

MINUTES OF THE REGULAR MEETING OF THE NORMAL TOWN COUNCIL HELD IN THE COUNCIL CHAMBERS, NORMAL CITY HALL, FOURTH FLOOR UPTOWN STATION, 11 UPTOWN CIRCLE, NORMAL, MCLEAN COUNTY, ILLINOIS – TUESDAY, SEPTEMBER 8, 2020.

1. CALL TO ORDER:

Mayor Koos called the Regular Meeting of the Normal Town Council to Order at 7:01 p.m., Tuesday, September 8, 2020.

2. ROLL CALL:

The Clerk called the roll with the following persons

PRESENT: The Meeting was conducted virtually. There were no persons physically present in Council Chambers.

REMOTE: Mayor Chris Koos and Councilmembers Kevin McCarthy, Chemberly Cummings, Stan Nord, Karyn Smith, Kathleen Lorenz, and Scott Preston, also present were City Manager Pamela Reece, Assistant City Manager Eric Hanson, Corporation Counsel Brian Day, and Town Deputy Clerk Theresa Denham.

ABSENT: Town Clerk Angie Huonker.

Mayor Chris Koos made the following statement:

Due to recent changes in the Open Meetings Act, I felt compelled to make the following statement that the Governor has issued a disaster declaration related to the public health concerns caused by the statewide COVID-19 pandemic.

As mayor, I have determined that an in-person meeting is not practical or prudent because of the risk of exposure to the COVID-19 virus stemming from an indoor gathering, and that the remote meeting is in the best interest of the health, safety, and welfare of the council, staff, and general public.

3. PLEDGE OF ALLEGIANCE:

Mayor Koos led the Pledge of Allegiance to the Flag.

4. PUBLIC COMMENT:

Given the circumstances necessitated by the COVID-19 crisis, and in accordance with a mandate of social distancing, public comment was made available virtually through the use of Zoom Meeting.

Patrick Dullard, of Normal, spoke in support of the item related to the Eagle's Landing Trail.

5. OMNIBUS VOTE AGENDA:

Mayor Koos read aloud the items to be considered by the Omnibus Vote Agenda.

A. APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 17, 2020

- B. REPORT TO RECEIVE AND FILE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF SEPTEMBER 2, 2020
- C. RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF (7) OTTERBINE INDUSTRIAL AERATORS FROM MTI DISTRIBUTING IN THE AMOUNT OF \$61,893.16
- D. RESOLUTION TO ACCEPT BIDS AND AWARD A CONTRACT TO H.J. EPEL AND COMPANY FOR THE CONSTRUCTION OF THE EAGLE'S LANDING MULTI-USE TRAIL PROJECT IN THE AMOUNT OF \$280,736.15
- E. RESOLUTION SELECTING CRAWFORD, MURPHY & TILLY AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR WATER SYSTEM ANALYSIS AND PROJECT DESIGN IN AN AMOUNT NOT TO EXCEED \$250,000

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Lorenz, the Council Approval of the Omnibus Vote Agenda.

AYES: McCarthy, Cummings, Nord, Smith, Lorenz, Preston, Koos.
NAYS: None.
Motion declared carried.

Item A was approved by the Omnibus Vote.
Items B, C, D, and E were removed from the Omnibus Vote.

6. ITEMS REMOVED FROM OMNIBUS VOTE AGENDA:

REPORT TO RECEIVE AND FILE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF SEPTEMBER 2, 2020:

MOTION:

Councilmember Nord moved, seconded by Councilmember Lorenz, the Council Accept a Report to Receive and File Town of Normal Expenditures for Payment as of September 2, 2020.

AYES: Cummings, Nord, Smith, Lorenz, Preston, McCarthy, Koos.
NAYS: None.
Motion declared carried.

Councilmember Kevin McCarthy clarified how the expenditures reach the agenda and reminded the Council that the expenses have already been processed, and the role of the Council is not to refute charges but to officially file them having already been approved by staff.

RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF (7) OTTERBINE INDUSTRIAL AERATORS FROM MTI DISTRIBUTING IN THE AMOUNT OF \$61,893.16: Resolution 5803:

MOTION:

Councilmember Nord moved, seconded by Councilmember Cummings, the Council Authorize a Resolution Waiving the Formal Bidding Process and Authorizing the Purchase of (7) Otterbine Industrial Aerators from MTI Distributing in the Amount Of \$61,893.16.

AYES: Nord, Smith, Lorenz, Preston, McCarthy, Cummings, Koos.

NAYS: None.

Motion declared carried.

Councilmember Kevin McCarthy asked for clarification on the product.

Parks and Recreation Directory Doug Damery provided a history of the problem, and the process by which the product was selected to correct it.

City Manager Pamela Reece added that the Town can perform maintenance for this product.

Councilmember McCarthy noted his approval based on the good price and positive experience with the product.

Mr. Damery further explained how the product functions and noted that installation will keep both the wildlife and the water safe.

Councilmember Scott Preston noted that Ironwood residents have provided favorable reviews of the product where used in the West pond, and noted that unfavorable reviews for the East Pond, which does not yet have an aerator, could be solved with this product.

Councilmember Stan Nord asked for a history of the fish kills that resulted from poor aeration of the pond.

Mr. Damery responded.

Mr. Nord asked if the Town tried to secure a local vendor for this product.

City Manager Reece responded.

Councilmember Nord suggested that in the future the Town consult area resources such as the Chamber of Commerce and the Economic Development Council when sourcing products such as these.

City Manager Reece addressed Council and asked if they would like to revise the Town's procurement policy. She noted that the Town's procurement policy is always followed and asked for Council feedback if they felt the policy needed revision.

Mr. Nord responded.

No Council members spoke in favor of revising the procurement policy.

Councilmember McCarthy issued a point of order and asked Council discussion to return to the resolution at hand.

Councilmember Nord asked if the Department of Natural Resources was consulted on this issue.

Mr. Damery responded that the Illinois chapters of the Department of Natural Resources, the Environmental Protection Agency and other consultants were consulted every time, and the recommendation for alleviating the issue was proper aeration.

Mr. Nord responded.

Councilmember Kathleen Lorenz expressed her approval for the resolution. She also expressed her disapproval of Mr. Nord's recommendation to consult the EDC and Chamber. She applauded staff for their role in finding a solution to the problem.

RESOLUTION TO ACCEPT BIDS AND AWARD A CONTRACT TO H.J. EPEL AND COMPANY FOR THE CONSTRUCTION OF THE EAGLE'S LANDING MULTI-USE TRAIL PROJECT IN THE AMOUNT OF \$280,736.15: Resolution 5804:

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Smith, the Council Approve a Resolution to Accept Bids and Award a Contract to H.J. Eppel and Company for the Construction of the Eagle's Landing Multi-Use Trail Project in the Amount of \$280,736.15.

AYES: Smith, Lorenz, Preston, McCarthy, Cummings, Nord, Koos.

NAYS: None.

Motion declared carried.

Councilmember Kevin McCarthy expressed his support for this project to create a safe route for residents and noted its compatibility with the long-term Bike-Ped plan. He expressed his approval of the funding coming from a Grant and thanked staff for their diligence.

Councilmember Karyn Smith clarified that the grant brings tax dollars back to the community.

Councilmember Stan Nord asked if the funds must be used for new construction.

City Manager Reece responded that the funds are specific to this project, as that is how it was awarded as a grant.

Mr. Nord expressed his disapproval for not seeking trail repairs for this grant. He mentioned how he believes we are stuck with a project that is not as advantageous as repairing worn areas of the trail, in his opinion.

Mayor Chris Koos clarified that this project was applied for deliberately.

Engineering Department Manager Ryan Otto responded that this project has been in development for as many as 20 years. He categorized it as an exciting improvement.

Councilmember Kathleen Lorenz noted that this is a welcome improvement and spoke in opposition to Mr. Nord's disapproval of the project.

RESOLUTION SELECTING CRAWFORD, MURPHY & TILLY AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR WATER SYSTEM ANALYSIS AND PROJECT DESIGN IN AN AMOUNT NOT TO EXCEED \$250,000:
Resolution 5805:

MOTION:

Councilmember Lorenz moved, seconded by Councilmember Smith, the Council Approve a Resolution Selecting Crawford, Murphy & Tilly and Authorizing the City Manager to Execute an Agreement for Water System Analysis and Project Design in an Amount not to Exceed \$250,000.

AYES: Lorenz, Preston, McCarthy, Cummings, Smith, Koos.

NAYS: Nord.

Motion declared carried.

Councilmember Kathleen Lorenz expressed her approval and noted that it would eventually help the economic development of our community.

Councilmember Kevin McCarthy clarified that this resolution authorizes plans, not construction and noted it is a smart and proactive way to spur development. Mr. McCarthy clarified the benefits for being prepared for economic development in that area.

Councilmember Stan Nord asked which parcels this water service would serve.

City Manager Pamela Reece explained an overview of the proposed water main and noted that it would promote development to the West of the site.

Water Department Manager John Burkhart responded.

Councilmember Nord asked if there were specific requests from businesses or customers for this item.

Mr. Burkhart responded, mentioning that this project, should it be completed beyond the plan, would significantly reduce the need for main maintenance in the area. He noted that the level of maintenance has been an ongoing problem.

Mr. Nord expressed his opposition to this project.

City Manager Pam Reece responded.

Councilmember Karyn Smith asked how long the study would take to complete and asked if the Resolution would provide both a study and plans.

Mr. Burkhart responded.

Mr. Nord asked if the grant was for water only.

City Manager Reece responded that they are not yet applying for a grant but they hope to find the right grant opportunity for this project.

Mr. Nord asked why this was pinpointed as a priority.

City Manager Reece responded mentioning this this was a major project mentioned in the strategic plan for more than a year.

Mr. Nord expressed his disapproval for the project in favor of replacing lead pipes.

Mr. Burkhart clarified that the water main does not use lead lined pipes and this is a water main project.

Councilmember Kathleen Lorenz noted that this would enable and promote economic development. She mentioned the benefit to taxpayers.

Councilmember Kevin McCarthy expressed his approval for the project and emphasized the need to act now to better facilitate economic development.

GENERAL ORDERS:

7. PRESENTATION BY JAMIE WILKEY, PARTNER AT LAUTERBACH & AMEN CPA FIRM, ON THE TOWN'S ANNUAL FINANCIAL STATEMENTS AND AUDIT REPORT.

Jamie Wilkey presented the findings of the audit conducted by the firm of Lauterbach & Amen CPA. The Town was lauded for its financial competence.

8. RESOLUTION TO ACCEPT THE AUDITED TOWN OF NORMAL FINANCIAL STATEMENTS AND REPORT ON INTERNAL CONTROLS FROM THE TOWN'S AUDITORS, LAUTERBACH AND AMEN, CPA FIRM FOR THE YEAR ENDED MARCH 31, 2020: Resolution No. 5806:

MOTION:

Councilmember McCarthy moved, seconded by Councilmember Smith, the Council Approve a Resolution to Accept the Audited Town of Normal Financial Statements and

Report on Internal Controls from The Town's Auditors, Lauterbach And Amen, CPA Firm for the Year Ended March 31, 2020.

AYES: Preston, McCarthy, Cummings, Nord, Smith, Lorenz, Koos.

NAYS: None.

Motion declared carried.

NEW BUSINESS:

9. PRESENTATION OF THE FY2019-20 FINANCIAL TREND AND CONDITION REPORT

City Manager Pam Reece Finance introduced Finance Manager Andrew Huhn and explained the reason for the trends report as a reference for the state of the Town's finances for the year.

Finance Manager Andrew Huhn delivered the financial trends reports in multiple categories, providing assessed ratings for each portion of the trends report.

Mayor Chris Koos commended staff for their work in preparing the report. Councilmember Stan Nord asked if the number of construction permits were less for the year.

Mr. Huhn mentioned that there has been an uptick in construction permits for 2020.

Mr. Nord had further questions regarding contingency versus planned expenses.

City Manager Reece responded explaining that contingencies are important for unplanned expenses and allowing for unknown opportunities.

Mr. Nord had further questions about the Town's general obligation debt.

Mr. Huhn responded. He explained the function of the liabilities as reported in the financial reports.

City Manager Reece asked Mr. Huhn to expound upon the OPEB benefits.

Mr. Huhn responded. He also explained the bond debt.

Councilmember Karyn Smith asked if the minimum wage increase impact was reflected in the payroll expense. She also asked if the minimum wage increase affected other salaries.

Mr. Huhn responded. He clarified that the minimum wage increase would affect the payroll expense over the next few years, and noted that other positions' rates were not adjusted with the increase of the minimum wage. The only wage increases were to support those who, without adjustment, would fall under the state minimum wage increase.

Councilmember Kevin McCarthy thanked staff for the report. He spoke on the difference between liability and debt. He noted that it is dangerous to call pension liabilities debt, as that is an inaccurate representation of true debt.

Councilmember Scott Preston thanked the staff and approved of the report. He asked if any municipalities include their library in the municipal property tax rate comparison.

Mr. Huhn responded that library rates are not included.

10. CONCERNS:

Mayor Chris Koos began by recommending a change to the process of public comment for City Council meetings, hoping to divide Public Comment into two sections. He suggests that public comment be available on items germane to the agenda before the meeting and public comments on any topic before Council Concerns. Additionally, Mayor Koos addressed some accusations made by Councilmember Stan Nord on social media. He said it was true that he was not receptive to Mr. Nord's comment during the meeting, but that he felt it was appropriate as the questions Mr. Nord continued to ask during the Special Meeting on September 2 had already been answered privately by multiple staff. The Mayor expressed that he felt the comments by Mr. Nord were a misrepresentation of his actions.

Mayor Koos also addressed the Ordinance regarding gatherings that passed at the Special Meeting. He noted that Mr. Nord expressed his disapproval at the meeting, which was appropriate, but expressed his disappointment that Mr. Nord made suggestions via social media to residents of how to subvert the terms of the ordinance. He asked Mr. Nord for a response.

Councilmember Stan Nord responded that he feels the Constitution guarantees the right of people to organize and that was why he disagreed with the Ordinance.

Councilmember Karyn Smith mentioned that on September 15 the Parks and Recreation Department will open registration for programs for individuals with special needs.

Councilmember Stan Nord asked if the Town could offer a Citizen's Summit as the Town did last year.

Mayor Chris Koos mentioned that there are discussions and plans being made for a Summit that can be conducted safely.

Councilmember Kevin McCarthy reminded residents that the Town is seeking Public Comment on the Town's Bike and Pedestrian Master Plan. Mr. McCarthy also mentioned skyrocketing COVID rates in our community and implored residents to wear masks, use social distancing, use testing, and avoid going out unnecessarily.

City Manager Pamela Reece mentioned Illinois Housing Blueprint, who is conducting a survey and encouraged residents to participate. Mrs. Reece also encouraged residents to

participate in the Census. Finally, she formally introduced the Director of Communications and Community Relations, Cathy Oloffson.

Director of Communications and Community Relations, Cathy Oloffson introduced herself.

17. ADJOURNMENT:

There being no further business to come before the Council, Mayor Koos called for a Motion to Adjourn the Regular Meeting of the Normal Town Council.

MOTION:

Councilmember Smith moved, seconded by Councilmember Cummings, the Council Accept a Motion to Adjourn the Regular Meeting of the Normal Town Council.

AYES: McCarthy, Cummings, Nord, Smith, Lorenz, Preston, Koos.

NAYS: None.

Motion declared carried.

Mayor Koos adjourned the Regular Meeting of the Normal Town Council at 9:50 p.m., Tuesday, September 8, 2020.