

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, MAY 18, 2009.

1. CALL TO ORDER:

Mayor Chris Koos called the regular meeting of the Normal Town Council to order at 7:08 p.m., Monday, May 18, 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, Jason Chambers, and Cheryl Gaines. Also present were City Manager Mark Peterson, Assistant City Manager Pamela Reece, Corporation Counsel Steve Mahrt, and Town Clerk Wendy Briggs.

ABSENT: None.

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

Councilmember Fritzen excused himself from voting on the Bloomington Offset Process, Inc., bill.

Item K was removed from the Omnibus Vote Agenda.

MOTION:

Councilmember Reece moved, seconded by Councilmember Nielsen, the Council Approve the Omnibus Vote Agenda.

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

NAYS: None.

Motion declared carried.

A. APPROVAL OF THE INAUGURATION AND SEATING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL ON MAY 4, 2009: Omnibus Vote.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MAY 4, 2009: Omnibus Vote.

B. APPROVAL OF TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF MAY 13, 2009: Omnibus Vote.

- C. MOTION TO APPROVE AN EXPENDITURE OF \$11,025 TO TWINSTAR PRODUCTIONS, INC., FOR THE CITY VISION CABLE TELEVISION SHOW: Omnibus Vote.
- D. MOTION TO WAIVE THE FORMAL BIDDING PROCESS AND ACCEPT A PROPOSAL FROM MCLEAN COUNTY ASPHALT COMPANY, INC., IN THE AMOUNT OF \$86,550.85 FOR ASPHALT RESURFACING IN UPTOWN NORMAL AND THE APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$25,050.85: Omnibus Vote.
- E. RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH RECOVERY SOLUTIONS I, LLC, FOR A MODULAR BANK FACILITY TO BE LOCATED AT 102-104 BROADWAY IN UPTOWN NORMAL AND APPROVING AN EXPENSE IN THE AMOUNT OF \$14,750 FOR THE REMOVAL OF THE EXISTING MODULAR FACILITY: Resolution No. 4358: Omnibus Vote.
- F. RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH COTTER CONSULTING, INC., FOR OWNER REPRESENTATIVE SERVICES ON THE NORMAL MULTI-MODAL TRANSPORTATION CENTER CONSTRUCTION PROJECT: Resolution No. 4359: Omnibus Vote.
- G. RESOLUTION AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE ILLINOIS WATER AND WASTEWATER RESPONSE NETWORK: Resolution No. 4360: Omnibus Vote.
- H. RESOLUTION AUTHORIZING EXECUTION OF A LIMITED SHORT-TERM EXTENSION OF AN INTERGOVERNMENTAL AGREEMENT WITH MCLEAN COUNTY FOR ANIMAL CONTROL WARDEN SERVICES: Resolution No. 4361: Omnibus Vote.
- I. RESOLUTION AUTHORIZING EXECUTION OF A LIMITED SHORT-TERM EXTENSION OF AN INTERGOVERNMENTAL AGREEMENT WITH MCLEAN COUNTY FOR ANIMAL CONTROL SHELTER SERVICES: Resolution No. 4362: Omnibus Vote.
- J. RESOLUTION AUTHORIZING EXECUTION OF A GROUND LEASE AND STADIUM PROJECT AGREEMENT AMONG HEARTLAND COMMUNITY COLLEGE DISTRICT 540, THE TOWN OF NORMAL, ILLINOIS, AND NORMAL PROFESSIONAL BASEBALL, LLC, FOR THE DESIGN, CONSTRUCTION, AND OPERATION OF A SPORT STADIUM WITH RELATED AMENITIES AND BASEBALL TEAM: Resolution No. 4363: Omnibus Vote.
- L. RESOLUTION CONDITIONALLY AND PARTIALLY APPROVING THE FINAL PLAT OF THE RESUBDIVISION OF LOT 27 FIRST ADDITION TO HANOVER HEIGHTS SUBDIVISION BY EXPEDITED PROCESS: Resolution No. 4364: Omnibus Vote.
- M. RESOLUTION REAPPROVING THE FINAL PLAT OF EVERGREEN VILLAGE PUD SUBDIVISION: Resolution No. 4365: Omnibus Vote.
- N. ORDINANCE PROHIBITING PARKING ON A PORTION OF SCHOOL STREET: Ordinance No. 5257: Omnibus Vote.

- O. ORDINANCE AMENDING SECTION 15.17-14 OF THE MUNICIPAL CODE – LEED CERTIFICATION: Ordinance No. 5258: Omnibus Vote.
- P. ORDINANCE AMENDING CHAPTER 8 OF THE MUNICIPAL CODE – NEWSPAPER DISPENSING DEVICES: Ordinance No. 5259: Omnibus Vote.
- Q. ORDINANCE AMENDING SECTION 18.1-10 OF THE MUNICIPAL CODE – RESIDENCE REQUIREMENTS: Ordinance No. 5260: Omnibus Vote.
- R. ORDINANCE AMENDING ORDINANCE 5256 – NEIGHBORHOOD VEHICLES: Ordinance No. 5261: Omnibus Vote.
- S. ORDINANCE AMENDING DIVISION 6 OF CHAPTER 16 OF THE MUNICIPAL CODE – PUBLIC LAND DEDICATION AND RESERVATION REQUIREMENTS: Ordinance No. 5262: Omnibus Vote.

5. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

Councilmember Scott left the table at 7:11 p.m.

- K. RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH ILLINOIS STATE UNIVERSITY FOR OFFICE SPACE LOCATED AT 305 SOUTH LINDEN STREET: Resolution No. 4366:

MOTION:

Councilmember Chambers moved, seconded by Councilmember Gaines, the Council Adopt the Resolution Authorizing a Lease Agreement with Illinois State University for Office Space Located at 305 South Linden Street.

Councilmember Chambers posed questions concerning the length of the lease space and the future use of the office space, which questions were responded to by City Manager Mark Peterson.

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

Councilmember Scott returned to the table at 7:15 p.m.

GENERAL ORDERS

- 6. RESOLUTION CONDITIONALLY APPROVING A SITE PLAN FOR HEARTLAND COMMUNITY COLLEGE (1500 W. RAAB ROAD) – BASEBALL STADIUM: Resolution No. 4367:

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Nielsen, the Council Adopt a Resolution Conditionally Approving a Site Plan for Heartland Community College (1500 W. Raab Road) – Baseball Stadium.

City Manager Mark Peterson announced a modified Resolution had been substituted for the Resolution in the Council Packet, indicating the Waiver to permit grass parking had been omitted from the original Resolution.

Councilmember Nielsen commented on the waiver to permit some grass parking in lieu of hard surfaced parking, indicating the situation would be evaluated at the end of the first season.

Councilmember Gaines expressed concern with the parking lot landscaping plan, questioning if the video screen is not installed or used as an outdoor movie venue, could the parking lot landscaping plan be changed to include additional landscaping. City Manager Mark Peterson responded to Councilmember Gaines' concern.

AMENDMENT TO MOTION:

Councilmember Gaines moved, seconded by Councilmember Nielsen, the Resolution be Amended to Require Additional Parking Lot Landscaping if the Outdoor Video Screen was Not Used for the Showing of Outdoor Movies.

Councilmember Fritzen mentioned the video screen was additionally to be used for off-site advertising, and perhaps the landscaping would be a problem with viewing the advertising. Considerable Council discussion ensued. City Manager Mark Peterson suggested the developer could submit a plan for landscaping should the video screen not be installed or used.

Councilmember Nielsen and Councilmember Gaines withdrew the Second and the Motion for the Amendment to the Motion, respectively.

AMENDMENT TO MOTION:

Councilmember Gaines moved, seconded by Councilmember Chambers, the Resolution be Amended to Require the Submission of a Revised Landscaping Plan for the Front Parking Lot Area Should the Video Screen not be Installed or Used for Movies or Outdoor Advertising as Currently Planned.

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

NAYS: None.

Motion declared carried.

ROLL CALL VOTE ON ORIGINAL MOTION, AS AMENDED:

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

NAYS: None.

Motion declared carried.

7. RESOLUTION AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT WITH APOSTOLIC CHRISTIAN CHURCH OF BLOOMINGTON/NORMAL AND MEADOWS MENNONITE RETIREMENT COMMUNITY ASSOCIATION: Resolution No. 4368:

MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Adopt a Resolution Authorizing the Execution of an Annexation Agreement with Apostolic

City Manager Mark Peterson gave a brief overview of the project. Councilmember Scott commented on the response time for emergencies at this location, indicating his concern with this aspect of the development. Councilmember Reece expressed her approval of this development in meeting the needs for older citizens of the Town.

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

NAYS: None.

Motion declared carried.

8. ORDINANCE ANNEXING PROPERTY TO THE TOWN OF NORMAL – APOSTOLIC CHRISTIAN CHURCH OF BLOOMINGTON/NORMAL: Ordinance No. 5263:

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Gaines, the Council Approve an Ordinance Annexing Property to the Town of Normal – Apostolic Christian Church of Bloomington/Normal.

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

NAYS: None.

Motion declared carried.

9. ORDINANCE REZONING PROPERTY IN THE TOWN OF NORMAL – APOSTOLIC CHRISTIAN CHURCH OF BLOOMINGTON/NORMAL: Ordinance No. 5264:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Reece, the Council Approve the Ordinance Rezoning Property in the Town of Normal – Apostolic Christian Church of Bloomington/Normal.

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

NAYS: None.

Motion declared carried.

10. RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY SUBDIVISION PLAN FOR THE COMMUNITIES OF MERCY CREEK SUBDIVISION: Resolution No. 4369:

MOTION:

Councilmember Reece moved, seconded by Councilmember Gaines, the Council Adopt a Resolution Conditionally Approving a Preliminary Subdivision Plan for the Communities of Mercy Creek Subdivision.

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

NAYS: None.

Motion declared carried.

11. ORDINANCE AMENDING THE TOWN ZONING CODE – AGE RESTRICTED HOUSING AND GRANDFAMILIES: Ordinance No. 5265:

MOTION:

Councilmember Reece moved, seconded by Councilmember Gaines, the Council Approve the Ordinance Amending the Town Zoning Code – Age Restricted Housing and Grandfamilies.

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

NAYS: None.

Motion declared carried.

12. ORDINANCE AMENDING DIVISION 1 OF CHAPTER 26 OF THE MUNICIPAL CODE – AMERENIP FRANCHISE AGREEMENT: Ordinance No. 5266:

MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Approve the Ordinance Amending Division 1 of Chapter 26 of the Municipal Code – AmerenIP Franchise Agreement.

City Manager Mark Peterson commented on the length of time devoted to the task of drafting the proposed franchise agreement, indicating it was ten years in the drafting stage.

Councilmember Gaines posed questions concerning Section 4 of the Agreement related to vegetation management, which questions were responded to by Corporation Counsel Steve Mahrt indicating this is the same language that has been in place since the “disagreement” in tree trimming had been resolved. City Manager Mark Peterson also indicated the Town currently had an arborist on staff, and that person worked with the tree trimming crews and the homeowners to work out an agreeable solution when trimming was required.

Councilmember Gaines further posed questions to do with Section 6 of the Agreement, which concerns were addressed by Corporation Counsel Steve Mahrt.

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

NAYS: None.

Motion declared carried.

NEW BUSINESS

13. MOTION TO APPROVE AN APPOINTMENT TO THE CHILDREN’S DISCOVERY MUSEUM FOUNDATION BOARD:

MOTION:

Councilmember Reece moved, seconded by Councilmember Nielsen, the Council Approve the Recommended Appointment to the Children’s Discovery Museum Foundation Board.

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

NAYS: None.

Motion declared carried.

Mayor pro-tem Sonja Reece announced Mr. Larry Nolan had been appointed to the Children's Discovery Museum Foundation Board.

14. CONCERNS:

1. MARRIOTT GENERAL MANAGER:

City Manager Mark Peterson introduced the new General Manager of the Marriott Hotel – Mr. Jeff Pritts.

2. OLD NORTH NORMAL NEIGHBORHOOD ASSOCIATION MEETING:

Councilmember Reece indicated she had attended a meeting of the Old North Normal Neighborhood Association and related the association seemed to be pleased with the changes in the area.

3. NORMAL PROFESSIONAL BASEBALL TEAM NAME ANNOUNCED:

City Manager Mark Peterson announced that Normal Professional Baseball, LLC, had announced the name for the team – Normal Cornbelters and that Councilmember Adam Nielsen submitted this name suggestion.

4. LAW-DAY AWARD:

City Manager Mark Peterson announced Police Chief Kent Crutcher had received an award given by the Illinois State Bar Association. The award was given at the annual McLean County Bar Association Law Day luncheon held on May 6 and was presented to Chief Crutcher for his leadership role in establishing the Early Notification Program.

15. ADJOURNMENT:

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

MOTION:

Councilmember Reece moved, seconded by Councilmember Gaines, 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 7:45 p.m., Monday, May 18, 2009.