

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite  
Mayor



Phyllis D. Clark  
City Clerk

**SPECIAL MEETING**

**URBANA CITY COUNCIL MEETING  
JANUARY 22, 1997**

The City Council of the City of Urbana, Illinois met in special session on Wednesday, January 22, 1997, in the Council Chambers at the Urbana City Building.

**COUNCIL MEMBERS PRESENT:**

Hayes, James Jr. (Alderman Ward 3) (7:50 p.m.)  
Kearns, Carolyn (Alderwoman Ward 4)  
Patt, Esther (Alderwoman Ward 1)  
Pollock, Michael (Alderman Ward 5)  
Ryan, Marya (Alderwoman Ward 2)  
Taylor, John (Alderman Ward 7)  
Whelan, Joseph (Alderman Ward 6)

**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  
Kimberly Gerstein, Planner

**OTHERS PRESENT:** James Fitzsimmons; Douglas Schroer; Mary Schroer; Robert Jerrard; Tom Turino; Gerard Archibald; Betty Yapp; Dennis Krueger; Linda Applequist; Earl O'Shea; Mark Michaels; Michael Langendorf; Ruth Ann Fisher; Media

There being a quorum, Mayor Satterthwaite called the meeting

to order at 7:30 p.m. Mayor Satterthwaite noted that this was a special meeting of the Council; therefore, there could be no additions to the agenda.

## **A. Minutes Of Previous Meeting**

January 6, 1997 -- Alderwoman Ryan made a motion to approve the minutes of January 6, 1997. Alderwoman Kearns seconded. The motion carried by voice vote.

## **B. Additions To The Agenda**

There were none.

## **C. Petitions And Communications**

### Audience Participation

The following people addressed the Council stating their opposition to the rezoning of 602 S. Vine Street:

James Fitzsimmons, 1906 Plains Ct.  
Douglas Schroer, 401 E. Oregon  
Mary Schroer, 401 E. Oregon  
Robert Jerrard, 601 S. Urbana Ave.  
Tom Turino, 305 E. Oregon St.  
Gerard Archibald, 1105 E. Oregon  
Betty Yapp, 711 S. Urbana Ave.

Dennis L. Krueger, 3318 Stoneybrook (Champaign), representing Mutual Bank, addressed the Council in support of the rezoning request filed by Mutual Bank regarding the property at 602 S. Vine Street. They are wanting to add parking and install an ATM machine.

Linda Applequist, 204 Pell Circle, addressed the Council in support of the Rosewood Development.

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

Mark Michaels, 705 Harmon St., addressed the Council in support of the Council's plan to reduce the tax levy (Ordinance No. 9697-76: An Ordinance Amending The Annual Tax Levy Of The City Of Urbana For Year Beginning July 1, 1996 And Ending June

30, 1997).

Michael Langendorf, 1508 Trails Dr., addressed the Council to inform them of a "Meet The Candidates" meeting to be held tomorrow evening (January 23, 1997) at the Urbana Free Library.

Ruth Ann Fisher, 1214 Lanore Dr., addressed the Council on the topic of the Smith Farm annexation, expressing opposition and concerns she had regarding the proposal. She also addressed the Council in opposition to the rezoning request by Mutual Bank regarding 602 S. Vine Street.

### Council Participation

Alderman Whelan addressed his conversation to the television audience, informing them that the Council and Mayor plan to sign a contract with the haulers. He has requested that this be put off until after the election (April 1, 1997) in order to allow the public another opportunity to voice their choice concerning recycling.

Alderman Hayes addressed the Council regarding Lakeside Terrace, stating that he had been appointed to a committee several weeks ago to "revitalize" this area. A meeting was currently in session with approximately 14 residents in attendance wanting to render their support. This being the first meeting, Alderman Hayes stated that he attended to listen to some of the input from residents and apologized for being late for tonight's Council meeting.

## **D. OLD BUSINESS**

1. Ordinance No. 9697-21: **An Ordinance Approving An Annexation Agreement With The Trust Estate Of Ruth E. Smith, Robert E. Strube And Smith Farm Limited**

(Note: A motion to approve remains on the floor from a previous Council meeting.)

April Getchius (Community Development Director) presented the staff report to Council. She noted that there was a change in the title of the ordinance, which eliminates the Strube family, since they are no longer part of the agreement. The title of the ordinance now reads: **"An Ordinance Approving An Annexation Agreement With The Trust Estate Of Ruth E. Smith And Smith Farm Limited Partnership."** Ms Getchius noted one last change to the Agreement on page 6, Article 3, Section 1, the date

should be October 31, 1997.

Following debate, Rene Pollock, Chief Deputy Assessor for Cunningham Township, talked about the Township's perspective on this issue. She indicated that there was no guarantee from the Assessor's Office that the assessment would be \$40,000 per unit. She then explained how she believed this amount was derived by the developer. Debate ensued.

Alderman Pollock made a motion to amend the Agreement to add a Section 16 to read: *"Tax Appeal. The Optionor agrees not to appeal a tax assessment based upon a value of \$40,000 or less per unit for the intended residential development, said value to be increased by 2% per year for the term of this Agreement."* Alderman Whelan seconded.

Alderman Pollock made a motion to change the date to October 31, 1997. Alderwoman Kearns seconded. The motion carried by voice vote.

Alderman Hayes made a motion to amend the Agreement to include the new page 4 (see attached) distributed by Ms Getchius tonight. Alderwoman Patt seconded. The motion carried by voice vote.

Alderwoman Ryan made a motion to correct two typographical errors in the Agreement; one on page 5, last paragraph to read "8 foot" instead of "8 food", and on page 6, Section 3 correct "... that neither party take no action" to read "... that neither party take action." Alderwoman Patt seconded. The motion carried by voice vote.

Following debate, Mayor Satterthwaite asked Alderman Pollock to take the Chair (8:47 p.m). Mayor Satterthwaite stated that this was a real quality development and thanked the developers (Scott Canel and Stephen Wheeler) for their efforts. He also encouraged the Council to support the motion.

The vote on the motion to approve was as follows:

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

**Disposition:** The motion carried by roll call vote (8\*-aye:0-nay). Ordinance No. 9697-21, "An Ordinance Approving An Annexation Agreement With The Trust Estate Of Ruth E. Smith And Smith Farm Limited Partnership.", was approved by Council.

[\*Required Mayor vote.]

Mayor Satterthwaite resumed the Chair at 8:52 p.m.

2. Ordinance No. 9697-66: **An Amendment To The Comprehensive Plan Of The City Of Urbana, Illinois (Smith Farm)**

(Note: A motion to approve remains on the floor from a previous Council meeting.)

The vote on the motion to approve was as follows:

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

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-66, "An Amendment To The Comprehensive Plan Of The City Of Urbana, Illinois (Smith Farm)", was approved by Council.

## E. REPORTS OF STANDING COMMITTEES

1. Committee on Administration & Finance

a. Ordinance No. 9697-73: **An Ordinance Authorizing The Sale Of Certain Real Estate Owned By The City Of Urbana and Acquired Under The Community Development Block Grant Program (1101 North Goodwin Avenue)**

Alderman Pollock made a motion to approve.  
Alderman Hayes seconded. The vote on the motion was as follows:

Alderman Hayes - Aye	Alderdwoman Ryan - Aye
Alderdwoman Kearns - Aye	Alderman Taylor - Aye
Alderdwoman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Aye	Mayor Satterthwaite - Aye

**Disposition:** The motion carried by roll call vote (8\*-aye:0-nay). Ordinance No. 9697-73, "An Ordinance Authorizing The Sale Of Certain Real Estate Owned By The City Of Urbana and Acquired Under The Community Development Block Grant Program (1101 North Goodwin Avenue)", was approved by Council. [\*Required Mayor vote.]

b. Ordinance No. 9697-74: **An Ordinance Authorizing The Purchase Of Certain Real Estate (1409 West Beslin Street)**

Alderman Pollock made a motion to approve.  
Alderman Whelan seconded. The vote on the motion was as follows:

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

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-74, "An Ordinance Authorizing The Purchase Of Certain Real Estate (1409 West Beslin Street)", was approved by Council.

c. Resolution No. 9697-R24: ***A Resolution Approving An Amendment To A Contract With Champaign County Regional Planning Commission For Implementation Of The Small Rental Properties Program***

Alderman Pollock made a motion to approve.  
Alderman Patt seconded. The motion carried by voice vote.

**Disposition:** Resolution No. 9697-R24, "A Resolution Approving An Amendment To A Contract With Champaign County Regional Planning Commission For Implementation Of The Small Rental Properties Program", was adopted by Council.

d. ***Discussion Of An Annexation And Development Agreement With Atkins Group And An Amendment To The Tabin Annexation Agreement***

Alderman Pollock made a motion to approve and was seconded by Alderman Whelan, however, Mayor Satterthwaite clarified that this item was for discussion only. No action was expected from the Council at this time. Alderman Pollock then withdrew the motion.

Bruce Walden (Chief Administrative Officer) stated that at next week's Committee meeting (Committee on Environment & Public Safety) staff will have information to distribute to Council Members on the financing plans, as well as the City's obligations. There will be a few minor amendments to the Development Agreement. Representatives from the School District will also be present to answer questions on the school system.

Ms Getchius reported on the neighborhood meeting held last night (January 21st). Notices have been mailed to residents in Southeast Urbana and Council Members regarding a series of meetings that will be coming up.

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With no action being taken on this issue, the Council went on to the next agenda item.

e. Ordinance No. 9697-75: **An Ordinance Revising The Annual Budget Ordinance (TIF 2/Public Facilities)**

Alderman Pollock made a motion to approve.  
Alderman Kearns seconded. Following debate, the vote on the motion was as follows:

Alderman Hayes - Aye	Alderman Ryan - Aye
Alderman Kearns - Aye	Alderman Taylor - Aye
Alderman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Aye	Mayor Satterthwaite - Aye

**Disposition:** The motion carried by roll call vote (8\*-aye:0-nay). Ordinance No. 9697-75, "An Ordinance Revising The Annual Budget Ordinance (TIF 2/Public Facilities)", was approved by Council. [\*Required Mayor vote.]

f. Ordinance No. 9697-76: **An Ordinance Amending The Annual Tax Levy Of The City Of Urbana For Year Beginning July 1, 1996 And Ending June 30, 1997**

Alderman Pollock made a motion to approve.  
Alderman Kearns seconded. The vote on the motion was as follows:

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

**Disposition:** The motion carried by roll call vote (7\*-aye:0-nay). Ordinance No. 9697-76, "An Ordinance Amending The Annual Tax Levy Of The City Of Urbana For Year Beginning July 1, 1996 And Ending June 30, 1997", was approved by Council.

g. Ordinance No. 9697-77: **An Ordinance Amending Section 14-3 Of The Urbana Local Traffic Code Prohibiting Parking On Certain Streets (Crystal Lake Dr., Cedar St., Main St., Philo Rd., Tatman Ct.)**

Alderman Pollock made a motion to approve.  
Alderman Kearns seconded. The vote on the motion was as follows:

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



**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-77, "An Ordinance Amending Section 14-3 Of The Urbana Local Traffic Code Prohibiting Parking On Certain Streets (Crystal Lake Dr., Cedar St., Main St., Philo Rd., Tatman Ct.)", was approved by Council.

h. Ordinance No. 9697-78: **An Ordinance Amending Schedule H Of Section 8-3 Of The Urbana Local Traffic Code Requiring Stop Signs At Certain Intersections (Busey, Church, Park, Orchard)**

Alderman Pollock made a motion to approve.  
Alderman Kearns seconded. The vote on the motion was as follows:

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

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-78, "An Ordinance Amending Schedule H Of Section 8-3 Of The Urbana Local Traffic Code Requiring Stop Signs At Certain Intersections (Busey, Church, Park, Orchard)", was approved by Council.

i. Ordinance No. 9697-79: **An Ordinance Closing A Portion Of Orchard Street To Vehicular Traffic**

Alderman Pollock made a motion to approve.  
Alderman Kearns seconded. The vote on the motion was as follows:

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

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-79, "An Ordinance Closing A Portion Of Orchard Street To Vehicular Traffic", 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 February 10, 1997 at 7:30 p.m. at the Urbana School District #116 office located at 205 N. Race Street.

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 January 27, 1997 at 7:30 p.m. at the Urbana School District #116 office located at 205 N. Race Street.

**F. REPORTS OF SPECIAL COMMITTEES**

Alderman Pollock informed the Council that a Cable Commission meeting was currently in session in Champaign. They will be discussing a request from the Chancellor of the University of Illinois, who has asked the Commission to consider and recommend to both City Councils the ceding of one of the four public access channels on our cable system to the University of Illinois. Alderman Pollock stated that he has sent a copy of the request to our Legal and Administrative staff to review.

**G. REPORTS OF OFFICERS**

There were none.

**H. NEW BUSINESS**

1. Ordinance No. 9697-80: **An Ordinance Revising The Annual Budget Ordinance (Arbor Tree Mapping Grant)**

Alderwoman Kearns made a motion to approve. Alderwoman Ryan seconded. 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	Mayor Satterthwaite - Aye

**Disposition:** The motion carried by roll call vote (8\*-aye:0-nay). Ordinance No. 9697-80, "An Ordinance Revising The Annual Budget Ordinance (Arbor Tree Mapping Grant)", was approved by Council. [\*Required Mayor vote.]

2. Ordinance No. 9697-81: **An Ordinance Approving A Preliminary Plat Postal Park Industrial Subdivision, Option B (Plan Case No. 1638-S-96)**

Ms Getchius presented the staff report.

Following debate, Alderwoman Ryan made a motion to approve. Alderman Hayes seconded. 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). Ordinance No. 9697-81, "An Ordinance Approving A Preliminary Plat Postal Park Industrial Subdivision, Option B (Plan Case No. 1638-S-96)", was approved by Council.

3. Ordinance No. 9697-82: ***An Amendment To A Part Of The Zoning Ordinance And Zoning Map Of The City Of Urbana, Illinois (602 S. Vine, Plan Case No. 1640-M-96)***

Kimberly Gerstein (Planner) presented the staff report to Council.

Alderman Pollock made a motion to approve. Alderman Kearns seconded. Following debate, the vote on the motion was as follows:

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

**Disposition:** The motion failed by roll call vote (1-aye:6-nay). Ordinance No. 9697-82, "An Amendment To A Part Of The Zoning Ordinance And Zoning Map Of The City Of Urbana, Illinois (602 S. Vine, Plan Case No. 1640-M-96)", was not approved by Council. [Note: The record will show this ordinance was **DEFEATED.**]

4. Ordinance No. 9697-83: ***An Ordinance Extending The Validity Of The Special Use Permit For the Dublin Street Church Of Christ Of Urbana Property, 1402-1410 West Dublin Street)***

Alderman Hayes made a motion to approve. Alderwoman Ryan seconded. The vote on the motion was as follows:

Alderman Hayes - Aye	Alderwoman Ryan - Aye
Alderwoman Kearns - Aye	Alderman Taylor - Aye

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Alderwoman Patt - Aye  
Alderman Pollock - Aye

Alderman Whelan - Aye

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-83, "An Ordinance Extending The Validity Of The Special Use Permit For the Dublin Street Church Of Christ Of Urbana Property, 1402-1410 West Dublin Street)", was approved by Council.

## **I. ADJOURNMENT**

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 9:28 p.m.

Phyllis D. Clark, City Clerk

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