

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite  
Mayor



Phyllis D. Clark  
City Clerk

**URBANA CITY COUNCIL MEETING  
FEBRUARY 17, 1997**

The City Council of the City of Urbana, Illinois met in regular session on Monday, February 17, 1997, at the Urbana School District Board Office located at 205 N. Race Street in Urbana.

**COUNCIL MEMBERS PRESENT:**

Hayes, James Jr. (Alderman Ward 3)  
Kearns, Carolyn (Aldерwoman Ward 4)  
Patt, Esther (Aldерwoman Ward 1)  
Pollock, Michael (Alderman Ward 5)  
Ryan, Marya (Aldерwoman Ward 2)  
Taylor, John (Alderman Ward 7)  
Whelan, Joseph (Alderman Ward 6) (7:35 p.m.)

**Mayor:** Tod Satterthwaite  
**City Clerk:** Phyllis D. Clark

**COUNCIL MEMBERS ABSENT:**

None

**STAFF PRESENT:** Bruce K. Walden; Jack Waaler; Eddie B. Adair; William Pessemier; Ron Eldridge; April Getchius; William Gray; Jay Getz; Reed Berger; Glenn Berman; Amy Jordan; Joseph Smith; Rick Rose; Tony Foster; Bruce Stoffel; Craig Grant; Michael Brunk

**OTHERS PRESENT:** J. Michael O'Byrne; John Peisker; Earl O'Shea; Esti Young; Dorothy Neumann; Darrel Foste; Patricia Stebbins; Jackie Terry; Sharon Monday-Dorsey; John Dorsey; Carl Reisman; Deloris Evans; Greg Springer; Leonard Heumann; Jim Rose; Sandy Lewis; Barbara Peckham; Edward Apy; Kathy Sims; Dick Freehill; Claudia Washburn; Mark Washburn; Sue Johnson-Smith; Gerard Archibald; Bernadine Stake; Frieda Wascher; Marilyn Pollard; John Otten; Catherine Connor; Astrid Berkson; Sarah Plummer; Elisabeth Barnett; Allen Booth; Tom Jordan; Media

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:30 p.m.

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

February 3, 1997 -- Alderwoman Patt made a motion to approve the minutes of February 3, 1997. Alderwoman Ryan seconded.

Alderwoman Patt noted a correction on page 9, paragraph 2 which read "defeat" instead of "approve." She stated that the motion was actually to "approve" the resolution, and that the motion "failed" by voice vote.

Alderwoman Patt also noted that in the last paragraph on page 7, Sandy Lewis and Jim Rose were representing the "Champaign County Mental Health Center"; not the "Champaign County Housing Authority."

There were no objections to the corrections. The motion to approve passed by voice vote with corrections noted.

January 22, 1997 -- It was brought to the Council's attention that the minutes of January 22, 1997 indicated the meeting location as the City Council Chambers instead of the School District Board Office and, therefore, had to be re-approved. Mayor Satterthwaite stated that a motion would be in order.

Alderman Hayes moved to approve the minutes as corrected and was seconded by Alderwoman Patt. The motion carried by voice vote.

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

There were none.

## **C. Petitions And Communications**

Company Officer Rick Rose and Firefighter/Paramedic Tony Foster of the Urbana Fire Department gave a brief presentation on one of the devices carried in the rescue units. This device is called a "combi-tube" and is used to secure the patient's airway.

### Audience Participation

J. Michael O'Byrne, 501 W. Church, representing APCON, addressed the Council in support of the Special Use Permit request for 2906 N. Oak Street. He and John Peisker were both

available to answer questions.

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

The following people addressed the Council in support of the SRO (house moving permit):

Esti Young, representing the Men's Emergency Shelter  
Patricia Stebbins, 1712 S. Anderson  
Jackie Terry, 1302 Philo Rd. (did not speak)  
Deloris Evans, 2006 Winchester Dr. (Champaign), representing Homestead Corp. (due to loss of voice, she asked that Mayor Satterthwaite read her position)  
Leonard Heumann, 1101 W. Healey (Champaign), representing Homestead Corp.  
Jim Rose, 507 S. Draper (Champaign), representing Mental Health Center  
Sandy Lewis, 1801 Fox Dr. (Champaign), representing Mental Health Center  
Barbara Peckham  
Edward Apy, 1117 W. Washington  
Kathy Sims, 306 W. Washington #6 (Champaign)  
Elisabeth Barnett, 1304 E. Main, representing A Woman's Fund

The following people addressed Council in opposition to the SRO (house moving permit):

Dorothy Neumann, 301 W. Griggs (owns a historic Oak Tree which could be damaged as a result of the move)  
Darrel Foste, 409 W. Main  
Sharon Monday-Dorsey, 301 W. Locust, representing DNA (read statement into record)  
John Dorsey, 301 W. Locust, representing DNA (gave presentation)  
Carl Reisman, 305 W. Locust, representing DNA (gave presentation)  
Greg Springer, 206 Wood, representing DNA (read statement into record)

Dick Freehill, 2008 Morrow Ct., addressed the Council in support of the Rosewood Development proposal.

Tom Jordan, 1610 Broadmoor, representing The Atkins Group, was available to answer questions regarding the Rosewood Development proposal.

The following people addressed the Council in opposition to the Rosewood Development proposal:

Claudia & Mark Washburn, 1910 Stratford Dr. (presented brochures and other written materials to the Council and addressed safety concerns for children)

Sue Johnson-Smith, 1317 E. Florida Ave., representing PACE

Gerard Archibald, 1105 E. Oregon

Bernadine Stake, 304 W. Iowa St.

Frieda Wascher, 803 W. Fairview

Marilyn Pollard, 2701 Myra Ridge Dr.

The following people were in support of final plat for Widick's First Subdivision:

J. Michael O'Byrne, attorney representing HABITAT

Bernadine Stake, 304 W. Iowa St. (did not speak)

Frieda Wascher, 803 W. Fairview (did not speak)

Those addressing the Council in opposition to the final plat for Widick's First Subdivision were:

John Otten, 1110 E. Main St.

Catherine Connor, 1101 S. Westlawn (Champaign) representing A Woman's Fund

Astrid Berkson, 12 Stanford Pl. (Champaign) representing A Woman's Fund

Sarah Plummer, 109 N. Poplar

Elisabeth Barnett, 1304 E. Main, representing A Woman's Fund

Allen Booth, 302 W. High, addressed the Council regarding the New Yorker Apartments, restating his previous concerns and follow-up.

There being no further input from the audience, Mayor Satterthwaite called a brief recess (9:55 p.m.). The meeting resumed at 10:08 p.m.

Mayor Satterthwaite read into record a letter received from Pamela Heydt, Executive Director for Eastern Illinois Food Bank regarding the SRO.

#### **Council Participation**

There was none.

## D. OLD BUSINESS

1. Ordinance No. 9697-92: **An Ordinance Approving A Special Use Permit To Permit Use Of A Concrete Plant, Asphalt Plant, And A Petroleum Storage Yard And Distribution Center At 2906 N. Oak Street (Plan Case No. 1642-SU-96)**

Craig Grant (Building Safety Division Manager) and Jay Getz (Senior Planner) made the staff presentation to Council.

City Attorney Jack Waaler noted that the first draft of the ordinance had typographical errors which have been corrected in the most recent copy distributed in Council packets.

Alderman Pollock made a motion to approve the most recent ordinance. Alderwoman Patt 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. 9697-92, "An Ordinance Approving A Special Use Permit To Permit Use Of A Concrete Plant, Asphalt Plant, And A Petroleum Storage Yard And Distribution Center At 2906 N. Oak Street (Plan Case No. 1642-SU-96)", was approved by Council.

### 2. **Atkins Development Agreement**

*[Note: Motions to approve agenda items 2.a through 2.d remain on the floor from the February 3, 1997 Council meeting.]*

William Gray (Public Works Director/City Engineer) and Joseph Smith (Assistant City Engineer) presented the staff report.

Tom Jordan, of Daily & Associates, made a brief presentation on behalf of The Atkins Group.

a. Ordinance No. 9697-84: **An Amendment To the Comprehensive Plan Of The City Of Urbana, Illinois (Rosewood Subdivision Development)**

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

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

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9697-84, "An Amendment To the Comprehensive Plan Of The City Of Urbana, Illinois (Rosewood Subdivision Development)", was approved by Council.

b. Ordinance No. 9698-85: ***An Amendment To A Part Of The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (Tabin Farm From R-4 Medium Density Multiple Family Residential To R-2 Single And Two Family Residential) (Plan Case No. 1644-M-97)***

The vote on the motion to approve was as follows:

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

**Disposition:** The motion carried by roll call vote (7-aye:0-nay). Ordinance No. 9698-85, "An Amendment To A Part Of The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (Tabin Farm From R-4 Medium Density Multiple Family Residential To R-2 Single And Two Family Residential) (Plan Case No. 1644-M-97)", was approved by Council.

c. Ordinance No. 9697-86: ***An Ordinance Approving An Amendment To An Annexation Agreement (Mort and Shawn Tabin)***

The vote on the motion to approve was as follows:

Alderman Hayes - Aye	Aldерwoman Ryan - Aye
Aldерwoman Kearns - Aye	Alderman Taylor - Aye
Aldерwoman 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. 9697-86, "An Ordinance Approving An Amendment To An Annexation Agreement (Mort and Shawn Tabin)", was approved by Council. [\*Requires Mayor vote.]

d. Ordinance No. 9697-87: ***An Ordinance Approving An Annexation Agreement (The Atkins Group)***

Aldерwoman Ryan noted page 8, Section 6 of the Agreement titled "The Granting of Waivers." She made a motion to delete Waiver A for the requirement of sidewalks on both sides of the collector street; and under Section 5, instead of being titled "Construction and Maintenance of Median", change it to be "Sidewalk and Maintenance of Median." All of the current language would be deleted except for the last sentence. The following would be added: "The City shall pay for the construction of sidewalks on both sides of the collector loop road. Adjustments may be made to the median proposed in this draft to allow sufficient right-of-way for sidewalk construction." Delete the paragraph on page 11 directly above Section 16, since it would no longer be relevant. Aldерwoman Patt seconded.

Aldерwoman Ryan stated that this amendment would take out the multi-purpose path and go with sidewalks on each side.

Aldерman Pollock took the Chair (10:50 p.m.) and Mayor Satterthwaite entered into debate.

Following debate, the motion to amend failed by a show of hands.

Aldерwoman Ryan made a motion to amend page 9, Section 11 of the Agreement regarding liquor license. Aldерwoman Patt seconded. The motion failed by voice vote.

Following debate, Mayor Satterthwaite noted the time (11:00 p.m.) and called for a motion to extend the time of the meeting.

Aldерman Whelan moved to extend the meeting to 11:30 p.m. There were no objections. Debate ensued.

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

Aldерman Hayes - Aye	Aldерwoman Ryan - Nay
Aldерwoman Kearns - Aye	Aldерman Taylor - Aye
Aldерwoman Patt - Aye	Aldерman Whelan - Aye
Aldерman Pollock - Aye	Mayor Satterthwaite - Aye

**Disposition:** The motion carried by roll call vote (7\*-aye:1-nay). Ordinance No. 9697-87, "An Ordinance Approving An Annexation Agreement (The Atkins Group)", was approved by Council. [\*Requires Mayor vote.]

Mayor Satterthwaite resumed the Chair (11:08 p.m.)

3. ***House Moving Permit/Update On SRO***

Bruce Stoffel (Grants Management Division Manager) presented the staff report and was assisted by Glenn Berman (Assistant Public Works Director) and Michael Brunk (City Arborist).

Following debate, Mayor Satterthwaite noted the time (11:30 p.m.) and called for another motion to extend the time of the meeting.

Alderman Taylor moved to extend the meeting time to midnight (12:00 a.m.) and was seconded by Alderwoman Patt. There were no objections. Debate ensued.

Following debate, Alderman Taylor made a motion to approve the house moving permit. Alderwoman Patt seconded.

Alderman Whelan read a letter from Mark Michaels regarding the SRO into the record.

Alderwoman Patt called point of order, noting that Alderman Whelan was speaking for Mr. Michaels and was over the five-minute speaking limit. There is a five-minute speaking rule per speaker.

Mayor Satterthwaite called for a motion to allow Alderman Whelan more time. Alderman Taylor made the motion. Alderman Whelan seconded. The motion failed by voice vote. Mayor Satterthwaite noted that, since Mr. Michaels' letter was in writing and received by every Council Member, it can be entered in full into the record.

Alderwoman Ryan made a motion to add, as a rider to the moving permit, the following language: "If a major limb has to be cut from Mrs. Neumann's tree to accommodate the move, and if the tree dies within twenty years of that cut being made, the City will replace the tree with an 8 to 10 inch or larger oak tree." Alderman Taylor seconded.

Following debate, Alderwoman Ryan's motion failed by a show of hands.

Following further debate, Alderman Whelan proceeded to read Mr. Michaels' letter into the record and then moved to continue this item for two weeks in order to organize an ad hoc committee. The motion failed for lack of a second. Debate



ensued.

Alderman Whelan requested a roll call vote on the motion to approve. The vote was as follows:

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

**Disposition:** The motion carried by roll call vote (6-aye:1-nay). The house moving permit was approved by Council.

Before continuing with the next agenda item, Mayor Satterthwaite noted the time (12:00 a.m.) and called for a motion to extend the meeting. However, in order to do so at this time would mean suspending the rules, because by ordinance they would have to do so for meeting past midnight.

Alderdwoman Patt moved to suspend the rules. Alderdwoman Ryan seconded. The motion failed by voice vote.

## **I. Adjournment**

Because the motion to suspend the rules for extending the meeting failed, Mayor Satterthwaite declared the meeting adjourned at 12:00 a.m. The remaining agenda items will be heard at a special meeting of the Council.

Phyllis D. Clark, City Clerk

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