



## URBANA CITY COUNCIL MEETING May 1, 2006

---

The City Council of the City of Urbana, Illinois met in regular session at 7:00 p.m., Monday, May 1, 2006 in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Prussing called the meeting to order at 7:06 p.m.

Present at the meeting were Members of the Council: Barnes, Bowersox (present by teleconference), Chynoweth, Lewis, Roberts, Smyth and Stevenson – 7; absent: none.

Also present were staff members: Acting Police Chief Mike Bily, City Attorney Jim Gitz, Public Works Director Bill Gray, Grants Coordinator Kelly Hartford, Assistant City Engineer Gale Jamison, Planner Paul Lindahl, Fire Chief Rex Mundt, Finance Department Office Manager Delora Siebrecht, Community Development Director Libby Tyler, Chief Administrative Officer Bruce Walden, and Planner Matt Wempe.

### **MINUTES OF PREVIOUS MEETING**

Alderman Smyth moved to approve the minutes of the April 10, 2006 regular meeting. The motion was seconded by Alderwoman Chynoweth. Alderman Bowersox pointed out that the minutes were actually for April 17, 2006. The minutes for the April 17, 2006 regular meeting carried by a voice vote.

### **ADDITIONS TO THE AGENDA**

Mayor Prussing requested to move Item I.3 – Confirmation of Mayoral appointment of Michael Bily as Police Chief to follow Petitions and Communications. There were no objections.

### **PETITIONS AND COMMUNICATIONS**

Stephen Ivins, Sr., representing Cellnet, Technology, Inc. addressed the Council in support of **Ordinance No. 2006-05-055: An Ordinance Approving a Special Use Permit (To Allow the Installation of an Antenna with Tower Within 250 feet of a Residential Zoning District or Land Use at 1115 W. Church Street in Urbana's IN, Industrial Zoning District / Plan Case No. 1986-SU-06).**

Lorean Howard, 1114 W. Church, and Ernest Mosley, addressed the Council in opposition to **Ordinance No. 2006-05-055.**

Richard Wellbank, resident of Town & Country Apartments, did not speak but wanted to express his position against the reduction of disabled parking at the parking deck.

Mayor Prussing presented her recommendation of **Michael Bily for the Office of Chief of Police.** Mr. Bily began with the Urbana Department Police Department in 1984 as a patrol officer, was appointed Assistant Police Chief in July 2004 and Acting Police Chief in December 2005. Mr. Bily is competent, professional and a pleasure to work with.

Alderwoman Stevenson moved to approve Michael Bily as Police Chief for the City of Urbana. The motion was seconded by Alderman Smyth and carried 7-0 by

roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Mayor Prussing issued the Oath of Office to Police Chief Bily.

### **OLD BUSINESS**

Finance Officer Manager Delora Siebrecht presented staff report on **Ordinance No. 2006-03-032: An Ordinance Amending Chapter Fourteen of the Code of Ordinances, City of Urbana, Illinois, Regarding the Schedule of Fees (July 1, 2006 through June 30, 2007).**

Alderwoman Barnes moved to approve the ordinance. The motion was seconded by Alderman Roberts and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Chief Administrative Officer Bruce Walden presented staff report on **Ordinance No. 2006-03-036: An Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement (AmerenCILCO, AmerenCIPS, and AmerenIP).**

Following debate, Alderman Smyth moved to approve **Ordinance No. 2006-03-036: An Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement (AmerenCILCO, AmerenCIPS, and AmerenIP).** The motion was seconded by Alderwoman Barnes and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

## **REPORTS OF STANDING COMMITTEES**

### **Committee of the Whole**

Alderman Smyth moved to approve **Ordinance No. 2006-04-051: An Ordinance Annexing Certain Territory to the City of Urbana (2507 E. Washington / Kenneth Johnson)**. The motion was seconded by Alderman Lewis and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Alderman Smyth moved to approve **Ordinance No. 2006-04-052: An Ordinance Annexing Certain Territory to the City of Urbana (801 E. Kerr / Involuntary)**. The motion was seconded by Alderman Roberts and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Alderman Smyth moved to adopt **Resolution No. 2006-04-013R: Resolution for Improvement by Municipality Under the Illinois Highway Code (Colorado Avenue)**. The motion was seconded by Alderwoman Stevenson and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Alderman Smyth moved to approve **Ordinance No. 2006-04-054: An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Bradley Avenue)**. The motion was seconded by Alderman Roberts and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Alderman Smyth moved to approve **Ordinance No. 2006-04-041: Illegal Discharge and Connection Ordinance**. The motion was seconded by Alderwoman Barnes and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

The next regular meeting of the Committee of the Whole will be at 7:00 p.m. on Monday, May 8, 2006 in the Urbana City Council Chambers at 400 South Vine Street.

#### **REPORTS OF SPECIAL COMMITTEES**

There were none.

#### **REPORTS OF OFFICERS**

There were none.

#### **NEW BUSINESS**

Planner Paul Lindahl presented staff report on **Ordinance No. 2006-05-055: An Ordinance Approving a Special Use Permit (To Allow the Installation of an Antenna with Tower Within 250 feet of a Residential Zoning District or Land Use at 1115 W. Church Street in Urbana's IN, Industrial, Zoning District / Plan Case No. 1986-SU-06)**. Cellnet Technology, Inc., proposes to install a telecommunications tower at an IN, Industrial Zoned property owned by Ameren / Illinois Power. The proposed location is within an existing Ameren substation and is

approximately 122 feet from the nearest residentially zoned property line. Urbana Zoning Ordinance Article V, Section V-11.Q.1.c. allows antennas with towers in the IN Zoning District within 250 feet of a residential zoning district or land use under the provisions of Special Use Permit review.

Following extensive debate, Alderwoman Barnes moved to postpone **Ordinance No. 2006-05-055: An Ordinance Approving a Special Use Permit (To Allow the Installation of an Antenna with Tower Within 250 feet of a Residential Zoning District or Land Use at 1115 W. Church Street in Urbana's IN, Industrial, Zoning District / Plan Case No. 1986-SU-06)** for no more than 30 days and request staff to develop a proposal to buffer Church and Goodwin with a wood privacy fence and landscaping. The motion was seconded by Alderman Smyth, and following further debate, carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson; voting nay: none.

Planner Matt Wempe presented staff report on **Resolution No. 2006-05-014R: A Resolution of Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (Request by the Champaign County Zoning Administrator to Amend Sections 5.2 and 6.1 of the Champaign County Zoning Ordinance to authorize "Ethanol Manufacturing" by Special Use Permit with Standard Conditions in the I-2, Heavy Industry, Zoning District, CCZBA Case No. 523-AT-05)**. In response to a large grain storage firm west of the City of Champaign, the Champaign County Zoning Administration has requested a text amendment to the County Zoning Ordinance to add the use of "ethanol manufacturing" and to permit it by

special use in the I-2 Heavy Industrial Zoning District subject to certain conditions. Such use is not currently addressed in the Champaign County Zoning Ordinance.

Following debate, Larry Wood and Carl Webber, representing The Andersons, answered question relating to the project. Of major concern was the effect on the Mahomet Aquifer.

Following further debate, Alderman Smyth moved to adopt staff language the "No Special Use Permit" with the word significant in mitigation as they have done it, and then define "water study" in the first sentence to include the proposed language that Mr. Webber has put forward as to what that study is. At this point Alderman Smyth requested a 5 minute recess to work out the language for his motion.

Council went into recess at 9:22 p.m. and reconvened at 9:34 p.m. with all Members previously in attendance with the exception of Alderwoman Stevenson.

Alderman Smyth moved to approve Staff recommendation concerning **Resolution No. 2006-05-014R: A Resolution of Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (Request by the Champaign County Zoning Administrator to Amend Sections 5.2 and 6.1 of the Champaign County Zoning Ordinance to authorize "Ethanol Manufacturing" by Special Use Permit with Standard Conditions in the I-2, Heavy Industry, Zoning District, CCZBA Case No. 523-AT-05)** with the recommendation of the following changes: add "as proposed by staff in section 1 where it says "no special use for an ethanol facility shall be approved unless said water study determines no significant

adverse impact with mitigation measures on the Mahomet Aquifer or other ground water. Water study to include items a through e in the proposed amendment. Item a. Review of relevant well records and so on; Item b. Determination of existing ground water wells; Item c. Exploratory test hole drilling; Item d. Would include “if adequate aquifer hydraulic property information is not otherwise available, test data shall be provided from a test well, monitoring wells and other observation wells or other appropriate existing wells sufficient to serve as a basis for estimating a distance draw down relationship; Item e. An estimated distance draw down relationship shall also be included in the letter report. And finally, the language that “the County reserves the right to have their report reviewed by similarly competent Illinois licensed geologist or an Illinois professional engineer”. Items 2 through 7 would remain as they are and Item 8. Take the language there; revise section 6.1.3 all the way to the end where it says “required yards are the same as that of the Zoning District with appropriate variances so approved by the appropriate County Authorities”. The motion was seconded by Danielle Chynoweth. City Attorney made a correction to the motion.

**Resolution No. 2006-05-014R: A Resolution of Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (Request by the Champaign County Zoning Administrator to Amend Sections 5.2 and 6.1 of the Champaign County Zoning Ordinance to authorize “Ethanol Manufacturing” by Special Use Permit with Standard Conditions in the I-2, Heavy Industry, Zoning District, CCZBA Case No. 523-AT-05), as amended**, carried 6-0 by roll call vote.

Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, and Smyth; Voting nay: none.



Alderwoman Chynoweth led the **Discussion on Social Service Funding Requests** stating that she had offered to compile Council Members input as to the requested funding amounts. In order to do this compilation she would need individual version of the spreadsheet, a total dollar amount of allocations and understanding when it will need to come back to Council.

Grants Coordinator Kelly Hartford stated that the allocation was \$188,170 from the General Fund, \$50,000 from Township and \$20,000 from Block Grants, for a total of \$258,170. The allocations would be reviewed at the Committee of the Whole meeting on May 8, 2006 and the final decision at the Council Meeting on May 15, 2006.

Ms. Hartford provided some background information on past allocations.

There was no action require on this item.

### **ADJOURNMENT**

There being no further business to come before the Council, Mayor Prussing declared the meeting adjourned at 9:45 p.m.

Laurel Lunt Prussing  
Mayor

---

Phyllis D. Clark, City Clerk

\*\*This meeting was taped.

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

**Minutes approved: May 15, 2006**