

**URBANA CITY COUNCIL MEETING
Monday, December 7, 1998**

The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, December 7, 1998, in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:31 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, Bruce Walden, Jack Waaler, April Getchius, Patrick Hudson, Kim Gerstein, Bill Gray, Jim Kelly and Phyllis Clark.

MINUTES OF PREVIOUS MEETING

Alderman Hayes moved to approve the minutes of the November 16, 1998 regular meeting. The motion was seconded by Alderwoman Kearns and carried by a voice vote.

ADDITIONS TO THE AGENDA

Mayor Satterthwaite requested to add Ord. No. 9899-52: An Ordinance Confirming Ward Boundaries to the agenda between items E.1.d. and E.1.e. There were no objections.

PETITIONS AND COMMUNICATIONS

Robert F. VanEpps, representing MLP Assoc., addressed the Council in support of Ord. No. 9899-45: An Ordinance Approving A General Variance (Reduction Of The Required Side Yard Setback In The City's B-3, General Business Zoning District, From Ten Feet To Zero Feet / 2010-2024 S. Philo Road – Case No. ZBA-98-GV-8).

Tom Berns, representing Berns, Clancy & Associates, addressed the Council in support of

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Ord. No. 9899-45: An Ordinance Approving A General Variance (Reduction Of The Required Side Yard Setback In The City's B-3, General Business Zoning District, From Ten Feet To Zero Feet / 2010-2024 S. Philo Road – Case No. ZBA-98-GV-8).

Michael Floyd, 312 W. Washington, addressed the Council to present information regarding the replacement of brick sidewalks.

Stacey Green and Maria Horn, 1343 N. Lincoln Avenue #2043, addressed the Council with complaints against University Commons/Capstone Properties.

Frieda Wascher, 803 W. Fairview, addressed the Council to request that the City consider purchasing a vacuum to assist in leaf pickup.

Jon Stewart, 807 LaSell Drive, Champaign, addressed the Council in support of Ord. No. 9899-51: An Amendment To A Part Of The Zoning Map Of The City Of Urbana, Illinois (Tri-Star/507 W. University – Plan Case No. 1709-M-98).

Earl O'Shea, 606A South Glover, addressed the Council on the topic of better government.

OLD BUSINESS

Mayor Satterthwaite stated that there was one ordinance under Old Business, which is **Ord. No. 9899-45: An Ordinance Approving A General Variance (Reduction Of The Required Side Yard Setback In The City's B-3, General Business Zoning District, From Ten Feet To Zero Feet / 2010-2024 S. Philo Road – Case No. ZBA-98-GV-8).**

Community Development Director April Getchius stated that an amended ordinance went out in the packet approving this variance. The ordinance includes a “**WHEREAS**” section which states that the property to the south of this property may have a similar hardship.

The motion was before Council for approving this general variance.

Following debate, Alderwoman Huth moved to postpone consideration of this ordinance until the first Council meeting in February. The motion was seconded by Alderwoman Wyman.

Following debate, Alderman Whelan moved a friendly amendment to table the ordinance.

Alderman Huth requested a five minute recess. The Council recessed at 9:20 p.m. and resumed session at 9:25 p.m. with all Members previously in attendance still present.

Alderman Whelan withdrew his friendly amendment.

Following further debate, the motion failed by a show of hands vote.

The main motion to approve An Ordinance Approving A General Variance is now on the table.

The motion failed 3-3-1 by roll call vote. Voting aye were Members of the Council: Kearns, Taylor and Whelan – 3; voting nay: Hayes, Patt and Wyman; Alderwoman Huth abstained – 1.

REPORTS OF STANDING COMMITTEES

Committee Of The Whole

Mayor Satterthwaite presented staff report on **A Motion Requesting Brick Sidewalk Waiver (Canaan Academy)**.

Alderwoman Wyman moved to approve **A Motion Requesting Brick Sidewalk Waiver (Canaan Academy)**. The motion was seconded by Alderman Whelan 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.

Public Works Director Bill Gray presented staff report on **Ord. No. 9899-47: An Ordinance Amending Section 20-68 Of The Urbana Code Regarding Brick Sidewalks.**

Alderwoman Wyman moved to table **Ord. No. 9899-47: An Ordinance Amending**

Section 20-68 Of The Urbana Code Regarding Brick Sidewalks until other issues regarding brick sidewalks are discussed. The motion was seconded by Alderwoman Huth.

Alderman Taylor moved to suspend the rules in order to discuss the tabling of this ordinance. The motion was seconded by Alderman Whelan and carried by a voice vote.

Following debate, the motion to table **Ord. No. 9899-47: An Ordinance Amending Section 20-68 Of The Urbana Code Regarding Brick Sidewalks** carried by a voice vote.

Alderwoman Wyman moved to approve **Ord. No. 9899-48: An Ordinance Annexing certain Territory To The City Of Urbana (Miracle Water/1302 N. Lincoln Avenue)** The motion was seconded by Alderwoman Patt 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.

Alderwoman Wyman moved to approve **Ord. No. 9899-49: An Ordinance Assigning Appropriate Ward/Florida Ridge Annexation.** The motion was seconded by Alderwoman Patt 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.

Alderwoman Wyman moved to approve **Ord. No. 9899-52: An Ordinance Confirming Ward Boundaries.** The motion was seconded by Alderwoman Kearns. Following debate, the motion 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.

Alderwoman Wyman moved to approve **Ord. No. 9899-50: An Ordinance Deleting Section 23-145 Of The Urbana Local Traffic Code Entitled "Permits For Bicycles", And Establishing A New Section 23-145 Entitled "Registration Of Bicycles".** The motion was seconded by Alderwoman Patt 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.

Alderwoman Wyman stated that the next meeting of the Committee of the Whole will be at 7:30 p.m. on Monday, December 14, 1998, in the Urbana City Council chambers at 400 South Vine Street.

REPORTS OF STANDING COMMITTEES

There were none.

REPORTS OF OFFICERS

Mayor Satterthwaite reminded citizens that this week is the last week of leaf pickup.

Alderwoman Wyman inquired about the possibility of having an update on University Commons put on the agenda of the next Council meeting.

Alderwoman Huth asked if a date other than Wednesday, January 6, 1999 could be considered for the public meeting to discuss the multi-family recycling program since the students will be away on Holiday break. Alderwoman Huth suggested perhaps January 20, 1999 would be a better date.

Alderwoman Huth inquired about the parking available during the street cleaning process.

Mayor Satterthwaite requested a five minute recess at 9:50 p.m.. There were no objections.

The Council reconvened at 9:53 p.m. with all Members previously in attendance still present.

Mayor Satterthwaite stated that it was brought to his attention as regards to **Ord. No. 9899-45: An Ordinance Approving A General Variance (Reduction Of The Required Side Yard Setback In The City's B-3, General Business Zoning District, From Ten Feet To Zero Feet/2010-2024 S. Phil Road – Case No. ZBA-98-GV-8)**, that the Mayor is entitled to break a tie vote.

Alderwoman Patt moved to reconsider the vote on **Ord. No. 9899-45: An Ordinance**

Approving A General Variance (Reduction Of The Required Side Yard Setback In The City's B-3, General Business Zoning District, From Ten Feet To Zero Feet/2010-2024 S. Phil Road – Case No. ZBA-98-GV-8). The motion was seconded by Alderman Whelan and carried by a voice vote.

Ord. No. 9899-45: An Ordinance Approving A General Variance (Reduction Of The Required Side Yard Setback In The City's B-3, General Business Zoning District, From Ten Feet To Zero Feet/2010-2024 S. Phil Road – Case No. ZBA-98-GV-8) was before Council for consideration and failed 3-4 by roll vote. Voting aye were Members of the Council: Kearns, Taylor and Whelan – 3; voting nay: Hayes, Huth, Patt and Wyman – 4.

REPORTS OF SPECIAL COMMITTEES

There were none.

REPORTS OF OFFICERS

There were none.

NEW BUSINESS

Planner Kim Gerstein presented staff report on Ord. No. 9899-51: An Amendment To A Part Of The Zoning Map Of The City Of Urbana, Illinois (Tri-Star/507 W. University – Plan Case No. 1709-M-98) stating that the subject property had been unintentionally zoned MIC, Medical Institutional Campus, when that zoning category was created in 1995. The Plan Commission voted 7-0 to recommend the rezoning 507 W. University from MIC, Medical Institutional Campus, to B-3, General Business and staff agrees.

Alderwoman Wyman moved to approve Ord. No. 9899-51: An Amendment To A Part Of The Zoning Map Of The City Of Urbana, Illinois (Tri-Star/507 W. University – Plan Case No. 1709-M-98). The motion was seconded by Alderman Hayes and carried 7-0 by roll call vote. Voting aye were

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Members or the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman – 7; voting nay: none.

ADJOURNMENT

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 9:56 p.m.

Tod Satterthwaite
Mayor

Phyllis D. Clark, City Clerk

*This meeting was taped.

**This meeting was broadcast on cable television.