which had been a liquor store), closed, there has not been any issues. He did not believe the business would be a benefit to the community.

Karen Bays, of 1210 W. Elm, after being sworn in, stated she had a lot of the same concerns as Mr. Bays. She stated the residents are attempting to rebuild and improve the westside and she did not believe adding liquor would do so. She continued by stating there are plenty of businesses near the neighborhood where liquor could be purchased. Mrs. Bays also had concerns with hours of operation and with liquor being sold at the establishment as the neighborhood has been very quiet since West Side Food and Beverage closed. She suggested instead of a liquor store at the location, that a positive thing be placed there such as a youth center.

Daniel Taylor, of 1215 W. Elm, after being sworn in, stated concerns about the number of intoxicated persons in the area, litter that resulted from purchases, the amount of advertisements for alcohol, the type of people a prominent liquor store attracts and the lawnmower races to the liquor store in the summer. He also stated has not missed those activities since the previous store closed.

Mike Sap, of 827 W. Elm which is a dead-end street near the establishment, after being sworn in, stated he had some of the same concerns as the other neighbors. He had concerns with the cars that flew up and down his street, the type of people a liquor store attracts, and the amount of drug deals in the establishment's parking lot and on the street near his residence. He also mentioned concerns with frequent public urination, loud music, heavy foot traffic and trespassing on his property and his commercial property located across the street. Mr. Sap also stated concerns with trash and littering. He stated the dumpster for the establishment would overflow and the trash would blow into his yard. Mr. Sap stated these actions happened at all times of the day. He was not opposed to a convenience store but requested that liquor not be sold as it has been very nice since the previous establishment closed.

Commissioner Renner asked Asst. Police Chief Donath if there were substantial calls for service to the address while the previous owner occupied it. Asst. Police Chief Donath stated in 2016 there were 14, in 2017 there were three calls, and in 2018 there were 13 calls for service. Commissioner Renner asked if there were concerns with the number of calls to the address or conditions that could be implemented to mitigate any problems for the neighborhood. Asst. Police Chief Donath stated cameras and outdoor lighting are good ways to address any lingering issues. He stated that the calls for service at, or near, the address were not more problematic for police calls for service.

Commissioner Renner asked if there was anyone else to speak for or against the application.

Robert Fazzini came forward and was sworn in. He and his wife live three blocks from the location. They appreciated having a convenience store near their home to purchase food items. He supported the new owners implementing outside lights and cameras and believed that the store would benefit the City more than having an empty building.

Commissioner Renner asked Mr. Marvel to return to the podium. Mr. Marvel stated he could not speak to how the previous owner ran his business; however, he stated Ajeet Singh will update the building.

Commissioner Jordan inquired about the hours. There was discussion regarding hours for Puma Enterprise, Inc. and the percentage of alcohol sales versus dry good sales.

Commissioner Powell stated it is unfair to hold the applicant responsible for actions and events of the previous owner. She also stated the business Mr. Singh previously managed was clean and the building was taken great care of. Commissioner Powell also mentioned she would like to take the testimony from the neighborhood into consideration and work with the applicant, especially in reference to the hours of operation. She did not want to hinder the operations of a business that would like to invest their money into updating the establishment and revitalizing the westside.

Ajeet Singh, owner, addressed the Commission. Mr. Singh was sworn in. Commissioner Renner asked Mr. Singh if he was willing to modify hours, if he planned on implementing outdoor cameras and lighting, and if he was as concerned for cleanliness and loitering as when he owned Hot Spot. Mr. Singh confirmed he was.

The Commission was concerned about the impact on the neighborhood and had discussion regarding potential conditions, including cameras, outdoor lighting, loitering, and proposed hours for Park Pantry. The Commission imposed the following conditions:

1. Store closing hours at 11:00 p.m. After a six-month period, the owners can request a change in this condition.
2. Install outdoor cameras and outdoor lighting.
3. Liquor sales must be less than 50% of total revenue. Invoice documentation to show compliance may be requested by the Commission.

Mr. Marvel, on behalf of Puma Enterprise, LLC, agreed to the conditions.

**Commissioner Jordan made a motion, seconded by Commissioner Powell, to approve the license with the conditions presented above.**

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

**Ayes: Commissioners Jordan, Powell, and Renner.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 10. Public Hearing on the Change of Ownership Application of Hurley Consolidated Enterprises, LLC d/b/a Drifters, located at 612 N. Main Street, currently holding a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license, which allows the sale of liquor by the glass for consumption on the premises seven (7) days a week.

Richard Marvel, Attorney for the new owners of Hurley Consolidated Enterprises, LLC d/b/a Drifters, was sworn in and addressed the Commission.

He explained that Tayah Minniefield would be the owner and her fiancé, John Follick, will be the manager of the establishment. The establishment is currently closed for renovation which includes updating the décor and flooring, the addition of TV screens, and creating a

sports bar environment. The new owners aim to have a synergistic relationship with the food vendor that will be next door and are currently reaching out to other local businesses. Mr. Follick has had experience managing a variety of locations, in a variety of positions including bar manager and is also BASSET certified. All employees will continue to be employed and all will be BASSET trained.

Mr. Marvel stated that he believes this item is exciting because young people want to invest their time, talent and resources into downtown development. They intend to have night security training to learn how to best remove an unruly person from a situation. They have also reached out to the McLean County Health Department to ensure their practices are correct. In addition, they contacted the Bloomington Police Department to mitigate concerns for downtown near Drifters specifically and ways the owners can work with the Police Department to have a more efficient operation.

Commissioner Renner reminded Mr. Marvel that video gaming is currently under a moratorium. Mr. Marvel stated the new owners of Drifters are not seeking video gaming at this time.

**Commissioner Jordan made a motion, seconded by Commissioner Renner, to recommend approval the application.**

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

**Ayes: Commissioners Jordan, Powell and Renner.**

**Nays: None.**

**Motion carried.**

## **Old Business**

## **New Business**

The following was presented:

**Item 12A. Off Premise Delivery Ordinance.**

Mr. Boyle explained the increase of popularity for online delivery of alcohol to residences, mentioned State of Illinois regulations and described different options the City has to address this subject. Mr. Boyle also mentioned that it would be beneficial for the Liquor Commission to discuss the potential to create a new license for home delivery of alcohol and the regulations to be enforced. Commissioner Renner stated the Ordinance for Off Premise Delivery will be placed on Old Business for the July Liquor Commission.

The following was presented:

**Item 12B. Commission Jordan requested for the Legal Department review the criteria of a liquor store license versus a convenience store license. He also requested the Legal Department draft an ordinance strictly defining liquor stores and convenience stores not related to motor fuel.**

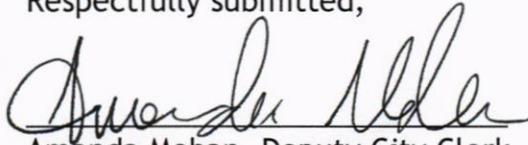
## **Adjournment**

**Commissioner Powell made a motion, seconded by Commissioner Jordan, to adjourn.**

**Motion carried unanimously (viva voce).**

The meeting adjourned at 6:12 p.m.

Respectfully submitted,



Amanda Mohan, Deputy City Clerk

CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE

On Tuesday, July 16, 2019 at 6:00 p.m., in the City Hall Council Chambers, located at 109 E. Olive St., the Bloomington Liquor Commission will conduct a second Public Hearing at the request of the Bloomington City Council on the Application of Puma Enterprises, Inc. d/b/a Park Pantry, located at 906 S. Morris Avenue, requesting a Class PAS (Package/All Types/Sunday Sales) liquor license, which would allow the sale of all types of packaged liquor for consumption off the premises seven (7) days a week.

The minutes from the City Council Meeting on July 8, 2019 have been posted to the website for reference, as requested by the City Council, and can be located here: <http://www.cityblm.org/government/advanced-components/documents/-folder-1703>

All persons interested in said application may attend and be heard on the application.

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, preferable no later than five days before the hearing.

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

Leslie Yocum, City Clerk

Publication Date: July 12, 2019, Pantagraph Newspaper

CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE

On Tuesday, June 11, 2019 at 4:00 P.M., in the City Hall Council Chambers, located at 109 E. Olive St., the Bloomington Liquor Commission will conduct a Public Hearing on the Application of Puma Enterprises, Inc. d/b/a Park Pantry, located at 906 S. Morris Avenue, requesting a Class PAS (Package/All Types/Sunday Sales) liquor license, which would allow the sale of all types of packaged liquor for consumption off the premises seven (7) days a week.

All persons interested in said application may attend and be heard on the application.

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, preferable no later than five days before the hearing.

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Leslie Yocum, City Clerk

Publication Date: May 31, 2019, Pantagraph Newspaper

Submittal Date: 05/17/2019  
 Renewal Type (A, SA): A  
 Staff Initials: JC



**Business Contact Sheet**

**PLEASE FILL IN YOUR BUSINESS INFORMATION CLEARLY AND COMPLETELY.**

Legal Name (Individual, Partnership, Corporation/LLC):	Puma Enterprise Inc.
Doing Business As (D/B/A):	Park Pantry
Business Address:	906 S. Morris Ave.
City/State:	Bloomington, IL
Zip Code:	61701
Business Phone Number:	[REDACTED]
Business Email Address:	[REDACTED]@gmail.com

Please list an email address where all billing information will be received by the business. *Please note that if this email address changes, it is the responsibility of the business to notify the City to ensure all information is received.*

**Billing Email Address:** [REDACTED]@gmail.com

**License Renewals**

Please list those responsible for **License Renewals** for the above establishment.

Primary Contact:

**Name:** Ajeet Singh **Phone Number:** [REDACTED]

**Address:** [REDACTED] **City/State:** Plainfield, IL **Zip Code:** 69544

Alternate Contact:

**Name:** Dilpreet Ghuman **Phone Number:** [REDACTED]

**Address:** [REDACTED] **City/State:** Champaign, IL **Zip Code:** 61820

Manager:

**Name:** Sanjeer Singh **Phone Number:** [REDACTED]

**Address:** [REDACTED] **City/State:** Bloomington, IL **Zip Code:** 61704



## Liquor License Application Questionnaire

### TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57, revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

### LEGAL REQUIREMENTS:

- 1. Have you attained the age of 21 years? Y  N
- 2. Have you ever had a Bloomington liquor license revoked for any cause? Y  N
- 3. Have you been a resident of the City of Bloomington for one year? Y  N
- 4. Are you eligible for a state retail liquor dealer's license? Y  N
- 5. Are you a citizen of the United States? Y  N
- 6. Is the manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? Y  N
- 7. Are you a person of good character and reputation? Y  N
- 8. Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor? Y  N
- 9. Do you own or have a valid lease to the premises for which the license is sought? Y  N
- 10. Have you ever been convicted of a felony under the laws of the United States or any state? Y  N
- 11. Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? Y  N
- 12. Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? *(If applicant is a corporation)* Y  N
- 13. Have you ever been convicted of pandering or any other crime opposed to decency and morality? Y  N
- 14. Is the establishment located within 100' of any church, school, hospital, home for aged, indigent persons, or war veterans, their wives or children? Y  N



NATURE OF LICENSE:

1. What class liquor license are you seeking? (Please read descriptions below) PAS

**TYPE DESCRIPTION**

CA	Clubs - All Types of Liquor
CB	Clubs - Beer and Wine Only
EA	Entertainment/Recreational Sports Venue - All Types of Liquor
EB	Entertainment/Recreational Sports Venue - Beer and Wine Only
GPA	Convenience Store - All Types of Liquor
GPB	Convenience Store - Beer and Wine Only
PA	Package Sales - All Types of Liquor
PB	Package Sales - Beer and Wine Only
RAP	Restaurant & Package Sales - All Types of Liquor
RA	Restaurant - All Types of Liquor
RB	Restaurant - Beer and Wine Only
TAP	Tavern & Package Sales - All Types of Liquor
TA	Tavern - All Types of Liquor
TB	Tavern - Beer and Wine Only
S	Sunday Sales

2. What type of establishment do you intend to operate with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop) Convenient Store

3. State the significance of a liquor license to your establishment, present or future: Location currently closed. BNew owner to upgrade inside and outside. Store to be identical to Hot Spot located at 1102 N. Hershey Road, Bloomington, IL

4. How will a liquor license of the kind requested benefit the City of Bloomington and its residents? City of Bloomington will receive revenue and neighborhood convenient store will ha types of daily necessities.

5. Upon what facts do you base your answers to the previous question? Location has been inoperable for several months.

6. Do you intend to furnish live entertainment in the establishment to be licensed? Y  N   
a. If you answered "YES" to the previous question, state the nature of such Entertainment: \_\_\_\_\_

7. Will most of the establishment's gross revenue come from sources other than the sale of alcohol? Y  N   
a. If you answered "YES" to the previous question, from what sources will such revenue be derived? groceries, soda, daily need items, and general convenient store itmes.

8. Do you intend to obtain an additional license for any of the following:

- Y  N  Public Dancing\*
- Y  N  Tobacco\*
- Y  N  Amusement\* (If yes, which type: \_\_\_\_\_)
- Y  N  Miscellaneous\* (If yes, which type: \_\_\_\_\_)

\*ALL ADDITIONAL LICENSES REQUIRE ADDITIONAL APPLICATION AND FEE PER LICENSE TYPE.

**AMUSEMENT**

Type	Description
Auto Amusement Devices	Any machine or device which upon the insertion of a coin or slug operates or may be operated as a game or contest of skill or amusement of any description.
Musical Devices	A mechanical Victrola, a mechanical piano, or any other mechanical musical instrument, the operation of which may be governed or controlled by the deposit of a coin or token therein, so that the person inserting the coin or token can cause the device to reproduce a selected musical piece.
Theatre	Any place within the corporate limits of the City wherein any show, moving picture, theatrical exhibition, amusement, or entertainment is shown, exhibited, or staged and for which an admission charge is made.

**MISCELLANEOUS**

Type	Description
Sidewalk Cafe	The use of public sidewalk by a food service establishment for the serving of food and beverages on the sidewalk immediately adjacent to the food service establishment, which use will be characterized by the sidewalk use of tables, and chairs and umbrellas.
Video Gaming	Currently Not Available; See City Code Chapter 7 Article XIII

**IMPACT OF ESTABLISHMENT:**

1. State the location of your establishment:

Address: 906 S. Morris Ave. City/State: Bloomington, IL Zip: 61701

2. What hours will the establishment be open?

DAY	TIME OPEN	DAY	TIME CLOSE
Monday:	8:00 a.m.	Monday:	1:00 a.m.
Tuesday:	8:00 a.m.	Tuesday:	1:00 a.m.
Wednesday:	8:00 a.m.	Wednesday:	1:00 a.m.
Thursday:	8:00 a.m.	Thursday:	1:00 a.m.
Friday:	8:00 a.m.	Friday:	2:00 a.m.
Saturday:	8:00 a.m.	Saturday:	2:00 a.m.
Sunday:	8:00 a.m.	Sunday:	12:00 a.m.

3. What type or types of building(s) adjoin the establishment? none
- 
- a. If any adjoining buildings are office or commercial, approximately what hours are they open for business? \_\_\_\_\_
- 
- b. If adjoining buildings are predominately residential, are they single or multi- family and what other business establishments are in the area? \_\_\_\_\_
- 
4. Describe streets immediately adjoining the establishment (e.g. approximate width, one or two-way, parking restrictions, etc.): Morris and Wood
- 
- 
5. How much additional traffic do you expect the establishment with a liquor license to generate? possibly 5% location will be a neighborhood convenient store.
- 
6. Describe on and off street parking facilities to handle traffic anticipated:  
No parking restrictions. There is a parking lot.
- 
7. How many establishments with liquor licenses are located within the immediate area of your establishment? none to our knowledge
- 
8. What do you estimate to be the demand for your establishment in the area in which it is or will be located? Neighborhood convenient store
- 
- 
9. Upon what facts do you base your answer to the previous question?  
have knowledge and skills in opening neighborhood convenient stores
- 
- 

**RESPONSIBILITY:**

1. If establishment *is presently in operation*, **attach a financial statement** of the establishment's last fiscal year.
2. If establishment *is not presently in operation*, **attach a statement** showing your **assets and liabilities** (or if a corporation, the assets and liabilities of the corporation).
3. Do you now or have you ever had a Bloomington liquor license? Y  N

a. If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor Ordinance? none

DATED this 9 day of May, 20 19.

SIGNED: [Redacted]  
Ajeet Singh  
\_\_\_\_\_  
[Redacted] Printed Name  
\_\_\_\_\_  
Signature  
President  
\_\_\_\_\_  
Title  
[Redacted]  
\_\_\_\_\_  
Address  
Plainfield, IL 69544  
\_\_\_\_\_  
City/State/Zip Code

Dilpreet Ghuman  
\_\_\_\_\_  
Printed Name  
[Redacted]  
\_\_\_\_\_  
Signature  
Secretary  
\_\_\_\_\_  
Title  
[Redacted]  
\_\_\_\_\_  
Address  
Champaign, IL 61820  
\_\_\_\_\_  
City/State/Zip Code



# Application for the Sale of Alcoholic Beverages

This application is being submitted as:

A New Application  Renewal (Change to Original Application)

To the Local Liquor Control Commissioner of the City of Bloomington, Mclean County, Illinois:

1. Application is herein made a CLASS PAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is (Check One and Complete the Corresponding Section):

an Individual  a Partnership  a Corporation

### If an Individual:

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Have you been a legal resident of the City of Bloomington for more than one (1) year? Y  N

### If a Partnership:

Following are the names of all partners who are entitled to share in any profit of the business:

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Have you been a legal resident of the City of Bloomington for more than one (1) year? Y  N

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Have you been a legal resident of the City of Bloomington for more than one (1) year? Y  N

### If a Corporation/LLC:

Date of Incorporation: April 9, 2019

State whether same is organized for profit  or nonprofit , under laws of the State of IL.

(Attach objects of Incorporation according to the Charter of Corporation.)

The following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, name and address (if more space is needed, attach additional page):

Name: Ajeet Singh Title: President

Address: [REDACTED] City/State/Zip: Champaign, IL 61820

Name: Dilpreet Ghuman Title: Secretary

Address: [REDACTED] City/State/Zip: Champaign, IL 61820



3. Location and description of the premises or place of business to be operated under this license: 906 S. Morris Ave., Bloomington, IL 61701

a. Legal Name: Puma Enterprise Inc.

b. D/B/A: Park Pantry

-- Please answer the following questions by selecting Y (yes) or N (no) --

Y  N  Is this a location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children?

Y  N  Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public?

Y  N  Is it proposed to sell food in this place of business?

Y  N  Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages?

Y  N  Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)?

If yes, please fully explain: \_\_\_\_\_

Y  N  Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked?

If yes, give further details: \_\_\_\_\_

Y  N  Has a similar application ever been refused for cause that has been made by any of the foregoing persons?

Y  N  Is the applicant herein, the owner of the premises for which this license is sought?

*If no, list the information of the building owner:*

Name: Aguas Trust Term of Lease: 6-1-2019 to 6-1-2039

Address: 1905 Glenn Park Dr. City/State/Zip: Champaign, IL 61820

Y  N  Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages?



Please take this time to provide any additional information you would like to include with your application: \_\_\_\_\_

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 9 day of May, 2019

**A. Individual**

_____	_____
Printed Name of Applicant	Signature of Applicant

**B. Partnership**

_____	
Business Name	
_____	_____
Printed Name of Partner	Signature of Partner
_____	_____
Printed Name of Partner	Signature of Partner

**C. Corporation/LLC**

Puma Enterprise Inc.	
Corporate Name	
Ajeet Singh	_____
Printed Name of President	_____ of President
	ATTEST _____
Dilpreet Ghuman	_____
Printed Name of Secretary	Signature of Secretary
And the following officers, directors, or majority stockholders:	
_____	_____
_____	_____



NOTARY ACKNOWLEDGEMENT

STATE OF ILLINOIS )
) SS
COUNTY OF MCLEAN )

Being first duly sworn on their respective oaths say that they comprise of all the owners, partners, officers, directors, or majority stockholders of the above name applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

This application was acknowledged before me on this 9 day of May, 2019, who deposes and says that he/she has read the foregoing application subscribed by him/her, and that the matters stated herein are true to the best of his/her knowledge and belief.

Tanya Lanham
Notary Public



My Commission Expires: 10/29/22



## Application for the Sunday Sale of Alcoholic Beverages

This application is being submitted as:

A New Application     Renewal (Change to Original Application)

To the Local Liquor Control Commissioner of the City of Bloomington, Mclean County, Illinois:  
Puma Enterprise Inc.

---

**NAME OF APPLICANT**

Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS <sup>PAS</sup> LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
  - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
  - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
  - (c) Failure of any person to testify according to the provisions of subsection (b) above shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
  - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

CONTINUE FOR SIGNATURE PAGE



Dated this 9 day of May, 2019

**A. Individual**

_____	_____
Printed Name of Applicant	Signature of Applicant

**B. Partnership**

_____	
Business Name	
_____	_____
Printed Name of Partner	Signature of Partner
_____	_____
Printed Name of Partner	Signature of Partner

**C. Corporation/LLC**

Puma Enterprise Inc.	
Corporate Name	
Ajeet Singh	
Printed Name of President	Signature of President
<b>ATTEST</b>	
Dilpreet Ghuman	
Printed Name of Secretary	Signature of Secretary
And the following officers, directors, or majority stockholders:	
_____	_____
_____	_____

CONTINUE TO NEXT PAGE FOR NOTARY ACKNOWLEDGEMENT



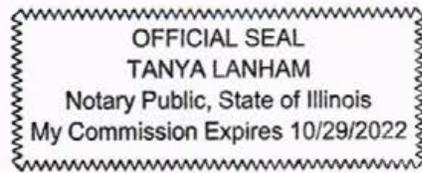
NOTARY ACKNOWLEDGEMENT

STATE OF ILLINOIS )
) SS
COUNTY OF MCLEAN )

Being first duly sworn on their respective oaths say that they comprise of all the owners, partners, officers, directors, or majority stockholders of the above name applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

This application was acknowledged before me on this day of May 9, 2019, who deposes and says that he/she has read the foregoing application subscribed by him/her, and that the matters stated herein are true to the best of his/her knowledge and belief.

Tanya Lanham
Notary Public



My Commission Expires: 10/29/22



LICENSE & PERMIT BOND

Bond No. [REDACTED]

Know All Men By These Presents:

That we, Puma Enterprises, Inc of Street Address 906 S Morris Ave. City Bloomington, State of IL, ZIP 61701, as Principal, and the PEKIN INSURANCE COMPANY, a corporation duly licensed to do business in the State of Illinois, as Surety, are held firmly bound unto the City of Bloomington, State of Illinois, Obligee, in the penal sum of Five Thousand & 00/100 (\$ 5,000.00 ) DOLLARS, lawful money of the United States, to be paid to the said Obligee, for which payment well truly to be made, we bind ourselves and our legal representatives, jointly and severally by these presents.

THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH, that whereas, the said Principal has been licensed Liquor Sales by said Obligee.

NOW THEREFORE, if the said Principal shall faithfully perform the duties and in all things comply with the lawas and ordinances, including all Amendments thereto, appertaining to the license or permit applied for, then this obligation to be void, otherwise to remain in full force and effect from 05/08/2019, until 05/08/2020, unless renewed by Continuation Certificate.

This bond may be terminated at any time by the Surety upon sending notice in writing, by certified mail, to the clerk of the Political Subdivision with whom this bond is filed and to the Principal, addressed to them at the Political Subdivision named herein, and at the expiration of thirty-five (35) days from the mailing of said notice, this bond shall ipso facto terminate and the Surety shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to said date.

Dated this 8th day of May, 2019

COUNTERSIGNED

By [REDACTED] Resident Agent

By [REDACTED] PEKIN INSURANCE COMPANY SEAL Edward A. Mulvey, Vice President - Personal Lines





ACKNOWLEDGEMENT OF SURETY  
(Corporate Officer)

STATE OF ILLINOIS } ss  
COUNTY OF TAZEWELL }

On this 8th day of May, 2019, before me, the undersigned officer, personally appeared Edward A. Mulvey, Vice President - Personal Lines who acknowledged himself to be the aforesaid officer of the Pekin Insurance Company, a corporation that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

In witness whereof, I have hereunto set my hand and official seal.



*Jessica R. Tumilty*  
Notary Public, Tazewell County

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the PEKIN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and authorized and licensed to do business in the State of Illinois, does hereby make, constitute and appoint each of the following officers as Attorney in Fact, with full power and authority hereby conferred upon him or her to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; policies indemnifying employers against loss or damage caused by the misconduct of their employees; official, and surety and fidelity bonds: Indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company:

Scott A. Martin, Chairman of the Board, President & Chief Operating Officer  
Edward A. Mulvey, Vice President - Personal Lines

The PEKIN INSURANCE COMPANY further certifies that the following is a true and exact copy of Article V, Section 5 of the By-laws of the PEKIN INSURANCE COMPANY duly adopted and now in force, to-wit:

Article V, Section 5: "All bonds of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds in the name of the Company. The corporate seal is not necessary for the validity of any bonds of the corporation."

In Witness Whereof, the said PEKIN INSURANCE COMPANY has caused these presents to be executed by its President with the corporate seal affixed this 8th day of May, 2019.

ATTEST

PEKIN INSURANCE COMPANY



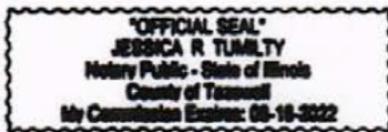
Edward A. Mulvey, Vice President - Personal Lines



Scott A. Martin, Chairman of the Board, President & Chief Operating Officer

STATE OF ILLINOIS } ss  
COUNTY OF TAZEWELL }

On this 8th day of May, 2019, before me, a Notary Public personally appeared Scott A. Martin, Chairman of the Board, President & Chief Operating Officer and Edward A. Mulvey, Vice President - Personal Lines, who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as President and Vice President, respectively, of the said PEKIN INSURANCE COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



*Jessica R. Tumilty*  
Notary Public, Tazewell County



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
05/08/2019

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

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

<b>PRODUCER</b> 217-422-6544 Atteberry-Oldweiler Agency 682 East Wood Street Decatur, IL 62523 JERRY JONES	<b>CONTACT NAME:</b> JERRY JONES	
	<b>PHONE (A/C, No, Ext):</b> 217-422-6544	<b>FAX (A/C, No):</b>
<b>E-MAIL ADDRESS:</b>		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> West Bend Insurance		
<b>INSURER B:</b>		
<b>INSURER C:</b>		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

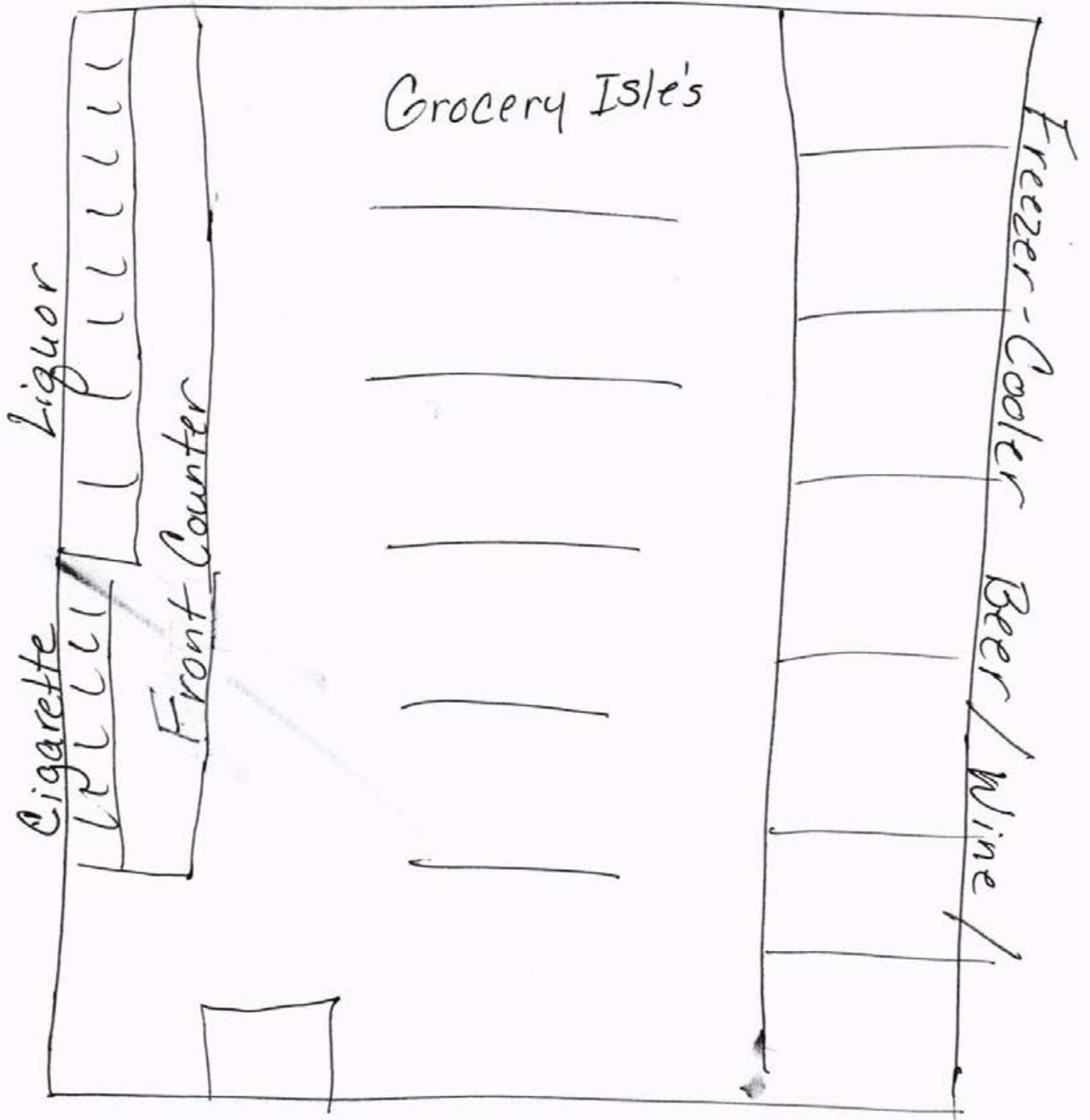
**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPIOP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)    Y/N If yes, describe under DESCRIPTION OF OPERATIONS below    N/A						PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability		Y	[REDACTED]	05/08/2019	05/08/2020	Liquor    1,000,000

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

<b>CERTIFICATE HOLDER</b>  City of Bloomington 109 E Olive Bloomington, IL 61701	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b> JERRY JONES    [REDACTED]



# Certificate of Completion

\_\_\_\_\_ AWARDED TO \_\_\_\_\_



**AJEET SINGH**

has successfully completed the course

**BASSET Illinois**

**Date: April 28, 2019**

[www.bassetillinois.com](http://www.bassetillinois.com)

The logo for BASSET Illinois, featuring the word "BASSET" in a large, bold, sans-serif font, with "Illinois" in a smaller font below it. To the right of the text is a stylized graphic of a wine bottle with a cork popping out, surrounded by a circular motion blur effect.

**BASSET**  
Illinois

# Certificate of Completion

\_\_\_\_\_ AWARDED TO \_\_\_\_\_

**DILPREET GHUMAN**

has successfully completed the course

**BASSETT Illinois**

Date: April 28, 2019



[www.bassetillinois.com](http://www.bassetillinois.com)

**BASSETT**  
Illinois

File Number



**To all to whom these Presents Shall Come, Greeting:**

*I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that*

PUMA ENTERPRISE INC., A DOMESTIC CORPORATION, INCORPORATED UNDER THE LAWS OF THIS STATE ON APRIL 09, 2019, APPEARS TO HAVE COMPLIED WITH ALL THE PROVISIONS OF THE BUSINESS CORPORATION ACT OF THIS STATE RELATING TO THE PAYMENT OF FRANCHISE TAXES, AND AS OF THIS DATE, IS IN GOOD STANDING AS A DOMESTIC CORPORATION IN THE STATE OF ILLINOIS.



**In Testimony Whereof, I hereto set**  
*my hand and cause to be affixed the Great Seal of*  
*the State of Illinois, this 9TH*  
*day of MAY A.D. 2019 .*

*Jesse White*

Authentication #: [REDACTED] verifiable until 05/09/2020  
Authenticate at: <http://www.cyberdriveillinois.com>

SECRETARY OF STATE



**Bloomington / Normal  
Food & Beverage Tax  
Registration Form**

**Illinois Business Tax (IBT) #:** TBD

**Date Business started at this location (Month\Day\Year):**

**Describe your type of Business:** Convenient Store

**DBA Business Name:** Park Pantry

**Address:** 906 S. Morris Ave., Bloomington, IL 61701

**Contact:** Ajeet Singh

**Phone:** [Redacted] **Fax:**

**Email:** [Redacted]@gmail.com

**Owner/Corporate Name:** Puma Enterprise Inc.  
(if different from above)

**Address:** [Redacted] Champaign, IL 61820

**Contact:** Ajeet Singh

**Phone:** [Redacted] **Fax:**

**Email:** [Redacted]@gmail.com

Please check here to have all correspondence mailed to corporate address instead of the physical address.

**Type of Organization:**

Sole Proprietorship  Partnership

Corporation  LLC

Other \_\_\_\_\_

**Mail, Drop Off, Fax, or Email to:** **Address:** City Hall  
Finance Department  
Room 100  
109 E. Olive Street  
Bloomington, IL 61702

**Fax:** 309-434-2463  
**Email:** finance@cityblm.org  
**Phone:** 309-434-2233

Under penalties as provided by law, I declare that to the best of my knowledge and belief, the information on this form is true, correct and complete.

\_\_\_\_\_  
Signature of Officer Empowered to Sign

Ajeet Singh, President  
Print Name and Title

5-9-19  
Date

**Package Liquor Tax  
Registration Form**

Illinois Business Tax (IBT) #: TBD

Date Business started at this location (Month\Day\Year):

Describe your type of Business: Convenient Store

DBA Business Name: Park Pantry

Address: 906 S. Morris Ave., Bloomington, IL 67101

Contact: Ajeet Singh

Phone: [REDACTED]

Fax:

Email: [REDACTED]@gmail.com

Owner/Corporate Name:

(if different from above) Puma Enterprise Inc.

Address: [REDACTED] Champaign, IL 617820

Contact: Ajeet Singh

Phone: [REDACTED]

Fax:

Email: [REDACTED]@gmail.com

Please check here to have all correspondence mailed to corporate address instead of the physical address.

Type of Organization:

Sole Proprietorship

Partnership

Corporation

LLC

Other \_\_\_\_\_

▶ Mail,  
Drop Off,  
Fax, or  
Email to:

Address: City Hall  
Finance Department  
Room 100  
109 E. Olive Street  
Bloomington, IL 61702

Fax: 309-434-2463

Email: finance@cityblm.org

Phone: 309-434-2233

▶ Under penalties as provided by law, I declare that to the best of my knowledge and belief, the information on this form is true, correct and complete.

\_\_\_\_\_  
Signature of Officer Empowered to Sign

5-9-19  
\_\_\_\_\_  
Date

Ajeet Singh, President

\_\_\_\_\_  
Print Name and Title

Group Exhibit A (18 pages) : Item 5

**Puma Enterprises Inc.  
Park Pantry  
906 S. Morris Avenue**



15<sup>th</sup> July 2019

Richard Marvel

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## **Puma Enterprises Inc., an Illinois Corporation.**

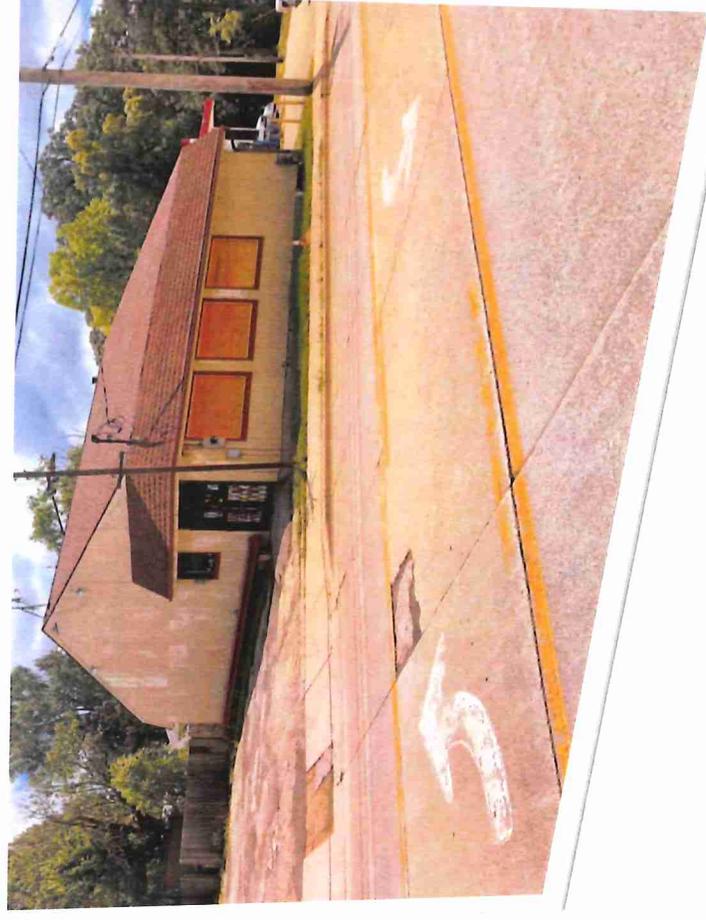
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### **Owner: Ajeet Singh**

- License Application for Package Sales, all types of Alcohol, Sunday Sales.
- PAS Classification that allows the sale of all types of packaged alcohol for consumption off premises seven days a week.

## Existing Site and Pre existing use.

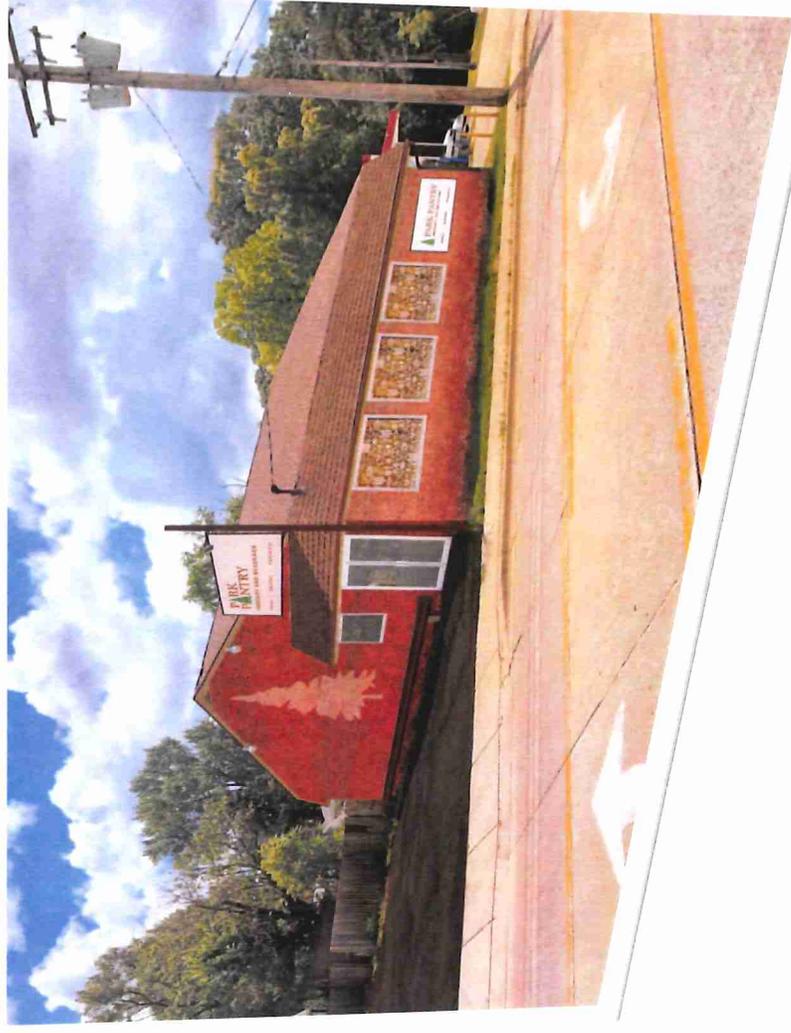
- 906 S. Morris, most recently, was operated as West Side Liquors. West Side Liquors was operated continuously at this site for approximately 47 years. On June 1, 2019 West Side Liquors closed and presently the building is vacant and in a state of disrepair.
- West Side Liquors did not offer convenience store items and instead focused primarily on the sale of all types of alcohol.



## Proposed Convenience Store, Park Pantry.

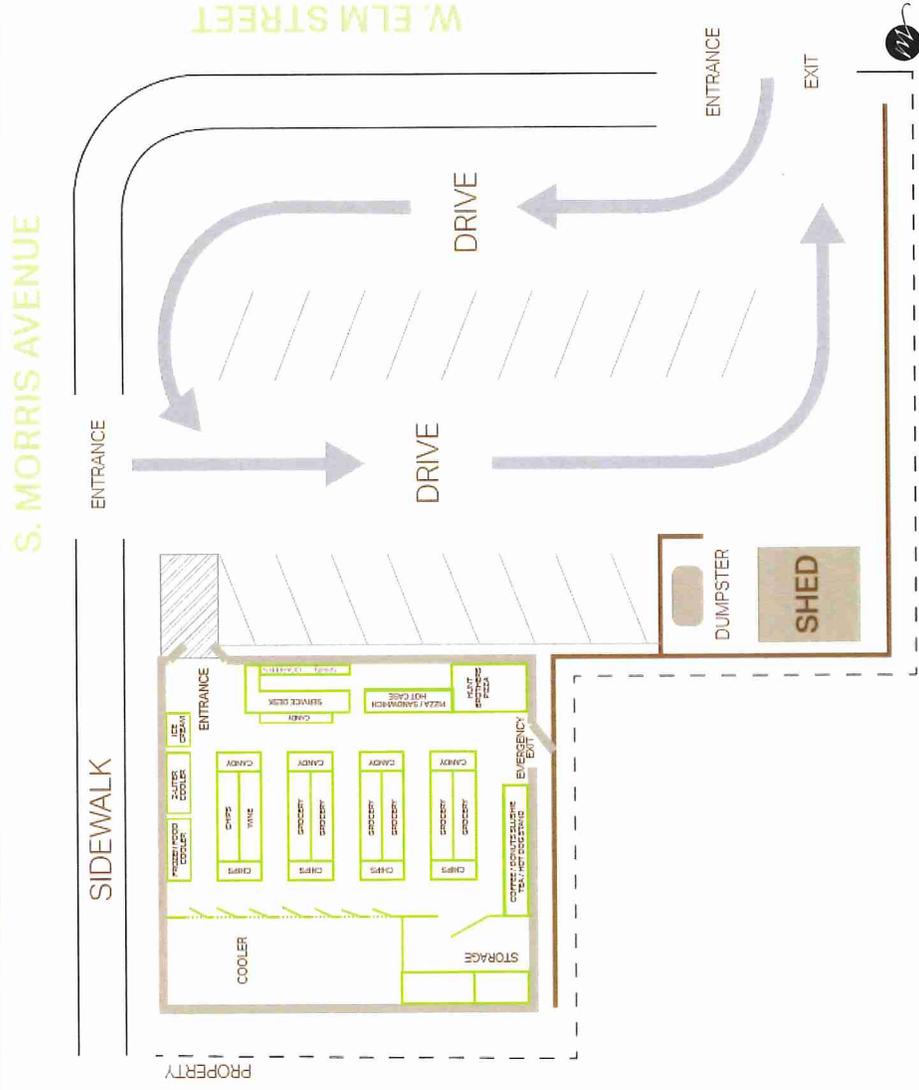
Puma Enterprises Inc proposes to open a new convenience store, Park Pantry, located at 906 S. Morris Avenue. Benefits of the Park Pantry include:

- A. Convenience Store Food offering. Park Pantry will offer 2200 to 3400 unique items for sale. These items will include Eggs and Dairy Products, Over the Counter medications, Dry and Canned goods, meats and some limited produce, Drinks and Alcohol, Sweets and Snacks, prepared cold and hot food.
- B. Site Improvements Park Pantry plans to invest in excess of 110,000.00 dollars into the site, which will include interior and exterior improvements.
- C. Community Development: The Park Pantry intends to be an asset for the community in providing a clean, safe and professional store to meet the local needs of the residents.



## Site Improvements

- Interior Improvements.
- Exterior Improvements
- Parking Lot replacement and lighting improvements.



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## Product Offerings

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- Eggs and Dairy Products
- Over the Counter medications
- Dry and Canned goods
- Meats and some limited produce
- Drinks and Alcohol
- Sweets and Snacks
- Prepared cold and hot food



## Eggs and Dairy Products

Basic dairy items, such as milk, butter, cottage cheese, sour cream and other cheese products.

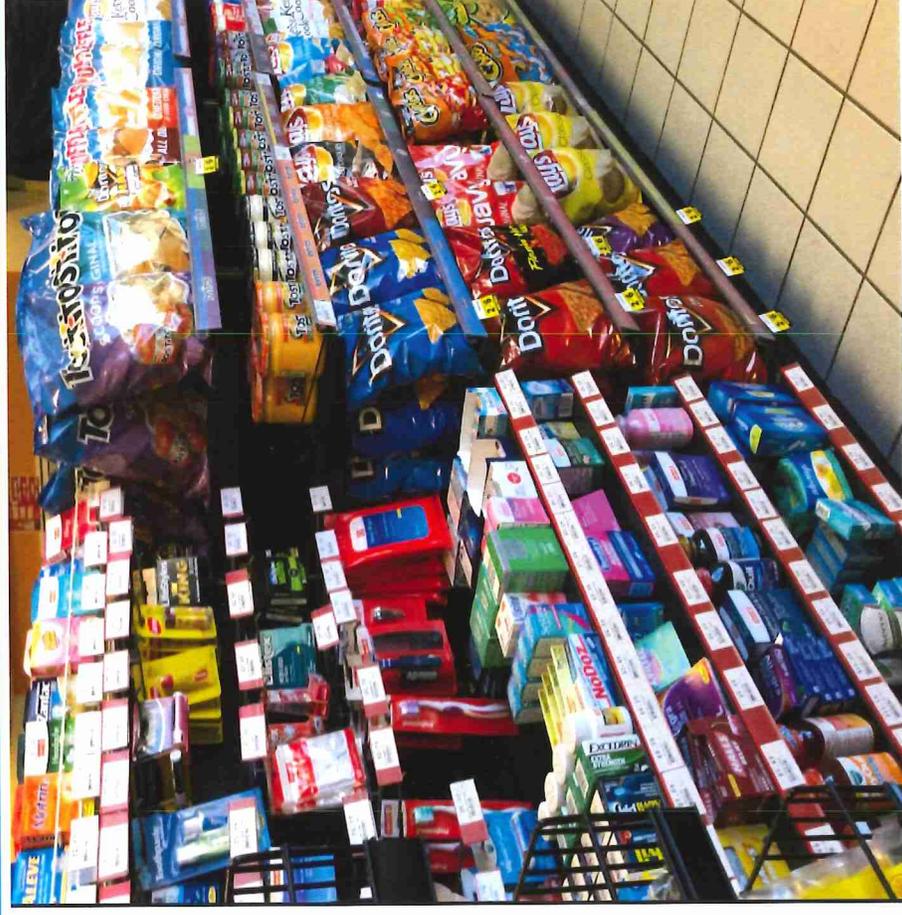
Milk sizes will likely include pint, half-gallon and gallon sizes.



## Over-the-Counter Medications

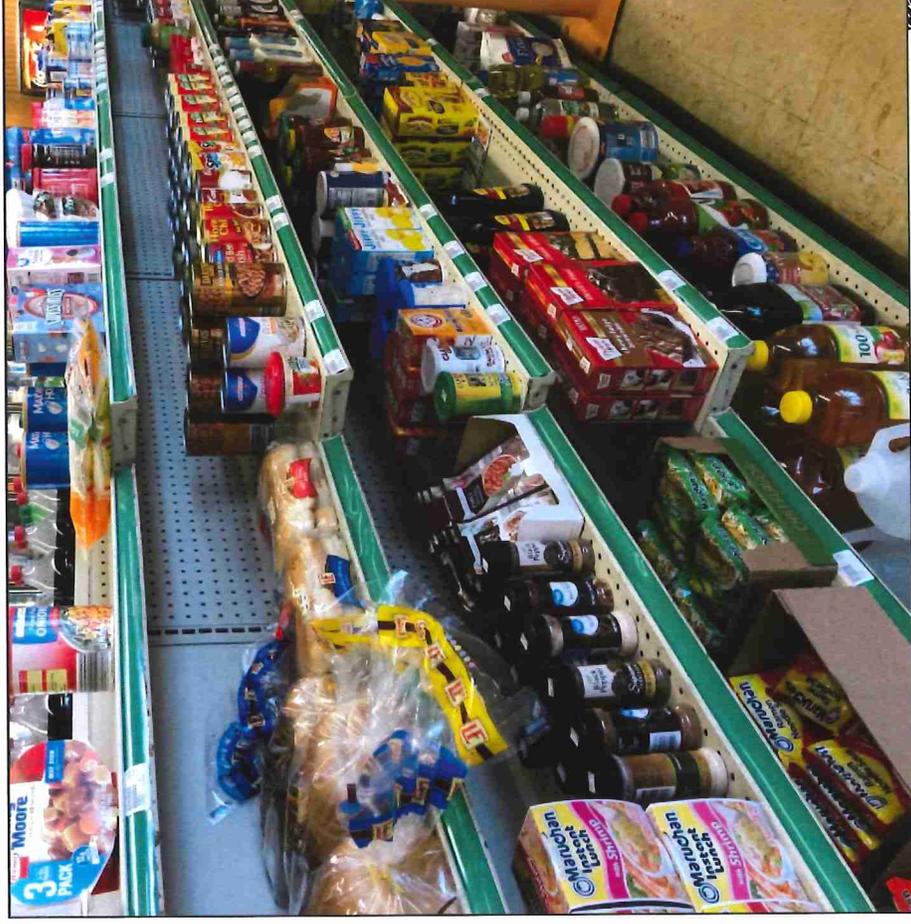
Aspirin, cough medicine, lip balm, sinus medication and throat lozenges.

Sizes of these products vary.



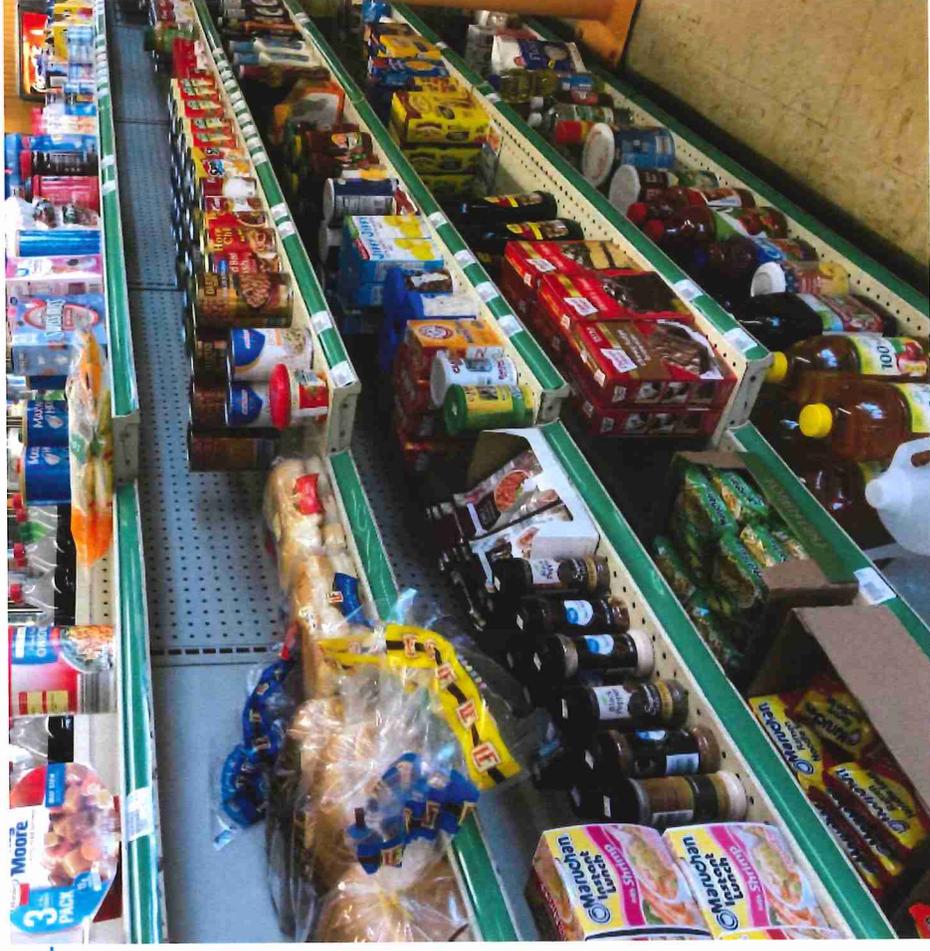
## Dry and Canned Goods

A range of bread products, including loaves of bread, hot dog and hamburger buns, and dinner rolls. Limited canned goods, such as soup, common vegetables, canned meat, chili and stew. Dry good items include limited bagged pasta and beans. Pickles, relish, catsup and mustard.



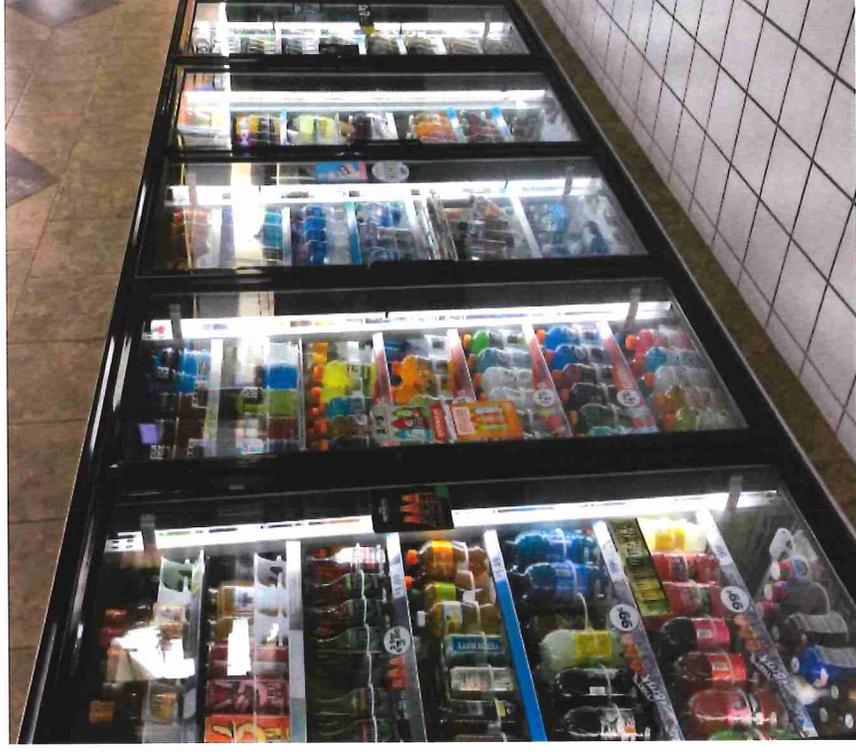
## Meats and Produce

A wide range of lunch meats that include bologna, ham, pickle loaf and salami.



## Drinks and Alcohol

Juices, cold and warm soda, coffee and energy drinks, and a range of alcoholic beverages that include several brands of beer and wine



## Sweets and Snacks

Candy products, both in single servings and bulk, chips, dried meat snacks, chewing gum canned puddings and sweet cakes. You will also find a variety of nuts as well. Some convenience stores may offer prepared sandwiches, pickles, nachos, fountain drinks and snacks



## Prepared Cold and Hot Food

Ready to eat sandwiches and other cold food options, in addition to hot food including, pizza, wings and other hot ready to eat food.



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## License Conditions

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1. The class of liquor license applied for;  
(a) - PAS. Packaged Sales, all liquor and Sundays.
2. Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;  
(b) - Projected percentage of Alcohol Sales between 20% to 30%.
3. The character and nature of the proposed establishment;  
(c) - Convenience Store to offer products that can be obtained quickly, within close proximity to the community, and meet an immediate need. The store will be for the community and drive by traffic. Staffing will be professional and courteous and the store will be clean, well lit and safe.
4. The general design, layout and contents of the proposed establishment;  
See Slide 5.



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## License Conditions

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5. The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)
- (a) The Application is for a PAS License, for packaged liquor sales including Sunday.
  - (b) The Site, 906 S. Morris, is located in a Highway Business District.
    - (i) B-1 Business District: The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.
  - (c) Surrounding the property:
    - (i) North: Neighborhood Shopping District.
    - (ii) South: Highway Business District.
    - (iii) East: R2 Mixed Residence District.
    - (iv) West: B-1 Business District.

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## License Conditions

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- (d) Site Limitations:
- (i) Closest Church, Park United Methodist 1 mile.
- (e) Hours of Operation:
- (i) 7 am to 11 am. Purpose of the early hours is to provide quick grab breakfast food, including doughnuts and coffee.
- (f) Proximity to other Establishments Selling alcoholic beverages.
- (i) Pub 1 Lounge and Packaged Liquor, 202 W. Market Street. 1.2 miles. All types of liquor.
  - (ii) Fast Stop, 1001 Six Points Road: 1 mile. Beer and Wine
  - (iii) Casey's General Store: 2017 Fox Creek Road, Bloomington Illinois. 1.9 miles. Beer and Wine.
  - (iv) Walgreens: 909 S. Main Street. .7 mile. Beer and Wine
- (6) The probable demand for the proposed liquor establishment in the City;
- (i) Anticipate that the demand will be strong based upon the distance to the closest liquor store, the amount of products offered at the Park Pantry and the volume of traffic by the site.



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## Local Food Options

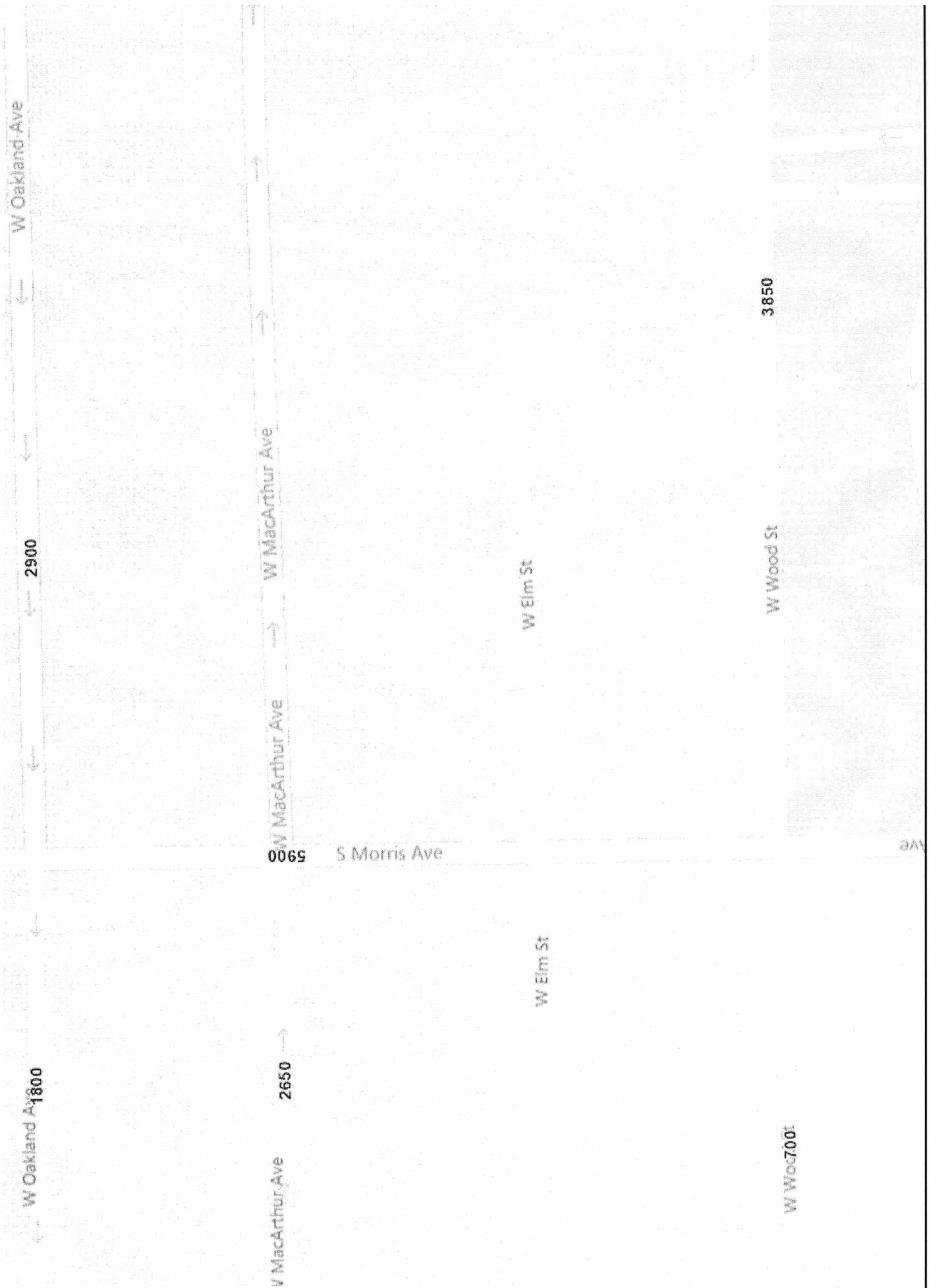
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Convenience Store is to meet the needs of a community between the residents shopping trips to larger grocery stores.

Proximity to Grocery Store for food items:

- Green Top Grocery: 921 East Washington St., 1.9 Miles
- La Carniceria Mexicana: 1416 S. Main Street., 1.4 Miles.
- Red and Blue Food Mart, 1001 W. Market Street, 1 mile.
- Lupita's Hispanic and American Grocery: 1512 W. Market Street. 1. 5 Miles.

Single



Item 5 - Exhibit B

**PARK PANTRY**  
**GROUP EXHIBIT C**

Hunt's Bro. Pizza Sample Display Photos

- This exhibit is available for review at the City Clerk Department.
- The exhibit depicts standard display cases for Hunt's Bro. Pizza.

Group Exhibit D

111

①

PETITION IN FAVOR OF PARK PANTRY  
AT 906 S. MORRIS AVENUE IN BLOOMINGTON

We the undersigned support the petition for a liquor license for Ajeet Singh to open the Park Pantry at 906 S. Morris Avenue in Bloomington for the following reasons:

1. Park Pantry is a convenience store with convenience store hours. The ability to quickly buy essential food items, cold and hot beverages, ready to eat food and other items is desired and needed in this area of Bloomington.
2. The proposed limitations on Park Pantry require that liquor sales will not exceed the sales of other items from the Store. The ability of the City of Bloomington to verify this information provides assurance to me that the Park Pantry is a Convenience Store that sells liquor, not a liquor store.
3. The President of the owner of the Park Pantry has a history of success in Bloomington and has not had any liquor code violations in his prior establishments. In addition, he has a reputation of remodeling and improving the establishments that he manages.
4. The Park Pantry plans to invest \$112,500 to renovate the property.

NAME PRINTED	SIGNATURE	ADDRESS
1. Sean Piercy	<i>Sean Piercy</i>	1223 Theta St 1407 N Morris Ave <sup>st</sup>
2. Jessica Mondragon	<i>Jessica Mondragon</i>	
3. Amber Piercy	<i>Amber Piercy</i>	1223 zeta st
4. <del>Sean Piercy</del>	<del><i>Sean Piercy</i></del>	1223 zeta st
5. Scott Powell	<i>Scott Powell</i>	21 Barnacle Bloomington

*Jim Piercy*

②

6. Donny Roberts ~~Danny Roberts~~ 17 Barrack Ln.
7. Victoria Davis Victoria Davis 489 n. western Ave.
8. Tannah Roberts 707 E Douglas #2
9. Heath Sylvest ~~HEATH SYLVESTER~~ 14 EMPEROR LN.
10. Gary Sylvest 17 Canada Lane
11. BRIAN HART Brian Hart 104 Stockholm
12. Brian Barr Brian Barr 1602 W. Miller St.
13. Kim Lawson Kim Lawson 1604 W. Miller St
14. Joseph Greene Joseph Greene 1604 W. Miller St
15. Michaela Crook Michaela Crook 1223 Theta

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 07/14/19

  
~~\_\_\_\_\_~~  
Tim Piety

3

PETITION IN FAVOR OF PARK PANTRY  
AT 906 S. MORRIS AVENUE IN BLOOMINGTON

We the undersigned support the petition for a liquor license for Ajeet Singh to open the Park Pantry at 906 S. Morris Avenue in Bloomington for the following reasons:

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4. The Park Pantry plans to invest \$112,500 to renovate the property.

NAME PRINTED	SIGNATURE	ADDRESS
1. Sandra Richardson	<i>Sandra Richardson</i>	1225 Theta Ave 61701
2. Kateland Bievernicht	<i>Kateland Bievernicht</i>	1007 W. Wood St 61701
3. Tim Percel	<i>Tim Percel</i>	1225 THETA
4.		
5.		<i>Tim Percel</i>

4

PETITION IN FAVOR OF PARK PANTRY  
AT 906 S. MORRIS AVENUE IN BLOOMINGTON

We the undersigned support the petition for a liquor license for Ajeet Singh to open the Park Pantry at 906 S. Morris Avenue in Bloomington for the following reasons:

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4. The Park Pantry plans to invest \$112,500 to renovate the property.

NAME PRINTED	SIGNATURE	ADDRESS
1. Bernie Latta	<i>Bernie Latta</i>	1207 cotton ave
2. Paul Lett Latta	<i>Paul Lett Latta</i>	1207 cotton ave
3. Kathy Vetter	<i>Kathy Vetter</i>	Bloomington
4. MITCH WHARTON	<i>Mitch Wharton</i>	103 VAN SETSBURG, BLM
5. Carl Segobiano	<i>Carl Segobiano</i>	1306 S. Lou

5

- 6. Tessa W. P. Corb 508 Catherine To Lynn
- 7. Brett Davis Lane 508 Catherine Brett Davis Lane
- 8. Codie Zimmerman 508 Catherine codie Zimmerman
- 9. Curtis Fingede 505 S. Morris Ave
- 10. Carrie Fingerte 505 S. Morris Ave.
- 11. Jackie Samuels 1404 W Elm
- 12. Ann Thomas 1404 W Elm
- 13. Sherdora Mitchell 1404 W. Elm
- 14. Ceala Thomas 1404 W. Elm
- 15. Lea Dannelly 1004 S. Hingham

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 7/14/19

Ervin, David Ervin David

(6)

6. Amelia Mailey Amelia Mailey 814 W. Grove  
Bloomington
7. Susan Benson Susan Benson 913 W Grove
8. Angela Gardner Fields Angela Gardner Fields 308 S Western,
9. Willie Fields "Lulae" Fields 308 S Western Ave.
10. Melvin Davis Melvin Davis 308 S. Western
11. Lacey Bell Lacey Bell 308 S. Western Ave.
12. Yvette Braun Yvette Braun 308 S. Western Ave.
13. ~~Ray~~ Cathy Meit Cathy Meit 1311 W Tally
14. Ervin Daniels Ervin Daniels 305 Western Ave.
15. Cartha Cole Cartha Cole 1311 W Tally St.

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 7/14/19

Ervin Daniels  
Ajeet Singh

7

- 6. Veronica Ragsdale Veronica Ragsdale 806 S Maryland
- 7. BRITT LANE Britt Lane 904
- 8. John Nicholas John Nicholas 925 W Olive
- 9. Stephanie Berry Stephanie Berry 985 W Olive
- 10. Leticia Tinch Leticia Tinch 922 W Olive
- 11. Lamp Carroll Lamp Carroll 922 W Olive
- 12. Nancy Mendoza Nancy Mendoza 904 W Olive St
- 13. Fabiola Mendoza Fabiola Mendoza 904 W Olive St
- 14. Mendoza Jose Jose Mendoza 904 W Olive St
- 15. kel and 817 N Grand

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 7/14/19

Ervin Daniels, Ajeet Singh

PETITION IN FAVOR OF PARK PANTRY  
AT 906 S. MORRIS AVENUE IN BLOOMINGTON

We the undersigned support the petition for a liquor license for Ajeet Singh to open the Park Pantry at 906 S. Morris Avenue in Bloomington for the following reasons:

1. Park Pantry is a convenience store with convenience store hours. The ability to quickly buy essential food items, cold and hot beverages, ready to eat food and other items is desired and needed in this area of Bloomington.
2. The proposed limitations on Park Pantry require that liquor sales will not exceed the sales of other items from the Store. The ability of the City of Bloomington to verify this information provides assurance to me that the Park Pantry is a Convenience Store that sells liquor, not a liquor store.
3. The President of the owner of the Park Pantry has a history of success in Bloomington and has not had any liquor code violations in his prior establishments. In addition, he has a reputation of remodeling and improving the establishments that he manages.
4. The Park Pantry plans to invest \$112,500 to renovate the property.

NAME PRINTED	SIGNATURE	ADDRESS
1. Sherelle Ragland	<i>Sherelle Ragland</i>	
2. Rachel Banks	<i>Rachel Boob</i>	
3. Kewone Spinke	<i>Kewone Spinke</i>	1018 G Morris St
4. Jaceel Johnson	<i>Jaceel Johnson</i>	1003 Pennington St
5. Isajah Skinger	<i>Isajah Skinger</i>	1206 N Lee St

- 6. Grey Aguilar      Guy Aguilar      20 Eleanor Drive
- 7. Edgar Parra - Magallanes      20 Dennis Drive
- 8. Josias Perez      Jesus Perez      1208 Hindshaw Ave
- 9. ~~XXXXXXXXXX~~      ~~XXXXXXXXXX~~      ~~XXXXXXXXXX~~
- 10. SUSANA      Susana      820 W Washington St  
Rodriguez      Rodriguez
- 11. Antonio Velasquez      605 Morris
- 12. Destiny Velasquez
- 13. Yesenia Rivera      Yesenia Rivera      605 Morris  
905 MacArthur St
- 14. Roberto Yopez      Roberto Yopez      905 MacArthur St
- 15. Luis Rivera      Luis Rivera      905 MacArthur St

In accordance with my signature below, I attest to collecting the above signatures.

Dated: \_\_\_\_\_

\_\_\_\_\_

11

PETITION IN FAVOR OF PARK PANTRY  
AT 906 S. MORRIS AVENUE IN BLOOMINGTON

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NAME PRINTED	SIGNATURE	ADDRESS
1. D. Derene Segobiano	<i>D. Derene Segobiano</i>	1104 E. Ironwood Normal IL
2. Justin Segobiano	<i>Justin C. Segobiano</i>	1407 Rivas Landing Normal IL
3. Leila Anari	<i>Leila Anari</i>	1401 RiverLanding Normal, IL
4. Caroline Grant	<i>Caroline Grant</i>	1306 S. Low St. Bloomington
5. Flo Leach	<i>Flo Leach</i>	101 Yake St Bloom, IL

- 6. Larry Johnson      Larry Johnson      2109 Eastgate
- 7. Nancy Miller      Nancy Miller      2109 Eastgate
- 8. Paul Segobiano      Paul Segobiano      1501 Graham
- 9. Barb Segobiano      Barb Segobiano      1501 Graham
- 10. JEFF SEGOBIANO      Jeff Segobiano      1104 E. Ironwood
- 11. Sam Ali      Sam Ali      1401 W Market
- 12. Kevin Frost      Kevin Frost      1325 Regwood Ln
- 13. Sue Frost      Sue Frost      1325 Regwood
- 14. CURT FLEMING           3017 Oakland
- 15. Vickie Fleming           3017 Oakland

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 7-15-19

Carl Segobiano

~~Aj...~~

Carl Segobiano

13

PETITION IN FAVOR OF PARK PANTRY  
AT 906 S. MORRIS AVENUE IN BLOOMINGTON

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4. The Park Pantry plans to invest \$112,500 to renovate the property.

NAME PRINTED	SIGNATURE	ADDRESS
1. TAM HERNANDEZ	<i>Tam Hernandez</i>	1102 W Mill St
2. Steven Brown	<i>Steven Brown</i>	1017 W Mill
3. Aundra's Parts	<i>Aundra's Parts</i>	1311 Mill St
4. Vickie Anderson	<i>Vickie Anderson</i>	1002 W Jackson Bloomington
5. Neal Leman	<i>Neal Leman</i>	1009 W Jackson St Bloomington IL

(19)

- 6. Cleve Smith *Eve Smith* 101 Park St Bldg
- 7. Terry Higgs *Terry Higgs* 1464 Low
- 8. Lori Roley 1304 Low St.
- 9. JOE VENTURA *Joe Ventura* 107 S HOLLER ST
- 10. ANN VENTURA *Ann Ventura* 107 S HOLLER ST
- 11. Marie Pive *Marie Pive* 305 Wright
- 12. Ted Medith *Ted Medith* 1213 COTTON
- 13. Donna Medith *D. Medith* 1213 Cotton
- 14. Tony Segobiano *Tony Segobiano* 34 White Pl.
- 15. ~~Donna~~ Segobiano *Karen Segobiano* 34 White Pl.

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 7-15-19

*Carl Segobiano*

~~\_\_\_\_\_~~  
Carl Segobiano

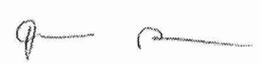
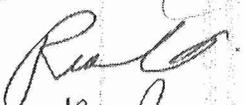
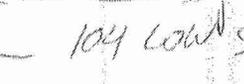
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NAME PRINTED	SIGNATURE	ADDRESS
1. Aaron Haley	<i>Aaron Haley</i>	1311 N. Hershey
2. BRIAN READ	<i>Brian Read</i>	2305 ANCHOR DR. 61704
3. <i>Aj Alshabeh</i>	LuZ Alshabeh	1214 Rutledge Rd. 61704
4. Demarcus Johnson	<i>Demarcus Johnson</i>	1214 Orchard Rd.
5. Toddrick Fortner	<i>Toddrick Fortner</i>	1211 ORCHARD Rd

(16)

6.  Julius Price 1700 N. School St
7. Rodney Johnson  719 Academy
8. FAMIOUS Frank  2208 Rainbow Ave.  
1214 Eastport 4
9. Cornell Caldwell 
10. Ralph Armstrong  2308 Todd Dr - N
11. Kameron Floense  2208 Todd Dr S N
12. Vincent P.  1205 S. Western Av
13. Rowland  104 Low St Bloomington IL 61701
- 14.
- 15.

In accordance with my signature below, I attest to collecting the above signatures.

Dated: 7-15-19

  
Ajeet Singh  
MOONAL Shabah

# Neighborhood Exhibit A

## No Liquor Store

We, the undersigned neighbors of west Bloomington, are opposed to a Liquor Store at 906 S. Morris Avenue, the former site of West Side Liquors. We do support a deli, pizza shop or convenience store, particularly one that would sell fresh and wholesome food for the neighborhood.

NAME

ADDRESS

Bloomington, Illinois

Karen Bays	1310 W. Elm St. Blm
Jim 2 Bar	1210 W. Elm Blvd
Monica Fogler	809 S. Morris Ave Blm
	809 S. Morris
Denzel Carter	1313 W. Elm
	1313 W. Elm
	1415 W. Elm
George Stewart	1415 W. Elm
Bob Kirk	801 S. Haskaw
Nicholas Kirk	1218 W. MacArthur Ave
Frank Butz	W. Ashby Dr
Mike W	902 S. Haskaw
Doriamel Prilliam	1419 W. Elm St
Joyce J. Hall	1402 W. Elm St.
Chad Hill	1402 W. Elm St
Regina Johnson	1306 W. Elm St.
Jim Gino	1216 W. Elm St
Scott McClellan	<del>1214</del> 1214 W. Elm St.
Amber Couders	1211 West Elm. St
Ben T. Couders	
Darian Bays	
Megan Bays	
Kaitlin Wip	
Erin F. Fung	1205 W. Elm
Ramen C. Lane	1205 W. Elm
Linda P. McClure	1211 W. Elm
Danette B. Taylor	1215 W. Elm
Debra L. Jenkins	1208 W. Elm
MIKE SAPP	827 W. Elm St
Shirlean Sapp	827 W. Elm St
Valerie L. Gough	821 W. Elm St

Also business owner  
929 W. Wood St.

## No Liquor Store

We, the undersigned neighbors of west Bloomington, are opposed to a Liquor Store at 906 S. Morris Avenue, the former site of West Side Liquors. We do support a deli, pizza shop or convenience store, particularly one that would sell fresh and wholesome food for the neighborhood.

NAME ADDRESS  
Bloomington, Illinois

Shirley Villenwater	
Nonna H Wade	
Debra Kane	1003 Folsom
Frank June	1003 Folsom
Montgomery	1007 Folsom
Wood St	
825 W. Oakland Ave	
311 Cornicks	13 Arbor
Jeanette Kersh	104 Tanner St. Blm
Carrie Handy	1209 W. Elm.
1212 W. Elm St.	
1205 W Elm St	
Elm Street	
W. Washington	Walgreen Wood
60 W. ...	Walgreen Wood
1106 W. Jackson	
302 Drexelwood	
1101 W. MacArthur Ave	
205 W Wood St	
1101 W. MacArthur Ave.	
1103 W Oakland Ave.	
814 W. Mills St	

# NO LIQUOR STORE

We, the undersigned neighbors of west Bloomington, are opposed to a Liquor Store at 906 S. Morris Avenue, the former site of West Side Liquors. We do support a deli, pizza shop or convenience store, particularly one that would sell fresh and wholesome food for the neighborhood.

NAME

ADDRESS

Bloomington, Illinois

Elizabeth Weber	913 W. WOOD STREET
Toni Kindel	910 W. Wood St
CHARLES F JURGUS	913 W WOOD ST
Laryssa Clark	915 W. Wood ST.
Amberly CLARK	915 W. Wood ST
Paula	915 W Wood St
Larry Craig	2 Goose Creek Dr
Rosemary Buechel	302 S. Roosevelt Bl.
Mike Brown	701 W WOOD ST. BL
Judy E. Vans	701 W. Wood St
W. W. W.	909 W. WOOD ST.
Brian Smith	909 W. WOOD ST
Ann Hill	1003 W. McArthur St.
Rich Hill	1003 W. McArthur
Harvey Gustorf	107 Stockholm St.
Jette Staley	107 Stockholm St.

### No Liquor Store

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NAME

ADDRESS

Bloomington, Illinois

Dicke Ramirez	903 S. LOW
Alberto Palafox	204 N ALLEN
Manuel Quiroz	1410 W OLIVE
Jay Hoomanawanui	939 W. MacArthur St.
Art Garrison	835 W. OAKLAND
Hortia Garrison	835 W. OAKLAND
Jay B Russell	619 W. JACKSON
Bob West	822 W. WASHINGTON
Ma Merri	902 W OAKLAND
John Klepper	822 W OAKLAND
NANCY KLEPPER	822 W OAKLAND
KATHY SIMMONS	818 W. OAKLAND
Schylar Cameron	808 W OAKLAND
Betty Smyth	906 W. MORRIS
Joan Graham	817 W. OAKLAND
JEAN GRAHAM	817 W. OAKLAND

## NEIGHBORHOOD

## GROUP EXHIBIT B

### Videos of Elm Street w/No Traffic

- This exhibit is available for review at the City Clerk Department.
- The exhibit depicts a quiet street with no traffic.

## **Exhibit A**

Photo of the current state of building located at 906. S. Morris Ave.

Puma Enterprise, Inc.  
dba: Park Pantry  
906 S. Morris Ave.

< 901 S Morris Ave



## **Exhibit B**

Photos of dba: Hot Spot to be used as a model for Park Pantry.

Puma Enterprise, Inc.  
dba: Park Pantry  
906 S. Morris Ave.

# Image 1

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# Image 2

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# Image 3

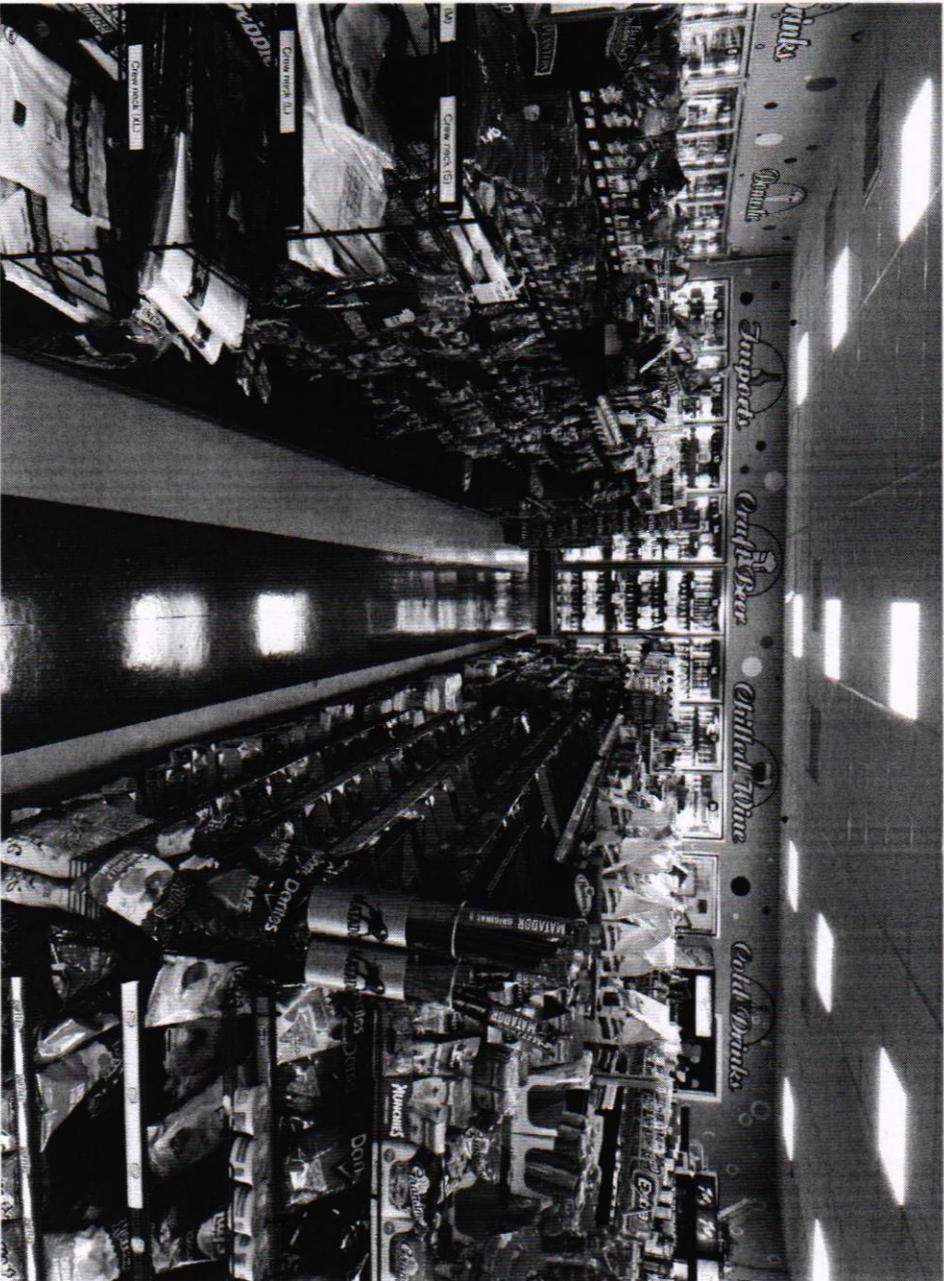
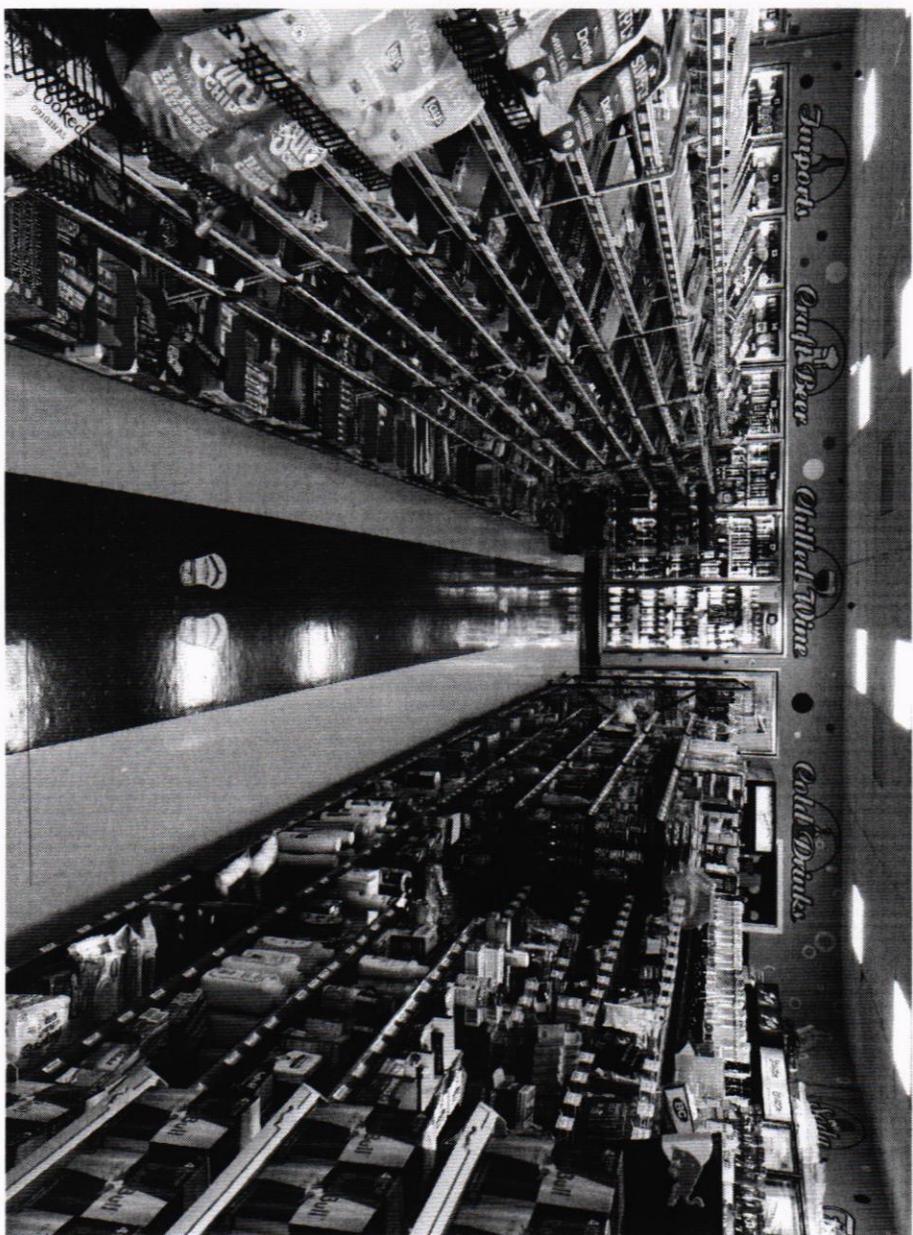


Image 4



# Image 5

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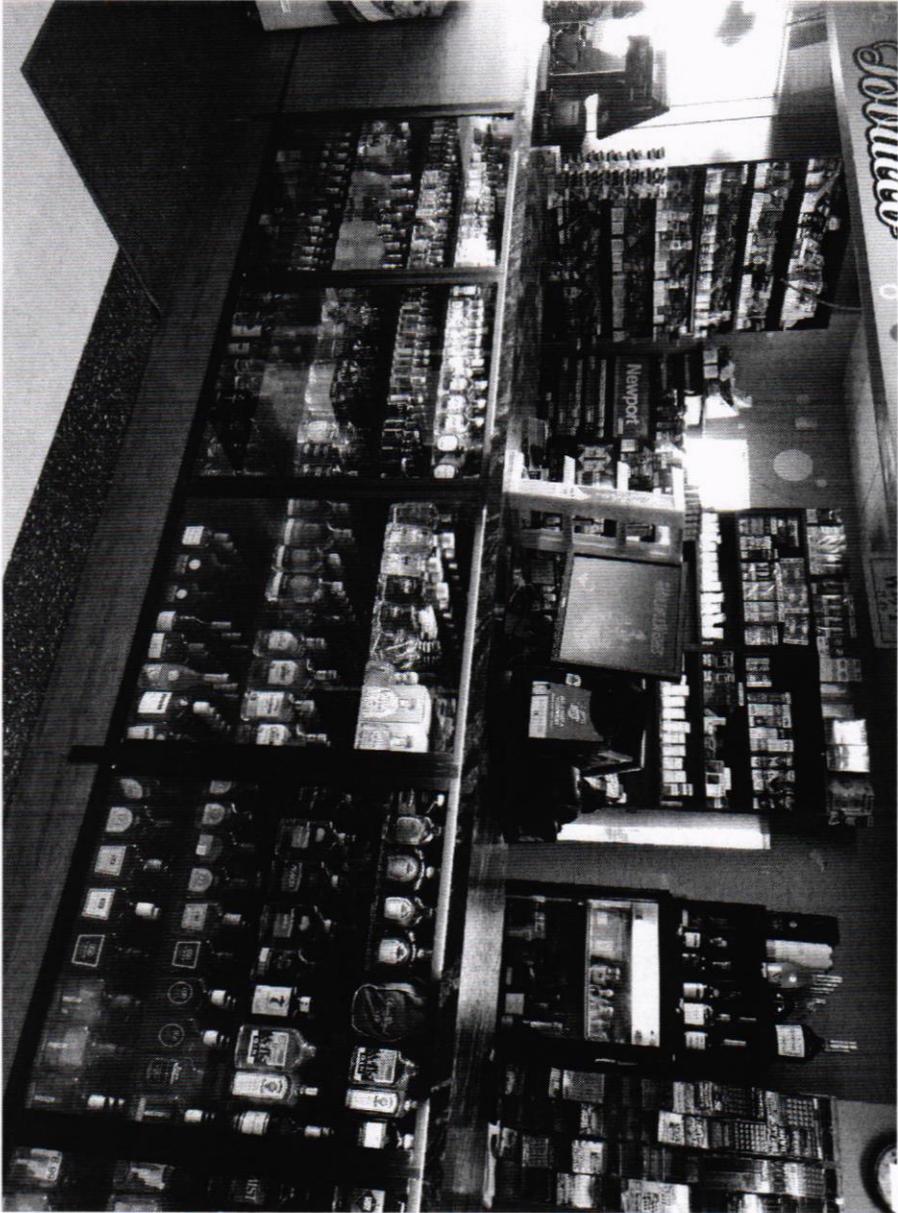


Image 6

Image 7

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Image 8

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Image 9



# Image 10

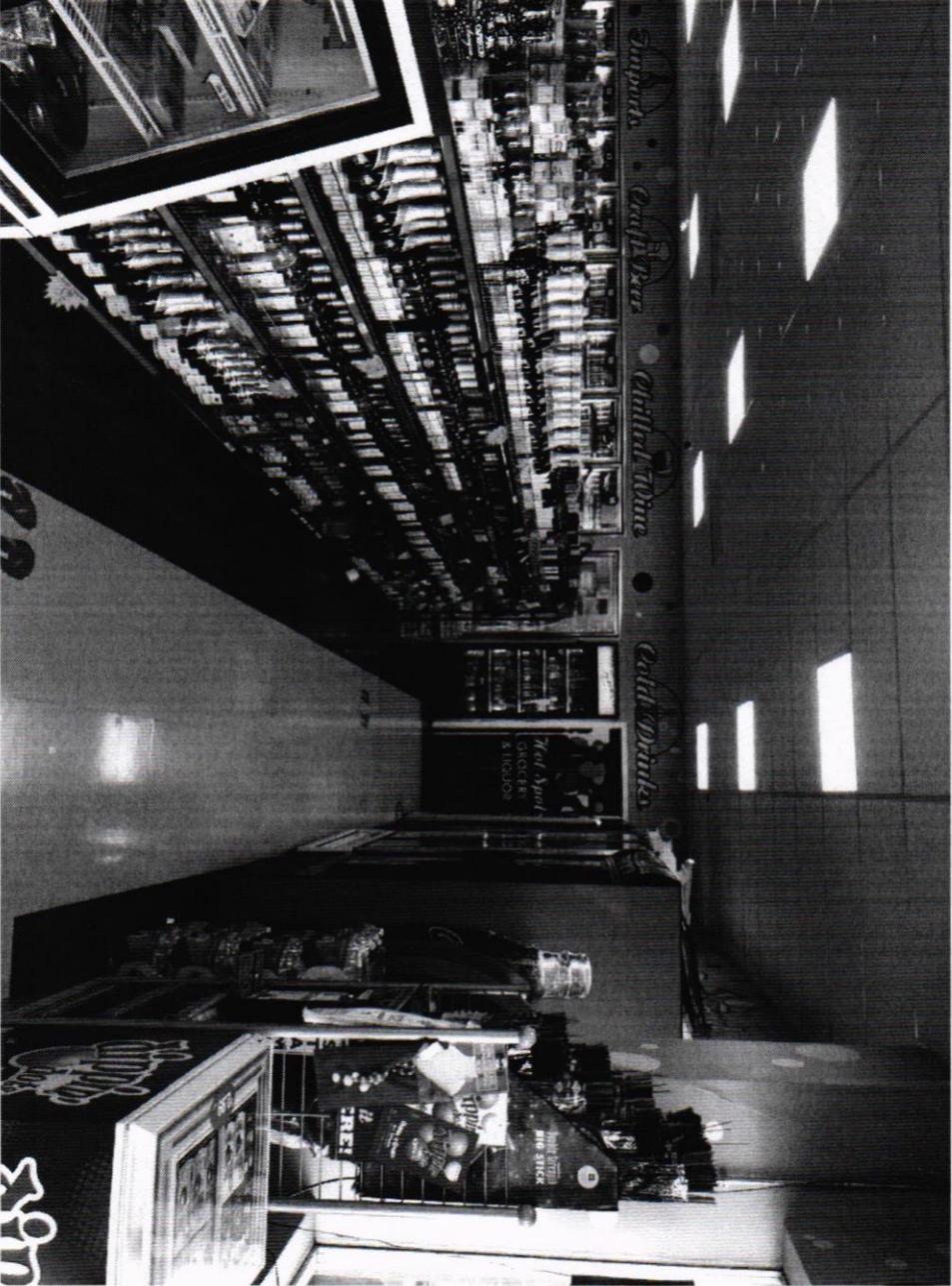


Image 11



# Image 12



# Image 13



Image 14



Image 15

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Image 16



# Image 17

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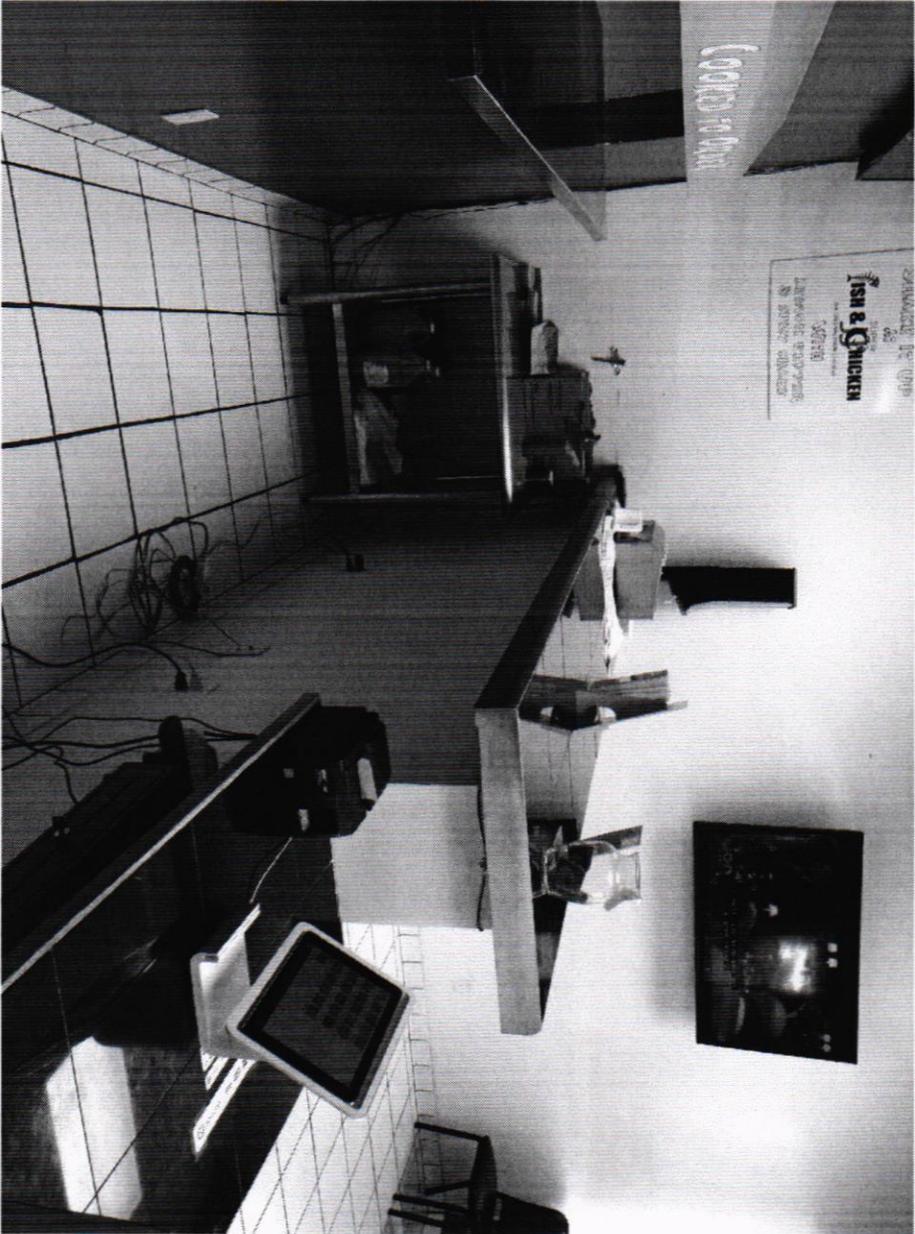


Image 18

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**Thank You**

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