

COMMITTEE ON ENVIRONMENT AND PUBLIC SAFETY

SEPTEMBER 25, 1995

7:30 P.M.

Committee Members Present:

James Hayes, Carolyn Kearns, Esther Patt, Michael Pollock,
Marya Ryan (Chairperson), and John Taylor

Committee Members Absent:

Joseph Whelan

Staff Members Present:

Chief Adair, Charles Buirley, Glenn Berman, Doug Miller, Rod
Fletcher, Bill Gray, Joe Hooker, April Getchius, Jack
Waalder, Bruce Walden, Phyllis Clark, and Mayor Satterthwaite

Others Present:

Charlie Smyth, Earl O'Shea, Gene Weisiger, Members of the
Media

Meeting Location:

Urbana City Council Chambers

There being a quorum, Chairperson Ryan called the meeting to
order at 7:32 p.m.

Additions to the Agenda and Staff Report

There were none.

Minutes of Previous Meeting

Mr. Hayes moved to approve the minutes of the August 28,
1995 regular meeting. The motion was seconded by Ms. Patt and carried
by a voice vote.

Public Input

Charlie Smyth, 805 S. Coler, addressed the Committee
regarding the noise of garbage trucks in his neighborhood, as well as
the times they begin their routes. Mr. Smyth stated perhaps the hours
of service should be regulated to 6:00 a.m. to 6:00 p.m.

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Earl O'Shea, 606A South Glover, addressed the Committee in regard to a situation he has with his neighbor, Jeffrey Cross and in regard to better government.

Gene Weisiger, 305A East Michigan, addressed the Committee in support of the joint marketing agreement between the City of Urbana and the Weisiger Family Trust.

Community Development Director April Getchius requested that An Amendment To Part Of The Zoning Ordinance Of The City Of Urbana And The Zoning Map Of Urbana, Illinois (Part Of The Site Of The Lincoln Mobile Home Park) (Plan Case No. 1557-M-94), An Amend To Part Of The Zoning Ordinance Of The City Of Urbana And The Zoning Map Of Urbana, Illinois (1307 North Lincoln Avenue) (Plan Case No. 1562-M-94), and A Joint Marketing Agreement Between The City of Urbana And The Weisiger Family Trust be considered simultaneously. There was no objection.

Ms. Getchius stated that what was before the Committee is the information requested in a previous meeting.

The Weisiger Family Trust owns approximately two acres of the frontage on Lincoln Avenue of the Lincoln Mobile Home Park. They had submitted a request to rezone that property to B-3, General Business. That is in compliance with the King Park Neighborhood Plan. The City owns an acre in the middle of the other two parcels. We submitted simultaneously a request to rezone to B-3.

Council asked that staff come back with an agreement, to work with Mr. Weisiger to promote the development of the property, and restrict certain uses in the property. What is presented tonight is a joint marketing agreement that states that the City of Urbana and the Weisiger Family Trust will jointly advertise for requests for proposals for development for commercial office space on these three acres. The joint marketing agreement also restricts the uses on the property so that a gas station, tavern or nightclub cannot be developed on the site. Council had requested that no package liquor be sold but Mr. Weisiger was not in agreement because of the possible interest of stores such as Walgreen or Osco.

Ms. Getchius stated that the City would either donate the proceeds of the lot it would sell or donate the lot to the prospective developer, depending upon the type of agreement with the third party developer.

The City agrees to conduct a level 1 environmental survey on Mr. Weisiger's portion of the property. The City would pay for engineers to determine whether there is any possibility of any environmental hazard on the property.

There are several mobile homes located on this parcel. It would be at Mr. Weisiger's expense to relocate those mobile homes, as well as the laundry facility and office building. Those would be relocated elsewhere in the Lincoln Mobile Home Park, or with the agreement of the residents, to another mobile home park.

Ms. Getchius stated that if no request for proposal has been submitted within five years, the rezoning will return to the Plan Commission for review of the B-3 zoning to determine whether it is appropriate. Staff anticipates that will not happen.

Ms. Patt inquired if she could state with confidence that, if these zoning amendments and the marketing agreement were approved, there is no possibility a massage parlor could be opened in this area?

Ms. Getchius responded that the only risk would be if nothing happens in five years and it goes back to the Plan Commission for review, the Plan Commission could state that B-3 is appropriate without any special conditions.

In response to a question from Ms. Patt, Mr. Weisiger stated that he did not see any harm in a 24-hour store, nor did he see any harm in selling packaged liquor at such a store.

Debate followed regarding the differences between this agreement and contract zoning. Mr. Weisiger is coming to an adjacent property owner which just happens to be the City, and presenting a package situation. If the Council feels that B-3 zoning is appropriate, the fact that two property owners got together to present the situation to the Council would not make it contract zoning.

In response to a question from Mr. Hayes regarding the notification of property owners within a distance of 250 feet, Ms. Getchius stated that these people were notified by U.S. mail as a part of the rezoning petition.

Mr. Pollock questioned what effect the removal of the clause that causes the review of the case after five years would have? Ms. Getchius stated that if there is a development, it is possible to put that provision into the subdivision covenant. If there is no development, the terms would be mute.

Mr. Taylor moved to send An Amendment To Part Of The Zoning Ordinance Of The City Of Urbana And The Zoning Map Of Urbana, Illinois (Part Of The Site Of The Lincoln Mobile Home Park) (Plan Case No. 1557-M-94), An Amend To Part Of The Zoning Ordinance Of The City Of Urbana And The Zoning Map Of Urbana, Illinois (1307 North Lincoln Avenue) (Plan Case No. 1562-M-94), and A Joint Marketing Agreement Between The City of Urbana And The Weisiger Family Trust to Council for approval. The motion was seconded by Mr. Pollock.

Ms. Patt moved to amend the motion by amending page 15, section 3.5 of the marketing agreement to add convenience store to the list of uses that the parties agree will not be allowed on the lots. The motion was seconded by Chairperson Ryan. Following debate, the motion to amend failed by voice vote.

The motion to send An Amendment To Part Of The Zoning Ordinance Of The City Of Urbana And The Zoning Map Of Urbana, Illinois (Part Of The Site Of The Lincoln Mobile Home Park) (Plan Case No. 1557-M-94), An Amend To Part Of The Zoning Ordinance Of The City Of Urbana And The Zoning Map Of Urbana, Illinois (1307 North Lincoln Avenue) (Plan Case No. 1562-M-94), and A Joint Marketing Agreement Between The City of Urbana And The Weisiger Family Trust to Council for approval carried by a voice vote.

Series Street Lighting Report

Mr. Walden stated that the basic problem is that the series system is worn out. The City is having serious problems purchasing parts and bulbs for the current system. This is a very significant project. This project also improves lighting on arterial streets and intersections.

Director of Public Works Bill Gray stated that a lot of effort has gone into this project. Staff was careful to put together a program that was aesthetically pleasing and will provide safety.

Mr. Gray stated that there are 64 miles of street lighting in the City; 31 miles is series lighting. This series lighting is 70 years old and far too much time is spent in maintaining it.

Lighting intensities vary by street types. Arterial streets used for through traffic generally have the highest traffic volumes. These streets will have the 40-foot mounting height with a curved davit arm and cobra head cutoff luminary. Collector streets collect traffic from local neighborhood streets and channel it to arterial streets; these streets will have a 25 to 30-foot mounting height with a curved davit arm and cobra head cutoff luminary. Local streets are streets such as Beech and Oregon and will have a 11-foot mounting height with pole cast to emulate our existing series circuit ornamental pole using a white globe luminary.

In reviewing the lighting system, staff determined objectives to guide their recommendations:

1. Replacement of all series street lighting within a nine-year time frame.
2. All improved streets defined as "arterial" or

"collector" with an average daily traffic count (ADT) exceeding 3,000 should be lit their full length.

3. To provide street lighting at intersections of the City that are currently unlit.
4. Any lighting solution should have minimal impact on the Urbana corporate tax rate or on the integrity of the Capital Improvement Plan.

Staff incorporated these objectives into goals which mirror the objectives.

Staff has developed three alternatives for Council consideration.

Alternative #1 is to come up with a plan that essentially keeps intact the style and tradition of the residential street light in Urbana, which is the globe style fixture with the concrete pole. It also calls for replacing arterial, collector and local series street lights with new lighting and lights at the intersections. Every alternative will replace the steel poles on Lincoln and Springfield Avenues.

Alternative #1b considered leasing from Illinois Power rather than the City owning the lighting system.

Alternative #2 would change the ornamental poles to a medium height, 25-foot aluminum mast arm pole. That would be a \$400,000 savings, which is a cost of the material difference between the concrete pole and the aluminum pole.

Alternative #2b looked at how Illinois Power could be utilized to install the poles throughout the City.

Alternative #3 considered the bare minimum lighting that would be reasonably acceptable. That was residential streets that would have intersection lighting only.

It is staff's recommendation that the City proceed with series street lighting replacement using Alternative 1A. Our current Capital Improvement Plan projections identify \$3,280,000 available for series street lighting replacement over the next ten years. This includes \$2,980,000 from the Capital Improvement and Replacement (CI&R) Fund; \$150,000 from Community Development Block Grant (CDBG) Funds; and \$150,000 from TIF funds. The availability of CDBG funds is dependent on continued Federal funding. The last three years do not include funding from the CI&R Fund because of projected expenditures from Olympian Drive. A one time cash infusion of \$250,000 from the

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Motor Vehicle Parking System Fund has been identified. Lastly, \$1,415,000 has been achieved through reprioritizations of CIP projects.

If CDBG funds are not available, staff recommendation would be to add the following reprioritizations to other reprioritizations to make up the \$150,000:

\$ 50,000 Grove Street, FY 1998/1999: installation of curb and gutter with oil and chip surface from Illinois to Oregon.

\$100,000 Mathews Street, FY 2001/2002: installation of curb and gutter with oil and chip surface from Church to Ellis.

The following represents the schedule which depicts the order of completion for the projects:

1. Address the series lighting on arterial and collector streets
2. The balance of unlit areas of arterial and collector streets along with the residential streets
3. Lastly, the Illinois Power leased lights in the intersections.

Staff is requesting that the City Council, by motion, confirm their support and approval for the action items listed below.

Staff has not laid out detailed lighting plans for every section of the City for the next decade. The attempt was only to reach agreement on the conceptual approach that will guide the project over the next decade.

1. Due to deteriorating condition of the existing series circuit street lighting, all current series lighting systems need to be replaced within the shortest time frame that funding availability and/or construction time lines allow.
2. All improved streets defined as "arterial" or "collector" with average daily traffic exceeding 3,000 should be lit their full length.
3. Provide street lighting through those areas that currently do not have lights, at the intersections only. (Approximately 150 intersections.)
4. Lighting levels to be achieved by lighting replacement

will be .075 to 1.0 footcandles for arterial streets, 0.50 footcandles for collector streets and 0.20 footcandles for all other streets.

5. Arterial and collector streets with over 3,000 ADT will use 25 to 40-foot aluminum poles with cut-off luminaries. All other streets with existing ornamental concrete low poles with round globes would be replaced with similar style poles. Other series system streets will be replaced with aluminum poles using cut-off luminaries similar in height to what currently exists. Any exceptions to these guidelines will be addressed as each project comes before the Council for approval.
6. Existing identified funding for street lighting in the CI&R, TIF and CDBG funds through FY 2004/2005 be maintained and that additionally \$1,415,000 in identified CIP projects be reprioritized to at least FY 2008/2009 with that sum made available to lighting projects with that sum made available to lighting projects, and \$250,000 in a one time cash infusion be made in FY 95/96.
7. Staff will attempt to negotiate with the University of Illinois for their assumption of ownership of all street lighting west of Lincoln to Wright running from Florida to south of Springfield with the exception that all of Green Street will remain under City control and ownership.

In response to a question from Ms. Kearns regarding the type of poles on West Pennsylvania, which is a collector street, Mr. Gray stated that staff would like not to debate those issues, but would like to deal with the global issues. In the first three years or so, we will be dealing with the arterial streets.

Ms. Kearns stated that the Committee is being asked to act on this issue and her concern is that if they agree to act on this policy, the low concrete poles currently on Florida and Pennsylvania will be changed.

Mr. Gray stated that any exceptions to the guidelines will be addressed as each specific project comes before Council.

Mr. Hayes stated that he did not see north of University represented in the lighting plan and questioned why it was left out? Mr. Gray stated the lighting in that area is not series street lighting. This plan is to address series lighting.

Mr. Walden stated that most of the area north of University

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Avenue was replaced with parallel lighting within the last ten years.

That would run from Dr. Ellis Subdivision south to University Avenue from approximately Lincoln Avenue area including north of Carle Hospital over to Wright Street.

Ms. Patt questioned if cost is the reason for proposing that the lights on Florida, Pennsylvania, Green, Race, and Orchard be changed from concrete poles with globes?

Glenn Berman stated that staff is not recommending that be done. In the 64 miles of streets, there are a few blocks on those streets that probably do not fit into the package. Staff is not asking for a definitive commitment but rather agreement upon general guidelines.

Ms. Patt stated that she would rather the lights on those streets would be replaced in kind. What is the problem with doing that?

Mayor Satterthwaite stated that there is no problem with doing that as far as the aesthetics are concerned. What we do not know now is what the other options are. There may be options such as increasing the footcandles in the area while keeping the ascetics as they are now.

Ms. Patt questioned why there would be any reason to say no to an eleven-foot pole with an ornamental globe?

Mr. Walden stated that the reasons could be the lighting levels, efficiency, cost, engineering issues and safety. Identified in the report is a higher priority of lighting and safety on a main thoroughfare of travel.

Mr. Taylor questioned the effect of the reprioritization of the \$350,000 to the drainage project to the year 2008/2009? Mr. Gray stated that he could not address what the effect would be. As we find storm sewer deficiencies such that water is getting to the sanitary sewer system, those repairs will be made. It is a legitimate sewer benefit repair item.

Regarding the one time cash infusion from the Motor Vehicle Parking System, Mr. Taylor inquired about the source of this money? Mr. Walden stated that it was originally budgeted in the Motor Vehicle Parking System for additional surface parking lots on the northern side of Downtown Urbana. It was switched in 95/96 to lighting as a one time item. There is a lot of lighting in the parking system.

Mr. Pollock questioned whether the acceleration of the overlays and street maintenance would be jeopardized in any of the reprioritizations that are being done? Mr. Gray stated that it will

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not be affected.

Mr. Taylor moved to send the Series Street Lighting Report with the modifications to item 5 as suggested by Mayor Satterthwaite to Council for approval. This motion is limited to policy issues and goals, and that each and every lighting project will come before the Council in its appropriate fiscal year for construction as a part of the annual CIP. The motion was seconded by Ms. Kearns.

Following debate, the motion carried by a voice vote.

Proposed Changes To The Fence Ordinance

Planner Joe Hooker gave a brief overview of the proposed changes to the fence ordinance. The current text unduly restricts fences without achieving any significant objectives. Staff is proposing a simpler approach that still achieves those objectives. The specific recommended change is that any fence in a required front yard which is four feet or less can be of any type of construction without any requirement of a percentage of open construction. Staff is also recommending that walls between four and six feet be fifty percent open.

Mr. Taylor moved to send the staff recommendation on proposed changes to the Fence Ordinance to Council for approval. The motion was seconded by Ms. Kearns. Following debate, the motion carried by a voice vote.

Resolution For Improvement By Municipality Under The Illinois Highway Code (Olympian Drive)

Mr. Pollock moved to send Resolution For Improvement By Municipality Under The Illinois Highway Code (Olympian Drive) to Council. The motion was seconded by Mr. Taylor and carried by a voice vote.

Ms. Kearns moved to enter into closed session for the purpose of discussing litigation. The motion was seconded by Ms. Patt and carried 5-1 by roll call vote. Voting aye were Members of the Council: Hayes, Kearns, Patt, Ryan, and Taylor - 5; voting nay: Mr. Pollock - 1.

The Council entered into closed session at 9:45 p.m. and reconvened at 10:45 p.m. with all Members previously in attendance still present.

Adjournment

There being no further business to come before the

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Committee, Chairperson Ryan declared the meeting adjourned at 10:45 p.m.

Respectfully submitted,

Elaine Taylor

Recording Secretary

**This meeting was broadcast on cable television.