

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite
Mayor



Phyllis D. Clark
City Clerk

**URBANA CITY COUNCIL MEETING
SEPTEMBER 16, 1996**

The City Council of the City of Urbana, Illinois met in regular session on Monday, September 16, 1996 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT:

Hayes, James Jr. (Alderman Ward 3)
Kearns, Carolyn (Aldерwoman Ward 4)
Patt, Esther (Aldерwoman Ward 1)
Ryan, Marya (Aldерwoman Ward 2)
Taylor, John (Alderman Ward 7)
Whelan, Joseph (Alderman Ward 6)
Pollock, Michael (Alderman Ward 5) (7:48)

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Tod Satterthwaite, Mayor
Phyllis D. Clark, City Clerk
Bruce K. Walden, Chief Administrative Officer
Jack Waaler, City Attorney
Eddie B. Adair, Chief of Police
William Pessemier, Fire Chief
April Getchius, Community Development Director
William Gray, Public Works Director

OTHERS PRESENT: Dee Miles; Steve Layden; Kathy Layden;
Jacqueline McGavran; Frieda Wascher; Earl O'Shea; Betty Williams;
Media

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:35 p.m.

A. Minutes Of Previous Meeting

September 3, 1996 -- Aldерwoman Patt made a motion to approve the minutes of September 3, 1996. Alderman Taylor seconded.

Alderwoman Kearns stated that page 7, paragraph 2, first sentence should read: "... stating her surprise at the **Jacques House not having a foundation.**"

Alderman Whelan requested to change the last sentence in paragraph 7 of page 7 to: "... he is **in favor of the expansion.**"

The motion to approve the minutes of September 3, 1996, as corrected, carried by voice vote.

B. Additions To The Agenda

There were none.

C. Petitions And Communications

Audience Participation

Dee Miles, 813 W. Fairview, addressed the Council regarding the rezoning of 801 and 803 N. Lincoln Avenue, expressing her opposition to the request.

Steve Layden, 303 Falcon Crest (Oakwood, IL), addressed the Council concerning the rezoning of 801 and 803 N. Lincoln Avenue. Mr. Layden and his wife (Kathy) are the owners of the property. He requested that the Council table this item for one month when it comes up on the agenda. Kathy Layden completed a petition card to address the Council in support of the rezoning, but did not speak.

Jacqueline McGavran, 2403 Burlison, also completed a petition card to address the Council in support of the rezoning of 801 and 803 N. Lincoln Avenue, however, declined to do so at this time. Ms McGavran is an attorney representing Mr. & Mrs. Layden. Ms McGavran concurred with Mr. Layden's request to table this issue for a month, at which time they will present their evidence to the Council.

Frieda Wascher, 803 W. Fairview, addressed the Council on the topic of Res. No. 9697-R10 (A Resolution Approving Guidelines For A Homebuyer Assistance Program, North Of Carle Sellback Area). She requested copies of FHA reports on these properties.

Earl O'Shea, 606-A Glover, addressed the Council on the topic of better government and expressed his support on the subject.

Betty Williams, addressed the Council regarding the rezoning of 801 and 803 N. Lincoln and expressed opposition to it.

However, because of the possibility of this item being tabled for a month, Mrs. Williams stated that she would wait until that time to make further comments.

Council Participation

Alderman Whelan requested that discussion regarding the City subsidizing cost for railroad right-of-way in Southeast Urbana be put on the next Council committee agenda. This item will be discussed at the Committee on Environment & Public Safety meeting to be held September 23, 1996 at 7:30 p.m. in the Council Chambers.

D. OLD BUSINESS

There was none.

E. REPORTS OF STANDING COMMITTEES

1. Committee on Administration & Finance

a. Res. No. 9697-R10: ***A Resolution Approving Guidelines For A Homebuyer Assistance Program, North Of Carle Sellback Area***

Alderman Pollock made a motion to adopt the resolution. Alderwoman Kearns seconded.

Alderman Pollock clarified that the version of the ordinance being moved is the one that was passed with the modification made at last week's Committee meeting.

The properties in question do not meet code requirements, but do meet FHA standards. Alderman Whelan brought up the issue of funds for first-time homebuyers. Alderman Whelan stated that in this particular incident we are using taxpayers money to subsidize the purchase of property by people for the first time, and telling Carle Hospital they have to bring those buildings up to certain code standards. In doing so, Alderman Whelan indicated that the City is trying to create a certain ambiance in this neighborhood which demonstrates that we are willing to aid a community to make it more affordable to develop the type of neighborhood we believe people would be happy in.

Alderman Pollock stated that he agrees with most of the approaches in this situation, however, he will not support the motion. He does not like the fact that these funds are being taken from the General Fund as opposed to the Community Development Fund, where there are funds available for this.

Alderman Pollock concurred with the requirement of having Carle bring these homes up to standard, and he supports the sellback program because it is in the best interest of this neighborhood. Alderman Pollock reiterated that he does not like taking the funds out of the General Fund for this and, therefore, does not support the motion.

Mayor Satterthwaite asked Alderman Pollock to take the Chair (8:07).

Mayor Satterthwaite stated that this is a very good program and that we owe it to the citizens of the City of Urbana to know that when we pass a development agreement we abide by the terms of that agreement, not only for the people in the neighborhood, but for people throughout the City. Mayor Satterthwaite clarified that the \$40,000 in homebuyer assistance is not a grant. It is in the form of zero interest loans for the homeowners as long as they reside in the home. As soon as they sell it or turn it into rental property, they are obligated to pay the money back. It will then go back into a revolving fund to be used by other first-time homebuyers in a little larger area bounded by Sunset, University, Lincoln and Broadway. With regard to Carle putting additional money into it, they are doing that voluntarily. Mayor Satterthwaite encouraged Council Members to support this resolution.

Alderwoman Patt pointed out that the Council unanimously approved the development agreement that included this program as part of a whole set of decisions that were made. The City has spent money in the past from different sources on affordable housing, neighborhood improvements, and home ownership programs. Alderwoman Patt stated that \$40,000 is a small amount of money that addresses all three of these programs. Because it is a revolving fund, the \$40,000 will go a long way and can be used again.

At the request of Alderman Whelan, a roll call vote was taken. The vote on the motion to adopt the resolution was as follows:

Alderman Hayes - Aye	Alderwoman Ryan - Aye
Alderwoman Kearns - Aye	Alderman Taylor - Aye
Alderwoman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Nay	

Disposition: The motion carried by roll call vote (6-aye:1-nay). Res. No. 9697-R10, "A Resolution Approving Guidelines For A Homebuyer Assistance Program, North Of Carle Sellback Area", was adopted by Council.

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b. Res. No. 9697-R11: **A Resolution Approving A Tenant-Based Rent Assistance Program Description (HOME Program)**

Alderman Pollock made a motion to adopt the resolution. Alderwoman Patt seconded. The motion carried by voice vote.

Disposition: Res. No. 9697-R11, "A Resolution Approving A Tenant-Based Rent Assistance Program Description (HOME Program) was adopted by Council.

c. Ord. No. 9697-33: **An Ordinance Approving An Agreement With The Board Of Trustees Of The University Of Illinois (Office Of Admissions And Records Building)**

Alderman Pollock made a motion to approve and was seconded by Alderwoman Kearns.

Alderman Hayes inquired about the meaning of "court of competent jurisdiction" listed in Section 14, Breach. City Attorney Jack Waaler responded that it is a phrase used for local circuit court or federal court as opposed to some special court that the University may want to try to create. It is a common phrase. With regard to Section 15.(c), Alderman Hayes stated that the University of Illinois gets its funding from the State. The only way a university can carry on business is that they get their appropriations from the State. Alderman Hayes pointed out that this section states that the State of Illinois is not liable for anything that goes wrong and asked for clarification from Mr. Waaler. Mr. Waaler did not agree with Alderman Hayes' characterization that the State was not liable for anything that goes wrong. He stated that this section indicates that any financial commitment contained within this agreement is wholly contingent upon the State Legislature giving them the necessary funding.

Following debate, the vote on the motion was as follows:

Alderman Hayes - Aye	Alderwoman Ryan - Aye
Alderwoman Kearns - Aye	Alderman Taylor - Aye
Alderwoman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Aye	

Disposition: The motion carried by roll call vote (7-aye:0-nay). Ord. No. 9697-33, "An Ordinance Approving An Agreement With The Board Of Trustees Of The University Of Illinois (Office Of Admissions And Records Building)", was approved by Council.

d. Ord. No. 9697-34: **An Ordinance Establishing A Parking Meter Zone, And Amending Schedule J Of Section 14-3 Of The Urbana Local Traffic Code Prohibiting Parking On Certain Streets**

Alderman Pollock moved to approve. Alderwoman Kearns seconded.

Alderwoman Ryan stated that she had received a phone call from a constituent on Park Street who felt very strongly that meters should not be there. Alderwoman Ryan made a motion to amend Section 1 to be just from Busey to Coler. Alderwoman Patt seconded.

The motion to amend Section 1 failed with a show of hands (3-aye:4-nay).

The vote on the motion to approve was as follows:

Alderman Hayes - Aye	Alderwoman Ryan - Nay
Alderwoman Kearns - Aye	Alderman Taylor - Aye
Alderwoman Patt - Nay	Alderman Whelan - Aye
Alderman Pollock - Aye	

Disposition: The motion carried by roll call vote (5-aye:2-nay). Ord. No. 9697-34, "An Ordinance Establishing A Parking Meter Zone, And Amending Schedule J Of Section 14-3 Of The Urbana Local Traffic Code Prohibiting Parking On Certain Streets", was approved by Council.

With nothing further to report, Alderman Pollock concluded by stating that the next meeting of the Committee on Administration & Finance is scheduled for October 14, 1996 at 7:30 p.m. in the Council Chambers.

2. **Committee on Environment & Public Safety**

There being no business on tonight's agenda for the Committee on Environment & Public Safety, Alderwoman Ryan stated that the next meeting of this committee would be September 23, 1996 at 7:30 p.m. in the Council Chambers.

F. REPORTS OF SPECIAL COMMITTEES

There were none.

G. REPORTS OF OFFICERS

Mayor Satterthwaite noted that in this evening's newspaper (The News-Gazette) it was reported that the City of Urbana was successful in its grant application for the Shelter Plus Care Program that was applied for a few months ago. The City was not awarded the total amount applied for, but approximately 75% of it was approved. Mayor Satterthwaite commended Karen Rasmussen and Bruce Stoffel and other staff in the Community Development Services Department for their accomplishment in obtaining another successful grant application.

Mayor Satterthwaite reminded Council Members that the first of the monthly meetings for the Southeast Urbana development update will be this Wednesday evening at 6:30 p.m. at the Urbana Civic Center.

H. NEW BUSINESS

1. Ord. No. 9697-35: ***An Ordinance Approving An Annexation Agreement With Vineyard Christian Fellowship***

Reed Berger, Economic Development Coordinator, presented staff's report to Council. Mr. Berger stated that Vineyard Christian Fellowship has initiated a building project that would be in addition to their current facility. It is a separate building; a multi-use facility. They require annexation to the City of Urbana, because they have a sanitary connection that is proposed as a part of this. Because of the City's agreement with the County, they are required to annex. Mr. Berger stated that normally this would be handled through an annexation petition, however, in this case there were some concerns and a need for assurance about some of the existing out-buildings that currently have septic systems. There were also some concerns by staff that building code issues be handled while under construction.

Alderman Hayes inquired if Vineyard had a working relationship with the County regarding construction. April Getchius, Community Development Director, stated that there are no building codes in the County. That is one of the reasons for this agreement.

Alderman Taylor made a motion to approve the ordinance and was seconded by Alderwoman Kearns. The vote on the motion was as follows:

Alderman Hayes - Aye

Alderwoman Kearns - Aye

Alderwoman Ryan - Aye

Alderman Taylor - Aye

Alderwoman Patt - Aye
Alderman Pollock - Aye

Alderman Whelan - Aye
Mayor Satterthwaite - Aye

Disposition: The motion carried by roll call vote (8*-aye:0-nay). Ord. No. 9697-35, "An Ordinance Approving An Annexation Agreement With Vineyard Christian Fellowship", was approved by Council. [Note: *Requires Mayor vote.]

2. Ord. No. 9697-36: **An Amendment To The Comprehensive Plan Of The City Of Urbana, Illinois (801 and 803 N. Lincoln Avenue - Plan Case No. 1624-CP-96)**

Jay Getz, Senior Planner, presented the staff's report to Council. This involves two lots totalling approximately 0.34 acres at 801 and 803 N. Lincoln Avenue. The request is for Commercial and B-1 zonings that would be changed from the current Comprehensive Plan and R-2 Single-Family zoning.

Alderman Whelan made a motion to approve and was seconded by Alderman Pollock.

Following debate, Alderman Whelan moved to table this item to the second City Council meeting in October. The motion carried with a show of hands (4-aye:3-no)

Disposition: Ord. No. 9697-36, "An Amendment To The Comprehensive Plan Of The City Of Urbana, Illinois (801 and 803 N. Lincoln Avenue - Plan Case No. 1624-CP-96)", was tabled to the October 21, 1996 City Council meeting.

3. Ord. No. 9697-37: **An Amendment To A Part Of The Zoning Ordinance And Zoning Map Of The City Of Urbana, Illinois (801 and 803 N. Lincoln Avenue - Plan Case No. 1625-M-96)**

Alderman Whelan made a motion to approve. Alderwoman Kearns seconded.

Following debate, Alderman Whelan moved to table this item to the second City Council meeting in October. Alderwoman Kearns seconded. The motion carried with a show of hands (4-aye:3-nay).

Disposition: Ord. No. 9697-37, "An Amendment To A Part Of The Zoning Ordinance And Zoning Map Of The City Of Urbana, Illinois (801 and 803 N. Lincoln Avenue - Plan Case No. 1625-M-96)", was tabled to the October 21, 1996 City Council meeting.

4. Ord. No. 9697-38: **An Ordinance Authorizing The Purchase Of A Parcel Of Real Estate From The Eastern Illinois Food Bank**

Mr. Berger presented staff's report.

Alderman Taylor inquired if staff had received any concerns from people on Griggs Street. Mr. Berger stated that he had not received any comments from the neighborhood.

Following debate, Alderman Taylor made a motion to approve the ordinance and was seconded by Alderwoman Patt. The vote on the motion was as follows:

Alderman Hayes - Aye	Alderwoman Ryan - Aye
Alderwoman Kearns - Aye	Alderman Taylor - Aye
Alderwoman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Abstain*	

Disposition: The motion carried by roll call vote (6-aye:1-abstain). Ord. No. 9697-38, "An Ordinance Authorizing The Purchase Of A Parcel Of Real Estate From The Eastern Illinois Food Bank", was approved by Council. [Note: *Alderman Pollock abstained due to conflict of interest.]

I. ADJOURNMENT

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 8:45 p.m.

Phyllis D. Clark, City Clerk

*This meeting was taped.
**This meeting was broadcast on cable television.