

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, JULY 7, 2008.

1. CALL TO ORDER:

Mayor Chris Koos called the regular meeting of the Normal Town Council to order at 7:02 p.m., Monday, July 7, 2008.

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 ALLEIGANCE:

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

Items F and H were 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 PUBLIC HEARING OF JUNE 16, 2008: Omnibus Vote.  
APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 16, 2008: Omnibus Vote.

B. APPROVAL OF TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF JULY 2, 2008: Omnibus Vote.

C. MOTION AUTHORIZING STAFF TO ENTER INTO AN AGREEMENT WITH ECONOMICS RESEARCH ASSOCIATES OF CHICAGO, IL, FOR AN

AMOUNT NOT TO EXCEED \$30,000 FOR A SOCCER FEASIBILITY STUDY: Omnibus Vote.

- D. MOTION TO WAIVE THE FORMAL BIDDING PROCESS AND TO APPROVE A RESOLUTION AUTHORIZING AN AGREEMENT WITH EXECUTIME SOFTWARE, LLC, FOR THE PURCHASE OF EXECUTIME TIMEKEEPING SOFTWARE AND RELATED HARDWARE: Resolution No. 4222: Omnibus Vote.
  - E. MOTION APPROVING THE PAYMENT OF \$28,314.97 TO STARK EXCAVATING, INC., FOR THE EMERGENCY REPLACEMENT OF WATER MAIN ON NORTH MAIN STREET AND THE ASSOCIATED BUDGET ADJUSTMENTS: Omnibus Vote.
  - G. MOTION TO APPROVE THE RECOMMENDED EXPENDITURES FOR THE ANNUAL HARMON ARTS GRANT PROGRAM: Omnibus Vote.
  - I. RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH STARK EXCAVATING, INC., FOR AN UPSTAIRS OFFICE AREA AT 104 EAST BEAUFORT AND IN THE GROUND FLOOR COMMERCIAL SPACE AT THE COLLEGE AVENUE PARKING DECK: Resolution No. 4223: Omnibus Vote.
  - J. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH REDBOX WORKSHIP, LTD., IN THE AMOUNT OF \$185,425.00 FOR THE FABRICATION AND INSTALLATION OF THE HEALTHY KIDS, HEALTHY FUTURE EXHIBITS AT THE CHILDREN'S DISCOVERY MUSEUM: Resolution No. 4224: Omnibus Vote.
  - K. RESOLUTION AUTHORIZING THE EXECUTION OF LEASE AGREEMENTS WITH BILL FRAUTSCHI (121 NORTH STREET) AND BEAUFORT STREET RENEWAL, LLC., (126 EAST BEAUFORT STREET): Resolution No. 4225: Omnibus Vote.
  - L. RESOLUTION TO EXTEND CONTINUING SERVICE AGREEMENTS FOR TWO YEARS, EFFECTIVE JULY 18, 2008, WITH FARNSWORTH GROUP; LEWIS, YOCKEY & BROWN, INC.; CLARK-DIETZ, INC.; AND HANSON PROFESSIONAL SERVICES, INC., TO PROVIDE ENGINEERING SERVICES, AND ACCEPT THEIR PROPOSED 2008 HOURLY RATES AND DIRECT COSTS FOR THEIR ENGINEERING SERVICES: Resolution No. 4226: Omnibus Vote.
  - M. RESOLUTION ACCEPTING DEDICATIONS OF RAAB ROAD RIGHTS-OF-WAY – CONSTITUTION TRAIL, LLC: Resolution No. 4227: Omnibus Vote.
  - N. ORDINANCE AUTHORIZING THE APPOINTMENT OF A SUCCESSOR REMARKETING AGENT FOR THE GENERAL OBLIGATION VARIABLE RATE DEMAND BONDS, SERIES 2003, OF THE TOWN OF NORMAL, MCLEAN COUNTY, ILLINOIS, AND CERTAIN RELATED MATTERS: Ordinance No. 5202: Omnibus Vote.
5. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

F. MOTION APPROVING A CHANGE ORDER IN THE AMOUNT OF \$15,191.00 WITH CORE CONSTRUCTION FOR ADDITIONAL ELECTRICAL WORK ON THE COLLEGE AVENUE PARKING DECK:

MOTION:

Councilmember Reece moved, seconded by Councilmember Nielsen, the Council Approve a Change Order in the Amount of \$15,191.00 with CORE Construction for Additional Electrical Work on the College Avenue Parking Deck.

Councilmember Reece questioned if the parking deck would be open for parking for the Sugar Creek Arts Festival, to which City Manager Mark Peterson responded in the affirmative. Councilmember Reece expressed concern with the delay in the completion of the parking deck. Uptown Development Director Wayne Aldrich responded to questions from Council. Councilmember Scott suggested the Town consider adding liquidated damages to future contracts to ensure timely completions.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

H. MOTION INITIATING ZONING CODE TEXT AMENDMENTS FOR REVISIONS TO SECTION 15.7-2 OFF-STREET PARKING AND LOADING REGULATIONS:

MOTION:

Councilmember Reece moved, seconded by Councilmember Nielsen, the Council Approve the Motion Initiating Zoning Code Text Amendments for Revisions to Section 15.7-2 – Off-Street Parking and Loading Regulations.

Councilmember Reece expressed concern with stacked parking and posed questions concerning the proposed ordinance, which questions were responded to by Building Commissioner Greg Troemel. Councilmember Chambers suggested Council review the entire parking impact zone ordinance and regulations.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

GENERAL ORDERS

6. RESOLUTION APPROVING WAIVERS FROM THE UPTOWN DESIGN REVIEW CODE, CHAPTER 15, DIVISION 17, FOR THE JSM DEVELOPMENT AT 204 AND 206 W. NORTH STREET AND 107 S. BROADWAY:

MOTION:

Councilmember Reece moved, seconded by Councilmember Fritzen, the Council Adopt the Resolution Approving Waivers from the Uptown Design Review Code, Chapter 15, Division 17, for the JSM Development at 204 and 206 W. North Street and 107 S. Broadway.

Mr. Scott Kunkel of JSM Development of Champaign, Illinois, presented a brief overview of the proposed project at 204 and 206 W. North Street and 107 S. Broadway. Mr. Kunkel presented pictures of the proposed facades and awnings for the project, including color samples. Mr. Kunkel stated EIFS building material was proposed for the third through the fifth floors.

Councilmember Reece posed questions concerning the proposed balconies on the corner units, which were responded to by Mr. Kunkel. Councilmember Reece expressed concern with the amount of EIFS to be used on the building. Councilmember Nielsen posed questions for clarification purposes, which were responded to by Mr. Scott Kunkel.

Mayor Koos stated the developer had approached Town staff concerning a potential redevelopment agreement for this development and suggested the Council may wish to table this matter to tie the two issues together at a later date.

Councilmember Fritzen indicated the need to remain consistent from project to project with the Uptown area.

MOTION TO TABLE:

Councilmember Chambers moved, seconded by Councilmember Nielsen, the Council Table the Resolution Approving Waivers from the Uptown Design Review Code, Chapter 15, Division 17, for the JSM Development at 204 and 206 W. North Street and 107 S. Broadway Until Such Time as the Redevelopment Proposal is Submitted for Council Approval.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

Mr. Kunkel inquired as to whether the Council would consider acting on the proposed Resolution, including the waiver for the building height and the waiver to allow the windows on the second floor to not be operable, but not acting on the proposed waiver to allow EIFS exterior on floors 3 through 5, as this would allow JSM Development to proceed further with the development. It was the general consensus of the Council that there was no problem with the Scale of Design and the Operable Windows waivers, but no formal action was taken to approve these two waivers. Councilmember Reece commented that if a Redevelopment Proposal was not submitted for Council approval, the matter would be brought back for Council action.

7. ORDINANCE APPROVING THE TAX INCREMENT MAIN/OSAGE REDEVELOPMENT PLAN: Ordinance No. 5203:

MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Approve the Ordinance Approving the Tax Increment Main/Osage Redevelopment Plan.

City Manager Mark Peterson commented on the proposed tax increment redevelopment plan for the Main/Osage area and responded to questions from Council. Mr. Peterson indicated City Planner Mercy Davison and TIF Attorney Jack Teplitz were both available to answer questions. Councilmember Reece posed questions concerning the

difference between a “conservation” area and a “blighted” area, which questions were responded to by Mr. Teplitz.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

8. ORDINANCE DESIGNATING THE MAIN/OSAGE REDEVELOPMENT TAX INCREMENT AREA: Ordinance No. 5204:

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Chambers, the Council Approve the Ordinance Designating the Main/Osage Redevelopment Tax Increment Area.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

9. ORDINANCE ADOPTING TAX INCREMENT FINANCING FOR THE MAIN/OSAGE REDEVELOPMENT AREA: Ordinance No. 5205:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Reece, the Council Approve an Ordinance Adopting Tax Increment Financing for the Main/Osage Redevelopment Area.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

NEW BUSINESS

10. MOTION TO APPROVE AN APPOINTMENT TO THE PLANNING COMMISSION:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Reece, the Council Approve a Recommended Appointment to the Planning Commission, to Fill a Recent Vacancy Created when a Member Resigned.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

Mayor pro tem Reece announced Mr. Michael McFarland had been appointed to the Planning Commission to fill the unexpired term created upon the resignation of Ms. Carol Struck. Mr. McFarland’s term will expire 3/31/2009.

11. MAYOR'S MOMENT:

There was none.

12. CONCERNS:

1. JULY FOURTH HOLIDAY:

Councilmember Reece commented on the successful Fourth of July holiday and the outstanding fireworks display at Fairview Park.

13. REQUEST TO ADJOURN TO EXECUTIVE SESSION:

There being no further business to come before the Council, Mayor Koos called for a Motion to Adjourn to Executive Session to Approve the Minutes of the June 2, 2008, Executive Session and to Discuss Matters Pertaining to the Acquisition of Real Property.

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Fritzen, the Regular Meeting of the Normal Town Council be Adjourned to Executive Session to Approve the Minutes of the June 2, 2008, Executive Session and to Discuss Matters Pertaining to the Acquisition of Real Property.

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

NAYS: None.

ABSENT: Gaines.

Motion declared carried.

Mayor Koos adjourned the Regular Meeting of the Normal Town Council to Executive Session to Approve the Minutes of the June 2, 2008, Executive Session and to Discuss Matters Pertaining to the Acquisition of Real Property at 7:58 p.m., Monday, July 7, 2008.