

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, DECEMBER 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, December 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 (arrived at 7:11 p.m.)

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 and from voting on Item E.

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

Councilmember Fritzen excused himself from voting on any expenses he may have incurred while performing Council duties.

No items 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 DECEMBER 7, 2009, PERTAINING TO THE PROPOSED PROPERTY TAX INCREASE: Omnibus Vote.  
APPROVAL OF THE MINUTES OF THE PUBLIC HEARING OF DECEMBER 7, 2009, PERTAINING TO COMCAST CABLE RATES: Omnibus Vote.  
APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 7, 2009: Omnibus Vote.

- B. APPROVAL OF TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF DECEMBER 16, 2009: Omnibus Vote.
  - C. MOTION TO WAIVE BIDS FOR THE PURCHASE OF VEHICLES FOR THE POLICE DEPARTMENT THROUGH THE STATE VEHICLE PURCHASE CONTRACT: Omnibus Vote.
  - D. MOTION TO WAIVE THE FORMAL BIDDING PROCESS AND ACCEPT A QUOTE FROM LAESCH ELECTRIC, INC., FOR THE INSTALLATION OF A CONDUIT FOR FIBER IN AN AMOUNT UP TO \$40,505: Omnibus Vote.
  - E. MOTION AUTHORIZING TOWN STAFF TO NEGOTIATE A REDEVELOPMENT AGREEMENT WITH BILL JOHNSTON AND JACK CAPODICE (602 & 604 HESTER STREET): Omnibus Vote.
  - F. MOTION INITIATING A ZONING CODE TEXT AMENDMENT REVISING SEC. 15.4-5 (PERMITTED OBSTRUCTIONS IN REQUIRED YARDS): Omnibus Vote.
  - G. RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH MCLEAN COUNTY FOR CENTRALIZED BOOKING SERVICES: Resolution No. 4449: Omnibus Vote.
  - H. RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT FOR STORM WATER EDUCATION SERVICES PROVIDED BY THE ECOLOGY ACTION CENTER: Resolution No. 4450: Omnibus Vote.
  - I. ORDINANCE REZONING PROPERTY IN THE TOWN OF NORMAL – CORN BELT SUBSTATION (1898 GREGORY): Ordinance No. 5316: Omnibus Vote.
5. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

There were no items removed.

#### GENERAL ORDERS

6. ORDINANCE REZONING PROPERTY IN THE TOWN OF NORMAL – GCK THEATERS, INC. (1010 S. MAIN STREET):

#### MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Approve the Ordinance Rezoning Property in the Town of Normal – GCK Theaters, Inc. (1010 S. Main Street).

Mr. Don Adams, The Farnsworth Group, Bloomington, Illinois, Engineer for the proposed development, addressed the Council, explaining the background of the development and presented an overview of the proposed development. Mr. Adams explained the addition of fencing along the alley to restrict access to the development along the alley, as well as other changes to the proposed plan in an attempt to address the concerns of the neighbors.

Mr. Ed Brady, Manager of Brady Homes, 2201 Eastland Drive, Bloomington, Illinois, one of the developers of the proposed development, addressed the Council specifically addressing the parking for the development, the proposed management for the property, security for the area, and the density of the development. Mr. Brady also indicated protective covenants would be made part of this Planned Unit Development, as well as recorded with the McLean County Recorder of Deeds.

Mr. Brady introduced Mr. Tony Bufka, a member of the Young America Realty property management team, who also addressed the security plan for the development and responded to questions from Council.

Councilmember Gaines posed questions concerning the proposed fence on the property, which questions were responded to by Mr. Brady. Councilmembers Fritzen and Reece posed questions concerning making the protective covenants part of the permanent record, which questions were responded to by Corporation Counsel Steve Mahrt and City Manager Mark Peterson.

Ms. Kristy Embry, 1107 S. University Street, Normal, Illinois, addressed the Council expressing concern with the development, indicating it was her opinion this would have a negative effect on the entire neighborhood.

Mr. Steven Denny, 1105 S. University Street, Normal, Illinois, commented this property would destroy the peace, safety, and security of the neighborhood.

Mr. Phil Bowles, 1 Palm Court, Bloomington, Illinois, commented on the relationship of this development to the proposed form-based code for the Main Street Corridor. Mayor Koos explained the form-based code was not a topic of discussion at this time.

Mr. Jason Riddle, 413 E. Cherry Street, Normal, Illinois, posed questions for clarification purposes concerning the Main Street guidelines. Mayor Koos reiterated the Main Street guidelines were not being discussed at this meeting.

Ms. Kathy Michael, 2018 Juniper Lane, Bloomington, Illinois, explained she was representing the Zellers (owners of Avanti's Restaurant) and urged the Council to postpone the vote on the issue until the Zellers have had a chance to evaluate the affect this development will have on their property on Main Street.

Mr. Brady and Mr. Adams responded to questions and concerns from Council. Mr. Brady wrapped up his comments explaining possible options for this area if this development is not approved.

Mayor Koos offered comments on the proposed development. Councilmember Gaines expressed concern with the impact the development would have on the neighborhood.

Councilmember Fritzen posed questions concerning access from Main Street for this area, which questions were responded to by Town Engineer Gene Brown. Councilmember Fritzen commented on the issues surrounding this project.

Councilmembers Reece and Chambers commented on the placement of multi-family housing within the community.

Councilmember Nielsen volunteered to be a part of an ad hoc committee to study density and the location of R-3 zoned property within the Town. Councilmember Nielsen expressed the need to preserve single-family neighborhoods within the community.

Mayor Koos indicated he shares the concern of the neighbors with preserving neighborhoods and further indicated the need to explore further multiple-family developments and the need for student residences within the community.

AYES: Fritzen

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

Motion declared failed.

7. RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN FOR 1010 S. MAIN STREET APARTMENTS:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Fritzen, the Council Adopt a Resolution Conditionally Approving a Preliminary Planned Unit Development Plan for 1010 S. Main Street Apartments.

AYES: None.

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

Motion declared failed.

NEW BUSINESS

There was none.

8. CONCERNS:

Holiday Greetings were extended by the Mayor and Council to the citizens of the Town of Normal.

9. ADJOURNMENT:

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

MOTION:

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

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

NAYS: None.

Motion declared carried.

Mayor Chris Koos adjourned the Regular Meeting of the Normal Town Council at 9:15 p.m., Monday, December 21, 2009.