

COMMITTEE ON ADMINISTRATION AND FINANCE

June 14, 1993

Committee Members Present:

Michael Pollock (Chairman), James Hayes, Marya Ryan, Clifford Singer, John Taylor,
Joseph Whelan

Committee Members Absent:

Joan Barr

Staff Members Present:

Bruce Walden, Jack Waaler, April Getchius, Joe Smith, Glenn Berman, Rod Fletcher, Tom
Lindsey, Mayor Satterthwaite, Phyllis Clark

Others Present:

Ward Barcus, Dee Ann Knollenberg, Raymond Norton, Jim Wright, Members
of the News Media

Meeting Location:

City Council Chambers

There being a quorum, the meeting was called to order at 7:40 p.m. by Chairman Pollock.

Additions to the Agenda and Staff Report

Mr. Pollock requested that Mayoral appointments be added to the agenda following
Minutes of Previous Meetings. There were no objections.

Mr. Singer moved to forward discussion of "Noise Ordinance" to the June 28, 1993
Committee on Environment and Public Safety meeting. The motion was seconded by Ms. Ryan and
carried by a voice vote.

Minutes of Previous Meetings

Committee on Administration and Finance
June 14, 1993
Page 2

Mr. Singer moved to approve the minutes of the May 10, 1993 regular meeting, the May 4 and May 11, 1993 Special Meetings - Budget Review, the May 18, 1993 Special Meeting - Budget Markup, and the May 25, 1993 Special Joint Meeting of the Committee on Administration and Finance and Cunningham Township. The motion was seconded by Mr. Taylor.

Mayor Satterthwaite requested that the minutes of May 4 and 25, 1993 reflect his presence and that the May 4, 1993 Special Meeting - Budget Review minutes be corrected as follows:

Page 1, paragraph 4 under Police Department to read as follows: "Police Chief Willard Schlieter and Assistant Chief of Police Charles Gordon were present"

The motion to approve the minutes, as corrected, carried by a voice vote.

Mayoral Appointments

Mr. Singer moved to send to Council the Mayor's appointments of John Taylor to the Intergovernmental Solid Waste Disposal Association (ISWDA) and the Greater Urbana-Champaign Economic Development Corporation (EDC) and Joe Whelan to the Champaign-Urbana Convention and Visitors Bureau (CUCVB). The motion was seconded by Mr. Taylor and carried by a voice vote.

Mr. Pollock stated that the appointments will be on the June 21, 1993 Council agenda.

Railroad Right-of-Way Discussion

Addressing the Committee, Ward Barcus, 1504 East Fairlawn, suggested that City staff arrange a neighborhood meeting for the purpose of informing residents of the proposed options regarding disposition of abandoned Norfolk and Western railroad property between Florida Avenue and Washington Street. He said he is opposed to the idea of a bicycle trail on the property because of potential security problems.

Dee Ann Knollenberg, 1713 Briarcliff, stated opposition to development of a bicycle trail on the abandoned railroad property because of increased traffic. She also requested that the area be lighted in some manner.

Raymond Norton, 1214 Lanore, endorsed the idea of a neighborhood meeting to determine resident's interest in pursuing any of the suggested options for the abandoned property. He added while he is not opposed to a bicycle trail, the proposed trail does not provide access to any place in particular.

Jim Wright, 1513 Lincolnwood, asked the Committee who owns the railroad property. City Attorney Jack Waaler stated that as near as can be ascertained the property is owned by the unknown heirs and legatees of a Busey family. Mr. Wright expressed that he does not think property owners should

have to pay in order to preserve their privacy.

Assistant City Engineer Joe Smith stated that the proposed improvements including a swale for drainage, grading, and seeding would greatly improve the aesthetics of the property.

City Planner/Director of Community Development April Getchius noted that staff has submitted a proposal (June 19, 1993 memorandum - copy attached) outlining funding alternatives for improving the abandoned railroad property through special assessments or implementation of a special service district. She explained the difference between the two funding options.

Mayor Satterthwaite asked staff if increased property value could be used as a basis for assessments. Mr. Waaler said it may be possible. Ms. Getchius noted that although special assessments usually assume some kind of public benefit, the figures proposed reflect the improvement as the sole benefit to the adjacent property owners.

Mr. Taylor asked Mr. Waaler if the City could take a hands-off position requiring individual property owners to deal with the railroad. Mr. Waaler said that it would be possible; however, such action would not solve the existing problems with drainage, vegetation growth, garbage disposal and security on the property.

Mr. Whelan suggested that the City be more aggressive in dealing with the railroad regarding clean-up of the property.

Responding to a question, Mr. Waaler explained that special assessment procedures are implemented when the City Council adopts an ordinance directing that a specific local improvement be made. The project is then designed, costs are estimated and a commissioner spreads the assessment against the properties that benefit, usually on a linear foot basis. The assessment roll is taken to court, notice is given and objections are received. If there are no objections, the assessment roll is confirmed and collected under the special assessment process. Special Service Area procedures do not require court involvement and are implemented by adoption of an ordinance by the City Council after it has been determined that special services benefit a particular area. Once the boundaries are defined, the assessment is then spread on the basis of appraised value of the property or another rational basis. Subsequently the assessment appears on the owner's tax bill; however, if approximately 50% of the property owners object, the process is terminated.

Mr. Pollock asked what responsibility the City would assume for drainage problems if the property is conveyed to individual owners. Ms. Getchius stated that the railroad property would become the possession of individual property owners who would bear the responsibility for any private disputes.

In answer to Mr. Singer's question regarding ownership, Ms. Getchius stated that it is not clear who would own a proposed bicycle path. He then asked what responsibilities would be assumed if

the City received a federal grant (ISTEA) to develop a bicycle path. Ms. Getchius stated that funds are for the purpose of construction and enhancement of bicycle paths and cannot be used for acquisition or maintenance.

Mr. Whelan suggested that staff arrange a meeting with area residents to determine interest in pursuing ownership of the adjoining railroad property.

Mr. Pollock suggested that a survey also be conducted to ensure that all residents have an opportunity to respond to the question.

Mr. Singer raised the question of what the City response would be if it is found that there is sporadic interest in pursuing property ownership.

Mr. Pollock shared his concern about sporadic interest in property ownership stating that he would only support a uniform decision that addresses the entire stretch of property.

Mr. Taylor stated that he is struggling with what the appropriate role of municipal government is in this situation and he has not made a decision on what he supports regarding the options available.

A consensus was reached to request that staff arrange a meeting with area residents.

Removal of Brick Street - Illinois Between Urbana and Vine

Mr. Smith related a request from the Public Works Director for an exemption to the brick street replacement policy on Illinois Street between Urbana Avenue and Vine Street. He noted the recommendation is based on the following: The proposed asphalt surface over concrete would provide additional support for Fire Department vehicles; provide a smoother surface more suitable for commercial/governmental high traffic; correspond with existing street surfaces surrounding the City complex; and costs would be significantly reduced.

Mr. Whelan moved to send to Council an ordinance approving an exemption from the brick street replacement policy for Illinois Street between Vine Street and Urbana Avenue. The motion was seconded by Mr. Taylor and carried by a voice vote.

Mr. Pollock stated that the ordinance will be on the June 21, 1993 Council agenda.

Cable TV Progress/Status Report

Assistant City Attorney Tom Lindsey distributed to Council members a draft ordinance and agreement which would extend the cable television franchise agreement for eight months. He said recent actions of the Federal Communication Commission (FCC) may affect his recommendation to extend the agreement; however he will not know until he is able to reach the appropriate FCC officials.

Mr. Lindsey suggested that it would be mutually beneficial for the City and cable provider to wait for a clear understanding of the FCC regulations before continuing negotiations on a long term agreement. Mr. Lindsey recommended that the ordinance be sent to Council at which time he will provide an update on the status of his conversations with FCC officials.

Mr. Whelan moved to send to Council, pending interpretation of FCC regulations, An Ordinance Authorizing The Mayor To Execute An Agreement To Extend The Cable Television Franchise For a Period Of Eight Months And To Release All Claims Arising Under The Existing Franchise. The motion was seconded by Mr. Taylor.

Mr. Pollock asked if probable litigation resulting from the regulations would frustrate the City's ability to negotiate an agreement for the cable franchise. Mr. Lindsey said both sides of the negotiating team recognize that the regulations will not be completely understood before the agreement currently under negotiation is signed.

Mr. Singer urged the Committee to send the ordinance to Council, approve it and proceed with negotiations as soon as staff has had time to study the regulations.

The motion to send to Council An Ordinance Authorizing The Mayor To Execute An Agreement To Extend The Cable Television Franchise For a Period Of Eight Months And To Release All Claims Arising Under The Existing Franchise carried by a voice vote.

Mr. Pollock stated that the ordinance will be on the June 21, 1993 Council agenda.

Yard Waste Site Agreement - Champaign County/City of Champaign

Environmental Manager Rod Fletcher reviewed the history of the Yard Waste Reclamation Site (YWRS). He said the initial agreement has expired and the proposed agreement would replace it for the next four years. The YWRS contributes significantly to recycling of yard waste throughout the County according to Mr. Fletcher. He said the proposed agreement would expire June 1, 1997 and is retroactive to July 1, 1992. Urbana would receive \$15,000 annually for a land/building lease; the Finance Department would receive funding for their contribution of support services; 35% of the Landscape Supervisor's salary would be reimbursed to the City; the City would continue management of all program considerations; a reserve fund in the amount of \$25,000 would be created (funded from Site profits of the last two years); and all parties would share equally in any site liabilities or debts. Mr. Fletcher continued saying that no direct funding is required and encouraged Site use and appropriate fees could result in the YWRS becoming self-sustaining with no general fund support.

Mr. Pollock asked if the self-sufficiency suggested includes replacement of capital equipment. Mr. Fletcher said a replacement fund has been established for all major equipment used at the Site. The purchase of additional equipment would require approval by all three governmental agencies

and costs would be shared equally.

Mr. Hayes moved to send to Council An Ordinance Authorizing The Mayor To Execute An Agreement Regarding The Operation Of The Yard Waste Reclamation Site. The motion was seconded by Ms. Ryan and carried by a voice vote.

Mr. Pollock stated that the ordinance will be on the June 21, 1993 Council agenda.

CUSWDS Budget Approval

Mr. Fletcher stated that the Champaign-Urbana Solid Waste Disposal System (CUSWDS) is responsible for post-closure activities at the Urbana Landfill complex until the year 2018 pursuant to an intergovernmental agreement (Hoseman Agreement). Post-closure expenses proposed in the budget amount to \$87,542 for FY 93/94. He listed a five-year site assessment and plans to hire a consultant to prepare a Request for Proposals for the recovery of methane gas from the complex as significant operational activities included in the work plan. Continued water monitoring activities are also budgeted. He added that the City of Urbana shares 80% of the total budget with the City of Champaign. The required \$40,000 is contained in the Environmental Management Division budget of the Public Works Department. He noted that the University of Illinois is responsible for 20% of the post-closure activity expenses.

Mr. Whelan moved to send the CUSWDS budget to Council for approval. The motion was seconded by Mr. Taylor and carried by a voice vote.

Mr. Pollock stated that the item will be on the June 21, 1993 Council agenda.

Council Travel Policy

Mr. Pollock suggested that a statement by the Council would be appropriate regarding Council Travel considering that many department have reduced their travel line item to cut costs. He suggested that a resolution be drafted limiting Council travel to one out-of-state conference per year per Council Member.

Mr. Whelan voiced support for the proposed resolution and suggested that information obtained at conferences be shared with other Council Members.

Mr. Pollock moved that staff draft a resolution limiting out-of-state travel for Council Members to once per year. The motion was seconded by Mr. Whelan and carried by a voice vote.

Mr. Pollock stated that the resolution will be on the agenda of the June 21, 1993 Council meeting.

Further Repeal of Chapter Ten Licensing Provisions

Mr. Fletcher recommended passage of An Ordinance Repealing Ordinance 9192-67, And Further Amending Chapters Ten and Fourteen Of The Code Of Ordinances, City Of Urbana, Illinois, Regulating Vehicles Hauling Waste. He said that recent Council action repealing Ordinances 9293-71, 9293-76 and 9293-88 left Ordinance 9192-67 in effect and that the provisions of that ordinance could constitute grounds for litigation against the City.

Mr. Lindsey noted that Legal staff would prefer repeal of Ordinance No. 9192-67 if it is not the Council's intent to enforce its provisions.

Mr. Singer suggested that commercial hauling licenses be given more thought before passage of the proposed ordinance.

Mr. Pollock stated he does not think it would be wise to risk the possibility of litigation since negotiations have ceased and are not likely to resume.

Mr. Whelan moved to send to Council An Ordinance Repealing Ordinance No. 9192-67, And Further Amending Chapters Ten and Fourteen Of The Code Of Ordinances, City Of Urbana, Illinois, Regulating Vehicles Hauling Waste. The motion was seconded by Mr. Taylor.

Chief Administrative Officer Bruce Walden commented that no attempt is currently being made to garner revenues from commercial haulers. He also noted that he has been advised not to issue an administrative order preventing issuance of licenses to haulers and absent Council action, annual licenses will be issued on July 1, 1993.

Mr. Walden listed two policy issues that need to be addressed prior to the new fiscal year: 1) Whether to enforce curb-side pick up regulations; and 2) use of right-of-way and green recycling buckets by the private sector for their recycling services.

The motion to send the ordinance to Council carried by a voice vote.

Mr. Pollock stated that the ordinance will be on the June 21, 1993 Council agenda.

Mayor Satterthwaite asked what the current penalty and enforcement procedure is for violation of curbside pickup regulations. Mr. Walden stated that it is a typical code violation subject to a procedure of providing notice to terminate activity. If the activity continues, a case would be prosecuted on the basis of \$200 per day for each violation.

Committee Members Singer, Pollock and Taylor voiced their support for enforcement of ordinances.

Adjournment

Committee on Administration and Finance
June 14, 1993
Page 8

There being no further business to come before the Committee, Chairman Pollock declared the meeting adjourned at 10:14 p.m.

Respectfully Submitted,

Sharon Menges, Secretary

*This meeting was tape recorded

**This meeting was broadcast on cable television