

STATE OF ILLINOIS

CITY OF URBANA

*Tod Satterthwaite, Mayor*

*Phyllis D. Clark, City Clerk*



**URBANA CITY COUNCIL MEETING  
JANUARY 18, 2005**

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The City Council of the City of Urbana, Illinois, met in regular session Tuesday, January 18, 2005 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. (7:34 p.m.)  
Ward 4 - Alderwoman Danielle Chynoweth (7:32 p.m.)  
Ward 5 - Alderman Dennis Roberts  
Ward 7 - Alderman Christopher Alix

**COUNCIL MEMBERS ABSENT**

Ward 6 - Alderman Joseph A. Whelan, Jr.

**STAFF PRESENT**

Tod Satterthwaite; Phyllis Clark; Stephen Holz; Eddie Adair; Rex Mundt; William Gray; Elizabeth Tyler; Rodney Fletcher; John Regetz

**OTHERS PRESENT**

Robert Michael Doyle; Gabe Omo-Osagie; Diane Marlin; Curtis Pettyjohn; Members of the Media

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There being a quorum, Mayor Satterthwaite called the meeting of the Urbana City Council to order at 7:31 p.m.

**A. APPROVAL OF MINUTES OF PREVIOUS MEETING**

January 3, 2005 - Alderwoman Patt moved to approve the minutes of the meeting held January 3, 2005. Alderwoman Wyman seconded. The motion carried by a voice vote.

**B. ADDITIONS TO THE AGENDA**

There were none.

**C. PETITIONS and COMMUNICATIONS**

Robert Michael Doyle, 105 E. Green, Apt. A-1, addressed the Council with concerns about the HRO (Human Rights Ordinance) and housing with

respect to renting to 4 unrelated people. Mr. Doyle indicated that same sex partners are not counted as unrelated and suggested that a "Same Sex Domestic Partner Registry" be established in the City Clerk's office.

Gabe Omo-Osagie, 2409 N. High Cross Road, addressed the Council with his concerns regarding enforcement of the Zoning Ordinance pertaining to over-occupancy of dwelling units with respect to renting to 4 unrelated people.

Diane Marlin, 2203 Boudreau Circle, addressed the Council in support of purchasing U-CARTS.

[More public input presented under item #H.2 of this record.]

**Council Member Input**

Alderwoman Patt read into record a piece of e-mail correspondence she received from Elizabeth Cardman, 708 W. California, concerning over-occupancy of dwelling units. (See attached.)

Alderwoman Wyman requested that the issue of the County's brick structure at the corner of Vine and Elm Streets be placed on next week's Committee agenda for discussion. There were no objections.

**D. OLD BUSINESS**

There was none.

**E. REPORTS OF STANDING COMMITTEES**

1. **Committee Of The Whole**

- a. Ordinance No. 2004-12-153: ***An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (McCullough Street at Griggs Street; Locust Street at Central Avenue)***

Alderwoman Chynoweth moved to approve. Alderwoman Wyman seconded. The vote was as follows:

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Ordinance No. 2004-12-153, "An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (McCullough Street at Griggs Street; Locust Street at Central Avenue)", was approved by Council by a roll call vote (6-aye:0-nay).

- b. Ordinance No. 2004-12-154: **An Ordinance Amending Schedule L of Section 23-187 of the Urbana Local Traffic Code Prohibiting Parking in Specified Places (Harding Drive)**

Alderwoman Chynoweth moved to approve. Alderwoman Wyman seconded. The vote was as follows:

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Ordinance No. 2004-12-154, "An Ordinance Amending Schedule L of Section 23-187 of the Urbana Local Traffic Code Prohibiting Parking in Specified Places (Harding Drive)", was approved by Council by a roll call vote (6-aye:0-nay).

- c. Resolution No. 2005-01-001R: **A Resolution Adopting the National Incident Management System (NIMS)**

Alderwoman Chynoweth made a motion to adopt the resolution. Alderwoman Wyman seconded. The vote was as follows:

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Resolution No. 2005-01-001R, "A Resolution Adopting the National Incident Management System (NIMS)", was adopted by the Council by roll call vote (6-aye:0-nay).

- d. Ordinance No. 2005-01-004: **An Ordinance Authorizing the Mayor to Execute Agreements for Use of Rights-Of-Way (701 South Gregory Place)**

Alderwoman Chynoweth made a motion to approve. Alderwoman Patt seconded. The vote was as follows:

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Ordinance No. 2005-01-004, "An Ordinance Authorizing the Mayor to Execute Agreements for Use of Rights-Of-Way (701 South Gregory Place)", was approved by Council by a roll call vote (6-aye:0-nay).

- e. Ordinance No. 2005-01-005: **An Ordinance Revising the Annual Budget Ordinance (U-CART Purchase)**

Alderwoman Chynoweth moved to approve. Alderman Hayes seconded. The vote was as follows:

Alix - Aye	Roberts - Aye
Chynoweth - Aye	Wyman - Aye

Hayes - Aye  
Patt - Aye

Mayor Satterthwaite - Aye

**Disposition:** Ordinance No. 2005-01-005, "An Ordinance Revising the Annual Budget Ordinance (U-CART Purchase)", was approved by Council by a roll call vote (7\*-aye:0-nay). [*\*Requires Mayor vote.*]

- f. Ordinance No. 2005-01-006: **An Ordinance Revising the Annual Budget Ordinance (Tree Trimming Grant)**

Alderwoman Chynoweth moved to approve. Alderman Hayes seconded. The vote was as follows:

Alix - Aye  
Chynoweth - Aye  
Hayes - Aye  
Patt - Aye

Roberts - Aye  
Wyman - Aye  
Mayor Satterthwaite - Aye

**Disposition:** The Council approved Ordinance No. 2005-01-006, "An Ordinance Revising the Annual Budget Ordinance (Tree Trimming Grant)", by roll call (7\*-aye:0-nay). [*\*Requires Mayor vote.*]

- g. Ordinance No. 2005-01-007: **An Ordinance Annexing Certain Territory to the City of Urbana (Approximately 0.138 Acres Located at 407 South Dodson - Homestead Corporation)**

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

Alix - Aye  
Chynoweth - Aye  
Hayes - Aye

Patt - Aye  
Roberts - Aye  
Wyman - Aye

**Disposition:** Ordinance No. 2005-01-007, "An Ordinance Annexing Certain Territory to the City of Urbana (Approximately 0.138 Acres Located at 407 South Dodson - Homestead Corporation)", was approved by the Council by a roll call vote (6-aye:0-nay).

- h. Ordinance No. 2005-01-008: **An Ordinance Approving and Authorizing the Execution of An Annexation Agreement (2413 and 2425 East Elm Street, and 504 MacArthur Drive - Homestead Corporation of Champaign-Urbana)**

Alderwoman Chynoweth moved to approve. Alderwoman Wyman seconded. The vote was as follows:

Alix - Aye  
Chynoweth - Aye  
Hayes - Aye  
Patt - Aye

Roberts - Aye  
Wyman - Aye  
Mayor Satterthwaite - Aye

**Disposition:** Ordinance No. 2005-01-008, "An Ordinance Approving and Authorizing the Execution of An Annexation Agreement (2413 and 2425 East Elm Street, and 504 MacArthur Drive - Homestead Corporation of Champaign-Urbana)", was approved by Council by a roll call vote (7\*-aye:0-nay). [*\*Requires Mayor vote.*]

i. Ordinance No. 2005-01-009: ***An Ordinance Authorizing the Mayor to Execute a Development Agreement With Bear Properties, LLC***

Alderman Chynoweth made a motion to approve. Alderman Hayes seconded.

John Regetz (Economic Development Coordinator) distributed some corrections to the agreement and reviewed them with the Council (see attached).

Alderman Chynoweth moved to amend. Alderman Wyman seconded. The motion carried by voice vote.

The vote on the motion to approve was as follows:

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Ordinance No. 2005-01-009, "An Ordinance Authorizing the Mayor to Execute a Development Agreement With Bear Properties, LLC", was approved by Council, as amended, by a roll call vote (6-aye:0-nay).

With nothing further to report, Alderman Chynoweth stated that the next meeting of the Committee Of The Whole is scheduled for Monday, January 24, 2005 at 7:30 p.m. in the Council Chambers.

**F. REPORTS OF SPECIAL COMMITTEES**

There were none.

**G. REPORTS OF OFFICERS**

Mayor Satterthwaite informed the Council that the UBA (Urbana Business Association) would be holding a celebration tomorrow at 5:00 p.m. at Lincoln Square in the high court to talk about the accomplishments of 2004.

William Gray (Public Works Director/City Engineer) reported on the following topics (see attached):

1. Recycling Program Costs.
2. Safety Concerns at the Vine Street and Elm Street Intersection.

Following debate, Alderwoman Wyman requested that the following items be on the next Committee agenda for discussion:

1. Safety concerns at the intersection of Vine and Elm Streets;
2. Domestic partner registry for City of Urbana; and
3. Changes to the Zoning Ordinance pertaining to domestic partnerships, definition of marriage and those recognized in other jurisdictions, and occupancy relating to number of "adults" in unit.

There were no objections. Chair Chynoweth indicated that she would work with the City Clerk to make sure these items were placed on the agenda.

Alderwoman Wyman also requested that Mr. Gray contact Mr. Inman at the County to request that they delay on any final changes they may have to the brick structure at Vine and Elm Streets until after this issue has been discussed by the Council in order to eliminate any additional costs that may be imposed.

Alderman Alix requested that staff also provide a sketch of the intersection to see if the visibility triangle is sufficient.

This item will appear on next week's agenda (January 24, 2005) for the Committee Of The Whole.

#### **H. NEW BUSINESS**

1. Ordinance No. 2005-01-003: ***An Ordinance Authorizing the Mayor to Execute An Agreement With Illinois-American Water Company Concerning the Use of the Public Ways of the City, Fire Protection, and Other Related Matters***

Stephen Holz (City Attorney) presented the staff report. Mr. Holz introduced representatives of Illinois-American Water Company, who were available to answer questions: Sue Schultz (Legal Counsel), Fred Ruckman (General Network Manager), and Brent O'Neill (Network Operations Manager).

Following debate, Alderwoman Wyman made a motion to approve. Alderman Roberts seconded. The vote was as follows:

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Ordinance No. 2005-01-003, "An Ordinance Authorizing the Mayor to Execute An Agreement With Illinois-American Water Company Concerning the Use of the Public Ways of the City, Fire Protection, and Other Related Matters", was approved by the Council by a roll call vote (6-aye:0-nay).

2. Ordinance No. 2005-01-010: **An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (With Respect to Over-Occupancy of Dwelling Units and Overall Enforcement of the Zoning Ordinance - Plan Case No. 1914-T-04)**

Elizabeth Tyler (Community Development Director/City Planner) presented the staff report.

Following debate, the Council heard public input from Curtis Pettyjohn, 907 S. Orchard, who spoke in support of the zoning change for over-occupancy.

Alderwoman Wyman made a motion to approve with the changes suggested by Alderwoman Patt to delete the two identical clauses that state, "... related to the same property or dwelling unit as the case may be." Alderwoman Patt seconded. Debate ensued.

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

Alix - Aye	Patt - Aye
Chynoweth - Aye	Roberts - Aye
Hayes - Aye	Wyman - Aye

**Disposition:** Ordinance No. 2005-01-010, "An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (With Respect to Over-Occupancy of Dwelling Units and Overall Enforcement of the Zoning Ordinance - Plan Case No. 1914-T-04)", was approved by Council by roll call vote (6-aye:0-nay).

3. Ordinance No. 2005-01-011: **An Ordinance Authorizing the Mayor to Execute a Permanent Easement (SBC/Ameritech)**

Mr. Gray presented the staff report.

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

Alix - Aye	Roberts - Aye
Chynoweth - Aye	Wyman - Aye
Hayes - Aye	Mayor Satterthwaite - Aye
Patt - Aye	

**Disposition:** Ordinance No. 2005-01-011, "An Ordinance Authorizing the Mayor to Execute a Permanent Easement (SBC/Ameritech)", was approved by Council by roll call vote (7\*-aye:0-nay). [*\*Requires Mayor vote.*]

4. **Mayoral Appointments:**

Mayor Satterthwaite presented the following names as his recommendations for appointments:

1. Plan Commission - John Cooper. Mr. Cooper resides at 1405 W. Beardsley and is the Assistant Highway Engineer for Champaign County.

2. Civil Service Commission - Willard Broom. Mr. Broom resides at 801 S. Race and is a retired Dean of Students at the University of Illinois.

Aldерwoman Wyman moved to approve the appointments of John Cooper to the Plan Commission, and Willard Broom to the Civil Service Commission. Alderman Hayes seconded. The motion carried by a voice vote.

**I. ADJOURNMENT**

There being no further business to come before the City Council, Mayor Satterthwaite declared the meeting adjourned at 10:50 p.m.

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Deborah J. Roberts  
Recording Secretary

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Phyllis D. Clark  
City Clerk

\*This meeting was taped.

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

Minutes Approved: February 7, 2005