

MINUTES OF THE REGULAR MEETING OF THE NORMAL TOWN COUNCIL HELD IN THE COUNCIL CHAMBERS, NORMAL CITY HALL, FOURTH FLOOR UPTOWN STATION, 11 UPTOWN CIRCLE, NORMAL, MCLEAN COUNTY, ILLINOIS – MONDAY, OCTOBER 21, 2019.

1. CALL TO ORDER:

Mayor Chris Koos called the regular meeting of the Normal Town Council to order at 7:30 p.m., Monday, October 21, 2019.

2. ROLL CALL:

The Clerk called the roll with the following persons physically

PRESENT: Mayor Chris Koos and Councilmembers, Kevin McCarthy, Stan Nord, Karyn Smith, Kathleen Lorenz, and Scott Preston. Also present were City Manager Pamela Reece, Assistant City Manager Eric Hanson, Corporation Counsel Brian Day, and Town Clerk Angie Huonker.

ABSENT: Councilmember Chamberly Cummings.

3. PLEDGE OF ALLEGIANCE:

Mayor Koos led the Pledge of Allegiance to the Flag.

4. PUBLIC COMMENT:

Jeff Fritzen, Normal Resident, opposes adult-use cannabis and would like to see the Town opt out.

5. OMNIBUS VOTE AGENDA:

Mayor Koos read aloud the items to be considered by the Omnibus Vote Agenda.

A. APPROVAL OF THE MINUTES OF THE SPECIAL JOINT MEETING OF SEPTEMBER 30, 2019: APPROVAL OF THE MINUTES OF THE WORK SESSION OF OCTOBER 7, 2019: APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING OF OCTOBER 7, 2019:

B. REPORT TO RECEIVE AND FILE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF OCTOBER 16, 2019:

C. RESOLUTION TO WAIVE THE FORMAL BIDDING PROCESS AND ACCEPT QUOTES TOTALING \$89,478.45 FROM DELL FOR THE PURCHASE OF COMPUTER EQUIPMENT:

D. RESOLUTION AUTHORIZING A CONTRACT WITH FREEHILL ASPHALT, INC., FOR THE 2019 CONCRETE PAVEMENT CRACK AND JOINT SEALING CONTRACT IN THE AMOUNT OF \$74,540:

E. RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TYLER TECHNOLOGIES FOR THE DEVELOPMENT AND

IMPLEMENTATION OF AN ELECTRONIC CITATION PROGRAM, AT A COST UP TO \$70,280:

- F. AN ORDINANCE TO ALLOW PARKING ON THE NORTH SIDE OF BEECH STREET FROM CHUCK MURRAY DRIVE TO TOWANDA AVENUE:  
Ordinance No. 5793:

Items A and F were approved by the Omnibus Vote.

Items B, C, D, and E were removed from the Omnibus Vote.

6. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA

REPORT TO RECEIVE AND FILE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF OCTOBER 16, 2019:

MOTION:

Councilmember Nord moved, seconded by Councilmember Preston, the Council Approval of the Report to Receive and File Town of Normal Expenditures for Payment as of October 16, 2019.

AYES: Nord, Smith, Lorenz, Preston, McCarthy, Koos.

NAYS: None.

ABSENT: Cummings.

Motion declared carried.

Councilmember Nord asked if there was a Sponsorship Policy in place. City Manager, Pamela Reece responded there is not. Mr. Nord indicated he would like the opportunity to discuss sponsorships during the upcoming budget work session.

RESOLUTION TO WAIVE THE FORMAL BIDDING PROCESS AND ACCEPT QUOTES TOTALING \$89,478.45 FROM DELL FOR THE PURCHASE OF COMPUTER EQUIPMENT: Resolution No. 5718:

MOTION:

Councilmember Lorenz moved, seconded by Councilmember Preston, the Council Approval of a Resolution to Waive the Formal Bidding Process and Accept Quotes Totaling \$89,478.45 from Dell for the Purchase of Computer Equipment.

AYES: Smith, Lorenz, Preston, McCarthy, Nord, Koos.

NAYS: None.

ABSENT: Cummings.

Motion declared carried.

Discussion included reasons for waiving the formal bid process, standardization of equipment, warranty expiration on equipment and the computer equipment replacement program.

RESOLUTION AUTHORIZING A CONTRACT WITH FREEHILL ASPHALT, INC., FOR THE 2019 CONCRETE PAVEMENT CRACK AND JOINT SEALING

CONTRACT IN THE AMOUNT OF \$74,540: Resolution No. 5719:MOTION:

Councilmember Lorenz moved, seconded by Councilmember McCarthy, the Council Approval of a Resolution Authorizing a Contract with Freehill Asphalt, Inc., for the 2019 Concrete Pavement Crack and Joint Sealing Contract in the Amount of \$74,540.

AYES: Lorenz, Preston, McCarthy, Nord, Smith, Koos.

NAYS: None.

ABSENT: Cummings.

Motion declared carried.

Discussion included concern over a pattern of single bidders, lack of a competitive bid environment, use of Public Works crew versus a vendor and their specific capabilities, and what Councilmembers might be able to do to mitigate solutions to single bidder issues.

RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH  
TYLER TECHNOLOGIES FOR THE DEVELOPMENT AND IMPLEMENTATION  
OF AN ELECTRONIC CITATION PROGRAM, AT A COST UP TO \$70,280:  
Resolution No. 5720:

MOTION:

Councilmember Smith moved, seconded by Councilmember Preston, the Council Approval of a Resolution Waiving the Formal Bidding Process and Authorizing the City Manager to Execute an Agreement with Tyler Technologies for the Development and Implementation of an Electronic Citation Program, at a Cost up to \$70,280.

AYES: Preston, McCarthy, Nord, Smith, Lorenz, Koos.

NAYS: None.

ABSENT: Cummings.

Motion declared carried.

Discussion included questions on the checklist of features of the software, proprietary software details, review of staff efficiencies, implementation process, dual system set up to provide auditing capabilities, and budgeted funds. Discussion also included systems used by other agencies.

GENERAL ORDERS

7. RESOLUTION APPROVING AN AMENDED PRELIMINARY SUBDIVISION PLAN FOR BLACKSTONE TRAILS SUBDIVISION (NORTHEAST CORNER OF HERSHEY AND SHEPARD): Resolution No. 5721:

MOTION TO POSTPONE:

Councilmember Nord moved, seconded by Councilmember Smith, the Council Postpone to a Date Certain, the Approval of a Resolution Approving an Amended Preliminary

Subdivision Plan for Blackstone Trails Subdivision (Northeast Corner of Hershey and Shepard).

AYES: Nord, Smith.  
NAYS: McCarthy, Lorenz, Preston, Koos.  
ABSENT: Cummings.  
Motion declared failed.

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Lorenz, the Council Approval of a Resolution Approving an Amended Preliminary Subdivision Plan for Blackstone Trails Subdivision (Northeast Corner of Hershey and Shepard).

AYES: McCarthy, Lorenz, Preston, Koos.  
NAYS: Nord, Smith.  
ABSENT: Cummings.  
Motion declared carried.

Discussion included clarification between the related three items proposed on the agenda concerning Blackstone Trails, a review of the previously approved concept plan and review process, and the remaining required approvals of the proposed Amended Preliminary Subdivision Plan.

Further discussion included questions on changes in lot sizes, market price completed homes, changes in density of the subdivision plan, concerns over the preservation of the natural setting by residents, and the notification process used to communicate with residents of Blackstone Trails.

As additional discussion ensued there was discussion on the contractual obligation to approve the proposed items, the compliance of the developer, and what the consequences of not approving the plan might be. There was also a discussion on the potential to table or postpone the items, whether future modifications of the project would be allowed, and whether the Town's ability to make substantial changes to the previously approved plan.

Discussion also included sentiments over resident concerns, whether there was clarity in the original notification process, confusion of the approval process, the need to keep residents involved in the next steps of the project, and opportunities for residents to weigh-in on the discussion.

While a separate issue from the proposed items, there was also discussion on the future of a Fire Station at the corner of the subdivision. Some Councilmembers questioned whether they would be willing to support the future building of a Fire Station at the location.

8. RESOLUTION CONDITIONALLY APPROVING THE FINAL PLAT OF THE SECOND ADDITION TO BLACKSTONE TRAILS (NORTHEAST OF HERSHEY AND SHEPARD): Resolution No. 5722:

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Lorenz, the Council Approval of a Resolution Conditionally Approving the Final Plat of the Second Addition to Blackstone Trails (Northeast of Hershey and Shepard).

AYES: Lorenz, Preston, McCarthy, Koos.

NAYS: Nord, Smith.

ABSENT: Cummings.

Motion declared carried.

9. AN ORDINANCE REZONING PROPERTY IN THE TOWN OF NORMAL – BLACKSTONE TRAILS DETENTION BASIN (NORTHEAST OF HERSHEY AND SHEPARD): Ordinance No. 5794:

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Lorenz, the Council Adopt an Ordinance Rezoning Property in the Town of Normal – Blackstone Trails Detention Basin (Northeast of Hershey and Shepard).

AYES: Smith, Lorenz, McCarthy, Koos.

NAYS: Preston, Nord.

ABSENT: Cummings.

Motion declared carried.

10. MOTION TO INITIATE A ZONING TEXT AMENDMENT CONCERNING THE REGULATION OF CANNABIS FACILITIES:

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Smith, the Council Approval of a Motion to Initiate a Zoning Text Amendment Concerning the Regulation of Cannabis Facilities.

AYES: Lorenz, Preston, McCarthy, Smith, Koos.

NAYS: Nord.

ABSENT: Cummings.

Motion declared carried.

Discussion included the impact on law enforcement concerning cannabis legalization, the impact of cannabis odor in approved areas and proposed zoning buffers, the concerns and limitations of on-premises consumption, and security issues that come from being a cash-based business.

Additional discussion included clarification on medical cannabis dispensary licensing versus recreational use facilities, the number of licensed facilities that will be allowed in the area, a review of what a favorable vote on this item would mean moving forward, and what waiting on a vote altogether could mean.

Further discussion included a request for broader buffer zones, the opportunities for public input as the process moves along, and Council's ability to reject, approve, or modify recommendations brought forward.

McLean County Chamber of Commerce Representative, Mr. John Walsh was present to discuss the Chamber's position on cannabis, their work on drafting policies, workplace and employer protections that are in place, and right to privacy in the workplace issues that may face local business owners.

### NEW BUSINESS

11. AN ORDINANCE AUTHORIZING THE TOWN TO EXECUTE A LOAN AGREEMENT WITH COMMERCE BANK FOR \$2,000,000 TO BE USED TO REFUND THE CALLABLE REMAINING PRINCIPAL PAYMENTS ON THE TOWN'S SERIES 2009 FIXED RATE BOND ISSUE: Ordinance No. 5795:

### MOTION:

Councilmember Preston moved, seconded by Councilmember McCarthy, the Council Adopt an Ordinance Authorizing the Town to Execute a Loan Agreement with Commerce Bank for \$2,000,000 to be Used to Refund the Callable Remaining Principal Payments on the Town's Series 2009 Fixed Rate Bond Issue.

AYES: Preston, McCarthy, Nord, Smith, Lorenz, Koos.

NAYS: None.

ABSENT: Cummings.

Motion declared carried.

Discussion included clarification on net present value analysis and calculation, the interest savings of approximately \$129,000, refunding comparisons, market needs of local banks, and payment methods of previous bonds and future debt funding.

12. CONCERNS:

Councilmember Scott Preston wished Illinois State University Happy Homecoming Week and noted the Uptown trees have been lit.

Councilmember Stan Nord spoke about State leaders and local property tax concerns, indicating he would like to begin discussions on options to lower taxes. Mr. Nord then spoke about an upcoming lease renewal in Uptown, noting he would like to see a market rate lease put in place. Mr. Nord then reviewed excerpts from a recent issue of the *IML* magazine that discussed municipal theft, failure to follow policies, and reviewing safeguards regularly.

Mayor Koos noted he has full faith in Town staff and their abilities to review policy and safeguards to protect public dollars, indicating there is always room for improvement.

Councilmember Kevin McCarthy spoke about the recent Rivian event noting he received overwhelming positive feedback and support from the public and hopefulness for what is coming.

Councilmember Karyn Smith stated that she would like to reinstate the Coffee with the Council program and invited other Councilmembers to join her.

Councilmember Kathleen Lorenz stated *All the Queens Horses* was the name of the film reflected in Mr. Nord's *IML* magazine article. Mrs. Lorenz stated that she is also supportive of bringing back the Coffee with the Council program.

13. ADJOURNMENT:

There being no further business to come before the Council, Mayor Koos called for a Motion to Adjourn the Regular Meeting of the Normal Town Council.

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Preston, the Council Accept a Motion to Adjourn the Regular Meeting of the Normal Town Council.

AYES: McCarthy, Nord, Smith, Lorenz, Preston, Koos.

NAYS: None.

ABSENT: Cummings.

Motion declared carried.

Mayor Koos adjourned the Regular Meeting of the Normal Town Council at 9:27 p.m., Monday, October 21, 2019.