

STATE OF ILLINOIS

Laurel Lunt Prussing, Mayor

CITY OF URBANA

Phyllis D. Clark, City Clerk



URBANA CITY COUNCIL MEETING
JULY 17, 2006

The City Council of the City of Urbana, Illinois, met in regular session Monday, July 17, 2006 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT

Ward 1 - Alderman Charlie Smyth
Ward 2 - Alderwoman Danielle Chynoweth
Ward 3 - Alderman Robert E. Lewis
Ward 4 - Alderman Brandon Bowersox
Ward 5 - Alderman Dennis Roberts
Ward 6 - Alderwoman Heather Stevenson

COUNCIL MEMBERS ABSENT

Ward 7 - Alderwoman Lynne C. Barnes (excused)

STAFF PRESENT

Laurel Lunt Prussing; Phyllis Clark; Bruce Walden; James Gitz;
Michael Bily; Rex Mundt; Elizabeth Tyler; William Gray; Robert
Myers; Thomas Carrino

OTHERS PRESENT

David Bowman; Catherine Connor; Cynthia Hoyle; Jeff Tock; Matt
Varble; Members of the Media

A. CALL TO ORDER AND ROLL CALL

There being a quorum, Mayor Prussing called the meeting of the Urbana City Council to order at 8:16 p.m. [Note: Meeting called to order at this hour due to a public hearing that took place prior to Council meeting.]

B. APPROVAL OF MINUTES OF PREVIOUS MEETING

June 19, 2006 - Alderman Smyth made a motion to approve the minutes of the meeting held June 19, 2006. Alderman Roberts seconded. The motion carried by voice vote.

C. ADDITIONS TO THE AGENDA

Alderman Bowersox requested to change the order of the agenda to move item #I.1.a (Mayoral Appointment: Tony Foster) to follow item #F.1.a.11. There were no objections.

Bruce Walden (Chief Administrative Officer) informed the Mayor and Council that a closed session was not needed this evening and could be removed from the agenda. There were no objections.

Mayor Prussing indicated that it had also been brought to her attention that a public hearing was noticed for this evening for agenda item I.2, "An Ordinance Approving and Authorizing the Execution of An Annexation Agreement (306 East Thompson Street / Matthew Varble)." Since the Council meeting had already been called to order, Mayor Prussing, informed the Council and viewing audience that a public hearing would take place prior to the presentation of this agenda item. There were no objections.

Alderman Smyth moved to approve the order of the agenda, as amended. Alderman Lewis seconded. The motion carried by voice vote.

D. PETITIONS AND COMMUNICATIONS

David Bowman, 1003 E. Michigan, addressed the Council with safety concerns about middle school-aged children in the Michigan Avenue area.

E. OLD BUSINESS

1. Ordinance No. 2006-06-077: ***An Ordinance Amending Section 22-1 of the Urbana Municipal Code (Home Rule Municipal Retailer's and Service Occupation Tax)***

Ronald Eldridge (Comptroller) presented the staff report.

Alderman Chynoweth made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Bowersox - Aye	Smyth - Aye
Chynoweth - Aye	Stevenson - Aye
Lewis - Aye	Mayor Prussing - Aye
Roberts - Aye	

Disposition: Ordinance No. 2006-06-077, "An Ordinance Amending Section 22-1 of the Urbana Municipal Code (Home Rule Municipal Retailer's and Service Occupation Tax)", was approved by Council by roll call vote (7*-aye:0-nay). [**Requires Mayor vote.*]

F. REPORTS OF STANDING COMMITTEES

1. **Committee Of The Whole**

- a. ***Community Development Commission Items***

The following agenda items were acted on in omnibus fashion:

1. Ordinance No. 2006-07-082: ***An Ordinance Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization***

Agreement (Ecological Construction Laboratory - CHDO Operating FY 2006-2007);

2. Ordinance No. 2006-07-083: **An Ordinance Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization Agreement (Homestead Corporation of Champaign-Urbana - CHDO Operating FY 2006-2007);**
3. Resolution No. 2006-07-018R: **A Resolution Certifying a Community Housing Development Organization for the Urbana HOME Consortium for FY 2006-2007 (Homestead Corporation of Champaign-Urbana);**
4. Ordinance No. 2006-07-084: **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 2006-2007);** and
5. Resolution No. 2006-07-019R: **A Resolution Certifying a Community Housing Development Organization for the Urbana HOME Consortium for FY 2006-2007 (Urban League of Champaign County Development Corporation)**

Alderman Smyth moved to approve Ordinance Nos. 2006-07-082, 2006-07-083 and 2006-07-084 and to adopt Resolution Nos. 2006-07-018R and 2006-07-019R. Alderman Roberts seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance Nos. 2006-07-082, 2006-07-083, 2006-07-084, and Resolution Nos. 2006-07-018R and 2006-07-019R were passed by Council by a roll call vote (6-aye:0-nay).

The following agenda items were also acted on in omnibus fashion:

6. Ordinance No. 2006-07-091: **An Ordinance Approving a Community Development Block Grant Subrecipient Agreement (Champaign County Regional Planning Commission - Court Diversion Services, Project No. 0607-CSSP-01);**
7. Ordinance No. 2006-07-092: **An Ordinance Approving a Community Development Block Grant Subrecipient Agreement (Champaign County Regional Planning Commission - Senior Services, Project No. 0607-CSSP-02);**

8. Ordinance No. 2006-07-093: **An Ordinance Approving a Community Development Block Grant Subrecipient Agreement (Crisis Nursery, Project No. 0607-CSSP-03);**
9. Ordinance No. 2006-07-094: **An Ordinance Approving a Community Development Block Grant Subrecipient Agreement (Mental Health Center of Champaign County - Homeless Youth Program, Project No. 0607-CSSP-04);**
10. Ordinance No. 2006-07-095: **An Ordinance Approving a Second Amendment to a Community Development Block Grant Subrecipient Agreement (Community Health Improvement Center - Frances Nelson Satellite, Project No. 05-06 AAP-04);** and
11. Ordinance No. 2006-07-096: **An Ordinance Approving a Community Development Block Grant Subrecipient Agreement (Developmental Services Center, Project No. 0607-AAP-01)**

Alderman Smyth moved to approve Ordinance Nos. 2006-07-091, 2006-07-092, 2006-07-093, 2006-07-094, 2006-07-095, and 2006-07-096. Alderman Roberts seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance Nos. 2006-07-091, 2006-07-092, 2006-07-093, 2006-07-094, 2006-07-095, and 2006-07-096 were approved by Council by a roll call vote (6-aye:0-nay).

[Note: At this time, the Council acted on agenda item #I.1.a (Mayoral Appointment: Tony Foster). Record of this action, however, will appear under "New Business" with other agenda items considered. Business resumed with the regular order of the agenda following.]

- b. Ordinance No. 2006-07-085: **An Ordinance Approving and Authorizing the Execution of an Annexation Agreement (Approximately 111 Acres of Property Generally South of Airport Road, East of Goodfield Road, and West of Fieldcrest Drive / Donald Flessner)**

Alderman Stevenson made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Bowersox - Aye	Smyth - Aye
Chynoweth - Aye	Stevenson - Aye
Lewis - Aye	Mayor Prussing - Aye
Roberts - Aye	

Disposition: Ordinance No. 2006-07-085, An Ordinance Approving and Authorizing the Execution of an Annexation Agreement (Approximately 111 Acres of Property Generally

South of Airport Road, East of Goodfield Road, and West of Fieldcrest Drive / Donald Flessner), was approved by Council by roll call vote (7*-aye:0-aye). [**Requires Mayor vote.*]

- c. Ordinance No. 2006-07-086: **An Ordinance Approving the Addition of Territory to the Urbana Enterprise Zone (2209 North Willow Road)**

Aldermoman Stevenson made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance No. 2006-07-086, "An Ordinance Approving the Addition of Territory to the Urbana Enterprise Zone (2209 North Willow Road)", was approved by Council by roll call vote (6-aye:0-nay).

- d. Ordinance No. 2006-07-087: **An Ordinance Revising the Annual Budget Ordinance (Fire Thermal Cameras)**

Aldermoman Stevenson made a motion to approve. Alderman Lewis seconded. The vote was as follows:

Bowersox - Aye	Smyth - Aye
Chynoweth - Aye	Stevenson - Aye
Lewis - Aye	Mayor Prussing - Aye
Roberts - Aye	

Disposition: Ordinance No. 2006-07-087, "An Ordinance Revising the Annual Budget Ordinance (Fire Thermal Cameras)", was approved by Council by roll call vote (7*-aye:0-nay). [**Requires Mayor vote.*]

- e. Ordinance No. 2006-07-089: **An Ordinance Approving and Authorizing the Mayor to Execute Tiered Approach to Corrective Action Objectives (TACO) Agreement (1701 Philo Road)**

Aldermoman Stevenson made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance No. 2006-07-089, "An Ordinance Approving and Authorizing the Mayor to Execute Tiered Approach to Corrective Action Objectives (TACO) Agreement (1701 Philo Road)", was approved by Council by roll call vote (6-aye:0-nay).

- f. Ordinance No. 2006-07-090: **An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by Any Other Method (Pride Oil, 1701 South Philo Road)**

Alderwoman Stevenson made a motion to approve. Alderman Roberts seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance No. 2006-07-090, "An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by Any Other Method (Pride Oil, 1701 South Philo Road)", was approved by Council by roll call vote (6-aye:0-nay).

- g. Ordinance No. 2006-07-088: **An Ordinance Authorizing the Mayor to Execute an Amendment #2 to the Boneyard Creek Floodplain Remapping Agreement**

Alderwoman Stevenson made a motion to approve. Alderman Lewis seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Abstain*
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance No. 2006-07-088, "An Ordinance Authorizing the Mayor to Execute an Amendment #2 to the Boneyard Creek Floodplain Remapping Agreement", was approved by Council by roll call vote (5-aye:1*-abstain). [**Alderman Smyth abstained due to conflict of interest.*]

- h. Resolution No. 2006-07-020R: **Resolution Authorizing Intervention in Illinois Commerce Commission Proceedings Concerning an Initial Public Offering by American Water Company**

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

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Resolution No. 2006-07-020R, "Resolution Authorizing Intervention in Illinois Commerce Commission Proceedings Concerning an Initial Public Offering by American Water Company", was adopted by Council by roll call vote (6-aye:0-nay).

With nothing further to report, the next meeting of the Committee Of The Whole is scheduled for July 24, 2006 at 7:00 p.m. in the Council Chambers.

G. REPORTS OF SPECIAL COMMITTEES

There were none.

H. REPORTS OF OFFICERS

Mr. Walden reviewed upcoming meeting dates for the record:

July 24, 2006 - Committee Of The Whole → Regular meeting date
July 31, 2006 - Cunningham Town Board → **RESCHEDULED** meeting
August 7, 2006 - Cunningham Town Board/City Council → **CANCELLED**

Mayor Prussing informed the Council that she would be meeting with Carol Elliott, Public Health District Chair, regarding the smoking ban.

I. NEW BUSINESS

1. Mayoral Appointment

a. ***Urbana Fire Department: Division Chief of Prevention and Education - Tony Foster***

Mayor Prussing presented her recommendation to Council. Mr. Foster has been an employee of the Urbana Fire Department for almost 12 years and has worked in this capacity for several months with the strong support of Chief Mundt and his fellow co-workers.

Alderman Stevenson moved to approve the appointment of Tony Foster to Division Chief of Prevention and Education. Alderman Smyth seconded. The motion carried by voice vote.

b. ***Bicyclist and Pedestrian Advisory Commission - Brandon Bowersox***

Mayor Prussing presented her recommendation to Council. Alderman Bowersox has done much of the groundwork and recruiting for the Commission and has agreed to assist in finding a successor.

Alderman Smyth moved to approve the appointment of Brandon Bowersox to the Bicyclist and Pedestrian Advisory Commission. Alderman Roberts seconded. The motion carried by voice vote.

PUBLIC HEARING

Mayor Prussing opened the public hearing for the purpose of considering input concerning the proposed annexation of the property located at 306 E. Thompson Street.

Catherine Connor, 302 N. Orchard, spoke in opposition to the proposed annexation.

The following people spoke in support of the proposed annexation:

Jeff Tock, 201 W. Springfield, Attorney representing the petitioner (Matt Varble); and Matt Varble, 1708 Nancy Beth (Champaign)

With no further public input regarding this issue, Mayor Prussing declared the public hearing closed.

2. Ordinance No. 2006-07-097: ***An Ordinance Approving and Authorizing the Execution of an Annexation Agreement (306 East Thompson Street / Matthew Varble)***

Alderman Chynoweth made a motion to send this item to a special Council meeting to be held next week and direct staff to make the necessary corrections. Alderman Roberts seconded. The motion carried by voice vote.

Council will hear this item in special session next Monday, July 24, 2006, at 7:00 p.m.

3. Ordinance No. 2006-07-098: ***An Ordinance Approving and Authorizing the Execution of an Annexation Agreement (1714 E. Airport Road, Gregory Reynolds and Denise Reidy)***

This item required a public hearing that was not noticed. At the request of staff and legal counsel, this item was removed from the agenda. A public hearing is planned for August 21, 2006.

4. Ordinance No. 2006-07-099: ***An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (With Respect to Signs Allowed Without a Permit - Article IX, Comprehensive Sign Regulations / Plan Case 1991-T-06)***

Robert Myers (Planning Division Manager) presented the staff report.

Following debate, Alderman Bowersox moved to postpone this item to the August 21, 2006 Council meeting. Alderman Chynoweth seconded. The motion carried by voice vote.

This item will come back to Council on August 21, 2006.

5. Ordinance No. 2006-07-100: **An Ordinance Approving a Preliminary Subdivision Plat (Pines at Stone Creek Commons - Plan Case No. 2005-S-06)**

Agenda items 5, 6 and 7 were presented by staff and considered by Council in omnibus fashion.

Mr. Myers presented the staff report.

Alderman Bowersox made a motion to approve the following ordinances:

Ordinance No. 2006-07-100: An Ordinance Approving a Preliminary Subdivision Plat (Pines at Stone Creek Commons - Plan Case No. 2005-S-06);

Ordinance No. 2006-07-101: An Ordinance Approving a Final Subdivision Plat (Pines at Stone Creek Commons Phase 1 - Plan Case No. 2005-S-06); and

Ordinance No. 2006-07-102: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of a Part of Stone Creek Commons Office Park Development from R-4, Medium Density Multiple-Family Residential to B-3, General Business - Plan Case 1998-M-06).

Alderwoman Stevenson seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Council approved Ordinance Nos. 2006-07-100, 2006-07-101, and 2006-07-102 by a roll call vote (6-aye:0-nay).

Following Council's action, Mayor Prussing acknowledged public input from Cynthia Hoyle, 2207 S. Cottage Grove, representing CUMTD, who expressed support for the proposed Pines at Stone Creek and Gateway Shops project.

6. Ordinance No. 2006-07-101: **An Ordinance Approving a Final Subdivision Plat (Pines at Stone Creek Commons Phase 1 - Plan Case No. 2005-S-06)**

Approved. This item considered in omnibus fashion with agenda items 5 and 7.

7. Ordinance No. 2006-07-102: **An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of a Part of Stone Creek Commons Office Park Development from R-4, Medium Density Multiple-Family Residential to B-3, General Business - Plan Case 1998-M-06)**

Approved. This item considered in omnibus fashion with agenda items 5 and 6.

8. Ordinance No. 2006-07-103: **An Ordinance Approving a Preliminary and Final Subdivision Plat (Gateway Subdivision - Plan Case No. 2003-S-06)**

Agenda items 8, 9 and 10 were presented by staff and considered by Council in omnibus fashion.

Mr. Myers presented the staff report.

Alderman Smyth made a motion to approve the following ordinances:

Ordinance No. 2006-07-103: An Ordinance Approving a Preliminary and Final Subdivision Plat (Gateway Subdivision - Plan Case No. 2003-S-06);

Ordinance No. 2006-07-104: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of the South 55 feet of 604 N. Broadway Avenue from CRE, Conservation-Recreation-Education to B-3, General Business - Gateway Shops at Five Points, Plan Case 2003-M-06); and

Ordinance No. 2006-07-105: An Ordinance Approving a Special Use Permit (To Allow the Establishment of a Shopping Center/Planned Unit Development in the B-3, General Business District - Gateway Shops at Five Points, Plan Case 2003-SU-06).

Alderwoman Stevenson seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Council approved Ordinance Nos. 2006-07-103, 2006-07-104, and 2006-07-105 by roll call vote (6-aye:0-nay).

9. Ordinance No. 2006-07-104: **An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of the South 55 feet of 604 N. Broadway Avenue from CRE, Conservation-Recreation-Education to B-3, General Business - Gateway Shops at Five Points, Plan Case 2003-M-06)**

Approved. This item considered in omnibus fashion with agenda items 8 and 10.

10. Ordinance No. 2006-07-105: **An Ordinance Approving a Special Use Permit (To Allow the Establishment of a Shopping Center/Planned Unit Development in the B-3, General Business District - Gateway Shops at Five Points, Plan Case 2003-SU-06)**

Approved. This item considered in omnibus fashion with agenda items 8 and 9.

11. Ordinance No. 2006-07-106: **An Ordinance Approving An Amendment to a Subdivision Plat (Revised Final Plat for Lots 16A, 16B, 17A, 17B, 18A, 18B of Water's Edge Subdivision, Phase 1 - Plan Case No. 2001-S-06)**

Mr. Myers presented the staff report.

Alderman Stevenson made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Bowersox - Aye	Roberts - Aye
Chynoweth - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye

Disposition: Ordinance No. 2006-07-106, "An Ordinance Approving An Amendment to a Subdivision Plat (Revised Final Plat for Lots 16A, 16B, 17A, 17B, 18A, 18B of Water's Edge Subdivision, Phase 1, Plan Case No. 2001-S-06)", was approved by Council by roll call vote (6-aye:0-nay).

J. ADJOURNMENT

There being no further business to come before the City Council, Mayor Prussing declared the meeting adjourned at 10:40 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: August 21, 2006