

MINUTES OF THE REGULAR MEETING OF THE NORMAL TOWN COUNCIL HELD IN THE COUNCIL CHAMBERS, NORMAL CITY HALL, 100 EAST PHOENIX AVENUE, NORMAL, MCLEAN COUNTY, ILLINOIS – MONDAY, SEPTEMBER 21, 2009.

1. CALL TO ORDER:

Mayor Chris Koos called the Regular Meeting of the Normal Town Council to order at 7:01 p.m., Monday, September 21, 2009.

2. ROLL CALL:

The Clerk called the roll with the following persons physically

PRESENT: Mayor Chris Koos and Councilmembers Sonja Reece, Adam Nielsen, Jeff Fritzen, Chuck Scott, and Jason Chambers. Also present were City Manager Mark Peterson, Assistant City Manager Pamela Reece, Corporation Counsel Steve Mahrt, and Town Clerk Wendy Briggs.

ABSENT: Councilmember Cheryl Gaines.

3. PLEDGE OF ALLEGIANCE:

Mayor Koos led the Pledge of Allegiance to the Flag.

4. OMNIBUS VOTE AGENDA:

Mayor Koos excused himself from voting on any bills he may have incurred while performing his Mayoral duties.

Councilmember Fritzen excused himself from voting on any bills submitted by Bloomington Offset Process, Inc.

Councilmember Reece excused herself from voting on any bills submitted by BroMenn Healthcare and from any bills she may have incurred while performing Council duties.

Councilmember Scott excused himself from voting on Item H.

Item C was removed from the Omnibus Vote Agenda.

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Scott, the Council Approve the Omnibus Vote Agenda.

AYES: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 8, 2009: Omnibus Vote.

- B. APPROVAL OF THE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF SEPTEMBER 16, 2009: Omnibus Vote.
- D. MOTION AUTHORIZING A CHANGE ORDER WITH FELMLEY DICKERSON COMPANY FOR IMPROVEMENTS TO THE EAST FAÇADE OF 111 WEST NORTH STREET IN AN AMOUNT NOT TO EXCEED \$12,430: Omnibus Vote.
- E. MOTION AUTHORIZING A CHANGE ORDER WITH CORE CONSTRUCTION IN THE AMOUNT OF \$22,400 FOR ADDITIONAL WORK ON THE COLLEGE AVENUE PARKING DECK AND APPROVAL OF AN ASSOCIATED BUDGET ADJUSTMENT: Omnibus Vote.
- F. MOTION TO ACCEPT THE AUDITED TOWN OF NORMAL FINANCIAL STATEMENTS AND REPORT OF THE CERTIFIED PUBLIC ACCOUNTANTS FOR THE YEAR ENDING MARCH 31, 2009: Omnibus Vote.
- G. MOTION TO ACCEPT THE FEDERAL COMPLIANCE AUDIT FOR THE YEAR ENDING MARCH 31, 2009: Omnibus Vote.
- H. RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH ILLINOIS STATE UNIVERSITY PERTAINING TO FIRE PROTECTION SERVICE: Resolution No. 4418: Omnibus Vote.
- I. RESOLUTION CONDITIONALLY AUTHORIZING EXECUTION OF AN AGREEMENT FOR PROGRAM MANAGEMENT SERVICES WITH BOWEN ENGINEERING CORPORATION PERTAINING TO WATER TREATMENT PLANT FILTER REHABILITATION AND CLEARWELL PIPING, BAFFLES, AND PUMP PROJECTS: Resolution No. 4419: Omnibus Vote.
- J. RESOLUTION CONDITIONALLY AUTHORIZING EXECUTION OF AN AMENDED REDEVELOPMENT AGREEMENT PERTAINING TO THE PROPERTY AT 701 BROADWAY AVENUE: Resolution No. 4420: Omnibus Vote.
- K. RESOLUTION RE-APPROVING A PRELIMINARY SUBDIVISION PLAN FOR PARKSIDE EAST SUBDIVISION FIRST ADDITION: Resolution No. 4421: Omnibus Vote.
- L. CONDITIONAL RESOLUTION PARTIALLY RE-APPROVING THE FINAL PLAT OF PARKSIDE EAST SUBDIVISION – FIRST ADDITION: Resolution No. 4422: Omnibus Vote.
- M. RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY SUBDIVISION PLAN FOR BLACKSTONE TRAILS SUBDIVISION: Resolution No. 4423: Omnibus Vote.
- N. ORDINANCE ADOPTING THE MCLEAN COUNTY REGIONAL GREENWAYS PLAN FOR AREAS WITHIN THE TOWN OF NORMAL PLANNING JURISDICTION: Ordinance No. 5288: Omnibus Vote.

- O. ORDINANCE ANNEXING PROPERTY TO THE TOWN OF NORMAL – CALVARY UNITED METHODIST CHURCH: Ordinance No.5289: Omnibus Vote.
- P. ORDINANCE ANNEXING PROPERTY TO THE TOWN OF NORMAL – TIEHACK DEVELOPMENT CORPORATION: Ordinance No. 5290: Omnibus Vote.
- Q. ORDINANCE RATIFYING AND RE-APPROVING ORDINANCE 5286 (ZONING MAP AMENDMENT FOR TIEHACK DEVELOPMENT CORPORATION): Ordinance No. 5291: Omnibus Vote.

5. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

- C. MOTION TO WAIVE THE FORMAL BIDDING PROCEDURE TO ALLOW THE PURCHASE OF WASTE COLLECTION CONTAINERS FROM SCHAEFER SYSTEMS INTERNATIONAL, INC., AT A TOTAL COST OF \$19,207.50:

MOTION:

Councilmember Scott moved, seconded by Councilmember Reece, the Council Waive the Formal Bidding Procedure and Allow the Purchase of Waste Collection Containers from Schaefer Systems International, Inc., at a Total Cost of \$19,207.50.

Councilmember Scott posed questions for clarification purposes which were responded to by Assistant City Manager Pamela Reece.

AYES: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.  
 NAYS: None.  
 ABSENT: Gaines.  
 Motion declared carried.

GENERAL ORDERS

Councilmembers Reece and Scott left the table at 7:08 p.m.

- 6. ORDINANCE REZONING PROPERTY IN THE TOWN OF NORMAL – 708 HARRIS STREET (ROGY’S DAYCARE CENTER): Ordinance No. 5292:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Fritzen, the Council Approve an Ordinance Rezoning Property in the Town of Normal – 708 Harris Street (Rogy’s Daycare Center).

AYES: Nielsen, Fritzen, Chambers, Koos.  
 NAYS: None.  
 ABSENT: Reece, Scott, Gaines.  
 Motion declared carried.

- 7. RESOLUTION CONDITIONALLY APPROVING A SITE PLAN FOR 1110 AND 1200 SOUTH MAIN AND 708 HARRIS – ROGY’S DAYCARE CENTER: Resolution No. 4424:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Chambers, the Council Adopt a Resolution Conditionally Approving a Site Plan for 1110 and 1200 South Main and 708 Harris – Rogy’s Daycare Center.

Councilmember Fritzen posed questions for clarification purposes, which were responded to by City Manager Mark Peterson and Town Planner Mercy Davison.

AYES: Nielsen, Fritzen, Chambers, Koos.

NAYS: None.

ABSENT: Reece, Scott, Gaines.

Motion declared carried.

Councilmembers Reece and Scott returned to the table at 7:10 p.m.

8. RESOLUTION CONDITIONALLY APPROVING A CONCEPTUAL PRELIMINARY PLANNED UNIT DEVELOPMENT AT 601 ½ N. MAIN STREET (ADANRI):

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Nielsen, the Council Adopt a Resolution Conditionally Approving a Conceptual Preliminary Planned Unit Development at 601 ½ N. Main Street (Adanri).

Town Planner Mercy Davison outlined the proposal submitted by Mr. Adanri and clarified the Town staff’s position on the proposed development, that being a negative recommendation for approval of the project.

Bayo Adanri, 202 Arlington Drive, Normal, Illinois, developer of the proposed development, presented a brief overview of the proposed project. Mr. Chuck Reifsteck, 909 Arrow Road, Champaign, Illinois, architect of the development, presented a brief power-point presentation of the proposed project.

Ms. Colette Sicks, 603 N. Main Street, Normal, Illinois, owner of the property immediately north of the proposed project, addressed the Council in opposition to the proposed development and expressed concern with what she considered a serious deviation of the procedures and policies of the Town in allowing Mr. Adanri to bring this project forth in the manner allowed.

Mr. Bruce A. Thacker, 601 N. Main Street, Unit 7S, Normal, Illinois, President of the Fireside Condo Association, which is located immediately adjacent to the south of the proposed development, addressed the Council in opposition to the proposed development.

Mayor Koos stated the project was a very nice project; however, he could not support this project on this particular piece of property.

Councilmember Nielsen requested clarification of the concerns raised by Mrs. Sicks, specifically why this project was before the Council in the manner presented, without a complete submittal to the Planning Commission. City Manager Mark Peterson responded to Councilmember Nielsen’s concerns.

AYES: None.

NAYS: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.

ABSENT: Gaines.  
Motion declared failed.

9. RESOLUTION RECOMMENDING APPROVAL OF THE MCLEAN COUNTY REGIONAL COMPREHENSIVE PLAN: Resolution No. 4425:

MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Adopt a Resolution Recommending Approval of the McLean County Regional Comprehensive Plan.

Town Planner Mercy Davison offered comments for clarification of the proposed plan.

AYES: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.  
NAYS: None.  
ABSENT: Gaines.  
Motion declared carried.

10. ORDINANCE AMENDING DIVISION 7 OF CHAPTER 15 – OFF-STREET PARKING REGULATIONS: Ordinance No. 5293:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Reece, the Council Approve an Ordinance Amending Division 7 of Chapter 15 – Off-Street Parking Regulations.

Town Planner Mercy Davison explained a list of proposed changes to the current code. Ms. Davison and Building Commissioner Greg Troemel responded to questions from Council.

Councilmember Nielsen commented that when the Parking Impact Zone originated in 2000, there was a special task force set up to put together recommendations for a Parking Impact Zone area and suggested such a task force be reconvened to address the proposed changes to the Zone. City Manager Mark Peterson indicated that the recommendation of the original task force was to require .75 parking spaces per bedroom, but the Council had changed the .75 to 1 at the table.

Councilmember Reece commented on parking requirements and expressed concern with safety in the covered parking areas where the apartments are on stilts and the parking is beneath the buildings. Councilmember Scott offered information on parking for the on-campus students at Illinois State University. Considerable Council discussion ensued.

AMENDMENT TO MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Motion be Amended to Remove the Amendment to SEC. 15.7-2(H)(4)(b), Changing the Current Parking Impact Zone Parking Requirement from 1 to .75 Spaces Per Bedroom, from Consideration in the Original Motion and to Act Upon This Amendment Separately.

ROLL CALL VOTE ON AMENDMENT TO MOTION:

AYES: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.  
NAYS: None.

ABSENT: Gaines.  
Motion declared carried.

ROLL CALL VOTE ON ORIGINAL MOTION, AS AMENDED:

AYES: Reece, Nielsen, Fritzen, Chambers, Koos.  
NAYS: Scott.  
ABSENT: Gaines.  
Motion declared carried.

ROLL CALL VOTE ON AMENDMENT TO SEC. 15.7-2(H)(4)(b):

AYES: Nielsen, Fritzen, Chambers, Koos.  
NAYS: Reece, Scott.  
ABSENT: Gaines.  
Motion declared carried.

11. ORDINANCE ADDING SECTION 17.2-20 AND AMENDING SECTION 17.9-3 OF THE MUNICIPAL CODE – PROHIBITION OF SKATEBOARDING IN UPTOWN NORMAL: Ordinance No. 5294:

MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Approve an Ordinance Adding Section 17.2-20 and Amending Section 17.9-3 of the Municipal Code – Prohibition of Skateboarding in Uptown Normal.

Councilmember Fritzen posed questions concerning the enforcement of the proposed ordinance, which questions were responded to by City Manager Mark Peterson. Councilmember Scott posed questions concerning any signage that may be installed in the Uptown area. City Manager Mark Peterson indicated no signs were intended to be installed. Further Council discussion ensued.

AYES: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.  
NAYS: None.  
ABSENT: Gaines.  
Motion declared carried.

NEW BUSINESS:

12. PRESENTATION OF THE 2008-2009 FINANCIAL TREND AND CONDITION REPORT:

Finance Director Ron Hill presented an extensive overview of the 2008-2009 Financial Trend and Condition Report and responded to questions from Council.

13. CONCERNS:

There were none.

14. ADJOURNMENT:

There being no further business to come before the Council, Mayor Koos called for a Motion to Adjourn.

MOTION:

Councilmember Chambers moved, seconded by Councilmember Scott, the Regular Meeting of the Normal Town Council be Adjourned.

AYES: Reece, Nielsen, Fritzen, Scott, Chambers, Koos.

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

Commissioner Koos adjourned the regular meeting of the Normal Town Council at 9:02 p.m., Monday, September 21, 2009.