

MINUTES OF THE REGULAR MEETING OF THE NORMAL TOWN COUNCIL HELD IN THE COUNCIL CHAMBERS, NORMAL CITY HALL, 100 EAST PHOENIX AVENUE, NORMAL, MCLEAN COUNTY, ILLINOIS – TUESDAY, SEPTEMBER 7, 2010.

1. CALL TO ORDER:

Mayor Chris Koos called the regular meeting of the Normal Town Council to order at 7:03 p.m., Tuesday, September 7, 2010.

2. ROLL CALL:

The Clerk called the roll with the following persons physically

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

ABSENT: None.

3. PLEDGE OF ALLEGIANCE:

Mayor Koos led the Pledge of Allegiance to the Flag.

4. OMNIBUS VOTE AGENDA:

Mayor Koos excused himself from voting on any bills he may have incurred while performing his Mayoral duties.

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

Item J was removed from the Omnibus Vote Agenda.

MOTION:

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

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

NAYS: None.

Motion declared carried.

A. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 16, 2010: Omnibus Vote.

B. APPROVAL OF TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF SEPTEMBER 1, 2010: Omnibus Vote.

C. MOTION AUTHORIZING STAFF TO INITIATE VACATION OF IRVING STREET RIGHT-OF-WAY (ROW) BETWEEN HESTER STREET AND THE NORTH/SOUTH ALLEY BETWEEN HESTER STREET AND FELL AVENUE: Omnibus Vote.

- D. MOTION TO AUTHORIZE PAYMENT TO CONSTITUTION TRAIL CENTRE, LLC, OF \$224,838.00 FOR THE WIDENING OF RAAB ROAD FROM 420' EAST OF SCHOOL STREET TO ROCKINGHAM DRIVE:
Omnibus Vote.
- E. RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE EMPLOYMENT OF A MUNICIPAL MANAGER: Resolution No. 4546: Omnibus Vote.
- F. RESOLUTION APPROVING AN AGREEMENT WITH ALLIED BENEFITS SYSTEMS FOR COBRA ADMINISTRATION SERVICES: Resolution No. 4547: Omnibus Vote.
- G. RESOLUTION AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH JQH-NORMAL DEVELOPMENT, LLC, FOR WIRING AND ASSOCIATED INFRASTRUCTURE TO ADD CEILING-MOUNTED PROJECTOR EQUIPMENT IN THE CONFERENCE CENTER IN THE AMOUNT OF \$37,740.00 AND APPROVING AN ASSOCIATED BUDGET ADJUSTMENT: Resolution No. 4548: Omnibus Vote.
- H. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH FELMLEY-DICKERSON FOR THE DESIGN AND CONSTRUCTION OF A NEW RESTROOM FACILITY AT SHEPARD PARK IN AN AMOUNT NOT TO EXCEED \$160,000: Resolution No. 4549: Omnibus Vote.
- I. RESOLUTION AUTHORIZING EXECUTION OF A DONATION AND TAX CREDIT TRANSFER AGREEMENT: Resolution No. 4550: Omnibus Vote.
- K. RESOLUTION REAPPROVING THE FINAL PLAT OF THE EVERGREEN VILLAGE PUD FIRST ADDITION SUBDIVISION: Resolution No. 4551:
Omnibus Vote.
5. ITEM REMOVED FROM OMNIBUS VOTE AGENDA:
- J. RESOLUTION ACCEPTING A PROPOSAL AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH RATIO ARCHITECTS FOR OWNER AUTHORIZED CONSTRUCTION MATERIALS TESTING ON THE MULTIMODAL TRANSPORTATION CENTER PROJECT IN THE AMOUNT OF \$60,000: Resolution No. 4552:

MOTION:

Councilmember Nielsen moved, seconded by Councilmember Reece, the Council Adopt a Resolution Accepting a Proposal and Authorizing the City Manager to Execute a Supplemental Agreement with Ratio Architects for Owner Authorized Construction Materials Testing on the Multimodal Transportation Center Project in the Amount of \$60,000.

Councilmember Nielsen asked if any ground/soil problems had arisen on the multimodal site similar to the problems the hotel experienced. Uptown Development Director Wayne Aldrich responded no problems have arisen, and everything is on schedule at this time.

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

NAYS: None.
Motion declared carried.

GENERAL ORDERS

6. MOTION TO ACCEPT THE AUDITED TOWN OF NORMAL FINANCIAL STATEMENTS AND REPORT OF CERTIFIED PUBLIC ACCOUNTANTS FOR THE YEAR ENDING MARCH 31, 2010:

MOTION:

Councilmember Reece moved, seconded by Councilmember Nielsen, the Council Accept the Audited Town of Normal Financial Statements and Report of Certified Public Accountants for the Year Ending March 31, 2010.

Councilmember Sonja Reece commented on the suggestions of the accountant.

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

7. MOTION TO ACCEPT THE FEDERAL COMPLIANCE AUDIT FOR THE YEAR ENDING MARCH 31, 2010:

MOTION:

Councilmember Scott moved, seconded by Councilmember Gaines, the Council Accept the Federal Compliance Audit for the Year Ending March 31, 2010.

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

8. RESOLUTION AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH KHA AND YEN T. PHAM AND ORVAL YARGER FOR FAÇADE RENOVATIONS AT 117½ AND 119 WEST NORTH STREET AND AUTHORIZING AN ASSOCIATED BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,500.00: Resolution No. 4553:

MOTION:

Councilmember Fritzen moved, seconded by Councilmember Scott, the Council Adopt a Resolution Authorizing the Execution of a Redevelopment Agreement with Kha and Yen T. Pham and Orval Yarger for Façade Renovations at 117½ and 119 West North Street and Authorizing an Associated Budget Adjustment in the Amount of \$4,500.00.

Councilmember Nielsen commented on the outstanding façade renovations in Uptown Normal. City Manager Mark Peterson indicated there was perhaps one more property interested in a façade renovation in the near future.

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

9. RESOLUTION APPROVING AN AMENDED REDEVELOPMENT AGREEMENT WITH NORMAL MAIN, LLC, PERTAINING TO THE REDEVELOPMENT OF THE PROPERTY AT THE SOUTHWEST CORNER OF MAIN STREET AND OSAGE STREET: Resolution No. 4554:

MOTION:

Councilmember Reece moved, seconded by Councilmember Nielsen, the Council Adopt a Resolution Approving an Amended Redevelopment Agreement with Normal Main, LLC, Pertaining to the Redevelopment of the Property at the Southwest Corner of Main Street and Osage Street.

City Manager Mark Peterson presented a brief explanation of the changes to the plan the Council had previously approved for the property at the southwest corner of Main Street and Osage Street. Corporation Council Steve Mahrt explained a few changes to the proposed agreement that were not included in the Council Packet but were in the revised agreement made available to the Council tonight. Mr. Mahrt explained the substantial changes included language pertaining to Section 15.12 – Pending Litigation and to Section 15.14 – Security Plan.

Mr. Doug Reichl of Normal Main, LLC, addressed the Council and responded to questions from Council.

Building Commissioner Greg Troemel responded to questions posed by Councilmembers Fritzen and Scott concerning the parking for the development.

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

NAYS: None.

Motion declared carried.

10. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR WARRANTY DEED – RICHARD L. SMITH AND NORENE SMITH: Resolution No. 4555:

MOTION:

Councilmember Reece moved, seconded by Councilmember Scott, the Council Adopt a Resolution Authorizing Execution of an Agreement for Warranty Deed – Richard L. Smith and Norene Smith.

Councilmember Chambers commented that perhaps the Town should enter into a contract with a first right of refusal for the property; however, considering the tight budget for the Town, he did not feel the timing was right to purchase the property.

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

NAYS: Nielsen, Chambers.

Motion declared carried.

NEW BUSINESS:

11. PRESENTATION TO THE TOWN COUNCIL REGARDING THE MAIN STREET CORRIDOR TASK FORCE RECOMMENDATION ON THE PROPOSED FORM-BASED CODE:

Mr. Carl Teichman, Mr. James Pearson, and Mr. Denny Marquardt, Members of the Main Street Corridor Task Force, addressed the Council on behalf of the Task Force.

Mr. Teichman gave a brief overview of the recommendations of the Task Force. An abbreviated breakdown of the general recommendations include: 1) change the name of the proposed code from “Form Based Code” to “the Main Street Corridor (MSC) Zoning Code”; 2) strive to create the same practices for the same situations in both municipalities; 3) develop non-monetary and monetary incentives for use where appropriate; and 4) continue to involve local citizens in the process. Nine specific recommendations were presented dealing with the following topics: 1) non-conforming uses, 2) non-conforming structures, 3) building height, 4) coverage of front property line, 5) location of parking, 6) drive-thru windows, 7) signs, 8) landscaping, and 9) building placement.

Mr. Pearson commented the recommendations appear to have accomplished the mission of the Task Force. Mr. Marquardt commented the recommendations made by the Task Force are not complete, and the Task Force “agreed to disagree” on several issues in the plan. Mr. Marquardt further commented that simply because the municipalities paid money to a consultant to design a plan, that doesn’t mean the municipalities have to keep the plan provided by the consultant.

City Manager Mark Peterson commented the original Form-Based Code proposed is currently “Tabled” by the Planning Commission and that the comments suggested by the Main Street Task Force could be implemented into the Code before the Planning Commission; however, Town Staff needs direction from Council on how to proceed at this time.

Mayor Koos indicated he would like to see the recommendations included in the proposed code and would like a public hearing on the matter to be held before the Planning Commission. Councilmember Scott agreed it was advisable to include the Task Force’s suggestions in the proposal sent to Planning Commission.

Councilmember Gaines posed questions concerning the “Normal” components of the plan and the “Bloomington” components of the plan. Mayor Koos indicated staff from the two municipalities were working together to have the same plan implemented in both communities.

Councilmember Chambers indicated he was not comfortable in going ahead with the Code, that the issue was larger than what he had originally perceived the Code to be. Councilmember Fritzen indicated the recommendations of the Task Force should be formally reviewed. Councilmember Reece indicated more detail was needed to incorporate the recommendations into the plan – Staff needed to take the concepts forward to a public hearing. Councilmember Gaines suggested the recommendations needed to be “worked through” to a finished product. Councilmember Nielsen indicated he would be a very “tough-sell” on this matter and expressed concern with the compatibility of uses up and down the corridor.

City Manager Mark Peterson indicated Town Staff would work with the recommendations of the Task Force.

12. PRESENTATION OF THE 2009-2010 FINANCIAL TREND REPORT:

Finance Director Ron Hill presented an extensive overview of the 2009-2010 Financial Trend and Condition Report and responded to questions from Council.

13. CONCERNS:

1. INTRODUCTIONS:

City Manager Mark Peterson introduced Robin Weaver, the new Public Works Director, and Viktor Schrader, the new Uptown Marketing Manager.

14. ADJOURNMENT:

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

MOTION:

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

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

NAYS: None.

Motion declared carried.

Mayor Chris Koos adjourned the regular meeting of the Normal Town Council at 9:13 p.m., Tuesday, September 7, 2010.