

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 – MONDAY, JANUARY 4, 2021.

1. CALL TO ORDER:

Mayor Koos called the Regular Meeting of the Normal Town Council to Order at 7:04 p.m., Monday, January 4, 2021.

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, 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 Clerk Angie Huonker.

ABSENT: Chemberly Cummings.

Mayor Chris Koos made the following statement:

Due to recent changes in the Open Meetings Act, I feel 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.

Karl Sila, Normal Resident and Town Council Candidate, spoke against the drop box recycling program.

Councilmember Chemberly Cummings arrived at 7:09 p.m. due to technical difficulties.

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 DECEMBER 21, 2020:

- B. REPORT TO RECEIVE AND FILE TOWN OF NORMAL EXPENDITURES FOR PAYMENT AS OF DECEMBER 30, 2020:
- C. RESOLUTION CONDITIONALLY REAPPROVING THE FINAL PLAT OF THE PHOENIX INDUSTRIAL SUBDIVISION (301 W. KERRICK ROAD):
- D. RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MIDWEST FIBER RECYCLING FOR THE OPERATION OF A DROP BOX RECYCLING PROGRAM AND AUTHORIZING A PROPOSED BUDGET ADJUSTMENT:

MOTION:

Councilmember Kathleen Lorenz moved, seconded by Councilmember Karyn Smith, 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 and D 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 DECEMBER 30, 2020:

MOTION:

Councilmember Stan Nord moved, seconded by Councilmember Karyn Smith, the Council Approval of the Report to Receive and File Town of Normal Expenditures for Payment as of December 30, 2020.

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

NAYS: None.

Motion declared carried.

Councilmember Stan Nord requested information regarding the expense for the U.S. Conference of Mayors. Mayor Chris Koos responded the Town has been a member of this organization for over 35 years and noted several benefits of being a member.

Councilmember Stan Nord stated he is concerned with the Cultural Arts advertising expense due to the fact that these organizations are closed. Mayor Chris Koos responded that the buildings are closed, but not the organizations themselves.

Councilmember Chamberly Cummings and Councilmember Kevin McCarthy requested Point of Order due to Policy.

Councilmember Stan Nord requested information regarding the University of Illinois fire training expense. City Manager Pam Reece responded.

Councilmember Stan Nord requested information regarding the expense for the Underpass Review Fee. City Manager Pam Reece responded. Mr. Nord requested a copy of all the documents for the Underpass Review.

Councilmember Stan Nord requested information regarding the Water Capital Investment account and the generator that was replaced. Mr. Nord would like staff to report back to Council how much will be recovered from the sale of the old generator. Mrs. Reece responded.

Councilmember Kathleen Lorenz requested that the Underpass Review documents be shared with all the Council.

Councilmember Karyn Smith noted that the water generator was first discussed at the July 16, 2020 Council meeting.

RESOLUTION CONDITIONALLY REAPPROVING THE FINAL PLAT OF THE PHOENIX INDUSTRIAL SUBDIVISION (301 W. KERRICK ROAD): Resolution No. 5830:

MOTION TO CALL FOR THE QUESTION:

Councilmember Chamberly Cummings moved, seconded by Councilmember Karyn Smith, the Council to Call for the Question for the Approval of a Resolution Conditionally Reapproving the Final Plat of the Phoenix Industrial Subdivision (301 W. Kerrick Road).

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

MOTION:

Councilmember Stan Nord moved, seconded by Councilmember Karyn Smith, the Council Approval of a Resolution Conditionally Reapproving the Final Plat of the Phoenix Industrial Subdivision (301 W. Kerrick Road).

AYES: Smith, Lorenz, Preston, McCarthy, Cummings, Koos.
NAYS: Nord.
Motion declared carried.

Councilmember Stan Nord requested information on whether any discounts or waivers have been given to this developer regarding this property. Mrs. Reece responded that this agreement was approved at the June 1, 2020 Council meeting and no discounts or waivers were given. Mr. Nord then asked questions regarding the storm water and sanitary sewer tap-on fees. Town Planner Mercy Davison responded that this property is

not in a tap-on area that is designated in the Town's map. Mr. Nord stated he is concerned about treating developers unfairly with development and tap-on fees.

Councilmember Karyn Smith noted that she feels the Council should not get into an operational debate challenging the integrity of the staff. Ms. Smith stated she is in support of this Resolution.

Councilmember Kathleen Lorenz noted that if there are concerns regarding the honesty and integrity of the staff, then she feels the matter should be taken to Executive Session.

Councilmember Kevin McCarthy stated accusations without evidence are just statements. Mr. McCarthy also stated if there are questions, then please present them in the proper format. Mr. McCarthy noted this is a success story of economic development which will create jobs and take a blighted property and make it a productive asset in the community.

Councilmember Stan Nord requested information regarding which trunk sewer this project will be connected to. Inspections Director Greg Troemel responded. Mr. Nord requested that the Town maps be updated. Mr. Troemel then explained how the tap-on fees work with existing sewer lines versus sewer lines that were installed prior to any developments.

Councilmember Chamberly Cummings Called for the Question.

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
MIDWEST FIBER RECYCLING FOR THE OPERATION OF A DROP BOX
RECYCLING PROGRAM AND AUTHORIZING A PROPOSED BUDGET
ADJUSTMENT: Resolution No. 5831:

MOTION TO AMEND:

Councilmember Scott Preston moved, seconded by Councilmember Kathleen Lorenz, the Council Approval of a Resolution Authorizing the Execution of an Agreement with Midwest Fiber Recycling for the Operation of a Drop Box Recycling Program and Authorizing a Proposed Budget Adjustment Adding the Term for this Contract begins upon Execution of the Intergovernmental Agreement with the City of Bloomington and McLean County.

AYES: Lorenz, Preston, Nord.
NAYS: McCarthy, Cummings, Smith, Koos.
Motion declared failed.

MOTION TO POSTPONE TO A DATE CERTAIN:

Councilmember Stan Nord moved, seconded by Councilmember Scott Preston, the Council Postpone to a Date Certain a Resolution Authorizing the Execution of an Agreement with Midwest Fiber Recycling for the Operation of a Drop Box Recycling Program and Authorizing a Proposed Budget Adjustment.

AYES: Preston, Nord, Lorenz.

NAYS: McCarthy, Cummings, Smith, Koos.
Motion declared failed.

MOTION TO CALL FOR THE QUESTION:

Councilmember Chemberly Cummings moved, seconded by Councilmember Stan Nord, the Council Approve a Motion to Call for the Question for the Council Approval of a Resolution Authorizing the Execution of an Agreement with Midwest Fiber Recycling for the Operation of a Drop Box Recycling Program and Authorizing a Proposed Budget Adjustment.

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

NAYS: Nord.

Motion declared carried.

MOTION:

Councilmember Karyn Smith moved, seconded by Councilmember Scott Preston, the Council Approval of a Resolution Authorizing the Execution of an Agreement with Midwest Fiber Recycling for the Operation of a Drop Box Recycling Program and Authorizing a Proposed Budget Adjustment.

AYES: Cummings, Smith, McCarthy, Koos.

NAYS: Nord, Lorenz, Preston.

Motion declared carried.

Councilmember Karyn Smith stated there was a call for a competitive bid with no responses other than from the current vendor. Public Works Director Wayne Aldrich noted that this type of work is a 7-day-a-week, on-demand job whereas other vendors are more on a waste-schedule basis which makes this program outside of their typical operations. Ms. Smith then requested information on the transfer of assets with Midwest Fiber. Mr. Aldrich responded that a contract was approved by Council transferring one truck and fifteen containers to Midwest Fiber which also included a clause stating the Town would not pay collection fees for the 2-year contract.

Councilmember Kathleen Lorenz requested information on the fee base rate. Public Works Director Wayne Aldrich responded \$12,880 is for the operational fee and the other fee is the processing fee which includes a market rate that varies from month to month. Mrs. Lorenz questioned the contract verbiage and whether there is a clause to terminate the contract if the Intergovernmental Agreement with the City of Bloomington and McLean County is not approved. Corporation Counsel Brian Day responded that there is a clause in the contract to terminate the contract if the Intergovernmental Agreement is not approved.

Councilmember Scott Preston questioned why the Intergovernmental Agreement hasn't been resolved yet. City Manager Pam Reece responded the document is still being finalized and once that happens then the Town will continue to pay the fee to Midwest Fiber and then invoice the City and County once per year for their portion of the payment. Mr. Preston asked if there is any data showing the percentage of Town of

Normal residents who use the drop box program versus citizens of other municipalities. Ecology Action Center Director Michael Brown responded the Ecology Action Center has been completing user surveys for several years at the drop box locations and have a breakdown of Normal residents at 37%, Bloomington residents at 33% and the last 31% being Others which can include people from other counties.

Councilmember Stan Nord suggested that in the process of collaborating on the Intergovernmental Agreement, the City and County may want some input on where the drop boxes are located. Mr. Nord stated the Council voted in 2018 to change the recycling services program and to intentionally get out of the drop box business. Mr. Nord noted this drop box service is not offering anything that Normal residents don't already have with the ability to recycle at their own homes or take their recycle elsewhere. Mr. Aldrich responded that during the negotiations with the City and County, it has been discussed to move 2 of the drop box locations.

Councilmember Karyn Smith stated for clarification purposes the total price split in the Intergovernmental Agreement between the City, Town and County would mean that the Town would then be paying even less than it is paying now.

Councilmember Kevin McCarthy asked for clarification if the Intergovernmental Agreement doesn't happen, is there an out-clause. Mr. Day responded there is an out-clause, and the only financial risk would be any amount paid between now and when the agreement would be executed. Mr. McCarthy noted that this agreement would lower the cost to the Town but also keep the same service.

Councilmember Scott Preston announced he would like to Amend the Motion to add "the term for this contract begins upon execution of the Intergovernmental Agreement".

Councilmember Stan Nord asked for clarification if the Motion to Amend passes and the Intergovernmental Agreement does not go into effect, is the Town obligated to anything. Mr. Day responded the Town would not be obligated, however there would also not be a drop box program at all.

Mr. McCarthy noted if the Motion to Amend passes, it would slow down the Intergovernmental Agreement process and interrupt a service that the residents use.

Councilmember Kathleen Lorenz requested clarification on the timing of the Intergovernmental Agreement and would it be on the agendas of the City and County in January. Mr. Day stated he has not heard anything to the contrary.

Councilmember Stan Nord made the statement that if the Council votes on a policy and then the staff does something different, then who is actually running the Town. Councilmember Kathleen Lorenz stated Point of Order, that this accusation is a very dangerous statement. Mayor Koos stated the Council did change the policy when they voted to extend the contract.

Mr. Nord requested to Table the Motion until the Intergovernmental Agreement is signed.

Councilmember Karyn Smith noted the Council action to adjust the budget with the recycling services back in 2018 was due to the Metro Zone change when Bloomington pulled out. Ms. Smith then noted that citizens' response has called for restoration of the services.

Councilmember Kevin McCarthy requested information regarding other drop box programs in the area. Ecology Action Center Director Michael Brown responded that there are no other locations in the area to his knowledge. Mr. Brown also stated curbside recycling is available to all single-family homes, however, several do not participate due to the \$60/cart hardship. Mr. Brown noted there is a grant program in place with the Town and the Prairie Community Foundation to help offset the cost of the cart for income-eligible residents.

Councilmember Kathleen Lorenz stated she agrees the need for recycling is real and continuing recycling behaviors is important, however she is very concerned about signing the agreement when the Intergovernmental Agreement is not finalized.

City Manager Pam Reece reiterated that this agreement is with Midwest Fiber and not the Intergovernmental Agreement with Bloomington or the County. Mr. Day stated this agreement is step one in the process before the Intergovernmental Agreement is approved.

Councilmember Chamberly Cummings Called for the Question.

7. GENERAL ORDERS:

There were no General Orders.

8. NEW BUSINESS:

There was no New Business.

9. PUBLIC COMMENTS:

There was no Public Comment.

10. CONCERNS:

Councilmember Stan Nord mentioned Sangamon County (Springfield area) has decided to allow indoor dining based on their COVID numbers. Mr. Nord stated the Town has voted to be the muscle to the governor's restrictions which puts the Town in a tough spot. Mr. Nord noted there was a Council lunch with 7 people in attendance in November and he believes they were not following the regulations. Mr. Nord then stated there is a liquor hearing the following day and hopes that no penalty is invoked. Mr. Nord would like to know the direction of the Town.

Mayor Chris Koos stated he sent a letter to the Council requesting that each councilmembers' concerns be limited to 5 minutes and that the subject matter not be to re-debate issues that were discussed at the meeting.

Councilmember Kathleen Lorenz stated she is concerned with the tone of the Council meetings and accusations regarding staff. Mrs. Lorenz encouraged the Council to take these types of items to Executive Session if there is a real concern.

Councilmember Karyn Smith mentioned that the Constitution Trail is closed due to the safety hazard of ice and downed trees since the storm.

Councilmember Kevin McCarthy spoke regarding his spot on WJBC in the morning and the discussion of the liquor hearing. Mr. McCarthy stated a vast majority of businesses are following the rules and he does not want to have to pit community health against small businesses.

Mayor Chris Koos noted the storm has done a lot of devastation to our community and wanted to acknowledge Town staff being quick to clean the streets of ice and tree limbs. Mayor Koos thanked Town staff for all the efforts during this tough storm.

City Manager Pam Reece stated staff has done an exceptional job during this weekend storm. Mrs. Reece stated she wanted to address the concerns of the staff luncheon in early November and stated staff complied with all the Restore Illinois regulations. Mrs. Reece then expressed her concern regarding the comment on the expenses in Cultural Arts advertising and the fact that despite being closed, they have provided a number of services to the community. Mrs. Reece stated the budget item for the museum advertising is \$50,000 and fiscal year-to-date they have spent only \$19,000 which shows they have been very cautious on the dollars they have spent. Mrs. Reece then gave an update on the Noon Year's Eve program which reached 3,507 households and was coordinated with other museums and science centers around the state and Indiana.

11. 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 Kevin McCarthy moved, seconded by Councilmember Chamberly Cummings the Council Accept a Motion to Adjourn the Regular Meeting of the Normal Town Council.

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

NAYS: None.

Motion declared carried.

Mayor Koos adjourned the Regular Meeting of the Normal Town Council at 9:33 p.m., Monday, January 4, 2021.