

URBANA CITY COUNCIL MEETING
MONDAY, October 6 1997

The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, October 6, 1997 in the Urbana City Council Chambers at 400 South Vine Street.

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

Present at the meeting were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; absent: none.

Also present were staff members: Police Chief Eddie Adair, Fire Chief Bill Pessemier, Jack Waaler, Bruce Walden, April Getchius, Ronald Eldridge, Bill Gray, Kim Gerstein, and Phyllis Clark.

MINUTES OF PREVIOUS MEETING

Alderwoman Patt moved approval of the minutes of the September 15, 1997 regular meeting. The motion was seconded by Alderwoman Huth. Alderwoman Kearns requested to change August 4, 1997 to September 2, 1997, in the first paragraph under Minutes Of Previous Meeting. There were no objections. The minutes, as amended, were approved by a voice vote.

ADDITIONS TO THE AGENDA

Mayor Satterthwaite requested, due to the number of people present representing Canaan Baptist Church, that ordinances 9798-54 and 9798-55 relating to the general variances for 205-207 N. Central and 402-404 W. Main be moved to items 1

and 2 under New Business. There were no objections.

PETITIONS AND COMMUNICATIONS

James Dieker, attorney for Canaan Baptist Church; Reverend Tatum, Pastor of Canaan Baptist Church; Dr. Stephanie Tatum, representing Canaan Academy; Darrel Foste, 400 West Main; and Ron Sanders, representing Morton Buildings; addressed the Council in support of ordinances 9798-54 and 9798-55 relating to the general variances at 205-207 N. Central and 402-404 West Main.

Earl O'Shea, 606A Glover, addressed the Council on the topic of better government by more staff work.

Eric Chamberlain, 403 West Washington, addressed the Council in opposition to the telecommunications tax.

Van Anderson, Director, Division of Environmental Health & Safety, University of Illinois, addressed the Council in support of intergovernmental fire safety and emergency medical services.

OLD BUSINESS

There was none.

REPORTS OF STANDING COMMITTEES

Committee Of The Whole

Fire Chief William Pessemier presented staff report on **Ord. No. 9798-53: An Ordinance Approving An Intergovernmental Agreement Between The University Of Illinois and The Cities of**

Urbana And Champaign (Fire Protection and Emergency Medical Services).

Alderwoman Wyman moved to approve **Ord. No. 9798-53: An Ordinance Approving An Intergovernmental Agreement Between The University Of Illinois and The Cities of Urbana And Champaign (Fire Protection and Emergency Medical Services).** The motion was seconded by Alderwoman Kearns.

Chief Pessemier presented staff report on **Ord. No. 9798-53.**

Kathleen Pecnold, representing the University of Illinois, addressed questions regarding benefits packages for the University of Illinois fire fighters.

Following debate, Alderwoman Wyman moved to defer **Ord. No. 9798-53: An Ordinance Approving An Intergovernmental Agreement Between The University Of Illinois and The Cities of Urbana And Champaign (Fire Protection and Emergency Medical Services)** to the Council meeting on October 20, 1997 and to have it on the agenda of the Committee meeting on October 13, 1997 for discussion purposes. The motion was seconded by Alderman Hayes and carried by a voice vote.

Alderwoman Wyman moved to approve **Ord. No. 9798-48: An Ordinance Relating To Civil Service (Experienced Fire Fighters).**

The motion was seconded by Alderwoman Patt.

Chief Pessemier presented revisions to the ordinance.

The revisions remove the physical ability test from the experienced fire fighter test process and reduces the probationary period from one year to six months.

Following debate, Alderwoman Wyman moved to defer **Ord. No. 9798-48: An Ordinance Relating To Civil Service (Experienced Fire Fighters)** to the October 20, 1997 Council Meeting and to have it on the agenda of the Committee meeting on October 13, 1997, for discussion purposes. The motion was seconded by Alderman Whelan and carried by a voice vote.

Alderwoman Wyman moved to approve **Ord. No. 9798-49: An Ordinance Amending Chapter 12, "Human Rights," Of The Code Of Ordinances**. The motion was seconded by Alderwoman Patt.

Following debate, Alderman Whelan moved to include Alderman Taylor's motion from the previous meeting: "To amend the revision, Section 12-39 to add a section defining "Forcible Felony", as follows:

Forcible felony means treason, first degree murder, second degree murder, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, arson, kidnaping, residential burglary, aggravated arson, aggravated kidnaping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual.

2. To Amend the ordinance to add a section 12-40 to state:

Nothing in this chapter shall prohibit discrimination in the leasing of residential property based upon a person's record of conviction for a forcible felony or a felony drug conviction or the conviction of the sale, manufacture or distribution of illegal drugs or convictions which are based upon factors which would constitute one (1) of the categories of convictions listed above under Illinois law; provided, that the conviction shall not be allowed to be the basis of discrimination if the person convicted has resided outside of prison at least the last five (5) consecutive years without being convicted of an offense involving the use of force or violence or the illegal use, possession, distribution, sale or manufacture of drugs. This exception is not a restriction on the use of conviction information for other necessary business reasons.

This exception shall not be construed to authorize the use of conviction information to achieve racial or ethnic discrimination or discrimination on the basis of a disability or any other protected basis other than conviction and landlords are encouraged to consider the rehabilitative efforts of individuals and the period since the conviction and circumstances of the conviction when deciding to discriminate on the basis of conviction information. The landlord is not relieved of any

obligation of making a reasonable accommodation for persons with disabilities by this exception.

3. To amend the ordinance as necessary and as advised by staff, so it is consistent with the above changes."

The motion was seconded by Alderman Taylor.

Following further debate, the motion failed 3-4 by roll call vote. Voting aye were Members of the Council: Kearns, Taylor and Whelan - 3; voting nay: Hayes, Huth, Patt and Wyman - 4.

The motion to approve **Ord. No. 9798-49: An Ordinance Amending Chapter 12, "Human Rights," Of The Code Of Ordinances** carried 4-3 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Patt and Wyman - 4; voting nay: Kearns, Taylor and Whelan - 3.

Alderwoman Wyman thanked the members of the Human Relations Commission for their hard work on the ordinance revisions.

Alderwoman Wyman stated that the next regularly scheduled meeting of the Committee of the Whole will be Monday, October 13, 1997 at 7:30 p.m. in the Urbana City Council Chambers.

REPORTS OF SPECIAL COMMITTEES

There were none.

REPORTS OF OFFICER

Chief Administrative Officer Bruce Walden presented a certificate of achievement of excellence in financial reporting from the Government Finance Officers' Association for the City's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 1996 to Comptroller Ronald Eldridge.

NEW BUSINESS

Planning Technician Kim Gerstein presented staff report on Ord. No. 9798-54: An Ordinance Approving A General Variance To Reduce The Minimum Required Front Yard Setback To Allow The Construction Of An Educational Building And The Construction Of A Parking Lot (205-207 N. Central and 402-404 W. Main -- Case No. ZBA-97-GV-5) and Ord. No. 9798-55: An Ordinance Approving A General Variance To Reduce The Minimum Required Open Space Ratio To Allow The Construction Of An Educational Building (205-207 N. Central and 402-404 W. Main -- Case No. ZBA-97-GV-8).

Following debate, Alderman Whelan moved by omnibus motion to approve: Ord. No. 9798-54: An Ordinance Approving A General Variance To Reduce The Minimum Required Front Yard Setback To Allow The Construction Of An Educational Building And The Construction Of A Parking Lot (205-207 N. Central and 402-404 W. Main -- Case No. ZBA-97-GV-5) and Ord. No. 9798-55: An Ordinance Approving A General Variance To Reduce The Minimum Required Open Space Ratio To Allow The Construction Of An

Educational Building (205-207 N. Central and 402-404 W. Main -- Case No. ZBA-97-GV-8). The motion was seconded by Alderman Taylor and carried 7-0 by voice vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Ronald Eldridge presented staff report on Ord. No. 9798-50: An Ordinance Repealing Section 22-45 (1) And Amending Section 22-44 Of The Code Of Ordinances Of The City Of Urbana, Illinois, And Establishing A Telecommunications Tax (Taxes - Telecommunications Tax).

Following debate, Alderwoman Patt moved to send Ord. No. 9798-50: An Ordinance Repealing Section 22-45 (1) And Amending Section 22-44 Of The Code Of Ordinances Of The City Of Urbana, Illinois, And Establishing A Telecommunications Tax (Taxes - Telecommunications Tax) to the meeting of the Committee of the Whole on October 13, 1997 for further discussion. The motion was seconded by Alderman Whelan. Following further debate, the motion carried by a voice vote.

Public Works Director Bill Gray presented staff report on Ord. No. 9798-51: An Ordinance Amending Schedule J Of Section 14-3 Of The Urbana Local Traffic Code Prohibiting Parking On Certain Streets (Florida Avenue, Orchard Street, Race Street).

Alderwoman Patt moved to approve Ord. No. 9798-51: An Ordinance Amending Schedule J Of Section 14-3 Of The Urbana Local

Traffic Code Prohibiting Parking On Certain Streets (Florida Avenue, Orchard Street, Race Street). The motion was seconded by Alderwoman Wyman and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Chief Pessemier and Mr. Walden presented staff report on **Ord. No. 9798-52: An Ordinance Revising The Annual Budget Ordinance (Carle CPR Fees and Fire Prevention Material)**.

Following debate, Alderwoman Wyman moved to approve **Ord. No. 9798-52: An Ordinance Revising The Annual Budget Ordinance (Carle CPR Fees and Fire Prevention Material)**. The motion was seconded by Alderman Hayes and carried 8-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman and Mayor Satterthwaite - 8; voting nay: none.

Alderman Whelan moved to approve **Ord. No. 9798-56: An Ordinance Approving A General Variance To Reduce The Required Front Yard Setback To Permit The Enclose Of A Porch (1009½ N. Berkley Avenue -- Case No. ZBA-97-GV-7)**. The motion was seconded by Alderman Taylor and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

ADJOURNMENT

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There being no further business to come before the
Council, Mayor Satterthwaite declared the meeting adjourned at
10:15 p.m.

Tod Satterthwaite
Mayor

Phyllis D. Clark, City Clerk

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