

PROPOSED AGENDA FOR TOWN COUNCIL MEETING

February 7, 2011

7:00 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. OMNIBUS VOTE AGENDA
(All items under the Omnibus Vote Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussions of these items unless a Council Member so requests, in which event, the item will be removed from the Omnibus Vote Agenda and considered as the first item after approval of the Omnibus Vote Agenda.)
 - A. Approval of the Minutes of the Regular Meeting of January 18, 2011
 - B. Approval of Town of Normal Expenditures for Payment as of January 31, 2011
 - C. Motion to Initiate a Zoning Map Amendment in the Town of Normal (1112-1118 W. College)
 - D. Resolution Requesting Temporary Closures of State Right-of-Way for Annual Community Events
 - E. Resolution Authorizing Execution of a Contract for Design, Evaluation and Master Plan Recommendations with Redbox Workshop, LTD. In an Amount not to Exceed \$23,500
 - F. Resolution Accepting the Public Improvements in the Custer Brothers Subdivision for Maintenance and Approval of a Waiver of the One Year Maintenance Period and Bonding Requirement
 - G. Ordinance Abating the Levy of 2010 Property Taxes for Special Service Area Number One
5. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA

GENERAL ORDERS

6. Ordinance Approving an Amended Special Use Permit for Calvary Baptist Church (1017 School Street) for Improvements Depicted on Submitted Plans (Addition of Daycare and Related Improvements)

7. Resolution Adopting the Community-Wide Sustainability Plan and 2035 Report

NEW BUSINESS

8. Motion to Adjourn to Executive Session

CONCERNS

ADJOURNMENT

ADDENDUM

Minutes of the January 20, 2011 Zoning Board of Appeals Meeting

Omnibus Vote

MINUTES OF THE REGULAR MEETING OF THE NORMAL TOWN COUNCIL HELD IN THE COUNCIL CHAMBERS, NORMAL CITY HALL, 100 E. PHOENIX AVENUE, NORMAL, MCLEAN COUNTY, ILLINOIS – TUESDAY, JANUARY 18, 2011.

1. CALL TO ORDER:

Mayor pro tem Sonja Reece called the Regular Meeting of the Normal Town Council to order at 7:00 p.m., Tuesday, January 18, 2011.

2. ROLL CALL:

The Clerk called the roll with the following persons physically

PRESENT: Mayor pro tem Sonja Reece and Councilmembers Adam Nielsen, Jeff Fritzen, Chuck Scott, Jason Chambers, and Cheryl Gaines. Also present were City Manager Mark Peterson, Deputy City Manager Pamela Reece, Corporation Counsel Steve Mahrt, and Town Clerk Wendy Briggs.

ABSENT: Mayor Chris Koos.

3. PLEDGE OF ALLEGIANCE:

Mayor pro tem Reece led the Pledge of Allegiance to the Flag.

4. OMNIBUS VOTE AGENDA:

Mayor pro tem Reece excused herself from voting on any bills submitted by Advocate BroMenn Healthcare or any expenses she may have incurred while performing her Council duties.

Item C was removed from the Omnibus Vote Agenda.

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Gaines, the Council Approve the Omnibus Vote Agenda.

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

NAYS: None.

ABSENT: Koos.

Motion declared carried.

A. APPROVAL OF THE MINUTES OF THE PUBLIC HEARING OF JANUARY 3, 2011: Omnibus Vote.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 3, 2011: Omnibus Vote.

B. APPROVAL OF TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF JANUARY 12, 2011: Omnibus Vote.

D. RESOLUTION AUTHORIZING THE RELEASE OF EXECUTIVE SESSION MINUTES: Resolution No. 4590: Omnibus Vote.

- E. RESOLUTION AUTHORIZING THE FILING OF THE TOWN'S 2011-2012 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: Resolution No. 4591: Omnibus Vote.
- F. RESOLUTION CONDITIONALLY AND PARTIALLY APPROVING A FINAL PLAT FOR THE LOFTS AT 1010 BY EXPEDITED PROCESS (1010 SOUTH MAIN STREET): Resolution No. 4592: Omnibus Vote.
- G. ORDINANCE AMENDING SECTION 17.8-12(C) OF THE MUNICIPAL CODE, DANGEROUS DOGS, VICIOUS DOGS, AND DOGS SUBJECT TO EUTHANASIA: Ordinance No. 5366: Omnibus Vote.
- H. ORDINANCE AMENDING THE TOWN SUBDIVISION CODE – RE-PLATTING EXISTING LOTS OF RECORD: Ordinance No. 5367: Omnibus Vote.
5. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

- C. MOTION TO WAIVE BIDS FOR THE PURCHASE OF VEHICLES FOR THE POLICE DEPARTMENT THROUGH THE STATE VEHICLE PURCHASE CONTRACT:

MOTION:

Councilmember Scott moved, seconded by Councilmember Chambers, the Town Waive Bids for the Purchase of Vehicles for the Police Department Through the State Vehicle Purchase Contract.

Councilmember Scott posed questions concerning the benefit to the Town in using the State vehicle purchase contract. City Manager Mark Peterson explained the numerous benefits in using joint purchasing agreements when possible for Town expenditures.

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

NAYS: None.

ABSENT: Koos.

Motion declared carried.

GENERAL ORDERS

6. ORDINANCE REZONING PROPERTY IN THE TOWN OF NORMAL – EAGLE'S LANDING SUBDIVISION:

City Manager Mark Peterson gave a very brief background explanation of the request for rezoning of a portion of property in Eagle's Landing Subdivision.

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Nielsen, the Council Approve an Ordinance Rezoning Property in the Town of Normal – Eagle’s Landing Subdivision.

Councilmember Fritzen commented on the obligation to rezone the property as set forth in the Annexation Agreement, however, further commented on the number of residents in the area that had contacted him concerned with possible issues in the area.

Councilmember Fritzen expressed concern with the language in annexation agreements indicating the zoning could be developed in the future with another zoning classification and commented it was misleading on the zoning map. City Manager Mark Peterson indicated areas in the Town that are subject to an annexation agreement with possible zoning changes are now delineated as such on the zoning map to better avoid confusion in the future.

Councilmember Nielsen offered comments on the Objectors’ Checklist that had been filed at the Planning Commission meeting.

Councilmember Gaines posed questions for clarification purposes as to whether the rights of the Annexation Agreement passed with the land or were simply with the original owners signing the agreement. Corporation Counsel Steve Mahrt indicated the rights and responsibilities of the agreement passed with the land unless clear and specific language was contained to the contrary in the original agreement.

Councilmember Fritzen commented on the possible use of the property as currently zoned, indicating an apartment complex could be built with commercial property located on part of the first floor of the development. Building Commissioner Greg Troemel responded to questions from Council pertaining to the number of apartment units that could be built on the property, if rezoned, as well as what could be developed on the property under the current zoning.

Councilmember Chambers stated he did not feel the Council should be able to do something that would require future Councils to vote a certain way. Councilmember Scott expressed concern with the unknown.

AYES: Fritzen, Reece.

NAYS: Scott, Chambers, Gaines, Nielsen.

ABSENT: Koos.

Motion declared denied.

NEW BUSINESS

There was none.

7. CONCERNS:

There were none.

8. ADJOURNMENT:

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

MOTION:

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

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

NAYS: None.

ABSENT: Koos.

Motion declared carried.

Mayor pro tem Reece adjourned the Regular Meeting of the Normal Town Council at 7:32 p.m., Tuesday, January 18, 2011.

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
<u>General Fund</u>		
CITY OF BLOOMINGTON	FOOD/BEVERAGE TAX	\$5.00
TRI STAR MARKETING INC	8005 GAL UNLEADED FUEL @\$	\$21,163.62
B-N PUBLIC TRANSIT SYSTEM	DECEMBER BUS SALES REIMB	\$764.00
STORMONT NOBLE DEVELOPMENT,LLC	APPLICATION FEE REFUND	\$15,500.00
EVERGREEN FS INC.	7200 GAL #2 DIESEL FUEL @	\$19,789.92
General Fund Total		\$57,222.54
<u>General Fund Mayor & Council Administration</u>		
WASHBURN FLOWERS	FUNERAL ARRANGEMENT	\$57.00
MCLEAN CO CHAMBER OF COMMERCE	ANNUAL GALA	\$425.00
UNBA	TOWN ANNUAL DUES	\$150.00
General Fund Mayor & Council Administration Total		\$632.00
<u>General Fund Administration - City Mgr City Manager</u>		
COPY SHOP	PRINT MAP AND MOUNT ON FO	\$78.00
FEDEX	MAILING - PBPA ARB, BNPTS	\$68.07
ROHAN-STRACK ENTERPRISES	LUNCH MEETING	\$138.95
General Fund Administration - City Mgr City Manager Total		\$285.02
<u>General Fund Administration - City Mgr Uptown Project</u>		
REGENT COMMUNICATIONS INC	NEWS CLUB-UPTWN/115417,19	\$525.00
T/N PETTY CASH-FINANCE DEPT	KEYS MADE	\$3.99
General Fund Administration - City Mgr Uptown Project Total		\$528.99
<u>General Fund Administration - City Mgr Boards & Commissions</u>		
TWIN CITY AWARDS	MLK PROGRAM - AWARDS	\$946.00
General Fund Administration - City Mgr Boards & Commissions Total		\$946.00
<u>General Fund Administration - City Mgr General Expense Dept.</u>		
B-N PUBLIC TRANSIT SYSTEM	TRANSIT SUBSIDY-JAN/FEB	\$47,781.26
CITY OF BLOOMINGTON	FOOD/BEV TAX PROCESS FEE	\$781.82
B-N PUBLIC TRANSIT SYSTEM	WHEEL TO WORK/OCT-DEC2010	\$2,625.00
MARCFIRST	DEC JANITORIAL CLEANING	\$1,665.00
FEDEX KINKO'S	PROPOSED BUDGET BOOKS	\$991.69
POTBELLY SANDWICH WORKS	LUNCH FOR MLDP MEETING	\$239.30
ILL PRAIRIE COMMUNITY FOUNDATION	TABLE SPONSOR - UNITY COM	\$175.00
EDC OF B-N AREA	MONTHLY CONTRIBUTION-JAN	\$6,666.66
IL DEPT OF EMPLOYMENT SECURITY	BENEFITS: OCT-DEC 31/10	\$17,393.12
Mr. James Hardaway	TOWING REIMBURSEMENT-HARD	\$500.00
TOWN OF NORMAL	TAX REBATE:JUL-AUG/10	\$35,574.44
KROGER-INDY CUSTOMER CHARGES	SUPPLIES - CONF RM C	\$61.94
FRAN BIRLINGMAIR	PROGRAM REFUND	\$65.00
T/N PETTY CASH-FINANCE DEPT	U.W.PAYROLL LOTTERY PRIZE	\$40.00
T/N PETTY CASH-FINANCE DEPT	BUDGET WORK SESSION COOKI	\$9.60
General Fund Administration - City Mgr General Expense Dept. Total		\$114,569.83
<u>General Fund Town Clerk Administration</u>		
T/N PETTY CASH-FINANCE DEPT	RECORDING FEES	\$21.00
General Fund Town Clerk Administration Total		\$21.00
<u>General Fund Corporation Counsel Administration</u>		
DUPAGE MAYOR & MANAGERS CONFERE	NORMAL'S- SHARE/ASSESSMNT	\$5,231.43
WEST GROUP	WEST INFORMATION CHGS	\$747.28
FEDEX	2010 BONDS FROEHLICH	\$24.03
WEST GROUP	DISCOUNT PLAN CHARGES	\$143.00
T/N PETTY CASH-FINANCE DEPT	HOME RULE MTG PARKING FEE	\$26.00
T/N PETTY CASH-FINANCE DEPT	PARKING FEES-KARPLUS	\$24.05
General Fund Corporation Counsel Administration Total		\$6,195.79
<u>General Fund Facility Management Administration</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$3,248.78
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$106.94
U S MECHANICAL SERVICES	FURNACE REPAIRS/ENG	\$164.00
GETZ FIRE EQUIPMENT	RESTK MEDICAL- NML TWP	\$53.40
BILL'S KEY & LOCK SHOP	LOCK INSTALLATION/CDM	\$88.27
KAEB SANITARY SUPPLY INC	SMART VAC BATTERY SWEEPER	\$1,750.00

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
MENARDS	5GAL AIR TANK	\$42.96
SPRINGFIELD ELECTRIC CO	SPLICING COMPOUND,ELECTRC	\$41.52
WILCOX ELECTRIC & SERVICE INC	LIGHT REPAIR/CDM	\$3,693.91
WILCOX ELECTRIC & SERVICE INC	OUTLET/LIGHT C HALL	\$339.40
WILCOX ELECTRIC & SERVICE INC	INSTALL PHOTO EYES/C HALL	\$119.00
WILCOX ELECTRIC & SERVICE INC	OUTLET/CDM	\$390.46
MILLER JANITOR SUPPLY	50# BAGS-ICE MELT	\$784.00
MILLER JANITOR SUPPLY	50# BAGS-ICE MELT	\$784.00
MILLER JANITOR SUPPLY	FOLDED TOWELS	\$101.70
MILLER JANITOR SUPPLY	TRASH LINER,ROLL TOWELS	\$351.95
MILLER JANITOR SUPPLY	CLEANER,LINERS	\$173.80
CORN BELT ENERGY CORP	2279799 WATER TOWER	\$72.12
RANEY TERMITE CONTROL INC	MONTHLY SVC - THEATER	\$36.50
BACON PLUMBING	REPL SUMP PUMP PIPING	\$233.01
GIBBS PLUMBING INC	CK VALVE/GSKT KIT/ LABOR	\$267.93
G & B MECHANICAL	SERVICE/PARTS- THEATER	\$594.66
AMERENIP	112 PARKINSON	\$28.25
LINDEN CONDO ASSOCIATION	DUES - JAN-MAR2011	\$2,100.00
General Fund Facility Management Administration Total		\$15,566.56
<u>General Fund Finance Financial Services</u>		
LOOMIS FARGO & CO	COURIER SVC- DEC/JAN,2011	\$403.56
IAPPO, INC	IAPPO DUES-HUHN	\$35.00
General Fund Finance Financial Services Total		\$438.56
<u>General Fund Purchasing Office Supply</u>		
QUILL CORPORATION	NOTARY STAMP	\$24.99
MIDLAND PAPER	20 CASES OF PAPER	\$829.85
MIDLAND PAPER	5 CASES OF ENVELOPES	\$1,217.63
IKON OFFICE SOLUTIONS TX	COPIER SVC: NOV-JAN,2011	\$687.81
W M PUTNAM COMPANY	SUPPLIES - CDM	\$98.11
W M PUTNAM COMPANY	OFFICE SUPPLIES - ANN X 1	\$98.92
W M PUTNAM COMPANY	SUPPLIES - 211 ANNEX	\$39.99
W M PUTNAM COMPANY	OFFICE SUPPLIES - CHALL	\$360.34
IKON OFFICE SOLUTIONS	TYPE K- REFILL STAPLES	\$78.00
QUILL CORPORATION	FOLDER LABELS, FILE TABS,	\$274.88
General Fund Purchasing Office Supply Total		\$3,710.52
<u>General Fund Information Technology Administration</u>		
SUNGARD PUBLIC SECTOR INC	CLICK-2-GOV TECH SERVICE	\$1,400.00
MNJ TECHNOLOGIES DIRECT INC	HP - MAINT KIT	\$485.12
GOVCONNECTION INC	IT - RIBBONS	\$139.36
GOVCONNECTION INC	HP INK CARTRIDGES	\$110.38
MNJ TECHNOLOGIES DIRECT INC	HP TONER - YLW	\$198.00
MNJ TECHNOLOGIES DIRECT INC	HP TONER	\$198.00
MNJ TECHNOLOGIES DIRECT INC	HP TONER	\$198.00
MNJ TECHNOLOGIES DIRECT INC	HP TONER	\$198.00
MNJ TECHNOLOGIES DIRECT INC	PRINT CARTRIDGES	\$101.96
DATALINK CORPORATION	MXJS-NET-HWMMAINT-R	\$7,159.54
LAESCH ELECTRIC INC	FIBER PULL/RR TO CHALL	\$14,213.17
DATALINK CORPORATION	E-DISC SUITE,12M MAINT	\$17,485.00
FRONTIER	12 1184 2781306525 05	\$296.46
ROUTE 24 COMPUTERS INC	INTERNET FEES 1/13-2/13	\$72.00
MNJ TECHNOLOGIES DIRECT INC	HP LASERJET MULTIFUNCTION	\$485.00
CDW GOVERNMENT INC	ZEBRACARD RIBBON	\$386.88
FRONTIER	ACCT 12 1184 2792080605 0	\$30.55
MCLEAN CO INFORMATION SERVICES	LEADS CIRCUIT DEC2010	\$219.35
General Fund Information Technology Administration Total		\$43,376.77
<u>General Fund Human Resources Administration</u>		
CLARK BAIRD SMITH LLP	LEGAL SERVICES	\$12,075.00
ALLIED BENEFIT SYSTEMS	FLEX FEES, ANNUAL FEE	\$901.50
Mike Beavers	REIMBURSEMENT/SIDNEY	\$60.00

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
Mike Beavers	REIMBURSEMENT/SAVANAH	\$60.00
HEALTHSMART BENEFIT SOLUTIONS INC	FLEX ADMIN - DEC, 2010	\$353.40
General Fund Human Resources Administration Total		\$13,449.90
<u>General Fund Inspections Administration</u>		
COPY SHOP	PRINT ONE MAIN PDFS	\$45.00
MCLEAN CO CHAMBER OF COMMERCE	GALA REGISTRATION	\$170.00
PARKWAY AUTO LAUNDRY	CAR WASH	\$14.00
T/N PETTY CASH-FINANCE DEPT	IPEA MEETING	\$15.00
General Fund Inspections Administration Total		\$244.00
<u>General Fund Police Narcotics Enforcement</u>		
Asst. Chief Rick Bleichner	FORFEITURE FUNDS	\$10,000.00
General Fund Police Narcotics Enforcement Total		\$10,000.00
<u>General Fund Police Administration</u>		
MCLEAN COUNTY TREASURER	CENTRAL COMM CNTR-JAN/11	\$63,087.66
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$40.12
10-8 OUTFITTERS	INSUL BOOTS - KAPCHINSKE	\$121.49
DARNALL PRINTING	NPD TOW STICKERS	\$130.50
FEDEX	EVIDENCE SHIPMENTS	\$132.75
LANDMARK LAUNDRY	NW SUBSTATION- DEC.2010	\$1,310.00
LANDMARK LAUNDRY	NW SUBSTATION- JAN,2011	\$1,310.00
MCLEAN COUNTY HEALTH DEPT	ANIMAL CNTRL SVC- JAN/11	\$4,947.00
PURITAN SPRINGS WATER	SERVICE- JAN 5 & 6	\$34.99
GALLS INC	TURTLENECK SHIRTS	\$161.82
GALLS INC	BDU PANTS (2)	\$56.02
GALLS INC	1 PAIR PANTS	\$29.96
KRUGER ANIMAL HOSPITAL	K9 CARE - GUNNER	\$438.25
KRUGER ANIMAL HOSPITAL	K9 SVC - GUNNER	\$164.95
P F PETTIBONE & COMPANY	7000 IL CITATIONS-SQUADS	\$1,438.00
CITY OF BLOOMINGTON	RANGE USE: 7/1/10-6/30/11	\$8,221.98
RAY O'HERRON CO INC	PANTS,SHIRTS- CALLIE	\$107.99
U.S.BANK	IACIS DUES-WARNER;INT'L C	\$170.00
U.S.BANK	EFIT ANNUAL UPGRADE	\$650.00
U.S.BANK	TRNG. LUNCH	\$10.49
U.S.BANK	EQUIPMENT INSTALL SUPPLIE	\$137.68
U.S.BANK	CID BACKGROUND INFO	\$116.30
U.S.BANK	MEALS/LODGING/GAS - TRNG	\$689.42
U.S.BANK	MEALS - TRNG.	\$110.27
U.S.BANK	PHONE ACCESSORY;MONITOR S	\$71.48
U.S.BANK	TV MOUNT	\$67.99
RAY O'HERRON CO INC	4 VESTS/NPD	\$2,513.94
SUPREME RADIO COMMUNICATIONS	REPLACE BATTERY CONTACTS	\$326.73
TWIN CITY AWARDS	BLACK MAILBOX TAG	\$18.00
TWIN CITY AWARDS	LIFE SAVING AWARD PLAQUE	\$95.00
10-8 OUTFITTERS	BOOTS/TODD DROUGHT	\$131.39
STERICYCLE INC	MONTHLY FEE - JAN,2011	\$43.18
AT&T	MONTHLY SERVICE - VICE GP	\$38.75
JP MORGAN CHASE	SUBPOENED RECORDS - CID	\$28.50
General Fund Police Administration Total		\$86,952.60
<u>General Fund Fire Foreign Fire Tax</u>		
MUNICIPAL EMERGENCY SERVICES	FIRE SHIRTS W/CNVAS DETAL	\$3,774.00
MISC FIRE DEPT	TRAINING SEMINAR	\$1,500.00
General Fund Fire Foreign Fire Tax Total		\$5,274.00
<u>General Fund Fire Administration</u>		
RANEY TERMITE CONTROL INC	MONTHLY SVC - 3 NFD'S	\$100.50
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$968.58
MEDLINE INDUSTRIES INC	MISC MEDICAL SUPPLIES	\$85.80
FEDEX	ACCUMED SHIPMENTS	\$90.83
MILLER JANITOR SUPPLY	CLN SUPPLIES - 33NFD30	\$193.68
ILLINOIS FIRE STORE	GAS MONITORS	\$155.78

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
ACCUMED BILLING INC	ACCUMED SVC - DEC.2010	\$8,824.43
MERLE PHARMACY INC	MEDICAL SUPPLIES - NFD	\$515.28
OSF MEDICAL GROUP	MEDICAL SUPPLIES - NFD	\$90.09
ADVANCE AUTO PARTS	DIESEL FUEL SPL PS	\$7.99
ACE HARDWARE	SUPPLIES - NFD	\$10.82
MISC FIRE DEPT	PEMBERTON - GEAR REPAIR	\$150.00
DOUG BARNETT	DRUG BOX SUPPLIES	\$21.54
STEVE MCLEESE	GEAR REPAIR - MCLEESE	\$24.00
T/N FIRE PENSION FUND	PAYROLL SUMMARY	\$43.97
MUNICIPAL EMERGENCY SERVICES	LADDER BOOT COVER	\$150.00
MUNICIPAL EMERGENCY SERVICES	GLOVES/HELMET	\$474.00
KAEB SANITARY SUPPLY INC	CLEANING SUPPLIES	\$234.43
FERNO-WASHINGTON INC	TRAUMA KIT, S/HANDLING	\$198.20
SCBAS INC	HYDROSTATIC TEST	\$22.50
SCBAS INC	O-RINGS, EX VALVE SPRNGS	\$34.20
SUNBELT RENTALS INC	REPAIR SAW, PARTS	\$128.90
RESCUE DIRECT INC	RESCUE WEBBING	\$190.15
MENARDS	CORD CVR, LUBRICANT	\$24.70
PRAIRIE SIGNS INC	REPL BRKN HALYARD,CLAMPS	\$185.00
BOUND TREE MEDICAL LLC	75MM PHILIPS MRX PAPER	\$38.58
GLOBAL EMERGENCY PRODUCTS INC	REPAIRS - ENG 11	\$1,145.62
HEARTLAND HOME MEDICAL SUPPLY INC	OXYGEN- NFD 3 STATIONS	\$540.00
WALMART COMMUNITY BRC	BACK-UPS OUTLET / NFD	\$59.00
INTERSTATE ALL BATTERY CENTER	3V LIT BATTERIES,12V NICD	\$128.85
GREG EFT	REIM MEALS EFT	\$75.00
MISC FIRE DEPT	2011 DUES HUMER	\$30.00
General Fund Fire Administration Total		\$14,942.42
General Fund Public Works Waste Removal		
INTERSTATE ALL BATTERY CENTER	SLA NUT & BOLT - #9264	\$59.99
J & R USED TIRE SERVICE	RECYCLE TIRES	\$242.00
LEXINGTON FORD LLC	TRUCK INSPECTION	\$19.50
LEXINGTON FORD LLC	TRUCK INSPECTION	\$19.50
VINTAGE TECH RECYCLERS INC	ELEC RECYCLE - JAN 6TH	\$174.55
VINTAGE TECH RECYCLERS INC	ELEC RECYC - P/UP JAN 13	\$122.05
HICKSGAS BLOOMINGTON INC	2-33# LP GAS (PW)	\$49.08
General Fund Public Works Waste Removal Total		\$686.67
General Fund Public Works Engineering		
ERIC HERBST	EMP REIMB WORK BOOTS (FAR	\$96.96
CITYBLUE TECHNOLOGIES LLC	HP SVC, PREV MAINT KIT,	\$1,624.55
General Fund Public Works Engineering Total		\$1,721.51
General Fund Public Works Administration		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$1,794.54
GETZ FIRE EQUIPMENT	RESTOCK FIRST AID- PWMNT	\$182.85
T/N PETTY CASH-FINANCE DEPT	APWA LUNCHEON	\$10.00
General Fund Public Works Administration Total		\$1,987.39
General Fund Public Works Equipment Maintenance		
DENNISON CORPORATION	DIESEL INJECTION SERVICE	\$1,990.54
DENNISON CORPORATION	WHEEL NUTS	\$24.20
MOTION INDUSTRIES INC	HOSE ASSEMBLY	\$83.16
DENNISON CORPORATION	WHEEL NUTS/BOLTS	\$115.00
DENNISON CORPORATION	SEALS	\$16.70
OWEN TIRE & AUTO CENTER	FIRESTONE TIRES (4)	\$574.68
KEY EQUIPMENT & SUPPLY CO	TOWING BRACKET SHAFT	\$74.03
HERITAGE MACHINE & WELDING INC	REPLACE L/FRNT SPRING-S15	\$484.46
AUTO GLASS CENTER	AUTO GLASS-06 PONT/GRPR	\$241.90
ADVANCE AUTO PARTS	AUTO SUPPLIES - PW	\$58.77
DON OWEN TIRE SERVICE	CREDIT- 2 S/RADIAL PROTCT	(\$397.64)
CUMMINS MID-STATES POWER INC	S29- CRANKCASE FILTER PLG	\$207.09
CENTRAL ILLINOIS TRUCKS INC	PANASONIC ENTR	\$125.63

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
DENNISON CORPORATION	CREDIT FOR RETURNED PART	(\$14.50)
DENNISON CORPORATION	BLEND DOOR FOR S4	\$17.08
DENNISON CORPORATION	REPAIRS ON N82	\$208.21
DENNISON CORPORATION	THERMOSTAT FOR RES20	\$22.58
DENNISON CORPORATION	BRAKE PARTS FOR N45	\$338.83
DON OWEN TIRE SERVICE	19.5 TIRES FOR STOCK	\$956.76
FASTENAL COMPANY	BOLT & SUPPLIES/PW SHOP	\$236.57
KEY EQUIPMENT & SUPPLY CO	RUBBER MOUNT	\$61.41
MUTUAL WHEEL CO	SLACK ADJUSTER FOR A17	\$160.50
MUTUAL WHEEL CO	QR1 VALVE FOR A20	\$29.45
MUTUAL WHEEL CO	AIR HOSE FOR A26	\$8.59
PRAIRIE ARCHWAY INT'L TRUCKS	CLAMP	\$18.90
KOENIG BODY & EQUIPMENT INC	HYD PUMP FOR S28	\$1,097.16
PRAIRIE ARCHWAY INT'L TRUCKS	BRAKE PARTS FOR S20	\$440.00
FASTENAL COMPANY	SOCKET CAP SCREWS	\$7.10
FASTENAL COMPANY	CAP SCREWS	\$14.13
WHOLESALE DIRECT INC	73 LINEAR REFL. ASSY	\$110.17
PRAIRIE ARCHWAY INT'L TRUCKS	WIPERS	\$371.76
CUMMINS MID-STATES POWER INC	TURBOCHGR- A151	\$1,803.53
CENTRAL ILLINOIS TRUCKS INC	WATER PIPE / VALVE	\$256.70
MORBARK INC	AIRCLEANER ASSY	\$1,202.77
DENNISON CORPORATION	BOLTS	\$62.43
CARQUEST AUTO PARTS OF BLM IL INC	REMAN STARTER, CORE RET	\$158.69
CARQUEST AUTO PARTS OF BLM IL INC	BATTERY	\$71.54
CARQUEST AUTO PARTS OF BLM IL INC	W/W SOLVENT	\$28.62
CARQUEST AUTO PARTS OF BLM IL INC	CREDIT- CORE RETURN	(\$24.00)
CARQUEST AUTO PARTS OF BLM IL INC	ANTIFREEZE	\$31.96
CARQUEST AUTO PARTS OF BLM IL INC	OIL SEAL - N45	\$5.78
CARQUEST AUTO PARTS OF BLM IL INC	DISTRIBUTOR CAP, ROTOR	\$52.57
CARQUEST AUTO PARTS OF BLM IL INC	SWAY BAR LINK KIT	\$32.10
CARQUEST AUTO PARTS OF BLM IL INC	W/W SOLVNT,ANTIFZ,BATTERY	\$256.04
CARQUEST AUTO PARTS OF BLM IL INC	BATTERY	\$70.68
CARQUEST AUTO PARTS OF BLM IL INC	PIGTAIL/SOCKET	\$5.04
DENNISON CORPORATION	SCREWS, LEVER- N45	\$27.08
KOENIG BODY & EQUIPMENT INC	REPAIRS/PARTS - S18	\$2,129.58
LEMAN'S CHEVY CITY	WIPER INKAGE - M2	\$177.58
JOPAC COMPANIES	AGS 75W BULBS	\$6.40
CENTRAL ILLINOIS TRUCKS INC	WATER PIPE	\$285.19
Craig Tackett	REIMBURSEMENT FOR SAFETY	\$175.00

General Fund Public Works Equipment Maintenance Total \$14,498.50

General Fund Public Works Streets

AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$2,039.18
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$32,316.80
TRAFFIC SIGN STORE	TURN SIGNS, NO PKG BETWN	\$67.00
KOENIG BODY & EQUIPMENT INC	3"X10" CYLINDER	\$559.30
LAESCH ELECTRIC INC	SIGNAL MAINT- SEPT,2010	\$13,853.04
LKM MOWING & LANDSCAPING	PLOW SVC - JDT / DEC 24	\$1,912.55
MENARDS	LINED LTHR GLOVES	\$14.99
CORN BELT ENERGY CORP	TRAFFIC SIGNALS	\$681.90
CORN BELT ENERGY CORP	STREET LIGHTS	\$7,489.35
Robert Scott	1108 MEADOWLARK RD MAILBO	\$35.00
STARK EXCAVATING	SAND FOR TRACTION	\$552.61
ADVANCE AUTO PARTS	TERRY TWLS, CLNR/WAX	\$36.59
ADVANCE AUTO PARTS	SHIFT KNOB	\$11.09
ADVANCE AUTO PARTS	WIPER BLADES-WNTER	\$95.90
PRAXAIR DISTRIBUTION INC	REPAIR - WELDING EQUIP	\$75.25
TRAFFIC CONTROL CORPORATION	AUTOSCOPE SOLO PRO MVP	\$3,600.00
MCLEAN COUNTY ASPHALT	COLDMIX ASPHALT	\$998.45
SECTY OF STATE-MOTOR VEH DIV	REPLACEMENT PLATES-S17	\$9.00

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
LAESCH ELECTRIC INC	MAINT CONTRACT- DEC.2010	\$1,288.61
LAESCH ELECTRIC INC	SIGNAL MAINT- OCT,2010	\$16,412.50
MENARDS	MAILBOX POSTS, MOUNTS	\$2,520.15
LKM MOWING & LANDSCAPING	SNOW REMVL, ICEMELT- JDC	\$1,478.75
FASTENAL COMPANY	HEXCAP SCREWS,FLOOD LITE,	\$145.34
T/N PETTY CASH-FINANCE DEPT	RUBBER BOOTS-SMALLEY	\$32.31
General Fund Public Works Streets Total		\$86,225.66
<u>General Fund Parks & Recreation Rec.- Before/After School</u>		
SCHOOL SHOP	ASRP PROGRAM SUPPLIES	\$14.92
General Fund Parks & Recreation Rec.- Before/After School Total		\$14.92
<u>General Fund Parks & Recreation Tournament</u>		
CORN BELT ENERGY CORP	CONCESS.STAND CHAMP.	\$35.03
General Fund Parks & Recreation Tournament Total		\$35.03
<u>General Fund Parks & Recreation Recreation/Youth Programs</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$257.34
General Fund Parks & Recreation Recreation/Youth Programs Total		\$257.34
<u>General Fund Parks & Recreation Recreation/Athletic Prog</u>		
PERSONALIZED AWARDS LLC	FLAG FOOTBALL PLAQUE	\$31.75
ILLINOIS ASA	UMPIRE TRAINING	\$500.00
UNITED PARCEL SERVICE	LATE PAYMENT FEE	\$13.71
General Fund Parks & Recreation Recreation/Athletic Prog Total		\$545.46
<u>General Fund Parks & Recreation Recreation/Teen Programs</u>		
AMERICAN RED CROSS	CHILD CARE TRNG- 1/13/10	\$508.25
READ'S SPORTING GOODS	GOLD PACKS	\$35.90
READ'S SPORTING GOODS	SCRIMMAGE VESTS, CONES	\$89.45
READ'S SPORTING GOODS	SCRIMMAGE VESTS	\$31.60
READ'S SPORTING GOODS	OFFICIALS SHIRTS	\$74.85
General Fund Parks & Recreation Recreation/Teen Programs Total		\$740.05
<u>General Fund Parks & Recreation Recreation/Special Events</u>		
GREAT PLAINS MEDIA	SANTA BREAKFAST- WIBL/FM	\$750.00
General Fund Parks & Recreation Recreation/Special Events Total		\$750.00
<u>General Fund Parks & Recreation Golf Course Maintenance</u>		
ACE HARDWARE	SUPPLIES - P/REC	\$119.43
NAPA AUTO PARTS	ROTELLA 15W40 OIL	\$28.98
MENARDS	SUPPLIES - P/REC	\$67.74
MENARDS	SUPPLIES - P/REC	\$179.81
MENARDS	SUPPLIES - P/REC	\$125.46
CORN BELT ENERGY CORP	IRNWD GOLF IRRIG	\$161.42
CORN BELT ENERGY CORP	IRNWD MAINT.	\$215.13
NICOR GAS	IRNWD MAINT.	\$242.59
General Fund Parks & Recreation Golf Course Maintenance Total		\$1,140.56
<u>General Fund Parks & Recreation Administration</u>		
NORMALITE	ANNUAL SUBSCRIPTION-P/REC	\$19.95
ILL ASSOCIATION OF PARK DISTRICTS	2011 MEMBERSHIP DUES	\$450.00
ILL ASSOCIATION OF PARK DISTRICTS	2011 MEMBERSHIP DUES	\$352.48
ARBOR DAY FOUNDATION	2011 DUES	\$15.00
KEVIN SMITH	TUITION REIMBURSE	\$792.00
General Fund Parks & Recreation Administration Total		\$1,629.43
<u>General Fund Parks & Recreation Golf Course</u>		
MENARDS	SUPPLIES - P/REC	\$23.18
LS MECHANICAL LLC	NEW THERMOSTAT- IRNWOOD	\$351.31
CORN BELT ENERGY CORP	IRNWD CLBHSE	\$708.70
NICOR GAS	IRNWD CLBHSE	\$841.99
ILLINOIS LIQUOR CONTROL COMMISSION LIQ LIC RENEWAL		\$500.00
General Fund Parks & Recreation Golf Course Total		\$2,425.18
<u>General Fund Parks & Recreation Community Activity Center</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$531.05
NICOR GAS	ACTIVITY CTR.	\$2,043.32
General Fund Parks & Recreation Community Activity Center Total		\$2,574.37

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
<u>General Fund Parks & Recreation Children's Disc Museum</u>		
ACE HARDWARE	SUPPLIES - P/REC	\$89.85
UNITED STATES POSTAL SERVICE	PI PERMIT FOR CDM	\$185.00
PARENTING -EARLY YEARS	1 YR PARENTING EARLY YRS	\$5.00
NASHVILLE WRAPS LLC	CURLING RIBBON, BAGS	\$174.12
PANTAGRAPH	UPTOWN INSERT - CDM	\$150.00
HOBBY LOBBY STORES INC	CRAFT SUPPLIES - CDM	\$308.63
HOBBY LOBBY STORES INC	CRAFT SUPPLIES - CDM	\$47.88
WELSH INDUSTRIES LTD	500 GS PATCH - CDM	\$538.00
AZ COMMERCIAL	MR. BONES REPAIR	\$34.99
IAM	IAM 2011 DUES	\$150.00
KOLDAIRE EQUIPMENT COMPANY	FETCH SUPPLIES	\$4.20
KOLDAIRE EQUIPMENT COMPANY	PAPER PRODUCTS	\$9.80
KOLDAIRE EQUIPMENT COMPANY	CLASS SUPPLIES	\$32.30
MENARDS	SUPPLIES - P/REC	\$220.35
DISCOUNT SCHOOL SUPPLY	WASHABLE PAINT - CDM	\$229.23
LOWELL, LAUREN	DEC FACE PAINTING	\$60.00
BOWS & BIBS	BOWS -STORE	\$68.00
DOBLE, MARION	JAN FACE PAINTING	\$20.00
HOLT, KRISTI	JAN FACE PAINTING	\$80.00
HOLT, KRISTI	REGGIE REDBIRD DAY FACE P	\$75.00
LOWER, MICKEY	DEC/JAN ZOOT	\$265.00
LOWER, MICKEY	NOON YEARS EVE -FP	\$100.00
General Fund Parks & Recreation Children's Disc Museum Total		\$2,847.35
<u>General Fund Parks & Recreation Aquatics</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$522.12
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$672.82
NICOR GAS	AAC	\$888.64
NICOR GAS	FV CONCESS.	\$222.85
MENARDS	SUPPLIES - P/REC	\$243.86
NICOR GAS	FV POOL	\$1,942.71
LIQUI-SYSTEMS INC	ROLLER ASSEMBLY	\$141.73
U S MECHANICAL SERVICES	HVAC SVC - DSA POOL	\$1,105.06
SHERWIN WILLIAMS FKA MAB PAINTS	PAINT,SUPPLIES- FV POOL	\$376.33
SHERWIN WILLIAMS FKA MAB PAINTS	DTM BOND - FV P/HOUSE	\$53.39
SHERWIN-WILLIAMS CO	PAINT (1023-9023-4)	\$72.38
SHERWIN WILLIAMS FKA MAB PAINTS	PAINT,SUPPLIES- FV POOL	\$1,276.54
SHERWIN WILLIAMS FKA MAB PAINTS	CREDIT- SUPPLIES RETURNED	(\$638.27)
SHERWIN WILLIAMS FKA MAB PAINTS	PAINT - FV POOL	\$319.13
SHERWIN WILLIAMS FKA MAB PAINTS	CREDIT - TAX CORRECTION	(\$22.95)
SHERWIN WILLIAMS FKA MAB PAINTS	CREDIT - TAX CORRECTION	(\$45.91)
SHERWIN-WILLIAMS CO	PAINT SUPPLIES-FV PHSE	\$43.81
SHERWIN-WILLIAMS CO	PAINT SUPPLIES - FV POOL	\$4.38
General Fund Parks & Recreation Aquatics Total		\$7,178.62
<u>General Fund Parks & Recreation Parks Maintenance</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$412.85
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$310.69
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$64.33
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$468.43
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$112.84
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$2.16
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$226.61
MIDWEST EQUIPMENT II	TRIMMER, STIHL BLOWER	\$989.80
MIDWEST EQUIPMENT II	THROTTLE CABLE, FUEL FLTR	\$31.53
ACE HARDWARE	SUPPLIES - P/REC	\$5.99
ACE HARDWARE	SUPPLIES - P/REC	\$53.90
ACE HARDWARE	SUPPLIES - P/REC	\$34.95
ACE HARDWARE	SUPPLIES - P/REC	\$5.49
ACE HARDWARE	SUPPLIES - P/REC	\$25.98

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
ACE HARDWARE	SUPPLIES - P/REC	\$121.34
EVERGREEN FS INC.	K-1 CLEAR	\$57.67
BENNINGTON TRUCK PARTS	LIGHT	\$18.95
AMCO FENCE COMPANY INC	25FT OF WIRE	\$125.00
QUALITY TRUCK & EQUIPMENT CO	FLOW CUT EDGES	\$270.00
QUALITY TRUCK & EQUIPMENT CO	JOYSTK CNTRL, COIL -R20	\$259.58
QUALITY TRUCK & EQUIPMENT CO	4-WAY VALVE, CVR ASSY	\$91.06
QUALITY TRUCK & EQUIPMENT CO	CARTRIDGE	\$61.49
INNOTECH COMMUNICATIONS	TB PHONE HOLDER	\$9.99
ADVANCE AUTO PARTS	AUTO SUPPLIES- P/REC	\$469.71
INTERSTATE ALL BATTERY CENTER	MT-78 BATTERY (#9413)	\$93.56
LAWSON PRODUCTS INC	SWELL SMELL	\$66.86
PRAXAIR DISTRIBUTION INC	CYLINDER RENTAL	\$73.60
MENARDS	SUPPLIES - P/REC	\$187.05
MENARDS	SUPPLIES - P/REC	\$280.72
MENARDS	SUPPLIES - P/REC	\$98.87
CORN BELT ENERGY CORP	SHEPARD PK	\$849.59
CORN BELT ENERGY CORP	SIGN W.COLLEGE	\$21.57
CORN BELT ENERGY CORP	IRNWD BB DIAM.	\$141.66
CORN BELT ENERGY CORP	MAX S. CONCESS	\$65.72
CORN BELT ENERGY CORP	SAFETY TOWN	\$20.52
CORN BELT ENERGY CORP	MAXWELL FLD 1-4	\$253.43
CORN BELT ENERGY CORP	MAXWLL S. BALL S.	\$84.58
CORN BELT ENERGY CORP	MXWELL PK SHELТ	\$109.50
CORN BELT ENERGY CORP	MXWELL PK TENNIS	\$51.87
CORN BELT ENERGY CORP	HORSESHOE PIT	\$23.39
CORN BELT ENERGY CORP	SIGN-IRNWD PK	\$33.72
CORN BELT ENERGY CORP	MXWELL W. CONCESS	\$256.31
CORN BELT ENERGY CORP	SHED @ CHAMPION	\$25.02
ILLINOIS PORTABLE TOILETS	JAN SVC TO FEB 8TH	\$515.00
M&M PUMP INC	FUEL PUMP,NOZZLE- P/WSHR	\$111.66
HOME DEPOT CREDIT SERVICES	STEEL RAKE	\$16.13
ILLINOIS STANDARD PARTS INC	PAINT, DRILL BIT, RIVETS	\$68.95
ILLINOIS STANDARD PARTS INC	SHOP SUPPLIES- PARK MAINT	\$191.13
MCLEAN COUNTY MATERIALS CO	TOP SOIL	\$127.04
REESE RECREATION PRODUCTS	UPTWN BOLLARD REPLC PARTS	\$460.00
BOBCAT OF PEORIA INC	AIR & ELEMENT FILTERS	\$256.00
General Fund Parks & Recreation Parks Maintenance Total		\$8,713.79
<u>General Fund Parks & Recreation Theater</u>		
PEPSI COLA GENERAL BOTTLERS	SODA- THEATER/9131942	\$171.90
TECHNICOLOR	FILM MATERIALS	\$23.11
ORIGINAL SMITH PRINTING CO	PRINT SCHEDULE/JAN-MAR	\$1,462.00
TECHNICOLOR	FILM MATERIALS	\$23.11
WARNER BROS DISTRIBUTING	CASAB/STRNGR TRAIN/N-BYNW	\$750.00
PANTAGRAPH	THEATER ADS	\$3,662.19
ROADSIDE ATTRACTIONS LLC	WINTER'S BONE	\$250.00
OSCILLOSCOPE PICTURES INC	HOWL- 2/3-2/6	\$250.00
OSCILLOSCOPE PICTURES INC	RARE EXPORTS	\$250.00
MGM STUDIOS INC	PINK PANTHER (1964)	\$250.00
MILLENNIUM ENTERTAINMENT LLC	AUTUMN SPRING	\$250.00
PARAMOUNT	AIRPLANE	\$250.00
MAGNOLIA PICTURES LLC	I AM LOVE	\$72.80
DHL AIR & OCEAN	BOYS TOWN	\$196.40
DHL AIR & OCEAN	THIN MAN	\$105.93
DHL AIR & OCEAN	CHRISTMAS CAROL	\$105.93
DHL AIR & OCEAN	SOME LIKE IT HOT	\$99.70
DHL AIR & OCEAN	IT'S A WONDERFUL LIFE	\$195.56
DHL AIR & OCEAN	3 REELS- SOME L/IT HOT	\$127.90
REGENT COMMUNICATIONS INC	FREQUENCY PLAN - THEATER	\$120.00

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
REGENT COMMUNICATIONS INC	WJBC - THEATER ADS	\$25.00
REGENT COMMUNICATIONS INC	CARDS/CUBS/BEARS- THEATER	\$500.00
REGENT COMMUNICATIONS INC	WJBC - THEATER ADS	\$25.00
AMERENIP	ACCT # 83436-98003/209 NO	\$557.98
NICOR GAS	ACCT # 79726220001 (THEAT	\$1,157.95
CITY OF BLOOMINGTON	FOOD/BEVERAGE TAX	\$78.00
GOLD MEDAL- CHICAGO	CONCESSIONS- THEATER	\$1,502.44
MGM STUDIOS INC	SOME LIKE IT HOT	\$246.30
UNIVERSAL FILM EXCHANGE INC	SCOTT PILGRIM VS T/WORLK	\$250.00
S.K.R. DELIVERY SERVICE,LTD	FILM SVC-12/3, 12/24/10	\$74.75
KINO INTERNATIONAL	ONFILM IT	\$300.00
FEDEX	FILM SHIPMENTS - THEATER	\$219.87
TECHNICOLOR	FILM MATERIALS	\$23.11
TECHNICOLOR	FILM MATERIALS	\$30.36
DHL AIR & OCEAN	AIRPLANE	\$105.93
AMERENIP	ACCT # 83436-98003/THEATE	\$546.67
General Fund Parks & Recreation Theater Total		\$14,259.89
General Fund		\$522,588.22
Motor Fuel Tax Fund Public Works Motor Fuel Tax		
COPY SHOP	VERNON AVE BRIDGE	\$48.64
FARNSWORTH GROUP	BROADWAY BRIDGE PH 2	\$2,465.00
ROWE CONSTRUCTION	2009 STREET RESURFACING	\$4,697.62
Motor Fuel Tax Fund Public Works Motor Fuel Tax Total		\$7,211.26
Motor Fuel Tax Fund		\$7,211.26
Community Development Fd Community Development Administration		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$155.48
COMCAST CORPORATION	INTERNET UNITY CENTER	\$24.95
LANDMARK LAUNDRY	UNITY CENTER - FEB,2011	\$1,300.00
CULLIGAN WATER CONDITIONING	JAN 17 - COOLER RENTAL	\$7.00
MID CENTRAL COMMUNITY ACTION	MONEY SMART WEEK	\$1,000.00
Community Development Fd Community Development Administration Total		\$2,487.43
Community Development Fd		\$2,487.43
Debt Service & Proj. Res. Finance Financial Services		
STANDARD & POOR'S	ANALYTICAL SVC-BOND,2010A	\$7,900.00
Debt Service & Proj. Res. Finance Financial Services Total		\$7,900.00
Debt Service & Proj. Res.		\$7,900.00
Park Land Dedication Fund Parks & Recreation Park Land Dedication		
DESIGN PERSPECTIVES INC	DESIGN SRV- GRANT APP	\$2,000.00
Park Land Dedication Fund Parks & Recreation Park Land Dedication Total		\$2,000.00
Park Land Dedication Fund		\$2,000.00
Capital Investment Fund Other-Capital Investment Capital Investment		
GOVCONNECTION INC	TAPE CART, SMARTRACK ENCL	\$713.42
FARNSWORTH GROUP	ANDERSON POOL CERT	\$1,372.50
ALL PURPOSE ERECTORS INC	ENGEERING FIBER MOVE	\$21,761.50
GDS PROFESSIONAL BUSINESS DISPLAYS	BANNERS FOR UPTOWN	\$502.04
CLARK DIETZ INC	PW LEED CONSULTING-DEC	\$4,620.00
VALLEY CITY SIGN COMPANY	STREET SIGNS, DIST.MAPS	\$2,455.04
Capital Investment Fund Other-Capital Investment Capital Investment Total		\$31,424.50
Capital Investment Fund		\$31,424.50
Multimodal Center Federal Grants SAFETEA-LU		
STARK EXCAVATING	UPTOWN STREETSCAPE	\$7,229.23
Multimodal Center Federal Grants SAFETEA-LU Total		\$7,229.23
Multimodal Center Other-Capital Investment Junction Center		
STARK EXCAVATING	UPTOWN STREETSCAPE	\$107,007.31
Multimodal Center Other-Capital Investment Junction Center Total		\$107,007.31
Multimodal Center		\$114,236.54

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
<u>Uptown Roads Other-Capital Investment Roads & Storm Sewers</u>		
F&W LAWN CARE & LANDSCAPING	UPTOWN TREE PLANTINGS	\$2,072.96
CLARK DIETZ INC	COLLG/MULBRY ST LITE DSGN	\$11,983.50
CLARK DIETZ INC	UPTWN PLN REV:11/27-12/31	\$5,811.25
CLARK DIETZ INC	UPTWN REVIEW:10/30-11/26	\$1,622.50
STARK EXCAVATING	UPTOWN STREETScape	(\$82,907.30)
Uptown Roads Other-Capital Investment Roads & Storm Sewers Total		(\$61,417.09)
		Uptown Roads (\$61,417.09)
<u>Uptown Program/Planning Other-Capital Investment Consultants/Studies/Misc</u>		
JIM ULAVEGE SIGNS	FACADES/MOTHER MURPHYS	\$961.00
Program/Planning Other-Capital Investment Consultants/Studies/Misc Total		\$961.00
		Uptown Program/Planning \$961.00
<u>Hotel Conference/Parking Other-Capital Investment Hotel Site</u>		
JQH NORMAL DEVELOPMENT LLC	PROJECTOR EQUIPMENT	\$37,740.00
Hotel Conference/Parking Other-Capital Investment Hotel Site Total		\$37,740.00
		Hotel Conference/Parking \$37,740.00
<u>Water Fund</u>		
COLDWELL BANKER/MATT ZENOR	702 NORMAL AVE REFUND	\$4.75
KELLOGG, JIM	407 RINNEY DR REFUND	\$13.89
FAIRVIEW RIDGE APARTMENTS	711-727 WORLANDO BWF RFND	\$833.47
WATER PRODUCTS CO OF ILLINOIS	MEDALLION HYDT 75	\$1,890.00
WATER PRODUCTS CO OF ILLINOIS	MEDALLION 3/W	\$1,540.00
WATER PRODUCTS CO OF ILLINOIS	4" GALTE VALVE, SLEEVE,	\$1,038.51
		Water Fund Total \$5,320.62
<u>Water Fund Water Administration</u>		
BLOOMINGTON OFFSET PROCESS	30,000 WTR STMT FORMS	\$980.00
OFFICE DEPOT INC	KLEENEX	\$17.70
OFFICE DEPOT INC	FOAM CUPS,FOOT REST	\$14.84
DIGITAL COPY SYSTEMS LLC	133 COLOR COPIES	\$8.65
		Water Fund Water Administration Total \$1,021.19
<u>Water Fund Water Distribution</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$285.52
MARTIN EQUIPMENT OF IL INC	ELE FILTERS	\$130.50
MARTIN EQUIPMENT OF IL INC	ELE FILTERS	\$6.81
MENARDS	CLICKER TRANSMITTERS	\$53.76
CLARK & BARLOW	TOOL REPAIRS	\$72.50
CLARK & BARLOW	REPAIR TOOL	\$87.15
GETZ FIRE EQUIPMENT	RESTOCK MEDICAL- WTR/DIST	\$40.20
MENARDS	4X8X16" BLOCKS	\$14.16
MENARDS	COMPOSITE SHIMS	\$18.15
BENNINGTON TRUCK PARTS	TAIL LIGHTS	\$25.90
ROGERS SUPPLY COMPANY	HOT SURFACE IGNITOR	\$19.74
MCLEAN COUNTY MATERIALS CO	WASHED STONE	\$1,627.82
M E SIMPSON COMPANY INC	WTR/DIST SYS LEAK SURVEY	\$1,900.00
VALLEY VIEW INDUSTRIES INC	1" CLEAN STONE	\$264.00
ROBERT MILLER	PIZZA FOR DIST MAIN BREAK	\$27.44
MENARDS	PVC STRAP,PVC CONDUIT	\$3.32
MENARDS	CAUTION TAPE,GRILLE,TAPE	\$45.50
OFFICE DEPOT INC	FILE, WALL, LETTER MAGNET	\$9.50
OFFICE DEPOT INC	SELFINK HD DUAL STAMP	\$110.54
LAWSON PRODUCTS INC	PAINT,TWLS,FLAP DISC	\$538.60
LAWSON PRODUCTS INC	PAINT,TWLS,FLAP DISC	\$63.12
LAWSON PRODUCTS INC	PAINT,TWLS,FLAP DISC	\$46.66
WATER PRODUCTS CO OF ILLINOIS	HYDRANT SETTER	\$135.46
WATER PRODUCTS CO OF ILLINOIS	MEDALLION 24" EXT	\$510.30
WATER PRODUCTS CO OF ILLINOIS	1X6 CURB BX REPAIR EXT	\$250.00
WATER PRODUCTS CO OF ILLINOIS	48" MIGHTY PROBE	\$81.00
WATER PRODUCTS CO OF ILLINOIS	12" MEDALLION EXT	\$828.00

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
WATER PRODUCTS CO OF ILLINOIS	MEDALLION 24" EXT	\$510.30
MUTUAL WHEEL CO	LED STROBE	\$64.94
MCLEAN COUNTY ASPHALT	COLDMIX ASPHALT	\$407.55
MCLEAN COUNTY CONCRETE	CONCRETE - IRNWOOD	\$151.30
WEST SIDE CLOTHING	JEANS - K RAMSEY/WTR	\$76.00
MIDWEST CONSTRUCTION RENTALS	SLUSH BOOTS	\$27.75
Water Fund Water Distribution Total		\$8,433.49
<u>Water Fund Water Treatment</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$20,087.52
DELTA INDUSTRIES INC	OIL FILTERS	\$80.91
BRADFORD SUPPLY CO	PV PARTS - SLAKER REPAIR	\$24.21
JCI JONES CHEMICALS INC	CHLORINE - WTP	\$1,548.00
PRISTINE WATER SOLUTIONS	AQUADENE	\$673.75
PRISTINE WATER SOLUTIONS	AQUADENE	\$2,387.00
BOBCAT OF BLOOMINGTON	COUPLER KIT, COUPLER	\$181.68
MENARDS	6" RECIP BLADE, SINK TLPC	\$24.72
MILLER JANITOR SUPPLY	P/TWLS, TP - 16NW000	\$147.99
HICKMAN,WILLIAMS & COMPANY	25.29 TN LIME	\$3,321.34
CLARK & BARLOW	ARMAFLEX SELF-SEAL, TAPE	\$130.07
CLARK & BARLOW	SDS BITS, ADAPTERS	\$30.80
MENARDS	PVC PARTS, RISERS	\$65.89
MENARDS	RISERS, PVC PARTS	\$17.20
HICKMAN,WILLIAMS & COMPANY	25.58 TN LIME	\$3,359.42
NICOR GAS	NICOR - WEST RESERVIOR -	\$277.45
WEST SIDE CLOTHING	JEANS - M COWLES / WTR	\$190.00
AZ COMMERCIAL	RUST-OLEUM ENML GLS	\$10.58
DENNISON CORPORATION	LAMP ASY - W17	\$41.39
ROCKFORD INDUSTRIAL WELDING SUPPLI	ARGON, SM CYLINDERS	\$18.93
VVR INTERNATIONAL INC	JARS W/M POLYPRO	\$194.20
PDC LABORATORIES INC	FLUORIDE TESTS	\$255.00
JOHNSTONE SUPPLY	PIPE GALLEY HEATER MOTOR	\$152.48
MENARDS	LIGHT BULBS,CABLE TIES	\$25.22
MENARDS	GANG BOX,BLANK COVER	\$23.65
LESMAN INSTRUMENT COMPANY	AMETEK LEVEL TRANSMITTERS	\$2,181.15
DECATUR INDUSTRIAL ELECTRIC INC	REPLACEMENT CIRCUIT	\$462.62
OFFICE DEPOT INC	FOAM CUPS,FOOT REST	\$32.17
CORN BELT ENERGY CORP	RECORDING EQUIP WATER - D	\$22.22
CORN BELT ENERGY CORP	PUMP STATION - DECEMBER 2	\$1,117.77
CORN BELT ENERGY CORP	HERSHEY RD BOOSTER PUMP -	\$766.46
HICKMAN,WILLIAMS & COMPANY	26.72 TN LIME	\$3,509.14
HICKMAN,WILLIAMS & COMPANY	24.73 TN LIME	\$3,247.79
OMEGA ENGINEERING INC	T/C ASSEMBLY W/ALUM HEAD	\$49.00
OMEGA ENGINEERING INC	T/C ASSEMBLY W/ALUM HEAD	\$11.69
BRADFORD SUPPLY CO	PVC PIPE	\$65.82
MCMASTER-CARR SUPPLY CO	PVC PIPE,AUDIO CABLE,WIRE	\$204.03
MCMASTER-CARR SUPPLY CO	STEEL CLAMP	\$27.15
FASTENAL COMPANY	5/8 X 18 OAL (WTR)	\$53.88
DRYDON EQUIPMENT INC	ANNUAL ACTUATOR INSP/CLN	\$140.00
DRYDON EQUIPMENT INC	ANNUAL ACTUATOR INSP/CLN	\$23.23
Water Fund Water Treatment Total		\$45,183.52
Water Fund		\$59,958.82
<u>Water Capital Investment Water Capital Investment</u>		
BOWEN ENGINEERING CORP	WTP BAFFLES, PIPING & HSP	\$13,943.92
BOWEN ENGINEERING CORP	WTP BAFFLES, PIPING / HSP	\$5,675.37
CLARK DIETZ INC	WTRMAIN REPLCMNT: NOV-DEC	\$37.50
CLARK DIETZ INC	GREGORY-WTRMAIN TO 12/31	\$37.50
STARK EXCAVATING	UPTOWN STREETScape	\$600.00
Water Capital Investment Water Capital Investment Total		\$20,294.29

<u>Vendor Name</u>	<u>Description</u>	<u>Transaction Amount</u>
	Water Capital Investment	\$20,294.29
<u>Sewer Fund Sewer Administration</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$357.01
OMNI-SITE.NET	UPTWN WTR FEATURE- FRNKLN	\$300.00
OMNI-SITE.NET	UPTWN WTR FEATURE- FRNKLN	\$300.00
MENARDS	BAIT BLOCKS, MOUSE TRAPS	\$6.96
CORN BELT ENERGY CORP	SEWAGE PUMP STATIONS	\$2,997.74
SYNECO SYSTEMS INC	PERSNICKEY PREFILTER	\$2,875.00
WHERRY MACHINE & WELDING INC	VACTOR REPAIRS	\$42.00
SECTY OF STATE-MOTOR VEH DIV	TITLE/PLATES-TRAILER	\$101.00
ILLINOIS STATE UNIVERSITY	COOLING TOWERS:4/14-12/16	\$25,884.04
RANEY TERMITE CONTROL INC	RAT BAIT	\$45.00
T/N PETTY CASH-FINANCE DEPT	LICENSE PLATES INCREASE	\$4.00
	Sewer Fund Sewer Administration Total	\$32,912.75
	Sewer Fund	\$32,912.75
<u>Parking Fund College Ave Parking Deck Administration</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$2,498.54
	Parking Fund College Ave Parking Deck Administration Total	\$2,498.54
<u>Parking Fund Beaufort St Parking Deck Administration</u>		
AMEREN ENERGY MARKETING	ENERGY,MISO,RPS,DELIVERY	\$2,826.77
	Parking Fund Beaufort St Parking Deck Administration Total	\$2,826.77
	Parking Fund	\$5,325.31
<u>Health & Dental Ins Fund Administration - City Mgr Health Insurance</u>		
HORTON GROUP INC	HBS MO AFE FEB,2011	\$3,720.00
BUTLER BENEFIT SERVICE INC	RUN-OUT ADMIN (7%)	\$121.38
	Health & Dental Ins Fund Administration - City Mgr Health Insurance Total	\$3,841.38
	Health & Dental Ins Fund	\$3,841.38
<u>Gen Veh Replacement Fund Information Technology Administration</u>		
SUNGARD PUBLIC SECTOR INC	NOMAX INSTALL- ON SERVER	\$8,000.00
	Gen Veh Replacement Fund Information Technology Administration Total	\$8,000.00
	Gen Veh Replacement Fund	\$8,000.00
	Grand Total	\$795,464.41

TOWN COUNCIL ACTION REPORT

February 3, 2011

Motion to Initiate a Zoning Map Amendment in the Town of Normal (1112-1118 W. College)

PREPARED BY: Mercy Davison, Town Planner

REVIEWED BY: Mark R. Peterson, City Manager
Steven D. Mahrt, Corporation Counsel
Greg Troemel, Director of Inspections

BUDGET IMPACT: N/A

**STAFF
RECOMMENDATION:** Approval

ATTACHMENTS: Aerial Map; Zoning Map; Letters from Karen and Mark Casali
(1112 W. College) and from William and Carolyn Curtis (1116-
1118 W. College)

BACKGROUND

William and Carolyn Curtis own 1116 and 1118 W. College. Karen and Mark Casali own 1112 W. College. It recently came to their attention that they are all zoned R-3A Medium Density Multiple Family although their properties are single family homes. The issue came to their attention as a result of Ms. Casali being turned down for a home loan. According to Ms. Casali, the bank will not provide her with a home loan because her property is a nonconforming single-family use in a multiple-family zoning district.

Town staff researched the zoning maps and found that 1112, 1114, 1116, and 1118 W. College were zoned R-1A Single-Family Residential until 1977, when they changed to R-3A. Town staff could not find a specific Town Council action changing the zoning. The properties to the north along College Park Court were rezoned from R-1A to R-3A in the late 1960s or early 1970s. The properties to the south are zoned R-1B Single Family Residential, and the properties to the east are zoned R-1A.

The house at 1114 W. College is owned by a local developer and is currently for sale. Town staff has contacted the listed real estate agent, but has not yet received a return call.

DISCUSSION/ANALYSIS

The properties to the east and south are zoned single-family residential. Furthermore, it seems to be increasingly difficult for the owners of nonconforming properties to obtain loans for home repair or a home purchase. For these reasons, Town staff recommends that the Town Council initiate the zoning map amendment.

If the Town Council initiates this zoning map amendment, it will proceed to a public hearing before the Planning Commission on Thursday, March 10, 2011.



Woods Ave

Churchill Rd

Linda Ln

College Park Christian Church

College Park Ct

Parliament Rd

Cottage Ave

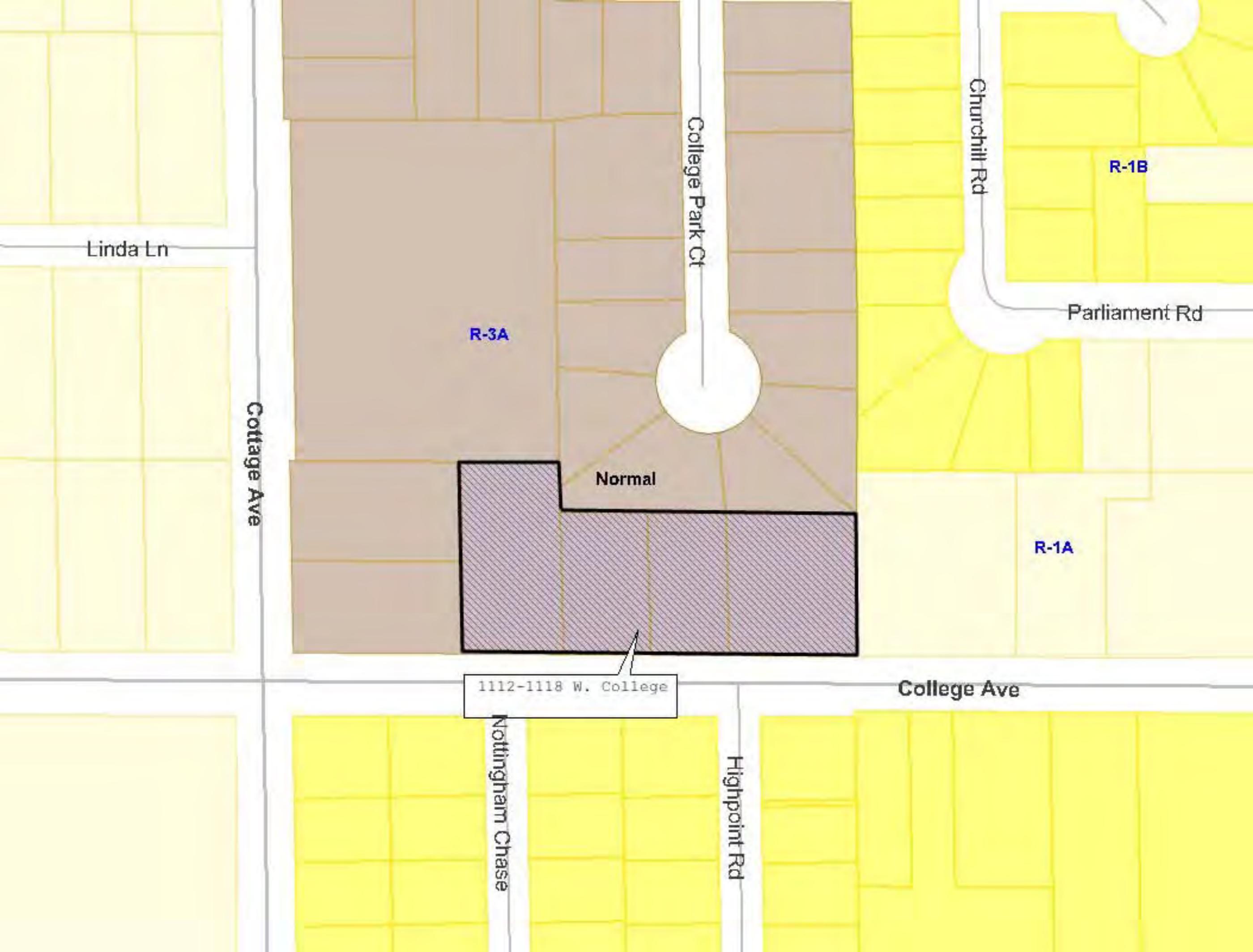
Normal



1112-1118 W. College

College Ave

Nottingham Chase



Linda Ln

Cottage Ave

R-3A

College Park Ct

Normal

Churchill Rd

R-1B

Parliament Rd

R-1A

1112-1118 W. College

College Ave

Nottingham Chase

Highpoint Rd

To City Normal, Town Normal, Zone Board,
My Name is Karen Casali. We Need your help Please.
We are a family of Three. and we live in Town Normal.
our address is 1112 West College ave Normal. We bought
house in 1993 its a Single family home. There are
Single family homes up and down and across street
from us. We want and we need zoned the Right
Way. We need a bank loan. There are few
Reasons why we Daughter She Needs Braces on
her Teeth and she has jaw pain due to jaw out
line because of Teeth. She Crys in Pain. the dental
Work cost alot money. (We dont have) The State
Medical Card dont pay. my husband and I are on
S.S. disability (a fixed income) also we Need
a bank loan because our Kitchen in our house
is in great need of Repair. We have to keep 72
are dishes in the attic due to the way kitchen
Set up. its hard for me to go up down attic Steps.
I already fell one time and gotten hurt! my husband
has big a heart problems so Steps are hard for him.
We like to Repair Kitchen to a Normal Kitchen so
we could have Cupboards for dishes. We lived this
way for 14 years now. and my daughter Needs
Braces so she's not in afull Pain all time.
P. N. C. Bank Wont make an loan because
of The way house is Zoned! We are only locked
in our loan til March 5th 2011. Glenn Beharros
bank Guy told us the bank Wont do loan be-

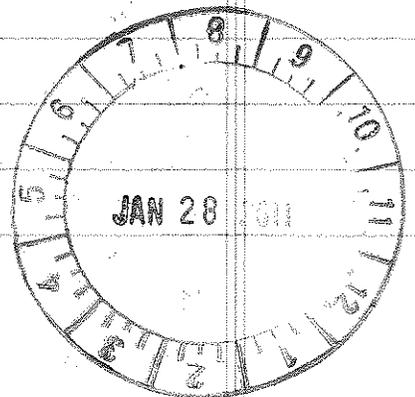
of Zone. When bank they told us if our house was to
Burn down we would not be able to fix our house be-
cause of the Zone. it would have to be Condo duplex
or apartment. Fannie May or freddie Max Low income
Wont do the Loan because of the Zone. Please help
us we need this loan for our child and kitchen. We
Couldnt Even Sell because of Zone. No bank would
give a loan because of the Zone. the house has
Never been Nothing but Single family home. my
sister Law's Grandpa and Grandma lived in this house
way back when there was no streets just a dirt Road.
This house was years ago. a old farm house and
my sister Law told us the history in her drawings
up in this house. The Roof is also getting bad in
our house too. So we need think of that too in the
Next couple years. We are just Trying to help our
child get Medical dental she needs. and Repair our
Kitchen too. We Taken this house and Making it a home.
We love our house. and we like to live in Normal.
Wont you Please help us I beg of you. Can you help
us before our lock in loan date. Thank you so much
Karen Casali

Karen & Mark Casali

1112 West College ave

Normal Ill 61761

phone (Karen) 242-7950 / mark 242-3888



January 26, 2011

William and Carolyn Curtis

1118 W. College Ave.

Normal, IL 61761

Mayor Chris Koos and Normal Town Council:

We are property owners of 1116 and 1118 W. College Avenue. Recently we were made aware that our property, along with 1112 and 1114 W. College Avenue, had been rezoned in the 1970's to multiple dwelling. We have lived at 1118 W. College since 1960 and were never notified of a request to rezone the properties to multiple dwelling.

This letter is to formally request that these properties be changed back to single dwelling.

If you have any questions please feel free to call Mr. Curtis at 838-5045.

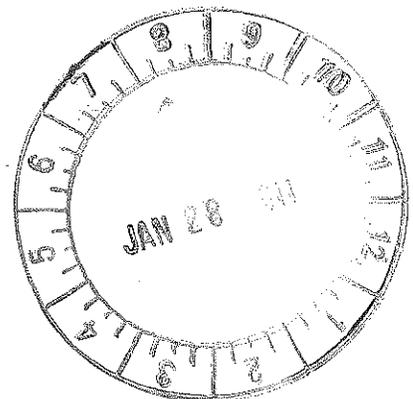
Sincerely,

William P. Curtis

William P. Curtis

Carolyn R. Curtis

Carolyn R. Curtis



TOWN COUNCIL ACTION REPORT

February 3, 2011

Resolution Requesting Temporary Closures of State Right-Of-Way for Annual Community Events

PREPARED BY: Wendellyn Briggs, Town Clerk

REVIEWED BY: Mark R. Peterson, City Manager

BUDGET IMPACT: N/A

STAFF RECOMMENDATION: Approval

ATTACHMENTS: Proposed Resolution

BACKGROUND

Illinois Department of Transportation Region 3/District 5 requests all municipalities to submit an annual resolution covering all public events. This blanket resolution would include parades, festivals, foot races, bicycle races, etc., for 2011.

After IDOT receives the annual resolution, it will only be necessary to submit a notification letter from the Town Clerk notifying the department of the date, time, and location of individual events. These notification letters need to be made at least ten days prior to the event. Any proposed closures anticipated to exceed four hours in length will need to be requested at least thirty days prior to the event.

Enclosed is the appropriate resolution.

RESOLUTION NO. _____

A RESOLUTION REGARDING TEMPORARY CLOSING OF STATE RIGHT-OF-WAY – ANNUAL COMMUNITY EVENTS

WHEREAS, the Town of Normal sponsors parades, road races, festivals and other such events which constitute a public purpose; and

WHEREAS, many of these events are held on State rights-of-way which will require the temporary closure of said highways; and

WHEREAS, Section 4-408 of the Illinois Highway Code, 605 ILCS 5/1-101 et seq., authorizes the State of Illinois Department of Transportation (IDOT) to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: The Normal Town Council requests an annual permit allowing the temporary closure of State highways for the purpose of conducting various parades, road races, festivals and other such events. By receiving an annual permit, the Town of Normal will be required to notify the Department in writing approximately 10 days in advance of all road closures so that all emergency agencies will be notified of the proposed event.

SECTION TWO:

(A) The traffic from the closed portion of highway shall be detoured over routes with an all-weather surface that can accept that anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State highway, except as provided in subsections (B) and (C) hereof.

(B) That when a marked detour is not provided, police officers or authorized flaggers shall, at the expense of the Town of Normal, be positioned at each end of the closed section of roadway and at other points as may be necessary to assist in directing traffic through the temporary detour.

(C) That when the roadway is closed for less than 15 minutes, police officers, at the expense of the Town of Normal, shall stop traffic for a period not to exceed 15 minutes and an occasional break shall be made in the procession so that traffic may pass through.

SECTION THREE: That the Town of Normal assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

SECTION FOUR: That all debris shall be removed by the Town of Normal prior to reopening the State highway.

SECTION FIVE: That the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices (MUTCD).

SECTION SIX: That the Town of Normal hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above and to hold harmless the State of Illinois from all claims arising from the requested road closings.

SECTION SEVEN: That a copy of this Resolution be forwarded to the Illinois Department of Transportation, District 5 Bureau of Operations, 13473 IL Hwy. 133, P. O. Box 610, Paris, Illinois 61944-0610 to serve as authorization for the Town of Normal to request highway closures through December 31, 2011.

ADOPTED this ___ day of _____, 2011.

APPROVED:

President of the Board of Trustees of the
Town of Normal, Illinois

ATTEST:

Town Clerk

(seal)

TOWN COUNCIL ACTION REPORT

February 3, 2011

Resolution Authorizing Execution of a Contract for Design, Evaluation and Master Plan Recommendations with Redbox Workshop, LTD. in an Amount Not To Exceed \$23,500.00

PREPARED BY: Garry Little, Director of Parks and Recreation

REVIEWED BY: Pamela S. Reece, Deputy City Manager

BUDGET IMPACT: There will be no budget impact to the Town as the Children's Discovery Museum Foundation has funds available for this project. The Town will incur the expense associated for the project and will be reimbursed by the Foundation.

STAFF RECOMMENDATION: Approval

ATTACHMENTS: Proposed Resolution and Agreement from Redbox

BACKGROUND

The installation of the exhibit gallery ArtsInk! at the Children's Discovery Museum in the fall of 2010 marked the successful completion of the original Exhibit Master Plan for the initial exhibit galleries at the Children's Discovery Museum. The original Master Plan guided the process for the design, fabrication and installation of the Museum galleries beginning with: Discover My World, Oh Rubbish, Lucky Climber, Imagine Air, Art Studio and Recollections Room which were completed prior to the Museum's grand opening in November 2004; the addition of the Paint Wall in 2005, AgMazing in 2006, Healthy Kids, Healthy Future in 2008 and finishing with ArtsInk! in 2010.

In light of the completion of the original master plan exhibit galleries, and the wear and tear of over 800,000 visitors on the existing exhibits, the Museum staff, along with the Children's Discovery Museum Foundation, has evaluated the current exhibits and identified those which need to be replaced or refurbished over the next four years. The exhibit galleries that have been identified include: the Water Table, Oh Rubbish, the processing plant in AgMazing, Toddler Backyard expansion into the One and Only Me Exhibit area, the Medical Center and Inside Me combination.

A new Master Plan will guide the process to complete the identified replacements and refurbishing of the identified exhibit areas. Staff recommends contracting with Redbox Workshop, LTD to provide the Master Plan documents; including concept sketches for each major area, finishes & material boards, composite presentation package, projected project timeline and an opinion of cost projection.

TOWN COUNCIL ACTION REPORT

DISCUSSION/ANALYSIS

The Museum has worked with Redbox Workshop, LTD on several previous exhibits projects, including the recent "ArtsInk!", "Healthy Kids, Healthy Futures", as well as being the original exhibit fabrication company for the "Discover My World" and Paint Wall exhibit galleries. Staff anticipates the *Design Services, Evaluation and Master Plan Recommendation* project will be completed by the end of 2011. The resulting Master Plan documents will guide the Children's Discovery Museum Foundation and staff in fund raising efforts and exhibit fabrication projects over the next four years. Additional Council action will be required for the design, fabrication and installation phases of any resulting exhibits.

As in the past, upon Council approval, the Town will enter into an agreement with Redbox Workshop, LTD and the Museum Foundation will reimburse the Town as expenses are incurred.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR DESIGN, EVALUATION AND MASTER PLAN RECOMMENDATIONS WITH REDBOX WORKSHOP, LTD.

WHEREAS, the Town of Normal is a home rule unit of local government with authority to legislate in matters concerning it local government and affairs; and

WHEREAS, the Town of Normal owns and operates a Children's Discovery Museum as part of its Parks and Recreation Department; and

WHEREAS, Town Staff has been negotiating a contract with Redbox Workshop, Ltd. for design, evaluation and master plan recommendations at the Children's Discovery Museum; and

WHEREAS, Redbox Workshop, Ltd. has submitted a contract for said services; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of Normal to authorize execution of a contract for design, evaluation and master plan recommendations by Redbox Workshop, Ltd. in an amount not to exceed \$23,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: That the Contract for design evaluation and master plan recommendations with Redbox Workshop, Ltd. for the Children's Discovery Museum in an amount not to exceed \$23,500.00 be and the same is hereby approved and the President be and he is hereby authorized to execute said Contract for and on behalf of the Town of Normal. A copy of said Contract is marked Exhibit A attached hereto and incorporated herein.

Adopted this _____ day of _____, 2011.

APPROVED:

President of the Board of Trustees of the Town of Normal, Illinois

ATTEST:

Town Clerk

(Seal)

**Contract for Fabrication and Installation of Exhibits between
The Town of Normal and RedBox Workshop, Ltd.**

This Agreement is entered into this day January __, 2011, by and between RedBox Workshop, Ltd. an Illinois S-Corporation, with its principle place of business at 3121 N. Rockwell St., Chicago, IL 60618 USA ("RBW"), and the Town of Normal ("CLIENT"), an Illinois home rule unit of local government, with its principle place of business at □100 E. Phoenix Ave., Normal, IL 61761 USA.

In consideration of the mutual promises, covenants and conditions hereinafter contained, the parties hereto agree as follows:

1. THE PROJECT.

RBW agrees to provide the necessary labor, materials, equipment and supervision to complete the *Design Services, Evaluation and Master Plan Recommendations* ("the PROJECT") under the CLIENT's direction of the PROJECT and as described in the document "Exhibit Rehab Design Proposal" dated November 9, 2010 attached hereto as ("EXHIBIT A"), which exhibit is incorporated herein and made a part hereof by this reference.

In order to keep this PROJECT on schedule, a project schedule (the "Project Schedule") will be created by mutual agreement of RBW and CLIENT upon start up of the PROJECT. The Project Schedule will define all milestone events/deadlines including delivery dates for design materials and information required by CLIENT from RBW, and deadlines for information/approval from the CLIENT required by RBW to complete the PROJECT. Inasmuch as all of the components being designed by RBW depend upon the receipt by RBW of information/approval from CLIENT, RBW will be responsible for soliciting information/approval in a timely fashion enabling RBW to meet delivery deadlines. CLIENT agrees to respond in a timely fashion to RBW's requests. CLIENT's failure to meet deadlines for information/approval requests made by RBW and payments required hereunder could result in a delay of the completion of the PROJECT, and any such delay shall not be construed to be in any way a default hereunder RBW. However, if CLIENT meets all agreed upon deadlines, then RBW will be responsible for completing the PROJECT per the Project Schedule and will be liable for reasonable costs or damages incurred by CLIENT due to any delay in the completion of the PROJECT excepting any such costs or damages related to causes as defined in Paragraph 18 hereof.

RBW accepts the relationship of trust and confidence established by this Agreement to furnish sufficient business administration and supervision; to make its best efforts to furnish at all times an adequate supply of workers and materials; and to perform its responsibilities hereunder in a good and workman-like manner and in accord with Project Schedule. CLIENT agrees to exercise its best efforts to enable RBW; to perform its responsibilities hereunder in the manner described herein by furnishing and approving in a timely manner information required by RBW and making payments to RBW in accordance with the requirements of this contract.

2. CONTRACT SUM.

CLIENT shall pay RBW in current US funds for RBW's performance of this contract a fee of \$23,500.00 (Twenty Three Thousand Five Hundred and 00/100ths US Dollars). This fee includes costs for all phases of the PROJECT. RBW will be responsible for completing the PROJECT within the approved fee, excepting any change orders approved as per paragraph 5 herein.

3. TERMS OF PAYMENTS

CLIENT will pay RBW according to EXHIBIT A. RBW will submit to CLIENT an invoice for each payment. The first payment is due as per paragraph 4 herein. All subsequent payments will be invoiced at least 30 (thirty) calendar days before payment is due.

As a condition to receiving any payment, RBW shall provide, at least 5 (five) business days prior to the payment due date, a PROJECT Report which describes the work to date and photographs of the work completed or in progress for which payment is requested.

Final payment will be made to RBW within thirty (30) days of the date on which BOTH of the following have been achieved:

- (i) the completed Project is accepted by CLIENT,
- (ii) RBW has submitted appropriate as-built drawings to CLIENT, if required by CLIENT.

Except for the final payment, payments made to RBW hereunder shall not be considered

evidence of satisfactory performance of the Work by RBW, in whole or in part, nor of acceptance by CLIENT, in whole or in part, of any defective or non-conforming Work. In any event, CLIENT shall retain its warranty rights as provided for herein.

4. COMMENCEMENT OF THE PROJECT.

Upon the execution of this Agreement by CLIENT and RBW the responsibilities of the parties hereunder shall commence with the PROJECT as per terms of EXHIBIT A and EXHIBIT B. CLIENT will provide RBW with a deposit payment of \$7,833.33 (Seven Thousand Eight Hundred Thirty Three and 33/100ths US Dollars) upon execution of this Agreement, so that RBW may begin work on the PROJECT.

Upon acceptance by CLIENT of the Master Plan Recommendations, and having approval of the Town Council, CLIENT and RBW will proceed with the next Phase(s) of the PROJECT, under separate agreement(s).

CLIENT shall provide RBW with a copy of its current sales tax exemption letter for RBW's use in the purchase of PROJECT materials. CLIENT may also be required to file a Form CRT62 - Certificate of Purchase for Expanded Temporary Storage with the Illinois Department of Revenue, in order to attain tax-exempt product pricing on all materials.

5. CHANGES TO SCOPE OF PROJECT.

The intent of RBW throughout the PROJECT is to produce design which meets the goals and objectives set forth by CLIENT. Throughout the duration of the PROJECT, it is anticipated there may be changes, deletions and additions. Any and all changes which will incur additional costs will require a change order. All changes after final acceptance of design work by CLIENT will require a change order, which may or may not involve a change in the PROJECT cost and/or a change to EXHIBIT A and/or the Project Schedule. Any change in the scope of work will be made to RBW in writing. All change orders must be signed by an authorized agent of CLIENT. No work on changes will proceed without written authorization from CLIENT approving both the change in the scope of work and any additional costs related to the change. Any delay in delivery caused by obtaining approved change orders shall not be construed in any way as a default hereunder by RBW.

6. REPRESENTATIONS AND COVENANTS OF RBW.

RBW herein makes the following representations, warranties and covenants to CLIENT, each of which shall be true and correct on the date of execution of this Agreement and at all times thereafter during the terms of this Agreement:

- (a) RBW acknowledges that CLIENT's objective of the PROJECT is to create a highly interactive children's exhibit. RBW agrees to maintain the same objective and work together with CLIENT, to produce exhibits which meet CLIENT'S objective.
- (b) RBW and its subcontractors agree to coordinate and cooperate with the CLIENT, while performing its services and agrees to abide by this agreement in full.
- (c) RBW and its subcontractors are fully licensed, as required, and qualified to perform the services contemplated by this Agreement.
- (d) The services to be provided to CLIENT pursuant to this Agreement shall meet or exceed all industry standards for such matters, and, in particular, the exhibits produced by RBW and its subcontractors will comply in all respects with the requirements of CLIENT
- (e) RBW has reviewed and is in agreement and compliance with all provisions of the Standard Certifications for vendors of the State of Illinois attached hereto as ("EXHIBIT B"), which exhibit is incorporated herein and made a part hereof by this reference.

7. WARRANTIES - LIMITATION OF LIABILITIES.

RBW's warranties and liabilities with regard to the PROJECT are as follows:

- (a) Limited Material and Workmanship Warranty.

Upon delivery of the PROJECT in accordance the contract documents RBW warrants and represents that the PROJECT will be durable and free from defects in material and workmanship under their specified use for a period of

one year from and after the Public Opening. RBW's obligations under this limited material and workmanship warranty are expressly conditioned upon CLIENT's compliance with the terms of Paragraph 3 above and CLIENT's exclusive remedy shall be limited solely to the repair, exchange or replacement, at RBW's election, of any material(s) or workmanship which may thus prove defective under normal use and service for the intended purposes, within one (1) year from the public opening..

THIS IS THE ONLY WARRANTY THAT RBW PROVIDES HEREIN AND RBW HEREBY DISCLAIMS AND EXCLUDES ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, OR HABITABILITY

(b) Assignment of Manufacturer's Warranties.

Subject to CLIENT's compliance with Paragraph 3 above, RBW hereby assigns to CLIENT all of its rights and interest in the warranties, if any, provided by the manufacturers of original components or accessories of the PROJECT, to the extent that this assignment is not prohibited by terms of any agreement between RBW and the manufacturers, upon payment in full including retainage.

8. OPERATION AND MAINTENANCE MANUAL.

RBW will provide CLIENT with a maintenance manual which will provide adequate information for a qualified technician to operate and maintain the exhibit . The manual will also provide documentation related to the fabrication, maintenance and durability of all components of the exhibit. It will also provide a contact list of all suppliers for any components that may be needed for general maintenance.

9. RISK OF LOSS.

The risk of loss for the PROJECT shall pass to CLIENT upon delivering the PROJECT to the CLIENT's location(s), excepting losses caused by negligence or accident on the part of the staff of RBW, it's subcontractors or agents during the loading in and installation of the PROJECT.

10. TITLE.

Title to the components of the PROJECT shall pass to CLIENT at the same time as Risk of Loss, as stated in paragraph 9 hereof. RBW shall be allowed to photograph or reproduce the design images, construction detail, documents finished elements, and the completed PROJECT for its own marketing purposes.

11. INDEPENDENT CONTRACTOR.

Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto. RBW shall be deemed at all times to be an independent contractor. CLIENT shall not be liable for acts of RBW or RBW's employees or agents in performing such services. Unless authorized in this Agreement, RBW shall incur no obligations on behalf of CLIENT.

12. MECHANIC'S LIENS.

CLIENT and RBW hereby agree and confirm that RBW is not the agent of CLIENT for the purpose of any improvements, additions, alterations, repairs and/or reconstruction to any location and no person furnishing labor and/or materials to or for the PROJECT on account of RBW shall be entitled to claim a lien against the PROJECT and such person(s) shall look solely to RBW for satisfaction of such claims.

13. COMPLIANCE WITH LAWS.

Throughout the term of this Agreement, RBW, at RBW's sole cost expense, will conform to and comply with all then current laws, statutes, ordinances, rules, orders, regulations or requirement of any federal, state or municipal government or department having jurisdiction which shall be applicable to any services rendered by RBW to CLIENT.

14. INSURANCE.

(a) RBW agrees to maintain for the protection of all persons employed by RBW workers compensation and unemployment insurance, and to comply with all applicable provisions of the Internal Revenue Code relating to the collection and recording of federal and state income tax as well

as the provision of the Federal Insurance Contribution Act and the Federal Unemployment Tax Act. RBW will also ensure that all subcontractors comply with this provision (paragraph 14).

(b) RBW shall obtain at its sole expense a comprehensive general liability insurance policy, in a form and amount agreeable to client which shall meet the minimum requirements for the State of Illinois, insuring itself against all damages arising out of any act or omission of RBW, its employees, agents, subcontractors or invitees. RBW shall add CLIENT as an additional insured to cover claims arising out of loading in and installation of the PROJECT.

(c) RBW shall furnish upon execution of this agreement and before undertaking performance under this agreement, a certificate evidencing the above-referenced insurance coverage, upon request of CLIENT. This certificate shall contain a provision that coverage afforded under the policy will not be canceled, reduced, limited, or restricted until thirty (30) days after CLIENT receives notice of such change.

(d.) RBW shall carry adequate insurance to insure against any risk of loss of the PROJECT until such time as title of the PROJECT is transferred to CLIENT.

15. LOSS, DAMAGES AND INDEMNIFICATION.

RBW shall assume all risk of loss or damages on all its supplies and equipment used to carry out the services contained in this Agreement, except as to the negligence of the CLIENT, which includes, but is not limited to, damages arising out of the intentional act of CLIENT, CLIENT'S employees or agents. RBW acknowledges and agrees that CLIENT shall not be held liable for any loss or any damage to any property belonging to or rented by RBW, RBW'S employees or agents, which is used or to be used in connection with the services contemplated herein except in cases of the negligence of the CLIENT CLIENT'S employees or agents.

RBW shall indemnify, defend and hold harmless CLIENT, its employees, agents, affiliates, shareholders, subsidiaries, officers, directors and insurers from all claims, damages, losses, or expenses, including reasonable attorneys' fees arising out of or resulting from RBW'S or its subcontractor's performance of the Work, RBW'S or its subcontractors violation of any law, ordinance, or regulation that shall be applicable to the services by RBW. This indemnity shall also include, without limitation, claims, damages, losses or expenses arising from the release or threatened release of any hazardous substance or material, pollutant or toxin by RBW or its subcontractors. The obligations of RBW under this paragraph shall not extend to claims or losses that are caused in whole or in part by acts or omissions of CLIENT, its agents, subcontractors or employees, in which case CLIENT shall defend, indemnify and hold RBW harmless therefrom.

16. DEFAULT BY CLIENT.

If CLIENT fails to perform or observe any of its obligations under this Agreement, RBW shall give CLIENT written notice thereof specifying the nature of the default, and CLIENT shall have thirty (30) days after receipt of such notice to cure such default and such additional period as may be allowed by RBW as long as CLIENT has commenced the cure of the default within the 30 day period. If the default is not remedied within said period, RBW shall have the right to terminate this Agreement by providing written notice to the CLIENT, and RBW shall be entitled to compensation for all services performed to the date of termination, together with reimbursable expenses then due. If CLIENT fails to perform or observe any of its obligations under this Agreement RBW will not be responsible to complete the job under the timelines set forth in EXHIBIT B. Work as completed and paid for at time of termination shall be delivered to client within 30 days of termination, at the expense of the CLIENT.

17. DEFAULT BY RBW.

If RBW fails to perform or observe any of its obligations under this Agreement, including compliance with the EXHIBIT B, CLIENT shall give RBW written notice thereof specifying the nature of the default, and RBW shall have thirty (30) days after receipt of such notice to cure such default and such additional time as may be allowed by CLIENT as long as RBW has commenced the cure of the default within the 30 day period. If the default is not remedied within such period, CLIENT shall have the right to (i) cure the default at its own expense and obtain reimbursement of such expenses from RBW up to the limits of the contracted amount paid to date by CLIENT, or (ii) terminate this Agreement by providing written notice to RBW. RBW shall be required to compensate CLIENT for any reasonable additional costs required to complete the PROJECT with another vendor.

18. FORCE MAJEURE.

Neither CLIENT nor RBW shall be deemed to be in default in the performance of any obligation on such party's part to be performed under this Agreement if and so long as the non-performance of such obligation shall be directly caused by Unavoidable Delays (as defined below); provided, that within ten (10) days after the commencement of such Unavoidable Delay, the non-performing party shall notify the other party in writing of the existence and nature of any such Unavoidable Delay and the steps, if any, which the non-performing party shall have taken or plan to take to eliminate, if possible, such Unavoidable Delay. Thereafter, the non-performing party shall, from time to time, on written request of the other party, keep the other party fully informed, in writing, of further developments concerning such Unavoidable Delay and the effort being made by the non-performing party to perform such obligation as to which it is not performing due to the Unavoidable Delay. Notwithstanding the foregoing, however, the occurrence of an Unavoidable Delay shall not affect the rights of termination provided herein. For purposes of this Agreement, Unavoidable Delays shall be defined as delays due to labor disputes, lockouts, acts of God, enemy action, terrorist acts, civil commotion, riot, governmental regulations not in effect at the date of execution of this Agreement, or conditions that could not have been reasonably foreseen by the claiming party and were outside the control of the claiming party, but not including lack of financial capacity.

19. ARBITRATION.

Only if the parties mutually agree in writing that any disputes or claims that arise between them under this Agreement that cannot be resolved by the parties themselves, shall be submitted for binding arbitration under the Constructions Industry Rules of the American Arbitration Association and the situs of any such arbitration shall be Chicago, Illinois.

20. TERMINATION.

This Agreement may be terminated by mutual consent of the parties hereto or may be terminated by an event of default by the non-defaulting party as provided herein.

21. NON-ASSIGNABILITY.

Unless otherwise authorized herein, RBW shall be prohibited from subletting, assigning, or otherwise disposing of any portion of the services to be performed herein without the prior written approval of CLIENT. In the event that CLIENT approves a subletting, assignment or disposition, RBW solely shall be responsible for managing, directing and paying the sub lessees or assignees. Consent to sublet, assign or otherwise dispose of any portion of this Agreement shall not be construed to relieve RBW of any responsibility for the fulfillment of this Agreement.

22. NOTICES.

Any notice, request, demand, instruction or other communication to be given to a party to this Agreement shall be in writing and delivered personally or sent via a nationally recognized overnight courier service or by certified mail, return receipt requested, postage prepaid or telegram (which term shall be deemed to include mailgrams or facsimile messages) to the following addresses:

TO: The Town of Normal
Attn: Steve Mahrt
Corporation Counsel
100 E. Poenix Ave.
Normal, IL 61761
(309) 454-9506 (fax)

TO: RedBox Workshop, Ltd.:
Attn: Pamela L. Parker
President
3121 N. Rockwell St.
Chicago, IL 60618
(773) 478-7177 (fax)

24. SUCCESSORS AND ASSIGNS.

This Agreement shall be binding upon both of the parties hereto and their respective successors in interest and assigns.

25. NON-WAIVER OF PROVISIONS.

The failure of either party to insist upon a strict performance by the other party of any of the terms, conditions or covenants contained herein shall not be deemed to be a waiver of any subsequent breach or default in the terms, conditions and covenants contained herein, except as may be expressly waived in writing by the non-defaulting party.

26. PROVISIONS SEVERABLE.

If any term or provision of this Agreement shall to any extent be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

27. CAPTIONS.

The captions contained herein are for convenience and reference only and shall not be deemed as part of this Agreement or construed in any manner as limiting or amplifying the terms and provisions of this Agreement to which they relate.

28. GOVERNING LAW.

This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois, and venue for any lawsuit or arbitration proceeding filed by either party shall be exclusively in McLean County, Illinois.

29. COUNTERPARTS.

This Agreement may be executed in counterparts, both of which shall be deemed an original upon their execution.

30. MERGERS.

This Agreement including its Design documents, construction detail documents, ATTACHMENTS and such other plans, drawings, specifications prepared for the PROJECT by the DESIGNER, CLIENT or RBW as required for coordination of the exhibits to be fabricated and installed by RBW under this agreement, which together contains the entire Agreement between the parties and all understandings heretofore had between the parties hereto are merged into this Agreement. This Agreement may only be modified in writing signed by the parties or their duly authorized agents.

30. IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed so as to be effective the day and year first above written either personally or by their duly authorized representatives.

RedBox Workshop, Ltd.

By: _____
Pamela L. Parker, President

The Town of Normal

By: _____
Mayor for the Town of Normal

TOWN COUNCIL ACTION REPORT

February 3, 2011

Resolution Accepting the Public Improvements in the Custer Brothers Subdivision for Maintenance and Approval of a Waiver of the One Year Maintenance Period and Bonding Requirement

PREPARED BY: Gene Brown, City Engineer

REVIEWED BY: Mark R. Peterson, City Manager
Robin Weave, Director of Public Works
Steve Gerdes, Water Director

BUDGET IMPACT: None

STAFF RECOMMENDATION: Approval

ATTACHMENTS: Proposed Resolution

BACKGROUND

The Custer Bothers Subdivision consist of one lot and one outlot on the south of Vernon Avenue between Hillview Drive and Grandview Drive. Public improvements include sanitary sewers, storm sewers, water mains, sidewalks one street, Custer Court.

DISCUSSION/ANALYSIS

All public improvements in the above-mentioned additions to the Custer Borthers Subdivision have been completed, inspected and found to be in compliance with Town standards. Therefore, Staff recommends acceptance for maintenance of all public improvements in the Custer Brothers Subdivision in accordance with Section 16.3-9.2 of the Municipal Code.

Staff would also a request a waiver of the one year maintenance period and bonding requirement as these improvements were completed and inspected more than one year ago and the items holding up acceptance included only a minor drainage issue and several buried water valve boxes. All other improvements have met the warranty requirements.

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS IN THE CUSTER BROTHERS SUBDIVISION FOR MAINTENANCE AND APPROVAL OF A WAIVER OF THE ONE-YEAR MAINTENANCE PERIOD AND BONDING REQUIREMENT

WHEREAS, certain public improvements dedicated to the public by the approval of the Custer Brothers Subdivision are now installed; and

WHEREAS, a certificate of the Town Engineer, has been filed with the Town Clerk certifying that all improvements required to be constructed or installed have been constructed or installed and approved by him.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: That the public improvements shown and dedicated in the Custer Brothers Subdivision be, and the same, are hereby accepted for maintenance by the Town of Normal, the one year maintenance period is waived and the public improvement bond may be released.

ADOPTED this _____ day of _____, 2011.

APPROVED:

President of the Board of Trustees of
the Town of Normal, Illinois

ATTEST:

Town Clerk

(seal)

TOWN COUNCIL ACTION REPORT

February 3, 2011

An Ordinance Abating the Levy of 2010 Property Taxes for Special Service Area Number One

PREPARED BY: Ronald J. Hill, Director of Finance

REVIEWED BY: Pamela S. Reece, Deputy City Manager
Steven D. Mahrt, Corporation Counsel

BUDGET IMPACT: The original 2010 property tax levy of \$702,441 for the Special Service Area will be abated in the amount of \$219,855, resulting in a property tax levy of \$482,586.

STAFF RECOMMENDATION: Approval

ATTACHMENTS: SSA Tax Levy Abatement Calculation
Proposed Ordinance

BACKGROUND

On November 15, 2010 the City Council approved a property tax levy totaling \$15,291,882. During the same meeting the Council authorized abatement of all property taxes associated with the 2004, 2005, 2006, 2007, 2008, 2009 and 2010 general obligation bond issues. Those abatements totaled \$4,907,441.

One exception to the abatement process was related to the Special Service Area (SSA) bonds issued for the Shoppes at College Hills development. These SSA bonds are to be abated to the extent that rebated revenue from the 1% sales tax generated from the development is available to meet required principal and interest payments. The bond ordinance requires that the abatement calculation be made annually in February.

DISCUSSION/ANALYSIS

The initial bond ordinance documents anticipated that some property tax dollars would be levied in support of the principal and interest payments associated with the SSA bonds. This property tax amount is assessed against the owners of the property within the special service tax area. The levy has no impact on the Town's total property tax projected rate of \$1.1482.

The abatement calculation, based upon rebated sales tax on hand, has now been determined. The Finance Department has worked in cooperation with Busey Bank officials, which are the current holder of the SSA bonds. The original 2010 approved tax levy for the SSA area totaled \$702,441. After adjusting the levy for interest earned and sales tax collected, the resulting tax levy requirement totals \$482,586. The resulting SSA levy abatement amount is \$219,855.

TOWN COUNCIL ACTION REPORT

Town of Normal
SSA Tax Levy Abatement Calculation
February 1, 2011

Calculation of Funds Available

Cash available as of February 1, 2011:	\$996,080	
Less June 1, 2011 payment	-\$225,225	
Less Prior DSFR Reserve (\$165,000+\$205,000+\$171,000+\$10,000)	-\$551,000	
Funds Available:	<u>\$219,855</u>	
** Required Amount Feb 1, 2011 (2010 Tax Levy)	<u>\$702,441</u>	
Under Funded Amount (Required Tax Levy)	\$482,586	
Amount to Be Abated		\$219,855

** Source: "Tax Levies for Bond Ordinance divided by PIN Number".

ORDINANCE NO. _____

AN ORDINANCE PARTIALLY ABATING THE LEVY OF 2010 TAXES FOR SPECIAL SERVICE AREA NUMBER ONE UNLIMITED AD VALOREM TAX BONDS, TAXABLE SERIES 2004 FOR THE TOWN OF NORMAL, MCLEAN COUNTY, ILLINOIS IN THE PRINCIPAL AMOUNT OF FIVE MILLION FIVE HUNDRED AND TEN THOUSAND DOLLARS AS AUTHORIZED BY THE TOWN COUNCIL ON DECEMBER 6, 2004 BY ORDINANCE NO. 4986

WHEREAS, the Town of Normal, Illinois, has a population in excess of 25,000 and pursuant to the provisions of Article VII, Section 6 of the 1970 Constitution of the State of Illinois, is therefore a Home Rule Unit which may exercise any power or perform any function pertaining to its government and affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, on the 6th day of December, 2004, the Normal Town Council did adopt Ordinance No. 4986, providing for the issuance of Special Service Area Number One Unlimited Ad Valorem Tax Bonds of the Town of Normal, in the amount of \$5,510,000.00; and

WHEREAS, the Town of Normal did, at a subsequent date, file a certified copy of Ordinance No. 4986 with the Office of the County Clerk of McLean County, directing by said Ordinance that said Clerk shall in the years of 2005 to 2023 both years included, levy against the taxable property within said Special Service Area and extend for collection on the tax books an amount to provide for the payment of interest and principal upon the Bonds previously authorized and sold per a schedule established in said Ordinance; and

WHEREAS, the Town Council desires to abate a portion of said tax levy for the year 2010, on the basis of having sufficient funds on hand to pay a portion of the requirements of said Ordinance No. 4986.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: That the County Clerk of McLean County, Illinois, is hereby authorized and directed by the Town Council for the Town of Normal, Illinois, to abate \$219,855.00 of the tax, heretofore provided by the filing of Ordinance No. 4986, which Ordinance provided for the issuance of \$5,510,000.00 in Special Service Area Number One Unlimited Ad Valorem Tax Bonds of the Town of Normal and the levy of a sufficient tax as set forth in said Ordinance, which Ordinance was passed on December 6, 2004, and a certified copy of which was filed with the County Clerk, McLean County, thereafter.

SECTION TWO: That the Town of Normal declares that funds are, or will be on hand to pay \$219,855.00 of the tax levied by the above described Ordinance for the Fiscal Year commencing April 1, 2010 and that the levy of the tax as provided in the aforesaid Ordinance No. 4986 for said fiscal year is partially unnecessary, therefore, the County Clerk is directed to abate and not extend the said tax to the extent of \$219,855.00, but directed to levy the balance required under Ordinance No. 4986.

SECTION THREE: That the Town Clerk is hereby directed and authorized to file a certified copy of the Ordinance in the Office of the County Clerk prior to March 1, 2011.

SECTION FOUR: That the Town Clerk be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION FIVE: That this ordinance shall take effect ten days after the date of its publication.

SECTION SIX: That this Ordinance is adopted pursuant to the Home Rule Authority, granted the Town of Normal by Article 7, Section 6, of the Illinois Constitution, 1970.

APPROVED:

President of the Board of Trustees of the Town of
Normal, Illinois

ATTEST:

Town Clerk

(seal)

The foregoing ordinance was voted upon and passed by the President and Board of Trustees of the Town of Normal on the ____ day of _____, 2011, with ____ voting aye; _____ abstaining; _____ voting nay; and ____ absent.

	AYE	NAY	OTHER		AYE	NAY	OTHER
Councilwoman Reece				Councilman Chambers			
Councilman Nielsen				Councilwoman Gaines			
Councilman Fritzen				Mayor Koos			
Councilman Scott							

The foregoing ordinance was approved by the President and Board of Trustees of the Town of Normal on the ____ day of _____, 2011.

The foregoing ordinance was published in pamphlet form on the ____ day of _____, 2011.

General Orders

TOWN COUNCIL ACTION REPORT

February 3, 2011

An Ordinance Approving an Amended Special Use Permit for Calvary Baptist Church (1017 School Street) for Improvements Depicted on Submitted Plans (Addition of Daycare and Related Improvements)

PREPARED BY: Mercy Davison, Town Planner

REVIEWED BY: Mark R. Peterson, City Manager
Steven D. Mahrt, Corporation Counsel
Greg Troemel, Director of Inspections

BUDGET IMPACT: N/A

STAFF RECOMMENDATION: Conditional Approval

ZONING BOARD OF APPEALS RECOMMENDATION: Conditional Approval (4-2)

MCLEAN COUNTY REGIONAL PLANNING COMMISSION: "B" Grade

ATTACHMENTS: Proposed Ordinance; Aerial Map; Zoning Map; Staff Report to the Zoning Board of Appeals; Consistency Review Form; Minutes of the January 20, 2011 ZBA meeting are included in the Addendum.

BACKGROUND

The Calvary Baptist Church property at 1017 N. School Street is zoned R-1A Single-Family Residential and has operated under a special use permit since 1965. Fairview Elementary School, zoned S-2 Public Lands & Institutions, is adjacent to the northwest. Homes zoned R-1A surround the church to the north, west, and south. The small apartments across School Street to the east are zoned R-3A Medium Density Multiple Family.

The special use has been amended many times, and the church property now includes 402, 404, and 406 W. Summit Street. The most recent amendment occurred in 2000, when the Town approved the construction of a 25,114 sq. ft. building addition between the church and the school building as well as the addition of parking spaces west of the parsonage (Ord. No. 4750). The building addition was constructed, but the parking lot was not.

The church currently operates a small daycare within the existing church building. The church also has an elementary and high school serving approximately 320 students.

The current proposed amendment to the Special Use Permit pertains to the following primary elements:

TOWN COUNCIL ACTION REPORT

1. **Daycare.** The church proposes to build a 1-story, 18,300 square foot daycare building and playground behind the houses it owns on Summit. The exterior materials will be a combination of brick, hardboard siding, and EIFS (faux stucco). The facility would have up to 200 children and approximately 30 staff. The daycare will be open to the public, not just church members.
2. **Driveway on Summit.** The church proposes to build a driveway between the houses it owns on Summit. The driveway will serve as the primary access for users of the daycare and for families dropping off children at both the daycare and the church school. Parents dropping off only children at the school will utilize the existing access points off School Street.
3. **Electronic monument sign.** The church proposes to replace the monument sign at the corner of Summit and School with an electronic sign, which will have the ability to be automatically dimmed from dusk to dawn.

The church also proposes to add a small canopy entrance to the west side of the existing school and a directional sign on Summit at the daycare driveway. The proposed Amended Special Use Permit shows 455 parking spaces, where code requires only 406.

The proposed project meets the Community Design Standards in regard to building appearance, lighting, and landscaping, including the need to add larger trees to the site as a result of removing significant trees. The church plans to bring the parking lot approved in 2000 into compliance with the 7% interior landscaping requirement by adding landscape islands. The church also plans to relocate as many of the existing, mature arborvitae as possible to the church's property lines adjacent to single family homes.

As part of this process, the church will resubdivide the property (currently 10 lots) into one lot of record.

DISCUSSION/ANALYSIS

The Zoning Code sets forth standards for Special Uses in Sec. 15.10-5(a)(2). The standards include the provision of adequate off-street parking, avoidance of any negative impact on neighboring properties, tasteful signage, adequate screening, and overall compatibility with surrounding land uses. Special Use standards specific to churches are set forth in Sec. 15.10-4(F) and include building setbacks, a height maximum, and location adjacent to a major street.

In general, the Special Use standards are intended to ensure that specific uses do not negatively impact surrounding properties. Town staff believes the addition of a daycare facility at Calvary Baptist Church meets these standards, and staff sent a positive recommendation to the Zoning Board of Appeals.

The Zoning Board of Appeals considered the Amended Special Use Permit at a public hearing on January 20, 2011.

Three neighbors testified against the Amended Special Use Permit, generally citing concerns with the increasingly intense use of the church property in a residential neighborhood. The concerns included the increase in traffic on School and Summit and potential conflicts between the increased vehicular traffic and the neighborhood children walking to Fairview Elementary. William Caisley, property owner adjacent to the south, also challenged the Town staff interpretation of the code language that permits "Daycare in a church." Mr. Caisley stated the daycare should not be permitted unless the daycare is physically connected to the church. Town staff interprets "Daycare in a church" to include daycare facilities within a church campus because the impact will be the same regardless of a physical connection to the church.

The church's response included the following points. First, they estimate that a third of the daycare users will already be coming to the site with older children enrolled at the school. Second, the hours of operation (6 a.m. until 6 p.m.) will generally match existing site activity, such as the church's before and

TOWN COUNCIL ACTION REPORT

after school programming. Third, the new driveway and the manner in which the church plans to direct traffic through the site should help with off-site traffic issues. The church is also willing to re-evaluate the pole lighting on the driveway, hoping to replace it with shorter bollard lights. They are also willing to eliminate the seven parking spaces east of the driveway.

After the close of the public hearing, the Zoning Board considered both the code interpretation issue and the amendment to the Special Use. Many members expressed concern with the traffic impact. Mr. Anderson stated his concern with the intensity of the proposed use and its overall impact on the residential character of the neighborhood. Ms. Hood registered serious concern with the proposed electronic monument sign given its proximity to single family homes and a busy intersection.

In a 5-1 vote, the Zoning Board voted to support the staff interpretation of "Daycare in a church." Mr. Schaab voted in the negative. The Board then had significant discussion about the impact of the daycare on the neighborhood, primarily focusing on traffic issues. The Board then voted 4-2 in favor of the daycare addition on the condition that Town staff report back to the Zoning Board by May 31, 2012 with an evaluation of the traffic situation and that the church takes steps to remedy any problems. Ms. Hood and Mr. Anderson voted in the negative.

Staff representatives to the McLean County Regional Planning Commission also reviewed this project with its "Consistency Review" tool, which resulted in a "B" grade based largely on the project being infill within close proximity to transit.

STAFF RECOMMENDATION

Town staff generally supports existing "neighborhood" churches seeking to improve their current sites rather than moving to the periphery of the community. Town staff believes church expansions can occur in a manner that does not unduly disrupt the neighborhood atmosphere. Town staff believes this is the case with the proposed Calvary Baptist Church daycare project.

The daycare use will generally be limited to daytime hours during the work week, and the peak traffic generated on the site does not seem to correspond with the start and end times at Fairview Elementary School. The added traffic on School and Summit is projected to have little impact given current traffic counts and the capacity of the streets to handle added cars. The addition of trees and shrubbery to the site will support the residential character of the neighborhood. Furthermore, the vegetative screening proposed for the east and west property lines will soften the impact of the additional building.

Town staff believes that with the addition of the daycare, the site is likely at its maximum potential use. Thus, Town staff recommends approval of the daycare as proposed with the following condition:

1. The church shall return to the Zoning Board of Appeals on or before May 31, 2012, to address any concerns regarding traffic and pedestrian safety arising between now and then. The ZBA may recommend reasonable conditions to address any concerns and applicant shall implement the recommendations or appeal the same to Town Council for review.

Attorney Robert Lenz has notified staff that he has been retained by a group of residential property owners who are opposed to this Special Use Permit application. In that regard, he has requested an opportunity to address the Council on this matter at your meeting on February 7th.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDED SPECIAL USE PERMIT FOR CALVARY BAPTIST CHURCH (1017 SCHOOL STREET) FOR IMPROVEMENTS DEPICTED ON SUBMITTED PLANS

WHEREAS, the Town of Normal is a Home Rule unit of local government with authority to legislate in matters concerning its local government and affairs, and

WHEREAS, the Town of Normal has enacted a comprehensive Zoning Code incorporated as Chapter 15 of the Municipal Code, Town of Normal, Illinois, 1969, as amended; and

WHEREAS, after notice and public hearing as required by law, the Zoning Board of Appeals for the Town of Normal did on January 20, 2011, recommend approval of said amended special use permit; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of Normal to grant an amended special use permit at the above location.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: That this ordinance pertains to plans and records on file in the office of the Town Clerk regarding the petition of Calvary Baptist Church for an amended special use permit for construction of a learning center and related improvements depicted on submitted plans. Said property being more particularly described as follows:

See attached Exhibit A.

SECTION TWO: That the report and recommendation of the Zoning Board of Appeals be and the same is hereby received, placed on file and approved.

SECTION THREE: That an amended special use permit is hereby granted for construction of improvements depicted on submitted plan for the above described property, to be constructed, maintained, and operated in accordance with the plans on file in the office of the Town Clerk, provided, with the following conditions:

Applicant shall return to the ZBA on or before May 31, 2012, to address any concerns regarding traffic and pedestrian safety arising between now and then. The ZBA may recommend reasonable conditions to address any concerns and applicant shall implement the recommendations or appeal the same to Town Council for review.

SECTION FOUR: That the following waivers are granted:

To the extent submitted plans fail to comply with Town Code said code provisions are hereby waived.

SECTION FIVE: That except as provided herein, all use, occupancy and maintenance of the property described herein shall comply with all applicable Town Codes and Ordinances.

SECTION SIX: That the Town Clerk be and she is hereby directed and authorized to publish this ordinance in pamphlet form as provided by law.

SECTION SEVEN: That this ordinance shall take effect ten days after the date of its publication.

SECTION EIGHT: That this ordinance is adopted pursuant to Home Rule Authority granted the Town of Normal by Article 7, Section 6, of the Illinois Constitution, 1970.

APPROVED:

President of the Board of Trustees of
the Town of Normal, Illinois

ATTEST:

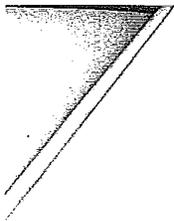
Town Clerk
(seal)

The foregoing ordinance was voted upon and passed by the President and Board of Trustees of the Town of Normal on the ____ day of _____, 2011, with _____ voting aye; _____ abstaining; _____ voting nay: and _____ absent.

	AYE	NAY	OTHER		AYE	NAY	OTHER
Councilwoman Reece				Councilman Chambers			
Councilman Nielsen				Councilwoman Gaines			
Councilman Fritzen				Mayor Koos			
Councilman Scott							

The foregoing ordinance was approved by the President and Board of Trustees of the Town of Normal on the ____ day of _____, 2011.

The foregoing ordinance was published in pamphlet form on the ___ day of _____, 2011.



4661.04
12/01/10
JS

Legal Description

A part of Section 21, Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Bel View Addition; thence N.00°-03'-04"W. 292.10 feet on the east line of said Bel View Addition to the southwest corner of First Addition to Bel View Addition; thence N.89°-07'-18"E. 463.52 feet on the south line of said First Addition to Bel View Addition to the west right of way line of School Street as conveyed to the Town of Normal in Document No. 76-5325 in the McLean County Recorder of Deeds Office; thence S.00°-04'-10"E. 764.88 feet on said west right of way line of School Street to the north right of way line of Summit Street as conveyed to the Town of Normal in Document No. 69-293 in the McLean County Recorder of Deeds Office; thence S.79°-22'-03"W. 69.52 feet on said north right of way line of Summit Street; thence S.84°-22'-03"W. 105.44 feet on said north right of way line of Summit Street; thence S.89°-22'-03"W. 19.70 feet on said north right of way line of Summit Street to the east line of a parcel conveyed to Donald G. Sherrard and Patsy W. Sherrard recorded as Document No. 88-4287 in the McLean County Recorder of Deeds Office; thence N.00°-01'-58"W. 194.98 feet to the southeast corner of the North 97 feet of the tract of land described in said Document No. 88-4287; thence S.89°-24'-17"W. 272.01 feet to the southwest corner of the North 97 feet of the tract of land described in said Document No. 88-4287; thence S.00°-54'-31"E. 194.60 feet on the west line of said parcel conveyed in said Document No. 88-4287 to the north right of way line of Summit Street; thence S.89°-28'-57"W. 263.63 feet to the west line of Lot 2 in Block 2 of Kelley's Resubdivision of Lots 1, 2, 3 and 4 in Block 2 of the Thirteenth Addition to the Town of Normal; thence N.01°-04'-27"W. 490.72 feet to the northwest corner of said Lot 2 on the south line of said Bel View Addition; thence N.89°-18'-42"E. 270.69 feet on said south line of Bel View Addition to the Point of Beginning containing 10.11 acres, more or less, with assumed bearings given for description purposes only.

Fairview Elementary School

Martin St

Calvary Baptist Church property

Approx. daycare location

Bakewell Ave

Driveway location

Summit St

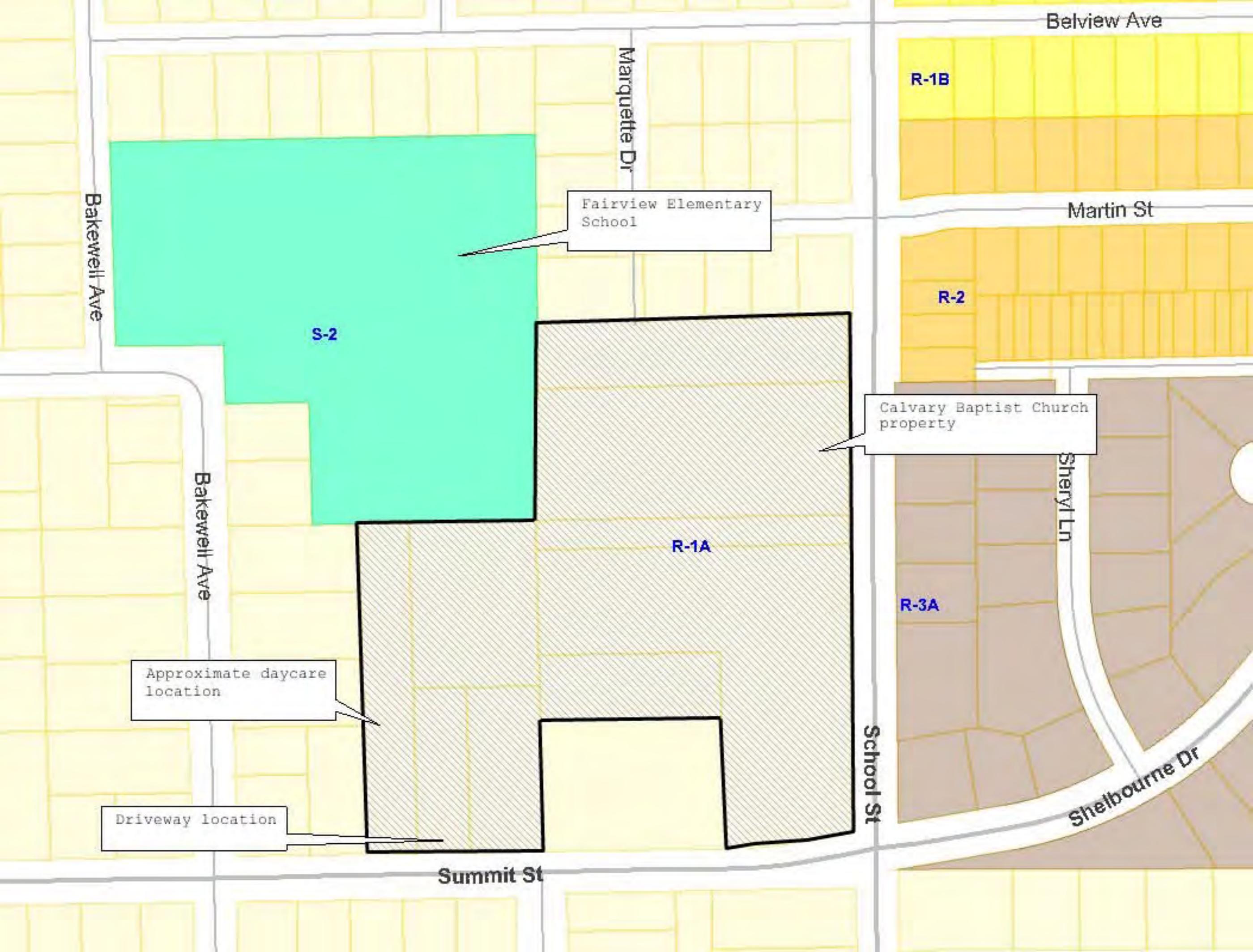
Sherrard property

School St

Sheryln Ln

Summit St





Belview Ave

R-1B

Marquette Dr

Fairview Elementary School

Martin St

R-2

Calvary Baptist Church property

Bakewell Ave

S-2

Sheryl Ln

R-1A

Bakewell Ave

Approximate daycare location

R-3A

School St

Driveway location

Shelbourne Dr

Summit St



Zoning Board of Appeals

Case #: 11-01-01-SU

Prepared by: Mercy Davison, Town Planner

Special Use Description: Amended Special Use Permit to permit the construction of an 18,300 sq. ft. daycare facility southwest of the church buildings at 1017 N. School Street (Calvary Baptist Church).

Staff Recommendation: Approval

PROJECT INFORMATION

(Note that the church submitted 5 revised sheets after the original filing. The revised sheets show a revision date of 1/11/11 and a Town Clerk file stamp date of January 13, 2011.)

The Town of Normal approved the original Special Use Permit for Calvary Baptist Church at 1017 N. School in 1965 (Ord. No. 524). The special use has been amended many times, and the church property now includes 402, 404, and 406 W. Summit Street. (The church demolished the house at 404 W. Summit, and the Sherrard family owns 316 W. Summit. See enclosed aerial map.) The most recent amendment occurred in 2000, when the Town approved the construction of a 25,114 sq. ft. building addition between the church and the school building as well as the addition of parking spaces east of the playground and west of the parsonage (Ord. No. 4750). The building addition was constructed, but the parking lot was not. Sheet 4 of the enclosed packet shows hash lines over the area approved for parking in 2000.

The current proposed amendment to the Special Use Permit pertains to the following primary elements:

1. Addition of a daycare building and playground (real grass rather than artificial turf) north of the houses on Summit.
2. Addition of a canopy entrance on the west side of the existing school.
3. Replacement of the monument sign at the corner of Summit and School with an electronic monument sign.
4. Addition of a new driveway off Summit between the two houses that the church owns.
5. Addition of a directional sign adjacent to the new driveway.

Site Modifications

Daycare users will primarily enter and exit from the new Summit driveway, although it will be possible for drivers to utilize the School Street entrance as well. The new driveway will be lit with 3 "night sky friendly" pole lights. The light closest to the Sherrard property will have a house-side shield to eliminate light trespass. This light will also illuminate the 7 parking spaces proposed for the east side of the driveway. The church's general contractor has submitted a statement that the lights will be equipped with timers that will extinguish the lights within an hour of the close of the daycare business. There is just over 20 feet of green space shielding the parking spaces from the Sherrard property.

The daycare building will be built 15 feet off the west property line behind the church's houses on Summit. The church is proposing to use a combination of brick, hardboard siding, and EIFS (faux stucco) on the daycare exterior. The church also proposes to add a canopy over the existing entrance on the west side of the school.

Sign Package

The existing building signage will not change; however, the church proposes to replace the existing monument sign at the corner of School and Summit with an electronic sign. The sign will have the ability to be programmed to dim the lights from dusk until dawn.

Landscaping

Recent code amendments require the application of the landscaping standards only to the portion of the site being developed. In this case, 949 linear feet of the site are impacted by development (the property lines east, west, and south of the daycare site). At one tree required per 33 feet of perimeter, 29 trees are required. 23 of the existing trees on this portion of the site will remain after construction (13 ornamental, 10 shade). Four trees considered to be "significant" per code (more than 12 inches wide and in good health) will be removed:

1. Red Oak (40")
2. White Pine (32")
3. Sugar Maple (24")
4. Sugar Maple (20")

Code requires that significant trees removed during construction be replaced inch for inch. Thus, the church must plant 116" of tree on the site. Of the 23 trees maintained on the site, two are significant shade varieties (26" red maple, 24" linden) totaling 50 inches. Thus, the church is responsible for planting 66 inches of additional trees planted at a 4-inch installation size. Therefore, the church must plant 15, 4-inch shade trees. The plan currently shows 15, 4-inch shade trees to be installed.

The church also plans to bring the parking lot approved in 2000 into compliance with the 7% interior landscaping requirement by adding several landscape islands, as shown in the revised sheets.

Construction of the daycare will directly conflict with the existing, mature arborvitae hedge that runs across the site. The church plans to relocate as many of the arborvitae as possible, as shown on sheet 3, along the church's west property line and along the Sherrard's west property line.

Parking

The site currently has 413 parking spaces. The proposed Amended Special Use Permit shows 455 parking spaces, which includes the parking lot expansion approved in 2000. Code requires only 406 spaces.

As part of this process, the church will resubdivide the property (currently 10 lots) into one lot of record.

A representative of the church will be available to answer questions during the public hearing.

ADJACENT ZONING AND SURROUNDING LAND USE

	Zoning District	Land Use
Subject Property	R-1A Single Family Residential	Church
Adjacent North	R-1A Single Family Residential S-2 Public Lands & Institutions	Residential Fairview Elementary School
Adjacent West	R-1A Single Family Residential S-2 Public Lands & Institutions	Residential Fairview Elementary School
Adjacent South	R-1A Single Family Residential	Residential
Adjacent East	R-3A Multiple-Family Residential	Multiple-Family Residential

STAFF ANALYSIS

The Zoning Code sets forth standards for Special Uses in Sec. 15.10-5(a)(2). Pertinent standards include the following:

- Off-street parking and loading areas where required or provided, shall be located and designed in a manner which will maximize the items referred to in Paragraph (a) above (including maximizing pedestrian and automotive safety and convenience) and will minimize any adverse economic, noise, glare or odor effects of the special use on adjoining or nearby properties;
- Screening and buffering materials shall be sufficient to insure that the proposed special use will have no greater impact on surrounding land uses than other uses authorized as a matter of right;
- Signs, if any, and proposed exterior lighting shall be located and designed to maximize traffic safety and compatibility and harmony with adjoining or nearby properties and so as to minimize glare, noise and adverse economic impact on surrounding properties or authorized land uses;
- Required yards and open spaces shall be sufficient to insure that the proposed special use will have no greater impact on surrounding land uses than other uses authorized as a matter of right;
- The site on which the special use is located shall be designed to make the proposed use generally compatible with adjoining or nearby properties;
- The special use shall in all other respects conform to the applicable regulations of the district in which it is located and of the entire municipal code, including but not limited to Division 14, except as such regulations may in each instance be modified by the President and Town Council pursuant to the recommendations of the Zoning Board of Appeals or as allowed for a Planned Unit Development.

Special Use standards specific to churches are set forth in Sec. 15.10-4(F). These standards include building setbacks, height maximum, location adjacent to a major street and similar requirements.

The Special Use standards are intended to ensure that specific uses do not negatively impact surrounding properties. Staff believes the addition of a daycare facility at Calvary Baptist Church meets these standards.

Town staff generally supports existing "neighborhood" churches seeking to improve their current sites rather than moving to the periphery of the community. Town staff believes church expansions can occur in a manner that does not unduly disrupt the neighborhood atmosphere. This is the case with the proposed Calvary Baptist Church daycare project.

The new building will be built with quality materials and designed to transition between the architectural style of the existing church campus and the adjacent residences. This is accomplished with the mixture of materials, including hard board siding. This is a new material for the church campus, and the mixture of hard board siding with brick and EIFS provides a more residential style. (The horizontal lines scale the building down.) The church architect also plans to bring to the public hearing a revised roof design in order to reduce the visual impact of the roof.

The daycare use will generally be limited to daytime hours during the work week. The added traffic on School and Summit is projected to have little impact given current traffic counts and the capacity of the streets to handle added cars.

The addition of trees and shrubbery to the site will support the residential character of the neighborhood. Furthermore, the vegetative screening proposed for the east and west property lines will soften the impact of the additional building.

4. Staff Recommendation:

For the reasons set forth above, staff recommends that the Zoning Board of Appeals forward to the Town Council a positive recommendation on the Amended Special Use Permit request.

Zoning Board Action

- _____ Approved
- _____ Conditionally Approved
- _____ Denied

To all Applicant(s) - Please note that:

- a. The approved variation will expire within one year from the date of the Board decision if the applicant failed to obtain a building permit (Section 15.12-5(E)(3))
- b. No application for variation which has been denied wholly or in part by the Zoning Board shall be submitted for a period of one year from the date of said order of denial except on the grounds of error in the original proceedings or change of conditions found to be valid by the Zoning Board of Appeals (Sec. 15.12-5(E)(2))
- c. Decisions of the Zoning Board of Appeal concerning a variation request in R-2, R-3A, R-3B, B-1, B-2, C-1, C-2, C-3, M-1, and M-2 Zoning Districts shall be considered a provisional decision for a period of 10 days. During the 10-day provisional period, any member of the Town Council may file in writing with the City Clerk a stay of decision. This provision gives the Council the opportunity to review the action of the Zoning Board and render a final decision, which may only be reviewed in the courts in accordance with the applicable statutes and law of the State of Illinois. Please see Sec. 15.12-5(E)(1)(a) of the Zoning Code for additional information.

	AYE	NAY	OTHER		AYE	NAY	OTHER
Randy Schaab				Corrine Brand			
Janet Hood				Tony Penn			
Gary Blakney				Todd Anderson			
Keith Palmgren							

Chairman / Date

**Review of Development Proposal for Consistency with Local and Regional Comprehensive Plans
McLean County Regional Planning Commission (MCRPC)**

1. INTENT

This review is intended to assist local governments in determining the consistency of regionally significant development proposals with the objectives and policies of local and regional comprehensive plans. "Regionally significant" is generally defined as proposals of five or more acres, but may include smaller projects, including infill or redevelopment, that could reasonably be expected to produce significant impacts or benefits beyond the immediate vicinity of the project in terms of traffic generation and/or other considerations. This review results in a rating of the specified proposal based on the number of identified features that support the comprehensive plans. This review and rating process is designed to help ensure at least minimal features are provided in new development and to encourage the provision of optional features that support adopted strategies to enhance the quality of life in this region.

The Intergovernmental Development Committee, which includes local and regional planning and engineering staff, normally reviews each project and assigns a rating of "A" through "E" for consideration by the review bodies. When sufficient time exists before the designated action dates, the MCRPC also notes its recommendation regarding project approval.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

Case No.: 11-01-01-SU Jurisdiction: Town of Normal
 Project Name: Calvary Baptist Church Daycare Applicant Name: Calvary Baptist Church
 Action Dates: 1-20-11 PC/ZBA 2-7-11 Council/Board
 No. of Acres: 10.11 Location: 1017 N. School Street Normal (NW corner of School and Summit)
 No. of Dwelling Units: N/A Public Water Supply? Y N Public Sewer Service? Y N
 Access: Driveway to be added from Summit. Curb cuts remain on Summit and School Streets
 Applicant's Proposed Land Use: Daycare addition to Church Applicant's Proposed Zoning: Institutional (S-2)

Existing Land Use:	Existing Zoning:
Subject Property <u>Church</u>	<u>R-1A (Single Family Residential)</u>
Property North <u>School and SF Residential</u>	<u>R-1A and S-2 (Public Lands-Inst.)</u>
Property East <u>Multi-Family Residential</u>	<u>R-3A (Multi-Family Residential)</u>
Property South <u>SF Residential</u>	<u>R-1A</u>
Property West <u>Residential and School</u>	<u>R1A and S-2</u>

Affected Taxing Bodies Represented on MCRPC:

- City of Bloomington
- Town of Normal
- BN Water Reclamation District
- BN Airport Authority
- District 87
- Unit 5

Nearest Elementary School:
N/A

3. PROJECT TYPE/PHASE (Check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Annexation Agreement | <input type="checkbox"/> Zoning Change |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Preliminary Subdivision Plan | <input checked="" type="checkbox"/> Special Use |
| <input type="checkbox"/> Preliminary PUD Plan | <input type="checkbox"/> Concept Plan |
| | <input type="checkbox"/> Other (Specify): _____ |

4. COMPREHENSIVE PLAN FEATURES IN PROJECT VICINITY (See attached map.)

Land Use: Low-Medium Residential Street or Road Improvements: Driveway off of Summit Street
 Com. Facilities (parks, schools, trails, fire stations, other): Fairview School

5. MINIMAL FEATURES IN SUPPORT OF COMPREHENSIVE PLAN

		Yes	No	N/A
Land Use	Project is consistent with adopted land use plan or provides acceptable alternative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	At least 50% of project area is within planned growth area and/or contiguous to an existing developed area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	At least 20% of project site is within or contiguous to existing urban service area or development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Project is compatible with adjacent land use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Proposed multiple land uses are compatible (if applicable).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meets zoning map amendment guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meets general commercial zoning requirements as applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meets general municipal landscape standards as applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	Meets local requirements for street, curb and gutter, and sidewalk design, or provides staff approved alternative design.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Provides traffic impact analysis, if required, based on expected trip generation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Provides appropriate number of connections to local street or road networks.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Provides adequate connectivity with existing and future adjacent developments (including stub streets).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Project streets are interconnected with no more than 20% of lots fronting on streets that terminate as dead ends.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Points of egress with arterial roadways are consistent with the requirements of an access management plan and/or policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilities	Proposed arterial and collector streets within the project are compatible with transit and pedestrian movement.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Provides public water service or individual water supplies approved by McLean County Public Health Department (MCPHD).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Provides public sewer service or other wastewater disposal system approved by MCPHD.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Open Space/ Other Features	Implements planned bikeway or greenway (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Meets appropriate park land dedication requirement (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Meets school land dedication requirement (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preserves cultural or historic features.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. OPTIONAL FEATURES IN SUPPORT OF COMPREHENSIVE PLAN

		Yes
Land Use	Makes compatible use of vacant land within community (applies to infill development).	<input type="checkbox"/>
	Provides properly designed mixed uses within an appropriate service center location.	<input type="checkbox"/>
	Meets density and transit design requirements (8 d.u.a. net density).	<input type="checkbox"/>
	Land use and street design are expected to reduce traffic generation over conventional design.	<input type="checkbox"/>
	Provides open space in excess of park land dedication requirement.	<input type="checkbox"/>
	The development includes at least one pedestrian destination of natural or urban character.	<input type="checkbox"/>
	The development is located within a half mile of a commercial or activity center.	<input checked="" type="checkbox"/>
	Commercial activity and housing density increases towards the center of the neighborhood.	<input type="checkbox"/>
	A diversity of housing types is featured that includes one or more of the following in addition to the primary housing type: single family detached, row houses, coach or "granny flat" houses, apartments above commercial spaces, multi-family housing.	<input type="checkbox"/>
	Results in jobs and/or services within a ½ mile of a residential development.	<input checked="" type="checkbox"/>
Transportation	Meets design concepts for conservation subdivision as applicable.	<input type="checkbox"/>
	Development includes or is located within a half mile of an existing or planned transit corridor.	<input checked="" type="checkbox"/>
	Provides sheltered transit stops.	<input type="checkbox"/>
	Provides for bicycle parking and/or storage.	<input type="checkbox"/>
	Provides bikeway connection to existing or planned regional bikeway.	<input type="checkbox"/>
	Utilizes only existing transportation infrastructure.	<input checked="" type="checkbox"/>
	Response time of emergency services would be expected to be within five minutes travel of development.	<input checked="" type="checkbox"/>
	Traffic generation will not exceed current design of roadways.	<input checked="" type="checkbox"/>
	Streets feature medians or traffic calming devices to promote pedestrian safety.	<input type="checkbox"/>
	Design of development encourages one or more of the following when appropriate: on-street parking, use of alleys, and non-motorized travel options.	<input type="checkbox"/>
	Sidewalk widths exceed local minimum standards.	<input type="checkbox"/>
	Development provides curb extensions and/or textured pedestrian crossings.	<input type="checkbox"/>
Housing	Average block length is 450 feet or less.	<input type="checkbox"/>
	At least 10% of proposed housing units meet HUD guidelines for low to moderate income housing.	<input type="checkbox"/>
	No more than 30% of proposed housing units in any 400 linear feet of streetscape meet HUD guidelines for low to moderate income housing.	<input type="checkbox"/>
	Preserves or renovates historically or architecturally significant structures.	<input type="checkbox"/>
	Development provides a compatible mixture of housing sizes and styles, including houses of less than 1,000 square feet.	<input type="checkbox"/>
	Provides a variety of high-quality, durable external building materials, such as brick, wood, or concrete fiber.	<input type="checkbox"/>
	The same design is not used for more than 25% of the total number of single family units in any 400 linear feet of streetscape.	<input type="checkbox"/>
Redevelopment	Project provides for the acceptable use of green building techniques.	<input type="checkbox"/>
	Pedestrian access is to the front with parking or garages to the rear of buildings.	<input type="checkbox"/>
	Does not require new water or sewer infrastructure.	<input type="checkbox"/>
	Redevelops a brownfield site.	<input type="checkbox"/>
	Does not require new school infrastructure (applies to residential projects only).	<input type="checkbox"/>
Open Space/Other Amenities	Does not require new park and recreation infrastructure (applies to residential projects only).	<input type="checkbox"/>
	The development maintains necessary pervious cover or other options for storm water detention on site.	<input type="checkbox"/>
	Preserves or restores natural areas.	<input type="checkbox"/>
	Development exceeds minimum stream buffer requirements.	<input type="checkbox"/>
	Provides open space linkages to existing or planned open space through greenways and/or trails.	<input type="checkbox"/>
	Development preserves or renovates historical or architecturally significant structures.	<input type="checkbox"/>
	Development provides decorative or pedestrian scale street lighting.	<input type="checkbox"/>
	Schools are centrally located within the development or within half mile and accessible by pedestrians and non-motorized travel.	<input type="checkbox"/>
	Libraries are centrally located within the development or within half mile and accessible by pedestrians and non-motorized travel.	<input type="checkbox"/>
	Active or passive recreation available within ½ mile of 75% of housing units in project area.	<input type="checkbox"/>
	Development provides pocket parks or plazas.	<input type="checkbox"/>
	Development exceeds minimum requirements for landscaping.	<input type="checkbox"/>
	Community gardens and/or public social areas are provided.	<input type="checkbox"/>
Provides public art and monuments at approved locations.	<input type="checkbox"/>	
Provides pedestrian seating and/or other pedestrian amenities.	<input type="checkbox"/>	
Includes other notable amenity(ies) not listed herein (see comments).	<input type="checkbox"/>	

Commercial	Paved surfaces are mitigated with shade trees (one tree to ten parking spaces) or other green space amenities.	<input type="checkbox"/>
	Pervious materials are used in medium to light-use parking areas.	<input type="checkbox"/>
	Signage is visible to drivers but oriented to scale for pedestrians.	<input type="checkbox"/>
	Buildings are scaled with appropriate proportion to the width of the right of way.	<input type="checkbox"/>
	The development encourages off-street parking behind buildings and pedestrian access to the front of buildings.	<input type="checkbox"/>
	Building entrances are located at the public sidewalk or within five feet of a public sidewalk.	<input type="checkbox"/>
	Project provides for acceptable use of green building techniques.	<input type="checkbox"/>
	Provides for appropriate extraction of mineral resources consistent with comprehensive plan.	<input type="checkbox"/>
Includes acceptable reclamation plan.	<input type="checkbox"/>	

7. PROJECT RATING

- A = Provides minimal features or acceptable alternatives, plus 11 or more options. Merits highly favorable recommendation.
 B = Provides minimal features or acceptable alternatives, plus 6 to 10 options. Merits favorable recommendation.
 C = Provides minimal features or acceptable alternatives, with 0 to 5 optional features. Favorable recommendation is possible.

- D = Does not provide minimal features or acceptable alternatives, but does provide one or more optional features. Project should be modified and/or reevaluated prior to approval.
 E = Does not provide minimal or optional features. Project should be modified to be considered for approval.

8. STAFF COMMENTS (if any):

9. INTERGOVERNMENTAL STAFF REVIEWED THIS PROJECT: Yes No

10. MCRPC RECOMMENDS PROJECT APPROVAL: Yes No No action

SIGNATURE: Paul Russell
 Paul E. Russell, AICP, Executive Director

1-14-11
 Date

TOWN COUNCIL ACTION REPORT

February 3, 2011

Resolution Adopting the Community-Wide Sustainability Plan and 2035 Report

PREPARED BY: Mercy Davison, Town Planner

REVIEWED BY: Mark R. Peterson, City Manager

BUDGET IMPACT: N/A

STAFF RECOMMENDATION: Approval

ATTACHMENTS: Town Council Action Report from Oct. 18, 2010; The Sustainability Plan was distributed previously and is currently available at www.normal.org in the archived headlines.

BACKGROUND

On October 18, 2010, the Town Council was presented with a summary of the Community-Wide Sustainability Plan and 2035 Report. The attached Town Council report from October 2010 provides detailed information on the public process and the plan itself.

After the presentation of the plan, the Town Council requested time to review the plan prior to taking any action.

DISCUSSION/ANALYSIS

The creation of the Community-Wide Sustainability Plan and 2035 Report set a new standard for public participation. The process involved more than 110 people from diverse racial, national, age, gender, and professional backgrounds. The process was remarkable for the amount of knowledge sharing and community building that occurred. In addition to contemplating sustainability, many of the participants gained a new appreciation for how they can become active community members and engage with local government.

Since October 2010 some elements of the plan have moved forward. For example, the region has obtained grant funds to build more of the Route 66 bike trail, and several fundraising events have occurred to support the creation of a Local Food Innovation Center. Recognition of the Town's sustainability efforts have also continued to be recognized. For example, the Uptown water feature design won a statewide competition for best civic space, and the Chicago Architecture Foundation featured the Uptown Normal project in a recent display. It is expected that further development and implementation of the plan by the Town and other stakeholders will take place in the coming months and years.

At this time, Town Staff recommends the Town Council receive the plan.

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE COMMUNITYWIDE SUSTAINABILITY PLAN AND 2035 REPORT

WHEREAS, the Town of Normal is a home rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, the Town Council was presented with the Communitywide Sustainability Plan and 2035 Report at its October 18, 2010 Council Meeting; and

WHEREAS, after having reviewed the Plan and Report, the Town Council finds it in the best interests of the health, safety and welfare of the citizens of Normal to adopt said Plan and Report, as official planning documents for the Town of Normal.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: That the Communitywide Sustainability Plan and 2035 Report, a copy of which was received by the Normal Town Council on October 18, 2010, be and the same is hereby adopted as a communitywide planning document for the Town of Normal.

SECTION TWO: That Town Staff is hereby authorized and directed to use the Plan and Report as a guide for future implementation activities undertaken by the Normal Town Council.

Adopted this _____ day of _____, 2011.

APPROVED:

President of the Board of Trustees of the Town of Normal,
Illinois

ATTEST:

Town Clerk

(Seal)

TOWN COUNCIL ACTION REPORT

October 14, 2010

Presentation of the Community-Wide Sustainability Plan and 2035 Report

PREPARED BY: Mercy Davison, Town Planner

REVIEWED BY: Mark R. Peterson, City Manager

BUDGET IMPACT: N/A

ATTACHMENTS: Community-Wide Sustainability Plan was previously distributed to the Town Council.

BACKGROUND

In late 2008 the Town Council authorized Town staff to hire the Hile Group to facilitate the public process of creating a Community-Wide Sustainability Plan. Mayor Koos then convened a Task Force in early 2009 and charged it with creating a vision of Normal as a community that stewards all resources responsibly, so that our Town can continue to thrive and grow for generations to come. The mayor selected 28 Task Force members to represent a broad cross-section of the community, including Council members (Mr. Fritzen and Mr. Scott), junior high school students, retired professionals, a physician, a sculptor, and more. A complete list of Task Force members is included in the plan.

Early in the process, the Task Force members agreed that sustainability encompasses more than traditional environmental such as water quality, air quality, and resource consumption. They settled on the commonly used “three-legged stool” concept, with the legs being Environmental Stewardship, Economic Vitality, and Social Progress. After significant brainstorming, the Task Force decided to focus on the following topics as vital components of sustainability:

- Arts & Culture
- Continuous Learning & Community Building
- Economic Development
- Educational Institutions
- Energy in the Built Environment & Energy Generation
- Food System
- Government Planning, Public Safety, and Public Services
- Health & Wellness
- Human Services & Spirituality
- Resource Carbon Management: Air
- Resource Carbon Management: Land
- Resource Carbon Management: Water
- Technology
- Transportation & Mobility

TOWN COUNCIL ACTION REPORT

Task Force members then reached out to community members with expertise or interest in the topics listed above, ultimately pulling more than 110 people into Work Groups. Council member Cheryl Gaines agreed to serve on the Work Group addressing Human Services and Spirituality. The scope of public involvement, combined with the sustainability plan's relationship to the *2030 Plan*, led the Mayor to deem the Task Force to be the 2035 Visioning Committee. Thus, the sustainability plan is also the *2035 Plan*.

DISCUSSION/ANALYSIS

The *Community-Wide Sustainability Plan and 2035 Report* includes a summary of the process and a set of guiding principles followed by the Task Force members. The plan highlights the Town's existing strengths and identifies four primary areas of concern – Air Quality, Energy, Human Services, and Water. The plan then lists five “Framing Opportunities” that pertain to the process of implementing the plan:

1. Preserve the Town's status as a Home Rule municipality.
2. Create a full-time Sustainability Coordinator position funded jointly by the EDC, EAC, ISU, Heartland College, and the Town.
3. Develop a unified Community-Wide Sustainability Statement across a coalition of the Town and other local organizations and associations.
4. Create a Quality of Life indicator that captures and communicates baseline and ongoing data on agreed-upon, essential markers of quality of life.
5. Leverage the strengths identified in the plan as the start of a sustainability resource guide.

Sustainability opportunities are then laid out within 13 of the 14 topic areas, with Technology left incomplete due to various coordination issues. The document wraps up with a list of Quick Starts, which are actions that should be quickly started but which may not be quickly finished.

It is expected that further development and implementation of the plan by the Town and other stakeholders will take place in the coming months and years.

New Business

TOWN COUNCIL ACTION REPORT

February 3, 2011

Motion to Adjourn to Executive Session

PREPARED BY: Mark R. Peterson, City Manager

BUDGET IMPACT: N/A

**STAFF
RECOMMENDATION:** That the Council adjourn to Executive Session

BACKGROUND

Staff is requesting to meet with the Mayor and Council in Executive Session immediately following your regular meeting on February 7, 2011. The purpose of this Executive Session will be to approve the minutes of the Executive Session of August 2, 2010. In addition, staff would like to discuss with Council matters pertaining to collective bargaining and property acquisition.

Therefore, a motion to adjourn to Executive Session would be in order.

Addendum

**TOWN OF NORMAL ZONING BOARD OF APPEALS
REGULAR MEETING THURSDAY, JANUARY 20, 2011, 5:00 P.M.
CITY HALL COUNCIL CHAMBERS
100 E. PHOENIX AVE.
NORMAL, IL**

Members Physically Present:

Mr. Anderson, Mr. Palmgren, Ms. Hood, Mr. Schaab, Ms. Brand, and Mr. Penn

Members Absent:

Mr. Blakney

Others Present:

Corporation Counsel, Steve Mahrt, Director of Inspections, Greg Troemel, Town Planner, Mercy Davison, Town Engineer, Gene Brown and Office Associate, Sheila Elgin

Call to Order:

Chairman Anderson called the meeting to order at 5:00 p.m. and noted a quorum was present.

Approval of Minutes:

Minutes of the November 18, 2010, meeting were approved as submitted. Motion to approve carried 6-0.

Public Hearings:

a. 11-01-01-SU: Amended Special Use Permit for Calvary Baptist Church, 1017 N. School Street (addition of daycare facility)

Ms. Davison reviewed the staff report. She said that Calvary Baptist Church was issued a special use permit in 1965. It is in single-family zoning. The special use permit has been amended many times. In 2000 there was a 25,000 sq. ft. addition approved with a new parking lot just north of the Sherrard property. The parking lot was approved, but not installed. The request is to build a daycare facility with an adjacent playground north of the house located on Summit St., add a canopy entrance on the west side of the existing school, replace the monument sign at the corner of School and Summit with an electronic monument sign and add a new driveway off of Summit St. between the two houses that they own to separate traffic for the daycare. There will be a directional sign on Summit. The daycare will use the Summit St.

entrance. Lighting along the driveway will be dark sky friendly and the one closest to the Sherrard property will have a shield. The exterior of the building will be brick, hardboard siding and EIFS. They have submitted a sign package and the landscaping will meet code. They will have to remove some significant trees and will plant the required replacements on the property. The parking lot that was approved in 2000 will be redesigned and will include more landscaping. There are 406 parking spaces required and they will have 455 spaces. The church will re-subdivide the property. Staff supports the special use amendment. Code permits daycare in R1A in a church. Staff feels that churches are now being built as campuses and this would be part of the campus. The Town supports providing for churches to stay in a community rather than moving to the outskirts of Town. The project received a grade "B" from the McLean County Regional Planning Commission due to it being infill and landscaping provided.

Mr. John Moses, 11 Wilmette, Normal, IL, was sworn in by Chairman Anderson. Mr. Moses said that he represented the church as the building contractor. BLDD is the architect. He said that they had looked at other locations on the site and this location seemed the most appropriate. It has a residential feel rather than institutional. There is an academy at the church and the daycare will be for children 6 weeks to 5 years old. It will be a learning center and will be owned and operated by Calvary Baptist.

Mr. Schaab asked why the other locations were ruled out. Mr. Moses said that if it were on the west side of the school, it would displace too much parking. If it were in front of the 2000 addition it would have to have been a two story building as well as the west location. They feel that a single story is better with small children.

Ms. Hood asked what direction the front of the building would be. Mr. Moses said it would be to the north. Ms. Hood asked if there would be busses used. Mr. Moses said no. Ms. Hood asked about the current playground. Mr. Moses said that there would be a new playground on the south side of the learning center and another on the north near Fairview school. They have also considered eliminating 7 parking spaces to create more green space. Ms. Hood asked how many children would be at the learning center. Mr. Moses said up to 200 at one time.

Chairman Anderson asked if the church had provided this type of service in the past. Mr. Moses said on a very small scale. Mr. Anderson asked how many families would be using the daycare center. Mr. Moses said that it could be existing families that use the academy that will bring younger children.

Mr. Jerry Kamphius, 1420 St. Rt. 251 El Paso, IL, was sworn in by Chairman Anderson. Mr. Kamphius said that the parents of current students will get letters to see how many will use the daycare. They expect 30% of the parents that are currently using the facility now.

Mr. Penn asked what hours they would be operating. Mr. Kamphius said it would be from 6:00 a.m. to 6:00 p.m. The majority of the people will use it from 8:00 a.m. to 6:00 p.m. They have a before and after school care program now that begins at 7:00 a.m. and ending at 5:30 p.m.

Ms. Hood asked if there would be a summer program for school age children. Mr. Kamphius said that they currently have a program at the school for 30 to 40 students from 7:00 a.m. to 5:00 p.m. The children in the daycare will be from 6 weeks to 5 years old. Ms. Hood asked if the daycare would be open to the community. Mr. Kamphius said that it would. Ms. Hood asked about the need for a second drive. Mr. Kamphius said that they currently have traffic using the existing drive on Summit to enter the property and drop off kids for school. They want to improve the traffic flow and safety. They are proposing that traffic for the school will enter from School St. and exit on School St. or from the existing drive on Summit which will be an exit only. They are considering making this a right turn only. He said that the fire department would like for them to have another entrance. The new driveway will be used for the daycare and/or to drop kids off at the academy at the new canopy. Busses will not come in the back entrance. They will come in off of School St. and usually exit onto School St. They want the driveway to look like a residential driveway with landscaping and lighting to look like a residential driveway. Ms. Hood asked if they had talked about this with the neighbors. Mr. Kamphius said that they had a meeting on Monday night. He said that one person came on Monday and one came on Tuesday. One neighbor was concerned with light spilling onto their property on Bakewell and that will be addressed. The other was concerned with the new driveway. Ms. Hood asked if the neighbors were homeowners or renters. Mr. Kamphius said that most were homeowners, but there were two or three rentals on Summit. He said that the building is designed to fit into a residential neighborhood and look like a residential home.

Mr. William Caisley, 401 W. Summit St., Normal, IL, was sworn in by Chairman Anderson. Mr. Caisley said that he was opposed to the special use amendment. He said that the proposed building is very large. It is 128 by 170 feet or approximately 25,114 sq. ft. It is eleven times the size of an average home and will be located in the backyards of homes that the church owns. The special use permit will allow a huge increase in the density of use in an R1-A single-family residence zone. They are not proposing to change the use of the single-family residences facing Summit St. and the proposed daycare will be an additional use. It is proposed to be located within just a few feet of the rear lot line and would violate the Town's rear lot line requirements. The number of children in care would be roughly one half of the number of students that are currently enrolled in Fairview School. Fairview has a current enrollment of 380 students. In addition to the children, there will be 30 staff employees that will also add to the traffic. Daycares are authorized permitted uses in R1-A single-family residence zones in Normal but only if they are conducted within a church building proper as provided in section 15.6-4 of the zoning code. A stand-alone daycare

building is not an authorized permitted use in R1-A zones. Section 15.6-6 of the code authorizes a special use permit for a stand-alone daycare in R2 mixed residential zones. Stand-alone daycares can lawfully be constructed in a number of zones in the Town, including R3-A, R3-B, S1, C1 and B2. There is no shortage of land zoned appropriately for a stand-alone daycare. Some vacant land and buildings lie within a short distance of Calvary Baptist Church. There is vacant property on the north side of Orlando just west of Main St., residential property zoned for business on the west side of Main St. north of Orlando, and also the former Walgreens building in University Center that could be converted to a daycare. A daycare with 200 children is truly a business and placing such a use in an R1-A zone is inappropriate by special use permit. Such a daycare would require a large number of employees. The parents would be required to pay. If an enterprise collects a large amount of receipts, maintains a large payroll and occupies a huge building, it has all the attributes of a business. That as a proposed use would compete with a number of similar for profit businesses and which pay taxes and are appropriately sited on commercial real estate. It is proposed to construct this daycare center in an area that is already home to Fairview Elementary School, Calvary Baptist Academy and Calvary Baptist School. If you get too many institutional facilities in a residential zone, it destroys the residential character of the neighborhood. This is an area that is heavily saturated with institutional uses. The streets might appear to be adequate for traffic projected to be generated by the daycare, but that is based on average traffic counts over a 24 hour period. You want to look at the adequacy based on the times when parents are dropping students off to attend and picking them up after school. The presence of additional vehicular traffic generated by parents dropping off and picking up children from daycare would present greater hazards than those that are presently experienced. The church has made reference to congestion in this area and that is particularly true in the morning. It is not only traffic counts that have to be considered. In the morning, there is a fair amount of impatient conduct by drivers dropping off students. Of the three schools in the neighborhood, only Fairview has a large number of students that arrive by bus. Most of the students arrive in private automobiles. Some students walk to school and there are some that walk on the north side of Summit and that would conflict with the new proposed driveway. He said that is already hazardous to back out of his driveway onto Normal Ave. The proposed driveway would not only enable daycare parents to enter, but would serve as a short cut to the Church, the elementary school and the academy. When they purchased their homes on Summit St. (401 and 403 W. Summit), the church was a small red brick chapel facing on School St. Over the years the church has grown in membership as well as in the number and size of the buildings. All of which is a good thing in that it promotes the Kingdom of God, but the church operates under a special use permit that was granted 45 years ago. That special use permits has been amended and expanded numerous times. The character of the property has changed dramatically in the last 45 years. It is much larger and has a lot more traffic and is more difficult. The Town has been very liberal in granting the church's special use permit and expanding it. They feel that the time has come to give more careful consideration to the rights of owners of

neighboring properties whose homes, lives and safety will be adversely affected with the expansion of the special use permit. The board should not stack another special use permit on top of an already high stack. When Calvary Baptist Church purchased the three homes along Summit St., it was aware that those properties were zoned R1-A. They had no reasonable expectation that an essentially business use would be shoehorned onto the rear of those residential properties. Mr. Caisley said that no one in his neighborhood bears any malice toward Calvary Baptist Church or its staff members. In fact they derive a good deal of benefit in the neighborhood by being able to listen to its carillon playing each day. They believe if the church wishes to operate a day care, it should do so on nearby land which is already appropriately zoned for a stand-alone daycare. They asked that the application be denied because this is clearly not in the church and you cannot have a stand-alone daycare.

Mr. Palmgren asked Mr. Caisley if he had expressed his concerns to the church. Mr. Caisley said that he had. He was the one who was there on Monday and expressed concerns regarding the entrance onto Summit St. He feels that an entrance onto Summit St. will cause a lot more traffic when you consider that there are 200 students and maybe 150 cars along with 30 staff members. This is an area where there are already a lot of institutional uses. It is one thing to have a church in an R1-A because a church tends to have services on Sunday mornings, Sunday evening and Wednesday evenings and possibly choir practice at another time so there is not a lot of traffic most of the time in a church use. That is not true of a daycare. Therefore, he feels that the Board should strictly construe the language of the ordinance concerning daycares in churches. Mr. Palmgren asked Mr. Caisley if he was opposed to the idea or more opposed to where it is being placed on the property. Mr. Caisley said that he would not be opposed to the idea if it were made a part of the church and he thought that could be done on the north side of the church building. He said that he thought the church building could be added onto and they could have a daycare if it were a part of the church building.

Mr. Schaab said that if they did that, it would probably take up some of their parking spaces which would then probably put parking where they are proposing the new building. Mr. Schaab asked Mr. Caisley if he would rather see parking or a new building there. Mr. Caisley said that they already have parking approved, but the parking has to stay north of the arborvitae hedge as required in the last special use permit. That hedge will be breached if you grant this special use permit. Ms. Davison said that where the building would be built will be where a portion of the hedge is. Those hedges that survive will be relocated along the Sherrard property and along the west property line of the church. There is a plan to relocate and continue screening. Ms. Hood asked if there would be a hedge buffer so that the playground area would not be visible from Summit St. so that it could maintain more of a residential appearance. Ms. Davison said not so much along Summit, but they are proposing to add a hedge so that the whole building will be screened to the west and additional screening to the east. The houses already have trees.

Mr. Brian Leggett, 1006 Bakewell, Normal, IL, was sworn in by Chairman Anderson. Mr. Leggett said that he had concerns about the lighting and he appreciated the churches willingness to work with him. He expressed concerns regarding the present lighting and lighting that would be added. He expressed concerns regarding the traffic pattern behind his back yard. He said that people will be driving around the building in an area that is now a rarely used part of the parking lot. He expressed concerns regarding the additional noise from the children playing outside, from cars and large cooling units.

Ms. Davison said that the lighting plan showed no lighting on the west side of the building at all. The couple of lights on the front will be fully directed down. The newest parking lot lights will be on the east side of the building along the driveway and there are three. Mr. Leggett said that he was concerned that no lighting along the back area might be a problem. He said that he had learned from a police officer that general area was a dark area and was a problem not related to the church. He said that the additional drive could cause problems with children walking on the sidewalk.

Mrs. Mary Caisley, 401 W. Summit, Normal, IL, was sworn in by Chairman Anderson. Ms. Caisley said that they owned their home at 401 and also owned the rental property at 403 W. Summit which would be across the street from the proposed driveway. She said that there are going to be 200 children and 30 staff. Already Calvary Baptist has 35 staff, so they are going to be doubling the number of staff. All of the children will be dropped off and there will be no busses. It is a 6:00 a.m. to 6:00 p.m. operation all year long. It is close to a school. It is a commercial venture even though it is part of Calvary Baptist's program. It has been stated that 70% of the users will be non-school related families. They said that the driveway will try to look like a residential driveway, but when you put lights on poles along a driveway, it doesn't look like a residential driveway. There is a definite factor in the children walking to and from school and young people walking from the Shelbourne area to Fairview pool.

Mr. Kamphius said that the building will be 18,500 sq. ft. rather than 25,000 sq. ft. as previously mentioned. They intend to continue to use the arborvitae hedge and, if necessary, continue it down the west side of the Sherrard property. If necessary, they will use it along with other plantings to hide the building from view from Summit. Mr. Kamphius said that Mr. Caisley said that he did not oppose the daycare in another location on the same property. That still means that there will be an additional amount of traffic. He said that it would not work on the north side. He said that Mr. Caisley mentioned driving through the lot for church and school purposes; they did say that they will block off the area from the school building straight down to the new proposed parking so that during school hours traffic cannot go through there. The reason for that is because they don't want cars flying through that area. School personnel would have to continue to come in through the other side. The driveway does not line up directly from Normal Ave. He said that Mr. Leggett had mentioned

the 15' setback; the garage building is currently right against the property line. Mr. Leggett's home is not up against the proposed building; it is located away from there. Mr. Leggett expressed concern with the traffic pattern. That traffic pattern could exist now. It is parking and there are parking spaces along that side and it will not be up against the property line. The parking spaces are 15' off the property line, so there will be 15' plus the depth of the parking spaces. Mr. Kamphuis said that Mrs. Caisley had mention the children walking on the sidewalk and crossing the driveway. They currently have those same children crossing their other driveway that is an entrance to the property. They are talking about making it an exit only, right turn only. Their desire is to take the traffic flow to School St. where you can enter and exit on School St. Mr. Kamphuis said that Mr. Leggett had mentioned an increase in the noise level. He said that the kids are 6 weeks to 5 years of age. The playground will be on the south side of the building away from his property. He said that Mr. Leggett had mentioned the heating and cooling units and they are considering geothermal which will not have any exterior noise. This is an expansion of their ministry and their school and it is the best place to expand their school. Instead of starting at kindergarten, they are looking at starting at 6 weeks of age. Mr. Kamphuis said that Mrs. Caisley had mentioned the lights on the driveway. He said that they are looking at lights that are three to four foot high and basically flood the driveway to show a path.

Ms. Brand asked what percentage of the children in the daycare would belong to members of the church. Mr. Kamphuis said that he thought it would be comparable to the academy. There are 36 different churches that send children to their academy. It is an outreach program. He said that putting children (infants) in among school children is not the way to operate a learning center for kids in that age group. They have to have their own facility.

Chairman Anderson noted the interpretation of a daycare in the church versus on the campus. Mr. Troemel said that it was brought to staff's attention regarding the issue of the daycare not being located in the church. He said that Mr. Caisley did a good job of explaining where you can do special use and what districts and where it's allowed by permitted right. Forty-five years ago when this was granted a special use permit it was a chapel or church. Our language has been fairly static and in 25 years there has not been a change to it, but the dynamics of a church itself has changed a lot. We have very few churches anymore that are not only a church, but they have classrooms, daycares, and recreational facilities that are attached and detached. They have become more community centers, but certainly the focus is church on Sundays. Mr. Troemel met with Mr. Kamphuis when they were contemplating filing the application. Mr. Kamphuis said that they were talking about locating the addition on the west side. They were not talking about it being physically connected, but it could have easily been connected. Early on that was their desire. Mr. Troemel said that we wouldn't necessarily have a problem or having this discussion if this daycare was part of the church. He said that it doesn't mean in the church. At the staff level they do

not mean literally in the church, but a part of the church and in 2011, part of the church campus. We have about 8 or 9 churches that operate with daycare centers as part of their operation. Regarding whether it is a business or not, there are many churches doing it and it is a part of their ministry. The special use standards allow for a daycare to operate as part of a church. When they actually filed and had gotten further into design, they thought it was more appropriate for traffic reasons, as discussed earlier. It was more appropriate from a logistics perspective on the site to move it to this location. Also, all along there was going to be a driveway that discharged onto Summit. That hasn't changed. It is clearly an issue with the neighbors. Staff discussed whether this arrangement was appropriate and if Summit could handle the traffic with Mr. Brown, Town Engineer, and his answer was yes. Mr. Troemel said that churches operate differently in 2011 than 45 or 50 years ago. The daycare addition would be considered through the special use process before a public body addressing issues such as drainage and impact. All of the existing facilities with daycares, none of those are actually in the church, are connected physically. If what it will take to eliminate the issue of interpretation of it being an addition as opposed to being on the campus, to physically attach it to the building, which would probably be less desirable for the church for all the reasons that they have stated, is an option. Then it will come down to the other issues discussed such as lighting and traffic. This is Mr. Troemel's and staff's perspective on why they let it proceed as a special use. The daycare is technically not in the church, but neither is all of the 8 or 9 church facilities that operate daycares are not actually in the church, but operate in the basement or in additions. One church has a couple of detached buildings.

Ms. Davison said that it would be helpful of the Zoning Board would give feedback on whether the interpretation is correct so that it will not be challenged later. Also decide whether this is an appropriate amendment to the special use.

Mr. Palmgren said that they are looking at traffic of potentially another 100 cars. He said that he drives those streets every morning and it is not good between 6:30 and 7:30. If you add another 100 cars, can you get them through there. Mr. Troemel said that they did not request an intersection design study, but they needed to be prepared to speak regarding traffic analysis. He said that part of the problem is due to the traffic discharging from the drive near the corner of School and Summit. Mr. Troemel said that he had talked to the civil engineer for the project and they are confident that the discharge onto Summit will improve traffic overall at School and Summit. We look at whether the intersection is designed to handle that kind of traffic, the answer is yes. The neighbors may not necessarily agree. Whether the daycare is attached or detached, there will be the same number of people, same increase in traffic and same discharge.

Mr. Schaab said that before they decided whether in means property or in the building, they need clarification on whether a stand alone daycare is a permitted special use in R1-A according to code. Testimony has stated that it is not.

Mr. Mahrt said that is the issue that Mr. Troemel is addressing regarding interpretation. The Board will decide whether or not that language will be construed in a restrictive manner, meaning that it must be in a church. Then you would have to define what the church is. Or is in churches broader than that and the Board is at liberty to make that interpretation as the Zoning Board of Appeals. The Commissioner has given his interpretation and they can agree with that or something in between or not at all. They will have to make a recommendation to Council to either approve with or without conditions or deny the request. They will need to address the issue of interpretation as part of the deliberations.

Ms. Davison said that a stand-alone daycare cannot be permitted in R1-A. The only reason that it is allowed here is because of the church. A daycare alone is not a permitted special use in R1-A. Mr. Mahrt said that Mr. Caisley listed the areas of the code that a stand-alone is allowed as a matter of right or a special use in R2 where it says daycare center. It does not say daycare center in a church.

Chairman Anderson closed the public hearing.

Mr. Penn asked if the school could be a separate building if the property was bigger. Mr. Troemel said no, that by our current code language, a school itself is not a special use permitted in R1. Mr. Mahrt said that he thought that the definition of church has morphed over the years so you have churches that also operate schools as part of the church mission, so he would assume that the school itself was approved as part of the church use allowed on the property. Incidental church use is also the school use.

Mr. Penn said that one other church with a school was Epiphany and asked what the zoning was. Mr. Troemel said that it was R1-A zoning. It has a school attached to the primary church and also has a separated combination classroom-gymnasium building that was considered 12-15 years ago and was approved. The also have a free-standing daycare center on the eastern edge of the property. Mr. Penn said that it was a campus type setting.

Mr. Schaab asked about the arborvitae that was approved as part of the previous special use. Mr. Troemel said that the last application was in 2000 and had a couple of separated buildings and they filled in between the two separated buildings and added some parking. In that parking expansion, there was discussion that it should be screened as best possible. Anytime that you come back to amend a special use permit, you start clean. We have the Community Design Standards in place prior to the 2000 amendment to address screening parking from residential areas. They have a landscaping plan that will provide screening and they plan to relocate the existing

screening that was in place. Staff is comfortable with current landscaping standards that will address those issues.

Ms. Hood asked about the proposed signage and the direction that the new sign at the corner of Summit and School would face. Mr. Troemel said that it will be opposite of the way that the current one runs. Ms. Hood asked how often the sign changed. Mr. Troemel said that it had to hold a static message for four seconds. He said that there is also language in the code about dimming after certain hours. He said that he thought the intention is to have the sign go idle after nine or ten o'clock at night. Ms. Hood expressed concerns with distraction from the sign and the traffic or pedestrians at the intersection. She said that she knew other churches had them, but did not think that they were in such a residential neighborhood. Mr. Troemel said that several churches do have them and they are located near residential areas such as Epiphany, First Assembly of God, and the Mennonite church on Cottage Ave. Ms. Hood said that those were all two-lane roads in both directions and that is not the case here.

Chairman Anderson said that the daycare being in the church or not was not as much a concern. He said that he had concerns about the extra traffic not only vehicles, but pedestrians as well. He also had concern that the applicant had said that they were discussing some things and said that he would like clarification on those items.

Mr. Troemel said that he believed that the applicant would like to know what the Zoning Board's stance is on the matter of whether a daycare had to be physically connected to the church or on campus. He said that staff would like some feedback on how to address the concern whether it be a text amendment or further research by staff or leave it alone. Ms. Davison said that if there is a recommendation that the code language be clarified, meaning that they could vote in favor of the application with the condition that the code language be cleaned up versus if they are going to vote the project down. All of the issues that have been raised are going to exist whether the building is attached or not attached. Mr. Troemel said that staff believes that all the same byproducts of the special use amendment are going to exist whether it's attached or detached.

Mr. Schaab said that from his perspective he thinks that the word in means that it needs to be an attached building not a stand-alone facility.

Mr. Palmgren asked if it were attached, there would be no question. Mr. Troemel said that you don't have the interpretive issue, but you still have the other same issues such as adding 200 kids, traffic flow and lighting. He said that they did not want to go through the text amendment process and have the applicant come back in two months, possibly with a different plan depending on the outcome of the text amendment, and have them turned down because it is too dense.

Mr. Mahrt said that if they are going to recommend against it for whatever reason, it makes sense just to go forward. If they are going to recommend in favor, but have reservations because of the text, then they need to do something else. Ms. Davison said that they can condition their approval. Mr. Mahrt said that they can hold it over and see if the church is willing to modify their plan, but maybe the applicant could say tonight that they are not willing to modify the plan and they want an up or down recommendation.

Mr. Palmgren said that if the Board turns it down, they cannot come back for a year. Ms. Davison said that the recommendation would go to Council. The only way that it would not go to Council would be if it were tabled. Mr. Troemel said that he would like to clear up the interpretive issue.

There was considerable discussion on whether the building needed to be attached to the church or could be a stand-alone building.

Chairman Anderson reopened the public hearing.

Mr. Caisley said that he did not think that "in a church" was an obscure term. He said that whether it is reasonable or not reasonable is totally beside the point. If it is unreasonable, then Council can change the language. You have to interpret it on the basis of what it says right now and what it says is "in a church." To him it means that it has to be in a church building.

Mr. Troemel asked if that excludes an addition because there is a church there now and adding onto it would not be in the church, it would be an addition. Mr. Schaab said that if you add on, it becomes in the church to him. A stand-alone building is not in the church. You have ministries that the churches do that are on their campus but are part of the church such as mission trips. Mr. Penn said that are they just using the "in the church" issue just to avoid the true problem of what they see as this is getting too big for the property to hold what they want to do. He said that his opinion was that addition or a separate building would still be in the church if it is on the campus of the church.

Mr. Carson Darrow, 304 S. Mercer, Bloomington, IL, was sworn in by Chairman Anderson. Mr. Darrow said that he was the architect for the project. He said that he wanted to clarify the traffic flow. It was intentional when the new driveway was designed to make it more of a winding road to give it a visual approach to the site but also give more distance. Distance is important because even though additional vehicles will be coming to the site; there will be additional queuing on the church property. As those cars arrive on the site, they will be very quickly removed from Summit and placed on the parking lot of the church. Regarding the attachment issue, they did consider three sites and the idea of adding some form of canopy that would cross the entire parking lot connecting the two buildings for the protection of bringing

students from the existing building to the new building. The other two sites that they looked at would require a two story building and the aspects of a daycare with small children going up and down steps is not the best way to run a daycare. The building would appear much larger in a two story form than a single story.

Ms. Hood asked if the owners had considered a smaller daycare other than 200 children. Mr. Darrow said no, in terms of what they were asked to design.

There was no one else to speak and the public hearing was closed.

Mr. Mahrt suggested that the motion be in the affirmative with regard of approval of the special use with or without conditions and each person could address the interpretation issue as a reason for supporting their vote for or against.

Ms. Brand asked if traffic concerns with the driveway crossing could be addressed with requiring a crossing guard. Mr. Mahrt said that they were at liberty to impose reasonable conditions with approval of the special use.

Mr. Troemel said that this building could be physically connected to the existing building.

Mr. Schaab moved, seconded by Ms. Brand, to recommend approval of the special use request to Council as submitted.

Considerable discussion ensued.

Mr. Gene Brown, Town Engineer, was sworn in by Chairman Anderson. Mr. Brown said that an increase in use will increase traffic. School St. and Summit St. are collector streets. They are designed to carry the current traffic that they carry plus substantially more. He said that they assumed that there would be 200 more cars for the daycare in the morning and at night. In daycare facilities traffic is not as concentrated as at a school and will not coincide with school traffic times. Existing traffic counts are not near capacity. All of the schools in town have some traffic congestion which usually works itself out. In looking at crash data, in 2009 there was one accident at School and Summit, one at Normal and Summit and four at Main and Summit. There did not seem to be crash data that would say an increase in traffic would be of great concern as far as accidents. He was glad to see that the drive is offset from Normal Avenue. They usually like to see things line up, but this will probably preclude traffic from using Normal Ave. This will be offset approximately 165 ft. from Normal Ave. and most of the traffic will either go east or west. They did not feel that the traffic from the site would cause any major concern. Regarding traffic with children walking to school, the daycare traffic will probably not coincide with school children and they are already interacting with the other driveway traffic.

Mr. Schaab said that the traffic should be gone from the daycare when kids are walking to school.

Mr. Troemel said that he would like the opportunity to establish the interpretation before voting on the special use amendment.

Mr. Schaab withdrew his motion. Ms. Brand withdrew the second to the motion.

Mr. Schaab moved to interpret the word “in” to mean that it has to be physically attached to the existing building. Ms. Brand seconded the motion.

Ayes: Mr. Schaab

Nays: Ms. Hood, Mr. Palmgren, Ms. Brand, Mr. Penn and Mr. Anderson (as it pertains to future sites that are being looked at)

Motion denied.

Chairman Anderson said that the interpretation of “in” as not necessarily being attached based on the vote.

Mr. Penn suggested the possibility of using only one drive on Summit during times when children would be walking to and from school. Mr. Palmgren said that he didn't think that they would know if it were a problem until it happens and then the church will have to work with staff.

Mr. Palmgren moved to recommend approval of the application to Council with the condition that they work with staff if problems arise regarding driveway traffic.

Mr. Troemel asked if he intended that to mean the requirement for crossing guards or restricting use of the drive during certain times. Mr. Palmgren said yes. Mr. Troemel said that there had been discussion of closing off the existing driveway.

Chairman Anderson reopened the public hearing.

Mr. Darrow said that from the churches perspective, they will be willing, if problems did arise, to close the existing drive and transfer the use to the new drive. Currently they would like to maintain it.

Chairman Anderson asked for clarification on the traffic flow. Mr. Darrow explained it.

Chairman Anderson closed the public hearing.

Mr. Palmgren amended the motion to include that traffic concerns be addressed with staff within one year of opening the daycare or May 31, 2012. Mr. Penn seconded the motion with the amendment.

Ayes: Mr. Schaab, Mr. Palmgren, Ms. Brand and Mr. Penn
Nays: Ms. Hood and Mr. Anderson
Motion declared carried.

Other Business:

None

Adjournment:

There being no further business, Ms. Brand moved, seconded by Ms. Hood, to adjourn the meeting at 7:15 p.m. Motion carried 6-0.

Respectfully submitted,

Sheila Elgin
Office Associate