

COMMITTEE OF THE WHOLE
APRIL 9, 2001

COMMITTEE MEMBERS PRESENT:

Hayes, Huth, Kearns, Patt, Taylor, and Wyman – 6.

COMMITTEE MEMBERS ABSENT:

Whelan – 1 (excused)

STAFF MEMBERS PRESENT:

Police Chief Eddie Adair, Economic Development Manager Reed Berger, Comptroller Ron Eldridge, Environmental Manager Rod Fletcher, Public Works Director Bill Gray, City Clerk Phyllis Clark, Mayor Tod Satterthwaite, Assistant City Attorney Steve Holz and Chief Administrative Officer Bruce Walden.

OTHERS PRESENT:

Members of the Media.

There being a quorum, Chair Taylor called the meeting to order at 7:32 p.m.

ADDITIONS TO THE AGENDA AND STAFF REPORT

Chair Taylor stated that it has been requested to remove item 10. **Ordinance No. 2001-04-038: An Ordinance Approving and Authorizing the Execution of an Agreement with Andrae's Harley-Davidson, Inc.** and item 13. **Closed Session** from the agenda. There were no objections.

Minutes of the Previous Meeting

Mr. Hayes moved to approve the minutes of the March 26, 2001, regular meeting of the Committee of the Whole. The motion was seconded by Ms. Wyman and carried by a voice vote.

Public Input

There was none.

Ordinance No. 2001-04-034: An Ordinance Providing for the Refinancing by the City of Urbana, Illinois of a Residential Rental Project by the Refunding of Prior Bonds for Village Community Partners I, L.P. (The "Borrower"); Authorizing the Issuance of its \$1,700,000 Adjustable Rate Multi-Family Housing Revenue Bonds, Series 2001 (Village Community Partners I, L.P. – Prairie Green Apartments), in Connection Therewith; Authorizing the Execution and Delivery of a Loan Agreement Between the City of Urbana, Illinois and the Borrower; Authorizing the Execution and Delivery of a Trust Indenture Securing Said Bonds; and Authorizing the Execution of a Bond Purchase Agreement Providing for the Sale of Said Bonds to the Purchaser Thereof and Related Matters

Comptroller Ron Eldridge presented staff report. In June 1994, the City of Urbana issued \$2 million in Housing Revenue Bonds for the Prairie Green Apartments Project (Village Community Partners LLP).

Because interest rates have dropped, the attorney for Village Community Partners has requested that the City allow them to issue new bonds and use these bonds to pay off the original bonds to provide a lower interest rate and lower future payments by Village Community Partners.

The City will receive approximately \$8,000 as payment for its part in the in the refinancing. There is no liability on the part of the City for repaying of the bonds.

Staff recommends approval of the ordinance.

Following debate, Mrs. Kearns moved to send **Ordinance No. 2001-04-034: An Ordinance Providing for the Refinancing by the City of Urbana, Illinois of a Residential Rental Project by the Refunding of Prior Bonds for Village Community Partners I, L.P. (The "Borrower"); Authorizing the Issuance of its \$1,700,000 Adjustable Rate Multi-Family Housing Revenue Bonds, Series 2001 (Village Community Partners I, L.P. – Prairie Green Apartments), in Connection Therewith; Authorizing the Execution and Delivery of a Loan Agreement Between the City of Urbana, Illinois and the Borrower; Authorizing the Execution and Delivery of a Trust Indenture Securing Said Bonds; and Authorizing the Execution of a Bond Purchase Agreement Providing for the Sale of Said Bonds to the Purchaser Thereof and Related Matters** to Council for approval. The motion was seconded by Ms. Wyman and carried by a voice vote.

Ordinance No. 2001-04-035: An Ordinance Amending Section 1-16 of Chapter One of the Urbana Code of Ordinances Relating to Checks Returned for Insufficient Funds

Mr. Eldridge presented staff report on this ordinance. The section authorizing a service charge for a returned check and the amount of that charge is located in the General Provisions chapter of the City Code. This ordinance would move the amount of the service charge to the Schedule of Fees. Moving the returned check service charge to the schedule provides uniformity and periodic reviews of all fees. Staff recommends approval.

Following debate, Mr. Hayes moved to send **Ordinance No. 2001-04-035: An Ordinance Amending Section 1-16 of Chapter One of the Urbana Code of Ordinances Relating to Checks**

Returned for Insufficient Funds to Council for approval. The motion was seconded by Ms. Wyman and carried by a voice vote.

Ordinance No. 2001-04-035: An Ordinance Amending Chapter Fourteen of the Code of Ordinances, City of Urbana, Illinois, Regarding the Schedule of Fees (July 1, 2001 through June 30, 2002)

Mr. Eldridge presented staff report stating this ordinance is the annual review and revision of the license and permit fees for fiscal year 2001/2002. License, permit and service fees are reviewed and adjust on an annual basis to keep pace with the cost of providing the services. The City Code requires that the proposed Schedule of Fees be reviewed by the City Council and filed with the City Clerk at least thirty (30) days prior to final action by the City Council. Council approval of the Schedule of Fees is required.

Staff recommends approval of this ordinance.

Following debate, Ms. Wyman moved to forward **Ordinance No. 2001-04-035: An Ordinance Amending Chapter Fourteen of the Code of Ordinances, City of Urbana, Illinois, Regarding the Schedule of Fees (July 1, 2001 through June 30, 2002)** to the May 21, 2001 meeting of the Urbana City Council for approval. The motion was seconded by Ms. Huth and carried by a voice vote.

Ordinance No. 2001-03-030: An Ordinance Approving and Authorizing the Execution of an Amended and Restated Boundary Development Area Agreement (Metrozone)

Chief Administrative Officer Bruce Walden presented staff report. The Amended and Restated Boundary Development Area Agreement is the result of efforts by the staffs of the Cities of Champaign and Urbana. Although the Restatement Agreement has many minor changes, there are only eight (8) revisions, which appear to be significant. It is felt that it would be helpful to Council Members in review of the Agreement if they had a report of the revisions from the perspective of both Legal Departments. (See April 4, 2001 memo from Jack Waaler and Fred Stavins attached.)

Following debate, Mrs. Kearns moved to forward **Ordinance No. 2001-03-030: An Ordinance Approving and Authorizing the Execution of an Amended and Restated Boundary Development Area Agreement (Metrozone)** to Council for approval. The motion was seconded by Ms. Patt and carried by a voice vote.

Ordinance No. 2001-04-037: An Ordinance Disconnecting 710 Dodson Drive, Urbana (Harold D. Wheatley and Helen L. Wheatley)

Mr. Walden presented staff report stating that when the petition to incorporate Big Grove was being organized in the summer of 2000, the City annexed various tracts in order to position ourselves so as not to be harmed should Big Grove be incorporated. One of those annexations was a single-family residence owned by Mr. and Mrs. Wheatley at 710 Dodson Drive. The Wheatley's agreed to this annexation to benefit the City. At this time, the Wheatley's have requested a disconnection for their property at 710 Dodson Drive.

The home is on the border of the City and this disconnection would have no negative impact on any other property. Staff recommends approval.

Ms. Wyman moved to forward **Ordinance No. 2001-04-037: An Ordinance Disconnecting 710 Dodson Drive, Urbana (Harold D. Wheatley and Helen L. Wheatley)** to Council for approval. The motion was seconded by Ms. Patt and carried by a voice vote.

Ordinance No. 2001-04-039: An Ordinance Amending Chapter Eleven of the Code of Ordinances, City of Urbana, Illinois Regulating Health and Sanitation (Summary Abatement)

Environmental Manager Rod Fletcher presented staff report. The proposed ordinance will clarify that the City is not required to give prior written notice to property owners for all conditions that may arise for which nuisances would be summarily abated. Current language could be interpreted that no written notice would only be required for imminent hazard conditions. The language under Section D would state, "Prior written notice to the property owner shall not be required in order to summarily abate a nuisance under the conditions described herein. When practicable, an attempt to contact the property owner by telephone may be made. Following summary abatement, a written notice shall be served upon the property owner describing the situation, actions taken, and penalty and costs incurred."

A third condition is being proposed that would initiate summary abatement actions. Many times people will set waste materials and large items out on the parkway for pickup. These items are only allowed to occupy this area until 10:00 a.m. the day following the designated curbside collection day. Any such materials found on the parkway after this time could be summarily abated under this condition. The intent is to have an additional tool to keep parkways free of waste materials.

Staff recommends approval.

Following debate, Ms. Patt moved to send **Ordinance No. 2001-04-039: An Ordinance Amending Chapter Eleven of the Code of Ordinances, City of Urbana, Illinois Regulating Health and Sanitation (Summary Abatement)** to Council for approval. The motion was seconded by Ms. Huth and carried by a voice vote.

Ordinance No. 2001-04-040: An Ordinance Amending Chapter Twenty-Five of the Code of Ordinances, City of Urbana, Illinois Regulating Vegetation

Mr. Fletcher presented staff report. Mr. Fletcher passed out a copy of a revised ordinance with minor changes prior to beginning his report.

This ordinance adds a Division 3, "Landscape Management", to Article IV "Nuisances", Chapter 11, of the Municipal Code. The Ordinance will repeal the existing "Noxious Weeds" Article in Chapter 25, entitled "Vegetation" and incorporate Division 3, "Landscape Management" nuisances. Division 1 procedures will apply for nuisance violations pertaining to the new landscape management division.

Following debate, Mr. Hayes moved to send **Ordinance No. 2001-04-040: An Ordinance Amending Chapter Twenty-Five of the Code of Ordinances, City of Urbana, Illinois Regulating Vegetation** to Council for approval. The motion was seconded by Ms. Kearns.

Public Works Director Bill Gray stated that staff would consider the concerns expressed in debate and respond with a memo in the packet to be mailed out on Thursday, April 12, 2001.

Ms. Patt moved to amend the motion to leave the appeal of the denial of the permit for a managed landscape plan to the City Council. The motion was seconded by Ms. Wyman and carried by a voice vote.

The motion to send **Ordinance No. 2001-04-040: An Ordinance Amending Chapter Twenty-Five of the Code of Ordinances, City of Urbana, Illinois Regulating Vegetation**, as amended, to Council for approval carried by a voice vote.

ADJOURNMENT

There being no further business to come before the Committee, Chair Taylor declared the meeting adjourned at 8:47 p.m.

Respectfully submitted,

Elaine Taylor
Recording Secretary

*This meeting was taped.

**This meeting was broadcast on cable television.

Minutes approved: April 23, 2001