



CITY OF  
BLOOMINGTON  
COUNCIL MEETING  
AUGUST 12, 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, AUGUST 12, 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 22, 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 \$8,565,752.23, 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 Appointments to Various Boards and Commissions as requested by the Administration Department. *(Recommended Motion: Brittany Burton be appointed to the Citizens' Beautification Committee; Jeffrey Pitzer be appointed to the Cultural Commission; Betty Middleton be appointed to the Bloomington Housing Authority; Colton Sylvester be appointed to the John M. Scott Health Care Commission; and Ed Breitweiser, John Corey, and Guadalupe Diaz III be appointed to the Transportation Commission.)*
  - D. Consideration and action to purchase three (3) Labrie Expert (T) 2000 Helping Hand Single Arm Automated Side Loader Bodies from Key Equipment of Bridgeton, Missouri, in the amount of \$461,113.80, using Sourcewell (Contract #112014-LEG), and three (3) 2020 Crane Carrier Model LDT2-30 Chassis from National Auto Fleet Group, in the amount of \$558,903.66, using Sourcewell (Contract # 081716-NAF, exp. 11/15/20), for a total of three (3) Automated Refuse Collection Trucks, at a total of \$1,020,017.46, and authorization to dispose of the three 2012 Crane Carrier 1LGT2-26 Automated Refuse Collection Trucks by online public auction, as requested by the Public Works Department. *(Recommended Motion: The proposed Purchases and Disposal be approved.)*
  - E. Consideration and action to purchase one (1) New Falcon 4 Ton Transporter Hot Box from Cummings, McGowan & West of St. Louis, Missouri, in the amount of

- \$37,360 (with up to \$3,000 trade credit), using Sourcewell (Contract #052417-FRM, exp. 10/2/21), as requested by the Public Works Department. *(Recommended Motion: The proposed Purchase be approved.)*
- F. Consideration and action to approve the purchase of one (1) Xtreme Vac Model LCT600 from Key Equipment of Maryland Heights, Missouri, in the amount of \$39,855.25, using Sourcewell (Contract #04122017-ODB, exp. 7/7/21), as requested by the Public Works Department. *(Recommended Motion: The proposed Purchase be approved.)*
- G. Consideration and action to approve an Agreement with J. G. Stewart Contractors, Inc., for the FY 2020 Sidewalk and Curb Ramp Replacement Program, Phase II (Bid # 2020-05), in the amount of \$100,489.40, as requested by the Public Works and Community Development Departments. *(Recommended Motion: The proposed Agreement be approved.)*
- H. 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 Motor Fuel Tax Resolution for Improvement be approved.)*
- I. Consideration and action to (1) renew the Agreement with Jellyvision (via the ALEX tool) as a limited source, so that employees may be better educated regarding their 2020 Benefits, and (2) approve an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020, in the amount of \$39,544, as requested by the Human Resources Department. *(Recommended Motion: The proposed Agreement be renewed, and the proposed Ordinance be approved.)*
- J. Consideration and action to approve an Ordinance Changing the Name of Mitsubishi Motorway to Rivian Motorway and Amending Chapter 29 of the City Code, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- K. Consideration and action to adopt an Ordinance Approving a Special Use Permit for Vehicle Sales and Repair in the B-1, General Commercial District, for Property Located at 420 Olympia Drive, as requested by the Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- L. 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 at Lake Bloomington on August 31, 2019, to Allow Moderate Consumption of Alcohol for the Pherigo and Rogers Wedding, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- M. 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 at Lake Bloomington on

September 14, 2019, to Allow Moderate Consumption of Alcohol for the Ehresman Wedding, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

N. 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 Miller Park Pavilion on November 22, 2019, to Allow Moderate Consumption of Alcohol for the Biondo and Mehlberg Wedding, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

O. 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 Miller Park Pavilion on November 2, 2019, to Allow Moderate Consumption of Alcohol for the Stein and Egts Wedding, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

P. Consideration and action on an Ordinance Suspending Section 26(d) of Chapter 6 of the Bloomington City Code to Allow Possession of Open Alcohol on Public Property in Specified Portions of Downtown Bloomington on August 17, 2019, During the Front Street Music Festival, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Q. Consideration and action on an Application for Four Rows, LLC d/b/a The Mystic Kitchen & Tasting Room, located at 306 N. Center Street, #102, requesting a Class TAPS (Tavern, All Types of Alcoholic Liquor, Package Sales for Consumption Off Premises, and Sunday Sales) Liquor License, which allows the sale of alcoholic liquor by the glass for consumption on the premises, and the retail sale of packaged liquor for consumption off premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application and License be approved.)*

8. Regular Agenda

9. City Manager's Discussion

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:** August 12, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** Consideration and action to approve the Minutes of the July 22, 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 22, 2019 Regular City Council Meeting



MINUTES

PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS  
MONDAY, JULY 22, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:00 p.m., Monday, July 22, 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, Jenn Carrillo, Scott Black, Jeff Crabill, Kim Bray, and Mayor Tari Renner.

Staff Present: Billy Tyus, Deputy City Manager; Jeffrey Jurgens, Corporation Counsel; George Boyle, Assistant Corporation Counsel; Nicole Albertson, Human Relations 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:

Karen Bays	Shirleen Sapp
Scott Stimeling	David Byrd
James Bays	Ajeet Singh
John Canham	Mike Sapp
Debra Hawkins	Surena Fish

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 Mathy made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all the items listed below along with the corrected City Council minutes for July 8, 2019, be approved as presented with the exception of Item 7C.

Item 7A. 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.)*

Item 7B. 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.)*

Item 7C was pulled from the Consent Agenda by Council Member Black.

Item 7D. 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.)*

Item 7E. 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.)*

Item 7F. 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.)*

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

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

**Nays: None.**

**Motion carried.**

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

Item 7C. 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.)*

Council Member Black asked that Public Works Director, Jim Karch, come forward. Mr. Karch came forward to address Council. Council Member Black asked Mr. Karch whether delaying the item until the August 12, 2019 Council meeting would cause an issue. Mr. Karch stated that the item was not time sensitive and would not be troubled if postponed. Council Member Black expressed interest in delaying the item until he could get more feedback from his constituents.

Council Member Carrillo was supportive of postponing the item to allow additional community feedback.

Council Member Boelen pointed out that the item had been publicly discussed on previous occasions multiple times. Mr. Karch provided history of the item.

Mayor Renner offered some clarifying statements to Mr. Karch's history provided.

Council Member Boelen added additional history. She offered support for the item, specifically mentioning commercial growth opportunities.

Council Member Crabill asked questions regarding changes in development over the years. He mentioned growth being down from what was expected. Mr. Karch discussed the goals of the project as well as safety concerns shared by the City and the Illinois Department of Transportation (IDOT).

Council Member Mathy stressed safety being his primary concern. He pointed out that the City has had a difficult time negotiating with the railroad companies involved and stressed the importance of an agreement finally being made.

Council Member Black made a motion, seconded by Council Member Mathy, that the item be delayed to the Council meeting on August 12, 2019 to allow for further input from the public.

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

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

Nays: None.

Motion carried.

## Regular Agenda

The following was presented:

Item 8A: 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.

Billy Tyus, Deputy City Manager, gave a brief overview of the history of the video gaming moratorium and discussed the proposed amendment. He mentioned that the City was aware of one business that would qualify for the exception.

Council Member Carrillo made a motion, seconded by Council Member Black, that the proposed Ordinance be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8B. Report of a Classified (Non-Union) IMRF Retirement, as requested by the Human Resources Department.

Billy Tyus, Deputy City Manager, gave a brief overview of the item. The item was offered for informational only, pursuant to the Local Government Wage Increase Transparency Act, 50 ILCS 155/1. The retirement of Debbie Bohannon, who will retire as of October 4, 2019,

will result in an accelerated payment of around \$63,000. He went on to discuss the requirements placed on the City to ensure full transparency.

The following was presented:

Item 8C. 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.

Billy Tyus, Deputy City Manager, gave a brief overview of the item. He walked through the history of the item with Council and the Liquor Commission.

Council Member Emig provided a few examples of support she had received from members of the public. She pointed out that everyone citywide will be monitoring the business closely and expressed the desire to not tie the hands of the business owner.

Council Member Carrillo expressed concerns. She quoted City Code Chapter 6, Section 4(b) and felt that the standard had not been met. She complimented Mr. Singh, the applicant and owner of Puma Enterprise, but stated that she sided with the neighbors and would not be voting in support of the liquor license.

Council Member Black complimented Council Member Carrillo for her engagement with the neighbors of the proposed business and for doing her due diligence. He expressed support for the business and emphasized the importance of evaluating more than the business' receipts. He recommended that ordinance violations, as well as the number of Police calls made to the business also be considered.

Council Member Crabill asked whether the meeting could be considered an evidentiary hearing and requested information on whether Hot Spot had been cited for issues. George Boyle, Asst. Corporation Counsel, stated that the Police Chief testified at the Liquor Commission hearing on July 16, 2019 that the Department had no issues with the liquor license being granted. He also pointed out that the Liquor Commission had not issued any violations against the Hot Spot when it was owned by Ajeet Singh.

Council Member Mathy asked Mr. Boyle questions regarding the appropriate way to limit sizing on alcohol sold at the business. Mr. Boyle provided a couple of ideas. Council Member Mathy asked whether the proposed evaluation of the business' records by the Liquor Commission focused on gross or net revenue. Mr. Boyle stated that gross revenue was the intention of the Commission. Council Member Mathy expressed support for the item.

Council Member Boelen stated that she is still conflicted in how to vote. She expressed issues with how the business would be evaluated. Mayor Renner provided additional information the Liquor Commission's intentions. She offered support for new business and development in the area where the business would be located.

Council Member Mwilambwe mentioned how badly the building where the business looked to locate was in dire need of improvement and offered support for new business. He also had sympathy for the neighbors and their requests. He favored Mr. Singh opening the business for six months without a license and then having the opportunity to request a liquor license. He was in opposition of the license.

Council Member Bray asked Mr. Boyle whether the Hot Spot had previously provided financials to the Liquor Commission. Mr. Boyle stated that the review of financials was not a requirement by Ordinance and that the Commission had not previously looked at the Hot Spot's financials under ownership by Mr. Singh. Council Member Bray quoted Chapter 6, Section 4(b)(5). She expressed concerns and did not believe that the impact on the neighborhood outweighed the need for an additional license in the area.

Council Member Painter stated that she would be voting against the item because Council Member Carrillo, whose Ward the business would sit in, was also voting "No."

**Council Member Carrillo motioned, seconded by Council Member Mwilambwe, to deny the liquor license application.**

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

**Ayes: Council Members Boelen, Mwilambwe, Painter, Carrillo, and Bray.**

**Nays: Council Members Mathy, Emig, Black, and Crabill.**

**Motion carried.**

### **City Manager's Discussion**

#### **A. Finance Director's Report**

Deputy City Manager, Billy Tyus, had nothing to report. He called Finance Director, Scott Rathbun, forward to present the Finance Director's report.

Mr. Rathbun walked through his presentation and discussed revenues in detail. He stated that revenues are close to being on target and that he anticipates revenues continuing to improve. He provided many examples of comparisons to the previous year.

Council Member Boelen asked how the decrease in utility tax affects pension funding. Mr. Rathbun stated that the pensions were affected and discussed the impact in more detail.

### **Mayor's Discussion**

Mayor Renner congratulated Zoning Board member, Michael Rivera Jr., who was recently commissioned as First Lieutenant of the Illinois Army National Guard. He also thanked Council Member Painter for her help at the recent downtown Farmer's Market.

### **Council Member's Discussion**

Council Member Carrillo stated that she had put in an Aldermanic Request for a Task Force to look to addressing and implementing the new cannabis legislation. She will also be hosting a strategy and listening session regarding the State Farm building on Friday, August 2, 2019 for 5:30-7:30pm in the Council Chambers.

Council Member Boelen and Mayor Renner mentioned that the State Farm building is private property.

Council Member Mathy invited the public to attend the upcoming Pride Fest downtown on July 27, 2019.

### **Executive Session**

#### **A. Personnel - Section 2 (c)(1) of 5 ILCS 120**

Mayor Renner entertained a motion to enter into Executive Session for the purpose of Personnel - Section 2(c)(1) of 5 ILCS 120. He clarified that no formal action would be taken during Executive Session.

Council Member Emig made a motion, seconded by Council Member Bray, to enter into an Executive Session meeting for the purpose of Personnel - Section 2(c)(1) of 5 ILCS 120.

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

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

Nays: None.

Motion carried.

#### Return to Open Session and Adjournment

Mayor Renner asked for a motion to return to Open Session and adjourn the meeting.

Council Member Black made a motion, seconded by Council Member Carrillo, to return to Open Session and adjourn the meeting.

Motion carried unanimously (viva voce).

The meeting adjourned at 8:17 p.m.

CITY OF BLOOMINGTON

ATTEST

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Tari Renner, Mayor

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Leslie Yocum, City Clerk



CONSENT AGENDA ITEM NO. 7B

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Finance

**SUBJECT:** Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$8,565,752.23, 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, and Electronic Transfers 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 \$8,565,752.23 (Payroll total \$5,324,757.82, Accounts Payable total \$2,670,227.09, and Electronic Transfers total \$570,767.32).

**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

**Attachment:**

- FIN 1A Summary Sheet Bills, Payroll, Electronic Transfers, and Procurement Card Purchases Bills & Payroll 081219

CITY OF BLOOMINGTON FINANCE REPORT					
<b>PAYROLL</b>					
<b>Date</b>	<b>Gross Pay</b>	<b>Employer Contribution</b>	<b>Totals</b>		
7/19/2019	\$ 2,134,717.72	\$ 512,645.79	\$ 2,647,363.51		
8/2/2019	\$ 2,038,827.04	\$ 503,253.02	\$ 2,542,080.06		
7/19/2019-7/29/2019	\$ 132,665.66	\$ 2,648.59	\$ 135,314.25		
Off Cycle Adjustments					
<b>PAYROLL GRAND TOTAL</b>			<b>\$ 5,324,757.82</b>		
<b>ACCOUNTS PAYABLE (WIRES)</b>			<b>PCARDS</b>		
<b>Date</b>	<b>Bank</b>	<b>Total</b>	<b>Date Range</b>	<b>Total</b>	
8/12/2019	AP General	\$ 2,385,579.39			
	AP JM Scott				
8/12/2019	AP Comm Devel	\$ 8,629.68		<b>PCARD GRAND TOTAL</b>	
8/12/2019	AP IHDA	\$ 2,071.73			
8/12/2019	AP Library	\$ 99,172.84			
	AP MFT	\$ -			
7/19/2019-7/30/2019	Out of Cycle	\$ 174,773.45			
6/2/2019-8/6/2019	AP Bank Transfers	\$ 570,767.32			
<b>AP GRAND TOTAL</b>		<b>\$ 3,240,994.41</b>			
<b>TOTAL</b>			<b>\$ 8,565,752.23</b>		
			<b>Respectfully,</b>		
			<b>F. Scott Rathbun</b>		
			<b>Director of Finance</b>		



CONSENT AGENDA ITEM NO. 7C

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Administration

**SUBJECT:** Consideration and action to approve Appointments to Various Boards and Commissions as requested by the Administration Department.

**RECOMMENDED MOTION:** Brittany Burton be appointed to the Citizens' Beautification Committee; Jeffrey Pitzer be appointed to the Cultural Commission; Betty Middleton be appointed to the Bloomington Housing Authority; Colton Sylvester be appointed to the John M. Scott Health Care Commission; and Ed Breitweiser, John Corey, and Guadalupe Diaz III be appointed to the Transportation Commission.

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

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

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

**Citizens' Beautification Committee.** Brittany Burton to the Citizens' Beautification Committee. She will be replacing Patricia Marton who resigned in 2018 and whose three-year term expires 4-30-20. Brittany's term will be effective upon appointment and will expire 4-30-20 at which time she will be eligible to apply for reappointment. Application is on file in the Administration Office.

**Cultural Commission.** Jeffrey Pitzer to the Cultural Commission. He will be filling the 4-30-19 vacancy previously held by Carole Ringer who was ineligible to continue to serve due to term limits. Jeffrey's first three-year term will be effective upon appointment and will expire 4-30-22 at which time he will be eligible to apply for reappointment. Application is on file in the Administration Office.

**Housing Authority.** Betty Middleton to the Bloomington Housing Authority. She will be completing the 5-year resident-required term of Gaynett Hoskins who relocated July 2017. Betty's term will be effective upon appointment and will expire 4-30-22 at which time she will be eligible to apply for reappointment. Application is on file in the Administration Office.

**Transportation Commission.** Ed Breitweiser to the Transportation Commission. He will be filling the 4-30-19 vacancy created by Elizabeth Kooba who chose not to reapply when her term expired 4-30-19. Ed's first three-year term will be effective upon appointment and will expire 4-30-22 at which time he will be eligible to apply for reappointment. Application is on file in the Administration Office.

John Corey to the Transportation Commission. He will be completing the final year of the term previously held by Michael Gorman who resigned 4-30-19 and whose term expires 4-30-20. John's term will be effective upon appointment and will expire 4-30-20 at which time he will be eligible to apply for reappointment. Application is on file in the Administration Office.

Guadalupe Diaz III to the Transportation Commission. He will be completing the final year of the term previously held by Jill Blair who resigned 4-16-19 and whose term expires 4-30-20. Guadalupe's term will be effective upon appointment and will expire 4-30-20 at which time he will be eligible to apply for reappointment. Application is on file in the Administration Office.

The John M. Scott Health Care Commission has approved, and ask your concurrence in the appointment of:

**John M. Scott Health Care Commission.** Colton Sylvester to the John M. Scott Health Care Commission. He will be appointed to fulfill one of the health care professional positions with an expertise in dentistry. Dr. Sylvester will be replacing Dr. David Wyse who resigned 9-17-18 and whose term will expire 4-30-20. Dr. Sylvester's term will be effective upon appointment and will expire 4-30-20. Application is on file in the Administration Office.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** John M. Scott Health Care Commission approved and recommends the above appointment.

**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: M. Beth Oakley, Executive Assistant

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- ADM 1B Roster Citizens Beautification Committee
- ADM 1C Roster Cultural Commission
- ADM 1D Roster Housing Authority
- ADM 1E Roster Transportation Commission
- ADM 1F Roster JM Scott Health Care Commission

## Citizens Beautification Committee

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Year First Appt	Re/Appointment Date	Ward	Notes
x		Sara	Crowley	04/30/21	2018	05/14/18	3	
x	Chair	Robin	VanDermay	04/30/20	2014	03/27/17	3	
x		Patricia	Marton	04/30/20	2014	03/27/17	4	
x		Holly	Sellers	04/30/19	2018	02/12/18	5	
x		Daniel	Freburg	04/30/22	2018	04/22/19	7	
x		Robert	Bradley	04/30/21	2017	04/23/18	9	
x		Brett	Litwiller	04/30/21	2018	05/14/18	4	
x		Amanda	Weissgerber	04/30/22	2016	04/22/19	4	
x		Valerie	Dumser	04/30/19	2012	06/13/16	7	
x		Adriane	Powell	04/30/22	2018	04/22/19	4	
x		Erica	Larkin	04/30/20	2013	05/22/17	1	
x		William	Gudeman	04/30/21	2018	04/23/18	5	
	Ex-Officio	Jan	Lauderman					
	Ex-Officio	Stan	Cain					
	Staff	Robert	Moews					
	Staff	David	Lamb					

**Details:**

Term: 3 years (4 years prior to 5/1/2014)  
 Term Limit per City Code: 3 terms/9 years  
 Members: 12 members, 1 ex-officio member  
 Number of members the Mayor appoints: 12  
 Type: Internal  
 City Code: 1973-32, Chapter 2, Section 72  
 Required by State Statute: No  
 Intergovernmental Agreements:  
 Funding budgeted from COB for FY2014:  
 Meetings: 3rd Thursday of each month at 6:00 pm - BPD Osborn Room

Number of Vacancies: 3  
 Number of Expired Board Members (Blm Appointments only): 2  
 Number of Expired Board Members Eligible for Reappointment: 2

**Appointment/Reappointment Notes:** Burton to replace Marton

## Cultural Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Year First Appt	Appointment Date	Notes
x		Angelique	Racki	04/30/20	2016	03/27/17	
x	Chair	Kellie	Williams	04/30/22	2016	04/22/19	
x		Melissa	Libert	04/30/21	2018	12/17/18	
x		Jeff	Crabill	04/30/21	2018	06/25/18	
x		Mark	Halx	04/30/22	2018	04/22/19	
x		Ronald	Crick	04/30/22	2017	04/22/19	
x		Julia	Cozad-Callighan	04/30/21	2018	03/26/18	
x	Ineligible	Carole	Ringer	04/30/19			
x		Meryl	Brown	04/30/20	2018	08/27/18	
x		Jesse	Smart	04/30/21	2016	4/23/2018	
x		Jamie	Mathy	04/30/20	2014	06/12/17	
	Staff	Jim	Mack				
	Staff	Eric	Veal				
	Staff	Samantha	Still				

### Details:

Term: 3 years

Term Limit per City Code: 3 terms/9 years

Members: 11 members (was 14 members but Ordinance 2018-42 reduced to 11, 6-11-18)

Number of members the Mayor appoints: 11

Type: Internal

City Code: Chapter 2, Section 81

Required by State Statute: No

Intergovernmental Agreements: None

Funding budgeted from COB for FY2014: None

Meetings: 3rd Thurs of each month at 7:30 am - Creativity Center Conference Room

Number of Vacancies: 2

Number of Expired Board Members (Blm Appointments only): 1

Number of Expired Board Members Eligible for Reappointment: 0

**Appointment/Reappointment Notes:** Pitzer replacing Ringer

## Housing Authority Board

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Ward	Reappointment
x		Arthur	Haynes	04/30/24	04/22/19	2015	6	
x	Vice Chariman	Terrence	Koch	04/30/20	05/11/15	2013	4	
x	Chair	Barb	Adkins	04/30/20	05/11/15	1995	7	
x		Memuna	Lee	04/30/21	05/23/16	2015	8	
x	Resident	Gaynett	Hoskins	04/30/22	06/12/17	2016	6	must be Housng Auth resident
	Contact	Jeremy	Hayes					

**Details:**

Term: 5 years

Term Limit per City Code: City Code does not apply

Members: 5 members

Number of members the Mayor appoints: 5

Type: Internal

City Code: Chapter 2, Section 30

Required by State Statute: Yes

Intergovernmental Agreements:

Funding budgeted from COB for FY2014:

Meetings: 4th Tues of each month at 4:00pm - Housing Authority Office

Number of Vacancies: 1

Number of Expired Board Members (Blm Appointments only): 0

Number of Expired Board Members Eligible for Reappointment: 0

**Appointment/Reappointment Notes:** Middleton replaced Hoskins

## Transportation Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Year First Appt	Re/Appointment Date	Ward	Notes
x	Chair	Michael-TY	Gorman	04/30/20	2017	08/14/17	4	
x		Katherine	Browne	04/30/19	2017	08/14/17		
x		Angela	Ballantini	04/30/21	2017	04/23/18	7	
x		Elizabeth	Kooba	04/30/19	2017	08/14/17		
x		Maureen (Reenie)	Bradley	04/30/21	2017	04/23/18	3	
x	Vice Chair	Jill	Blair	04/30/20	2017	08/14/17	8	
x		Adam	Heenan	04/30/20	2019	04/22/19	4	
x	Disabled or serving disabled population	Robert	Ballantini	04/30/21	2019	02/25/19		
	Staff	Phil	Allyn	Traffic Engineer				

### Details:B

Term: 3 years

Term Limit per City Code: 3 terms/9 years

Members: 7 members (additional member added 11/26/18 Council Meeting) (reduced to 7 at 6-24-19 Council Meeting)

Number of members the Mayor appoints: 7

Type: Internal

City Code: Ordinance 2017-49; Chapter 29, Section 300, Article XXVIII

Required by State Statute: No

Intergovernmental Agreements: None

Funding budgeted from COB for FY2014:

Meetings: 3rd Tuesday of each month, 4pm, Council Chambers

Number of Vacancies: 5

Number of Expired Board Members: 2

Number of Expired Board Members Eligible for Reappointment: 2

**Appointment/Reappointment Notes:** Commission formed 6-12-17, Charter members presented for appointment 8-14-17. Breitweiser replacing Kooba, Corey replacing Gorman, Diaz replacing Blair

## John M. Scott Health Care Commission

Council Approved	Staff/Chair	Title	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Notes
X	Grant Administration	Chair	Holly	Ambuehl	04/30/21	11/13/18	2018	
X	Grant Administration	Secretary	Deb	Halperin	04/30/21	11/13/18	2018	
X	Health Care - Grant Administration	Dr	Donna TY	Hartweg	04/30/20	11/13/18	2009	
X	Health Care - Underserved	Vice Chair	Susan	Grant	04/30/21	11/13/18	2009	
X	Health Care - Underserved		Angie	McLaughlin	04/30/20	02/11/19	2019	
X	Health Care - Mental Health	Dr.	Scott	Hamilton	04/30/20	11/13/18	2014	
X	Health Care - Primary	Dr.	James	Swanson	04/30/22	05/13/19	2005	
X	Health Care - Optometry	Dr.	John	Couillard	04/30/21	11/13/18	2008	
X	Health Care - Dental	Dr.	David	Wyse	04/30/20	11/24/14	2014	
X	Finance	Treasurer	Brandi	Sweeney	04/30/20	05/01/17	2015	
X	Second Presbyterian	Dr.	Scott	Hamilton	04/30/20	11/13/18	2014	
X	Township		Deb	Skillrud	4/30/2020	11/13/2018	2018	
	Staff Administrator		Jennifer	Toney				

### Details:

Term: 3 years

Term Limit per ByLaws: No more than 3 consecutive terms unless such expertise is unavailable from others at the time as determined by Trustee

Members: 11 members

Number of members the Mayor appoints: 0

Type: Independent

City Code:

Required by State Statute: No

Intergovernmental Agreements: 9/29/09 IGA Dissolved by Resolution 5-14-18 with new Bylaws

Funding budgeted from COB for FY2016:

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

**Appointment/Reappointment Notes:** Residents of McLean County or employed by McLean County. At least 5 health care professionals from multiple disciplines, as well as experts in finance, grant administration, underserved population; two of the healthcare disciplines must include primary care and mental health, one member appointed by 2nd Pres Elders, and Trustee may also appoint one member representing Township Supervisor or McLean County Supervisor. Bloomington Township Trustee is also a member of the Commission. Commission recommends appointments to the Trustee. Commission may appoint ad hoc members to enhance skills required for the work of the committees. Ad hoc members have no voting rights. Hamilton will serve as both mental health and 2nd Pres to keep membership at 11. Sylvester filling dental position. Final vacancy to be filled with Finance expert.



CONSENT AGENDA ITEM NO. 7D

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to purchase three (3) Labrie Expert (T) 2000 Helping Hand Single Arm Automated Side Loader Bodies from Key Equipment of Bridgeton, Missouri, in the amount of \$461,113.80, using Sourcwell (Contract #112014-LEG), and three (3) 2020 Crane Carrier Model LDT2-30 Chassis from National Auto Fleet Group, in the amount of \$558,903.66, using Sourcwell (Contract # 081716-NAF, exp. 11/15/20), for a total of three (3) Automated Refuse Collection Trucks, at a total of \$1,020,017.46, and authorization to dispose of the three 2012 Crane Carrier 1LGT2-26 Automated Refuse Collection Trucks by online public auction, as requested by the Public Works Department.

**RECOMMENDED MOTION:** The proposed Purchases and Disposal 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 service.

**BACKGROUND:** Public Works is recommending the purchase of three Automated Refuse Collection Trucks, in the amount of \$1,020,017.46 to replace three 2012 Crane Carrier 1LGT2-26 Automated Refuse Collection Trucks due for replacement this fiscal year.

The first unit being replaced has 48,673 miles and 8,133 hours of use. Recent maintenance and repair issues have included brakes, packer cylinders, hopper worn through, engine exhaust regeneration, engine electric, body electrical, camera system, air system, steering, arm bushings and pins, and hydraulic control system. Total maintenance cost to date is \$136,506.39.



The second unit being replaced has 69,648 miles and 9,541 hours of use. Recent maintenance and repair issues have included steering, brakes, hydraulic hoses, hydraulic control valve, hydraulic cylinders, grabber arm and control, body floor worn through, engine emission system, and engine cooling system. Total maintenance cost to date is \$124,932.87.

The third unit being replaced has 66,685 miles and 9,496 hours of use. Recent maintenance and repair issues have included the engine emission system, hydraulic cylinders, lights, fuel system, air brake valves, hydraulic hoses, hydraulic valve, pump drive shaft, engine cooling system, and suspension springs. Total maintenance cost to date is \$105,265.12. The City of

Bloomington collects household refuse, bulk waste, brush, and leaves from residents' homes. These units are used daily to pick up refuse and recycling in the automated program.

Staff respectfully requests to have the replaced units declared surplus and be sold on public auction at Govdeals.com. They are expected to bring \$51,000.00 each.

Sourcewell is a government agency offering competitively solicited contracts for use by education, government, and nonprofits. Cooperative contracts mean volume discounts. The City has been a member and made a number of purchases through them for several years.

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

**FINANCIAL IMPACT:** The Solid Waste Division of the Public Works Department has budgeted \$1,059,210.00 for the purchase of the units out of the FY 2020 Capital Lease-Capital Outlay Licensed Vehicle account (40110141-72130). The new units will cost \$1,020,017.46 for a budgeted savings of \$39,192.54. The price for the Crane Carrier chassis reflects \$12,798.00 discount for early payment made at time of verification of the chassis receipt at LaBrie Environmental, in St Nicholas QC. Stakeholders can locate the trucks in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" on pages 87 and 93.

**COMMUNITY DEVELOPMENT IMPACT:** Goal NE-5: Provide more efficient and sustainable municipal solid waste management, Objective NE-5.2: Continue to address solid waste issues at the regional level.

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

Respectfully submitted for Council consideration.

Prepared By: Rob Kroner, Supt. of Fleet Maintenance  
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: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- PW 1B Quote Refuse Truck Replacement 08122019
- PW 1C Quote Refuse Truck Replacement 08122019

Levis, Quebec  
G7A 2T3  
1-800-463-6638  
fax: 418-831-5255

Client: Key Equipment & Supply Co  
Contact: Steven Hyink  
Address: 13507, North West Industrial Drive  
Bridgeton, MO, 63044-1245, USA  
Phone/Fax: 1-314-298-8330 / 1-314-298-8376  
Distributor: Key Equipment & Supply Co.

User: Bloomington IL, city of - EXAH (15151ARev3)  
Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone/Fax: /



Shipping address if different from above: \_\_\_\_\_

DESCRIPTION		Price
Model:	EXPERT HELPING HAND	Capacity: 33 (27+6) c.y. - XHHS0276
Chassis MFR:	CCC - Customer	127 830\$
Engine:	Cummins L9 (350HP)	Model: LDT2
Transmission:	RDS 3000 SERIES	Axle: 6 x 4
Driving config at del.:	Dual sit down drive	Cab: Cab over
Chassis dealer:	To be confirmed	Aux. Axle: No
Contact email:	To be confirmed	S/N:
Other:		WD #:
Cab color:	Factory white	Availability:
Chassis color:	Factory black	Body color: White
Cart type:		Paint scheme:
Position:		Match Cab: YES
Additional Manuals:	0	Capacity:
<b>Configurative features:</b>		Initials: _____
CHFT0320	Tank- Hydraulic tank in drop section - 65 gal. (All chassis Diesel or CNG).	2 870\$
CFTD0301	Tank- All chassis Diesel : Main Fuel tank in drop section - 65 gal. (If OEM tank cannot be used).	3 250\$
<b>Lifting arm option:</b>		
AGCD0300	Grabber counting device: counts number of carts dumped .	260\$
AGRB0300	Grabber with bolted rubber blocks ILO straps .	660\$
ALRE0300	Long Reach Extension (RH-side Helping Hand only).	3 650\$
AGSS0300	Spill shield: installed behind grabber.	350\$
<b>Control options:</b>		
AAAC0350	Auxiliary arm controls in-cab: RH-side- (Mini-joystick style).	950\$
ECCK0310	Crusher panel control.: Additional in-cab including limit switch on LH-side hopper door (requires camera in hopper installed at factory)	620\$
<b>Hydraulic options:</b>		
HPCR0300	Packer cylinders hydraulic oil regeneration (not available with ISL-G engine).	1 760\$
<b>Lighting options:</b>		
EXL-0001	LH-side hopper (1).	0\$
LLPA0310	Multifunction Lights Package. Multifunction round amber lights (4). Oval center brake light-red- in upper tailgate (1). Round brake lights- red- in upper tailgate light bar (2)	1 000\$
EXL-0004	RH-side rail (4).	0\$
LWLK0325	Work light kit: dual- in-cab single manual switch - LED type.	620\$
<b>Camera options:</b>		
EX-0004	Hopper LH-side (4).	0\$
EX-0015	Mirror L-H side (15).	0\$
EX-0016	Mirror R-H side (16).	0\$
CCCC0324	Quadruple Zone Defense cameras (with shutter). (N/A with DVR monitor). Monitor must be selected separately. Heater. Shutter	3 460\$
EX-0001	Tailgate center 2/3 (1) .	0\$
CCCM0321	Zone Defense 7" color LCD monitor . Included in system base price. Split screen. Touch screen	0\$
<b>Body options:</b>		
BRLS0300	Central grease point for follower panel rollers.	820\$
BPLS0300	Central grease point for packer shoes and rails.	640\$
BCOT0300	Clean out tools. (broom & shovel kit including brackets installed inside RH-side door; hoe including bracket installed on LH-side body)	340\$
BALS0310	Ground level grease points: for tailgate & hopper door hinges.	1 140\$
<b>Paint options:</b>		
PCBP0310	Body: 1 Color Urethane Body Paint. Included in unit base price. Includes bolt-on parts painted body color	0\$
<b>Non standard options:</b>		
2018-7286	Camera- Programming- Mirror cameras activated by operating stations	250\$
<b>Note:</b>		
Goods & services:		
PDI & lifetime training: \$2,350.00 net		
Terms:	Body: Net 30 days Chassis: Net on delivery for release of MSO Interest fees on past due account of 1.5% per month (18% annual) Price list subject to change any time. (Validity: 30 days.)	Total (body): 150 470,00\$
Weight distribution:	Quotes and pricing are subject to changes pending on WD analysis which can alter specs. Upon receipt of PO and chassis specs WD will be conducted and confirmation of acceptance will be issued.	Total net (body): 147 460,60\$
Estimated delivery:	To be confirmed (Freight charges may vary)	Total (chassis):
Taxes:	Not Included	Steel surcharge 1 100,00\$
		Goods & services 2 350,00\$
		Total net: 150 910,60\$
		FOB Arlington Heights, IL 2 794,00\$
		Fuel Surcharge 0,00\$
		Total net(unit): 153 704,60\$
		Number of units: 1
		Grand total: 153 704,60\$
		Currency: US \$



# National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076  
(855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax  
Fleet@NationalAutoFleetGroup.com

7/1/2019

Quote ID BR – 1075 R2

Robert Kronos  
Superintendent of Fleet Maintenance  
City of Bloomington, IL  
Fleet Management  
336 S. Main Street  
Bloomington, IL 61701

Dear Robert,

National Auto Fleet Group is pleased to quote the following chassis for your consideration. **One (1) New/Unused (2020 Crane Carrier Model LDT2-30 Standard Cab Drop Frame Chassis, customer will supply the upfit)** delivered to your department yard with arrangements made by Dave Lopina with Cumberland Servicenter, Inc. priced as follows:

	(1) One Unit
Sub Total	\$186,301.22
Tax (0%)	\$ 00.00
<b>Total</b>	<b>\$ 186,301.22</b>

- Per the attached specifications. Pricing includes shipping to Labrie Enviroquip Group (175-B, route Marie-Victorin, Levis, Quebec, Canada G7A 2T3) once the chassis are completed.

This chassis are available under the **Sourcewell (formerly known as NJPA) Contract 081716-NAF**. Please reference this Bid Number on all Purchase Orders.

Thank you in advance for your consideration. Should you have any questions please do not hesitate to call.

Sincerely,

Jesse Cooper  
National Fleet Manager  
Office (855) 289-6572  
Fax (831) 480-8497







**CRANE CARRIER COMPANY**

*The Heavy Truck Specialists*

**PAINT CHART**

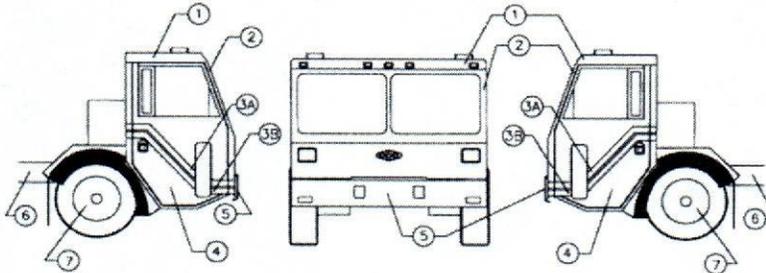
Date: 04/15/19

By: SP

**Purchaser:** Cumberland Servicer, Inc.  
**Address:** 2375 E. Oakton Street  
**City/ST/ZIP:** Elk Grove Township, IL 60005  
**Attn:** Dave Lopina  
**Telephone:** 847-437-5050  
**Fax:** 847-437-0730

**For Sale To:** City of Bloomington  
**Address:** 109 E Olive St  
**City/ST/Zip:** Bloomington, IL 61702  
**Attn:** Rob Krones  
**Telephone:** 309-434-2340  
**Fax:**

**OEF#:**  
**REV #:**      **DATE:**  
**S/N:**  
**QTY:** 1 (One)  
**MODEL:** LDT2-30  
**SPEC#:** Compared to K1674056



Standard paint is White (N0007) cab, Black (N0001) chassis, air cleaner and exhaust assembly.  
 Bumper is Gray (N0427). Disc wheels are manufacturers standard Gray (N0427). Cab and bumper striping is optional.

Item #	Area to be Painted	Yes	No	Paint Code	Paint Color
1	Roof			57971	White
2	Upper Cab			57971	White
3A	Cab Upper Stripe	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No	
3B	Cab Lower Stripe	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No	
4	Lower Cab			57971	White
5	Bumper			56590	Black
5A	Bumper Stripe	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No	
6	Chassis			56590	Black
	<i>Air Lines</i>			56590	Black
	<i>Axles Grp</i>			56590	Black
	<i>Bolt Heads</i>			56590	Black
	<i>Brackets</i>			56590	Black
	<i>DEF Tank Mounting</i>			56590	Black
	<i>Drive Lines Grp</i>			56590	Black
	<i>Engine Mounts</i>			56590	Black
	<i>Exhaust &amp; Cooling Grps</i>			56590	Black
	<i>Hydraulic Reservoir</i>			56590	Black
	<i>Rear Fenders Grp</i>			56590	Black
	<i>Trans &amp; CAC Grps</i>			56590	Black
	<i>Air Clnr Grps</i>			56590	Black
	<b>Battery Box &amp; Assy.</b>			56590	Black
7	Fuel Tank & Assy.				Alum Std Finish
8	Front Wheels			PC	White
9	Rear Wheels			PC	White
10	Spare Wheel(s)				
11	Cab Windshield Guard				
12	Clear Coat	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No	

**CCC USE ONLY (Do not write in this section)**

**SPECIAL INSTRUCTIONS:**

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CONSENT AGENDA ITEM NO. 7E

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to purchase one (1) New Falcon 4 Ton Transporter Hot Box from Cummings, McGowan & West of St. Louis, Missouri, in the amount of \$37,360 (with up to \$3,000 trade credit), using Sourcewell (Contract #052417-FRM, exp. 10/2/21), as requested by the Public Works Department.

**RECOMMENDED MOTION:** The proposed Purchase 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 service.

**BACKGROUND:** Public Works is recommending the purchase of one New Falcon 4 Ton Transporter Hot Box to replace a 2013 Falcon Hot Box that is due for replacement this fiscal year. The maintenance cost to date is \$14,067.54. Recent maintenance and repair issues have included hydraulic hoist, burner repairs, burner replacement, broken spring hanger, firebox rusted through, and electrical wiring.



The replaced unit will be traded in combination with the purchase of the new unit with up to a \$3,000.00 credit given (asset #521).

Sourcewell is a government agency offering competitively solicited contracts for use by education, government, and nonprofits. Cooperative contracts mean volume discounts. The City has been a member for several years and has made a number of purchases through them over the years.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Goal TAQ-1. A safe and efficient network of streets, bicycle-pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provide 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.

**FINANCIAL IMPACT:** The Street Maintenance Division of the Public Works Department has budgeted \$32,960.00 for the purchase of the unit out of the FY 2020 Capital Lease-Capital Outlay Equipment Other than Office account (40110141-72140). The new unit will cost

\$34,360 (assuming full trade credit of \$3,000 is allowed) for a budget overage of \$1,400.00. During the course of the year, items are often either slightly over or under budget on the Lease. The Finance department monitors this to ensure that the City stays within the overall Capital Lease budget. Stakeholders can locate the Falcon Hot Box in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" on pages 87 and 90.

**COMMUNITY DEVELOPMENT IMPACT:** N/A

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

Respectfully submitted for Council consideration.

Prepared By: Rob Kroner, Supt. of Fleet Maintenance  
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: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- PW 2B Proposal Falcon Asphalt Hot Box Replacement 08122019

June 27, 2019

Rob Krones  
City of Bloomington  
336 South Main St.  
Bloomington, IL 61702



St. Louis, MO 63132  
314-993-1336

Dear Rob,

We are pleased to quote you the following for your consideration.

**ONE New Falcon 4 Ton Transporter Hot Box** with hydraulic dump (12-Volt Electric Over Hydraulic On-Board Pump) One piece, seamless, ceramic combustion chamber for 105,000 BTU diesel burner with VIP burner protection system and automatic temperature control, fully insulated, triple wall hopper construction on single frame extension tandem slipper spring axle trailer with 8-bolt wheels, 16" tires and electric brakes, rectangular tubing frame sandblasted with two coats of epoxy primer and urethane finish. Equipped with metered unloading door, shoveling platform, 15-gallon fuel tank, manual insulated funneling loading doors, battery charger, 24-Hour timer, release agent sprayer bracket, 3-position tool holder, LED indication lights, LED night work lights, and LED strobe warning light, with Hi-Visibility safety tape, LED Arrow Board and electric overnight heat. Two-Year full machine warranty and lifetime frame warranty.

<b>Price:</b>	<b>Fob: Delivered</b>	<b>\$36,690.00</b>
<b>Note: Deduct for battery charger</b>		<b>- \$150.00</b>
<b>Total Price without hauling fees:</b>		<b>\$36,540.00</b>
<b>Note: Estimated hauling from Freeland, MI to Bloomington, IL</b>		<b>+ \$820.00</b>
<b>Total Price</b>		<b>\$37,360.00</b>

**Terms:** Per Sourcewell (NJPA Contract #052417-FRM)

**Net Due:** 10 days from invoice date

**Note** **Trade-In value** for 2013 Falcon last four of VIN is 9007. Must be emptied and cleaned prior to trade-in. Offer subject to change per floor condition (not viewable, currently full of asphalt). **\$3,000.00**

All prices are current, subject to change.

All prices are plus any applicable taxes.

We thank you for the opportunity to quote the above equipment and look forward to being of service to you

Sincerely,  
CUMMINGS, MCGOWAN & WEST

Scott Beck  
Area Manager



CONSENT AGENDA ITEM NO. 7F

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to approve the purchase of one (1) Xtreme Vac Model LCT600 from Key Equipment of Maryland Heights, Missouri, in the amount of \$39,855.25, using Sourcewell (Contract #04122017-ODB, exp. 7/7/21), as requested by the Public Works Department.

**RECOMMENDED MOTION:** The proposed Purchase 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 service.

**BACKGROUND:** Public Works is recommending the purchase of one Xtreme Vac Model LCT600, in the amount of \$39,855.25, to replace a 1994 ODB LTC600 Leaf Vacuum that is scheduled for replacement this fiscal year. It is 25 years old and has 2,537 hours of use. Maintenance cost to date for this unit is \$66,836.93. The leaf collection equipment consists of 2 units that are 24 years old, 3 units that are 19 years old, 3 units that are 15 years old, and 1 unit that is 1 year old. These units average 113 hours of use per year. Leaf collection averages four to five weeks per year. To reduce down time and maintenance cost, the City is looking to replace 1 unit yearly to update the fleet.



Staff respectfully requests to have the replaced unit be declared surplus and be sold on [publicsurplus.com](http://publicsurplus.com). It is expected to be sold for approximately \$900.00.

Sourcewell is a government agency offering competitively solicited contracts for use by education, government, and nonprofits. Cooperative contracts mean volume discounts. The City has been a member for several years and has made a number of purchases through them over the years.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Goal NE-5: Provide more efficient and sustainable municipal solid waste management, Objective NE-5.2: Continue to address solid waste issues at the regional level.

**FINANCIAL IMPACT:** The Solid Waste Division of the Public Works Department has budgeted \$62,611.00 for the purchase of the unit out of the FY 2020 Capital Lease-Capital Outlay

Equipment Other than Office account (40110141-72140). The new unit will cost \$39,855.25 for a budgeted savings of \$22,755.75. Stakeholders can locate the trucks in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" on pages 87 and 93.

**COMMUNITY DEVELOPMENT IMPACT: N/A**

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

Respectfully submitted for Council consideration.

Prepared By:	Rob Krones, Supt. of Fleet Maintenance 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:	Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- PW 3B Proposal Leaf Vac Replacement 08122019



**Corporate Office**  
P.O. Box 2007  
Maryland Heights, MO 63043  
314-298-8330

**Branch Office**  
P.O. Box 11035  
Kansas City, KS 66111  
913-371-8260

**Branch Office**  
P.O. Box 692109  
Tulsa, OK 74169  
405-812-5827



July 5, 2019

City of Bloomington  
Attn: Mr. Rob Krones, Fleet Maintenance  
336 S. Main  
Bloomington, IL 61701

Re: XtremeVac LCT600  
Sourcewell Contract #: 04122017-ODB  
Sourcewell Member #: 25014

Rob,

Thank you for the opportunity to supply you with a proposal for a new XtremeVac LCT600 debris collector. Please review the standard features below. This unit is available for purchase on the Sourcewell Contract.

<b>SKU#</b>	<b>MSRP</b>
<b>XV60019 Xtreme Vac Model LCT600</b>	<b>\$ 33,176.65</b>
<b>JD74P</b> John Deere 4045TFC03 Diesel 4 cylinder rated for 74 HP Tier 4 Electronic engine controls with engine safety shutdown system Boxed perforated radiator screen 44-gallon polyethylene fuel tank 13" clutch assembly with 2.25" diameter PTO shaft & safety engagement Suction impeller six 3/8" thick T-1 steel blades Power band belt drive for suction impeller Hydraulic hose boom powered by 12V electric/hydraulic pump 16" diameter x 120" rubber intake hose with steel nozzle LED DOT lights and an oval LED amber flasher light at rear 16" diameter x 48" rubber exhaust hose 1/4" thick trailer deck with channel members on the ends HD height adjustable pintle eye with three quick release pins Parking jack with 5" swivel castor wheel Electric brakes with break-away actuator Single 6,000lb Torflex axle with EZ lube hugs	<b>\$ 7,099.30</b>

Equipment Total: \$ 40,275.95  
Sourcewell Contract #: 04122017-ODB Discount 7.5%: **\$ (3,020.70)**  
Net Equipment Cost: \$ 37,255.25  
Dealer PDI, Training & Freight: \$ 2,600.00  
Net Equipment Total: \$ 39,855.25



This proposal becomes a contract for delivery and payment of the merchandise listed above when signed by the customer or one of its officers. \* Subject to availability.

Customer Name \_\_\_\_\_ Sourcewell Member #: 25014

By \_\_\_\_\_ Date \_\_\_\_\_

PO# \_\_\_\_\_

A handwritten signature in black ink that reads "Brad Franklin".

Brad Franklin  
Territory Manager  
Key Equipment & Supply Co.

Thank you for your continued trust in our products, service, and staff. If you have any questions, please don't hesitate to call me at (217) 816-7055.





CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: August 12, 2019

SPONSORING DEPARTMENTS: Public Works and Community Development

SUBJECT: Consideration and action to approve an Agreement with J. G. Stewart Contractors, Inc., for the FY 2020 Sidewalk and Curb Ramp Replacement Program, Phase II (Bid # 2020-05), in the amount of \$100,489.40, as requested by the Public Works and Community Development Departments.

RECOMMENDED MOTION: The proposed Agreement be approved.

STRATEGIC PLAN LINK: Goals 2. Upgrade City infrastructure and facilities; 4. Strong neighborhoods; and 5. Great place - livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objectives 2a. Better quality roads and sidewalks; 5a. Well-planned City with necessary services and infrastructure; 5b. City decisions consistent with plans and policies; and 5e. More attractive city: commercial areas and neighborhoods.

BACKGROUND: Public Works and Community Development are recommending the approval of an Agreement with J. G. Stewart Contractors for the FY 2020 Sidewalk and Curb Ramp Replacement Program, Phase II (Bid # 2020-05), in the amount of \$100,489.40. The contract is designed to provide for construction of sidewalk ramps that are compliant with standards related to the Americans with Disabilities Act, and other sidewalk repairs in the Dimmit's Grove Neighborhood. A combination of Community Development Block Grant (CDBG) funds and local Motor Fuel Tax (LMFT) funds will be used for this project.

This project is part of the City of Bloomington Community Development Block Grant Action Plan for 2019-2020 and will accomplish the Suitable Living Environment - Infrastructure goal by utilizing CDBG funds to preserve and rehabilitate sidewalk infrastructure located in low-income and moderate-income areas.

This contract is phase II of the City's FY 2020 sidewalk program and is intended to make use of CDGB funding. CDBG funds require an environmental assessment prior to the project being bid. Since the environmental assessment was not complete prior to the FY 2020 phase I project, this work was bid separately.

The City is in its fifth year of its 10-year Sidewalk Master Plan. The funding level has equated to a service level envisioned in that plan. In the past, low funding levels meant patching problems, with Public Works having to leave other nearby problems unaddressed. In many cases now, the City can solve sidewalk problems for a half-block or entire block, rather than at just one property. This results in more efficient operations which will ultimately save taxpayer dollars.

The Public Works Department prepared the FY 2020 Sidewalk and Curb Ramp Replacement Program Phase II proposal package and advertised the project for competitive bids. Bids for this contract were received until 2:00 p.m., July 22, 2019, in the Office of the City Clerk. Staff received four (4) bids and opened them at 2:00 p.m., July 22, 2019 in the City Hall Council Chambers.

<b>Contractor</b>	<b>Bid Amount (Bid #2020-05)</b>
J. G. Stewart (Low Bidder)	\$100,489.40
Was Con Co	\$100,772.27
Kemper Construction, Inc.	\$105,778.50
Stark Excavating, Inc.	\$108,320.95

This project is to begin construction as soon as the notice to proceed is prepared, with a completion date of October 31, 2019.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Request for Bids was advertised in The Pantagraph on July 1, 2019.

**FINANCIAL IMPACT:** \$80,000.00 of the contract will be funded out of the Community Development Capital Improvement-Sidewalk Construction account (22402440-72560-52000). The remaining \$20,489.40 will be paid out of Capital Improvement (Asphalt & Concrete)-Sidewalk Construction account (40120200-72560). Stakeholders can locate this in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" on pages 22, 78, 79, 242, 282 and 284.

**COMMUNITY DEVELOPMENT IMPACT:** Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs; Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.4. Pedestrian safety for users of all transportation facilities with a Sidewalk Master Plan, and sidewalk system that provides safe access throughout the transportation network.

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

Respectfully submitted for Council consideration.

Prepared By: Anthony Meizelis, P.E., Civil Engineer I  
Michael Hill, Management Analyst

Reviewed By: Jim Karch, P.E., MPA, Director of Public Works  
Bob Mahrt, Community Development 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

**Attachments:**

- PW 5B Agreement FY2020 Sidewalk and Curb Phase II 08122019
- PW 5C Bid Tabulation FY2020 Sidewalk and Curb Phase II 08122019
- PW 5D Location Map FY2020 Sidewalk and Curb Phase II 08122019

**AGREEMENT (To be Completed After Award of Contract)**

THIS AGREEMENT, Made and entered into this **August 12, 2019**, by and between, **J. G. Stewart**, first party, also hereinafter referred to as "Contractor", and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did on **July 1, 2019**, by advertisement, call for bids for furnishing all labor and material for the construction of **FY 2020 SIDEWALK AND CURB RAMP REPLACEMENT PROGRAM PHASE II** for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on **July 22, 2019**, submit this bid to said City of Bloomington for furnishing all of the labor and materials for the construction of said **FY 2020 SIDEWALK AND CURB RAMP REPLACEMENT PROGRAM PHASE II** on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

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

And it is also understood and agreed that the Proposal Package, Specifications, Special Provisions, Contractor's Proposal, Contract Bond and Project Addenda hereto attached, and the Plans for **FY 2020 SIDEWALK AND CURB RAMP REPLACEMENT PROGRAM PHASE II** are all essential documents of this contract and are a part hereof.

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of **\$100,489.40** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

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

IT IS FURTHER AGREED that said Contractor shall complete all work within by October 31, 2019.

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

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

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

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

The number of inspectors to be placed on said work shall be determined by the City of Bloomington, but if at any time on account of a disregard of any of the provisions of this contract by the said first party, or on account of the failure of

said first party to faithfully perform the work in accordance with this contract, additional inspectors shall be deemed necessary by said City, the pay of such additional inspectors shall be charged to said Contractor and be deducted from the amount due said Contractor on final settlement under this contract.

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

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

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

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

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

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

(Seal)

ATTEST;

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

CITY OF BLOOMINGTON

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

WITNESS:

CONTRACTOR (Seal)

\_\_\_\_\_

FY 2020 SIDEWALK AND CURB RAMP REPLACEMENT PROGRAM PHASE II  
 PROJECT NO. 50-13-53002-20-02  
 Bid No. 2020-05

Bid Tabulation

(For complete information covering these items, see plans and specifications)

PREPARED BY : A. MEIZELIS S. ARNEY  
 DATE : 7/22/2019

#	DESCRIPTION	UNITS	TOTAL QTY	ENGINEER ESTIMATE		J G Stewart		Kemper Construction, Inc.		Was Con Co		Stark Excavating, Inc.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	SIDEWALK REMOVAL	SQ FT	9855	\$2.70	\$26,608.50	\$2.05	\$20,202.75	\$2.25	\$22,173.75	\$3.74	\$36,857.70	\$2.75	\$27,101.25
2	PORTLAND CEMENT CONCRETE SIDEWALK 8 INCH	SQ FT	339	\$9.10	\$3,084.90	\$8.05	\$2,728.95	\$8.50	\$2,881.50	\$6.76	\$2,291.64	\$9.00	\$3,051.00
3	PORTLAND CEMENT CONCRETE SIDEWALK 6 INCH	SQ FT	1315	\$8.20	\$10,783.00	\$7.35	\$9,665.25	\$8.00	\$10,520.00	\$5.90	\$7,758.50	\$8.15	\$10,717.25
4	PORTLAND CEMENT CONCRETE SIDEWALK 4 INCH	SQ FT	8113	\$7.10	\$57,602.30	\$7.05	\$57,196.65	\$7.25	\$58,819.25	\$5.47	\$44,378.11	\$6.75	\$54,762.75
5	PORTLAND CEMENT CONCRETE RAMPS	SQ FT	162	\$9.00	\$1,458.00	\$14.50	\$2,349.00	\$14.00	\$2,268.00	\$7.42	\$1,202.04	\$12.30	\$1,992.60
6	EARTH EXCAVATION	SQ FT	12	\$1.40	\$16.80	\$3.50	\$42.00	\$5.00	\$60.00	\$1.44	\$17.28	\$36.00	\$432.00
7	DETECTABLE WARNINGS, CAST IN PLACE	SQ FT	40	\$24.00	\$960.00	\$24.50	\$980.00	\$25.00	\$1,000.00	\$20.00	\$800.00	\$22.50	\$900.00
8	CURB AND GUTTER REMOVAL AND REPLACEMENT, SPECIAL	LF	55	\$52.00	\$2,860.00	\$48.00	\$2,640.00	\$52.00	\$2,860.00	\$46.00	\$2,530.00	\$62.00	\$3,410.00
9	RETAINING WALL, SPECIAL	LF	10	\$85.00	\$850.00	\$80.00	\$800.00	\$80.00	\$800.00	\$80.00	\$800.00	\$108.00	\$1,080.00
10	SIDEWALK REINFORCEMENT, SPECIAL	SQ FT	286	\$1.25	\$357.50	\$1.25	\$357.50	\$1.00	\$286.00	\$1.50	\$429.00	\$1.15	\$328.90
11	TRAFFIC CONTROL, MAJOR STREET	EA	2	\$1,100.00	\$2,200.00	\$1,050.00	\$2,100.00	\$1,200.00	\$2,400.00	\$565.00	\$1,130.00	\$1,150.00	\$2,300.00
12	SAW CUTTING/GRINDING SIDEWALK, SPECIAL	IN-FT	15	\$45.00	\$675.00	\$36.50	\$547.50	\$45.00	\$675.00	\$50.00	\$750.00	\$45.00	\$675.00
13	TOPSOIL PLACEMENT AND SEEDING, SPECIAL	SQ FT	44	\$1.80	\$79.20	\$2.95	\$129.80	\$2.50	\$110.00	\$2.00	\$88.00	\$8.30	\$365.20
14	PAVEMENT REMOVAL	SQ FT	150	\$3.50	\$525.00	\$2.50	\$375.00	\$3.50	\$525.00	\$10.00	\$1,500.00	\$4.20	\$630.00
15	PAVEMENT PATCHING, SPECIAL	SQ YD	5	\$15.00	\$75.00	\$75.00	\$375.00	\$80.00	\$400.00	\$48.00	\$240.00	\$115.00	\$575.00
				SUBTOTAL	\$108,135.20	SUBTOTAL	\$100,489.40		\$105,778.50		\$100,772.27		\$108,320.95
						TOTAL	\$100,489.40	TOTAL	\$105,778.50	TOTAL	\$100,772.27	TOTAL	\$108,320.95

As Read 102482.99

# Appendix

## Work Orders & Quantities

### FY 2020 Sidewalk And Curb Ramp Replacement Program, Phase II





## CONSENT AGENDA ITEM NO. 7H

**FOR COUNCIL:** August 12, 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 Motor Fuel Tax Resolution for Improvement 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	State Contract	Day Labor	Local Contract	RR Force Account
	City of Bloomington			X	
	Section	Fund Type		ITEP, SRTS, or HSIP Number(s)	
	16-00360-00-PV	STU 5-200K			
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 tiers (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

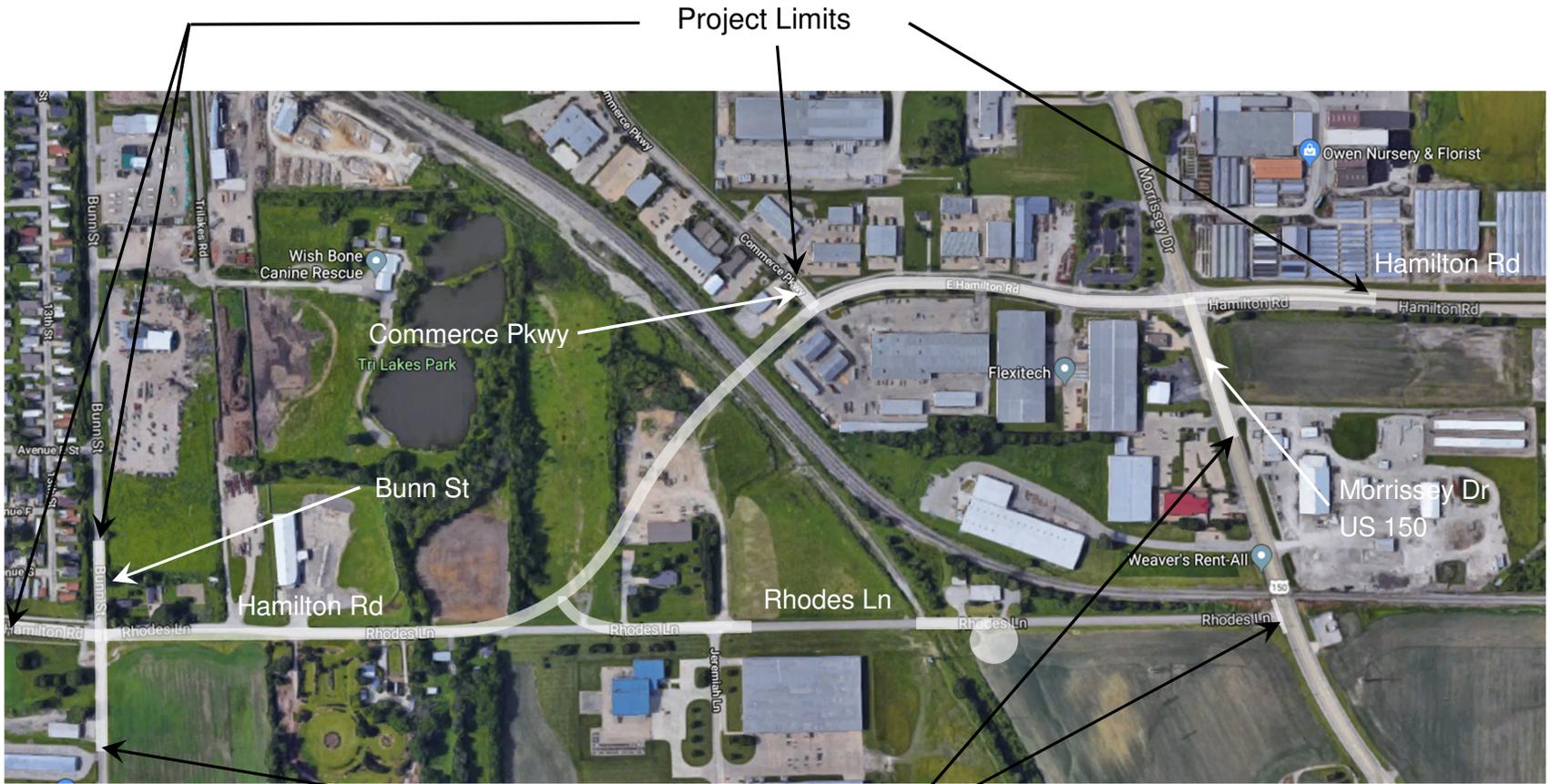
\_\_\_\_\_  
Date

\_\_\_\_\_  
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> )



CONSENT AGENDA ITEM NO. 71

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Human Resources

**SUBJECT:** Consideration and action to (1) renew the Agreement with Jellyvision (via the ALEX tool) as a limited source, so that employees may be better educated regarding their 2020 Benefits, and (2) approve an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020, in the amount of \$39,544, as requested by the Human Resources Department.

**RECOMMENDED MOTION:** The proposed Agreement be renewed, and the proposed Ordinance be approved.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1e. Partnering with others for the most cost effective service delivery.

**BACKGROUND:** Human Resources recommends the re-purchase and agreement for services provided by Jellyvision to ensure that City employees best understand benefit plan options available to them. This partnership began last year in advance of Fall 2019 enrollment, and as a result of implementing the ALEX tool, the City has experienced high enrollment in the new PPO with Health Savings Account (HSA) option available to employees. The PPO with HSA benefit is unique, in that employee-specific factors need to be considered in determining if the benefit is favorable for each employee's enrollment. The ALEX benefits decision support tool is unique to the market, in that it combines benefits expertise, enrollment recommendations and employee education in one easy-to-use tool, all while being able to customize the user experience by employee. This is key for clients with numerous employee groups with varied benefits eligibility, similar to the City of Bloomington. This approach not only enhances the employee experience and early adoption of benefits-related changes that are implemented, but also reduces overall long-term costs for employers.

The City made large-scale benefits changes for 2019 to modernize our benefits offering and keep costs in line with the marketplace. The ALEX tool was key in helping employees better understand how changes made impacted them personally. Additional changes will occur for 2020 enrollment and will be unique to each employee group across the City. In addition to Open Enrollment meetings and email communications, a need exists to better and more efficiently educate employees on benefits available to them, all while creating customized benefits enrollment recommendations that can be provided to each employee. Engaging Jellyvision's services not only allows this to happen at Open Enrollment and throughout the year, but also saves City staff time answering basic benefits-related questions by both employees and job candidates for employment, as the ALEX tool can be accessed via any device (computer/tablet/phone) throughout the year.

Since Jellyvision is a preferred vendor of Gallagher's via the City's existing business agreement, annual fees have been reduced 10% to \$39,544 for 2020 and \$47,768 for 2021 administration. The additional cost in 2021 is due to tool enhancements that will be made available to employees, which will include retirement and HSA-specific content. Administrative costs in 2020 are slightly lower than 2019 fees of \$39,947. This represents a critical need for the City, and one that only Jellyvision can provide. Gallagher will pay Jellyvision and the City will pay Gallagher for the annual fees.

Funds to be used are available in the Employee Health and Benefit fund, which exists for overall administration of the City's employee insurance programs. While it may be difficult to quantify, this provides long-term cost efficiencies, as early employee adoption of changes made has more readily occurred due to implementation of the ALEX tool. We anticipate this will continue as we look ahead to 2020 enrollment. The program is a critical part of our communication strategy of new benefit offerings for 1/1/2020, and will assist each employee to determine the best benefits fit for them individually.

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

**FINANCIAL IMPACT:** If approved, a budget amendment in the amount of \$39,544 will be processed to the Employee Health Insurance Fund, Other Professional & Technical Services account (60200290-70220). Stakeholders can locate information related to this fund in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" beginning on page 186. FY 2021 Administrative costs will be included by the Human Resources department when preparing the Employee Health Insurance FY 2021 Budget.

**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 Manager

Reviewed By: Nicole Albertson, Human Resources Director

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

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- HR 1B Jellyvision Renewal Limited Source Justification
- HR 1C Jellyvision Renewal Agreement
- HR 1D Ordinance 2019-57 Jellyvision
- HR 1E Exhibit Jellyvision

## LIMITED SOURCE JUSTIFICATION

(Requester completes Section A and B)

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

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

Vendor Name & #: Arthur J. Gallagher 2800

Amount: \$39,544

Date: 7/29/19

Description of item/service: City of Bloomington – Jellyvision (ALEX) Benefits Enrollment/Education Tool Renewal

Justification: Explain why this vendor is the only vendor that can perform this work:

While other companies can provide employee benefits cost estimation and education tools, none can compete with Jellyvision's ALEX tool. Jellyvision's unique approach combines benefit recommendations and education abilities in one easy-to-use platform that is readily understood by its users. This is especially critical as of 1/1/19 forward, as the City now offers a PPO with Health Savings Account (HSA) option. The PPO with HSA benefit is unique, in that employee-specific factors need to be considered in determining if the benefit is favorable for each employee to enroll in. The ALEX tool not only provides a customized user experience for clients with numerous employee groups with varied benefits eligibility but can also be used year-around for newly hired employees, to better familiarize them with the City of Bloomington's benefit offering. The City has experienced great results after having implemented the ALEX tool last Fall and would like to build upon the partnership established with Jellyvision.

Since Jellyvision is a preferred vendor of Gallagher's via the City's existing business agreement, annual fees have been reduced 10% to \$39,544 for 2020 & \$47,768 for 2021 administration. The additional cost in 2021 is due to tool enhancements that will be made available to employees, which will include retirement and HSA-specific content. 2020 Administrative costs are slightly lower than 2019 fees of \$39,947. This represents a critical need for the City, and one that only Jellyvision can provide.

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

Nicole Albertson  
(Name and Signature of Department Head)

7/29/19  
Date

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

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

Do not concur for the following reason(s):



Name and Signature of Purchasing Agent or Designee

7/31/19

Date



ORDER #001

Truly, it gives The Jellyvision Lab, Inc. (“Jellyvision”) joy and we are proud to have Gallagher Benefit Services, Inc. on behalf of City of Bloomington, IL (“Customer”) as a subscriber on the ALEX® platform (“ALEX” or “Software”) under the ALEX Reseller Agreement of July 31, 2018 (the “Agreement”). This Order under that Agreement is effective as of June 17, 2019, and reflects the continuation of Customer’s use of ALEX as originally set forth in Order #001, under the Reseller Agreement of July 25, 2014, by and between Gallagher Benefit Services, Inc. on behalf of City of Bloomington, IL and The Jellyvision Lab, Inc.

**1. SOFTWARE SUBSCRIPTION AND FEES:**

The Total Fee is based on 612 benefits-eligible employees.

SOFTWARE SUBSCRIPTION	FEE
ALEX Benefits Counselor Year 1, Benefits Sneak Peek, New Hire Sneak Peek	\$39,544
ALEX Complete Year 2 <i>Includes ALEX Homepage (with Healthcare Adoption and Consumerism Content), ALEX Benefits Counselor, Retirement, and Engagement Videos for Open Enrollment and New Hires</i>	\$47,768
<b>TOTAL FEE</b>	<b>\$87,312</b>

\$39,544 will be invoiced upon execution of this Order, and \$47,768 will be invoiced on 4/1/2020. All invoices are subject to the payment terms of the Agreement.

**2. SUBSCRIPTION TERM:**

Customer’s subscription to ALEX is extended for two (2) years and expires on 10/03/2021 (“Subscription Term”).

**3. ALEX LAUNCH:**

Based on a sign-by date of 7/22/2019, Jellyvision will launch ALEX for Year 1 on 10/04/2019 (“2019 ALEX Launch”). The 2019 ALEX Launch will include the features Customer selects prior to implementation kick-off. A detailed implementation schedule with due dates for both Jellyvision and Customer deliverables will be provided as a separate document during implementation. The launch and implementation for future years of the Subscription Term will be determined by mutual agreement of Jellyvision and Customer.

**4. EXHIBITS:**

Customizations (if any) and Workarounds (if any) are listed in Exhibit 1.

Product and technical specifications are available at <https://www.jellyvision.com/specifications>. To view this page, use the password “benefits4ever”. Jellyvision may update these specifications from time to time, so long as such updates do not materially degrade ALEX.

## 5. ADDITIONAL TERMS FOR ALEX

### Plan Analysis and Compatibility...

- Customer’s plans presented in ALEX for the prior plan year are compatible with ALEX (the “Existing Plans”). Customer represents that its plans to be presented in ALEX are not materially different from the Existing Plans; recognizing that, if this assumption is incorrect or if additional plans are introduced at a later date, the fees, milestones, and other terms herein will change commensurate with the additional work Jellyvision must undertake related to such incorrect assumption. So what changes would be materially different? Any change to Customer’s plans outside of standard plan design elements (e.g., coverage levels, deductibles, or out of pocket maximums).

### ALEX URLs...

- Users will access ALEX via a URL determined by Jellyvision, with the following format: <https://www.myalex.com/bloomingtonil>.
- A fee will apply if Customer requests a different URL after the start of implementation.
- The URL(s) for ALEX for future years will be determined by Jellyvision and approved by Customer.

### ALEX Implementation Releases...

- ALEX Benefits Counselor includes up to 4 Releases for implementation.
- Benefits Sneak Peek includes 1 Release for implementation.
- New Hire Sneak Peek includes 1 Release for implementation.
- ALEX Benefits Counselor (with Retirement) includes up to 4 Releases for implementation.
- ALEX Engagement Videos for Open Enrollment or New Hires include 1 Release each for implementation.
- Jellyvision utilizes the release process for Customer review and approval of ALEX prior to launch, as follows: a “Release” is a draft of the Software that Jellyvision presents to Customer via a testing URL, along with documentation verifying the data that Jellyvision entered into the back-end system used to build ALEX. Customer provides feedback on each Release, including any corrections or revisions, typically within 3-4 business days after Jellyvision provides each Release, then final approval for the ALEX launch, as specified in the implementation schedule.
- Customer shall pay \$5,000 (“Additional Customer Release Fee”) for each release delivered in excess of those set forth above on a per feature basis, or delivered by Jellyvision as a “rush release” outside the implementation schedule. If Customer misses the sign-by date or is late on feedback or approvals, it may lead to a delay in the applicable launch date, or may require Jellyvision to perform a “rush release” in order to meet the applicable launch date, which will also be subject to the Additional Customer Release Fee.

General...

- The subscription(s) and the associated fees are:
  - Only for the items listed above. If additional Software needs to be added at a later date or modifications are requested, the fees will change as documented in a change order; and
  - Dependent on the benefits-eligible employee population specified above. Any fluctuation of 5% or more will result in a change to the fees.
- A single individual at Gallagher Benefit Services, Inc. or its customer must be designated as the ultimate decision maker for anything related to this Order (“Customer Decision Maker”), and this Customer Decision Maker must be present in all communications with Jellyvision. This Customer Decision Maker is identified as Joyce Janu.
- “Extreme Delay Fee” – Delays in providing materials, feedback, and/or approvals from Customer (or related designees) which extend the implementation schedule beyond the specified number of days plus an additional fifteen (15) day buffer shall entail a surcharge of 30% of the Total Fee for ALEX.
- We’re so pleased that Gallagher Benefits Services, Inc. on behalf of City of Bloomington, IL has come back for another year! In response, Jellyvision would like to offer an extension of the existing ALEX Benefits Counselor through the end of 2019 calendar year.

Our signatures below mean we both agree to what is in this Order. Jellyvision is truly grateful that Gallagher Benefits Services, Inc. on behalf of City of Bloomington, IL is a part of the ALEX family.

**Gallagher Benefits Services, Inc. on behalf of  
Lab, Inc. City of Bloomington, IL**

**The Jellyvision**

Signature:

Signature: \_

Name (Print):

Name (Print): \_

Title:

Title: \_

Date:

Date: \_

## **EXHIBIT 1**

### **CUSTOMIZATIONS & WORKAROUNDS**

#### **CUSTOMIZATIONS**

No customizations.

#### **WORKAROUNDS**

- Relevant workarounds delivered as part of prior year subscriptions will be carried over from your existing ALEX. The spirit of the workarounds will be preserved, but execution of the workarounds may vary depending on how the specific edits apply to ALEX.

These workarounds will be applied to ALEX each year during the Subscription Term.

**ORDINANCE NO. 2019 - 57**

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE  
FOR THE FISCAL YEAR ENDING APRIL 30, 2020**

WHEREAS, on April 8, 2019 by Ordinance Number 2019-23, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2020, which Ordinance was approved by Mayor Tari Renner on April, 9, 2019; and

WHEREAS, a Budget Amendment is needed as detailed below;

An Ordinance amending the Fiscal Year 2020 Budget, in the amount of \$39,544, to approve the Purchase of Jellyvision (via the ALEX tool) to provide services to better educate employees regarding their 2019 Benefit Plans, due to a critical need for expertise in this area, as requested by the Human Resources Department.

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

Section One: Ordinance Number 2019- 23 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2020) is further hereby amended by inserting the following line item and amount presented in Exhibit #1 in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2019-23 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2019-23.

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

PASSED this 12th day of August 2019.

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

**CITY OF BLOOMINGTON:**

**ATTEST:**

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

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

**FY 2020 Budget Amendment-Exhibit**

<b>Account #</b>	<b>Fund</b>	<b>Account Description</b>	<b>Amount</b>	<b>Comments</b>
60200290-40000	Employee Health Insurance-Misc.	Use of Fund Balance	\$ (39,544.00)	
		Other Professional & Technical		
60200290-70220	Employee Health Insurance-Misc.	Services	\$ 39,544.00	
		<b>Net Transaction:</b>	<b>\$ -</b>	



## CONSENT AGENDA ITEM NO. 7J

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** Public Works

**SUBJECT:** Consideration and action to approve an Ordinance Changing the Name of Mitsubishi Motorway to Rivian Motorway and Amending Chapter 29 of the City Code, as requested by the Public Works Department.

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

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

**STRATEGIC PLAN SIGNIFICANCE:** Objectives 3e. Strong working relationship among the City, businesses, economic development organizations; and 5e. More attractive city: commercial areas and neighborhoods.

**BACKGROUND:** Public Works is recommending the approval of an Ordinance to change the name of Mitsubishi Motorway to Rivian Motorway. As Rivian Automotive, LLC., continues to grow its presence regionally, nationally, and internationally, Rivian has requested the street name be changed to Rivian Motorway in support of their efforts to attract additional interest and investors in the project, many of whom visit the Normal plant. This change has the most impact in Normal, who passed an Ordinance on June 27, 2019, changing the name of the road. The information passed by Normal is attached for reference. McLean County is planning on adopting a similar change in the future.



Bloomington property owners with an address on Mitsubishi Motorway were invited to a public meeting hosted by Normal. One Bloomington property owner attended; a representative from the IRS facility attended and was not opposed to the name change. The IRS facility is interested in changing their address to Revenue Drive regardless of whether Mitsubishi Motorway is changed to Rivian Motorway.

There is an unused section of Mitsubishi Motorway south of Six Points Road that will also be affected by this name change. There are no problems foreseen with changing the name of this section of roadway.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Property owners in the surrounding area were sent a letter notifying them of the proposed name change. These

property owners were also invited to a public meeting hosted by Normal. Staff has not received any objections to the proposed street name change.

**FINANCIAL IMPACT:** N/A. Existing Mitsubishi Motorway signs are not the responsibility of the City of Bloomington and will be changed by others.

**COMMUNITY DEVELOPMENT IMPACT:** Goal ED-4. Enhance the image of Bloomington as a business-friendly community, Objective ED-4.5. Identify and reduce barriers for local growth and economic development.

**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 Ordinance 2019-64 Rivian Motorway 08122019
- PW 4C Map Rivian Motorway 08122019
- PW 4D Normal Rivian Motorway 08122019

ORDINANCE NO. 2019 - 64

AN ORDINANCE CHANGING THE NAME OF  
MITSUBISHI MOTORWAY TO RIVIAN MOTORWAY AND AMENDING  
CHAPTER 29 OF THE CITY CODE

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

WHEREAS, the Illinois Municipal Code authorizes the City of Bloomington to name or rename any street, avenue, alley, or other public place; and

WHEREAS, Section 11-80-19 of the Illinois Municipal Code provides no change in the name of any street shall be effective until 30 days after the election authorities having jurisdiction in the area in which the name of the public place is changed and the post office branch serving that area have been notified by the City of the change in writing by certified or registered mail; and

WHEREAS, in 2005 and 2007, the City annexed portions of Mitsubishi Motorway (Ord. No. 2005-133, 2007-55), which was named in response to the operation of the automotive plant by Mitsubishi Motor Manufacturing of America in Normal, Illinois; and

WHEREAS, that automotive plant in Normal, Illinois, is now owned and operated by Rivian Automotive, LLC.; and

WHEREAS, Rivian Automotive, LLC., has requested the street name be changed to Rivian Motorway in support of their efforts to attract additional interest and investors in the project, many of whom visit the Normal, Illinois, plant; and

WHEREAS, it is in the best interest of the City of Bloomington and its citizens, in partnership with the Town of Normal and McLean County, to change the name of "Mitsubishi Motorway" to "Rivian Motorway".

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

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

**SECTION 2.** That the name of all segments of Mitsubishi Motorway, in the City of Bloomington, McLean County, Illinois, shall be and the name is hereby changed to Rivian Motorway.

**SECTION 3.** In concert with the changing of the street signage and names, Chapter 29 of the City Code shall be amended by changing the references to "Mitsubishi Motorway" and/or "Mitsubishi" to "Rivian Motorway" and/or "Rivian."

**SECTION 4.** Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

**SECTION 5.** 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 6.** The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

**SECTION 7.** This Ordinance shall be effective 10 days after its execution and publication as required by law, and the street name change effective 30 days after the date that the City Clerk provides the required notices in accordance with Section 11-80-19 of the Illinois Municipal Code.

**SECTION 8.** This Ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 12<sup>th</sup> day of August 2019.

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

**CITY OF BLOOMINGTON**

**ATTEST**

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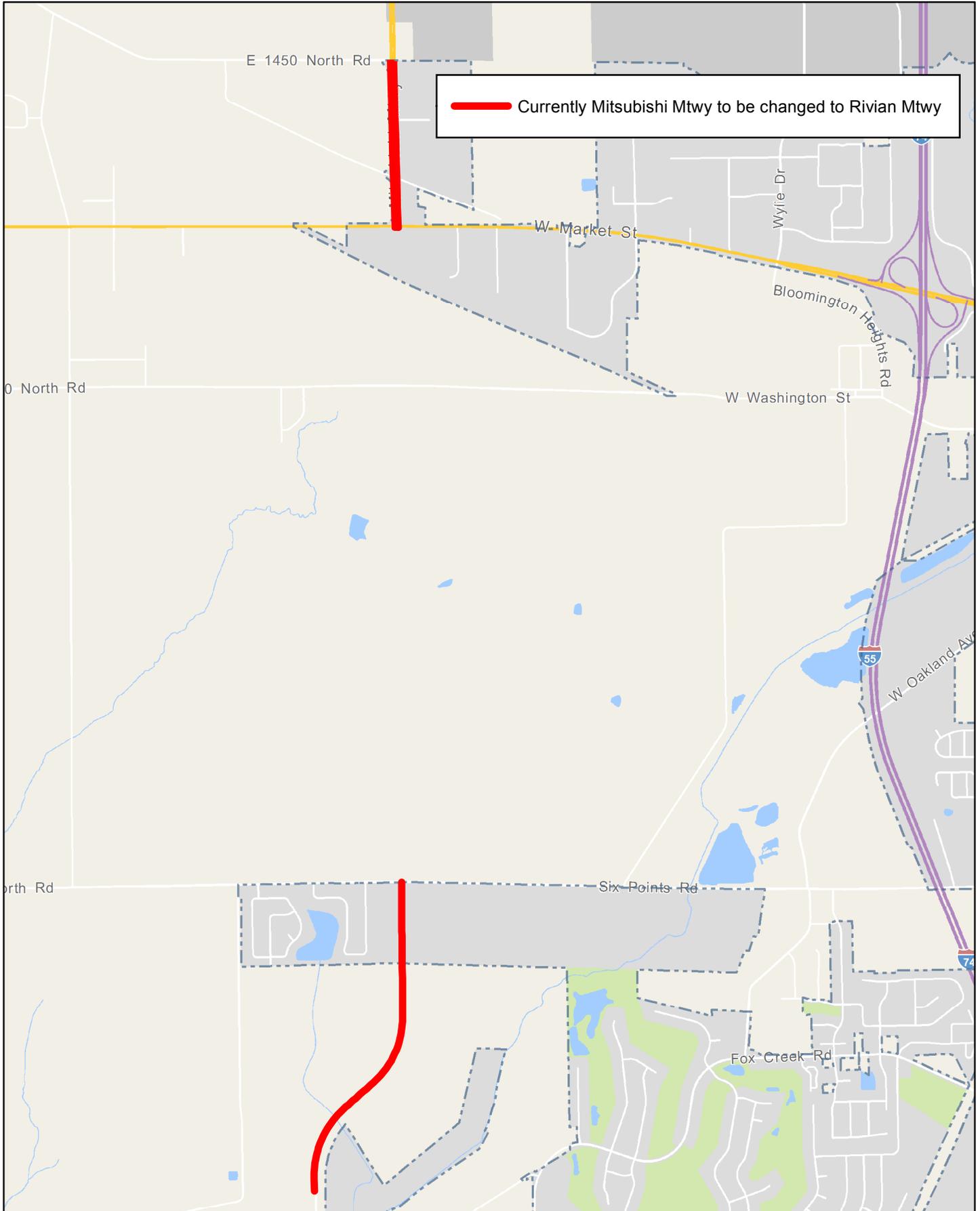
Tari Renner, Mayor

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Leslie Yocum, City Clerk

# Street Requested for Change

Date: 7/26/2019



# **TOWN COUNCIL ACTION REPORT**

June 27, 2019

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## ***Ordinance Changing the Current Mitsubishi Motorway to Rivian Motorway***

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**PREPARED BY:** Eric Hanson, Assistant City Manager

**REVIEWED BY:** Pamela S. Reece, City Manager  
Ryan Otto, Town Engineer

**BUDGET IMPACT:** There is nominal budget impact associated with changing street signs.

**STAFF RECOMMENDATION:** Approval

**ATTACHMENTS:** Proposed Ordinance

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### **BACKGROUND**

In 2017, Rivian Motors acquired the former Mitsubishi Motors automotive production facility after the property sat vacant for two years and was nearing liquidation and/or demolition. Rivian Motors is an electric vehicle start-up set to begin manufacturing both an electric powered truck and SUV in the latter part of 2019. The vehicles debuted at the 2019 Los Angeles Auto Show with much acclaim. Rivian has developed an improved battery technology to support both vehicles currently being tested at their Irvine, CA campus. With vehicle production, the batteries will also be manufactured in the Normal facility.

It was recently announced that Rivian has received substantial investment from companies such as Amazon and Ford Motor Company in support of their new vehicle concepts. The recent success of its prototypes and the additional investment from major partners has created significant positive exposure for the entire region. Since acquiring the former Mitsubishi property, Rivian has made significant investments in the production facility, ensuring its continued use well into the future.

### **DISCUSSION/ANALYSIS**

The Rivian Motors plant is located on Mitsubishi Motorway (US 150) in Normal. As the company continues to grow its presence regionally, nationally, and internationally, Rivian has requested the street name be changed to Rivian Motorway in support of their efforts to attract additional interest and investors in the project, many of whom visit the Normal plant.

Prior to requesting Town Council action on the street name change, staff held a community meeting in the Council Chambers with all property owners along the current Mitsubishi Motorway being invited. In addition, representatives from the City of Bloomington, McLean County, B-N EDC and Rivian Motors were present to discuss the request and hear concerns. Three property owners attended the meeting. Staff, with the assistance of Rivian Motors, was able to address all questions/concerns raised by those in attendance. All the attendees voiced support for Rivian and the street name change. We have received no additional comments from the other property owners who were invited but not in attendance.

## ***TOWN COUNCIL ACTION REPORT***

IDOT has provided a timeline of 30-45 days to complete the name change, including applicable signage on the I-74 Interchanges at no cost, once all taxing bodies have approved an ordinance in support of the name change. Following Town Council action, the matter will be sent to the City of Bloomington, McLean County and the Emergency Systems Telephone Systems Board for final approval. Once all parties have approved the name change, staff will coordinate with IDOT for the change out of signs along the interstate.

ORDINANCE NO. 5786

AN ORDINANCE CHANGING THE CURRENT MITSUBISHI MOTORWAY  
TO RIVIAN MOTORWAY

WHEREAS, The Town of Normal is a Home Rule Unit of local government with authority to legislate in matters pertaining to its local government and affairs.

WHEREAS, The Illinois Municipal Code authorizes the Town Council to name or re-name any street, avenue, alley, or other public place. *See*, 65 ILCS 5/11-80-19).

WHEREAS, In 1995, the Town named Mitsubishi Motorway in response to the operation of the automotive plant by Mitsubishi Motor Manufacturing of America (Ord. No. 4335).

WHEREAS, That automotive plant is now owned and operated by Rivian Automotive LLC..

WHEREAS, It is in the best interest of the citizens of Normal to change the name of "Mitsubishi Motorway" to "Rivian Motorway."

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD  
OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION 1. The street currently named "Mitsubishi Motorway" is hereby renamed "Rivian Motorway."

SECTION 2. The appropriate Town records shall be adjusted accordingly to reflect the name change.

SECTION 3. The proper officers, employees, and agents of the Town are hereby authorized and directed to do all such acts and to execute and deliver all such instruments as may be necessary to carry out the intent and to accomplish the purposes of this ordinance in accordance with its terms.

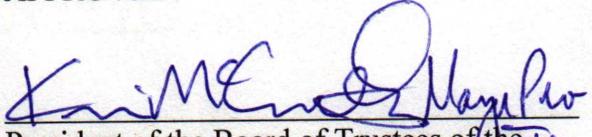
SECTION 4. This ordinance is not intended to affect any suit or proceeding pending in any court; it is not intended to affect any right acquired or liability incurred before its effective date; it is not intended to affect any cause of action acquired or existing before its effective date.

SECTION 5. Upon approval of this ordinance, the Town Clerk is directed to send a certified copy of this ordinance, by registered or certified mail, to the McLean County Clerk and to the post office branch serving the area in which the renamed street is located.

SECTION 6. The Town Clerk is directed to publish this ordinance in pamphlet form as required by law.

SECTION 7. This ordinance takes effect 10 days after the date of publication. The change in the street name takes effect 30 days after the date that the Town Clerk notifies the McLean County Clerk and post office in accordance with Section 11-80-19 of the Illinois Municipal Code.

APPROVED:

  
 President of the Board of Trustees of the  
 Town of Normal, Illinois

ATTEST:

  
 \_\_\_\_\_  
 Town Clerk  
 (SEAL)

This ordinance was voted upon and passed by the President and Board of Trustees of the Town of Normal on July 1, 2019, with 4 voting aye; 0 abstaining; 2 voting nay; and 1 absent.

	AYE	NAY	OTHER		AYE	NAY	OTHER
Councilman McCarthy	✓			Councilwoman Smith		✓	
Councilman Preston	✓			Councilman Nord		✓	
Councilwoman Lorenz	✓			Mayor Koos			A
Councilwoman Cummings	✓						

This ordinance was approved by the President on July 1, 2019.

This ordinance was published in pamphlet form on July 2, 2019.



CONSENT AGENDA ITEM NO. 7K

FOR COUNCIL: August 12, 2019

SPONSORING DEPARTMENT: Community Development

SUBJECT: Consideration and action to adopt an Ordinance Approving a Special Use Permit for Vehicle Sales and Repair in the B-1, General Commercial District, for Property Located at 420 Olympia Drive, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK: Goals 3. Grow the local economy, and 5. Great Place—Livable, Sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objectives 3b. Attraction of new targeted businesses that are the “right” fit for Bloomington; 3d. Expanded retail businesses; and 5c. Incorporation of “Green Sustainable” concepts into City’s development and plans.

BACKGROUND: 420 Olympia Drive, the subject property, is located on the curve just east of Olympia Drive and north of Wicker Road. The subject property is approximately 1.33 acres and is located within the Towanda Barnes Business Park subdivision. The property was improved in 2006 with a single story, 18,928 square foot, two-unit manufacturing/storage structure. The structure was occupied by a drywall business and a floor covering business, trade and construction tenants. The property is zoned B-1 General Commercial District with the P-3 Airport Noise Impact Zoning Overlay. Surrounding developments include trade and retail services, a tennis facility, a place of worship zoned B-1, General Commercial District, and a storage facility zoned M-1, Restricted Manufacturing District. The Business Park was originally developed and used as a grouping of similar trade and construction services. The trend in development for the Park is moving toward retail, entertainment, and life-style uses like recreation centers, places of worship, movie theaters, office and retail.

The purpose of the B-1 General Commercial District is to facilitate the development of community and regional commercial areas. The district anticipates customers whose primary mode of transportation is a motor vehicle. The District anticipates a large volume of shoppers and foot-traffic, therefore, it allows some vehicle-oriented uses, like vehicle sales and services, or truck stops, with a special use permit. A special use permit allows the City the opportunity to grant some uses that, by their nature, may impair the general development of an area but when properly placed and regulated, can contribute to the economic vitality of the city. The City received a petition from Tesla Motors, Inc. to repurpose Unit A (approximately 12, 758 square feet) in the building at 420 Olympia Drive with a vehicle sales and service shop. Traditionally, vehicle sales require large amounts of land for displaying inventory. Most dealerships in Bloomington are between 2 and 6 acres. The petitioner would like to have a few vehicles on display but anticipates that the majority of their sales will be customized and delivered, so a large lot to display inventory is not necessary. Additionally,

the petitioner is proposing a facility for electric vehicles, rather than traditional gasoline or even hybrid vehicles.

On July 17, 2019, the Zoning Board of Appeals held a public hearing on the petition. In addition to the petitioner's representatives, one person spoke in favor of the petition and was supportive of the use by the petitioner. This person had questions about the remedies if the petitioner moved and a different vehicle sales tenant occupied the building. Staff confirmed that violations of the property maintenance code or zoning code could result in revocation of the permit. The Board had questions about fire suppression systems, which are reviewed by the Building Official for compliance before issuing a Certificate of Occupancy. The Board concluded that the petition met the standards for a special use permit. The Board unanimously recommended that City Council approve the special use permit.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** On July 17, 2019 the Zoning Board of Appeals held a public hearing on the petition. Notice of the hearing was published in *The Pantagraph* on July 1, 2019 in accordance with state and local statutes. A large sign notifying passersby of the hearing was placed on the property and notices were mailed to 25 property owners within 500 feet of the subject property. One person, outside of the petitioner, spoke in favor of the petition. No one spoke against the petition. The Zoning Board of Appeals established the petition meets the standards for a special use permit (44.17-7H). By a vote of 5-0, the Board recommended Council adopt an Ordinance approving the special use permit. The Board's recommendation is consistent with the staff recommendation.

**FINANCIAL IMPACT:** No additional negative impacts to City resources are expected. The proposed facility could result in additional property and sales tax revenues for the City.

**COMMUNITY DEVELOPMENT IMPACT:** Goal NE-3 Reduce Environmental Pollutants, Objective NE-3.1 Identify and reduce air pollutants; and Goal UEW-2 Promote and facilitate energy conservation and alternate energy generation and resources, Objective UEW-2.2 Ensure at least 25% of energy uses comes from renewable energy sources.

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

Respectfully submitted for Council consideration.

Prepared By: Katie Simpson, City Planner

Reviewed By: Bob Mahrt, Community Development Director

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Community Development. Review By: Bob Mahrt, Community Development Director

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

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', written over a horizontal line.

Tim Gleason  
City Manager

**Attachments:**

- CD 1B Ordinance 2019-58 Special Use Vehicle Sales
- CD 1C Petition\_Special Use Vehicle Sales and Service\_Redacted
- CD 1D Staff Report\_Special Use Vehicle Sales and Service
- CD 1E Draft Minutes\_Special Use Vehicle Sales
- CD 1F Aerial View\_Special Use Vehicle Sales and Service
- CD 1G Zoning Map\_Special Use Vehicle Sales and Service
- CD 1H Notice\_Special Use Vehicle Sales and Service\_Redacted

**ORDINANCE NO. 2019 - 58**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR VEHICLE SALES AND REPAIR  
IN THE B-1, GENERAL COMMERCIAL DISTRICT,  
FOR PROPERTY LOCATED AT 420 OLYMPIA DRIVE**

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition and site plan requesting a Special Use Permit for vehicle sales and repair, in the B-1 General Commercial District for certain premises hereinafter described in Exhibit A; and

WHEREAS, said site plan is attached to this Ordinance and referenced as Exhibit A-1; and

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

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such special use complied with the standards and conditions for granting a special use, specifically:

- 1). That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare; and,
- 2). That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and,
- 3). That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district; and,
- 4). That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided; and,
- 5). That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- 6). That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located; and

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

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

1. That the above recitals are hereby incorporated into and made a part of this Ordinance.
2. That the City Council hereby adopts the findings of fact of the Board of Zoning Appeals set forth above.

3. That the Special Use Permit for vehicle sales and repair in the B-1 District at the premises described in Exhibit(s) A and depicted in the site plan referenced as Exhibit A-1 shall be and the same is hereby approved.
4. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 12th day of August, 2019.

APPROVED this \_\_\_\_\_ day of August, 2019.

**CITY OF BLOOMINGTON**

**ATTEST**

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

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

**Exhibit A**  
**“Legal Description”**

TOWANDA BARNES BUSINESS PARK 17<sup>TH</sup> ADDITION, LOT 33.  
1.33 ACRES  
PIN: 22-07-227-002



PETITION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT:

420 Olympia Drive, Bloomington, IL 61704

State of Illinois )  
 )ss.  
County of McLean )

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

Now come(s) Tesla Motors, Inc

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

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit(s)A, which is (are) attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents: receiver, executor (executrix); trustee, lease, or any other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently has a zoning classification of B-1 under the provisions of Chapter 44 of the Bloomington City Code, 2019;
3. That under the provisions of Chapter 44, Division 44.5-2 of said City Code Vehicle Sales and Services, are allowed as a special use in a B-1 zoning district;
4. That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
5. That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
6. That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the B-1 zoning district;
7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of

the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;

8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the B-1 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

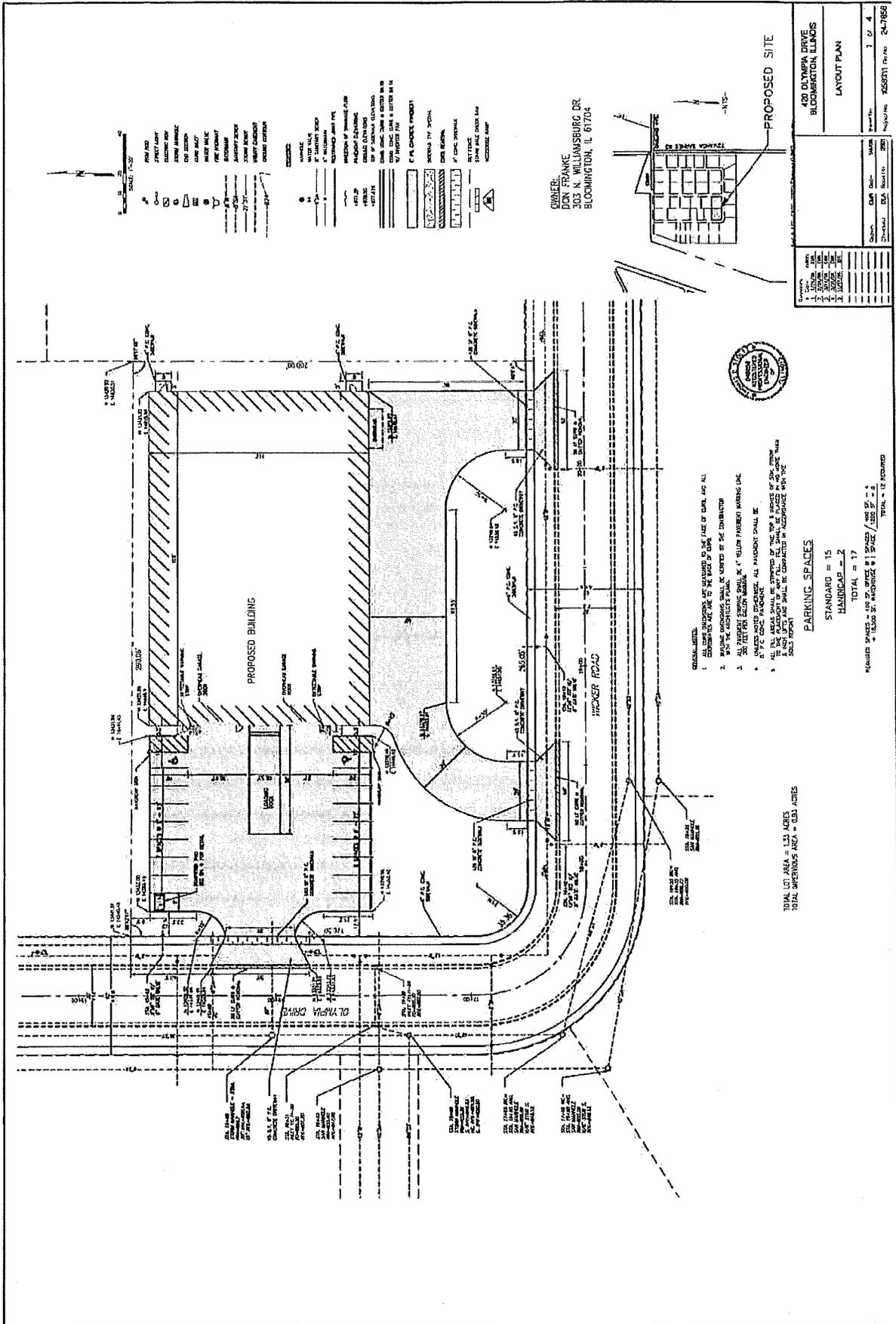
WHEREFORE, your petitioner(s) respectfully pray(s) that said special use for said premises be approved.

Respectfully submitted,

Tesla Motors, Inc.

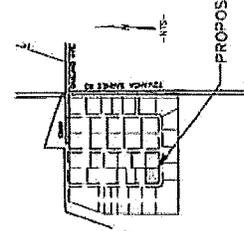
Representative  
Name [REDACTED] JUSTIN A. MEYER  
Address 420 OLYMPIA DR. BLOOMINGTON FL 34604  
Signature [REDACTED]  
Date 6.12.19

Exhibit A-1



- LEGEND**
- 1. PROPOSED BUILDING
  - 2. EXISTING BUILDING
  - 3. EXISTING DRIVE
  - 4. EXISTING DRIVE
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OWNER:  
DON FRANK  
303 N. WILLIAMSURD DR.  
BLOOMINGTON, IL 61704

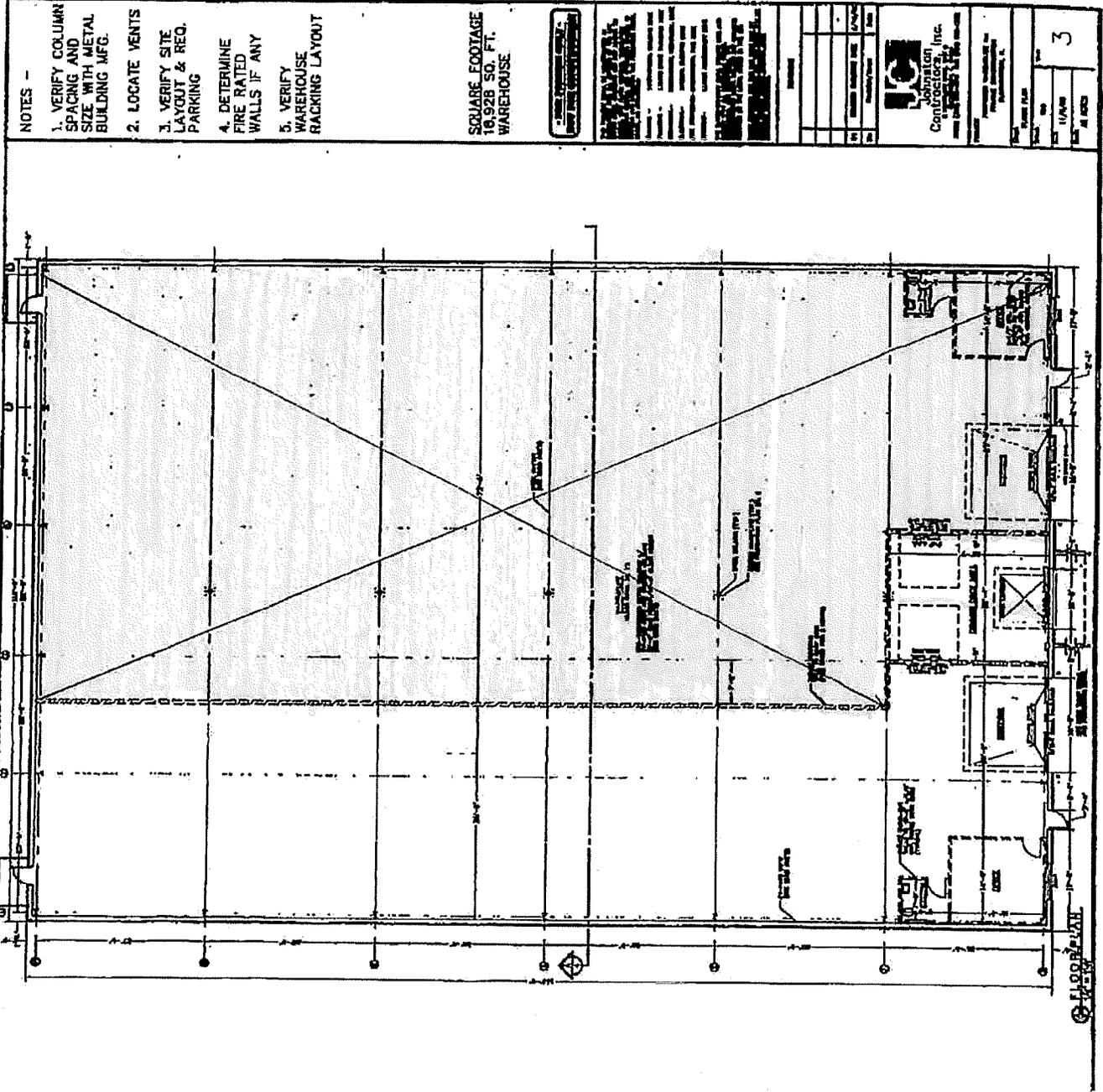


- CONSTRUCTION NOTES:**
1. ALL CURB PROJECTIONS ARE SHOWN ON THE FACE OF CURB AND ALL DIMENSIONS ARE TO THE FACE OF CURB.
  2. SETBACKS ARE TO BE MAINTAINED BY THE CONTRACTOR.
  3. ALL PARKING SPACES SHALL BE 4' BELLOW PARKING MARKING LINE.
  4. ALL PARKING SPACES SHALL BE 18' WIDE.
  5. ALL PARKING SPACES SHALL BE 12' DEEP.
  6. ALL PARKING SPACES SHALL BE 90 DEGREE PARKING.
  7. ALL PARKING SPACES SHALL BE 15' FROM THE FACE OF CURB.
  8. ALL PARKING SPACES SHALL BE 15' FROM THE FACE OF CURB.
  9. ALL PARKING SPACES SHALL BE 15' FROM THE FACE OF CURB.
  10. ALL PARKING SPACES SHALL BE 15' FROM THE FACE OF CURB.
- PARKING SPACES**
- STANDARD = 15  
HANDICAP = 2  
TOTAL = 17
- NUMBER SPACES BY TYPE: 15 STANDARD / 2 HANDICAP / TOTAL = 17

TOTAL LOT AREA = 1.31 ACRES  
TOTAL IMPERVIOUS AREA = 0.53 ACRES

401 OLYMPIA DRIVE BLOOMINGTON, ILLINOIS	
DATE	10/1/88
DRAWN BY	J. D. 4
CHECKED BY	J. D. 4
SCALE	AS SHOWN
PROJECT NO.	4558781
DATE	10/1/88
BY	J. D. 4
FOR	401 OLYMPIA DRIVE BLOOMINGTON, ILLINOIS
LAYOUT PLAN	

Exhibit A-2  
 420 Olympia  
 Bloomington, IL



NOTES -

1. VERIFY COLUMN SPACING AND SIZE WITH METAL BUILDING MFG.
2. LOCATE VENTS
3. VERIFY SITE LAYOUT & REQ. PARKING
4. DETERMINE FIRE RATED WALLS IF ANY
5. VERIFY WAREHOUSE RACKING LAYOUT

SQUARE FOOTAGE 10,928 SQ. FT. WAREHOUSE

**JOHNSTON CONTRACTORS, INC.**  
 1100 N. WASHINGTON ST.  
 BLOOMINGTON, ILL. 61701  
 TEL: 334-1100  
 FAX: 334-1101

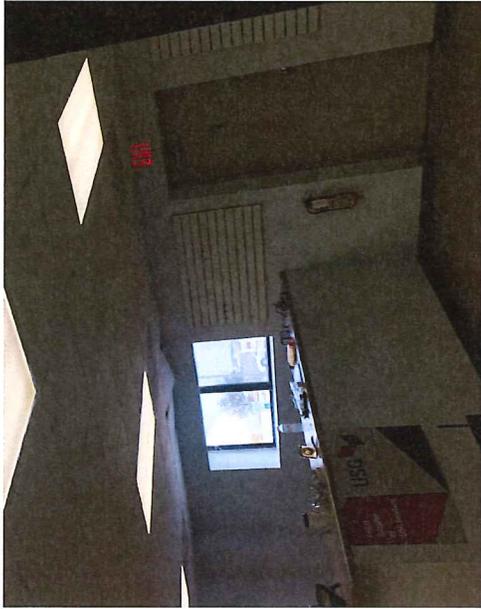
DATE: 11/14/88  
 DRAWN BY: J. J. JOHNSON  
 CHECKED BY: J. J. JOHNSON

3

# BLOOMINGTON - OLYMPIA DRIVE - SERVICE LITE CLIMATE

CONFIDENTIAL

SITE PHOTOS  
TRT ID - 11262



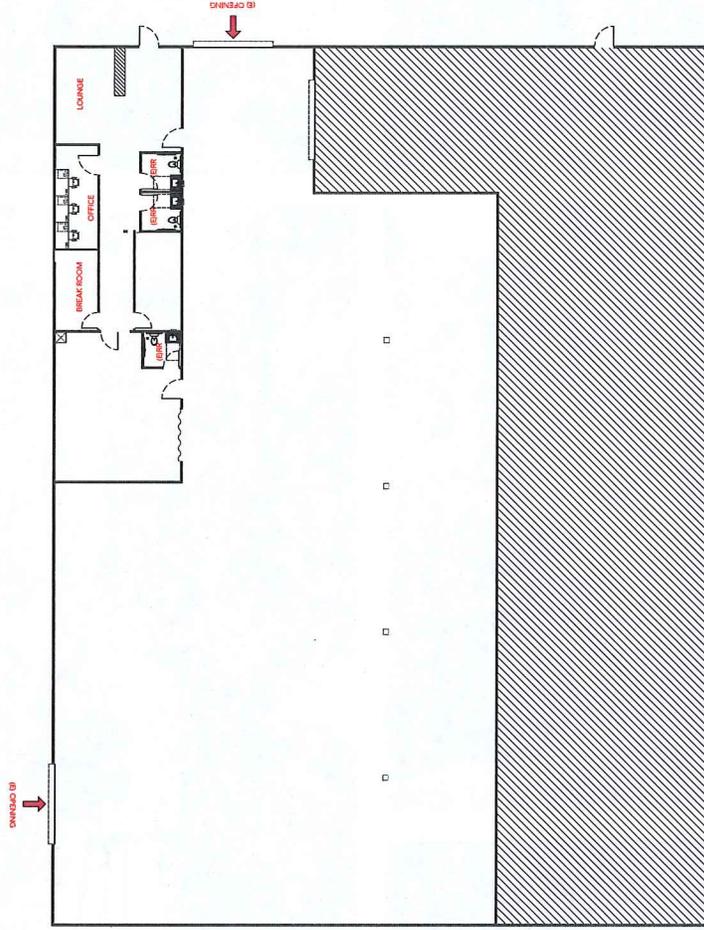
APRIL 10, 2019

NA | 420 OLYMPIA DR. BLOOMINGTON | IL | 61704 | US  
\*PLEASE NOTE: ANY SUBSEQUENT REVISION TO AN APPROVED CONCEPT WILL CAUSE DELAY AND IMPACT COST

# BLOOMINGTON - OLYMPIA DRIVE - SERVICE LITE CLIMATE

EXISTING FLOOR PLAN  
TRT ID - 11262

CONFIDENTIAL



SCALE: 3/64" = 1'-0"

**TESLA**

APRIL 10, 2019

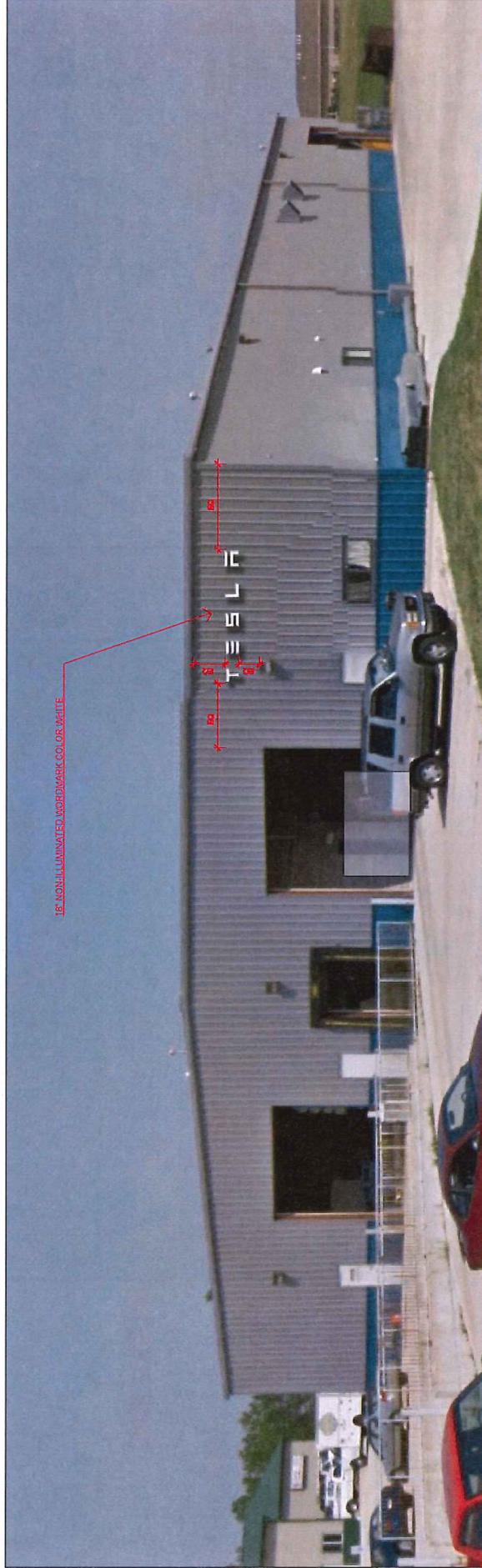
EXISTING WALL

NA | 420 OLYMPIA DR. BLOOMINGTON | IL | 61704 | US  
\*PLEASE NOTE: ANY SUBSEQUENT REVISION TO AN APPROVED CONCEPT WILL CAUSE DELAY AND IMPACT COST

# BLOOMINGTON - OLYMPIA DRIVE - SERVICE LITE CLIMATE

CONFIDENTIAL

ELEVATION  
TRT ID - 11262



SCALE: 3/64" = 1'-0"

**TESLA** APRIL 10, 2019

NA | 420 OLYMPIA DR. BLOOMINGTON | IL | 61704 | US  
\*PLEASE NOTE: ANY SUBSEQUENT REVISION TO AN APPROVED CONCEPT WILL CAUSE DELAY AND IMPACT COST

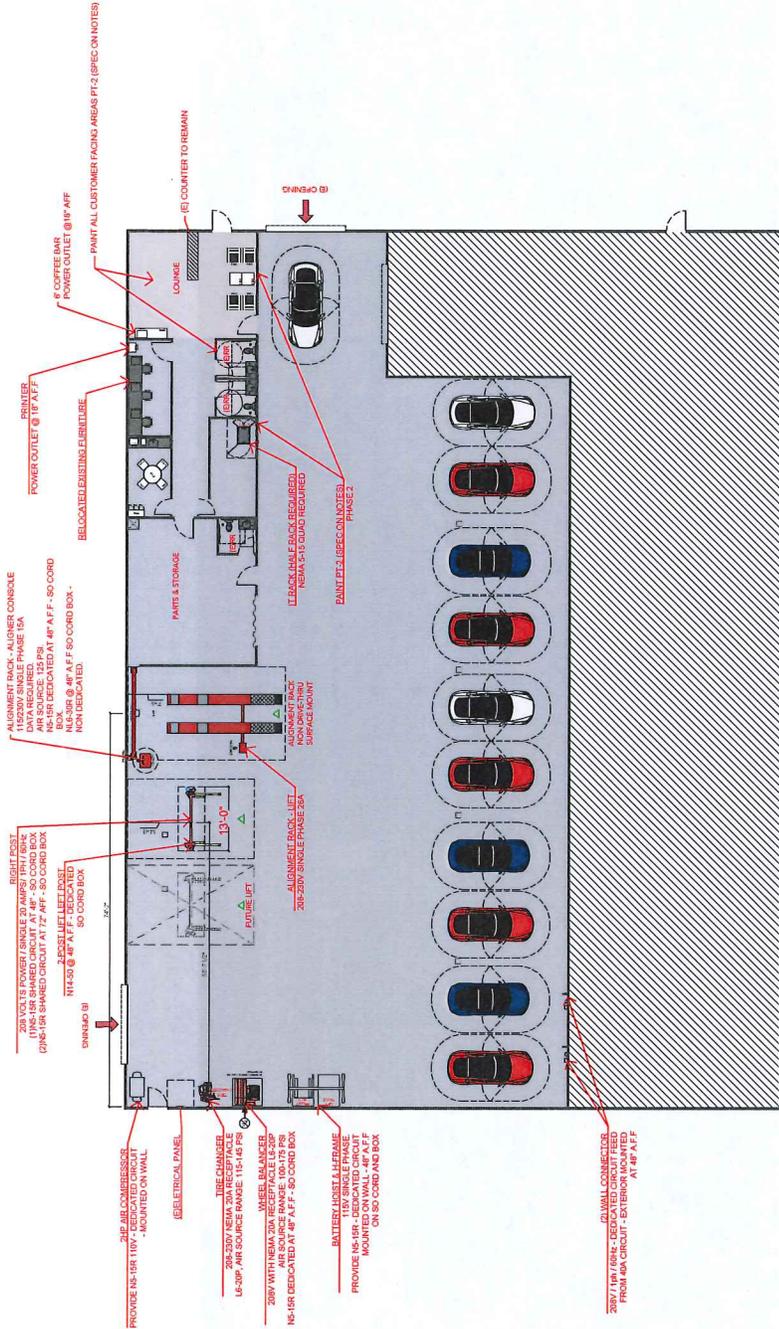
BLOOMINGTON - OLYMPIA DRIVE - SERVICE LITE CLIMATE  
 CONCEPT FLOOR PLAN  
 TRT ID - 11262

CONFIDENTIAL

SPECIAL CONDITIONS:  
 - VERIFY LOCATION ON SITE

FINISHES

WALL LOUNGE AND CUSTOMER FACING  
 RESTROOMS: PAINT PT2  
 BENJAMIN MOORE  
 BF CC-65 'CHANTILLY LACE'  
 EGGSHELL PEARL



AREA BREAKDOWN (SF):

GROSS TOTAL:	0	SF
FIRST FLOOR:	#####	# SF
SECOND FLOOR:	0	SF
NET TOTAL:	12,758	SF
SERVICE SHOP:	10,783	SF
PARTS AND STORAGE:	0	SF
LOUNGE:	599	SF
BOH:	1,376	SF
SHOWROOM:	0	SF
DELIVERY:	0	SF
UNBUILT/OTHER:	0	SF

SCALE: 3/64" = 1'-0"

APRIL 10, 2019



EXISTING WALL  
 NEW WALL  
 SERVICE CIRCULATION  
 DELIVERY CIRCULATION

NA | 420 OLYMPIA DR. BLOOMINGTON IL | 61704 | US  
 \*PLEASE NOTE: ANY SUBSEQUENT REVISION TO AN APPROVED CONCEPT WILL CAUSE DELAY AND IMPACT COST



**CITY OF BLOOMINGTON  
 REPORT FOR THE BOARD OF ZONING APPEALS  
 JULY 17, 2019**

CASE NUMBER	SUBJECT:	TYPE	SUBMITTED BY:
SP-02-19	420 Olympia Drive	Vehicle Sales and Services in the B-1, General Commercial District	Katie Simpson City Planner

<b>PETITIONER'S REQUEST:</b>			
Section of Code: 44.5-2 Business Districts-Permitted and Special Uses			
Type	Request	Required	Special Use
Special Use permit	Tesla Sales and Service	Special use	Vehicle Sales and Services

<b>Project Description</b>	The petitioner is seeking a Special Use to allow a Tesla sales and repair location in the B-1 district for the property located at 420 Olympia Drive
<b>Staff Recommendation</b>	Staff finds that the petition has met the Zoning Ordinance's standards required to allow a special use. Staff recommends that the Zoning Board of Appeals provide Council with a positive recommendation to <i>approve</i> the petition for a special use permit to allow vehicle sales and repair in the B-1 District at 420 Olympia Drive.



**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in the *Pantagraph* on Monday, July 1, 2019

**GENERAL INFORMATION**

Petitioner: Tesla Motors, Inc.

**LEGAL DESCRIPTION:** TOWANDA BARNES BUSINESS PARK 17TH ADDN  
LOT 33 1.33 ACRES

**PROPERTY INFORMATION**

Existing Zoning: B-1 General Commercial District w/ S-3 Airport Noise Overlay  
Existing Land Use: Warehouse/Storage  
Property Size: 1.33 acres  
PIN: 22-07-227-002

**Surrounding Zoning and Land Uses**

Zoning

*North:* B-1 w/ S-3 Overlay  
*South:* B-1 w/ S-3 Overlay  
*East:* B-1 General Commercial District  
*West:* M-1, Restricted Manufacturing  
*West:* B-1 w/S-3  
*West:* B-1 w/ S-3 Overlay

Land Uses

*North:* Multi-tenant trade services/retail  
*South:* Tennis Facility  
*East:* Trade Services  
*West:* Storage  
*West:* Place of worship  
*West:* Vacant

**Analysis**

Submittals

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

1. Application for a special use
2. Site Plan
3. Aerial photographs
4. Site visit

**BACKGROUND**

The subject property, located east of Olympia Drive and north of Wicker Road, is approximately 1.33 acres located in the Towanda Barnes Business Park subdivision. Improved in 2006 with a new, single story, 18,928 sqft, two-unit manufacturing/storage structure. Following construction, Twin City Drywall occupied Unit A and DaVinci Floor Covering occupied Unit B. After the most recent fire inspection, a drywall company occupied both units. The subject property is zoned B-1, General Commercial District with the S-3 Airport Noise Impact Overlay. The Noise Impact Overlay prohibits residential uses within certain proximity of the airport, and requires additional building and insulation materials in residential properties located a little further from the airport. Adjacent property located north, east and south of the subject property, is also zoned B-1, General Commercial District. Property west of the subject property is zoned M-1, Restricted Manufacturing with the S-3 Zoning Overlay.

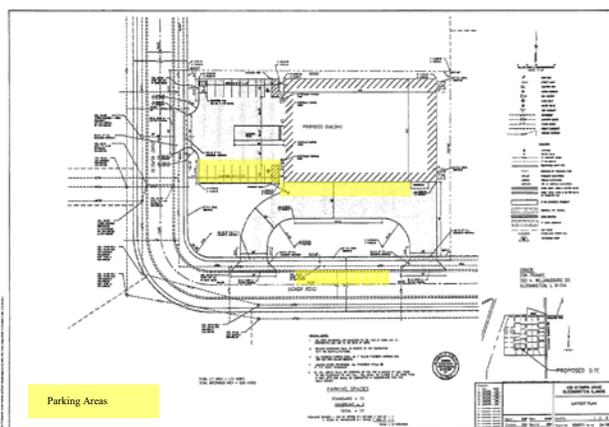
The Towanda Barnes Business Park was intended to be developed and used as a grouping of similar businesses and services. Originally built primarily for trade services, the trend in development is shifting to include additional experience, retail and professional service tenants, especially tenants that operate on nights and weekends. Day tenants include plumbers, builders, heating and cooling, concrete, storage, offices, day-care facilities and animal kennels. Night and weekend uses include a movie theater, gymnasiums, places of worship, and a tennis facility.

## PROJECT DESCRIPTION

The purpose and intention of the B-1 District is to facilitate the development of community and regional commercial areas. The district anticipates customers who use motor vehicles as their primary mode of transportation. The district expects a large volume of shoppers and therefore, allows more intense vehicular uses with a special use permit.

Traditional vehicle sales and repair may generate large amounts of foot traffic, produce waste, require outdoor storage of tires or other large materials, or require chemical and hazardous material storage. The petitioner is requesting a special use permit to allow for the sales and service/repair of Tesla electric vehicles. The proposed use is compatible with the surrounding uses of nearby buildings. Other vehicle repair shops exist in the Towanda Business Park. Tesla sales and repair are very specialized. Unlike other vehicle sales and repair facilities that serve the public, and consequently, produce more traffic and additional negative impacts on the neighborhood, the proposed Tesla facility will serve a select clientele with distinct needs. Finally, electric vehicles produce less hazardous waste than gasoline vehicles.

According to the petition received, the use would occupy approximately 12,758 square feet of the building, roughly 2/3 of the building. The building is 20ft tall, with two large bay doors on the west side and one large bay door on the south side. The northern bay on the west side of the building belongs to the second unit, which the petitioner is not proposing to use at this time. A masonry wall separates the two units. The Building Official reviewed the petition and has no objections to the construction of the building for the proposed use. As always, renovations will require building permits and administrative plan review.



The site plan included in the application shows 17 spaces for the entire property. The circulation area on the south side of the property is wide enough to accommodate roughly seven (7) additional parallel spaces. About three on-street parking spaces are also available on one side Wicker Road. The proposed use requires one (1) parking space per 500 feet of gross floor area. Gross floor area is the area open and visible to the public, approximately 10,783 square feet. The proposed use requires approximately **twenty-**

**two (22) parking spaces.** The Zoning Ordinance allows each on-street parking space to count as half of a required parking space. Additionally, designating a few parking spaces for carpool/vanpool spaces and car sharing spaces will decrease the required parking by one (1) and three (3) spaces, respectfully. The table below illustrates how these exemptions could be applied

to assist with meeting the minimum amount of required parking. The site plan above shows the areas that could be used for parking to ensure compliance with the ordinance.

<b>Parking Requirements:</b> Total Vehicle Sales = 10,783/500	<b>Required Parking:</b> 22 spaces
<b>Parking Points Provided:</b>	
Existing Spaces	15
On Street Parking in lieu of ½ space of required off-street parking	2
Reserved Parking Space for Carpool (1x2)	2 (1 space labeled counts as 2 required spaces)
Reserved Parking Space for Car Share (1x4)	4 (1 space labeled counts as 4 required spaces)
Total	23

The Zoning Ordinance, adopted by Council in March 2019, reduces the amount of minimum parking required and caps the amount of parking that a business can provide. The regulations and exemptions are designed to discourage excessive and expansive parking lots in the community. The new regulations also intend to provide relief in instances where meeting minimum parking requirements may have previously been a barrier to marketability of an existing building.

**Conformance with the Comprehensive Plan:** The Comprehensive Plan recommends creating more opportunities to address air quality, promote renewable energy, sustainable transportation, and encourage retention and growth of businesses. The proposed use provides the community with a place to buy and repair Tesla electric vehicles. The vehicle can be difficult and expensive to own since the repairs may require special equipment or specialized knowledge not currently available in the region. A Special Use Permit could contribute to the following goals:

NE-3 Reduce Environmental Pollutants

NE-3.1 Identify and reduce air pollutants

UEW-2 Promote and facilitate energy conservation and alternate energy generation and resources.

UEW-2.2 Ensure at least 25% of energy uses comes from renewable energy sources.

**Action by the Board of Zoning Appeals.**

For each special use application the Board of Zoning Appeals shall report to the Council its findings of fact and recommendations, including the stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein. No special use application shall be recommended by the Board of Zoning Appeals for approval unless such Board shall find:

- 1. that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;** The Tesla vehicle sales and repair serves a niche market and has limited clientele. The use is compatible with surrounding uses and, due to the limited clientele, will have less traffic and waste than traditional vehicle sales and repair establishments. **The standard is met.**
- 2. that the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;** The majority of the business is

operated inside, and serving a limited audience. The proposed use should have little to no negative impact on nearby properties and property values. **The standard is met.**

3. **that the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;** The use is consistent with the trend of development for the Business Park. Similar and compatible uses exist in the park. **The standard is met.**
4. **that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** all utilities, roads, and drainage are existing and adequate. The use will generate less traffic than traditional auto retailers will, as well as less waste. **The standard is met.**
5. **that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;** The site is existing and traffic circulation is adequate. **The standard is met.**
6. **that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals. (Ordinance No. 2006-137).** No additional variances are needed since the building conforms to the bulk requirements of the district. **The standard is met.**

**STAFF RECOMMENDATION:** Staff finds that the petition has met the Zoning Ordinance's standards required to allow a special use. Staff recommends that the Zoning Board of Appeals provide Council with a positive recommendation to *approve* the petition for a special use permit to allow vehicle sales and repair at 420 Olympia Drive.

Respectfully submitted,

Katie Simpson

Attachments:

- Draft Ordinance
- Exhibit A-Legal Description
- Petition and supplemental documents from petitioner
- Site Plan
- Aerial Map
- Zoning Map
- List of permitted uses in the R-2 District
- Neighborhood Notice Map, Newspaper Notice and List of Addresses Notified

**DRAFT MINUTES  
BLOOMINGTON ZONING BOARD OF APPEALS  
REGULAR MEETING - 4:00 P.M.  
WEDNESDAY, JULY 17, 2019  
COUNCIL CHAMBERS, CITY HALL  
109 EAST OLIVE STREET  
BLOOMINGTON, ILLINOIS**

Members present: Mr. Terry Ballantini, Mr. Tyler Noonan, Mr. Michael Rivera Jr, Mr. Richard Vitengruber. and Chairperson Victoria Harris

Members absent: none

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

Mr. Boyle called the meeting to order at 4:05 p.m. Mr. Boyle announced that the Board would elect a chairperson after roll is called. Ms. Simpson called the roll; with five members present, the Zoning Board of Appeals established a quorum.

**ELECTION OF A CHAIRPERSON:** Mr. Boyle called for nominations for a Chairperson. Mr. Veitengruber nominated Ms. Harris as Chairperson. Mr. Rivera seconded the nomination. No other candidates were nominated, and the Board unanimously voted, by voice vote, to elect Ms. Harris as Chairperson.

**PUBLIC COMMENT:** None.

**MINUTES:** The Zoning Board of Appeals reviewed the April 17, 2019 regular meeting minutes. Mr. Ballantini motioned to approve the minutes as corrected. Seconded by Mr. Rivera. The motion to accept the minutes as amended, was unanimously approved, 5-0 by voice vote.

**REGULAR AGENDA:**

**SP-02-19 Consideration, review and action of a petition submitted by Tesla Motors, Inc. for a special use permit to allow vehicle sales and service in the B-1, General Commercial District at 420 Olympia Dr. (Ward 8)**

Chairperson Harris introduced agenda item SP-02-19. Chairperson Harris explained the order of proceedings for the public hearing. Ms. Simpson presented the staff report. She explained staff is recommending in favor of the petition. She provided photos of the property, an aerial photo of the subdivision and a zoning map. Ms. Simpson explained the property's zoning and described the surrounding zoning and uses. She stated that this area is a mix of retail, office and trade and construction services. Ms. Simpson explained that following the adoption of the zoning ordinance in March, the use "vehicle sales and services" is permitted, on a case-by-case basis, with a special use permit in the zoning district. She explained that there are areas in town zoned B-1 and adjacent to residential where vehicle sales and service may negatively affect the adjacent residential properties. She explained that in this case, the commercial property is surrounded by other commercial properties. Ms. Simpson explained that the proposed product sold is electric and the product is marketed to a distinct clientele. The amount of space needed and the impacts

resulting from the proposed use are less than a gasoline repair facility and a traditional vehicle sales facility. Ms. Simpson described the existing parking and the regulations and requirements for this property. She described the exemptions for parking and recommended the application consider making one space as a vehicle share space and one space as a carpool space. Ms. Simpson stated that detention has been provided for this site. Ms. Simpson explained that the petition aligns with the Comprehensive Plan's goals for reducing air pollutants, promoting sustainable transportation, encouraging economic growth and infill redevelopment. Ms. Simpson described the standards for a special use permit and that staff determined the petition to meet the standards. She explained that after publishing the packet, staff received a question from an adjacent property owner about the expiration and transfer of a special use permit. Ms. Simpson explained the guidelines for the permit and that the permit could expire if the property were vacant for a period of time or be revoked or falls into disrepair and is unmaintained.

Laura Pritchard, 901 N. Rush St. Chicago IL 60610, and Seth Aichinger, 5915 Huston Rd, W. Lafayette IN, were sworn in and spoke on behalf of the petition. Ms. Pritchard explained that Tesla is applying for a special use permit at this location. She stated this would be the first location outside of the Chicago-metro area in Illinois and that the organization is very excited to be located in the community. Ms. Pritchard stated she is the Regional Sales Manager for Illinois. Mr. Aichinger stated that he Mobile Service Manager for the Midwest. Mr. Ballantini asked if the facility will be locally owned. Ms. Pritchard answered that Tesla is renting facility and all locations are company owned. Mr. Ballantini asked about the care and maintenance of the lithium batteries, specifically fire suppression. Mr. Aichinger stated that facility will have the fire suppression and equipment required by code. He stated that they typically have fire extinguishers on site and contact the fire department in the case of large fires. He stated that batteries are less explosive than gasoline. Chairperson Harris asked about the number of charging stations. Mr. Aichinger and Ms. Pritchard explained that there is no intention to have outdoor and public charging stations, all chargers would be stored inside. Mr. Ballantini asked about parking. Ms. Pritchard stated she noted staff recommendations on parking. Chairperson Harris asked if there was an estimated opening date. Ms. Pritchard described next steps needed prior to opening but did not have a specific date. Ms. Pritchard clarified the state of Illinois also requires a dealer's license.

Omar Lehr, 17 Summerset Court in Bloomington IL, was sworn in. He stated he is a member of the commercial condominium association north of the subject property. He explained the association is not concerned about Tesla locating next to them, they feel the company will be a good neighbor, but wanted reassurance that a special use permit may also be required for another car dealership should Tesla move out. Mr. Ballantini why the association appeared to prefer Tesla over another tenant. Mr. Lehr responded that the association would feel the same if it were a Cadillac dealership. They feel Tesla is a responsible company who will not keep their lot filled with junk cars to be fixed and resold. He also stated that there is a fire extinguisher in front of their building and the fire department is located two blocks away by the airport.

No one spoke in opposition to the petition. Ms. Simpson stated that the Building Official reviewed the plans and will also review the plans for fire suppression and sprinkler systems before issuing a certificate of occupancy for the use. She added that the Zoning Board could choose to recommend the petition with conditions if they wished.

Chairperson Harris closed the public hearing and asked for a motion to accept the staff findings. Mr. Veitengruber motioned to accept the findings as presented by staff in the staff report. Mr. Rivera seconded the motion. The Board accepted the staff findings by a vote of 5-0, with the following votes cast on roll call: Mr. Veitengruber—yes; Mr. Rivera—yes; Mr. Ballantini—yes; Mr. Noonan—yes; Chairperson Harris—yes.

Mr. Rivera motioned to approve the petition. Mr. Ballantini seconded the motion. The petition was approved by a vote of 5-0, with the following votes cast on roll call: Mr. Rivera—yes; Mr. Ballantini—yes; Mr. Noonan—yes; Mr. Veitengruber—yes; Chairperson Harris—yes.

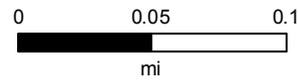
# 420 Olympia Dr



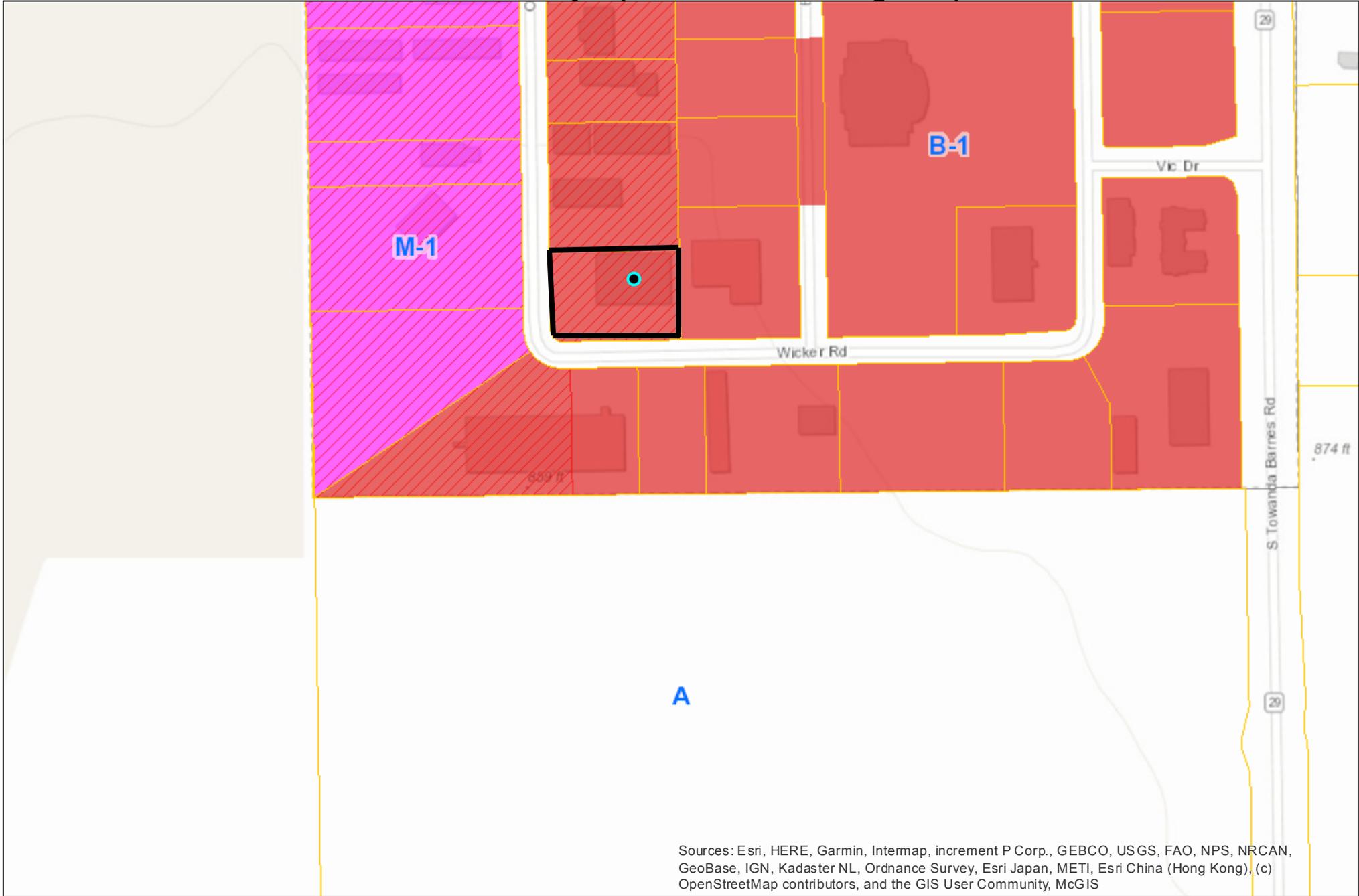
McGIS



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.



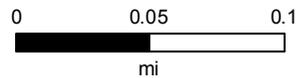
# 420 Olympia Drive Zoning Map



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, 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.





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

July 1, 2019

Dear Property Owner or Resident:

The Zoning Board of Appeals will hold a public hearing on **Wednesday, July 17, 2019 at 4:00PM in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois** to hear testimony for a petition submitted by Tesla Motor, Inc. for the approval of a special use permit for the property located at **420 Olympia Dr.**, at which time all interested persons may present their views upon such matters pertaining thereto. The petitioner or his/her Counsel/Agent must attend the meeting.

#### REQUEST

The petitioner is requesting to allow for vehicle sales and service in a B-1, General Commercial District as a special use.

#### LEGAL DESCRIPTION:

TOWANDA BARNES BUSINESS PARK 17TH ADDN LOT 33 1.33 ACRES

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at [www.cityblm.org](http://www.cityblm.org). If you desire more information regarding the proposed petition or have any questions you may email me at [ksimpson@cityblm.org](mailto:ksimpson@cityblm.org) or call me at (309) 434-2341.

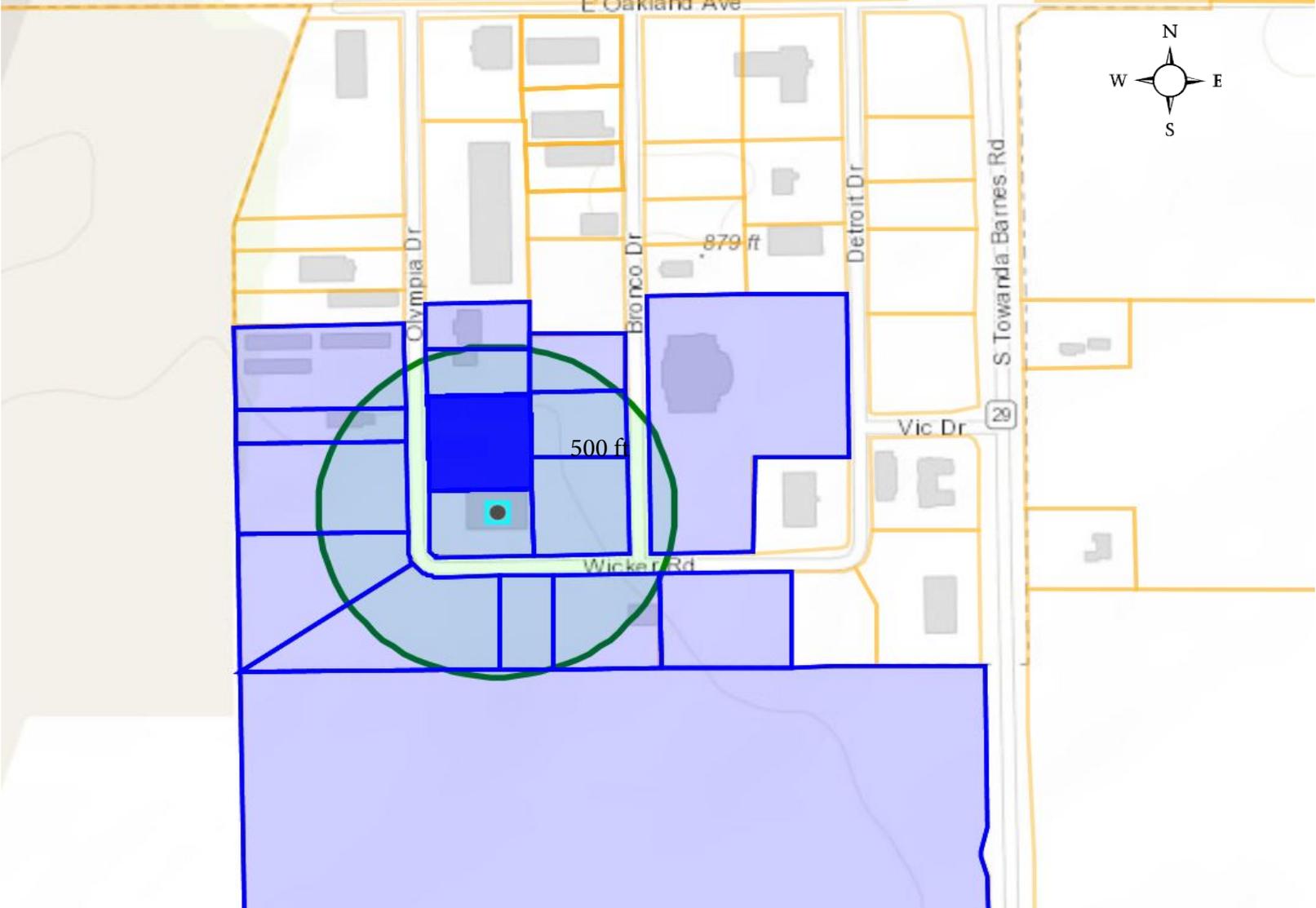
Sincerely,

Katie Simpson, City Planner

Attachments:

Map of notified properties within 500 ft of subject property

Public Hearing on July 17, 2019 for a Special Use Permit request at 420 Olympia



DIANE GADDY  
[REDACTED]  
BLOOMINGTON, IL 617020888

ISLAMIC CENTER OF MCLEAN COUNTY  
1 [REDACTED]  
BLOOMINGTON, IL 617048260

SKI D & BONNIE COONE  
4 [REDACTED]  
BLOOMINGTON, IL 61704

RMCM PROPERTIES LLC  
[REDACTED]  
SAINT LOUIS, MO 631314829

ROGERS- FRANKE INVESTMENTS LLC  
[REDACTED]  
NORMAL, IL 61761

SKYELINE REAL ESTATE LLC  
[REDACTED]  
DOWNS, IL 61736

CORE III LLC  
[REDACTED]  
BLOOMINGTON, IL 617018730

PRAIRIE VIEW LANDSCAPING & LAWN CARE INC  
\$ [REDACTED]  
BLOOMINGTON, IL 61705

SKYELINE REAL ESTATE LLC  
[REDACTED]  
DOWNS, IL 61736

WILLIAM BOLINE  
[REDACTED]  
TOWANDA, IL 617767572

PRAIRIE VIEW LANDSCAPING & LAWN CARE INC  
[REDACTED]  
BLOOMINGTON, IL 61705

STAN CAIN  
[REDACTED]  
BLOOMINGTON, IL 617046274

TECH ELECTRONICS OF ILL PROPERTIES LLC  
[REDACTED]  
SAINT LOUIS, MO 631393492

SCOTT BURKE  
[REDACTED]  
BLOOMINGTON, IL 617048422

CHARLES S & PAULA J KNAPP  
[REDACTED]  
BLOOMINGTON, IL 61704

MMM PROPERTIES OF CENTRAL ILLINOIS  
[REDACTED]  
BLOOMINGTON, IL 617045368

MMBOWERS INC  
[REDACTED]  
BLOOMINGTON, IL 617056470

CHARLES KNUDSON  
[REDACTED]  
BLOOMINGTON, IL 617044823

NV PROPCO ACQUISITION LLC  
[REDACTED]  
NEW YORK, NY 10017

SAI SAMSTHAN OF CENTRAL ILLINOIS  
[REDACTED]  
BLOOMINGTON, IL 617045393

OMAR G. & CAROL M. LEHR  
[REDACTED]  
Bloomington, IL 617012039

,  
%HBT AG SERVICES RIF I LLC  
[REDACTED]  
BLOOMINGTON, IL 617020067

BRIAN SPENCER  
[REDACTED]  
DOWNS, IL 617369426

ISLAMIC CENTER OF MCLEAN COUNTY  
[REDACTED]  
BLOOMINGTON, IL 61704

RICHARD PERCY  
[REDACTED]  
BLOOMINGTON, IL 61704

AIRPORT SELF STORAGE LLC  
[REDACTED]  
NORTHBROOK, IL 60065

RICHARD PERCY  
[REDACTED]  
BLOOMINGTON, IL 61704

49027  
CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE  
ZONING BOARD OF  
APPEALS  
JULY 17, 2019

Notice is hereby given that the Zoning Board of Appeals of the City of Bloomington, Illinois, will hold a public hearing scheduled for Wednesday, July 17, 2019 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, for the petition submitted by Tesla Motors, Inc. for the approval of a special use permit for vehicle sales and service in B-1, General Commercial District at 420 Olympia Dr. The petitioner or his /her Counsel/Agent must attend the meeting and the subject property is legally described as follows:

Legal Description:  
TOWANDA BARNES BUSINESS PARK 17TH ADDN  
LOT 33 (PIN: 22-07-227-002)  
1.33 ACRES

All interested persons may present their views upon such matters pertaining to the above referenced cases at the public hearing. The petitioner or his /her Counsel/Agent must attend the meeting. In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

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

Published: July 1, 2019



CONSENT AGENDA ITEM NO. 7L

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** 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 at Lake Bloomington on August 31, 2019, to Allow Moderate Consumption of Alcohol for the Pherigo and Rogers Wedding, 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 Mr. Donathen Pherigo and Ms. Jodi Rogers to allow moderate consumption of alcohol on August 31, 2019, for their wedding to be held at Davis Lodge.

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.

Jodi Rogers, bride to be, addressed the Commission. She told the Commission that approximately 75-90 guests are anticipated to attend the event, which would be catered by Nelson's Catering. She confirmed that only beer and wine would be served and that the event would be held from 4:00 p.m. to 10:00 p.m.

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

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

Ayes: Commissioners Powell and Jordan.

Nays: None.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the July 9, 2019 Liquor Commission meeting was placed on the City's website.

**FINANCIAL IMPACT:** A rental fee of \$500.00 has been paid for use of the Davis Lodge. This is recorded in the Lake Maintenance-Facility Rental account (50100140-54430). Stakeholders can locate this in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" on page 124.

**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 D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 1B Application Pherigo-Rogers Wedding 8-31-19 Redacted
- CLK 1C Class W License Nelson's Catering
- CLK 1D Ordinance 2019-59 Pherigo-Rogers Wedding 8-31-19



CITY OF  
*Bloomington*  
ILLINOIS

**REQUEST FOR  
BEER/WINE AT A  
CITY OWNED  
PROPERTY**

My event will be held at (Please Check One)  Miller Park Pavilion  Davis Lodge

APPLICANT INFORMATION

Name(s) of applicants (Specify how they are related to the event):

Jodi Rogers Bride  
Donathen Pherigo Groom

**Applicant Contact Information:**

Phone Number: [REDACTED] Email Address: [REDACTED]@gmail.com

Address: [REDACTED]

City: Bloomington State: IL Zip Code: 61701

CATERER INFORMATION

Name of Caterer: Nelson's Catering Contact Number: 217-787-9443

Address: 3005 Great Northern Rd.

City: Springfield State: IL Zip Code: 62711

EVENT INFORMATION

Type of Event: Wedding & reception

Date/Time of Event: August 31, 2019 4-10 pm

Number of Attendees: 75-100

Have you secured a date with the venue checked above?  YES  NO

*\*If yes, please provide a copy of the contract and receipt you were given.\**

[REDACTED]  
Applicant Signature

6-4-19  
Date

~~OFFICE USE ONLY~~

Liquor Commission Date: 07/09/2019

➤ Date Approved for Council: \_\_\_\_\_

City Council Meeting Date: Possibly 08/12/2019

➤ Date Council Approved: \_\_\_\_\_

➤ Ordinance Number: \_\_\_\_\_

Confirmed Reservation and Deposit with Event Location:  YES  NO

Caterer has a Current City of Bloomington License:  YES  NO

Water/Parks Departments have been notified:  YES  NO

**Date Received:** 06/05/2019 **Staff Initials:** AM



City of Bloomington  
 Water Administration - Division Street  
 109 East Olive Street  
 Bloomington, IL 61701  
 309 - 434 - 2426  
 Welcome

118626-0001 Tara G. 01/17/2019 12:44PM

MISCELLANEOUS

Description: WATER DAVIS

LODGE RENTAL

FEES/DEPOSITS (WA0021)

Reference 1: 8-31-19

2019 Item: WA0021

1 @ 500.00

500.00

Payment Id: 409754

-----  
500.00

Subtotal

500.00

Total

500.00

CHECK

500.00

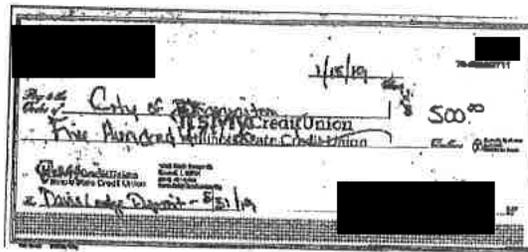
Check Number [REDACTED]

Change due

-----  
0.00

Paid by: Rogers

Comments: Lodge Deposit Fee  
8-31-2019



Thank you for your payment.

CUSTOMER COPY

# CITY OF BLOOMINGTON LIQUOR LICENSE

Number

**EXPIRES 12/31/2019**

8990

W LIQUOR LICENSE

CATERING



NELSON'S CATERING, INC  
 DBA NELSON'S CATERING  
 3005 GREAT NORTHERN RD  
 SPRINGFIELD, IL 62711

ID: 8616

This license is issued subject to all requirements of the ordinances of the City of Bloomington. Information may be obtained from the office of the Bloomington City Clerk.

PAID

12/31/2018

*Tari Renner*

Tari Renner, Mayor/Liquor Commissioner

Attest

*Leslie Smith-Yokum*

Leslie Smith-Yokum, Interim City Clerk

Total Received..... \$75.00

**This License is NOT Transferable**

**NOTE: This is your receipt for payment of amount indicated. Original license has imprint.**

12/31/2018	<b>CITY OF BLOOMINGTON LIQUOR LICENSE</b>	Number 8990
NELSON'S CATERING, INC <span style="float: right;">ID: 8616</span> DBA NELSON'S CATERING 3005 GREAT NORTHERN RD SPRINGFIELD, IL 62711		
W LIQUOR LICENSE          CATERING	<div style="text-align: right;"> </div> <div style="margin-top: 100px;">                 CATERING <span style="float: right;">\$75.00</span> </div> <div style="margin-top: 100px;"> <b>Total</b> <span style="float: right;"><b>\$75.00</b></span> </div>	

ORDINANCE NO. 2019 - 59

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 AT LAKE BLOOMINGTON ON AUGUST 31, 2019, TO ALLOW MODERATE CONSUMPTION OF ALCOHOL FOR THE PHERIGO AND ROGERS WEDDING

WHEREAS, Mr. Donathen Pherigo and Ms. Jodi Rogers desire to allow moderate consumption of alcohol on August 31, 2019, for their wedding, to be held at Davis Lodge at Lake Bloomington from 4:00 p.m. to 10:00 p.m.; and

WHEREAS, Mr. Donathen Pherigo and Ms. Jodi Rogers requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge at Lake Bloomington, on August 31, 2019, from 4:00 p.m. to 10:00 p.m.

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

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

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

PASSED this 12<sup>th</sup> day of August 2019.

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

CITY OF BLOOMINGTON

ATTEST

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

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



CONSENT AGENDA ITEM NO. 7M

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** 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 at Lake Bloomington on September 14, 2019, to Allow Moderate Consumption of Alcohol for the Ehresman Wedding, 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 Ms. Leslie Ehresman to allow moderate consumption of alcohol on September 14, 2019, for her wedding to be held at Davis Lodge.

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.

Leslie Ehresman, bride to be, addressed the Commission. She told the Commission that approximately 100-120 guests are anticipated to attend the event, which would be catered by Destihl Restaurant & Brew Works. She confirmed that only beer and wine would be served and that the event would be held from 4:00 p.m. to 6:00 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the item.

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

Ayes: Commissioners Powell and Jordan.

Nays: None.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the July 9, 2019 Liquor Commission meeting was placed on the City's website.

**FINANCIAL IMPACT:** A rental fee of \$500.00 has been paid for use of the Davis Lodge. This is recorded in the Lake Maintenance-Facility Rental account (50100140-54430). Stakeholders can locate this in the FY 2020 Budget Book titled "Other Funds & Capital Improvement" on page 124.

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 D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 2B Application Ehresman Wedding 9-14-19 Redacted
- CLK 2C Class W License Destihl, Inc
- CLK 2D Ordinance 2019-60 Ehresman Wedding 9-14-19



# CITY OF *Bloomington* ILLINOIS

## REQUEST FOR BEER/WINE AT A CITY OWNED PROPERTY

My event will be held at (Please Check One)  Miller Park Pavilion  Davis Lodge

\_\_\_\_\_  
APPLICANT INFORMATION  
\_\_\_\_\_

Name(s) of applicants (*Specify how they are related to the event*):

Leslie Ehresman

Bride

**Applicant Contact Information:**

Phone Number: [REDACTED] Email Address: [REDACTED]@gmail.com

Address: [REDACTED]

City: Bloomington State: IL Zip Code: 61705

\_\_\_\_\_  
CATERER INFORMATION  
\_\_\_\_\_

Name of Caterer: Destihl Brewery Contact Number: 309-218-1616 X108

Address: 1200 Greenbriar dr

City: Normal State: IL Zip Code: 61761

\_\_\_\_\_  
EVENT INFORMATION  
\_\_\_\_\_

Type of Event: Wedding

Date/Time of Event: 03:00PM 9/14/19

Number of Attendees: 120

Have you secured a date with the venue checked above?  YES  NO

*\*If yes, please provide a copy of the contract and receipt you were given.\**

[REDACTED]  
Applicant Signature

06/05/2019  
Date

~~OFFICE USE ONLY~~

Liquor Commission Date: 07/09/2019

➤ Date Approved for Council: \_\_\_\_\_

City Council Meeting Date: Possibly 08/12/2019

➤ Date Council Approved: \_\_\_\_\_

➤ Ordinance Number: \_\_\_\_\_

Confirmed Reservation and Deposit with Event Location:  YES  NO

Caterer has a Current City of Bloomington License:  YES  NO

Water/Parks Departments have been notified:  YES  NO

**Date Received:** 06/05/2019 **Staff Initials:** AM



*Water Department*  
 603 W. Division Street  
 Bloomington, IL 61701  
 Phone: 309-434-2426  
 Fax: 309-434-2833

**RULES FOR RENTING DAVIS LODGE**

- 1) No early set ups ahead unless that day in rented and paid for.
- 2) **NO ALCOHOLIC BEVERAGES** unless approved by the Bloomington Liquor Commission and City Council.  
 Contact City Clerk office @ (309) 434-2240
- 3) Outdoor fires allowed **only** in fire pit and on non-windy days.
- 4) No swimming or wading is allowed in Lake Bloomington.
- 5) No smoking allowed **inside** Davis Lodge.
- 6) Quiet Hour: 10:00 pm and beyond.
- 7) Check in time: 8:00 am. Check out time: 12:00 Midnight. **MUST BE OUT BY MIDNIGHT**
- 8) No pets allowed in Davis Lodge.
- 9) No glitter/confetti or nails, thumb tacks, tape, staples or other holes in the walls, fans, woodwork or furniture.  
 Hooks have been installed along the doors, windows and at various locations on the walls for your convenience in decorating the Davis Lodge.

**YOU ARE RESPONSIBLE FOR CLEANING UP**

BEFORE LEAVING, THE FOLLOWING SHOULD BE DONE:

- 1) Wipe off tables and chairs.
- 2) Leave tables and chairs set up.
- 3) Floors must be swept.
- 4) Any spills must be wiped up.
- 5) Garbage should be removed to dumpster (North of Building).
- 6) Brooms & Mops available. Extra Garbage Liners in bottom of cans.
- 7) All traces of signs and decorations must be removed.
- 8) All doors and windows must be closed.
- 9) Any extra equipment (tables, chairs, tents, arches, etc.) must be removed the same day as rental. The City of Bloomington is not responsible for items left past check out time of rental.

*Maintenance or Cleaning Questions or Related Problems*

**Work Hours (Monday through Friday 7:00 am – 3:00 pm)**

**Phone: (309) 434-2163**

**After Hours**

**Phone: (309) 434-2151 – Water Treatment Plant at Lake Bloomington**

**(309) 820-8888 (Non-emergency police dispatch)**

**Police Emergencies: County 911**

The undersigned, in consideration of the permission granted by the City of Bloomington to use the Davis Lodge at Lake Bloomington, does hereby agree to indemnify and hold harmless the City of Bloomington, its officers, agents and employees from and against any and all claims, damages, losses, and expenses arising out of the use by the undersigned and guests of Davis Lodge on the dates for which permission has been granted by the City.

Signature required:



Date: 8-22-18

Have a nice, safe time. Thank you for your Cooperation  
 FAILURE TO COMPLY WITH THESE, ANY STATE LAW, CITY ORDINANCE OR OTHER REGULATION  
 COULD RESULT IN LOSS OF DEPOSIT. REMOVAL FROM PREMISES AND/OR PROSECUTION BY LAW



**Water Department**  
 603 W. Division Street  
 Bloomington, IL 61701  
 Phone: 309-434-2426  
 Fax: 309-434-2833

## RELEASE AND HOLD HARMLESS AGREEMENT

**August 22, 2018**

The undersigned, in consideration of the permission granted by the City of Bloomington to use the Davis Lodge at Lake Bloomington, does hereby agree to indemnify and hold harmless the City of Bloomington, its officers, agents and employees from and against any and all claims, damages, losses, and expenses arising out of the use by the undersigned and guests of the undersigned of Davis Lodge on the dates for which permission has been granted by the City.

DATED this 22 day of August.

RENTAL DATE (S): September 13, 2019 and September 14, 2019

Signature Required:

Mailing Address:

*Bloomington, IL 61705*

**CITY OF BLOOMINGTON LIQUOR LICENSE**

Number

**EXPIRES 12/31/2019**

8866

W LIQUOR LICENSE

CATERING



DESTIHL, LLC  
 DBA DESTIHL RESTAURANT & BREW WORKS  
 318 S TOWANDA AVE  
 NORMAL, IL 61761

ID: 8514

This license is issued subject to all requirements of the ordinances of the City of Bloomington. Information may be obtained from the office of the Bloomington City Clerk.

**PAID**

12/27/2018

*Tari Renner*

Tari Renner, Mayor/Liquor Commissioner

*Cherry Lawson*

Cherry L. Lawson, City Clerk

Attest

Total Received..... \$75.00

**This License is NOT Transferable**

**NOTE: This is your receipt for payment of amount indicated. Original license has imprint.**

12/27/2018	<b>CITY OF BLOOMINGTON LIQUOR LICENSE</b>	Number 8866
DESTIHL, LLC ID: 8514 DBA DESTIHL RESTAURANT & BREW WORKS 318 S TOWANDA AVE NORMAL, IL 61761		
W LIQUOR LICENSE           CATERING	           CATERING \$75.00           Total Received..... \$75.00	

ORDINANCE NO. 2019 - 60

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 AT LAKE BLOOMINGTON ON SEPTEMBER 14, 2019, TO ALLOW MODERATE CONSUMPTION OF ALCOHOL FOR THE EHRESMAN WEDDING

WHEREAS, Ms. Leslie Ehresman desires to allow moderate consumption of alcohol on September 14, 2019, for her wedding, to be held at Davis Lodge at Lake Bloomington from 4:00 p.m. to 6:00 p.m.; and

WHEREAS Ms. Leslie Ehresman requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge at Lake Bloomington, on September 14, 2019, from 4:00 p.m. to 6:00 p.m.

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

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

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

PASSED this 12<sup>th</sup> day of August 2019.

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

CITY OF BLOOMINGTON

ATTEST

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

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



CONSENT AGENDA ITEM NO. 7N

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** 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 Miller Park Pavilion on November 22, 2019, to Allow Moderate Consumption of Alcohol for the Biondo and Mehlberg Wedding, 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 Ms. Rose Biondo and Mr. Damon Mehlberg to allow moderate consumption of alcohol on November 22, 2019, for their wedding reception to be held at Miller Park Pavilion.

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.

Rose Biondo, bride to be, addressed the Commission. She told the Commission that approximately 70 guests are anticipated to attend the event, which would be catered by Biaggi's Ristorante. She confirmed that only beer and wine would be served and that the event would be held from 6:00 p.m. to 10:00 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the item.

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

Ayes: Commissioners Powell and Jordan.

Nays: None.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the July 9, 2019 Liquor Commission meeting was placed on the City's website.

**FINANCIAL IMPACT:** A rental fee of \$1,450.00 has been paid for use of the Miller Park Pavilion. This is recorded in the Park Administration-Facility Rental account (10014105-54430). Stakeholders can locate this in the FY 2020 Budget Book titled "Budget Overview & General Fund" on page 167.

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 D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 3B Application Biondo Mehlberg Wedding 11-22-19 Redacted
- CLK 3C Class W License Biaggi's Ristorante
- CLK 3D Ordinance 2019-61 Biondo Mehlberg Wedding 11-22-19



# REQUEST FOR BEER/WINE AT A CITY OWNED PROPERTY

The City of Bloomington has restrictions regarding alcohol consumption at a City Facility or in a City Park. This includes the Miller Park Pavilion and the Davis Lodge at lake Bloomington. The restrictions include that the event must be catered, i.e. no cash bar, and alcohol is limited to beer and wine only. Individuals are not allowed to provide or serve their own alcohol.

Please submit this application to the City Clerk Department located in City Hall at 109 E. Olive Street. This application must go to the Liquor Commission for review and then the City Council for approval. **A representative must be present at the Liquor Commission for the event to answer any questions that may arise.** Please check with the City Clerk Department for your Liquor Commission date.

### EVENT INFORMATION

My event will be held at (Please Check One)  Miller Park Pavilion  Davis Lodge

Type of Event: wedding ceremony/reception Number of Attendees: 70

Date of Event: 11/22/2019 Time of Event: 5:30 pm-10:00 pm

Have you secured a date with the venue checked above?  YES  NO  
*\*If yes, please provide a copy of the contract and receipt you were given.\**

### CATERER INFORMATION

Name of Caterer: Biaggi's Ristorante Contact Number: (309) 661-8322

Address: 1501 N. Veterans Parkway

City: Bloomington State: ILLINOIS Zip Code: 61704

### APPLICANT INFORMATION

Name(s) of applicants (Specify how they are related to the event):

Rose Biundo (Bride of wedding) Damon Mehlberg (Groom of wedding)

### Applicant Contact Information:

Phone Number: [Redacted] Email Address: [Redacted]@mail.bradley.edu

Address: [Redacted]

City: Bloomington State: IL Zip Code: 61705

[Redacted Signature] 10/5/19  
Applicant Signature Date

Please email the completed form to [cityclerk@cityblm.org](mailto:cityclerk@cityblm.org), fax to 309-434-2628, or mail to: City Clerk, 109 E Olive St, Bloomington, IL 61701

~~OFFICE USE ONLY~~

Liquor Commission Date: July 9, 2019

❖ Date Approved for Council: \_\_\_\_\_

City Council Meeting Date: Possibly 08/12/2019

❖ Date Council Approved: \_\_\_\_\_

❖ Ordinance Number: \_\_\_\_\_

Confirmed Reservation and Deposit with Event Location:  YES  NO

Water/Parks Departments have been notified:  YES  NO

Caterer has a Current City of Bloomington License:  YES  NO

Date Received: 06/06/2019 Staff Initials: AM

Please email the completed form to [cityclerk@cityblm.org](mailto:cityclerk@cityblm.org), fax to 309-434-2628, or mail to: City Clerk,  
109 E Olive St, Bloomington, IL 61701

# BIAGGI'S

RISTORANTE ITALIANO

1501 North Veterans Parkway  
Bloomington, Illinois, 61704  
309.661.8322 ◊ fax: 309.661.8422

Date of Reservation	November 22 <sup>nd</sup> , 2019	Time of Reservation	6pm
Name	Rose Biondo	Number of Guests	70
Phone Number	[REDACTED]	Event Room	OFFSITE
Email Address	[REDACTED]@mail.bradley.edu	Spending Commitment	N/A
Rachel Email Address	rwestpfahl@biaggis.com		

**Function Minimum**

In order to reserve a private event room, Biaggi's requires a minimum spending commitment. Minimums for the rooms will be discussed and agreed upon when booking the event with the Event Coordinator. Included in the price of this room is the use of a projector, microphone, screen, china, glassware, linens, chafers, and room decor unless using an outside rental businesses, which the cost would be included in the final bill.

Semi-private parties can only be executed in our Back Room and would be charged half the room minimum fee for that particular day or night with the understanding that we will be using the other half of the room for other dining purposes. No presentations or use of the projector will be permitted for semi private groups.

All minimums are before taxes, private event fees, and gratuity. If the function minimum is not met, the final bill will reflect the difference in a room charge. Additionally, Biaggi's does require a guaranteed guest count no later than 72 hours before your event. If your actual guest count for the event falls below the guarantee, Biaggi's does reserve the right to charge you for the guaranteed number of guests.

**Deposit & Payment**

In order to secure your reservation, Biaggi's requires a credit card guarantee to book the room. Payments may be made with credit card or company check. Biaggi's is unable to offer direct billing. An additional 10.75% sales tax applies to all food and beverage sales. Food and beverage minimums are before tax, private event fees, and gratuity. Biaggi's cannot offer separate checks for banquet functions.

**Event Fees & Gratuity**

There will be a 2% event fee on all private and off-site functions. Biaggi's does not add an automatic gratuity to event charges and as such and in consideration of our service staff, the decision regarding gratuity is by the discretion of the host. Customary and typical for our events has been 18%-22%. You may certainly make that determination at the conclusion of your event, however, if you would like to pre-determine a gratuity percentage and direct us to apply it, simply fill out and initial the amount below.

**Cancellation**

In order to cancel a banquet you must speak with Rachel Westpfahl or Derek Roetzer. Cancellations that do not go through them will not be recognized. There is a \$500 fee for Backroom events and a \$300 fee for Cafe events not canceled within 7 days of the date scheduled. If you cancel within 24 hours of the event or do not show up for your event, we will charge the agreed full minimum to your credit card. Cancellations for December events require 10 days' notice and fees increase by \$250 for each room if not cancelled on or before that 10 day timeline.

Please review this contract. In order to ensure your reservation, please sign and return a copy of the contract as soon as possible. We would like to thank you for your confidence in Biaggi's. If there is anything else we can do to make this event special, please let us know.

Signature	[REDACTED]	Company	[REDACTED]
Type of Card	MC AMEX VISA DISCOVER	Credit Card Number	3 digit code Discover card _____
Today's Date		Expiration Date	
Gratuity %	_____% Initial _____	Food & Beverage Minimum	\$ _____ Initial _____



# City of Bloomington, IL Parks, Recreation and Cultural Arts

109 E. Olive St  
Bloomington, IL 61701

Phone: 309-434-2260

Fax: 309-434-2483

**Biondo, Rose**  
**Rose Biondo**



Bloomington, IL 61705

Receipt ID: 128827

Receipt Date: 6/5/2019 2:49 PM

## Payment Receipt

### Purchases

Purchase #	Date	Description	Amount	Tax	Total	Prev Pmt	Applied	Remaining
100865.1	10/22/2018	Miller Park Pavilion - Whole - 11/22/2019 8:00 AM - 11:00 PM	\$1,450.00	\$0.00	\$1,450.00	\$950.00	\$500.00	
		Item Name	Amount	Qty	Total			
		Rental - Miller Park Pavilion	\$1,450.00	1	\$1,450.00			
					<b>Total</b>	<b>\$1,450.00</b>	<b>\$950.00</b>	<b>\$500.00</b>

<b>Sub Total:</b>	<b>\$1,450.00</b>
<b>Tax:</b>	<b>\$0.00</b>
<b>Total:</b>	<b>\$1,450.00</b>

### Payments

Method	Payee	Reference Number	Payment Amount
Credit Card	Rose Biondo	xxxx-xxxx-xxxx-	\$500.00

Card: Visa

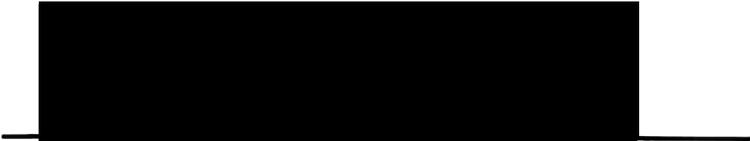
Message:

Entry: Keyed

Resp Code:

Auth Code:

I agree to pay above total amount  
according to card issuer agreement



Signature

<b>Purchase/Invoice Total:</b>		<b>\$1,450.00</b>
<b>Payment Applied:</b>	<b>\$500.00</b>	
<b>Prev Payment Applied:</b>	<b>\$950.00</b>	
<b>Total Payment Applied:</b>		<b>\$1,450.00</b>
<b>Balance:</b>		<b>\$0.00</b>

# CITY OF BLOOMINGTON LIQUOR LICENSE

**EXPIRES 12/31/2019**

Number  
4570

W LIQUOR LICENSE  
CATERING



BIAGGI'S RISTORANTE ITALIANO LLC  
DBA BIAGGI'S RISTORANTE ITALIANO  
1501 N VETERANS PKWY  
BLOOMINGTON, IL 61704

ID: 4895

This license is issued subject to all requirements of the ordinances of the City of Bloomington. Information may be obtained from the office of the Bloomington City Clerk.

PAID

12/05/2018

*Tari Renner*

Tari Renner, Mayor/Liquor Commissioner

Attest

*Leslie Smith-Yokum*

Leslie Smith-Yokum, Interim City Clerk

Total Received..... \$75.00

**This License is NOT Transferable**

**NOTE: This is your receipt for payment of amount indicated. Original license has imprint.**

12/05/2018	<b>CITY OF BLOOMINGTON LIQUOR LICENSE</b>	Number 4570
BIAGGI'S RISTORANTE ITALIANO LLC      ID: 4895 DBA BIAGGI'S RISTORANTE ITALIANO 1501 N VETERANS PKWY BLOOMINGTON, IL 61704		
W LIQUOR LICENSE          CATERING	<div style="text-align: right;"> </div> <p style="text-align: right;">CATERING      \$75.00</p> <p style="text-align: right;"><b>Total</b>      <b>\$75.00</b></p>	

ORDINANCE NO. 2019 - 61

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 MILLER PARK PAVILION ON NOVEMBER 22, 2019, TO ALLOW MODERATE CONSUMPTION OF ALCOHOL FOR THE BIONDO AND MEHLBERG WEDDING

WHEREAS, Ms. Rose Biondo desires to allow moderate consumption of alcohol on November 22, 2019, for their wedding reception, to be held at the Miller Park Pavilion from 6:00 p.m. to 10:00 p.m.; and

WHEREAS Ms. Rose Biondo requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, on November 22, 2019, from 6:00 p.m. to 10:00 p.m.

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

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

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

PASSED this 12<sup>th</sup> day of August 2019.

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

CITY OF BLOOMINGTON

ATTEST

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

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



CONSENT AGENDA ITEM NO. 70

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** 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 Miller Park Pavilion on November 2, 2019, to Allow Moderate Consumption of Alcohol for the Stein and Egts Wedding, 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 Ms. Katherine Stein and Mr. Benjamin Egts to allow moderate consumption of alcohol on November 2, 2019, for their wedding reception to be held at Miller Park Pavilion.

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.

Katie Stein, bride to be, addressed the Commission. She told the Commission that approximately 150-160 guests are anticipated to attend the event, which would be catered by Nelson's Catering. She confirmed that only beer and wine would be served and that the event would be held from 3:30 p.m. to 9:30 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the item.

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

Ayes: Commissioners Powell and Jordan.

Nays: None.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the July 9, 2019 Liquor Commission meeting was placed on the City's website.

**FINANCIAL IMPACT:** A rental fee of \$1,450.00 has been paid for use of the Miller Park Pavilion. This is recorded in the Park Administration-Facility Rental account (10014105-54430). Stakeholders can locate this in the FY 2020 Budget Book titled "Budget Overview & General Fund" on page 167.

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 D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 4B Application Stein and Egts Wedding 11-2-19 Redacted
- CLK 4C Class W License Nelson's Catering
- CLK 4D Ordinance 2019-62 Stein and Egts Wedding 11-2-19



# REQUEST FOR BEER/WINE AT A CITY OWNED PROPERTY

The City of Bloomington has restrictions regarding alcohol consumption at a City Facility or in a City Park. This includes the Miller Park Pavilion and the Davis Lodge at lake Bloomington. The restrictions include that the event must be catered, i.e. no cash bar, and alcohol is limited to beer and wine only. Individuals are not allowed to provide or serve their own alcohol.

Please submit this application to the City Clerk Department located in City Hall at 109 E. Olive Street. This application must go to the Liquor Commission for review and then the City Council for approval. **A representative must be present at the Liquor Commission for the event to answer any questions that may arise.** Please check with the City Clerk Department for your Liquor Commission date.

### EVENT INFORMATION

My event will be held at (Please Check One)  Miller Park Pavilion  Davis Lodge

Type of Event: Wedding Number of Attendees: Roughly 150  
Date of Event: 11/2/19 Time of Event: 3pm - 11pm

Have you secured a date with the venue checked above?  YES  NO  
*\*If yes, please provide a copy of the contract and receipt you were given.\**

### CATERER INFORMATION

Name of Caterer: Nelson's Catering Contact Number: 217-787-9443  
Address: 3005 Great Northern Rd  
City: Springfield State: IL Zip Code: 62711

### APPLICANT INFORMATION

Name(s) of applicants (Specify how they are related to the event):

Benjamin Egts - Groom  
Katherine Stein - Bride

### Applicant Contact Information:

Phone Number: [REDACTED] Email Address: [REDACTED]  
Address: [REDACTED]  
City: Bloomington State: IL Zip Code: 61704

[REDACTED] 6/19/19  
Applicant Signature Date

Please email the completed form to [cityclerk@cityblm.org](mailto:cityclerk@cityblm.org), fax to 309-434-2628, or mail to: City Clerk, 109 E Olive St, Bloomington, IL 61701



# City of Bloomington, IL Parks, Recreation and Cultural Arts

109 E. Olive St  
Bloomington, IL 61701

Phone: 309-434-2260

Fax: 309-434-2483

Weekend Rentals only call 275-1820 if building in not opened or you will be more then 15 minutes late arriving. If no answer call non-emergency police number at 820-8888 to get into the building.

**Stein, Katherine**  
**Katherine Stein**

[REDACTED]  
Bloomington, IL 61704

Receipt ID: [REDACTED]

Receipt Date: 7/24/2018 8:48 AM

## Payment Receipt

### Purchases

Purchase #	Date	Description	Amount	Tax	Total	Prev Pmt	Applied	Remaining
71773.1	7/24/2018	Miller Park Pavilion - Whole - 11/2/2019 8:00 AM - 11:00 PM	\$1,450.00	\$0.00	\$1,450.00		\$1450.00	
		Item Name	Amount	Qty	Total			
		Rental - Miller Park Pavilion	\$1,450.00	1	\$1,450.00			
71775	7/24/2018	POS Sale	\$300.00	\$0.00	\$300.00		\$300.00	
		Item Name	Amount	Qty	Total			
		Admin - Facility Deposit	\$300.00	1	\$300.00			
					<b>Total</b>	<b>\$1,750.00</b>	<b>\$1,750.00</b>	

Sub Total:	\$1,750.00
Tax:	\$0.00
<b>Total:</b>	<b>\$1,750.00</b>

### Payments

Method	Payee	Reference Number	Payment Amount
Credit Card	Katherine Stein	xxxx-xxxx-xxxx [REDACTED]	\$1,750.00

Card: Visa

Message:

Entry: Keyed

Resp Code:

Auth Code: [REDACTED]

I agree to pay above total amount  
according to card issuer agreement

[REDACTED SIGNATURE]

Signature

Purchase/Invoice Total:	\$1,750.00
Payment Applied:	\$1,750.00
Prev Payment Applied:	\$0.00
<b>Total Payment Applied:</b>	<b>\$1,750.00</b>
Balance:	\$0.00

## Rules & Regulations Governing Use of Miller Park Pavilion for all Events.

**No Refunds on reservations.**

**Rates effective as of January 2017**

**Alcoholic Beverages/Drugs/Smoking** - No alcoholic beverages or drugs of any kind are allowed in or near the Pavilion or surrounding area. This includes champagne punch. A special permit, from the City Clerk's office allowing alcohol may be obtained for wedding rentals during November 1 to March 31. The party renting the facility is responsible for the conduct of all individuals in attendance including members of entertainment groups, i.e., band members, ect. The Pavilion is a "NO SMOKING" facility. **NO SET-UP OR ACTIVITIES ON THE PAVILION LAWN.**

Weekend Rentals only call (309) 275-1820 if building is not opened or you will be more than 15 minutes late arriving. If no answer call non-emergency police number at (309) 820-8888 to get into the building.

No usage of outside Balconies will be allowed for Safety reasons.

**Decorating** - If any decorating is done, all equipment necessary to do so must be provided by the party using the facility, i.e., ladders, tape, ect. Care must be taken not to mar or deface the building proper; the party renting the building will be held responsible for the repair of such damage. All decorations and equipment must be removed immediately following event; they cannot be left until the following day.

**Schematic of Set-Up & Specific Hours of Event** - A diagram or sketch of desired set-up of tables & chairs must be submitted at least two weeks prior to event (unless group does own set-up). Specific times the facility should be opened for use and then closed following event should also be submitted.

The facility may be locked and re-opened if it should be necessary to decorate, leave and then come back for the actual event. We strongly recommend, however, that someone remain in the facility at all times once personal items, decorations, food, ect. are brought in. While the chance for vandalism is remote, we are not responsible for any damage should that occur.

There are 39 - 60" round tables which seat 8; ten 6' long tables and 300 chairs available for use. Draw a circle on the schematic to indicate a round table, a rectangle to indicate a 6' table, and an "X" to indicate a chair. If a large number of chairs are needed in a given area, indicate pattern or layout of chairs and note number needed.

**Clean-Up, Ect.** - The party renting the facility is responsible for clean-up of any items brought into the facility; i.e., paper products, food, ect. Rental hours must include the time necessary to decorate before and clean-up following event. Tables & chairs will be set up and taken down by Parks personnel.

Going forward we are no longer able to take checks and hold them for your security deposits. We will be keeping the current rule that your deposit needs to be paid 60 days in advance but will have to process the security deposit and return the money to you after your event is held. The easiest way and quickest way to have your deposit returned is to put it on credit card and when the event is over (and there are no issues) your credit card will be credited the full amount of the security deposit. If it is necessary for you to write a check we will have to request a check and that can take up to 4 weeks to get your money refunded to you.

Your cooperation in adhering to the above regulations will allow us to continue to make our facility available to all who wish to use it.

# CITY OF BLOOMINGTON LIQUOR LICENSE

Number

**EXPIRES 12/31/2019**

8990

W LIQUOR LICENSE

CATERING



NELSON'S CATERING, INC  
 DBA NELSON'S CATERING  
 3005 GREAT NORTHERN RD  
 SPRINGFIELD, IL 62711

ID: 8616

This license is issued subject to all requirements of the ordinances of the City of Bloomington. Information may be obtained from the office of the Bloomington City Clerk.

PAID

12/31/2018

*Tari Renner*

Tari Renner, Mayor/Liquor Commissioner

Attest

*Leslie Smith-Yokum*

Leslie Smith-Yokum, Interim City Clerk

Total Received..... \$75.00

**This License is NOT Transferable**

**NOTE: This is your receipt for payment of amount indicated. Original license has imprint.**

12/31/2018	<b>CITY OF BLOOMINGTON LIQUOR LICENSE</b>	Number 8990
NELSON'S CATERING, INC <span style="float: right;">ID: 8616</span> DBA NELSON'S CATERING 3005 GREAT NORTHERN RD SPRINGFIELD, IL 62711		
W LIQUOR LICENSE          CATERING	<div style="text-align: right;"> </div> <div style="margin-top: 100px;">                 CATERING <span style="float: right;">\$75.00</span> </div> <div style="margin-top: 100px;"> <b>Total</b> <span style="float: right;"><b>\$75.00</b></span> </div>	

ORDINANCE NO. 2019 - 62

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 MILLER PARK PAVILION ON NOVEMBER 2, 2019, TO ALLOW MODERATE CONSUMPTION OF ALCOHOL FOR THE STEIN AND EGTS WEDDING

WHEREAS, Ms. Katherine Stein and Mr. Benjamin Egts desire to allow moderate consumption of alcohol on November 2, 2019, for their wedding reception, to be held at the Miller Park Pavilion from 3:30 p.m. to 9:30 p.m.; and

WHEREAS, Ms. Katherine Stein and Mr. Benjamin Egts requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Miller Park Pavilion, on November 2, 2019, from 3:30 p.m. to 9:30 p.m.

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

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

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

PASSED this 12<sup>th</sup> day of August 2019.

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

CITY OF BLOOMINGTON

ATTEST

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

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



CONSENT AGENDA ITEM NO. 7P

**FOR COUNCIL:** August 12, 2019

**SPONSORING DEPARTMENT:** City Clerk

**SUBJECT:** Consideration and action on an Ordinance Suspending Section 26(d) of Chapter 6 of the Bloomington City Code to Allow Possession of Open Alcohol on Public Property in Specified Portions of Downtown Bloomington on August 17, 2019, During the Front Street Music Festival, 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 SETINTHEBAR, INC. d/b/a Jazz Upfront, for suspension of portions of Chapter 6 of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for the Front Street Music Festival on Saturday, August 17, 2019, from 2:00 p.m. until 10:30 p.m. The request will close on Front Street from Center Street to the alleyway just east of Rosie's, and also Main Street, from Washington Street to Front Street.

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.

James Gaston, owner of Jazz Upfront, addressed the Commission. He told the Commission that he hires the same security every year and they are posted at the gate entrances. He will also be working with the city to get the fencing.

Commissioner Jordan asked Dan Donath, Asst. Police Chief, to come forward and address any concerns from the Police Department including barricades and security. The Police Department had no concerns as they had no complaints from last year.

George Boyle, Asst. Corporation Counsel, asked if other vendors would be participating in selling alcohol besides Jazz Upfront. Mr. Gaston responded by stating no, he has not had anyone approach him and ask to join in and sell alcohol. He continued, stating if the businesses allow patrons to leave their establishment, it must be beer or wine only and the patron must have a wristband. Wristbands are specific to the event and are given to event attendees over the age of 21 years old.

Commissioner Powell stated she believed the Front Street Music Festival is another great event for our Downtown area.

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.

Nays: None.

Motion carried.

Jazz Upfront has a valid 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

Reviewed By: Leslie Yocum, City Clerk

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

Economic Dev. Review By: Melissa Hon, Economic Development Director

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

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 5B Special Event Permit Front St. Music Festival
- CLK 5C Insurance Front St. Music Festival\_Redacted
- CLK 5D Map Front St. Music Festival
- CLK 5E Map Layout Reference Front St. Music Festival
- CLK 5F Jazz Upfront Class TAS Liquor License
- CLK 5G Ordinance 2019-63 Front St. Music Festival

# SPECIAL EVENT PERMIT

## FRONT STREET MUSIC FESTIVAL DATE: SATURDAY, AUGUST 17, 2019 TIME: 2:00 PM TO 10:30 PM

Date Prepared: June 18, 2019

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

MEETING DATE: N/A

SPONSORING ORGANIZATION(S): Jazz Upfront

CONTACT PERSON: James Gaston

PHONE NO.: [REDACTED]

EMAIL: [REDACTED]

APPLICATION RECEIVED: Yes

CERTIFICATE OF INSURANCE RECEIVED: Yes

HOLD HARMLESS: Yes

**NATURE OF EVENT:** Live music festival in the downtown area with food trucks, outdoor grill, and food carts using Front St and Center St. Liquor allowed within starting at 2 pm. Large stage installed in the intersection of Front and Main, facing north-west. Music to start at 2 pm.

**TRAFFIC CONTROL ARRANGEMENTS:** Close Front St from Center St to the alleyway just east of Rosie's. Close Main St from Washington St to Front St. Refer to map for exact placement of barricades and signs. No parking allowed on the west side of the 100 block of S Center St and the 200 block of W Washington St and the NW block of Front St. (200 Block) for Connect-Transit buses.

**POLICE:** All vehicles located in restricted areas will be towed, starting at 8 am, at the owner's expense by Joe's Towing. Vehicles will be relocated to Joe's holding lot. Possible crowd and congestion control. Will provide trailer camera(s), if available.

**PUBLIC SERVICE WILL PROVIDE THE FOLLOWING:** Crews will post "No Parking Saturday August 17, 8am to 10:30 pm" signs by 8 pm Thursday, August 16. Crews will close all streets beginning at 7 am Saturday to allow time to erect the stage. Crews will use orange fencing to block off McLean

## **SPECIAL EVENT PERMIT**

County property from the corner of Center and Front to the barricades in front of the garage. Make sure that access to the Lincoln Parking Deck is left open, and a small gap should be left to allow bands to move behind the stage. After the event is over, crews will open the streets. Including the Connect-Transit bus parking.

**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.

**PARKS & RECREATION WILL PROVIDE THE FOLLOWING**: P&R will provide 12 picnic tables, with at least one being ADA compliant, and the stage facing north-west. Invoice the Organizer for twelve (12) picnic tables.

### **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 10<sup>th</sup>.
2. The organizer is in charge of all garbage and recycle collection and disposal. Increase the number of garbage and recycling containers from last year. 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. No alcohol shall be allowed to leave the event area. Last call will be given at 9:45 pm. Ensure that anyone who purchases alcohol to be consumed inside the event area wears a wrist band.
5. Provide two porta potties on Center and two on Main.
6. Use rope to create a barrier between the private parking lots and the sidewalk on Main St.
7. Use rope to create a barrier across the entrance to the private parking lot on the 100 block of W Front St.
8. Contact the City Clerk's office to start your liquor license process
9. Communicate and coordinate with all bars/restaurants in the area to see if they wish to participate in selling beer and wine for consumption outside their establishment then they must use the same wristbands and plastic cups as the lead bar/organizer.
10. Insure that all electrical wiring and general set up is completed by 12 pm (noon).

## SPECIAL EVENT PERMIT

11. 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 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.
12. Food Vendors requiring electric will be located on Front St., those not requiring electric will be located on Main St. Insure all food vendors are registered with the McLean County Health Department.
13. 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.
14. Contacts for Saturday, August 17: Police dispatch, 309-820-8888 and Public Works Colleen Winterland, 309-275-8492.

*No pets or coolers will be allowed.*

**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.

FOR OFFICE USE ONLY

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



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/3/2019

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 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> The Van Gundy Agency Inc. 101 S Towanda Avenue  Normal IL 61761	<b>CONTACT NAME</b> Cassie Phillips/CLP <b>PHONE (A/C, No, Ext)</b> [REDACTED] <b>FAX (A/C, No)</b> [REDACTED] <b>E-MAIL ADDRESS</b> cphillips@vangundy.com
	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A</b> Illinois Casualty Company <b>INSURER B</b> Cincinnati Insurance Company <b>INSURER C</b> <b>INSURER D</b> <b>INSURER E</b> <b>INSURER F</b>
<b>INSURED</b> SetInTheBarInc, DBA: Jazz Upfront 1026 Doral Dr.  Bloomington IL 61701	

**COVERAGES**

CERTIFICATE NUMBER: 19/20

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
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPL ES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		[REDACTED]	4/24/2019	4/24/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 2,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMB NED S NGLE L MIT (Ea accident) \$ BOD LY INJURY (Per person) \$ BOD LY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	[REDACTED]	4/24/2019	4/24/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	LIQUOR BOND	X		[REDACTED]	4/23/2018	4/23/2021	LIMIT 2,000
A	LIQUOR LIABILITY			[REDACTED]	4/23/2019	4/23/2020	EACH OCCURRENCE 1,000,000

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

Event: Front Street Music Festival, August 17, 2019

City of Bloomington is additional insured on the liquor liability and general liability coverage. Illinois Casualty Company General Liability and Liquor Liability insurance policies noted above for Setinthebarinc, include insurance coverage for tables on the sidewalk/street (sidewalk cafe) and the service area in front of the premises as long as the sidewalk and street is "adjoining or adjacent" and under the insured's control at the time.

**CERTIFICATE HOLDER**

(309) 434-2628

City of Bloomington  
 109 E Olive St  
 Bloomington, IL 61701

**CANCELLATION**

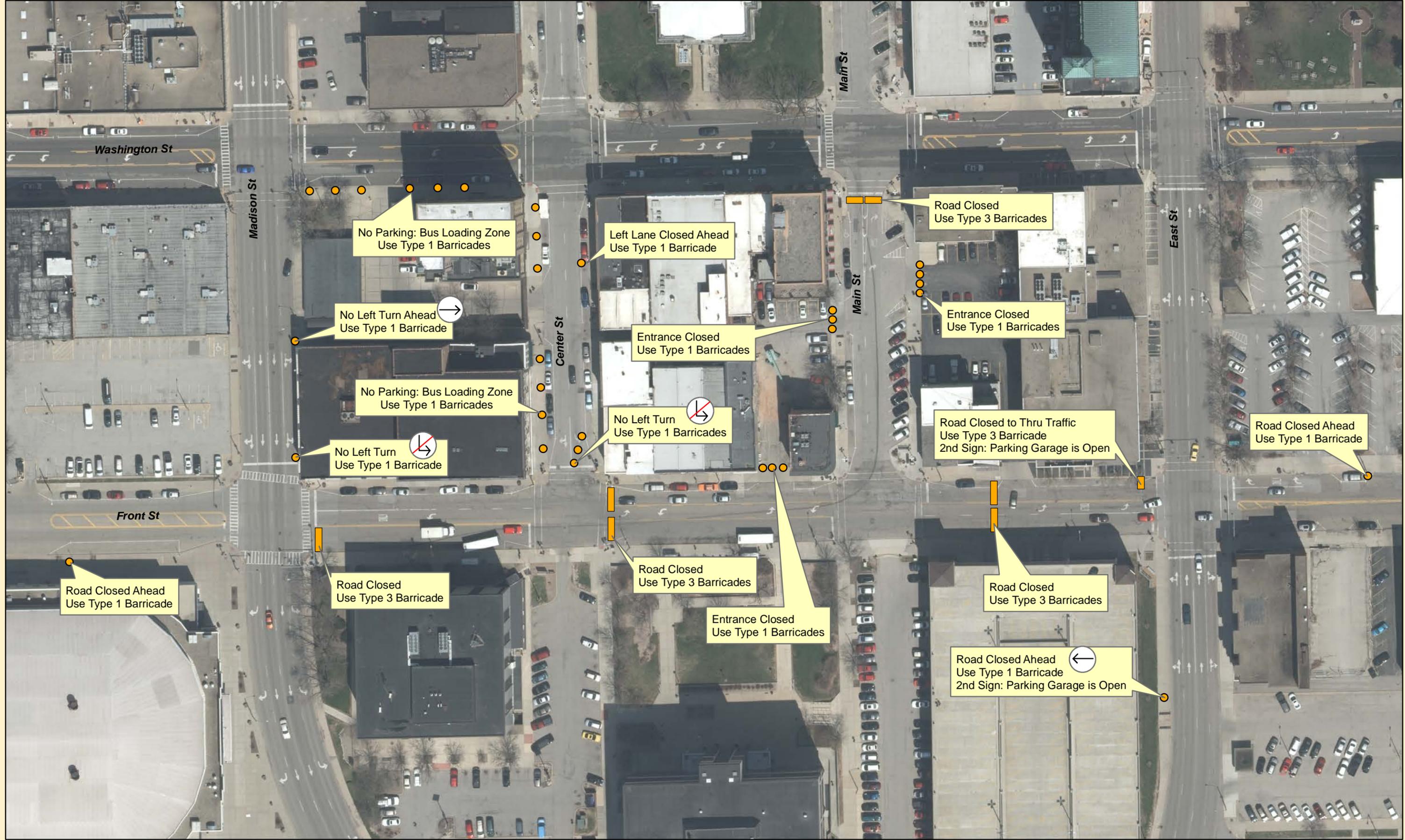
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Mike McGrew/MM234/CLP

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# Jazz Festival





CENTER ST.

Jazz  
UpFront

WC

Food Vendors

IN ST.

Picnic tables

FRONT STREET

Beer tent

Tickets

Area for lawn chairs

Stage

Artists' tent

WC

Health Department

Parking

# CITY OF BLOOMINGTON LIQUOR LICENSE

**EXPIRES 09/30/2019**

Number  
8093

LIQUOR LICENSE - TAVERN: ALL TYPES-SUN-QTR

TAVERN, ALL TYPES, SUNDAY SALES



SETINTHEBAR INC  
DBA JAZZ UPFRONT  
107 W FRONT ST  
BLOOMINGTON, IL 61701

ID: 8052

This license is issued subject to all requirements of the ordinances of the City of Bloomington. Information may be obtained from the office of the Bloomington City Clerk.

PAID

06/28/2019

*[Signature]*

Tim Gleason, City Manager

Attest

*[Signature]*

Leslie Smith-Yokum, Interim City Clerk

Total Received..... \$737.50

**This License is NOT Transferable**

**NOTE: This is your receipt for payment of amount indicated. Original license has imprint.**

06/28/2019	<b>CITY OF BLOOMINGTON LIQUOR LICENSE</b>	Number 8093						
SETINTHEBAR INC DBA JAZZ UPFRONT 107 W FRONT ST BLOOMINGTON, IL 61701 <span style="float: right; margin-right: 50px;">ID: 8052</span>								
LIQUOR LICENSE TAVERN: ALL TYPES-SUN-QTR   TAVERN, ALL TYPES, SUNDAY SALES	<div style="text-align: right;"> </div> <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">LIQUOR ALL TYPES, QUARTER</td> <td style="text-align: right;">\$600.00</td> </tr> <tr> <td>SUNDAY SALES, QUARTER</td> <td style="text-align: right;">\$137.50</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$737.50</b></td> </tr> </table>		LIQUOR ALL TYPES, QUARTER	\$600.00	SUNDAY SALES, QUARTER	\$137.50	<b>Total</b>	<b>\$737.50</b>
LIQUOR ALL TYPES, QUARTER	\$600.00							
SUNDAY SALES, QUARTER	\$137.50							
<b>Total</b>	<b>\$737.50</b>							

**ORDINANCE NO. 2019 - 63**

**AN ORDINANCE SUSPENDING SECTION 26(d) OF CHAPTER 6 OF  
THE BLOOMINGTON CITY CODE TO ALLOW POSSESSION OF OPEN ALCOHOL  
ON PUBLIC PROPERTY IN SPECIFIED PORTIONS OF DOWNTOWN BLOOMINGTON ON  
AUGUST 17, 2019, DURING THE FRONT STREET MUSIC FESTIVAL**

WHEREAS, SETINTHEBAR, INC. d/b/a Jazz Upfront, will hold Front Street Music Festival in specified areas of Downtown Bloomington on August 17, 2019; and

WHEREAS, SETINTHEBAR, INC. d/b/a Jazz Upfront, requested permission to allow sales and consumption of beer and wine during the Front Street Music Festival in specified areas of Downtown Bloomington depicted in Exhibit A.; 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 August 17, 2019, between 2:00 p.m. and 10:30 p.m. for the specified areas of Downtown Bloomington depicted in Exhibit A. This suspension shall be effective as to persons inside the designated area, wearing event related wrist bands and possessing alcohol in paper or plastic cups.

Section 2: Except for the date, times and location 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 shall be effective on the date of its passage and approval.

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

PASSED this 12th day of August 2019.

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

**CITY OF BLOOMINGTON:**

**ATTEST:**

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

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





CONSENT AGENDA ITEM NO. 7Q

City Council: August 12, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Application for Four Rows, LLC d/b/a The Mystic Kitchen & Tasting Room, located at 306 N. Center Street, #102, requesting a Class TAPS (Tavern, All Types of Alcoholic Liquor, Package Sales for Consumption Off Premises, and Sunday Sales) Liquor License, which allows the sale of alcoholic liquor by the glass for consumption on the premises, and the retail sale of packaged liquor for consumption off premises seven (7) days a week, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Application and License 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 June 11, 2019, to consider the application of Four Rows, LLC d/b/a The Mystic Kitchen & Tasting Room to be located at 306 N. Center Street, #102. This location was previously occupied by Wallace LLC, d/b/a Satio, which closed on March 30, 2019.

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.

George Boyle, Asst. Corporation Counsel, explained the process of a Public Hearing for applications of new liquor licenses.

The Public Hearing opened at 4:12 p.m.

Chelsea Hefferman and Terrie Vanderlugt, sworn in separately, addressed the Commission.

Commissioner Jordan asked how many employees they anticipated hiring and if employees will be BASSET trained. Chelsea Hefferman stated all employees will be BASSET trained, however, staff had not been hired yet. She stated they anticipated hiring ten to fifteen staff members, including kitchen staff. She also stated both she and Terrie Vanderlugt are BASSET trained.

Commissioner Jordan asked about the hours of operation. Chelsea Hefferman responded stating they would be open on Tuesday through Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 a.m. to 11:00 p.m., and closed to the public on Sunday and Monday. Sundays will be available for private events only.

Commissioner Powell commented the hours would be shorter than those originally applied for. Chelsea Hefferman confirmed, stating they decided to do so at this time but, it is possible the business may stay open through the hours they had originally applied. Commissioner Jordan

stated this should not be an issue since the business will be located Downtown near establishments with similar hours of operation.

George Boyle, Asst. Corporation Counsel, asked the applicants to describe the business plan. Chelsea Heffernan responded describing the business as a restaurant with a full-service bar in the front of the building with a small wine tasting room in the back. Terrie Vanderlugt's background is in wine sales and distribution. She also worked for a winery in Oregon for several years as a Tasting Room Manager. Chelsea Heffernan has fifteen (15) years in restaurant operations with the past ten (10) years as the Director of Operations for Baxter's American Grill located in Bloomington, as well as the Baxter's in Champaign. There were no complaints or liquor violations under these licenses. The business will offer lunch, dinner and a full bar.

Commissioner Jordan asked the total seating capacity. Chelsea Heffernan responded, stating the capacity of the interior of the restaurant is seventy-five and the outdoor seating, with a Sidewalk Café License, will add an additional twenty-five seats for a total of one hundred seats.

Commissioner Jordan asked if there were any citizens who would like to speak in favor of this business.

Jan Lancaster addressed the Commission on behalf of the Downtown Bloomington Association. She stated the Association is in favor and are thrilled the establishment will be Downtown.

Vicky Tilton, owner of Fox and Hounds Hair Studio and Day Spa the Monroe Center, owns the building next door to Mystic Kitchen. She stated she believes their background speaks for themselves. In her opinion, the location has always given an upscale feel and the turnover in the location has only been because of the lack of food and beverage experience. She stated the owners have the background to make a successful business and they will not only be an asset to the block but to the whole Downtown and the City.

Commissioner Jordan asked if there were any citizens who would like to oppose. No one came forward.

The Public Hearing closed at 4:19 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend approval of the item.

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

Ayes: Commissioners Powell and Jordan.

Nays: None.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** In accordance with City Code, on June 28, 2019, a public notice was published in the Pantagraph. One Hundred and forty-five (145) courtesy copies of the Public Notice were mailed to neighboring properties within 500-feet of Four Rows LLC d/b/a The Mystic Kitchen & Tasting Room.

**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 Liquor Commission 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 D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason  
City Manager

**Attachments:**

- CLK 6B Mystic Kitchen Name Change Request
- CLK 6C Application Mystic Kitchen TAPS Creation Redacted
- CLK 6D Public Notice Mystic Kitchen TAPS Creation

## Liquor License Name Change

Chelsea Heffernan <[REDACTED]>

Tue 6/4/2019 8:58 AM

To: Amanda Mohan <amohan@cityblm.org>

Hi Amanda,

Thank you for assistance over the phone yesterday. We will be changing our DBA name from The Gypsy Room to:

The Mystic Kitchen & Tasting Room

Please let me know if you have any questions or if we can provide any additional information. We really appreciate your understanding and help in this matter.

Best,

Chelsea Heffernan & Terrie Vanderlugt

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

OFFICE USE ONLY

Submittal Date: 5/24/19  
Renewal Type (A, SA): SA  
Staff Initials: dm



## Business Contact Sheet

PLEASE FILL IN YOUR BUSINESS INFORMATION **CLEARLY** AND **COMPLETELY**.

Legal Name (Individual, Partnership, Corporation/LLC):	Four Rows LLC
Doing Business As (D/B/A):	<del>The Gypsy Room</del> The Mystic Kitchen & Tasting Room
Business Address:	306 N. Center St. #102
City/State:	Bloomington, IL
Zip Code:	61701
Business Phone Number:	[REDACTED]
Business Email Address:	[REDACTED]

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]

### License Renewals

Please list those responsible for License Renewals for the above establishment.

#### Primary Contact:

Name: Chelsea Heffernan Phone Number: [REDACTED]

Address: [REDACTED] City/State: Bloomington, IL Zip Code: 61704

#### Alternate Contact:

Name: Terrie Vanderlugt Phone Number: [REDACTED]

Address: [REDACTED] City/State: Bloomington, IL Zip Code: 61705

#### Manager:

Name: Chelsea Heffernan 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) TAPS

**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) Restaurant & Lounge. Will include a wine tasting room.

3. State the significance of a liquor license to your establishment, present or future:  
We will offer a full lunch & dinner menu but will have a small limited kitchen. We want to offer a full bar in the lounge and offer a wine tasting bar in a separate area. We hope to generate significant business within the food & beverage.

4. How will a liquor license of the kind requested benefit the City of Bloomington and its residents? We will offer a unique concept to the downtown area. Our menu will revolve around fresh & healthy options with a full time wine expert/sommelier on staff to provide educational tastings. We will also participate in community events & the farmers market.

5. Upon what facts do you base your answers to the previous question?  
Our operating members have been working in food & beverage in the community for a combined 14 years and are community driven.

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:  
We plan to offer acoustic live music once a week inside the establishment and are considering offering a comedy night once a month.

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? We will have a full service bar with high end spirits & local beers. We will also offer a wine tasting bar with option to purchase.

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: Sidewalk Cafe ✓)

**\*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: 306 N. Center St. #102 City/State: Bloomington, IL Zip: 61701

2. What hours will the establishment be open?

DAY	TIME OPEN	DAY	TIME CLOSE
Monday:		Monday:	
Tuesday:	11:00 AM	Tuesday:	11:00 PM
Wednesday:	11:00 AM	Wednesday:	11:00 PM
Thursday:	11:00 AM	Thursday:	12:00 AM
Friday:	11:00 AM	Friday:	12:00 AM
Saturday:	11:00 AM	Saturday:	12:00 AM
Sunday:	private parties - varies	Sunday:	varies - private parties

3. What type or types of building(s) adjoin the establishment? \_\_\_\_\_  
 We are locating in The Illinois House Building along with office tenants & retail tenants.
- a. If any adjoining buildings are office or commercial, approximately what hours are they open for business? Office- 8am-5pm
- b. If adjoining buildings are predominately residential, are they single or multi- family and what other business establishments are in the area? Non Residential
4. Describe streets immediately adjoining the establishment (e.g. approximate width, one or two-way, parking restrictions, etc.): Center Street & Jefferson Street.  
Center Street is a one way, facing South with limited street parking on each side.  
Jefferson is a two way street, facing East/West with limited street parking on each side.  
There is a large public parking garage one block North of the business address.
5. How much additional traffic do you expect the establishment with a liquor license to generate? We expect a lot of foot traffic for lunch from downtown residents and employees. We would expect more vehicle traffic in the evenings.
6. Describe on and off street parking facilities to handle traffic anticipated:  
Street parking available on and around the square, as well as one very close & accessible public parking garage.
7. How many establishments with liquor licenses are located within the immediate area of your establishment? One- Maquires is located accross Jefferson St.
8. What do you estimate to be the demand for your establishment in the area in which it is or will be located? We will offer a unique menu to the downtown are with seasonal & healthy menu fare. We plan to generate a good amount of business for lunch and dinner service. We also plan to offer private dining which is in very high demand for the area. We also plan to have busy lounge area with live entertainment and a wine tasting bar.
9. Upon what facts do you base your answer to the previous question? Our operating members have extensive experience in managing restaurants & bar, as well as opening new concepts. Chelsea Heffernan was the Director of Operations for Baxters American Grille for 10 years and has experience withing budgeting and forecasting sales within the Bloomington community.

### RESPONSIBILITY:

- If establishment is **presently in operation**, attach a financial statement of the establishment's last fiscal year.
- 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).
- 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? \_\_\_\_\_

DATED this 24<sup>th</sup> day of May, 20 19.

SIGNED:

Chelsea Heffernan

Printed Name

[Redacted]

Signature

[Redacted]

Managing Member

Title

[Redacted]

Address

Bloomington, IL 61704

City/State/Zip Code

Terrie Vanderlugt

Printed Name

[Redacted]

Signature

[Handwritten mark]

Managing Member

Title

[Redacted]

Address

Bloomington, IL 61705

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 TAPS** 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: 05/01/2019

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: Chelsea Heffernan Title: Managing Member

Address: [REDACTED] City/State/Zip: Bloomington, IL 61704

Name: Terrie Vanderlugt Title: Managing Member

Address: [REDACTED] City/State/Zip: Bloomington, IL 61705



3. Location and description of the premises or place of business to be operated under this

license: 306 N. Center St #102 Bloomington IL 61701  
Bottom Floor of the Illinois House Building

a. Legal Name: Four Rows LLC.

b. D/B/A: ~~XXXXXX XXXXX XXXXX~~ The Mystic Kitchen & Tasting Room

**-- 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: IL House Building LLC Term of Lease: 8/1/19 to 7/31/22

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

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: We are excited to be part of a thriving downtown dining community

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 24<sup>th</sup> 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**

_____	
Fair Rows LLC.	
Corporate Name	
_____	_____
Chelsea Heffernan	[Redacted Signature]
Printed Name of President	Signature of President
_____	_____
TERRIE VANDER LUST	[Redacted Signature]
Printed Name of Secretary	Signature of Secretary
ATTEST _____	
And the following officers, directors, or majority stockholders:	
_____	_____
_____	_____

**CONTINUE TO NEXT PAGE FOR NOTARY ACKNOWLEDGEMENT**

**NOTARY ACKNOWLEDGEMENT**

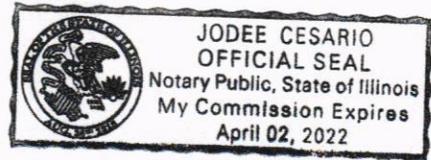
STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MCLEAN )

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 24<sup>th</sup> 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.

Jodee Cesario  
Notary Public

My Commission Expires: April 2, 2022





# 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:

**Four Rows LLC**                      d/b/a The Mystic Kitchen & Tasting Room

**NAME OF APPLICANT**

Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A **CLASS TAP 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 24<sup>th</sup> 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**

_____	
Corporate Name	
_____	_____
Chelsea Heffernan	[Redacted Signature]
Printed Name of President	Signature of President
_____	_____
TERRIE VANDERLUGT	[Redacted Signature]
Printed Name of Secretary	Signature of Secretary
ATTEST _____	
And the following officers, directors, or majority stockholders:	
_____	_____
_____	_____

**CONTINUE TO NEXT PAGE FOR NOTARY ACKNOWLEDGEMENT**



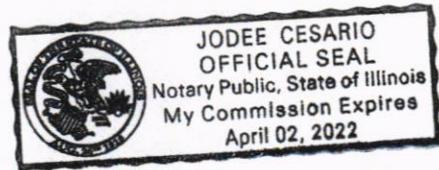
NOTARY ACKNOWLEDGEMENT

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 24th 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.

[Signature]
Notary Public



My Commission Expires: April 2, 2022



## PERSONAL FINANCIAL STATEMENT

Submitted to: Bloomington Liquor Control Commission

### Section 1 - Individual Information *(Please type or print legibly)*

Name:	Chelsea Heffernan
Address:	[REDACTED]
City, State & Zip Code:	Bloomington, IL 61704
Personal Phone Number:	[REDACTED]
Position or Occupation:	Director of Operations
Length of Employment:	August 2009-April 2019
Business Name:	Baxters American Grille
Business Address:	3212 E. Empire St.
City, State & Zip Code:	Bloomington, IL 61704
Business Phone Number:	3096621114

### Section 2 - Other Party Information *(Please type or print legibly)*

Name:	Terrie Vanderlugt
Address:	[REDACTED]
City, State & Zip Code:	Bloomington, IL 61705
Personal Phone Number:	[REDACTED]
Position or Occupation:	Territory Manager
Length of Employment:	November 2018-May 2019
Business Name:	Koerner Distributor Inc.
Business Address:	1601 Pike Ave.
City, State & Zip Code:	Effingham, IL 62401
Business Phone Number:	2173477113



Section 3 - Statement of Financial Condition as of May 24<sup>th</sup>, 2019.  
*(Please type or print legibly)*  
 If none, type N/A

ASSETS (Do not include assets of doubtful value)	IN DOLLARS (Omit Cents)	LIABILITIES	IN DOLLARS (Omit Cents)
Cash on hand		Notes Payable to Banks <i>(See Schedule E)</i>	
Cash in banks		Notes Payable to Other Institutions <i>(See Schedule E)</i>	
U.S. Government & Marketable Securities <i>(See Schedule A)</i>		Due To Brokers	
Nonmarketable Securities <i>(See Schedule B)</i>		Amounts Payable to Others - Secured	
Securities Held by Broker in Margin Accounts		Amounts Payable to Others - Unsecured	
Restricted, Control, Or Margin Account Stocks		Accounts and Bills Due	
Real Estate Owned <i>(See Schedule C)</i>		Unpaid Income Tax	
Accounts, Loans, and Notes Receivable		Other Unpaid Income Tax	
Automobiles		Real Estate Mortgages Payable <i>(See Schedules C &amp; E)</i>	
Other Personal Property		Other Debts (Car Payments, Credit Cards, Etc.) - Itemize	
Cash Surrender Value - Life Insurance <i>(See Schedule D)</i> <i>If Applicable</i>			
Other Assets - Itemize <i>(See Schedule F)</i>			
		<b>Total Liabilities</b>	
		<b>Total Net Worth</b>	
<b>Total Assets:</b>		<b>Total Liabilities &amp; Net Worth</b>	

**Section 4**  
*(Please type or print legibly)*  
 If none, type N/A

Annual Income for Year Ended 20 <sup>18</sup>	\$\$\$	Annual Expenditures	\$\$\$	Contingent Liabilities	Y / N <i>(Circle)</i>	Estimated Amounts
Salary, Bonuses & Commissions	\$ [REDACTED]	Mortgage/Rental Payments	[REDACTED]	Do you have any?	Y / N	\$
Dividends & Interest	\$ [REDACTED]	Real Estate Taxes & Assessments	[REDACTED]	Contingent Liabilities		\$
Real Estate Income	\$	Taxes (Federal, State, & Local)	[REDACTED]	<i>(As endorser, co-maker or guarantor? on leases? on contracts?)</i>	Y / N	\$
Other Income	\$	Other Contract Payments (Car Payments, Charge Cards, Etc.)	[REDACTED]	Involvement in pending legal actions?	Y / N	-
<i>(Alimony, Child Support or Separate Maintenance Income need not be revealed if you do not wish to have it considered as a basis for repaying this obligation)</i>		Alimony, Child Support, & Maintenance	[REDACTED]	Other special debt or circumstances?	Y / N	\$
		Other Expenses	[REDACTED]	Contested income tax liens?	Y / N	\$
				If "yes" to any questions please describe		
<b>Total Income:</b>	[REDACTED]	<b>Total Expenditures</b>	[REDACTED]	<b>Total Contingent Liabilities</b>		[REDACTED]

**(COMPLETE SCHEDULES AND SIGN)**  
 --- Attach an additional page if more space is needed. ---

**SCHEDULE A**  
*U.S. Government & Marketable Securities*

Number of Shares or Face Value of Bonds	Description	In Name of	Are These Registered Pledged or Held by Others?	Market Value



**SCHEDULE B**  
*Non-Marketable Securities*

Number of Shares or Face Value of Bonds	Description	In Name of	Are These Registered Pledged or Held by Others?	Market Value

**SCHEDULE C**  
*Residences and Other Real Estate (Partially or Wholly Owned)*

Address & Type of Property	Title in Name of	% of Ownership	Date Acquired	Cost	Market Value	Monthly Payment	Mortgage Amount	Mortgage Maturity
Residences	Chelsea Heffernan	50	10/01/2012					
Residences	Terrie Vanderlugt	50	02/01/2014					
Other:								
Other:								

**SCHEDULE D**  
*Life Insurance Carried, Including Group Insurance*

Name of Insurance Company	Owner of Policy	Beneficiary & Relationship	Face Amount	Policy Loans	Cash Surrender Value
Charles Schwab	Chelsea Heffernan			0	
State Farm	Terrie Vanderlugt			0	

**SCHEDULE E**  
*Bank & Other Institutional Relationships*

Name & Address of Creditor	Original Loan/Line Amount	Date of Loan	Maturity Date	Unsecured or Secured (List Collateral)	Amount Owed



**SCHEDULE F**  
**Business Ventures**

List Name & Address of Any Business Venture in Which You are a Principal or Partner	Total Assets Listed in Section 3	Your % of Ownership	Your Position/ Tile in the Business	Total Assets of Business	Line of Business	Years in Business
Four Rows LLC 306 N. Center St. #102 Bloomington, IL 61705	[REDACTED]	100	Managing Members	[REDACTED]	Food/Bev	One

DATED this 24th day of May, 2019.

**Individual**

**Other Party**

[REDACTED]

[REDACTED]

Social Security Number

Social Security Number

[REDACTED]

[REDACTED]

Date of Birth

Date of Birth

**Chelsea Heffernan**

**Terrie Vanderlugt**

Printed Name

Printed Name

[REDACTED]

Signature

[REDACTED]

Signature

# **SECTION THREE**

**Required Documents to be Submitted**

Form **LLC-5.5**

**Illinois  
Limited Liability Company Act  
Articles of Organization**

**FILE # 07781016**

**Secretary of State Jesse White**  
Department of Business Services  
Limited Liability Division  
www.cyberdriveillinois.com

**Filing Fee: \$150**  
**Approved By: KAH**

**FILED**  
**MAY 01 2019**  
**Jesse White**  
**Secretary of State**

1. Limited Liability Company Name: FOUR ROWS LLC

2. Address of Principal Place of Business where records of the company will be kept:  
306 N. CENTER ST. #102

BLOOMINGTON, IL 61701

3. The Limited Liability Company has one or more members on the filing date.

4. Registered Agent's Name and Registered Office Address:

CHELSEA HEFFERNAN  
306 N CENTER ST STE 102  
BLOOMINGTON, IL 61701-4063

5. Purpose for which the Limited Liability Company is organized:

"The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. Name and business addresses of all the managers and any member having the authority of manager:

HEFFERNAN, CHELSEA E.

██████████  
BLOOMINGTON, IL 61704

VANDERLUGT, TERRIE L.

██████████  
BLOOMINGTON, IL 61705

8. **Name and Address of Organizer**

I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

Dated: MAY 01, 2019

CHELSEA HEFFERNAN

██████████  
BLOOMINGTON, IL 61704



SURETY RIDER  
 Old Republic Surety Company  
 PO BOX 1635  
 Milwaukee, WI 53201-1635

TO BE ATTACHED TO AND FORM PART OF

Liquor Sales

(Type of bond)

Bond Number [REDACTED]

IN FAVOR OF

City of Bloomington

(Obligee)

ON BEHALF OF

Four Rows LLC The Gypsy Room

(Principal)

EFFECTIVE

May 24, 2019

(Original Effective Date)

IT IS AGREED THAT, in consideration of the original premium charged for this bond, and any additional premium that may be properly chargeable as a result of this rider,

1. The Surety hereby gives its consent to:

CHANGE THE NAME OF THE PRINCIPAL

CHANGE THE ADDRESS OF THE PRINCIPAL

(of) the above referenced bond FROM:

DBA The Gypsy Room

TO:

DBA The Mystic Kitchen & Tasting Room

EFFECTIVE:

May 24, 2019

2. PROVIDED, however, that this bond shall be subject to all of its agreements, limitations, and considerations except as herein expressly modified, and that the liability of the Surety under this bond and under this bond as changed by this rider shall not be cumulative.

3. Signed and sealed this 4th day of June, 2019.

ACCEPTED BY:

Old Republic Surety Company

SURETY



By: [Signature]

ATTORNEY-IN-FACT

(TITLE)



# OLD REPUBLIC SURETY COMPANY

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

Elise Faust  
Of Brookfield, WI

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, **(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds)**, as follows: Effective Date: 5/24/2019 12:00:00 AM

Bond Number: W150346794      Bond Amount: Two Thousand Dollars      \$ 2,000.00

Principal Name: Four Rows LLC D/B/A The Mystic Kitchen & Tasting Room

Obligee Name: City of Bloomington of Bloomington, IL

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that the president, any vice president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 23rd day of May, 2019.

[Redacted Signature]

Assistant Secretary



OLD REPUBLIC SURETY COMPANY

[Redacted Signature]

President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 23rd day of May, 2019, personally came before me, Alan Pavlic and Jane E. Cherney, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Kathryn R. Pearson  
Notary Public

My Commission Expires: 09/28/2022

**(Expiration of notary's commission does not invalidate this instrument)**

### CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

0402585



Signed and sealed at the City of Brookfield, WI this 4th day of June, 2019.

Jane E. Cherney  
Assistant Secretary

Old Republic Surety Company  
PO Box 1635  
Milwaukee, WI 53201-1635  
www.orsurety.com

**ENDORSEMENT**  
Execution Report  
Change in Principal Name/Address

---

**PRINCIPAL**

Four Rows LLC D/B/A The Mystic Kitchen & Tasting Room  
306 N Center St, Ste 101 & 102

Bloomington, IL 61701

**OBLIGEE**

City of Bloomington  
109 E Olive St  
P O Box 3157  
Bloomington, IL 61702

---

**BOND NUMBER:** [REDACTED] **BOND AMOUNT:** 2,000.00

**BOND DESCRIPTION:**  
Liquor Sales

**POLICY EFFECTIVE DATE:** 05/24/2019 **EXPIRATION DATE:** 05/24/2020  
**PROCESS DATE:** 06/04/2019  
**ENDORSEMENT EFFECTIVE DATE:** 05/24/2019

---

**AGENCY** 0402585  
MID-AMERICA INS. SERVICES INC.  
PO BOX 8

NORMAL, IL 61761  
(309) 454-3667

**REMARKS**

The name of the DBA has changed.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/22/2019

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> Mid-America Insurance Services, Inc. 321 Susan Drive, Suite C P.O. Box 8 Normal IL 61761-0008		<b>CONTACT NAME:</b> Wanda Gray <b>PHONE (A/C, No, Ext):</b> (309) 454-3667 <b>E-MAIL ADDRESS:</b> wgray@midamericainsurance.com		<b>FAX (A/C, No):</b> (309) 888-4209	
<b>INSURED</b> Four Rows LLC, DBA: The Mystic Kitchen & Tasting Room 306 North Center Street Suite 101 & Suite 102 Bloomington IL 61701		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Frankenmuth Insurance		<b>NAIC #</b> 13986	
		<b>INSURER B:</b>			
		<b>INSURER C:</b>			
		<b>INSURER D:</b>			
		<b>INSURER E:</b>			
		<b>INSURER F:</b>			

**COVERAGES**

CERTIFICATE NUMBER: CL1952204177

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
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			APPLIED FOR	08/01/2019	08/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			APPLIED FOR	08/01/2019	08/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> EXCESS LIAB DED <input checked="" type="checkbox"/> RETENTION \$ 0			APPLIED FOR	08/01/2019	08/01/2020	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
A	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	APPLIED FOR	08/01/2019	08/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability Coverage			APPLIED FOR	08/01/2019	08/01/2020	Ea Person PD Liability \$68,777.44 Ea Person BI Liability \$68,777.44 Loss of Means of Support \$84,061.32

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

At the request of the insured, our agency will bind effective on or before 08/01/2019 all liability coverage included in this Certificate of Insurance. All liability extends to two outside sidewalk cafes operated by the insured.

Our agency will also write a \$2,000 license and permit bond for this insured with obligee in favor of the City of Bloomington.

The liquor liability aggregate limit of insurance is \$1,000,000.

**CERTIFICATE HOLDER****CANCELLATION**

City of Bloomington 109 East Olive  Bloomington IL 61701	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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LEASE

THIS INDENTURE WITNESSETH:

That **ILLINOIS HOUSE BUILDING, L.L.C.**, an Illinois Limited Liability Company, hereinafter referred to as "Lessor," does hereby demise and lease unto **FOUR ROWS, LLC**, an Illinois Limited Liability Company, hereinafter referred to as "Lessee," the following described space:

1,981 square feet, more or less, located on the first floor of the Illinois House Building, hereinafter referred to as Suite 102, and

552 square feet, more or less, located on the first floor of the Illinois House Building, hereinafter referred to as Suite 101,

Comprising a total of 2,553 square feet, (hereinafter, the "Premises"),

said space being located on Lots 17 and 18 in the original Town, now City of Bloomington, McLean County, Illinois, and commonly known as 207 West Jefferson Street, Bloomington, Illinois.

To have and to hold the said Premises for the term of three (3) years beginning the 1st day of August, 2019, and ending on the 31st day of July, 2022 unless the term shall be sooner terminated as hereinafter provided.

I. In consideration of this Lease and covenants herein contained, the Lessee covenants and agrees with the Lessor as follows:

A. To pay to the Lessor, at its place of business, presently Suite 308, 207 West Jefferson Street, Bloomington, Illinois, or such other place as Lessor shall in writing direct,

[REDACTED]

1. [REDACTED]

2. [REDACTED]

3. [REDACTED]

provided, however, that if this Lease is terminated as herein provided, the rental at the monthly rate specified shall be payable only to the date of such termination.

Possession of the premises shall be given to Lessee on May 15, 2019 so that Lessee may do necessary refurbishing to the Premises. Lessee shall pay to Lessor upon taking possession the [REDACTED] Lessee shall not be obligated to begin the payment of monthly rental as is set forth above until August 1, 2019 or the first day that Lessee is open for business, whichever first occurs. If Lessee opens for business before August 1, 2019, Lessee shall pay rental beginning that date on a per diem basis until August 1, 2019.

Lessee shall have the option to extend this Lease for an additional three year term by giving written notice of the exercising of the option to Lessor on or before March 1, 2022. Rent for the option term shall be negotiated by the parties.

B. The Lessee will use and occupy said premises as a bar and restaurant use, and for no other purpose, and will replace or repair at its own expense any glass or fixtures damaged or broken or any damage done to the premises in any fashion, other than ordinary wear and tear, by the Lessee, its agents, employees, clients, customers or guests during the occupancy by Lessee of said premises.

C. The Lessee shall not sublet in whole or in part, nor assign this Lease or any part thereof, without first obtaining the written consent of the Lessor and shall, at the expiration or termination of said Lease, yield the demised premises back to the Lessor in as good a condition as at the date of Lessee's taking possession thereof, except for loss by fire, storm, earthquake or other inevitable accident not brought about by the negligence or misconduct of Lessee, its agents or employees, and further except for ordinary wear and tear.

D. If the leased property, or any part thereof, is taken by eminent domain, this Lease shall expire on the date when the leased property shall be so taken, and the rent shall be apportioned as of that date. No part of any award shall belong to the Lessee.

E (1) If the Lessor fails to perform any of the terms, covenants, agreements or conditions on its part to be performed under this Lease and such failure continues uncorrected for thirty (30) days after written notice thereof from Lessee, unless otherwise specified herein and subject to the provisions of paragraph (4) of this section, this lease may be terminated by Lessee at any time thereafter during the continuance of such default by written notice to Lessor, and Lessee shall be relieved from further rent payments upon the return of possession of the premises to Lessor.

(2) If Lessee fails to pay the rent herein provided when due, or if Lessee fails to pay any other monies that may become or fall due or become payable under the terms of this Lease, and any such defaults continue for a period of fifteen (15) days, Lessor may

at any time after said fifteen-day period, by written notice thereof to Lessee, terminate this Lease. If Lessee defaults in the observance or performance of any other covenant, provision or condition herein required to be performed or observed by Lessee, and if any such default continues for a period of fifteen (15) days after written notice to Lessee thereof, unless otherwise specified herein and subject to the provisions of paragraph (4) of this section, Lessor may at any time during the continuation of such default, by written notice to Lessee, terminate this Lease.

(3) If, during the term of this Lease or any extension or renewal thereof, (a) the Lessee makes an assignment for the benefit of creditors, (b) a writ of execution or attachment is levied against or on the property of Lessee, (c) any action is taken for the voluntary dissolution of Lessee, (d) a voluntary or involuntary petition is filed by or against Lessee having for its purpose adjudication of Lessee as a bankrupt, or (e) a receiver is alleged insolvency of Lessee, the occurrence of any such contingencies, be terminated and declared of no further force and effect, provided, however, that in the event of a contingency of the character mentioned in (b), (d), and (e) above, Lessee shall have a period of forty-five (45) days after the date of the occurrence of such contingency or contingencies in which to dispose of or eliminate the condition, or procure a dismissal or a stay of contingency shall be deemed a breach of this Lease, and no breach shall exist if such condition is eliminated or disposed of or said proceedings are dismissed or stayed within such forty-five (45) day period.

(4) If any default by either party cannot reasonably be remedied within the period of time prescribed hereinafter in the notice of default and if such party has commenced to remedy such default and diligently pursues such remedy thereafter, then such party shall have such additional time as is reasonably necessary to remedy the default before the Lease can be terminated or other remedies enforced.

(5) Each party ("defaulting party") covenants and agrees that if the other party ("terminating party") exercises the right to terminate this Lease as provided herein, the defaulting party will reimburse the terminating party within thirty (30) days from the effective date of such termination for all out-of-pocket expenses incurred by the terminating party in terminating this Lease. Nothing contained herein shall be deemed to relieve the defaulting party of any other liability arising from any default which has given rise to such right of termination.

(6) In case either party to this Lease ("defaulting party") defaults in the performance of any covenant, condition or agreement by such party to be performed hereunder, the other party ("other party") may (but shall not be required to) perform the same and any monies advanced or expenses incurred in so doing, plus interest thereon at the rate of six percent (6%) per annum, shall be and become due and owing from the defaulting party to the other party on demand. If the defaulting party is the Lessee, the amount so due shall constitute additional rental hereunder. If the defaulting party is the Lessor, the Lessee may deduct the amount of all such indebtedness from the rental next coming due.

II. In consideration of the covenants of the Lessee, the Lessor covenants and agrees:

A. If said premises are not at the date of this Lease or at any time during said Lease in tenantable condition, the Lessor will place said premises in such condition within a reasonable time after notice in writing by the Lessee and will maintain the same in tenantable condition during the term of this Lease, breakage or damage caused by the Lessee, its agents or employees excepted; and will furnish for said premises all necessary utilities (excluding telephone service and internet connections).

B. If the premises or any part thereof are damaged or destroyed by fire, storm, earthquake or other similar or dissimilar inevitable accident and thereby rendered untenable during the term of this Lease, the monthly rental specified above shall be apportioned and paid only up to the date of such inevitable accident and this Lease shall then terminate; except, that if after such inevitable accident the Lessee continues to occupy a portion of said premises, the rental shall be apportioned and paid as to that part of said premises continued to be occupied until such date as the damaged or destroyed portion of the premises is repaired or restored, when the payment of the full monthly installments, as herein provided, shall be resumed.

C. The Lessor will remove and correct any fire or health hazards not caused by the acts or neglect of the Lessee, its agents, servants or employees, which any public authority may order corrected or removed during the term of this Lease.

D. The Lessor shall not be liable for injury or damage to person or property occurring within the leased property, unless caused by or resulting from the negligence of the Lessor or any of the lessor's agents, servants, or employees in the operation or maintenance of the leased property or the building containing the leased property.

E. Lessee shall be liable for any loss or damage to the Lessor's premises occasioned by fire or any other hazard or condition arising from the acts or negligence of the Lessee.

III. It is further agreed between the parties, in consideration of the covenants and agreements set forth herein as follows:

A. In the event of the Lessee herein holding over, after the termination of this Lease, thereafter the leasing shall be from month-to-month without escalation beyond the rent paid immediately prior to the termination of the lease, in the absence of a written agreement to the contrary.

B. Lessee agrees to carry personal injury and property damage public liability insurance on the leased premises in reasonable amounts of not less than One Million Dollars (\$1,000,000.00) personal injury and One Million Dollars (\$1,000,000.00) property damage and to name Lessor as additional insured on said policy or policies. The aforesaid

coverage shall commence on May 15, 2019. Lessee shall be responsible for obtaining insurance to cover damages to Lessee's improvements to the leased premises. Lessee understands that Lessor's casualty insurance does not cover Lessee's improvements to the leased premises.

C. ADDITIONAL PROVISIONS:

1. Lessor shall provide all utilities including heating, air conditioning, electricity and water to the leased premises. Lessee shall be responsible for providing telephone and internet access. Lessee shall also be responsible for providing all telephone wires and computer cabling required for use in the Premises.
2. Lessee shall not permit its employees, agents or customers to smoke in the Premises or anywhere in the Illinois House Building.
3. The acquisition and installation of any window treatments shall be the responsibility of the Lessee.
4. Lessor agrees that Lessee may provide and install at its cost two (2) hanging signs.. One sign shall be hung on the Center Street side of the Illinois House Building ("Building") nearest to the main entrance of the Premises and the other sign shall be hung on the Jefferson Street side of the Building nearest to the main entrance of the Premises These signs shall be subject to the approval of the Lessor, which approval shall not be unreasonably withheld. All costs associated with the fabrication and installation of these two signs shall be the responsibility of the Lessee.
5. The two existing awnings located above the entrance to the Premises may be removed and replaced at the expense of the Lessee. The replacement awnings shall be fabricated and installed at Lessee's expense and must be the same structural design of the existing awnings. The signage, color, material and design of the replacement awnings shall be subject to the approval of the Lessor. These replacement awnings shall be removed at the Lessee's expense at the termination of this Lease.
6. Lessor shall provide signage designating the Lessee as an occupant of the Building on the Building's electronic display located in the first floor lobby on the Jefferson Street side of the Building.
7. Lessee shall provide at its expense parking for its employees.

6. Lessee shall obtain Liquor Liability Insurance in an amount as required by the Illinois Liquor Control Act of 1934 with Lessor being a named as additional insured on said policy.
7. Unless otherwise prohibited by the McLean County Health Department, Lessor shall continue to maintain and preserve the door way to the kitchen area of the premises which provides access to the Jefferson Street sidewalk.
8. The hallway that is located between the east exterior wall of the building and the east demising wall of the leased premises shall be considered as part of the property being leased to Lessee. Lessee may use this hallway space for office and storage purposes during the term of this Lease.
8. Lessee may use the sidewalk area next to Center Street located north of the entrance to the Premises as a location upon which to place bistro tables and chairs for Lessee's use by customers, so long as this use is not prohibited by the City of Bloomington.
9. Lessor shall, at its expense, perform the following immediately upon the execution of the Lease by all parties:
  - a. Expand the opening in the wall between the bar and large dining area;
  - b. Remove the glass partition in the north wall of the large dining area; and
  - c. Remove the partition wall in the west portion of the large dining area.
10. Lessee may paint the interior of the Premises with latex paint using paint colors which are approved by Lessor, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 10<sup>th</sup> day of May, 2019.

LESSOR:

LESSEE:

**ILLINOIS HOUSE BUILDING, L.L.C.**

**Four Rows, LLC**

  
\_\_\_\_\_  
Darrell L. Hartweg, member

  
\_\_\_\_\_  
Chelsea Heffernan  
  
\_\_\_\_\_  
Terri Vanderlugt  
Being all of the members of said  
Limited Liability Company

**PERSONAL GUARANTEE**

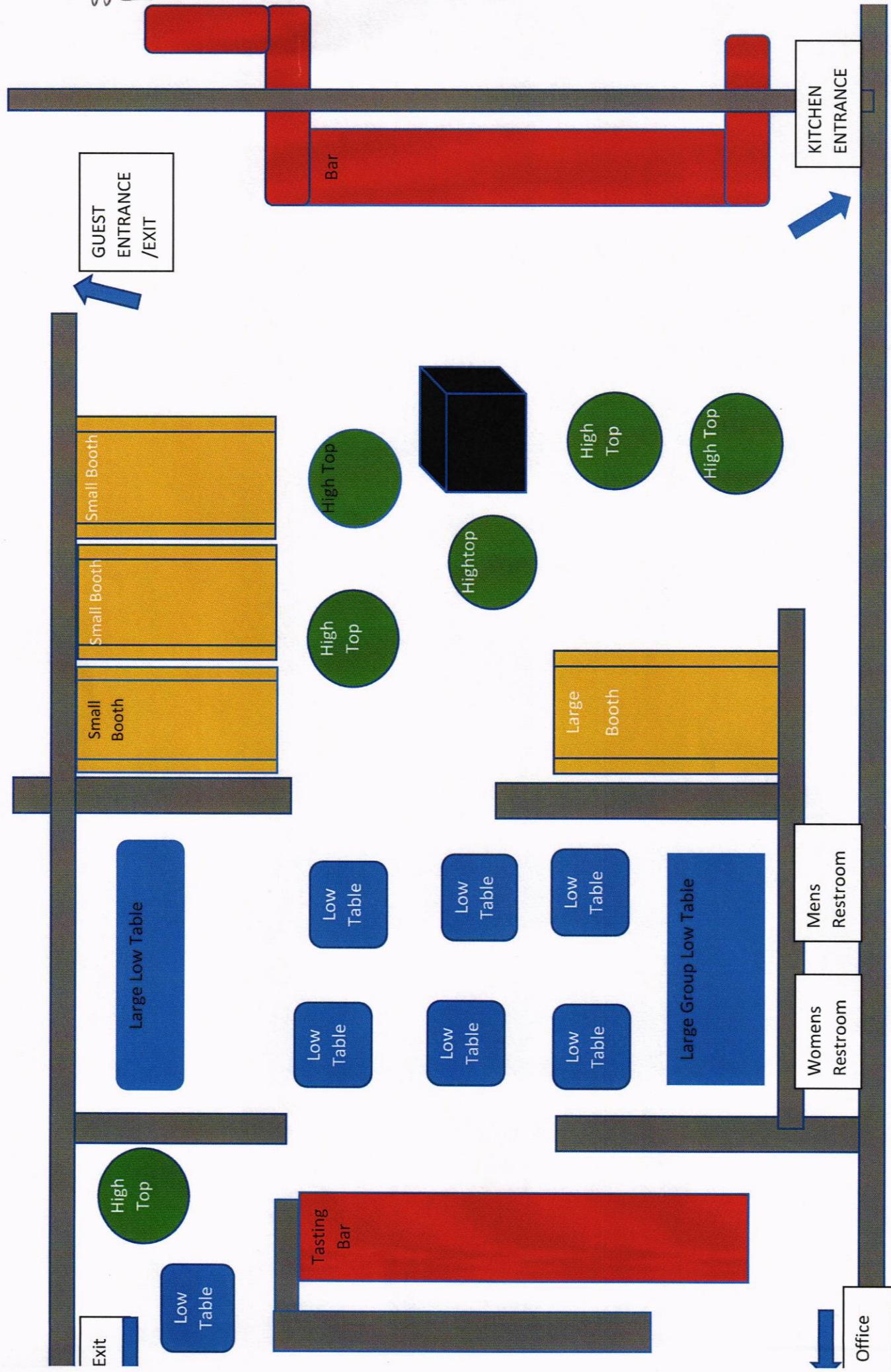
The undersigned, Cheryl Heffernan and Terri Vanderlugt, hereby personally guarantee the performance of each and every covenant hereinabove made by Four Row, LLC. In the event of any default by Four Row, LLC of any of the promises and covenants made by it under the aforesaid Lease between it and Illinois House Building, L.L.C., the undersigned agree to perform said breached promises and covenants personally and unconditionally.

Dated: May 10, 2019

  
\_\_\_\_\_  
Chelsea Heffernan  
  
\_\_\_\_\_  
Terri Vanderlugt

Sefferson

Cenders



# Certificate of Completion



TERRIE VANDERLUGT

Has diligently and with merit completed the  
On-Premise BASSET Alcohol Certification on 5/20/2019  
from the American Safety Council.

A handwritten signature in black ink, appearing to read "Jeff Pairan".

Jeff Pairan



# Illinois BASSET Training

This card certifies that:

**TERRIE VANDERLUGT**

has completed the  
On-Premise BASSET Alcohol Certification



Terrie Vanderlugt

6/19/2019

Exp. Date:

# Certificate of Completion



\_\_\_\_\_

CHELSEA HEFFERNAN

Has diligently and with merit completed the  
On-Premise BASSET Alcohol Certification on 5/21/2019  
from the American Safety Council.

\_\_\_\_\_  
*Jeff Pairan*  
Jeff Pairan



# Illinois BASSET Training

This card certifies that:

**CHELSEA HEFFERNAN**

has completed the  
On-Premise BASSET Alcohol Certification



Jeff Parris

6/20/2019

Exp. Date:

# **SECTION FOUR**

## **Tax Information**



**Bloomington / Normal  
Food & Beverage Tax  
Registration Form**

**Illinois Business Tax (IBT) #:** 83-4670092

**Date Business started at this location (Month\Day\Year):** 05/01/2019

**Describe your type of Business:** Restaurant & Bar

**DBA Business Name:** ~~The Gypsy Room~~ The Mystic Kitchen & Tasting Room

**Address:** 306 N. Center St. #102 Bloomington, IL 61701

**Contact:** Chelsea Heffernan

**Phone:** [REDACTED] **Fax:**

**Email:** [REDACTED]

**Owner/Corporate Name:** Four Rows LLC  
(if different from above)

**Address:** 306 N. Center St. #102 Bloomington, IL 61701

**Contact:** Chelsea Heffernan

**Phone:** [REDACTED] **Fax:**

**Email:** [REDACTED]

Please check here to have all correspondence mailed to corporate address instead of the physical address.

**Type of Organization:**

<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Partnership
<input type="checkbox"/> Corporation	<input checked="" type="checkbox"/> LLC
<input type="checkbox"/> 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:** [REDACTED] **Date:** 5/24/19

**Print Name and Title:** Chelsea Heffernan Managing Member



# Package Liquor Tax Registration Form

Illinois Business Tax (IBT) #: 83-4670092

Date Business started at this location (Month\Day\Year): 05/01/2019

Describe your type of Business: Restaurant & Bar

DBA Business Name: ~~The Gypsy Room~~ The Mystic Kitchen & Tasting Room

Address: 306 N. Center St. #102 Bloomington, IL 61701

Contact: Chelsea Heffernan

Phone: [Redacted] Fax:

Email: [Redacted]

Owner/Corporate Name: Four Rows LLC  
(if different from above)

Address:  
306 N. Center St #102 Bloomington, IL 61701

Contact: Chelsea Heffernan

Phone: [Redacted] Fax:

Email: [Redacted]

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.  
[Redacted Signature] \_\_\_\_\_ Date: 5/24/19  
Signature of Officer Empowered to Sign  
Chelsea Heffernan Managing Member  
Print Name and Title

CITY OF BLOOMINGTON  
PUBLIC HEARING NOTICE

On Tuesday, July 9, 2019 at 4:00 PM, 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 Four Rows, LLC d/b/a The Mystic Kitchen & Tasting Room, located at 306 N. Center Street, #102, for a Class TAPS (Tavern, All Types of Alcoholic Liquor, Package Sales for Consumption Off Premises, and Sunday Sales) liquor license, which allows the sale of alcoholic liquor by the glass for consumption on the premises, and the retail sale of packaged liquor for consumption off 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.

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

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