

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, DECEMBER 21, 2020.

1. CALL TO ORDER:

Mayor Koos called the Regular Meeting of the Normal Town Council to Order at 7:05 p.m., Monday, December 21, 2020.

2. ROLL CALL:

The Clerk called the roll with the following persons

PRESENT: The Meeting was conducted virtually. There were no persons physically present in Council Chambers.

REMOTE: Mayor Chris Koos and Councilmembers Kevin McCarthy, Chemberly Cummings, 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: None.

Prior to the start of the meeting, Mayor Chris Koos read the Length of Service Recognition list for all Town employees including 2020 Retirements. Mayor Koos expressed thanks to all the employees for these years of service and congratulations to those who retired.

Mayor Chris Koos made the following statement:

Due to recent changes in the Open Meetings Act, I feel compelled to make the following statement that the Governor has issued a disaster declaration related to the public health concerns caused by the statewide COVID-19 pandemic.

As mayor, I have determined that an in-person meeting is not practical or prudent because of the risk of exposure to the COVID-19 virus stemming from an indoor gathering, and that the remote meeting is in the best interest of the health, safety, and welfare of the council, staff, and general public.

3. PLEDGE OF ALLEGIANCE:

Mayor Koos led the Pledge of Allegiance to the Flag.

4. PUBLIC COMMENT:

Given the circumstances necessitated by the COVID-19 crisis, and in accordance with a mandate of social distancing, public comment was made available virtually through the use of Zoom Meeting.

Karl Sila, Normal Resident and Town Council Candidate, expressed his concern regarding the liquor license fee proposal and spoke against the Restore Illinois plan.

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 WORK SESSION OF DECEMBER 7, 2020; APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING OF DECEMBER 7, 2020:
- B. REPORT TO RECEIVE AND FILE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF DECEMBER 16, 2020:
- C. RESOLUTION APPROVING THE ALLOCATION OF \$450,000 FROM THE GENERAL FUND TO SUPPORT THE TOWN OF NORMAL SMALL BUSINESS RELIEF PROGRAM REIMBURSABLE BY THE DCEO CURE ES GRANT PROGRAM:
- D. AMENDED RESOLUTION TO APPROPRIATE \$926,000 OF MOTOR FUEL TAX (MFT) FUNDS FOR THE GREGORY STREET CULVERT REHABILITATION PROJECT (OVER SUGAR CREEK):

MOTION:

Councilmember Kevin McCarthy moved, seconded by Councilmember Kathleen Lorenz, the Council Approval of the Omnibus Vote Agenda.

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

NAYS: None.

Motion declared carried.

Items A and B were approved by the Omnibus Vote.

Items C and D were removed from the Omnibus Vote.

6. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

RESOLUTION APPROVING THE ALLOCATION OF \$450,000 FROM THE GENERAL FUND TO SUPPORT THE TOWN OF NORMAL SMALL BUSINESS RELIEF PROGRAM REIMBURSABLE BY THE DCEO CURE ES GRANT PROGRAM: Resolution No. 5828:

MOTION:

Councilmember Karyn Smith moved, seconded by Councilmember Scott Preston, the Council Approval of a Resolution Approving the Allocation of \$450,000 from the General Fund to Support the Town of Normal Small Business Relief Program Reimbursable by the DCEO CURE ES Grant Program.

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

NAYS: None.

Motion declared carried.

Councilmember Karyn Smith stated she wanted to emphasize that this action is to authorize advancement of the funds for subsequent reimbursement to the Town from the State.

Assistant City Manager Eric Hanson responded the State of Illinois DCEO announced in September this grant money through the CURE ES program. The Town of Normal had \$450,000 available for businesses to apply for on December 1. There were about 90-100 businesses that showed interest in the grant with 65 businesses who completed the application process and were eligible to receive up to \$5,000 in three different buckets or a total of \$15,000. There were \$737,000 requested by businesses but not all were eligible. The Town was able to help 90+% of applicants for most or all their requests for eligible expenses. Recently another grant was introduced called the BIG that is running concurrently with the CURE ES program. Those who were able to receive the BIG grant were no longer eligible to also receive the CURE ES grant which made more funds available through the Town. The recipients of the CURES ES grant will receive their funds the first part of January.

Councilmember Stan Nord questioned what the criteria was for a business to be eligible for this grant. Assistant City Manager Eric Hanson responded there are DCEO requirements that must be met before the grant money is disbursed as well as Council action to be taken.

Councilmember Kevin McCarthy stated he wanted to thank staff for their hard work with things moving so quickly. Mr. McCarthy noted businesses are very appreciative of the Town's efforts to get this money disbursed as quick as possible.

AMENDED RESOLUTION TO APPROPRIATE \$926,000 OF MOTOR FUEL TAX (MFT) FUNDS FOR THE GREGORY STREET CULVERT REHABILITATION PROJECT (OVER SUGAR CREEK): Resolution No. 5829:

MOTION:

Councilmember Stan Nord moved, seconded by Councilmember Karyn Smith, the Council Approval of an Amended Resolution to Appropriate \$926,000 of Motor Fuel Tax (MFT) Funds for the Gregory Street Culvert Rehabilitation Project (over Sugar Creek).

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

NAYS: None.

Motion declared carried.

Councilmember Stan Nord requested information on the location of this culvert and whether a bike trail was drawn into the plans.

Engineering Director Ryan Otto responded this culvert is on the east side of Adelaide Street near University High School which is not near the bike trail area that Mr. Nord is referring to which is on the west side of Adelaide Street. Mr. Otto also stated the State of Illinois is planning to do some work on Main Street possibly through the intersection with Gregory in the next five years meaning this current project will set the Town up for improvements there as well.

Councilmember Karyn Smith asked a question regarding a ranking system for roadway projects to identify the most critical projects for consideration and whether this project is a part of that system.

Mr. Otto stated bridges are treated separately than the roadway paving ranking system. Mr. Otto noted there are national bridge inspection standards which is a federally mandated system to use. Mr. Otto noted the Town has a bridge inspector on staff to inspect the 27 bridges owned by the Town. Mr. Otto stated the Gregory Street culvert got a rating of 4 which is poor and stated the funding for this project is through the state motor fuel tax transportation dollars and not local motor fuel tax dollars. Mr. Otto noted the contract will come back before the Council for approval in early spring and the project will begin right after school is out for the summer.

7. GENERAL ORDERS:

AN ORDINANCE CONCERNING 2021 LIQUOR LICENSE FEES: Ordinance No. 5857:

MOTION TO AMEND:

Councilmember Stan Nord moved, seconded by Councilmember Karyn Smith, the Council Amend the Ordinance Concerning 2021 Liquor License Fees to Remove any Language that Requires Future Compliance or Action Unless it is a Written Law.

AYES: Nord.

NAYS: Smith, Lorenz, Preston, McCarthy, Cummings, Koos.

Motion declared failed.

MOTION TO CALL FOR THE QUESTION:

Councilmember Karyn Smith moved, seconded by Councilmember Kathleen Lorenz, the Council to Call for the Question to Accept an Ordinance Concerning 2021 Liquor License Fees.

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

NAYS: None.

Motion declared carried.

MOTION:

Councilmember Karyn Smith moved, seconded by Councilmember Kevin McCarthy, the Council Accept an Ordinance Concerning 2021 Liquor License Fees.

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

NAYS: Nord.

Motion declared carried.

City Manager Pam Reece introduced this item regarding the 2020-2021 liquor license fees since the time for the annual renewal process begins soon. Mrs. Reece noted this action is in response to certain license holders affected by the pandemic.

Councilmember Karyn Smith stated she expressed her support for this action to provide some relief to an industry sector hard hit by the pandemic.

Councilmember Kevin McCarthy suggested this is a very creative way to support local businesses.

Councilmember Stan Nord stated he thinks it is a good idea for businesses to receive a break from last year's fees but would rather see a prorated amount. Mr. Nord then asked questions regarding what a business would have to do to adhere to the guidelines to receive a refund for their liquor license fees for next year.

City Manager Pam Reece responded that the fees are being waived not refunded for 2020-2021.

Corporation Counsel Brian Day stated this Ordinance states the businesses will have to remain in compliance during the 2020-2021 liquor license year. Mr. Day also stated there is a built-in appeal process if needed. Mr. Nord stated this action is a reward for businesses to remain closed and is compelling them to blindly follow any legislative guidelines.

Mr. Day responded.

Mayor Chris Koos stated the Town of Normal is a Home Rule form of government and can pass laws as it sees fit. Mayor Koos expressed this action is meant to help relieve the struggles and to offer assistance to those heavily affected by the pandemic.

Mrs. Reece stated that part of the driving factor for this incentive is to acknowledge businesses who have had to shut down and were impacted negatively by the Restore Illinois plan.

Councilmember Stan Nord requested information about refunding the 2020 fees or prorating the 2021 fees once businesses are allowed to open up again.

Mrs. Reece responded.

Mr. Nord stated he believes this is a very partisan issue and businesses are being forced to follow rules with no questions asked.

Councilmember Chamberly Cummings stated this action would be noted as a relief to businesses and those businesses with liquor licenses have been heavily impacted.

Councilmember Kathleen Lorenz asked Mr. Nord what he would do to help these businesses.

Mayor Koos stated that Mr. Nord could answer that question during his next turn to speak.

Councilmember Scott Preston requested information regarding whether any liquor license holders have been found, via administrative hearing, to have officially violated a COVID-19 regulation.

Mr. Day responded there is one citation pending for a hearing later this month.

Mayor Koos stated he would like the words “punishment” and “reward” being taken out of this discussion. Mayor Koos also stated the intent of this Ordinance is to help small businesses that have been shut down during this pandemic.

Councilmember Stan Nord stated he would like to Amend the Ordinance to remove any language that requires any future compliance or action unless it is a written law.

Councilmember Kathleen Lorenz stated she wants the Council to not lose sight of a good relief program.

Councilmember Stan Nord stated he does not believe this is a relief package but feels this is a package that requires a business to have to do something else in order to receive the incentive. Mr. Nord then asked what the Town’s policy is if a business wants to just pay the 2021 liquor fee to just stay open.

Mr. Day stated liquor license holders are required to obey the law which includes orders and guidelines. Mr. Day noted that under Illinois law any enactment is a law if it is authorized and it is not aspirational or suggested. He noted that the Governor’s orders fall under this rule, therefore the liquor license holders must abide by these orders.

City Manager Pam Reece stated Town staff responds to any citizen inquiry and the police department responds to all calls for service. Mrs. Reece noted any reports taken are to gather information and have been shared with the Health Department. Mrs. Reece also stated the administrative hearing for next week is a completely different matter than this action today. Mrs. Reece reiterated the action today is to waive liquor license fees in 2021 to acknowledge those businesses with business interruptions due to Restore Illinois.

Councilmember Stan Nord stated he feels this action is creating a way to financially incentivize or bribe a business to follow the Restore Illinois rules.

Mrs. Reece responded that the Town of Normal is not bribing or acting unethically in any way by waiving liquor license fees in 2021.

Councilmember Karyn Smith requested to Call for the Question.

8. NEW BUSINESS:

MOTION TO APPROVE THE FY2020-2021 TO FY2025-26 COMMUNITY INVESTMENT PLAN.

MOTION:

Councilmember Kevin McCarthy moved, seconded by Councilmember Karyn Smith, the Council Approval of a Motion to Approve the FY2020-2021 to FY2025-26 Community Investment Plan.

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

NAYS: Nord.

Motion declared carried.

Finance Director Andrew Huhn presented the Community Investment Plan stating the purpose of the plan is to establish staff recommendations to plan for capital investments for the next five years. Mr. Huhn noted the plan is organized into five categories with a number of funding sources: transportation, public facilities, parks and open space, utility service and capital assets. Mr. Huhn stated the rating system for these projects includes critical, important, flexible and no rating. Mr. Huhn also stated there are seven major funds used for these projects: General Fund, Parkland, Community Development Block Grant, Motor Fuel Tax (State), Water Fund, Sewer Fund and Storm Water Fund. Mr. Huhn noted there are currently 130 projects recommended costing just over \$100M over the next 5 years. Mr. Huhn then noted the fiscal year-end comparison from last year is up about \$5.473M due to the changes in transportation and utility services.

Councilmember Karyn Smith asked the question of whether the bike trails are categorized under Transportation or Parks.

City Manager Pam Reece responded that it can be under both categories depending on the actual project.

Ms. Smith also requested information on when the rating system for the road projects would be ready. Engineering Director Ryan Otto responded the information should be available in the Fall for the planning season for the year 2022.

Councilmember Stan Nord asked how the priorities are set for the Community Investment Plan.

Mrs. Reece explained the rating considerations take all things into account such as funding opportunities, conditions/needs, and input from citizens and Council.

Mr. Nord then asked how flexible the projects/priorities throughout the year are.

Mrs. Reece responded that some projects can be flexible depending on the projects, grant money, criteria, funds and needs. Mrs. Reece also reminded Council that projects identified as "unfunded" can also be flexible depending on the opportunities of grant money, critical needs, etc. Mr. Nord asked how some of the items can be marked as critical, yet they are not on the list to be completed right away and some items not marked as critical are on the list. Mrs. Reece responded that if grant money is involved, those projects cannot be deferred as they have time requirements.

Councilmember Kathleen Lorenz stated she would like information regarding any projects on the roads and alleys in Savannah Green subdivision. Public Works Director Wayne Aldrich responded this was discussed with Council several years ago however, it can be discussed again as there are significant issues.

Mr. Aldrich mentioned that currently residents should certainly call with specific issues and the Public Works Department will address each one individually. Mrs. Lorenz also requested information on the Sugar Creek Banks stabilization project. Mr. Aldrich explained that a major project was completed this past year and vegetation management will be addressed even more in the coming year.

Councilmember Karyn Smith requested clarity for which roads the Town of Normal is specifically responsible for. Mr. Otto responded there is a municipal boundary map that could be provided and stated that Veterans Parkway and Main Street/US 51 are state roads.

Councilmember Stan Nord requested more information on any other locations in the Town receiving brown water.

Mrs. Reece gave an update on the current status of the Ruston/Adelaide brown water issues. Mrs. Reece noted the Town has found a temporary solution and there have been no complaints from the residents.

Water Department Director John Burkhart explained there are currently no other water quality complaints in the Town at this time other than the occasional issue during hydrant flushing, water main project in the vicinity or water main break in the area.

Mr. Nord stated that pipes rust due to Mother Nature and it is not the fault of the Water Department. Mr. Nord requested information regarding the water capacity upgrade.

Mr. Burkhart noted that currently the Town has a capacity of 9.6M gallons/day using one clarifier and ideally in the future if the two clarifiers were combined that would allow the Town to produce up to 12M gallons per day.

Mr. Nord then asked if the Town would be able to take on the water requirements for Carle BroMenn and Rivian at any time in the future.

Mr. Burkhart responded it would.

Mr. Nord also asked for information regarding the College Avenue Extension project as it relates to water.

Mrs. Reece stated the College Avenue Extension project was started for economic development reasons.

Mr. Burkhart responded to questions regarding fire protection services and water needs.

Mr. Nord then asked if this Motion is approved, are there chances to make changes and ask questions later.

Mayor Koos responded at any time the Council can change the budget as it sees fit.

Councilmember Kevin McCarthy stated he wanted to thank staff for putting this plan together with details on the infrastructure maintenance. Mr. McCarthy asked about the significant drop offs in revenue in the Capital Fund in the out-years.

Mr. Huhn responded there is some carryover fund balance and grant funding that would disappear when the funding is exhausted.

PRESENTATION BY CULTURAL ARTS AND CHILDREN'S DISCOVERY  
MUSEUM DIRECTOR BETH WHISMAN.

City Manager Pam Reece introduced Cultural Arts and Children's Discovery Museum Director Beth Whisman.

Ms. Whisman explained the Children's Discovery Museum and Normal Theater have been closed for 282 days although they have been able to serve almost 30,000 people this year and were able to distribute 8,000 free STEAM activity kits. Ms. Whisman also noted they are working on reopening protocols and training to be ready to open the sites. Ms. Whisman announced they have been awarded over \$28,000 in private grant monies for education outreach and mentioned several projects and exhibits that have been upgraded at the museum and Theater. Ms. Whisman noted the revenue streams of the Doctors in Concert and the Craft Beer fund raiser were very successful this year.

Mayor Chris Koos gave kudos to Ms. Whisman and staff for the incredible work they have done with staying viable during this pandemic.

Councilmember Kevin McCarthy congratulated the staff on all the successes and creativity of adapting. Mr. McCarthy questioned if the staff would continue some of these adapted programs post-COVID.

Ms. Whisman replied some of the programs have been highly successful and will continue into the future.

Councilmember Stan Nord requested information regarding staff reductions. Ms. Whisman stated that 40 part-time staff members have been laid off and the staff had to make some very tough decisions.

Councilmember Chamberly Cummings thanked the staff and stated she knows families who have benefitted from the programs that have come from the Cultural Arts Department.

MOTION TO APPROVE APPOINTMENTS AND REAPPOINTMENTS TO  
VARIOUS BOARDS, COMMISSIONS AND COMMITTEES.

MOTION TO APPROVE MICHAEL PETTORINI:

Councilmember Kevin McCarthy moved, seconded by Councilmember Chamberly Cummings, the Council Approval of Michael Pettorini.

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

NAYS: None.

Motion declared carried.

MOTION TO APPROVE RACHEL LUND:

Councilmember Kevin McCarthy moved, seconded by Councilmember Chamberly Cummings, the Council Approval of Rachel Lund.

AYES: Smith, McCarthy, Cummings, Koos.

NAYS: Nord, Lorenz, Preston.

Motion declared carried.

MOTION TO APPROVE MANDAVA RAO:

Councilmember Kevin McCarthy moved, seconded by Councilmember Chamberly Cummings, the Council Approval of Mandava Rao.

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

NAYS: Nord.

Motion declared carried.

Councilmember Kathleen Lorenz requested that the three appointments be divided into three separate votes.

Councilmember Stan Nord requested information from Mayor Koos about why he chose to appoint Rachel Lund to the Planning Commission if she has no expertise or interest. Mayor Koos responded that it is a citizen's board so it requires no expertise and that Ms. Lund did show interest.

Councilmember Stan Nord stated he spoke to Mr. Rao and mentioned that Mr. Rao has just moved back into the area and did not know anything about the current issues of the bus system.

Councilmember Kevin McCarthy read the appointment memo stating the reappointment of Michael Pettorini for McLean County Regional Planning Commission for term to expire December 31, 2023; and the new appointments of Rachel Lund for Planning Commission for term to expire March 31, 2023 and Mandava Rao for Connect Transit Board for term to expire June 30, 2021.

9. PUBLIC COMMENTS:

There was no Public Comment.

10. CONCERNS:

Councilmember Karyn Smith stated she wanted to extend best wishes to all for the holiday season.

Councilmember Chemberly Cummings wanted to wish everyone happy holidays and a happy new year.

Councilmember Kathleen Lorenz stated she wanted to voice her concerns regarding nursing homes and the COVID virus. Mrs. Lorenz stated 60% of McLean County deaths from COVID are from those in nursing homes.

Councilmember Stan Nord stated his concern for nursing homes as well. Mr. Nord also mentioned holiday travel and the fact that Illinois is in a bubble with shuttered businesses whereas other communities are open.

Councilmember Kevin McCarthy stated that in the last two weeks, there were 30 deaths in McLean County due to COVID. Mr. McCarthy thanked the residents for supporting each other over the holiday season. Mr. McCarthy also wanted to thank staff and administration for focusing on doing the best we can for our community.

Councilmember Scott Preston commented that 2020 has been a long year for the community and the country. Mr. Preston stated he hopes the holidays bring an opportunity to be thankful and appreciative and a reminder that every life is valuable and has worth.

City Manager Pam Reece shared information regarding employee opportunities during the holiday season. Mrs. Reece mentioned that historically the employees participate in Sharing Tree which is a program where funds are donated, then some Town employees shop, wrap and deliver gifts. Mrs. Reece stated the program was changed this year on very short notice due to the Unity Center being closed so our employees put together some activities and gifts for 10 families in the foster care system. Mrs. Reece also shared that the CARES Team, which is the employee philanthropic team, and staff spent time filling out 600 cards and putting together 225 care packages for five nursing homes in the community.

City Manager Pam Reece also mentioned the Town recently received reaffirmation of Fitch Ratings for the Town of Normal's Triple A rating. Mrs. Reece noted that this rating shows the Town is fiscally responsible, supports ample reserves, shows strong financial policies, and takes an active role in economic development.

Mayor Chris Koos wished everyone a safe and joyous holiday season.

11. 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 Karyn Smith moved, seconded by Councilmember Scott Preston the Council Accept a Motion to Adjourn the Regular Meeting of the Normal Town Council.

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

NAYS: None.

Motion declared carried.

Mayor Koos adjourned the Regular Meeting of the Normal Town Council at 10:18 p.m., Monday, December 21, 2020.