

**CITY OF
BLOOMINGTON
CITY COUNCIL -
REGULAR SESSION
MEETING
MAY 8, 2023**



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 - Mboka Mwilambwe

City Council Members

- Ward 1 - Jenna Kearns
- Ward 2 - Donna Boelen
- Ward 3 - Sheila Montney
- Ward 4 - John Danenberger
- Ward 5 - Nick Becker
- Ward 6 - Cody Hendricks
- Ward 7 - Mollie Ward
- Ward 8 - Kent Lee
- Ward 9 - Tom Crumpler

- City Manager** - Tim Gleason
- Deputy City Manager** - Billy Tyus
- Deputy City Manager** - Jeff Jurgens

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



CITY COUNCIL - REGULAR SESSION MEETING AGENDA
GOVERNMENT CENTER BOARDROOM, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
MONDAY, MAY 8, 2023, 6:00 PM

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Remain Standing for a Moment of Silent Prayer and/or Reflection
4. Roll Call
5. Recognition/Appointments
 - A. Proclamation for Building Safety Month, as requested by the Administration Department. (*Recommended Motion: None; recognition only.*)
 - B. Proclamation for Drinking Water Week, as requested by the Administration Department. (*Recommended Motion: None; recognition only.*)
 - C. Proclamation for Municipal Clerk's Week, as requested by the Administration Department. (*Recommended Motion: None; recognition only.*)
 - D. Recognition of Boards and Commissions Reappointments, as requested by the Administration Department. (*Recommended Motion: None; recognition only.*)

6. Public Comment

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person or remotely may register at www.cityblm.org/register at least 5 minutes before the start of the meeting for in-person public comment and at least 15 minutes before the start of the meeting for remote public comment.

7. 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 and voted on separately.

- A. Consideration and Action to Approve the Minutes of the April 10, 2023, 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 and Payroll in the Amount of \$6,000,049.58, as requested by the Finance Department. (*Recommended Motion: The proposed Bills and Payroll be approved.*)
- C. Consideration and Action to Approve the Purchase of Two 2023 New Ford Maverick

Hybrid Pickup Trucks from Bob Ridings Fleet Sales (Bid #2023-35), in the Amount of \$55,070 (\$27,535 each), as requested by the Public Works Department and the Economic & Community Development Department. (Recommended Motion: The proposed Purchase be approved.)

- D. Consideration and Action to Approve the Purchase of Neptune Water Meters, Related Accessories, Software Licensing, and Maintenance for Meter Reading Equipment from Ferguson Enterprises, as a Limited Source, for the Fiscal Year 2024 Water Meter Installation Program, in the Amount Not to Exceed \$1,000,000, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)
- E. Consideration and Action to Approve a General Liability Claim Settlement Involving Claimant Karen Stotts, as requested by the Human Resources Department. (Recommended Motion: The proposed Settlement Authority in the amount of \$40,000 be approved.)
- F. Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, for the American Rescue Plan Act Economic Development and Socio-Economic Grant Programs, as requested by the Finance Department and the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)
- G. Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, to Increase the General Fund Budget by \$149,125.23, as requested by the Finance Department and the Police Department. (Recommended Motion: That the Ordinance be approved.)
- H. Consideration and Action on an Ordinance Amending Chapter 6 of the Bloomington City Code to Add a Class FM (Farmer's Market) Liquor License Authorizing the Retail Sale of Packaged Alcohol at Farmer's Markets, as requested by the City Clerk Department and the Legal Department. (Recommended Motion: The proposed Ordinance be Approved.)
- I. Consideration and Action on an Application from Lil Beaver Brewery, LLC, d/b/a Lil Beaver Brewery, located at 16 Currency Dr., Unit 2, Requesting Approval of a Change of Ownership for its Class TAPS (Tavern, All Types of Alcohol, with Package, and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed Application be approved.)
- J. Consideration and Action on an Application from Pour Bros., Co., d/b/a Pour Bros., to be Located at 236 E. Front St., Requesting the Creation of a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed Application be approved.)

8. Regular Agenda

- A. Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, and an Ordinance Authorizing a Construction Agreement Between the City of Bloomington and AFE Construction, LLC, for the Economic & Community Development Department Remodel (Bid #2023-34) in the Amount of \$577,550, as requested by the Public Works Department and the

Economic & Community Development Department. (*Recommended Motion: The proposed Ordinance be approved.*) (*Presentation by Tim Gleason, City Manager; Billy Tyus, Deputy City Manager; and Melissa Hon, Economic & Community Development Director , 20 minutes; and City Council Discussion, 15 minutes.*)

9. Finance Director's Report

<https://www.cityblm.org/government/advanced-components/documents/-folder-145>

10. City Manager's Discussion

11. Mayor's Discussion

12. Council Member's Discussion

13. Executive Session

14. Adjournment

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 mhurt@cityblm.org.



RECOGNITION/APPOINTMENTS ITEM NO. 5.A.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Proclamation for Building Safety Month, as requested by the Administration Department.

RECOMMENDED MOTION: None; recognition only.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included Proclamation is a public statement that brings attention to factors that affect our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Amy Overton, Executive Assistant

ATTACHMENTS:

[ADM 1B Proclamation - Building Safety Month](#)



Proclamation

Building Safety Month — May 2023

WHEREAS, our City is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings, and infrastructure play, both in everyday life and when disasters strike; and

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers, and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods, and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable, and affordable buildings that are essential to our prosperity; and

WHEREAS, “Safety for All: Building Codes in Action,” the theme for Building Safety Month 2023, encourages us all to raise awareness about planning for safe and sustainable construction; career opportunities in building safety; understanding disaster mitigation, energy conservation; and creating a safe and abundant water supply to all our benefit; and

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Mboka Mwilambwe, Mayor of the City of Bloomington, Illinois, do hereby proclaim the month of May 2023 as

Building Safety Month

Mboka Mwilambwe
Mboka Mwilambwe
Mayor



Leslie Yocum
Leslie Yocum
City Clerk



RECOGNITION/APPOINTMENTS ITEM NO. 5.B.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Proclamation for Drinking Water Week, as requested by the Administration Department.

RECOMMENDED MOTION: None; recognition only.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included Proclamation is a public statement that brings attention to factors that affect our community.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Amy Overton, Executive Assistant

ATTACHMENTS:

[ADM 2B Proclamation - Drinking Water Week](#)



*Mayoral Proclamation
Recognizing May 7-13, 2023
As Drinking Water Week*

WHEREAS, water is our most valuable natural resource; and

WHEREAS, drinking water serves a vital role in daily life, serving an essential purpose to health, hydration and hygiene needs for our residents; and

WHEREAS, tap water delivers public health protection, fire protection, support for our economy, and the quality of life we enjoy; and

WHEREAS, we commend the hard work performed by the entire water sector, including designers of capital projects, operators ensuring the safety and quality of drinking water, and pipe crew members maintaining the infrastructure communities rely on to transport high quality drinking water from its source to the tap; and

WHEREAS, the coronavirus pandemic has further shone a light on the importance of drinking water for health, hydration and hygiene needs; and

WHEREAS, we are all stewards of the water infrastructure upon which current and future generations depend; and

WHEREAS, the residents of our city are called upon to help protect our source waters from pollution and practice water conservation to benefit the community.

NOW, THEREFORE, I, Mboka Mwilambwe, Mayor of the City of Bloomington, do hereby proclaim May 7-13, 2023, as Drinking Water Week.

Mboka Mwilambwe
Mboka Mwilambwe
Mayor



Leslie Yocum
Leslie Yocum
City Clerk



RECOGNITION/APPOINTMENTS ITEM NO. 5.C.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Proclamation for Municipal Clerk's Week, as requested by the Administration Department.

RECOMMENDED MOTION: None; recognition only.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included Proclamation is a public statement that brings attention to factors that affect our community. Also included is a signed Proclamation by Governor J.B. Pritzker acknowledging Municipal Clerks Week which was presented to the Illinois Municipal Clerks of Illinois Organization, of which both the City Clerk and Deputy City Clerk are members.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Amy Overton, Executive Assistant

ATTACHMENTS:

[ADM 3B Proclamation - Municipal Clerks Week](#)

[ADM 3C Gov. Proclamation - Municipal Clerks Week](#)



Mayoral Proclamation
54th Annual Professional Municipal Clerks Week
April 30 - May 6, 2023

Whereas, The Office of the Professional Municipal Clerk, a time-honored and vital part of local government exists throughout the world; and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants; and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community; and

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, provincial, county, and international professional organizations; and

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

NOW, THEREFORE, I, Mboka Mwilambwe, Mayor of Bloomington, Illinois, do recognize the week of April 30 through May 6, 2023, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Leslie Yocum, and Deputy City Clerk, Amanda Stutsman for the vital services they perform and their exemplary dedication to the City of Bloomington.

Mboka Mwilambwe

Mboka Mwilambwe
Mayor



Leslie Yocum
Leslie Yocum
City Clerk

STATE OF ILLINOIS

EXECUTIVE DEPARTMENT

Proclamation

WHEREAS, The Office of the Municipal Clerk, a time-honored and vital part of local government, exists throughout the world; and,

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; and,

WHEREAS, Municipal Clerks have pledged to be mindful of their neutrality and impartiality, rendering equal service to all; and,

WHEREAS, The Office of the Municipal Clerk serves as the information center on functions of local government and community; and,

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations;

*THEREFORE, I, JB Pritzker, Governor of the State of Illinois do hereby proclaim April 30 -- May 6, 2023, as **Municipal Clerks Week** and extend appreciation to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol in the City of Springfield,
this SEVENTEENTH day of APRIL, in
the Year of Our Lord, two thousand and
TWENTY-THREE, and of the State of Illinois,
two hundred and FIFTH.



Alexi Giannouh
SECRETARY OF STATE

JB Pritzker
GOVERNOR



RECOGNITION/APPOINTMENTS ITEM NO. 5.D.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of Boards and Commissions Reappointments, as requested by the Administration Department.

RECOMMENDED MOTION: None; recognition only.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included reappointments are representative of City Council's approval from the April 24, 2023 meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Amy Overton, Executive Assistant

ATTACHMENTS:

[ADM 4B Recognition of Appointments](#)

Reappointment

John Hanson: Airport Authority Board

Reappointment

John Argenziano: Library Board

Reappointment

Catrina Parker: Library Board

Reappointment

Alicia Whitworth: Library Board



CONSENT AGENDA ITEM NO. 7.A.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve the Minutes of the April 10, 2023, 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 web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Amanda Stutsman, Deputy City Clerk

ATTACHMENTS:

[CLK 1B DRAFT Minutes](#)



MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, APRIL 10, 2023, 6:00 P.M.

The City Council convened in regular session in the Government Center Chambers at 6:00 p.m., Monday, April 10, 2023. Mayor Mboka Mwilambwe called the meeting to order and led the Pledge of Allegiance ending with a moment of silent prayer/reflection.

Roll Call

Attendee Name	Title	Status
Mboka Mwilambwe	Mayor	Present
Grant Walch	Council Member, Ward 1	Present
Donna Boelen	Council Member, Ward 2	Present
Sheila Montney	Council Member, Ward 3	Present
Julie Emig	Council Member, Ward 4	Present
Nick Becker	Council Member, Ward 5	Present
De Urban	Council Member, Ward 6	Present
Mollie Ward	Council Member, Ward 7	Present
Jeff Crabill	Council Member, Ward 8	Present; Remote
Tom Crumpler	Council Member, Ward 9	Present

Council Member Boelen made a motion, seconded by Council Member Urban, to allow Council Member Crabill to attend remotely due to attending a funeral.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion carried.

Council Member Crabill joined at 6:05 p.m.

Recognition/Appointments

The following item was presented:

Item 5.A. Proclamation for National Healthcare Decisions Day, as requested by the Administration Department.

Mayor Mwilambwe presented the Proclamation for National Healthcare Decisions Day and Chaplin Christine McNeal was present to accept it.

Public Comment

Mayor Mwilambwe read a public comment procedure statement. No emailed public comment was received. The following individuals provided in-person public comment: (1) Scott Stimeling; (2) Gary Lambert; and (3) Zach Carlson.

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 and voted on separately.

Leslie Yocum, City Clerk, noted two corrections: (1) Item 7.A. an edit requested by Council Member Crabill; and (2) Item 7.O. Mayor Mwilambwe noted a correction to a date in the memo, which was immaterial to the vote.

Council Member Ward made a motion, seconded by Council Member Boelen, to approve the Consent Agenda as amended.

Item 7.A. Consideration and Action to Approve the Minutes of the March 13, 2023, Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 7.B. Consideration and Action to Approve Bills and Payroll in the Amount of \$5,767,906.09, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 7.C. Consideration and Action to Approve Appointments and Reappointment to Boards & Commissions, as requested by the Administration Department. (Recommended Motion: The proposed Appointments and Reappointment be approved.)

Item 7.D. Consideration and Action to Approve the Purchase of a Chevrolet C6500 Chassis with a 20-foot Cube Body, Aries Pathfinder, and Lateral Evaluation Televising System (LETS) from COE Equipment, Inc., in the Amount of \$418,319, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.E. Consideration and Action to Approve the Purchase of a 2023 Vactor Ace Easement Machine from COE Equipment, in the amount of \$95,943.70, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.F. Consideration and Action to Approve the Purchase Agreement for Three Unmanned Aerial Vehicles from Axon, Enterprise, Inc., in the Amount of \$101,675.02 over Five Years, as requested by the Police Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.G. Consideration and Action to Reject the Bid for the New Lake Bloomington Maintenance Facility (Bid #2023-10), as requested by the Public Works Department. (Recommended Motion: The proposed Bid Rejection be approved.)

Item 7.H. Consideration and Action on a Resolution Waiving the Formal Bidding Requirements and Approving an Amendment to the Agreement with Cargill, Inc. Regarding Rock Salt, as requested by the Public Works Department, N/A. (Recommended Motion: The proposed Resolution be approved.)

Item 7.I. Consideration and Action to Approve a Fourth Amendment to the Contract with Henson Disposal, Inc., for Bulk Waste Disposal for FY 2024, from May 1, 2023, to April 30, 2024, as a Limited Source, in the Amount of \$57.40 per Ton, as requested by the Public Works Department. (Recommended Motion: The proposed Contract Amendment be approved.)

Item 7.J. Consideration and Action to Approve a Contract with Chemrite, Inc., for Sodium Hexametaphosphate (Bid #2023-20), in the Amount of \$5,720 per Ton Delivered, as requested by the Public Works Department. (Recommended Motion: The proposed Contract be approved.)

Item 7.K. Consideration and Action to Approve a Contract with Univar Solutions USA, Inc., for Hydrofluosilicic Acid (Bid #2023-20), in the Amount of \$540 per Ton on a 40,000-Pound Shipment, as requested by the Public Works Department. (Recommended Motion: The proposed Contract be approved.)

Item 7.L. Consideration and Action to Approve a Contract with Brenntag Mid-South, Inc., as a Limited Source, for Robin 120 Cationic Polymer, in the Amount of \$1.105 per Pound, and for Robin 30A Anionic Polymer, in the Amount of \$1.64 per Pound, for a Total Cost of \$91,400, as requested by the Public Works Department. (Recommended Motion: The proposed Contract be approved.)

Item 7.M. Consideration and Action to Approve a Contract with Kemira Water Solutions, Inc., for Ferric Sulfate (Bid #2023-20), in the Amount of \$369 per Ton Delivered, as requested by the Public Works Department. (Recommended Motion: The proposed Contract be approved.)

Item 7.N. Consideration and Action to Approve 1) an Intergovernmental Agreement with the Illinois Department of Transportation (IDOT) and 2) a State Motor Fuel Tax Funding (MFT) Resolution, in the Amount of \$26,070, for Traffic Signal Upgrades, as requested by the Public Works Department. (Recommended Motion: The proposed Agreement and MFT Resolution be approved.)

Item 7.O. Consideration and Action on a Resolution Authorizing the Filing of the 2023 Community Development Block Grant (CDBG) Annual Action Plan Program Application (May 1, 2023 - April 30, 2024), as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Resolution be approved.)

Item 7.P. Consideration and Action on a Resolution Modifying the Grants Awarded for the Fiscal Year 2024 by the John M. Scott Health Care Trust, as requested by the Economic Community Development Department. (Recommended Motion: The proposed Resolution be approved.)

Item 7.Q. Consideration and Action on a Resolution Authorizing the City of Bloomington's Participation in Settlement Agreements Arising from the National Opioid Crisis Class Action Lawsuits, as requested by the Legal Department. (Recommended Motion: The proposed Resolution be approved.)

Item 7.R. Consideration and Action on a Special Event Liquor License Application from the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, to be held at the Ewing Cultural Center, located at 48 Sunset Rd., Requesting a Class LB (Limited Beer and Wine Only) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved.)

Item 7.S. Consideration and Action on a Special Event Liquor License Application from Miller Park Zoological Society, for their "Brews at the Zoo" Event to be Held at the Miller Park Zoo, Located at 1020 S. Morris Ave., Requesting a Class LB (Limited Beer and Wine Only) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved.)

Item 7.T. Consideration and Action on a Change of Ownership Application from SMOKQUE, Inc., d/b/a Brass Pig Smoke & Ale House, Located at 602 N. Main St., Holding a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by

the City Clerk Department. (Recommended Motion: The proposed Change of Ownership be approved.)

Item 7.U. Consideration and Action on a Change of Ownership Application from ARV Cuisine, LLC, d/b/a Bloom Bawarchi 2.0, Located at 503 N. Prospect Rd., Unit 103-4, Holding a Class RAPS (Restaurant, All Types of Alcohol, with Package and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed Change in Ownership be approved.)

Item 7.V. Consideration and Action on an Application from Super Rajal, LLC, d/b/a Hampton Inn, Located at 906 Maple Hill Rd., Requesting Creation of a Class PBS (Beer and Wine Only, with Package and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved.)

Item 7.W. Consideration and Action on an Application from MCO QSR, Inc, d/b/a Froth & Fork, to be Located at 712 S. El Dorado Rd., Requesting Approval of a Change of Ownership and a Change in Classification from a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License to a Class RAPS (Restaurant, All Types of Alcohol, with Package and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed Changes in Ownership and Classification be approved.)

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Regular Agenda

The following item was presented:

Item 8.A. Consideration and Action on the Adoption of the Fiscal Year 2024 Budget and Appropriation Ordinance, as requested by the Finance Department.

City Manager, Tim Gleason, discussed the detailed process staff had taken to prepare the budget and expressed appreciation to Finance Department staff. Deputy City Manager, Billy Tyus, noted the budget reflected continued growth even through COVID-19 and highlighted the significant impacts it would make in the community.

Scott Rathbun, Finance Director, presented the Fiscal Year 2024 ("FY24") budget highlighting key figures and minor updates.

Council Member Walch and Mr. Rathbun discussed funding targeted on streets and sidewalks. Council Member Walch and Mr. Gleason then discussed an upcoming presentation on an update on the O'Neil Pool project.

Mr. Rathbun and Council Members Walch and Montney reviewed funding allocated to Public Safety Pension Funds.

Council Member Montney shared her view on residents' perspective of the budget versus Council's opinion of residents' quality of life. She stressed the need for transparency in costs of work completed work, and then She and City Manager Gleason discussed staffing analytics.

Council Member Ward made a motion, seconded by Council Member Boelen, to amend Council discussion time by 10 minutes.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Council Member Boelen and Mr. Rathbun talked through her concern of increased costs for capital projects due to inflation.

Mr. Rathbun answered Council Member Ward's questions regarding capital projects. She expressed support in the budget and encouraged residents to focus on being a community.

Council Member Ward made a motion, seconded by Council Member Emig, to approve the Item as presented.

Council Member Crumpler expressed support in the budget.

Council Member Crabill shared that the City's priorities were based on funds allocated and commented to the need to increase City staff. He expressed support in pensions.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Boelen, Emig, Becker, Urban, Ward, Crabill, Crumpler

NAYES: Walch, Montney

Motion carried.

The following item was presented:

Item 8.B. Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, related to the McLean County Museum of History, as requested by the Finance Department.

Council Member Emig recused herself at 7:15 p.m. due to a conflict of interest as she is employed by the McLean County Museum of History.

Council Member Montney made a motion, seconded by Council Member Becker, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Council Member Emig returned at 7:16 p.m.

The following item was presented:

Item 8.C. Consideration and Action on an Ordinance Approving a Site Plan (and a Special Use), with a Variance, to Allow a Restaurant Use with a Drive-Through in the B-1 (General Commercial) and B-2 (Local Commercial) District for Property Located at 1609 W. Market Street, as requested by the Economic & Community Development Department.

City Manager Gleason provided an overview of the Item and celebrated the development process.

Melissa Hon, Economic & Community Development Director, discussed the Item in further detail, noting that the Planning Commission had not supported the development due to concerns. She explained changes the Developer had proposed as a result of the Planning Commission's concerns and how staff, with the proposed changes, staff had moved to recommending approval of the Item.

Council Member Montney made a motion, seconded by Council Member Ward, to approve the Item as presented.

Council Member Ward expressed excitement about the development on the West side and noted it would be the first coffee shop in Ward 7.

Council Member Boelen expressed concerns with the development and then discussed it in great detail with Ms. Hon.

Council Members Ward and Boelen did not support removing parking spaces due to the proximity of the project to the highway.

Council Member Crabill questioned the approval process and recommended the amendments be presented at a public hearing before the Planning Commission.

Council Member Urban expressed concerns with traffic flow and echoed concerns of Council Member Boelen's. She did not support the Item as presented and preferred to send it back to Planning Commission.

Mayor Mwilambwe preferred additional review if Council decided to add conditions.

Mrs. Yocum and Jeff Jurgens, Corporation Counsel, discussed parliamentary procedure.

Council Member Boelen reiterated her concerns with the proposal. Ms. Hon provided detail on the Illinois Department of Transportation's review of the proposal.

Council Member Boelen made a motion, seconded by Council Member Urban, to approve the Item amended to remove additional parking to achieve more green space and better water remediation.

Council Member Emig suggested sending the Item back to Planning Commission.

Council Member Boelen respectfully disagreed.

Council Member Walch asked questions on the type of materials to be used.

Council Member Ward expressed support in approving the Item as presented.

City Manager Gleason provided an overview of the discussion and shared that the developer was present at the meeting. He invited him to address Council and cautioned that no new testimony or evidence could be submitted.

Mark Wilhoite, Executive Vice President of Development with Compton Addy Commercial Real Estate (Developer), commented on the amendments and the reasoning behind them.

Kevin Kothe, Public Works Director, commented on staff's review of the flood plain.

Mayor Mwilambwe directed the Clerk to call roll on Council Member Boelen's amendment to the original motion:

AYES: Boelen, Urban

NAYES: Walch, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion failed.

Mayor Mwilambwe directed the Clerk to call roll on the Council Member Ward's original motion:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

The following item was presented:

Item 8.D. Consideration and Action on an Ordinance Amending Chapter 2, Chapter 16, and Chapter 23 of the Bloomington City Code Relating to Deputy City Managers, as requested by the Administration Department.

City Manager Gleason discussed his management of 12 departments including 760 full-time employees and approximately 1,100 staff when seasonal hires were considered. He noted that years ago, the organization had two Deputy City Managers and that he believed a second Deputy City Manager would allow increased oversight and accountability.

Council Member Becker expressed support noting the position would increase efficiencies, ultimately reducing costs in the long run.

Council Member Montney recommended the position have a development plan with performance measures.

Council Member Crumpler echoed comments on efficiencies, accountability, and the need for a development plan. He supported creation of the position.

Council Member Emig stated that the position would increase responsiveness.

Council Member Ward made a motion, seconded by Council Member Crumpler, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

City Manager's Discussion

City Manager Gleason discussed multiple upcoming events Downtown and recognized Dispatchers for National Public Safety and Telecommunications Week noting multiple awards the Department had received. He discussed upcoming Committee of the Whole items.

Mayor's Discussion

Mayor Mwilambwe thanked Mayor Pro Tem Boelen for running the previous Council meeting and then recognized Holy Moley an event he had recently attended Downtown. He congratulated the incoming newly elected Council Members.

Council Member's Discussion

Council Members Ward and Boelen discussed an event they had attended at the Islamic Center of McLean County.

Executive Session

No Executive Session was held.

Adjournment

Council Member Crumpler made a motion, seconded by Council Member Boelen, to adjourn the meeting.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler
Motion carried (viva voce).
The meeting adjourned at 8:02 p.m.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Amanda Stutsman, Deputy City Clerk

DRAFT



CONSENT AGENDA ITEM NO. 7.B.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve Bills and Payroll in the Amount of \$6,000,049.58, as requested by the Finance Department.

RECOMMENDED MOTION: The proposed Bills and Payroll 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 and Payroll are filed in the City Clerk's Department. The full Bills and Payroll Report is now housed under Finance documents on the City website, available at <https://www.cityblm.org/bills>.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved \$6,000,049.58 (Payroll total \$2,800,751.14, Accounts Payable total \$3,114,197.67, Bank Transfers total \$85,100.77).

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Joshua Moreland, Support Staff V

ATTACHMENTS:

[FIN 1B Council Finance Summary Report](#)

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
4/21/2023	\$ 2,255,244.36	\$ 545,506.78	\$ 2,800,751.14

Off Cycle Adjustments

PAYROLL TOTAL \$ 2,800,751.14

ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
5/8/2023	AP General	\$ 2,831,129.05
	AP JMScott	
5/8/2023	AP Comm Devel	\$ 44,150.58
	AP IHDA	
5/8/2023	AP Library	\$ 140,941.20
	AP MFT	
4/26/23-5/3/23	Out of Cycle	\$ 97,976.84
4/10/23-4/19/23	AP Bank Transfers	\$ 85,100.77
	AP TOTAL	\$ 3,199,298.44

PCARDS

Date Range

PCARD TOTAL

GRAND TOTAL \$ 6,000,049.58

Respectfully,

F Scott Rathbun
Director of Finance



CONSENT AGENDA ITEM NO. 7.C.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve the Purchase of Two 2023 New Ford Maverick Hybrid Pickup Trucks from Bob Ridings Fleet Sales (Bid #2023-35), in the Amount of \$55,070 (\$27,535 each), as requested by the Public Works Department and the Economic & Community Development 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 services

BACKGROUND: If approved, the City will purchase two 2023 Ford Maverick Hybrid pickup trucks. The project was advertised by the City to solicit competitive bids. Bids for this contract were received until 10:00 a.m. on Tuesday, April 18, 2023, electronically via the City's e-Procurement Portal, *OpenGov*. One bid was opened on April 18th. The City's Local Preference Policy does not apply because there was only one bidder. A full bid tabulation is attached.

The Fleet Maintenance Division ("Fleet") of Public Works typically uses joint purchasing contracts for passenger (light duty) vehicle purchases and monitors them to find vehicles that best fit the needs of City departments. Fleet also monitors and stays in contact with nearby dealers, suppliers, vendors, and other organizations in the industry. In this case, Fleet became aware that a nearby dealer would have two vehicles that fit the needs for Economic & Community Development ("ECD") that were not available through a joint purchasing contract. Since the nearby dealer is not a sole or limited source vendor and is not on the joint purchasing contract, Fleet recommended going out to bid to provide the opportunity for the nearby dealer and other dealers to bid.

These units will be used daily by the Building Safety and Community Enhancement Divisions of the Economic and Community Development Department ("ECD"). As these will be new vehicles, there is no need to trade-in or auction replaced vehicles.

The Building Safety Division focuses primarily on the review and inspection of the built environment. Services include plan review and inspection of construction, plumbing, electrical, heating/ventilating, fire prevention, and air-conditioning systems. Routine fire inspections ensure public safety and provide information about current uses and layouts. The Community Enhancement Division is primarily responsible for the inspection, maintenance, and life safety of existing homes and commercial buildings throughout the

City. The services provided include complaint-driven code enforcement, a proactive rental housing inspection program, and Neighborhood Preservation Ordinance.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Invitation to Bid was advertised in *The Pantagraph* and *OpenGov* on March 31, 2023.

FINANCIAL IMPACT: If approved, the City will purchase two 2023 Ford Maverick Hybrid Pickup Trucks, from Bob Ridings Fleet Sales of Taylorville, IL, in the amount of \$55,070 (\$27,535 each). The Public Works Department has budgeted \$83,200 (\$41,600 each) for the purchase of the units in the Building Safety-Capital Outlay Licensed Vehicle account (10015410-72130) and the Community Enhancement-Capital Outlay Licensed Vehicle account (10015430-72130). Stakeholders can locate this in the FY 2024 Proposed Budget Books titled: "Budget Overview & General Fund" on pages 222 and 230 and "Other Funds & Capital Improvement" on page 77.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the **Bloomington Comprehensive Plan 2035**: Goal H-1. (Ensure the availability of safe, attractive, and high-quality housing stock to meet the needs of all current and future residents of Bloomington); and Goal CF-2. (Provide public services in a fiscally, socially, and environmentally responsible manner).

Respectfully submitted for consideration.

Prepared by: Rob Kroner, Superintendent of Fleet Management

ATTACHMENTS:

[PW 1B Bob Ridings Bid Proposal](#)

[PW 1C Bid Tab](#)

**Bob Ridings Fleet Sales
Todd Crews, Fleet Sales Mgr.
931 Springfield Rd
Taylorville IL 62568**

Ph. 217-824-2207

Email toddfleet@aol.com

Fax 217-824-4252

Monday, April 17, 2023

ROB KRONES
CITY OF BLOOMINGTON
336 S MAIN ST
BLOOMINGTON, IL 61701

Dear Rob:

Thank you for your inquiry about our Fleet Sales Program, please accept this letter as our bid. We are pleased you are again considering us for your new vehicles, note that ordering for Mavericks has closed but Bob Ridings has arranged for a few extras. These are going into production with delivery expected in May, contact me ASAP to reserve if desired or for any questions or changes and thanks,

- 2 2023 Ford Maverick HYBRID CREW Cab Pickup (W8E) w/4.5ft Bed**
CREW Cab includes Full Rear Doors and Rear Seat FRONT Wheel Drive, 121" WB
(993) 2.5 Litre 4cyl HYBRID w/Automatic, get up to 40 MPG!
Includes All XL Standard Equipment, Pkg (100A)
Silver Steel Wheels DOES NOT INCLUDE Power Mirrors
4 Wheel Anti Lock Brakes w/Advance Trac Traction Control
600 CCA Battery, 150 amp Alternator Rearview Camera
8" Touch Screen Controls AM/FM w/Bluetooth Hands Free Phone
P225/65R17 All Season Tires w/Compact Spare Air Conditioning
Tilt Wheel AND Cruise Control Power Windows/Locks/Remote Keyless Entry
(YZ) White Ext, Black CLOTH Bucket Seats, Carpeted Floor w/Front Mats
5200 lb GVWR, Approx 1100 lb Payload NO Trailer Hitch
ADD (16C) Molded Floor Liners
(96G) Spray in Bedliner
(47K) 110V Power Outlet
(4) Keys w/Remotes
Dealer Undercoat, Factory 5yr Rust Warranty
Delivery to your Location
New Municipal Title & Lic NOT Ordered
ONE CD Rom Service Manual
COST EACH \$27,535.00

YOUR TOTAL for 2, P/O # Pending \$55,070.00

Please contact me with any questions and thanks for your business!

Sincerely,

Todd Crews
Fleet Sales Manager

**TWO (2) NEW 5,2001b GVWR FORD MAVERICK HYBRID PICKUP TRUCKS
OR EQUIVALENT TRUCKS FOR THE ECONOMIC AND COMMUNITY
DEVELOPMENT DEPARTMENT
Bid #2023-35**

Please note that this form must be completed and submitted with Question #12 in the Vendor Questionnaire section in order for the bid to be responsive.

Year, Make, and Model: 2023 Ford Maverick Hybrid Crew Cab Pickup (W8E)

Number of Delivery Days from Receipt of Order: estimated 60-90 days

Tim Gleason, City Manager

Date Signed



**TWO (2) NEW 5,200lb GVWR FORD MAVERICK HYBRID PICKUP TRUCKS
OR EQUIVALENT TRUCKS FOR THE ECONOMIC AND COMMUNITY
DEVELOPMENT DEPARTMENT
Bid #2023-35**

**Important Information Regarding this Bid Package
All bidders please read through
the specifications carefully.**

All of the following 11 items are required for the above listed vehicle, **EXCEPTIONS** will not be granted on these items. Variations will only be granted if the item is covered in the individual bid specifications.

The City of Bloomington does reserve the right to reject any bid for any reason. The City of Bloomington does reserve the right to reject any bid and purchase like equipment from the State of Illinois Joint Purchasing Program if comparable equipment and competitive pricing is available.

1. All components provided in this specification shall be factory new, current model year and current design unless otherwise stated in the individual specification.
2. The following bid specifications are **minimum requirements** unless noted otherwise next to the item.
3. Any variations from the following minimum specifications shall be noted in the space provided directly to the right of the item. Bidders will be required to write "**Comply**" or "**Does Not Comply**" in the space provided directly to the right of the item.
4. In the event that your bid does not comply you are required to explain your variations in the space provided to the right of the item or provide an additional sheet of paper to explain your variation. Bids containing variations will be considered.
5. Bidders that do not follow these instructions will automatically be disqualified from this bid. **(This portion of these instructions will strictly be adhered to.)**
6. Delivery will be unless noted differently in the package:
F.O.B.
City of Bloomington
Vehicle Maintenance Facility
336 S. Main St.
Bloomington, IL. 61701

7. The awarded bidder shall contact Rob Krones at The City of Bloomington, (24) hours prior to the delivery of the vehicle at 309-434-2340. Delivery will only be accepted between the hours of 8:00 AM to 2:00 PM Monday through Friday.
8. All documents associated with the payment and registration of the new vehicles shall be delivered to Rob Krones at The City of Bloomington, prior to the time of delivery. The City of Bloomington prepares and submits all title and license applications to the State of Illinois.
9. Any trade-in units shall remain in service until the new vehicles have been inspected, approved for payment and ready to go into service for the City unless other arrangements are made with the Superintendent of Equipment Maintenance prior to the delivery of the unit(s).
- 10. Manuals:**

Dealer shall furnish one complete set of manuals on the equipment and all the options; this shall include but shall not be limited to the following:

 - a. Complete factory shop manuals for Vehicle (Engine, Electrical Diagrams, Air Conditioning, and other major components.
 - c. All factory shop manuals shall be provided in electronic media (CD-ROM) and shall be supplied to the Fleet Maintenance Division of Public Works Department.
 - d. All of the above shall be delivered at the time of delivery of the equipment.
- 11. Color and Trim:**

Exterior – Factory standard. All vehicles and equipment shall be supplied in the above colors unless indicated differently in the individual specifications to follow.

5,200lb GVWR FORD MAVERICK HYBRID PICKUP TRUCKS

1. Engine

- 1.1. 2.5L FHEV 4 Cylinder Hybrid/Gasoline Engine.
- 1.2. 50 State Emissions System

2. Alternator and Battery

- 2.1. 150 amp. Min. alternator
- 2.2. 600CCA Maintenance-Free Battery

3. Cooling system

- 3.1. Standard engine cooling package
- 3.2. Extended life coolant with antifreeze protection to -35 degree

4. Transmission

- 4.1. PowerSplit: Electrtronic Continuoustly Variable Transmission
- 4.2 Front Wheel Drive

5. Wheelbase

- 5.1. Crew Cab with Full Rear Doors and Rear Seat
- 5.2. 4.5 Foot Bed
- 5.3. 121 Inch Wheel Base

6. Tires and Wheels

- 6.1. Four (4) P255/65R17 A/S Radial Tires
- 6.2. 17 Inch Steel Wheels
- 6.3. One (1) Compact Spare Tire
- 6.4. Tire Pressure Monitoring System

7. Steering

- 7.1. Full Power Steering
- 7.2. Tilt Steering Wheel

8. Brakes

- 8.1. Power Disc Brakes With Anti-lock (ABS) and Advance Trac Traction Control

9. Suspension/Rear Axle

- 9.1. 5,200 lbs. GVWR
- 9.2. Factory Standard Suspension

10. Lights and Safety

- 10.1. Headlights Factory Standard with day Time Running Lights
- 10.2 Ford CoPilot 360, to Include Automated Emergency Braking, Collision Mitigation System, and Reverse Camera.

11. Interior

- 11.1. Shall be Supplied with a 12 Volt Power Outlet
- 11.3. Interior Hood Release
- 11.4. Driver and Passenger Front and Side Air bag/Curtain
- 11.5. Cruise Control
- 11.6. Tint Glass
- 11.7. Black Cloth Bucket Seats Factory Standard

12. Instruments

- 12.1. Instruments to be Factory Standard.

13. Heater and Air conditioning.

- 13.1. Factory Standard Heater and Air Conditioner System

14. Windshield wipers

- 14.1. Factory Standard Intermittent Windshield Wipers with Washer

15. Radio

- 15.1. AM/FM Radio with BlueTooth Hands Free Phone

16. Electrical Interior

- 16.1. 8 Inch Touch Screen Controls
- 16.2. 110 Volt Power Outlet

17. Doors and Windows

- 17.1. Power Equipment Group- Remote Key FOB, Power Side View Mirrors, Power Windows and Door Locks

18. Exterior Features

- 18.1. Spray in Bed Liner

19. Paint

- 19.1. Bright White Paint Body (Oxford White or equivalent)

20. Miscellaneous

- 20.1. Safety equipment: Fire extinguisher and first aid kit (Shipped Loose)

21. Keys

- 21.1. Four (4) Chassis keys

22. Rust and Corrosion protection

- 22.1. All vehicles shall be **rust Proofed** and **Undercoated**. Provide Copies of Manufacturer's Warranties.

Delivery:

Delivery of the completely assembled unit shall be FOB;
City of Bloomington Fleet Maintenance Facility
336 South Main Street
Bloomington, IL 61701

Bidder shall contact the Superintendent of Fleet Maintenance (Rob Krones 309-434-2340) at least (48) hours prior to delivery.

The City of Bloomington reserves the right to reject any or all bids, to waive informalities and to accept the bid proposals deemed most advantageous to the City of Bloomington



EVALUATION TABULATION

ITB No. Bid #2023-35

Two (2) New Ford Maverick Hybrid Pickup Trucks or Equivalent Trucks

RESPONSE DEADLINE: April 18, 2023 at 10:00 am

Report Generated: Tuesday, April 18, 2023

SELECTED VENDOR TOTALS

Vendor	Total
Bob Ridings Ford	\$55,070.00

TWO NEW FORD MAVERICK HYBRID TRUCKS OR EQUIVALENT TRUCKS

Two New Ford Maverick Hybrid Trucks or Equivalent Trucks					Bob Ridings Ford	
Selected	Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total
X	1	Two (2) New 5,200 lb. GVWR Ford Maverick Trucks or Equivalent Trucks	2	LS	\$27,535.00	\$55,070.00
Total						\$55,070.00



CONSENT AGENDA ITEM NO. 7.D.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve the Purchase of Neptune Water Meters, Related Accessories, Software Licensing, and Maintenance for Meter Reading Equipment from Ferguson Enterprises, as a Limited Source, for the Fiscal Year 2024 Water Meter Installation Program, in the Amount Not to Exceed \$1,000,000, 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

Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

Objective 1a. Budget with adequate resources to support defined services and level of services

Objective 2b. Quality water for the long term

BACKGROUND: If approved, the City will purchase Neptune water meters, related accessories, software licensing, and maintenance for meter reading equipment from Ferguson Enterprises. In August 2019, the Meter Services Section prepared a program evaluation describing the current water meter program and proposed improvements to it. In addition to the current program, the evaluation included current meter statistics, the American Water Works Association ("AWWA") Water Audit process, and meter sizing practices. Staff evaluated the current program and analyzed six alternatives to improve the current program. The proposed meter program is based on staff input, Neptune's Statistical Evaluation for Enhancement of Revenue ("SEER") data, and meter data, gathered annually, using a three-pronged approach, including: (1) a 15-year meter change-out program; (2) an emphasis on expedited replacement of turbine and compound meters; and (3) meters with lead content between .26% and 8%.

Public Works will use the funding to implement the improved Water Meter Installation Program, which will utilize existing staff to replace approximately 3,000 aged meters in the system per year and replace meter measuring elements in large meters. In addition, the program will include the purchase of compound meters, which takes an innovative approach by combining two metering technologies. In this type of meter, a positive displacement chamber measures low flow, while a turbine chamber records high flow. These meters are an ideal choice for facilities that experience rapid and wide fluctuations in water demand, such as hospitals, universities, residential complexes, manufacturing facilities, or processing facilities. The funding also supports the software licensing and the maintenance of the meter reading equipment.

Water metering technology varies greatly from one manufacturer to another as different technology and proprietary components are used, particularly in the areas of communication of meter reading information. At this point, the reading equipment and interactivity with the utility billing software make it extremely difficult and cost-prohibitive to invest in more than one type of meter. Simply put, different brands of water meters do not communicate well, if at all, with one another. Therefore, many utilities have settled upon a particular brand of meter, software, and meter reading equipment and negotiated the price of the water meters and the related accessories. On February 28, 2005, Council approved Resolution 2005-33, which specifically identified Neptune as the manufacturer of water meters to be used by the City. The City cannot competitively bid water meters of different brands and integrate them into the existing system. Ferguson Waterworks is the only distributor of Neptune products in this region (please see attached limited source letter). The Water Division compared FY 2023 pricing to FY 2024 pricing for the top ten most purchased items and found that price increases ranged from approx. 4% to approx. 12%. A table with these pricing changes is attached.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, the City will purchase Neptune Water Meters, Related Accessories, Software Licensing, and Maintenance for Meter Reading Equipment from Ferguson Enterprises, for the Fiscal Year ("FY") 2024 Water Meter Installation Program, in the amount not to exceed \$1,000,000. Funds totaling \$1,000,000 are included in the FY 2024 Budget under Water Meter Services-Meters account (50100150-71730). Stakeholders can locate this in the FY 2024 Proposed Budget Book titled "Other Funds & Capital Improvement" on page 99.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal UEW-1. (Provide quality public infrastructure within the City to protect public health, safety, and the environment); and Objective UEW-1.5. (Reliable water supply and distribution system that meets the needs of the current and future residents).

Respectfully submitted for consideration.

Prepared by: Nick O'Donoghue, Superintendent of Meter Services

ATTACHMENTS:

- [PW 2B Quote](#)
- [PW 2C Limited Source Justification](#)
- [PW 2D Sole Source Letter](#)
- [PW 2E Meter Pricing List](#)
- [PW 2F FY23 to FY24 Price Changes](#)

Deliver To: From: Tj Rodebaugh Comments:
--

FERGUSON WATERWORKS
Price Quotation
Phone: 815-756-2800
Fax: 815-756-2877

Bid No: [REDACTED]
Bid Date: 04/22/23
Quoted By: TJR

Cust Phone: 309-434-2334
Terms: NET 10TH PROX

Customer: CITY OF BLOOMINGTON
METERS
WATER DEPARTMENT
603 W DIVISION ST
BLOOMINGTON, IL 61701

Ship To: CITY OF BLOOMINGTON
METERS
WATER DEPARTMENT
603 W DIVISION ST
BLOOMINGTON, IL 61701

Cust PO#: VERBAL NICK

Job Name: 2024 MAINT.

Item	Description	Quantity	Net Price	UM	Total
	CONTRACT VALID FROM 01/01/2024 - 12/31/2024 ----				
N13812204	AMI 360 ADVANCED 20001-50000	22000	2.763	EA	60786.00
N13812211	AMR 360 ADVANCED 50001-100000	10000	0.945	EA	9450.00
SP-N13727001	MAINT R900 GATEWAY D COLLECTOR SERIAL NUMBERS: GPV402530 GPV402531 GPV402535 GPV402540 GPV402107 GPV402108 GPV402111 GPV402112 GPV402113 GPV402114 GPV402115 GPV402177 GPV402118 PGV401318	21	1526.660	EA	32059.86
N13721008	ANNUAL ENTITLEMENT FEE BELTCLIP SERIAL NUMBERS: BC303068 BC303082 BC303086 BC303089 BC300760 BC300780 BC300828 BC002005 BC000325 BC000341 BC000651 BC000658 BC000557	14	549.619	EA	7694.67



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=2521&on=4931>

Fax: 815-756-2877

16:12:46 APR 22 2023

Reference No: [REDACTED]

Item	Description	Quantity	Net Price	UM	Total
N13721005	BC000576 ANNUAL ENTITLEMENT FEE MRX920 SERIAL NUMBERS: MRX401714 MRX401240 MRX401174	4	2261.333	EA	9045.33

Net Total: \$119035.86
Tax: \$0.00
Freight: \$0.00
Total: \$119035.86

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
 Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.
 COVID-19 ORDER: ANY REFERENCE TO OR INCORPORATION OF EXECUTIVE ORDER 14042 AND/OR THE EO-IMPLEMENTING FEDERAL CLAUSES (FAR 52.223-99 AND/OR DFARS 252.223-7999) IS EXPRESSLY REJECTED BY SELLER AND SHALL NOT APPLY AS SELLER IS A MATERIALS SUPPLIER AND THEREFORE EXEMPT UNDER THE EXECUTIVE ORDER.



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Scan the QR code or use the link below to complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=2521&on=4931>

LIMITED SOURCE JUSTIFICATION

(Requester completes Section A & 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 & #: Ferguson Enterprises 1227	Amount: \$1,000,000	Date: 4/19/23
--	---------------------	---------------

Description of item/services: Purchase of Neptune Water Meters, software licensing, maintenance for meter reading equipment, and related accessories.

Justification: Water metering technology varies greatly from one manufacturer to another as different technology and proprietary components are used, particularly in the areas of communication of meter reading information. Therefore, the City cannot competitively bid water meters and associated accessories of different brands and integrate them into the existing system. The City embraced the emerging technology of radio frequency (RF) transmitting data collectors on water meters through City Council action, Resolution 2005-33, on February 28, 2005, specifically identifying Neptune as the manufacturer of water meters to be used by the City. The Water Division of the Public Works Department has been installing RF transmitting data collectors on its water meters since that time and is approximately 99% deployed. Ferguson Waterworks is the sole authorized distributor in Northern Illinois for Neptune R900 Gateway Antennas, RF meter reading equipment, water meters, meter interface units, and parts.

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.

Kevin Kothe



4/21/2023

(Name and Signature of Department Director or Designee)

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):



4/21/2023

Name and Signature of Purchasing Agent or Designee

Date

April 10, 2023

Mr. Nick O'Donoghue
City of Bloomington
603 West Division St.
Bloomington, IL 61701


Ref.: [FERGUSON WATERWORKS - Sole Authorized Distributor – Northern Illinois](#)

Neptune Technology Group Inc is pleased to affirm that FERGUSON WATERWORKS, is the sole authorized distributor in Northern Illinois for Neptune RF meter reading equipment and software, Neptune water meters, meter interface units and Neptune parts.

FERGUSON is authorized by Neptune to submit an offer for Neptune water meters and related products.

Thank you for your interest in Neptune products. If you have any questions, please contact your local FERGUSON representative, T.J. Rodebaugh at [REDACTED], your local Neptune representative, Pat Prasifka at [REDACTED].

Sincerely,


[REDACTED]
Patrick Prasifka
District Manager

FERGUSON WATERWORKS
Price Quotation
Phone: 815-756-2800
Fax: 815-756-2877

Bid No: [REDACTED]
Bid Date: 04/16/23
Quoted By: TJR

Cust Phone: 309-434-2334
Terms: NET 10TH PROX

Customer: CITY OF BLOOMINGTON
METERS
WATER DEPARTMENT
603 W DIVISION ST
BLOOMINGTON, IL 61701

Ship To: CITY OF BLOOMINGTON
METERS
WATER DEPARTMENT
603 W DIVISION ST
BLOOMINGTON, IL 61701

Cust PO#: VERBAL NICK

Job Name: MTR PRICE 0523-0424

Item	Description	Quantity	Net Price	UM	Total
	PAR #: A68296 VALID: 5/1/23 - 4/30/24 T-10 MTRS R900I				
NED2A11RPDF11	LF 5/8 T10 MTR P/C R900I CF	1	259.180	EA	259.18
NED2B11RPDF11	LF 5/8X3/4 T10 MTR P/C R900I CF	1	259.180	EA	259.18
NED2C11RPDF11	LF 3/4 T10 MTR P/C R900I CF	1	335.280	EA	335.28
NED2D11RPDF11	LF 3/4 SL T10 MTR P/C R900I CF	1	347.150	EA	347.15
NED2F11RPDF11	LF 1 T10 MTR P/C R900I CF	1	435.650	EA	435.65
NED2H11RPDF11	LF 1-1/2 T10 MTR P/C R900I CF	1	866.060	EA	866.06
NED2J11RPDF11	LF 2 T10 MTR P/C R900I CF	1	967.430	EA	967.43
	MACH 10 MTR R900I				
NEU1C2F1	3/4 MACH10 R900I CF	1	410.440	EA	410.44
NEU1D2F1	3/4SL MACH10 R900I CF *X	1	410.440	EA	410.44
NEU1F2F1	1 MACH10 R900I CF *X	1	504.940	EA	504.94
NEU2B2F1	1-1/2 MACH10 R900I CF 10 LL *X	1	972.480	EA	972.48
NEU2A2F1	1-1/2 MACH10 R00I CF 13LL *X	1	972.480	EA	972.48
NEU2F2F1	2 MACH10 R900I CF 10 LL *X	1	1155.960	EA	1155.96
NEU2G1F1	2 MACH10 CF 15-1/4 LL *X	1	1155.960	EA	1155.96
NEU2E2F1	2 MACH10 R900I CF 17LL *X	1	1155.960	EA	1155.96
	C & I 3-6 MACH 10 METERS				
NEU3A2F1	3" MACH 10, R900I, 12" LENGTH C/F	1	3293.580	EA	3293.58
NEU3B2F1	3" MACH 10, R900I, 17" LENGTH C/F	1	3376.150	EA	3376.15
NEU3C2F1	4" MACH 10, R900I, 14" LENGTH C/F	1	4183.490	EA	4183.49
NEU3D2F1	4" MACH 10, R900I, 20" LENGTH C/F	1	4293.580	EA	4293.58
SP-NEU3E2F1	6 MACH10 R900I CF 18 LL	1	6972.480	EA	6972.48
SP-NEU3F2F1	6 MACH10 R900I CF 24 LL	1	7137.610	EA	7137.61

Net Total: \$39465.48
Tax: \$0.00
Freight: \$0.00
Total: \$39465.48



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=2521&on=4931>

Fax: 815-756-2877

10:56:14 APR 16 2023

Reference No: [REDACTED]

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.
COVID-19 ORDER: ANY REFERENCE TO OR INCORPORATION OF EXECUTIVE ORDER 14042 AND/OR THE EO-IMPLEMENTING FEDERAL CLAUSES (FAR 52.223-99 AND/OR DFARS 252.223-7999) IS EXPRESSLY REJECTED BY SELLER AND SHALL NOT APPLY AS SELLER IS A MATERIALS SUPPLIER AND THEREFORE EXEMPT UNDER THE EXECUTIVE ORDER.



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FERGUSON WATERWORKS
TOP 10 MOST PURCHASED ITEMS AS OF 4/17/23

ITEM NAME	FY23	FY24	% CHANGE
LF 5/8 T10 MTR P/C R900I CF	\$246.54	\$259.18	5.13%
LF 5/8x3/4 T10 MTR P/C R900I CF	\$246.54	\$259.18	5.13%
LF 3/4 T10 MTR P/C R900I CF	\$318.93	\$335.28	5.13%
3/4 MACH 10 R900ICF	\$377.24	\$410.44	8.80%
2 MACH10 R900I CF 10 LL *X	\$1,115.04	\$1,155.96	3.67%
1 MACH10 R900I CF *X	\$450.08	\$504.94	12.19%
1 1/2 MACH10 R900I CF 10 LL *X	\$938.05	\$972.48	3.67%
3" MACH10 R900I 12" LENGTH C/F	\$3,123.30	\$3,293.58	5.45%
4" MACH10 R900I 14" LENGTH C/F	\$3,967.19	\$4,183.49	5.45%
6" MACH10 R900I CF 18LL	\$6,608.70	\$6,972.48	5.50%



CONSENT AGENDA ITEM NO. 7.E.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to Approve a General Liability Claim Settlement Involving Claimant Karen Stotts, as requested by the Human Resources Department.

RECOMMENDED MOTION: The proposed Settlement Authority in the amount of \$40,000 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: A lawsuit was filed by Karen Stotts claiming she incurred a significant injury while on City property. Although the City denies liability, the City's third-party claims handler has recommended settlement authority based on the estimated costs of defense.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, the \$40,000 will be paid by our third-party Claims Administrator from the City's escrow account.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: N/A

Respectfully submitted for consideration.

Prepared by: Alex Rosas, Safety and Risk Manager



CONSENT AGENDA ITEM NO. 7.F.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, for the American Rescue Plan Act Economic Development and Socio-Economic Grant Programs, as requested by the Finance Department and the Economic & Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 1. Financially Sound City Providing Quality Basic Services
- Goal 3. Grow the Local Economy
- Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 1e. Partnering with others for the most cost-effective service delivery
- Objective 3a. Retention and growth of current local businesses
- Objective 4b. Upgraded quality of older housing stock

BACKGROUND: On December 5, 2022, the Council approved the use of \$3,486,924 in American Rescue Plan Act ("ARPA") funds to be utilized for economic and socioeconomic purposes. The programs and amounts approved are outlined below. Since features of the programs were still being evaluated during the finalization of the Fiscal Year ("FY") 2024 budget, and knowing funds were set aside/allocated, these program expenditures were not included in the budget. Final program parameters were presented at the April 17, 2023, Committee of the Whole meeting. This Amendment officially appropriates expenditures in the FY 2024 budget so that grant dollars may be distributed.

- **Disproportionately Impacted Small Business Rehabilitation Grants** (\$1,443,462) - Maximum grant of \$45,000 to fund the rehabilitation of commercial properties, storefront improvements, and façade improvements for properties in Qualified Census Tracts.
- **ARPA Socio-Economic Non-Profit Grant** (\$1,021,731) - Each Non-Profit Grant shall be limited to two up to \$250,000 and three \$150,000 or less per recipient, with the balance to remain available for additional applicants for non-profits serving households with an annual income at or below 300% of the Federal Poverty Line. Grants to be utilized for needs identified in Consolidated Plan/Community Health Survey (examples include, homeless services, senior services, food services, health services focusing on disparities, mental health services, workforce development, and job training activities).
- **Affordable Housing Rehabilitation Grant** (\$1,021,731) - Maximum grants of \$45,000 for items including, but not limited to, accessibility improvements; roofs; porches; exterior stairs/steps; foundation/structural repairs; mechanical system

repair/replacement; lead remediation; exterior painting, trim and/or fascia. The recipient must have a household annual income at or below 80% of the Area Median Income (AMI) and the Housing Grant must be for a single-family home or rental unit located in the Regeneration Area of the City as defined by the City of Bloomington Comprehensive Plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Programs recommended based on Council direction, the City's Comprehensive Plan, and Community Health Assessment both of which were informed by significant public and organizational input.

FINANCIAL IMPACT: If approved, an FY 2024 budget amendment utilizing \$3,486,924 of ARPA funds will be processed adding expenditures to the following accounts:

1. Small Business Rehab Grant: General Fund, Economic Development, Misc. Expense account (10019170-79990-75200) for \$1,443,462.
2. Non-Profit Grant: General Fund, Community Enhancement, Misc. Expense account (10015430-79990-75100) for \$1,021,731.
3. Affordable House Rehab Grant: General Fund, Community Enhancement, Misc. Expense account (10015430-79990-75101) for \$1,021,731.

Please see the attached Exhibit A for further account details on the budget amendment.

AMERICAN RESCUE PLAN FUNDING IMPACT:

Per a Resolution approved by Council on July 25, 2022, of the \$13.4M total ARPA funds awarded to the City, \$2,193,462 was allocated to both Socioeconomic and Economic Development activities.

- \$150K of the Socioeconomic funds have been utilized for the Carle Mobile Health Unit, leaving \$2,043,462 available.
- \$750K of the Economic Development funds have been utilized for the Downtown Streetscape Project, leaving \$1,443,462 available.

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal ED-1 (Ensure a broad range of employment opportunities for all residents); Objective ED-1.1 (Focus on retention and expansion of existing businesses); Goal H-1. (Ensure the availability of safe, attractive and high-quality housing stock to meet the needs of all current and future residents of Bloomington); Goal H-2 (Ensure reinvestment in the established older neighborhoods and compact development of the City); and Goal CWB-3 (Develop a coordinated and efficient system of services that addresses comprehensive needs of children, families and communities).

Respectfully submitted for consideration.

Prepared by: Scott Rathbun, Finance Director

ATTACHMENTS:

[FIN 2B Ordinance](#)

[FIN 2C Exhibit A](#)

ORDINANCE NO. 2023 - ____

AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2024

WHEREAS, on April 10, 2023, by Ordinance Number 2023-027, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Beginning May 1, 2023, and Ending April 30, 2024, City of Bloomington, which Ordinance was approved by Mayor Mboka Mwilambwe on April 12, 2023; and

WHEREAS, a Budget Amendment is needed amending the Fiscal Year 2024 Budget to utilize American Rescue Plan Act (ARPA) funds in the amount of \$3,486,924 and increase the General Fund budget by \$3,486,924, as approved by City Council on December 5, 2022, as part of Ordinance 2022-119 for Small Business Rehabilitation Grants in the amount of \$1,443,462; Non-Profit Grants in the amount of \$1,021,731; and Affordable Housing Rehabilitation Grants in the amount of \$1,021,731, as requested by the Finance Department.

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

Section 1. Ordinance Number 2023-027 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2024) is further hereby amended by inserting the following line items and amount presented in Exhibit A and in the appropriate place in said Ordinances.

Section 2. Except as provided for herein, Ordinance Number 2023-027 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 2023-027.

Section 3. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

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

Section 5. This Ordinance shall take effect immediately after its approval and publication as required by law.

PASSED this 8th day of May 2023.

APPROVED this ____ day of May 2023.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

FY 2024 Budget Amendment-Exhibit A

Account #	Fund	Account Description	Amount
10015430-79990-75100	General	Other Misc. Expense-Non-Profit Grants	\$ 1,021,731.00
10015430-79990-75101	General	Other Misc. Expense-Affordable Housing Rehab Grants	\$ 1,021,731.00
10019170-79990-75200	General	Other Misc. Expense-Small Business Rehab Grants	\$ 1,443,462.00
10010010-40000	General	Use of Fund Balance	\$ (3,486,924.00)
		Net Transaction:	\$ -



CONSENT AGENDA ITEM NO. 7.G.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, to Increase the General Fund Budget by \$149,125.23, as requested by the Finance Department and the Police Department.

RECOMMENDED MOTION: That the Ordinance be approved.

STRATEGIC PLAN LINK:

Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

Objective 4a. Residents feeling safe in their homes and neighborhoods

BACKGROUND: On March 13, 2023, the City Council approved an Ordinance and subsequent Fiscal Year ("FY") 2023 budget amendment for \$500,000 for the Violence Prevention Measure Funds. See the below list for programs authorized. The Police Department was able to spend \$350,874.77 of the dollars prior to the end of FY 2023. Since the funds were not included in the FY 2024 Budget, a budget amendment is requested to add the remaining \$149,125.23 to the FY 2024 Police Department Budget.

Violence Prevention Programs approved:

1. Text-A-Tip Program (\$12,000): Automated digital tip program that allows community members to text anonymous tips to Bloomington Police Department ("BPD") with the use of a cellular or smart device.
2. Youth Summer Camp (\$40,000): Partner with school and community groups to identify the participants. The camp will provide problem-solving and conflict-resolution instruction, discipline, team-building exercises, day trips, and meals. **(pending)*
3. Reward Money for Tips (\$40,000): This program will provide incentives for the sharing of vital information from the public concerning violent crimes and illegal gun possession. **(pending)*
4. National Integrated Ballistics Information Network (\$162,000): This is technology developed by the U.S. Bureau of Arson, Tobacco, Firearms, and Explosives that allows police agencies to perform automatic ballistic correlation of seized spend cartridges from crime scenes.
5. Gun Buy Back Program (\$60,000): This is a program to buy back firearms. These programs have had measured success throughout the country, especially for community members who have no other outlet to responsibly and safely relieve themselves of possession of guns they prefer not to have. **(pending)*
6. Gun Lock Purchase Program (\$60,000): This program would allow City residents to either receive gun lockers or apply for vouchers to purchase gun lockers at retailers.
7. Mobile Public Safety Trailer Cameras (2) (\$80,000): These cameras will be used to

deter crime at public gatherings and violent crime hotspots. This allows for real-time and recorded surveillance footage to further enhance the Police Department's current network.

8. Tethered/Untethered Unmanned Aerial Vehicles ("UAV") & Training (\$46,000): These UAVs will help as a deterrent of violent crime at public events, locate missing elderly/children, fugitive apprehension, hostage/barricaded subjects and to collect evidence related to violent crimes and significant car crashes all as permitted by law.

The *(pending)* items above total \$140,000. Other program expenditures came in \$9,125.23 below the original budgeted amount, therefore that amount is being included in this amendment for a total of \$149,125.23.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: NA

FINANCIAL IMPACT: If approved, the FY 2024 budget will be amended by \$149,125.23, and the funds allocated as follows:

1. Summer Youth Camp: General Fund, Police Other Purchased Service Account (10015110-70690) for \$40,000.
2. Crime Tip Program: General Fund, Police Investigative Expense Account (10015110-79050) for \$40,000.
3. Gun Buy Back Program: General Fund, Police Other Misc. Expense Account (10015110-79990) for \$60,000.
4. Misc. expenditures for the furtherance of Violence Reduction & Prevention Initiatives: General Fund, Police Other Misc. Expense Account (10015110-79990) for \$9,125.23.

Additional details on the accounts used for the budget amendment can be found in Exhibit A of the Ordinance.

AMERICAN RESCUE PLAN FUNDING IMPACT: NA

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goals PS-1 (Reduce crime and the fear of crime) and Objectives PS-1.1 (Maintain adequate staffing to meet the policing needs of the community), PS-1.2 (Develop personnel and increase departmental efficiencies; review and research relevant technologies), PS-1.3 (Enhance community and police partnerships), and PS-1.5 (Develop strategies to address high crime areas)

Respectfully submitted for consideration.

Prepared by: Scott Rathbun, Finance Director

ATTACHMENTS:

[FIN 3B Ordinance](#)

[FIN 3B Ordinance Exhibit A](#)

ORDINANCE NO. 2023 - ____

AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2024

WHEREAS, on April 10, 2023, by Ordinance Number 2023-027, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Beginning May 1, 2023, and Ending April 30, 2024, City of Bloomington, which Ordinance was approved by Mayor Mboka Mwilambwe on April 12, 2023; and

WHEREAS, a Budget Amendment is needed amending the Fiscal Year 2024 Budget to increase the FY 2024 Budget, for the Police Department to utilize the remaining \$149,125.23 in Violence Prevention Measure funds. The City Council on March 13, 2023, approved an Ordinance and subsequent budget amendment for \$500,000 for the Violence Prevention Measure Funds. The Police Department was able to spend \$350,874.77 of the dollars prior to FY 2023 Year End. Since the funds were not included in the FY 2024 Budget, a budget amendment is requested to add the remaining \$149,125.23 to the FY 2024 Police Department Budget, as requested by the Finance Department.

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

Section 1. Ordinance Number 2023-027 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2024) is further hereby amended by inserting the following line items and amount presented in the Exhibit and in the appropriate place in said Ordinances.

Section 2. Except as provided for herein, Ordinance Number 2023-027 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 2023-027.

Section 3. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

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

Section 5. This Ordinance shall take effect immediately after its approval and publication as required by law.

PASSED this 8th day of May 2023.

APPROVED this ____ day of May 2023.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

FY 2024 Budget Amendment - Exhibit A

Account #	Fund	Account Description	Amount	Comments
10010010-40000	General	Use of Fund Balance	\$ (149,125.23)	
10015110-70690	General	Other Purchased Services	\$ 40,000.00	Summer Youth Camp
10015110-79050	General	Police Investigative Expense	\$ 40,000.00	Crime Tip Awards
10015110-79990	General	Police Other Miscellaneous Expense	\$ 60,000.00	Gun Buy Back
10015110-79990	General	Police Other Miscellaneous Expense	\$ 9,125.23	Remainder for furtherance of the Violence Reduction & Prevention Initiative
		Net Transaction:	\$ (0.00)	



CONSENT AGENDA ITEM NO. 7.H.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on an Ordinance Amending Chapter 6 of the Bloomington City Code to Add a Class FM (Farmer's Market) Liquor License Authorizing the Retail Sale of Packaged Alcohol at Farmer's Markets, as requested by the City Clerk Department and the Legal Department.

RECOMMENDED MOTION: The proposed Ordinance be Approved.

STRATEGIC PLAN LINK:
Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:
Objective 3b. Attraction of new targeted businesses that are the "right" fit for Bloomington

BACKGROUND: In February of 2023, Economic & Community Development Department Farmer's Market staff requested the City Clerk pursue the creation of a new FM (Farmer's Market) liquor license classification that would allow licensed vendors to sell and offer tastings of alcohol at Bloomington's Downtown Farmer's Market. The new classification type requested would be specific to City of Bloomington Farmer's Market events held throughout the year. The new FM classification would allow for the sale of alcohol in its original packaging for off-premises consumption, as well as tastings limited to one ounce of vinous alcohol, two ounces of beer, or half an ounce of spirits. Tastings would be limited to starting no earlier than 9:00 a.m. Upon receiving the request, City Clerk and Legal staff began researching the opportunity and presented it to the Liquor Commission on April 24, 2023. The Liquor Commission positively recommended that the Council approve the addition of the new FM liquor license classification.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Should the new liquor license classification be created, City staff recommend the fee of the annual license be \$100. This would be recorded in the Non-Departmental-Liquor License account (10010010-51010). Stakeholders can locate this in the FY 2024 Proposed Budget Book titled "Budget Overview & General Fund" on page 125. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Package Liquor Tax.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal ED-2 (Foster a culture of entrepreneurship); Goal D-1 (Continue to build a healthy Downtown that offers a range of employment, retail, housing, cultural and entertainment opportunities for all); Goal D-2 (Market and promote the unique brand and image of Downtown Bloomington); and Goal D-

2.7 (Continue support and coordination efforts for the Farmers Market).

Respectfully submitted for consideration.

Prepared by: Ashley Lara, Records & Licensing Specialist

ATTACHMENTS:

[CLK 2B Ordinance](#)

ORDINANCE NO. 2023 - _____

AN ORDINANCE AMENDING CHAPTER 6 OF THE BLOOMINGTON CITY CODE TO ADD A CLASS FM (FARMER'S MARKET) LIQUOR LICENSE AUTHORIZING THE RETAIL SALE OF ALCOHOL AT FARMER'S MARKETS

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

Section 1. That Chapter 6 of the Municipal Code of the City of Bloomington, Illinois, 1960, as amended, is hereby amended by adding to Section 6-112 (Ch. 6, Sec. 7A), subsection (5) to read as follows:

- (5) A Class FM license shall authorize the retail sale of alcohol in its original package form for consumption off-premises at farmer's markets, subject to the following:
- (a) The term "farmer's market" shall mean a regularly scheduled, indoor or outdoor market where farmers and producers may bring such products for sale to the general public:
 - (i) agricultural and related products including, but not limited to, fresh produce, meat, juice, and cheese;
 - (ii) value-added food products, such as baked goods, flavored honey, jams, and salsa; or
 - (iii) crafts, such as handmade ornaments, candles, soaps, jewelry, etc.
 - (b) An applicant for a Class FM license shall have a valid, executed agreement with the Economic & Community Development Department for use of a booth or location at a City sponsored farmer's market and shall be subject to vendor rules, regulations, and application procedures promulgated by the Department, along with any reasonable restrictions required by the Liquor Commissioner. Any Class FM license shall only be valid at a City farmer's market on the days for which the licensee has been approved.
 - (c) It shall be lawful for the licensee to permit the tasting or sampling of beer, wine, or spirits at the licensee's booth at the farmer's market if such tasting or sampling is:
 - (i) Of beer, wine, or spirits that was manufactured or otherwise produced by the licensee meeting the farmer's market's qualifications for products sold and is being presented for sale in its original package form for off-premises consumption;
 - (ii) In an amount no greater than one ounce for wine beverages, two ounces for beer, and 1/2 ounce for spirits;
 - (iii) Served with no charge of any kind or character for the sample or tasting;

- (iv) Served no earlier than 9:00 a.m.;
 - (v) Served by a person aged twenty-one or older;
 - (vi) Samples may not be taken away from the immediate booth area and must be consumed or otherwise disposed of within ten feet of the booth area;
 - (vii) All samples must be served in plastic, paper, or foam containers only.
- (d) Tasting shall be defined and subject to the rules set forth in Section 6-101 (Ch. 6 Sec. 1) of this Chapter and subject to the rules set forth therein.
 - (e) The storage and display of the beer, wine, or spirits shall be in a manner to protect the product from improper use.
 - (f) No agent or employee of a licensee shall sell to or allow for the tasting of any alcoholic liquor by any person under age twenty-one, or allow, directly or indirectly, any person under age twenty-one to possess or consume any amount of any alcoholic liquor. The licensee, its agent, or its employee, shall, prior to selling or serving any alcoholic liquor, inspect the identification card of each person purchasing or consuming any alcoholic liquor under this section for the purposes of determining whether that individual is of lawful age to possess or consume alcoholic liquor.

Section 2. The Bloomington City Code is hereby further amended by renumbering and redesignating the subsections of Section 6-112 (Ch. 6, Sec. 7A) to conform to the addition of the above-referenced subsection.

Section 3. The City Clerk is authorized and directed to publish this Ordinance in pamphlet form as provided by law.

Section 4. This Ordinance shall take effect immediately after passage.

Section 5. This Ordinance is adopted pursuant to Home Rule Authority granted to the City of Bloomington by Article VII, Section 6, of the Illinois Constitution, 1970.

PASSED this 8th day of May 2023.

APPROVED this ___ day of May 2023.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 7.I.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: Ward 1

SUBJECT: Consideration and Action on an Application from Lil Beaver Brewery, LLC, d/b/a Lil Beaver Brewery, located at 16 Currency Dr., Unit 2, Requesting Approval of a Change of Ownership for its Class TAPS (Tavern, All Types of Alcohol, with Package, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Application be approved.

STRATEGIC PLAN LINK:

Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

Objective 3a. Retention and growth of current local businesses

BACKGROUND: The City Code requires that whenever a liquor license holder will have more than a 5% change in ownership, the change must be approved by the Liquor Commission. Lil Beaver Brewery, LLC (Applicant), located at 16 Currency Dr., Unit 2, holds a Class TAPS (Tavern, All Types of Alcohol, with Package, and Sunday Sales) Liquor License and is seeking approval of a 51% change of ownership. The ownership structure changes are reflected below:

Current Ownership Structure: Chad Bevers, 51%; BBIG, LLC, 49%.

Proposed Ownership Structure: BBIG, LLC, 100%

On April 24, 2023, the Liquor Commission voted to positively recommend the Change of Ownership to Council as requested and presented above. All license creations, amendments or transfers are contingent upon compliance with all building, health, and safety codes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on April 2, 2023, a public notice was published in *The Pantagraph*. 19 notices were mailed to properties adjacent to the applicant property.

FINANCIAL IMPACT: The current annual license fee for a Class TAPS liquor license is \$3,300 and will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2024 Proposed Budget Book titled "Budget Overview & General Fund" on page 125. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal ED-1 (Ensure a broad range of employment opportunities for all residents); and Objective ED-1.1 (Focus on retention

and expansion of existing businesses).

Respectfully submitted for consideration.

Prepared by: Ashley Lara, Records & Licensing Specialist

ATTACHMENTS:

[CLK 3B Application & Liquor Commission Minutes](#)

May 1, 2023

City Clerk Requirement Verification Memo

To: City Council Review

Re: Legal Name: Lil Beaver Brewery LLC

D/B/A Name: Lil Beaver Brewery

Dear Reviewer,

The City Clerk Department has reviewed the application of the above-mentioned applicant's submission. The required documents below were reviewed and considered suitable.

- List of Owner Information and Percentage Owned
- Financial Documents
- Lease with Bellas Landscaping, LLC
 - Expiration: 06/01/2023
- Computer Generated Floor Plan
- Proof of Good Standing with the State of IL

The documents listed above are available for review upon request.

Applicant currently holds the following additional licenses:

- Catering
- Video Gaming

If you have any questions or concerns, please feel free to reach out.

Respectfully,

Ashley Lara
Records & Licensing Specialist

Liquor License Application

Applicant Business Contact Information: Please fill in your business information completely and legibly.

Legal Entity Name (Corporate/LLC Name)	Lil Beaver Brewery LLC
Doing Business As (DBA) OR Establishment Name <i>(Assumed names must be registered with the State of Illinois)</i>	Lil Beaver Brewery
Legal Entity Address (including City, State, and Zip)	16 Currency Drive
Legal Entity Phone Number	[REDACTED]
Legal Entity Email Address	justin@lilbeaverbrewery.com
Establishment Address including Zip	16 Currency Drive, Bloomington, IL 61704
Establishment Phone Number	3098082590
Establishment Email Address	brandon@lilbeaverbrewery.com
*Email Address for <u>ALL</u> City Communications:	brandon@lilbeaverbrewery.com

*Note, that all City communications related to this Application and/or the resulting license, if approved, will be sent by email to the email designated for all City Communications. It is the responsibility of the business to notify the City of any changes.

BELOW PLEASE LIST THOSE RESPONSIBLE FOR LICENSING THE ESTABLISHMENT

Primary Contact:

Name (First & Last)	City	State	Zip
Justin Bellas	Bloomington	IL	61704
Phone Number	Email Address		
[REDACTED]	[REDACTED]		

Contact Information for the Legal Entity's Agent: *(If applicable)*

Name (First & Last)	City	State	Zip
Justin Bellas	Bloomington	Illinois	61704
Phone Number	Email Address		
[REDACTED]	[REDACTED]		

Contact Information for the Establishment's General Manager: *(If different than above)*

Name (First & Last)	City	State	Zip
Brandon Ciasnocha	Bloomington	IL	61704
Phone Number	Email Address		
[REDACTED]	[REDACTED]		

Applicants should review Chapter 6: Alcoholic Beverages (<https://ecode360.com/34403863>) of the Bloomington City Code for all requirements, obligations and information on liquor licensing.

Liquor License Fee Chart					
Class	Description	2020 Fees		2021 Fees	
		Semi	Annual	Semi	Annual
PA	Package Sales – All Types of Liquor <i>(Fee applies to all except CA, EA, RA, or TA)</i>	\$600	\$1,200	\$650	\$1,300
PB	Package Sales – Beer and Wine Only	\$450	\$900	\$500	\$1,000
	<i>(Package Sales fee for CB, EB, RB, or TB, but no Package Sales fee applies to CA, EA, RA, or TA)</i>	\$112.50	\$225	\$150	\$300
S	Sunday <i>(Fee applies to all except CA & CB)</i>	\$275	\$550	\$300	\$600
	Curbside Pick-Up and Delivery of Alcohol	-	-	-	-
	Outdoor Consumption Area	-	-	-	-

Liquor License Fee Chart (cont.)					
Class	Description	2020 Fees		2021 Fees	
		Semi	Annual	Semi	Annual
CA	Clubs – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
CB	Clubs – Beer and Wine Only	\$400	\$800	\$450	\$900
EA	Entertainment/Recreational Sports Venue – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
EB	Entertainment/Recreational Sports Venue – Beer and Wine Only	\$400	\$800	\$450	\$900
GPB	Convenience Store (Package) – Beer and Wine Only	\$450	\$900	\$500	\$1,000
MA	Hotel/Motel – All Types of Liquor	\$600	\$1,200	\$650	\$1,300
MB	Hotel/Motel – Beer and Wine Only	\$375	\$750	\$425	\$850
RAP	Restaurant, All Types of Liquor, and Package Sales	\$1,200	\$2,400	\$1,350	\$2,700
RBP	Restaurant, Beer & Wine Only, and Package Sales	\$512.50	\$1,025	\$750	\$1,200
RA	Restaurant – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
RB	Restaurant – Beer and Wine Only	\$400	\$800	\$450	\$900
ST	Stadium – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
TAP	Tavern, All Types of Liquor, and Package Sales	\$1,200	\$2,400	\$1,350	\$2,700
TBP	Tavern, Beer and Wine Only, and Package Sales	\$512.50	\$1,025	\$750	\$1,200
TA	Tavern – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
TB	Tavern – Beer and Wine Only	\$400	\$800	\$450	\$900

The questions contained in this Application apply equally to all business owners, partners, officers, or members of the applicant business. If more space is needed to answer any question completely, please attach the additional information.

Status of Business Information:

- Check the applicable box which corresponds to your business's filing with the Illinois Secretary of State.

<input type="checkbox"/> Sole Proprietorship <input checked="" type="checkbox"/> Limited Liability Company (LLC) <i>A copy of the Articles of Organization must be attached.</i>	<input type="checkbox"/> Partnership (Date of Formation: _____) <input type="checkbox"/> Corporation (Inc. or Corp.) <i>A copy of the Articles of Incorporation must be attached.</i>
--	---
- Attach a list including the name, age, address, and percent of ownership/stock for each owner/partner/member.
- Yes No N/A **If Applicant is a Corporation or LLC:** Is any individual owning more than 5% of stock in the applicant business ineligible to hold a liquor license for any reason other than citizenship or residence? *If yes, please identify the individual(s) and explain:* _____

Business Owner/Operator: (Please circle Yes (Y) or No (N) where applicable.)

- I verify that all owners, partners, officers, members, and majority stockholders:

<input checked="" type="radio"/> Yes	<input type="radio"/> No	Are 21 years of age or older.
<input checked="" type="radio"/> Yes	<input type="radio"/> No	Are citizens of the United States.
<input checked="" type="radio"/> Yes	<input type="radio"/> No	Have never been convicted of any felony, or of the violation of any law relating to the prohibition of the sale of alcoholic liquor, or any other crime or misdemeanor (except minor traffic violations).
<input checked="" type="radio"/> Yes	<input type="radio"/> No	Have never been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor.
<input checked="" type="radio"/> Yes	<input type="radio"/> No	Have never been convicted of pandering or any other crime opposed to decency and morality.
- Illinois Liquor Law states the applicant individual must be a resident of the city, village or county in which the premises covered by the license is located. 235ILCS 5/6-2(a)(1)

2A	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Are any of the persons listed under ownership a resident of McLean County?
2B	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Is the General Manager a resident of McLean County?
- Yes No Is the General Manager of the establishment unable to hold a liquor license for any reason other than citizenship or residence?
- Yes No Is the establishment located within 100 feet of any church, school, hospital, home for aged, indigent persons, or war veterans and/or their wives or children?



5. Yes No Is the premises for which the license is sought owned?
 5A Yes No If not, does a valid lease to the premises for which the license is sought exist?
If so, a copy of the lease is required.
- Yes No 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 in connection with the proposed sale of alcoholic beverages? *If yes, please explain:* _____

Nature of License:

- What type of establishment is intended to be operated with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop) Brewery with attached restaurant/taproom
- What class of liquor license is being sought? (See descriptions beginning on page 1.) TAPS
- Yes No Will the establishment offer Sunday Sales?
- Yes No Will the establishment offer Curbside Pick-Up & Delivery of Alcohol? (Package License Holders Only)
 See City Code Ch. 6 Sec. 32 for more details. <https://ecode360.com/34837503>
- Yes No Will the establishment offer an Outdoor Dining Area?
- State the reason the applicant desires a liquor license for the establishment: This license application is due to a change of ownership within Lil Beaver Brewery
- If approved, how would the liquor license benefit the City and its residents? We draw high traffic from both local residents of the area and outside leading to more tax revenue
- Yes No Will the establishment offer live entertainment in the establishment? *If yes, please explain:*
No current plans, nothing in the past, but possibly in the future.
- Yes No Will the proposed or current establishment sell food?
- Yes No Will most of the establishment's gross revenue come from sources other than the sale of alcohol?
If yes, what sources will such revenue be derived? Food and merchandise sales
- If approved, what license renewal billing cycle would be preferred? Annual Semi-Annual

Impact of Establishment:

- What are the proposed hours of operation?

Day	Time Open	Time Close
Monday:	11am	9pm
Tuesday:	11am	9pm
Wednesday:	11am	9pm
Thursday:	11am	9pm
Friday:	11am	10pm
Saturday:	11am	10pm
Sunday:	11am	4pm

- Describe the surrounding neighborhood within 500 ft. of the establishment (e.g. residential, commercial, mixed, etc.)
We are located within a commercial area surrounded by mostly businesses
 - If there are office or commercial buildings nearby, approximately what are their hours of operation?
8am to 4pm typically
 - Is the area predominately residential, are they single or multi-family homes?
No
- Describe any and all streets immediately surrounding the establishment: (e.g. approximate width, one-way, two-way, parking restrictions, etc.)
We are located between Finance Dr. and Currency Dr., with street parking available on both streets with restrictions.
- How much additional traffic is expected to be generated with a liquor license?
Same as before
- Describe any and all on- and off-street parking:
We have two parking lots, one off Finance Dr and one off Currency Dr and street parking is available
- How many establishments with liquor licenses are located within 500 ft. of the establishment? 1



Responsibility:

- 1. If the establishment **is presently in operation**, attach a financial statement of the establishment's last fiscal year.
- 2. If the establishment **is not presently in operation**, attach a financial statement showing ownerships personal assets and liabilities (or the entity's assets and liabilities).
- 3. Yes No Is the establishment eligible for a State of Illinois retail liquor dealer's license? Currently holds a State license
- 4. Yes No Has any owner, partner, officer, member, or majority stockholder ever held a liquor license?
 4A If yes, please explain: Currently a part of Lil Beaver Brewery as it stands, application is to change ownership on the city record
- 5. Yes No If yes, has any owner, partner, officer, member, or majority stockholder ever been found guilty of violating Bloomington's Liquor Ordinance? *If yes, please explain:* _____
- 6. Yes No Has any owner, partner, officer, member, or majority stockholder ever had a liquor license revoked? *If yes, please explain:* _____
- 7. Yes No Has a similar application made by any of the persons of ownership ever been denied? *If yes, please explain:* _____
- 8. Yes No Has any other license type ever been revoked from any owner, partner, officer, member, or majority stockholder? *If yes, please explain:* _____

Please provide any additional information significant to this application:

Additional License Interests:

Are any of the below additional licenses of interest to the establishment?

- Yes No **Sidewalk Café License** (*Downtown Area Only*) Allows use of public sidewalk for serving food and beverages on the sidewalk immediately adjacent to the establishment.
- Yes No **Catering Liquor License** *Allows liquor license holders to provide catering services to private parties.*
- Yes No **Video Gaming License** Allows an establishment to have video gaming terminals and to conduct video gaming on the premises as defined by the Illinois Video Gaming Act.
- Yes No **Public Dancing License** Allows a for-profit establishment to offer dance privileges to the public.
- Yes No **Tobacco License** Allows retail sale of any cigar, cigarette, snuff, chewing tobacco, manufactured product of tobacco or tobacco in any form.

Please note that each of the above-mentioned licenses requires a separate application and most require additional documentation. Applications available via the City Clerk Department.

I, the undersigned, swear or affirm that:

- 1. I am authorized to sign as an owner, officer, or authorized agent, of the above listed establishment;
- 2. I declare that all the information included in this application, and any attachment hereto, is true and accurate to the best of my information, knowledge, and belief;
- 3. All applicants of the establishment are qualified and eligible to obtain the license applied for;
- 4. I have read and understand the requirements of the City of Bloomington Code pertaining to **Chapter 6: Alcoholic Beverages** <https://ecode360.com/34403863>; and
- 5. If approved, I certify in accordance with 235 ILCS 5/6-27.1 and City Code Chapter 6: Section 29, that all employees required to check IDs will become BASSET certified within 120 days of employment, that at least one BASSET Certified employee will be on the premises at all times, that all certifications will be kept on premises, and that all certifications will immediately be made available upon request by any law enforcement personnel.

Brandon Ciasnocha

 Name (Please Print)

 Signature

Manager

 Title
 02/27/2023

 Date

The following item was presented:

Item 5.C. Public Hearing and Action on an Application from Lil Beaver Brewery, LLC, d/b/a Lil Beaver Brewery, located at 16 Currency Dr., Unit 2, Requesting Approval of a Change of Ownership for their Class TAPS (Tavern, All Types of Alcohol, with Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the Public Hearing at 4:17 p.m.

Justin Bellas, Owner of Lil' Beaver Brewery, after being sworn in, addressed the Commission. Mr. Bellas explained the Change in Ownership and assured the Commission that nothing would change in day-to-day operations.

Commissioner Meister and Staff had no questions or concerns.

Commissioner Mwilambwe closed the Public Hearing at 4:19 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to Positively recommend the item to Council.

AYE: Mwilambwe, Meister

Motion Carried.



CONSENT AGENDA ITEM NO. 7.J.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: Ward 6

SUBJECT: Consideration and Action on an Application from Pour Bros., Co., d/b/a Pour Bros., to be Located at 236 E. Front St., Requesting the Creation of a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Application be approved.

STRATEGIC PLAN LINK:
Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:
Objective 3a. Retention and growth of current local businesses

BACKGROUND: Pour Bros., Co. (Applicant) plans to open at 236 E. Front St. The Applicant is requesting a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License. Pour Bros, Co. currently operates multiple locations throughout the State of Illinois and plans to operate the local establishment similarly to its other locations.

On April 24, 2023, the Liquor Commission voted to positively recommend the Application to Council as requested and presented above. Draft minutes of the meeting are attached. All license creations, amendments, or transfers are contingent upon compliance with all building, health, and safety codes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on April 2, 2023, a public notice was published in *The Pantagraph*. 129 notices were mailed to properties within 500 feet of the applicant's property.

FINANCIAL IMPACT: The current annual license fee for a Class TAS Liquor License is \$3,300 and will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2024 Proposed Budget Book titled "Budget Overview & General Fund" on page 125. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal ED-1 (Ensure a broad range of employment opportunities for all residents); and Objective ED-1.1 (Focus on retention and expansion of existing businesses).

Respectfully submitted for consideration.

Prepared by: Ashley Lara, Records & Licensing Specialist

ATTACHMENTS:

[CLK 4B Application & Liquor Commission Minutes](#)

May 1, 2023

City Clerk Requirement Verification Memo

To: City Council Review

Re: Legal Name: Pour Bros. Co

D/B/A Name: Pour Bros.

Dear Reviewer,

The City Clerk Department has reviewed the application of the above-mentioned applicant's submission. The required documents below were reviewed and considered suitable.

- List of Owner Information and Percentage Owned
- Financial Documents
- Lease with Inn Front, LLC
 - Expiration: 05/15/2028
- Articles of Incorporation
- Bloomington/Normal Food and Beverage Tax Registration Form
- Computer Generated Floor Plan
- Certificate of Good Standing with the State of IL

The documents listed above are available for review upon request.

Applicant has indicated interest in the following additional licenses:

- Outdoor Dining
- Catering

If you have any questions or concerns, please feel free to reach out.

Respectfully,

Ashley Lara
Records & Licensing Specialist



Liquor License Application

Applicant Business Contact Information: Please fill in your business information completely and legibly.

Legal Entity Name (Corporate/LLC Name)	Pour Bros.Co.
Doing Business As (DBA) OR Establishment Name <i>(Assumed names must be registered with the State of Illinois)</i>	Pour Bros.
Legal Entity Address <i>(including City, State, and Zip)</i>	[REDACTED]
Legal Entity Phone Number	8128931004
Legal Entity Email Address	nathanmonroe4@gmail.com
Establishment Address including Zip	236 E. Front St., Bloomington, IL 61701
Establishment Phone Number	8128931004
Establishment Email Address	nathanmonroe4@gmail.com
*Email Address for ALL City Communications:	nathanmonroe4@gmail.com

*Note, that all City communications related to this Application and/or the resulting license, if approved, will be sent by email to the email designated for all City Communications. It is the responsibility of the business to notify the City of any changes.

BELOW PLEASE LIST THOSE RESPONSIBLE FOR LICENSING THE ESTABLISHMENT

Primary Contact:

Name (First & Last)	City	State	Zip
Nathan Monroe	[REDACTED]	[REDACTED]	[REDACTED]
Phone Number	Email Address		
8128931004	nathanmonroe4@gmail.com		

Contact Information for the Legal Entity's Agent: *(If applicable)*

Name (First & Last)	City	State	Zip
DENNIS MERKLEY	[REDACTED]	[REDACTED]	[REDACTED]
Phone Number	Email Address		
[REDACTED]	[REDACTED]		

Contact Information for the Establishment's General Manager: *(If different than above)*

Name (First & Last)	City	State	Zip
Jason Fowler	[REDACTED]	[REDACTED]	[REDACTED]
Phone Number	Email Address		
[REDACTED]	[REDACTED]		

Applicants should review Chapter 6: Alcoholic Beverages (<https://ecode360.com/34403863>) of the Bloomington City Code for all requirements, obligations and information on liquor licensing.

Class	Description	2020 Fees		2021 Fees	
		Semi	Annual	Semi	Annual
PA	Package Sales – All Types of Liquor <i>(Fee applies to all except CA, EA, RA, or TA)</i>	\$600	\$1,200	\$650	\$1,300
PB	Package Sales – Beer and Wine Only	\$450	\$900	\$500	\$1,000
	<i>(Package Sales fee for CB, EB, RB, or TB, but no Package Sales fee applies to CA, EA, RA, or TA)</i>	\$112.50	\$225	\$150	\$300
S	Sunday <i>(Fee applies to all except CA & CB)</i>	\$275	\$550	\$300	\$600
	Curbside Pick-Up and Delivery of Alcohol	-	-	-	-
	Outdoor Consumption Area	-	-	-	-

Liquor License Fee Chart (cont.)					
Class	Description	2020 Fees		2021 Fees	
		Semi	Annual	Semi	Annual
CA	Clubs – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
CB	Clubs – Beer and Wine Only	\$400	\$800	\$450	\$900
EA	Entertainment/Recreational Sports Venue – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
EB	Entertainment/Recreational Sports Venue – Beer and Wine Only	\$400	\$800	\$450	\$900
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RA	Restaurant – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
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TAP	Tavern, All Types of Liquor, and Package Sales	\$1,200	\$2,400	\$1,350	\$2,700
TBP	Tavern, Beer and Wine Only, and Package Sales	\$512.50	\$1,025	\$750	\$1,200
TA	Tavern – All Types of Liquor	\$1,200	\$2,400	\$1,350	\$2,700
TB	Tavern – Beer and Wine Only	\$400	\$800	\$450	\$900

The questions contained in this Application apply equally to all business owners, partners, officers, or members of the applicant business. If more space is needed to answer any question completely, please attach the additional information.

Status of Business Information:

- Check the applicable box which corresponds to your business's filing with the Illinois Secretary of State.

<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Limited Liability Company (LLC) <i>A copy of the Articles of Organization must be attached.</i>	<input type="checkbox"/> Partnership (Date of Formation: _____) <input checked="" type="checkbox"/> Corporation (Inc. or Corp.) <i>A copy of the Articles of Incorporation must be attached.</i>
---	--
- Attach a list including the name, age, address, and percent of ownership/stock for each owner/partner/member.
- Yes **If Applicant is a Corporation or LLC:** Is any individual owning more than 5% of stock in the applicant business ineligible to hold a liquor license for any reason other than citizenship or residence? *If yes, please identify the individual(s) and explain:* _____
 No
 N/A

Business Owner/Operator: (Please circle Yes (Y) or No (N) where applicable.)

- I verify that all owners, partners, officers, members, and majority stockholders:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Are 21 years of age or older.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Are citizens of the United States.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Have never been convicted of any felony, or of the violation of any law relating to the prohibition of the sale of alcoholic liquor, or any other crime or misdemeanor (except minor traffic violations).
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Have never been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Have never been convicted of pandering or any other crime opposed to decency and morality.
- Illinois Liquor Law states the applicant individual must be a resident of the city, village or county in which the premises covered by the license is located. 235ILCS 5/6-2(a)(1)

2A	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Are any of the persons listed under ownership a resident of McLean County?
2B	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Is the General Manager a resident of McLean County?
- Yes No Is the General Manager of the establishment unable to hold a liquor license for any reason other than citizenship or residence?
- Yes No Is the establishment located within 100 feet of any church, school, hospital, home for aged, indigent persons, or war veterans and/or their wives or children?



5. Yes No Is the premises for which the license is sought owned?
 5A Yes No If not, does a valid lease to the premises for which the license is sought exist?
If so, a copy of the lease is required.
- Yes No 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 in connection with the proposed sale of alcoholic beverages? *If yes, please explain:* _____

Nature of License:

- What type of establishment is intended to be operated with this license? (e.g. lounge, tavern, restaurant, wine & cheese shop) TAVERN
- What class of liquor license is being sought? (See descriptions beginning on page 1.) TA
- Yes No Will the establishment offer Sunday Sales?
- Yes No Will the establishment offer Curbside Pick-Up & Delivery of Alcohol? (Package License Holders Only) See City Code Ch. 6 Sec. 32 for more details. <https://ecode360.com/34837503>
- Yes No Will the establishment offer an Outdoor Dining Area?
- State the reason the applicant desires a liquor license for the establishment: TO OPERATE A FIRST CLASS TAVERN EXPERIENCE AND CONDUCT BUSINESS LEAGALLY
- If approved, how would the liquor license benefit the City and its residents?
POUR BROS. CO, HAS A GREAT HISTORY OF PROVIDING ENTERTAINMENT AND ENJOYMENT TO THE
- Yes No Will the establishment offer live entertainment in the establishment? *If yes, please explain:*
WE PLAN TO OFFER SMALLER INTIMATE SHOWS INSIDIE THE TAPROOM, AND UPON
- Yes No Will the proposed or current establishment sell food?
- Yes No Will most of the establishment's gross revenue come from sources other than the sale of alcohol? *If yes, what sources will such revenue be derived?* _____
- If approved, what license renewal billing cycle would be preferred? Annual Semi-Annual

Impact of Establishment:

- What are the proposed hours of operation?

Day	Time Open	Time Close
Monday:	CLOSED	CLOSED
Tuesday:	3PM	11PM
Wednesday:	3PM	11PM
Thursday:	3PM	11PM
Friday:	12PM	12AM
Saturday:	12PM	12AM
Sunday:	12PM	8PM
- Describe the surrounding neighborhood within 500 ft. of the establishment (e.g. residential, commercial, mixed, etc.)
MIXED USE RESIDENTIAL AND COMMERCIAL NEIGHBORHOOD INCLUDING OTHER EATING AND
 - If there are office or commercial buildings nearby, approximately what are their hours of operation?
WORKBENCH COLLABORATIVE 8A - 5P
 - Is the area predominately residential, are they single or multi-family homes?
PREDOMINATELY COMMERCIAL WITH CONDOS ON UPPER FLOORS
- Describe any and all streets immediately surrounding the establishment: (e.g. approximate width, one-way, two-way, parking restrictions, etc.)
CORNER LOT WOTH STREET PARKING, PUBLIC DECK NEAR BY, PRIVATE LOTS SURROUNDING, 2 HOUR PUBLIC PARKING
- How much additional traffic is expected to be generated with a liquor license?
WE ANTICIPATE SIMILAR TRAFFIC AS PREVIOUS TENANT ALREADY HAD LICENSING ALONG WITH
- Describe any and all on- and off-street parking:
STREET PARKING IN FRONT AND ALONG SIDE OF CORNER BUSINESS
- How many establishments with liquor licenses are located within 500 ft. of the establishment? 4



Responsibility:

- 1. If the establishment **is presently in operation**, attach a financial statement of the establishment's last fiscal year.
- 2. If the establishment **is not presently in operation**, attach a financial statement showing ownerships personal assets and liabilities (or the entity's assets and liabilities).
- 3. Yes No Is the establishment eligible for a State of Illinois retail liquor dealer's license?
- 4. Yes No Has any owner, partner, officer, member, or majority stockholder ever held a liquor license?
 4A If yes, please explain: WE CURRENTLY HOLD IN GOOD STANDING LIQ LIC IN AND IN PEORIA HEIGHTS, IL
- 5. Yes No If yes, has any owner, partner, officer, member, or majority stockholder ever been found guilty of violating Bloomington's Liquor Ordinance? *If yes, please explain:* _____
- 6. Yes No Has any owner, partner, officer, member, or majority stockholder ever had a liquor license revoked? *If yes, please explain:* _____
- 7. Yes No Has a similar application made by any of the persons of ownership ever been denied? *If yes, please explain:* _____
- 8. Yes No Has any other license type ever been revoked from any owner, partner, officer, member, or majority stockholder? *If yes, please explain:* _____

Please provide any additional information significant to this application:

Additional License Interests:

Are any of the below additional licenses of interest to the establishment?

- Yes No **Sidewalk Café License** (*Downtown Area Only*) Allows use of public sidewalk for serving food and beverages on the sidewalk immediately adjacent to the establishment.
- Yes No **Catering Liquor License** *Allows liquor license holders to provide catering services to private parties.*
- Yes No **Video Gaming License** Allows an establishment to have video gaming terminals and to conduct video gaming on the premises as defined by the Illinois Video Gaming Act.
- Yes No **Public Dancing License** Allows a for-profit establishment to offer dance privileges to the public.
- Yes No **Tobacco License** Allows retail sale of any cigar, cigarette, snuff, chewing tobacco, manufactured product of tobacco or tobacco in any form.

Please note that each of the above-mentioned licenses requires a separate application and most require additional documentation. Applications available via the City Clerk Department.

I, the undersigned, swear or affirm that:

- 1. I am authorized to sign as an owner, officer, or authorized agent, of the above listed establishment;
- 2. I declare that all the information included in this application, and any attachment hereto, is true and accurate to the best of my information, knowledge, and belief;
- 3. All applicants of the establishment are qualified and eligible to obtain the license applied for;
- 4. I have read and understand the requirements of the City of Bloomington Code pertaining to **Chapter 6: Alcoholic Beverages** <https://ecode360.com/34403863>; and
- 5. If approved, I certify in accordance with 235 ILCS 5/6-27.1 and City Code Chapter 6: Section 29, that all employees required to check IDs will become BASSET certified within 120 days of employment, that at least one BASSET Certified employee will be on the premises at all times, that all certifications will be kept on premises, and that all certifications will immediately be made available upon request by any law enforcement personnel.

NATHAN MONROE

 Name (Please Print)

 Signature

PRESIDENT

 Title
 03/14/2023

 Date

The following item was presented:

Item 5.D. Public Hearing and Action on an Application from Pour Bros., Co., d/b/a Pour Bros., to be located at 236 E. Front St., requesting the Creation of a Class T&S (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the Public Hearing at 4:19 p.m.

Rob Mathisen, Co-Owner of Pour Bros., after being sworn in, addressed the Commission. Mr. Mathisen described the origin of Pour Bros. and spoke about how they have always wanted to be in the Bloomington/Normal area, so they were happy to have the opportunity to come here.

Commissioner Meister asked what the hours would look like. Mr. Mathisen explained that they have not solidified hours of operation and days yet, but they planned to be open Tuesday - Sunday from 3 p.m. to 11 p.m. during the week and open until 12:30 or 1 a.m. on weekends.

Commissioner Meister asked about BASSET Certifications. Mr. Mathisen said everyone would be trained and record would be kept on file.

MINUTES
LIQUOR COMMISSION - SPECIAL SESSION
MONDAY, APRIL 24, 2023, 4:00 PM
Page 2 of 5

Commissioner Meister asked whether there would be food. Mr. Mathisen said they do not currently plan to offer food, but they were open to working with local restaurants to create a situation where they would have delivery to table or food truck options. He stated they currently planned to open and see what the market looked like, then adjust from there.

Commissioner Meister asked about their occupancy. Mr. Mathisen said he believed the target was 150 people, but inspections would give more information.

Commissioner Meister asked whether they would have live music. Mr. Mathisen said they had live music in other locations, but they anticipated smaller events at this location. He explained that in the future, they may try to work with The Castle Theater to live music before or after scheduled shows.

Commissioner Meister asked if there was a local manager. Mr. Mathisen explained they had a manager who resided in Bloomington and would be available and on file.

George Boyle, Asst. Corporation Counsel, asked for the Manager's information and asked about their experience running an establishment. Mr. Mathisen said the manager's name is Jonathan "Adam" Arvizu and said he has been manager at Firehouse Pizza and Medici. He stated the manager had close to 10 years of experience in the industry.

Commissioner Mwilambwe asked for their targeted open date and demographic. Mr. Mathisen said they hoped to be open between June 15, 2023, and July 15, 2023. He explained their targeted audience would be generally people around 35 on average but anticipated a range to include younger and older crowds.

Mr. Mathisen stated they may consider Video Gaming in the future, but for this location, it would take expansion before they would even consider it as an option.

Commissioner Mwilambwe closed the Public Hearing at 4:28 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to Positively recommend the item to Council.

AYE: Mwilambwe, Meister

Motion Carried.



REGULAR AGENDA ITEM NO. 8.A.

FOR COUNCIL: May 8, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, and an Ordinance Authorizing a Construction Agreement Between the City of Bloomington and AFE Construction, LLC, for the Economic & Community Development Department Remodel (Bid #2023-34) in the Amount of \$577,550, as requested by the Public Works Department and the Economic & Community Development Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

Goal 2. Upgrade City Infrastructure and Facilities

Goal 3. Grow the Local Economy

Goal 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE:

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

Objective 3e. Strong working relationship among the City, businesses, economic development organizations

Objective 6b. Downtown Vision and Plan used to guide development, redevelopment and investments

BACKGROUND: If approved, the City will enter into an agreement with AFE Construction, LLC, for the Economic & Community Development ("ECD") Department Remodel. Department staff members are located on the second and third floors of the Government Center, which minimizes staff interactions and the existing space was not built to accommodate the existing department, a department that has changed since the space was originally constructed to meet community needs. The separation of staff also creates challenges for contractors, building and development customers, and the general public. Consolidating the department in one location minimizes many of these challenges and creates a more cohesive work environment.

ECD's office space has not had any major improvements since its original construction in 2003. The proposed improvements include the installation of new mechanical, electrical, plumbing, and life safety upgrades, carpeting, paint, window treatments, and reconfiguring existing cubicles and workstations. The remodel also includes constructing a new conference room, reception area, and breakroom.

The remodel is the next piece of an ongoing city plan to once and for all address long-standing space needs by better utilizing existing space. The plan is to "consolidate" most departments into the Government Center, with fewer departments remaining off-site, and create a one-stop location for residents to do business with the City. The Hub, the one-stop

front door to the City, has been created and we have completed 9 of 13 relocations/buildouts.

The project was advertised by the City to solicit competitive bids. Bids for this agreement were received until 11:00 a.m. on Monday, April 10, 2023, electronically via the City's eProcurement Portal, *OpenGov*. Two bids were opened on April 10th. Although one of the bids was from a local vendor, the City's Local Preference Policy does not impact the award. Contingency is included in the bid and shall be used for unforeseen issues which may arise during the project. This contingency shall be at the City's sole discretion and any amount not used during the project shall revert to the City and not be paid to the contractor. A full bid tabulation is attached.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Invitation to Bid was advertised in *The Pantagraph* and *OpenGov* on March 27, 2023, and a pre-bid meeting was held at 1:30 p.m. on March 31, 2023.

FINANCIAL IMPACT: Although not included in the FY 2024 Budget, due to a delay in other projects in FY 2023, funds are available in the Capital Improvement Fund for this project. The expense will be charged to the Capital Improvement Fund-Buildings account (40100100-72520). Stakeholders can locate the Capital Improvement Fund Budget in the FY 2024 Proposed Budget Book titled "Other Funds & Capital Improvement" beginning on page 62. Since the project was not included in the FY 2024 Budget, a budget amendment is required. Please see the "Exhibit" for account details.

AMERICAN RESCUE PLAN FUNDING IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal PS-4. (Intergovernmental Cooperation); and Objective PS-4.1. (Enhance existing intergovernmental cooperation across all public services).

Respectfully submitted for consideration.

Prepared by: Russ Waller, Facility Manager

ATTACHMENTS:

- [PW 3B Ordinance - Budget Amendment](#)
- [PW 3C Ordinance Exhibit A Capital Improvement Fund](#)
- [PW 3D Ordinance - Contract](#)
- [PW 3E Contract](#)
- [PW 3F Bid Tab](#)

ORDINANCE NO. 2023 - ____

AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2024

WHEREAS, on April 10, 2023, by Ordinance Number 2023-027, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Beginning May 1, 2023, and Ending April 30, 2024, City of Bloomington, which Ordinance was approved by Mayor Mboka Mwilambwe on April 12, 2023; and

WHEREAS, a Budget Amendment is needed amending the Fiscal Year 2024 Budget to utilize Capital Improvement fund balance and increase the Capital Improvement Fund budget by \$577,500, for a Construction Agreement between the City of Bloomington and AFE Construction, LLC, for the Economic & Community Development Department Remodel (Bid #2023-34), in the Amount of \$577,550.

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

Section 1. Ordinance Number 2023-027 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2024) is further hereby amended by inserting the following line items and amount presented in the Exhibit A and in the appropriate place in said Ordinances.

Section 2. Except as provided for herein, Ordinance Number 2023-027 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 2023-027.

Section 3. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

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

Section 5. This Ordinance shall take effect immediately after its approval and publication as required by law.

PASSED this 8th day of May 2023.

APPROVED this ____ day of May 2023.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

FY 2024 Budget Amendment - Exhibit A

Account #	Fund	Account Description	Amount
40100100-40000	Capital Improvement	Capital Improvement Fund-Use of Fund Balance	\$ (577,550.00)
40100100-72520	Capital Improvement	Capital Improvement Fund-Buildings	\$ 577,550.00
Net Transaction:			\$ -

ORDINANCE NO. 2023 - ____

AN ORDINANCE AUTHORIZING A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND AFE CONSTRUCTION, LLC FOR THE ECONOMIC & COMMUNITY DEVELOPMENT REMODEL PROJECT (BID #2023-34), IN THE AMOUNT OF \$577,550

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, subject to the provisions of the City Code, City staff is recommending an Agreement with AFE Construction, LLC (CONTRACTOR) be approved for the Economic & Community Development Department Remodel (PROJECT) in the amount of \$577,550.00; and

WHEREAS, PROJECT consists of work necessary to improve and better utilize existing City office space and avoid construction of new facilities or purchase new property; and

WHEREAS, the City Council finds it in the best interest of the City to approve the agreement.

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

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

Section 2. The Agreement is approved and the City Manager, or his designee, are authorized to execute the Agreement, and any other necessary documents to effectuate the purchase. The City Manager, or designee, is further authorized to approve any changes to the work utilizing the contingency amount set forth in the Agreement and within the Agreement amount, to the extent the City Manager finds such to be in the best interests of the City.

Section 3. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form as provided by law.

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

Section 5. This Ordinance shall take effect immediately after its approval and publication as required by law.

PASSED this 8th day of May 2023.

APPROVED this ____ day of May 2023.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

**CITY OF BLOOMINGTON AGREEMENT WITH
AFE CONSTRUCTION, LLC**

**FOR
Economic & Community Development Department Remodel**

THIS AGREEMENT, dated this 24th day of April, 2023, is between the City of Bloomington, IL (hereinafter "CITY") and AFE CONSTRUCTION, LLC (hereinafter "VENDOR"). CITY and VENDOR may hereinafter collectively be referred to as the "PARTIES" and individually as the "PARTY".

NOW THEREFORE, the PARTIES agree as follows:

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

Section 2. Description of Services. VENDOR shall provide the services/work identified on Exhibit A, attached hereto and incorporated herein.

Section 3. Incorporation of Bid/RFP/RFQ & Proposal Terms. The following shall apply to this Agreement:

This Agreement was not subject to a formal solicitation process by the CITY.

This Agreement was subject to the following procurement initiative by the CITY: Economic & Community Development Department Remodel (Bid 2023-34) (hereinafter "REQUEST"). Accordingly, the provisions of the REQUEST and the proposal submitted by VENDOR (hereinafter collectively referred to as "PROCUREMENT DOCUMENTS" and attached hereto), shall be incorporated into this Agreement and made a part thereof and shall be considered additional contractual requirements that must be met by VENDOR. In the event of a direct conflict between the provisions of this Agreement and the incorporated PROCUREMENT DOCUMENTS, the provisions of this Agreement shall prevail.

This Agreement was not subject to a formal solicitation process by the CITY, but includes the other required proposal/documents attached hereto in Exhibit C.

Section 4. Payment. For the work performed by VENDOR under this Agreement, the City shall pay VENDOR one of the following:

A flat fee of \$_____ as set forth in the Payment Terms attached as Exhibit B, attached hereto and incorporated herein.

Fees as set forth in the Payment Terms attached as Exhibit B, attached hereto and incorporated herein not to exceed \$577,550.00.

Section 5. Requirement for Payment & Performance Bond. The following shall further apply to this Agreement:

This Agreement is does not require the furnishment of any bonds by the VENDOR.



This Agreement is subject to bonding requirements.

- i. It is therefore understood that the VENDOR will furnish, at no expense to the CITY, Payment and Performance Bonds to the CITY in the amount of the contract as stated in Section 4 executed by the VENDOR and at least two sureties as set forth under the Laws of the State of Illinois, as a guarantee that the VENDOR will timely and faithfully perform the work outlined herein.
- ii. Said bond shall be conditioned to save and keep harmless said CITY from any and all claims, demands, losses, 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 VENDOR in designing, 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, ordinary wear and tear, and damage resulting from accident or willful destruction excepted; which bond is attached hereto and made a part hereof.

Section 6. Default. Either PARTY shall be in default if it fails to perform all or any part of this Agreement. If either PARTY is in default, the other PARTY may terminate this contract upon giving written notice of such termination to the PARTY in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting PARTY shall be entitled to all remedies as set forth in Section 9 herein, upon the default or violation of this Agreement.

Section 7. Termination for Cause. The CITY may, at any time, terminate this Agreement, in whole or in part, for any of the following reasons effective immediately:

- i. VENDOR is found to be in violation of any term or condition of this Agreement.
- ii. VENDOR engages in any fraudulent, felonious, grossly negligent, or other illegal acts or behavior.
- iii. VENDOR declares bankruptcy or becomes insolvent.
- iv. CITY determines, in its sole discretion, that VENDOR is no longer able to fulfill VENDOR's obligations under this Agreement or PROCUREMENT DOCUMENTS.

Upon such termination, CITY shall be entitled to all remedies laid out in Section 9, as well as reimbursement of reasonable attorney's fees and court costs.

Section 8. Force Majeure. The CITY shall not be in default of this Agreement and shall not be held liable for any losses, failure, or delay in performance of its obligations under this Agreement or any Agreement, Amendment, Exhibit, or Attachment hereto arising out of or caused, directly or indirectly, by an event of Force Majeure. Force Majeure is defined as circumstances beyond the CITY's reasonable control, including, without limitation, acts of God; earthquakes; fires; floods; wars; civil or military disturbances; acts of terrorism; sabotage; strikes; epidemics; pandemics; riots; power failures; computer failure and any such circumstances beyond its reasonable control as may cause interruption, loss or malfunction of utility, transportation, computer (hardware or software) or telephone communication service; accidents; labor disputes; acts of civil or military authority; governmental actions; or inability to obtain labor, material, equipment or transportation.

Section 9. Remedies. In the event of a default or a violation of this Agreement, the non-defaulting PARTY shall be entitled to all remedies, whether in law or equity.

Section 10. Indemnification. To the fullest extent permitted by law, VENDOR shall indemnify and hold harmless CITY, its officers, officials, agents, and employees from claims, demands, causes of action, and liabilities of every kind and nature whatsoever arising out of or in connection with VENDOR's operations performed under this Agreement, except for loss, damage, or expense arising from the sole gross negligence or willful misconduct of the CITY or the CITY's agents, servants, or independent VENDORS who are directly responsible to CITY. This indemnification shall extend to all claims occurring after this Agreement is terminated as well as while it is in force. The indemnity shall apply regardless of any concurrent negligence, whether active or passive, of the CITY or CITY's officers, officials, agents, employees, or any other persons or entities. The indemnity set forth in this section shall not be limited by insurance requirements or by any other provision of this Agreement.

Section 11. Reuse of Documents. All documents, including but not limited to, reports, drawings, specifications, and electronic media furnished by VENDOR pursuant to this Agreement are instruments of the VENDOR's services. Nothing herein, however, shall limit the CITY's right to use the documents for municipal purposes, including but not limited to the CITY's right to use documents in an unencumbered manner for purposes of remediation, remodeling, and/or construction. VENDOR further acknowledges any such documents may be subject to release under the Illinois Freedom of Information Act.

Section 12. Standard of Care. Services performed by VENDOR under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the same or similar profession currently practicing under the same or similar conditions.

Section 13. Representations of VENDOR. VENDOR hereby represents it is legally able to perform the work that is subject to the Agreement.

Section 14. Compliance with Local, State, and Federal Laws. VENDOR agrees that any and all work by VENDOR shall at all times comply with all laws, ordinances, statutes, and governmental rules, regulations and codes.

Section 15. Compliance with Prevailing Wage. The following shall apply to this Agreement:

This Agreement is not for "public works" and therefore Prevailing Wage does not apply.

This Agreement calls for the construction of "public works," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130.01 et seq. (hereinafter "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 an amount for fringe benefits) in the county where the work is performed. The Illinois Department of Labor (hereinafter "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 website for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the DEPARTMENT's website. All contractors and subcontractor rendering services under this Agreement must comply with all requirements of the ACT, including but not limited to all wage requirements and notice and record keeping duties.

Section 16. Equal Opportunity Employment. During the performance of this Agreement, the VENDOR agrees as follows:

- i. The VENDOR will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The VENDOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The VENDOR agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- ii. The VENDOR will, in all solicitations or advertisements for employees placed by or on behalf of the VENDOR, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.
- iii. The VENDOR will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the VENDOR's legal duty to furnish information.
- iv. The VENDOR will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the VENDOR's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

Section 17. Access to Records. The following access to records requirements apply to this Agreement:

- i. The VENDOR agrees to provide CITY, or any of their authorized representatives access to any books, documents, papers, and records of the VENDOR which are directly pertinent to this Agreement for the purposes of making audits, examinations, excerpts, and transcriptions.
- ii. The VENDOR agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

Section 18. Compliance with FOIA Requirements. VENDOR further explicitly agrees to furnish all records related to this Agreement and any documentation related to CITY required under the Illinois Freedom of Information Act (ILCS 140/1 et seq.) (hereinafter "FOIA") request within five (5) business days after CITY issues notice of such request to VENDOR. VENDOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. VENDOR agrees to defend, indemnify, and hold harmless CITY, and agrees to pay all reasonable costs connected therewith (including, but not limited to, reasonable attorney's and witness fees, filing fees, and any other expenses) for CITY to defend any and all causes, actions, causes of action, disputes, prosecutions, of conflicts arising from VENDOR actual or alleged violation of FOIA, or VENDOR failure to furnish all documentation related to a request within five (5) business days after CITY

issues notice of request. Furthermore, should VENDOR request that CITY utilize a lawful exemption under FOIA in relation to any FOIA request, thereby denying that request, VENDOR agrees to pay all costs connected therewith (such as reasonable attorney's and witness fees, filing fees, and any other expenses) to defend the denial of the request. The defense shall include, but not be limited to, challenged or appealed denials of FOIA requests to either the Illinois Attorney General or a court of competent jurisdiction. VENDOR agrees to defend, indemnify, and hold harmless CITY, and agrees to pay all costs connected therewith (such as reasonable attorney's and witness fees, filing fees, and any other expenses) to defend any denial of a FOIA request by VENDOR request to utilize a lawful exemption to CITY.

Section 19. Notices. All legal notices given in connection with this Agreement shall be made in writing and deemed complete by way of (a) hand delivery; (b) registered mail, postage prepaid; or (c) electronic mail with notice of receipt by the other PARTY at the following addresses or at such other address for a PARTY as shall be specified by like notice:

If to VENDOR:

AFE Construction, LLC
Attn: Tommy Arbuckle
4311 W. Deermeadow Dr
Peoria, IL 61615
tommy@afeconstruction.net

Copy to:

If to CITY:

City of Bloomington
Attn: City Manager
115 E. Washington St., Suite 103
Bloomington, IL 61701
admin@cityblm.org

Copy to:

City of Bloomington
Attn: Legal Department
115 E. Washington St., Suite 103
Bloomington, IL 61701
legal@cityblm.org

Section 20. Insurance. VENDOR shall, at a minimum, maintain insurance as required in the PROCUREMENT DOCUMENTS or as agreed upon with the City Procurement Manager. Certificates of insurance shall be provided to the CITY and CITY shall be named as additional insured under the policy(ies).

Section 21. Assignment. No PARTY may assign this Agreement, of the proceeds thereof, without prior written consent of the other PARTY.

Section 22. Changes or Modifications. This Agreement, its method of completion, its scope of work, nor its pricing may be modified or changed in any manner without the express written consent of both PARTIES via an Amendment fully executed by both PARTIES.

Section 23. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois, County of McLean.

Section 24. Joint Drafting. The PARTIES expressly agree that this Agreement was jointly drafted, and that both had the opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing its terms prior to execution. Therefore, this Agreement shall be construed neither against nor in favor of either PARTY but shall be construed in a neutral manner.

Section 25. Attorney's Fees. In the event that any action is filed in relation to this Agreement, the unsuccessful PARTY in the action shall pay to the successful PARTY, in addition to all the sums that either PARTY may be called on to pay, a reasonable sum for the successful PARTY's attorney's fees (including expert witness fees).

Section 26. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the PARTIES and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this Agreement.

Section 27. Term. The term of this Agreement shall be:

- Until all of the services and/or deliverables required to be provided within this Agreement are completed and accepted by CITY.
- From _____ year(s) from the date of this Agreement listed above.
- By the date state in the PROCUREMENT DOCUMENTS or no later than _____.
- This Agreement shall also be subject to the following renewal terms, if any:
_____.

Notwithstanding anything herein, the provisions in Sections 10 and 18 shall survive termination.

Section 28. Counterparts. This Agreement may be executed in any number of counterparts, including electronically, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

IN WITNESS WHEREOF, the PARTIES hereto have executed this Space Sharing Agreement as of the date first above written.

CITY OF BLOOMINGTON

By: _____
Its City Manager

ATTEST:

By: _____
Its City Clerk

VENDOR

By: _____
Its Managing Partner

By: _____
Its _____

EXHIBIT A
DESCRIPTION OF SERVICES/WORK PROVIDED

Economic & Community Development Department office remodeling work base bid and Alternates A1 & A2 as outlined in the plans, specifications, addendum and all other documents related to City Bid # 2023-34.

EXHIBIT B
PAYMENT TERMS

BASE PRICE = \$547,800.00

ALTERNATE A1 PRICE = \$5,750.00

ALTERNATE A2 PRICE = \$24,000.00

TOTAL PRICE = \$577,550.00

EXHIBIT C
OTHER REQUIRED PROPOSAL/DOCUMENTS

AFE Construction, LLC shall complete all work as indicated in the project plans and specifications by September 30, 2023 unless a written extension is granted by the City of Bloomington.



City of Bloomington
Facilities Management

Russ Waller, Director
 115 East Washington Street, Suite 403, Bloomington, IL 61701

EVALUATION TABULATION

ITB No. 2023-34

Economic & Community Development Department Remodel

RESPONSE DEADLINE: April 10, 2023 at 11:00 am

Report Generated: Monday, April 10, 2023

SELECTED VENDOR TOTALS

Vendor	Total
AFE Construction, LLC	\$577,550.00
Diamond Design & Construction, Inc.	\$780,435.00

BASE BID

Selected	Line Item	Description	Unit of Measure	AFE Construction, LLC Unit Cost	Diamond Design & Construction, Inc. Unit Cost
X	1	Remodel per plans & specifications	LS	\$330,000.00	\$524,200.00
X	2	Furniture Reconfiguration including all necessary new furniture per plans & specifications	LS	\$168,000.00	\$163,600.00
X	3	Contingency (10% of Items 1 & 2 Total)	LS	\$49,800.00	\$68,720.00
Total				\$547,800.00	\$756,520.00

EVALUATION TABULATION

ITB No. 2023-34

Economic & Community Development Department Remodel

ALTERNATE A1

				AFE Construction, LLC	Diamond Design & Construction, Inc.
Selected	Line Item	Description	Unit of Measure	Unit Cost	Unit Cost
X	A1	KI Wall	LS	\$5,750.00	\$5,540.00
Total				\$5,750.00	\$5,540.00

ALTERNATE A2

				AFE Construction, LLC	Diamond Design & Construction, Inc.
Selected	Line Item	Description	Unit of Measure	Unit Cost	Unit Cost
X	A2	Window Treatment Removal & Replacement	LS	\$24,000.00	\$18,375.00
Total				\$24,000.00	\$18,375.00