

STATE OF ILLINOIS

Tod Satterthwaite, Mayor

CITY OF URBANA

Phyllis D. Clark, City Clerk



**URBANA CITY COUNCIL MEETING
NOVEMBER 17, 2003**

The City Council of the City of Urbana, Illinois, met in regular session Monday, November 17, 2003 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT

Ward 1 - Alderwoman Esther Patt
Ward 2 - Alderwoman Ruth Wyman
Ward 3 - Alderman James H. Hayes, Jr.
Ward 4 - Alderwoman Danielle Chynoweth
Ward 5 - Alderwoman Laura Huth
Ward 6 - Alderman Joseph A. Whelan, Jr.
Ward 7 - Alderman Milton Otto

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Tod Satterthwaite; Phyllis Clark; Stephen Holz; Eddie Adair; Rex Mundt; Ronald Eldridge; William Gray; Elizabeth Tyler; Robert Grewe; Robert Kowalski

OTHERS PRESENT

Joan Zagorski; Liz Cardman; Peter Millburg; Lisa Treul; Barbara and Lester Pritchard; Rich Cahill; Laura Haber; Steve Ross; Members of the Media

Mayor Satterthwaite called the meeting to order at 7:36 p.m. First order of business was the Pledge of Allegiance.

Mayor Satterthwaite entered into record a Proclamation honoring Senator Stanley Weaver. (See attached.) Senator Weaver passed away last week. Mayor Satterthwaite called for a moment of silence.

A. APPROVAL OF MINUTES OF PREVIOUS MEETING

November 3, 2003 - Alderman Hayes made a motion to approve the minutes of the November 3, 2003 City Council meeting. Alderwoman Wyman seconded. The motion carried by a voice vote.

B. ADDITIONS TO THE AGENDA

There were no additions to the agenda.

Mayor Satterthwaite informed the Council that staff is requesting to remove item #E.1.f from the agenda at the request of the County in order to allow them an opportunity to review and meet on it. There were no objections. This item will appear on the December 1, 2003 agenda.

C. PETITIONS AND COMMUNICATIONS

The following people addressed the Council in support of the proposed revisions to sections of the Urbana Zoning Ordinance pertaining to requirements of the MOR (Mixed-Office-Residential) Zoning District:

Lisa Treul, 714 W. Iowa; Rich Cahill, 307 S. Orchard; and Steve Ross, 609 W. Green St.

The following people addressed the Council expressing their concerns, neither for nor against, the proposed amendments to the MOR District:

Joan Zagorski, 1605 S. Race; Liz Cardman, 708 W. California; Barbara & Lester Pritchard, 601 W. Pennsylvania; and Laura Haber, 206 S. McCullough;

Peter Millburg, representing Illinois Power Company, 1112 W. Anthony Drive, addressed the Council on the topic of Illinois Power and Exelon expressing the benefits this merger has to offer residents of Urbana.

Council Member Input

Noting the recent celebration of Veteran's Day on November 11th, Alderman Hayes gave homage to U.S. Veterans and read into record a statement honoring them. (See attached.)

D. OLD BUSINESS

1. Ordinance No. 2003-11-120: ***An Ordinance Amending the Zoning Ordinance of The City of Urbana, Illinois (Revisions to various sections of the Urbana Zoning Ordinance as They Pertain to the Requirements of the MOR, Mixed-Office-Residential, Zoning District, and the Procedures of The Development Review Board - Plan Case No. 1865-T-03)***

[Note: This item was deferred from the November 3, 2003 meeting and a motion to approve remains on the floor.]

Alderwoman Patt made a motion to amend Section XI-12.F to read: *"Approval of a site plan shall require a two-thirds majority vote and shall be calculated on the basis of those voting members present and not abstaining, however, in no instance shall fewer than four 'aye' votes constitute a two-thirds majority."*

Alderwoman Wyman seconded. Following debate, the motion carried by a voice vote.

Aldерwoman Wyman made a motion to amend Section C. Membership, item 1.d to read: "*A resident of the MOR, Mixed-Office-Residential Zoning District.*" Aldерwoman Patt seconded. Following debate, Alderman Whelan requested a roll call vote. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Nay |
| Huth - Aye | Wyman - Aye |
| Otto - Nay | |

The motion carried by a roll call vote (5-aye:2-nay).

Aldерwoman Chynoweth made a motion to amend Section C. Membership, item 1.g to read: "*An owner of a local small business with fewer than 40 employees.*" Aldерwoman Wyman seconded. Following debate, Alderman Whelan requested a roll call vote. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Aye |
| Huth - Aye | Wyman - Aye |
| Otto - Aye | |

The motion carried by a roll call vote (7-aye:0-nay).

Aldерwoman Wyman made a motion to amend the Design Guidelines Review with a list of amendments she distributed to Council Members (see attached). Aldерwoman Patt seconded. Debate ensued.

Aldерwoman Huth moved to amend #4 of Aldерwoman Wyman's list to read: "*except in front of the entrance.*" Aldерwoman Chynoweth seconded. The motion carried by a voice vote.

Aldерwoman Huth moved to amend letters i and j to read "*no porches or balconies on second floor or higher on sides abutting single-family residences.*" Aldерwoman Wyman seconded. Following debate the motion carried by voice vote.

Following further debate, Aldерwoman Chynoweth moved to amend Section J to read: "*If parking is located below a principle residential structure, all rental units on the floor above the parking shall be wheelchair accessible and located on accessible route.*)" Aldерwoman Patt seconded. Debate ensued.

Aldерwoman Chynoweth withdrew her motion and asked that staff report back to Council and address parking. Debate ensued.

Aldерwoman Wyman reiterated on Aldерwoman Chynoweth's previous motion and then moved to amend Section J to read: "*If parking is located below a principle residential structure, all rental units on the floor above the parking shall be wheelchair accessible and located on accessible route.*" Aldерwoman Patt seconded. Debate ensued.

Aldерwoman Chynoweth made motion to reconsider. Aldерwoman Patt seconded. The motion carried by voice vote.

The vote on the main motion, as amended, was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Nay |
| Huth - Aye | Wyman - Aye |
| Otto - Nay | |

Disposition: Ordinance No. 2003-11-120, "An Ordinance Amending the Zoning Ordinance of The City of Urbana, Illinois (Revisions to various sections of the Urbana Zoning Ordinance as They Pertain to the Requirements of the MOR, Mixed-Office-Residential, Zoning District, and the Procedures of The Development Review Board - Plan Case No. 1865-T-03), was approved by Council by a roll call vote (5-aye:2-nay).

Before proceeding with further items on the agenda, Mayor Satterthwaite called a five-minute recess.

The meeting resumed at 10:25 p.m. with all Council Members present.

E. REPORTS OF STANDING COMMITTEES

1. Committee Of The Whole

- a. Ordinance No. 2003-11-131: ***An Ordinance Approving and Authorizing the Execution of An Intergovernmental Agreement for Preliminary Feasibility Study of Electricity Utility Acquisition***

Stephen Holz (City Attorney) distributed amendments to the agreement.

Aldерwoman Huth moved to approve as amended with the version distributed this evening. Alderman Hayes seconded. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Aye |
| Huth - Aye | Wyman - Aye |
| Otto - Aye | |

Disposition: Ordinance No. 2003-11-131, "An Ordinance Approving and Authorizing the Execution of An Intergovernmental Agreement for Preliminary Feasibility Study of Electricity Utility Acquisition", was approved by Council as amended by a roll call vote (7-aye:0-nay).

b. **Traffic Commission Items:**

The following Traffic Commission items were acted on in omnibus fashion:

1. Ordinance No. 2003-11-123: **An Ordinance Amending Schedule J of Section 23-172 of The Urbana Local Traffic Code Establishing Curb Loading Zones on Certain Streets (Central Avenue);**
2. Ordinance No. 2003-11-124: **An Ordinance Amending Schedule L of Section 23-187 of The Urbana Local Traffic Code Prohibiting Parking in Specified Places (Florida Avenue at Philo Road; Central Avenue at Griggs Street);**
3. Ordinance No. 2003-11-125: **An Ordinance Amending Schedule H of Section 23-93 of The Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (Adams Street at Briarcliff Drive; Central Avenue at Griggs Street);** and
4. Ordinance No. 2003-11-126: **An Ordinance Amending Schedule I of Section 23-94 of The Urbana Local Traffic Code Requiring Yield Signs at a Certain Intersection (Adams Street at Briarcliff Drive)**

Alderman Huth made a motion to approve. Alderman Patt seconded. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Aye |
| Huth - Aye | Wyman - Aye |
| Otto - Aye | |

Disposition: Council approved Ordinance Nos. 2003-11-123, 2003-11-124, 2003-11-125, and 2003-11-126 by a roll call vote (7-aye:0-nay).

c. Ordinance No. 2003-11-127: **An Ordinance Approving and Authorizing the Execution of An Urbana HOME Consortium Community Housing Development Organization Agreement (Urban League of Champaign County Development Corporation CHDO Operating FY 2003-2004)**

Alderman Huth made a motion to approve. Alderman Wyman seconded. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Aye |
| Huth - Aye | Wyman - Aye |
| Otto - Aye | |

Disposition: Ordinance No. 2003-11-127, "An Ordinance Approving and Authorizing the Execution of An Urbana HOME Consortium Community Housing Development Organization

Agreement (Urban League of Champaign County Development Corporation CHDO Operating FY 2003-2004)", was approved by Council by roll call vote (7-aye:0-nay).

- d. Ordinance No. 2003-11-128: **An Ordinance to Amend Section 2-150 by Adding a Subsection D (Annexation Agreement Provisions)**

Alderwoman Huth made a motion to approve. Alderman Whelan seconded. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Aye |
| Huth - Aye | Wyman - Aye |
| Otto - Aye | |

Disposition: Ordinance No. 2003-11-128, "An Ordinance to Amend Section 2-150 by Adding a Subsection D (Annexation Agreement Provisions)", was approved by Council by roll call vote (7-aye:0-nay).

- e. Ordinance No. 2003-11-129: **An Ordinance Regarding Bonds for City Officials**

Alderwoman Huth made a motion to approve. Alderwoman Wyman seconded. The vote was as follows:

| | |
|-----------------|--------------|
| Chynoweth - Aye | Patt - Aye |
| Hayes - Aye | Whelan - Aye |
| Huth - Aye | Wyman - Aye |
| Otto - Aye | |

Disposition: Council approved Ordinance No. 2003-11-129, "An Ordinance Regarding Bonds for City Officials", by roll call vote (7-aye:0-nay).

With nothing further to report, Alderwoman Huth stated that the next meeting of the Committee Of The Whole is scheduled for Monday, November 24, 2003 at 7:30 p.m. in the Council Chambers.

F. REPORTS OF SPECIAL COMMITTEES

There were none.

G. REPORTS OF OFFICERS

There were none.

H. NEW BUSINESS

1. **Property Tax Levy Ordinances**

- a. Ordinance No. 2003-11-132: **An Ordinance Revising The Annual Budget Ordinance (2003 Property Tax Appropriation);**

- b. Ordinance No. 2003-11-133: *Annual Tax Levy Ordinance of the City of Urbana, Illinois for the Year Beginning July 1, 2003 and Ending June 30, 2004*; and
- c. Ordinance No. 2003-11-134: *An Ordinance Abating Tax Levy for \$5,705 Million General Obligation Bonds, Series 1994*

Ronald Eldridge (Comptroller) informed the Council that staff was not prepared to present these items at this time and requested that they defer this presentation to the next City Council meeting to be held December 1, 2003. Mr. Eldridge stated that there would also be a resolution to present with these ordinances.

Alderman Hayes made a motion to defer. Alderwoman Wyman seconded.

These items, and a resolution, will be presented to the Council at its December 1, 2003 meeting.

2. *Mayoral Appointment - John Regetz to the position of Economic Development Manager*

Alderwoman Wyman made a motion to approve the appointment. Alderwoman Chynoweth seconded. The motion carried by voice vote.

Disposition: Council approved the appointment of John Regetz to the position of Economic Development Manager by a voice vote.

I. ADJOURNMENT

There being no further business to come before the City Council, Mayor Satterthwaite declared the meeting adjourned at 10:43 p.m.

Deborah J. Roberts
Recording Secretary

Phyllis D. Clark
City Clerk

*This meeting was taped.

**This meeting was broadcast on cable television.

Minutes Approved: December 1, 2003, as amended

AMENDMENT TO NOVEMBER 17, 2003 MINUTES

Alderwoman Patt requested to amend the minutes on the top of page 4, the first paragraph, to add, after "Alderwoman Chynoweth made a motion to reconsider" "a motion to consider deleting Section 8.3.J. Location of Parking Facilities." There were no objections.

The minutes were approved as amended.