



DATE: Monday, March 8, 2021
TIME: 7:00 P.M.
PLACE: *Held virtually due to Governor's and Mayoral Emergency Declarations

The City Council of the City of Urbana, Illinois, met in regular session Monday, March 8, 2021, at 7:00 p.m. via Zoom. Urbana City Council Chambers, 400 South Vine Street, Urbana, IL 61801

ELECTED OFFICIALS PHYSICALLY PRESENT: Diane Wolfe Marlin, Mayor; Phyllis D. Clark, City Clerk

ELECTED OFFICIALS PRESENT VIA ZOOM: City Council Members (CM) Bill Brown, Bill Colbrook, Shirese Hursey, Jared Miller, Dennis Roberts, Erik Sacks, Maryalice Wu

ELECTED OFFICIALS ABSENT: None

STAFF PRESENT VIRTUALLY: Shannon Beranek, Tim Cowan, Kent Demond Dade, Kevin Garcia, Elizabeth Hannan, Wendy Hundley, Cory Koker, Jason Liggett, Carol Mitten, Lorrie Pearson, Andrea Ruedi, Bryant Seraphin, Scott Tess, Katherine Trotter, Dave Wesner

OTHERS PRESENT VIA ZOOM: Bette Anderson, Allan Axelrod, Deborah Berthold, Liz Cardman, Tamra Chaplin, Tracy Chong, Josh Daly, Colin Dodson, CK Gunsalus, Christopher Hansen, Chris Hartman, Audrey Ishii, Jean, Megan McDonald, Tracy Miller, Marie-Pierre Lassiva-Moulin, Mary Pat McGuire, Sarah Nixon, Lance Pittman, Leslie Sherman, Lois Steinberg, Will Thompson, Jacob Unzicker

A. CALL TO ORDER AND ROLL CALL

There being a quorum virtually present, Mayor Marlin called the meeting of the Urbana City Council to order at 7:00pm.

B. APPROVAL OF MINUTES OF PREVIOUS MEETING

There were no minutes to approve.

C. PRESENTATIONS AND PUBLIC INPUT

1. Public input via zoom, some of the comments included: Design Review Board (DRB) not in support of Planned Unit Development (PUD); the project does not compliment the neighborhood; 101 names of a signed petition against the PUD at 602 S. Lincoln were read into the record as follows: CK Gunsalus, Christine Yerkes, Michael Walker, Lois Steinberg, Nancy Goodall, Ann H. Silvis, Tony Allegretti, Beverly Rauchfuss, Leslie Sherman, Paul Hixson, Lorrie Raetzman, Rebecca Mead, Tim Stelzer, Sarah Stelzer, Daniel Stelzer, Andrew Stelzer, Ellie Putman, Diana Liao, Tamara Chaplin, Anton Chaplin, Kathryn Tessin, Stephanie Nevins, Mary E. Yoemans, Leon R. McCulloh, Michael J. Plewa, Elizabeth D. Plewa, Victor and Bobbie Fein, Carl Nelson, Samuel N. Beshers, Tracey Miller, Dede Kern Brown, Judith and Derek Robinson, Ann Wymore, Barbara Salisbury, Lilyan J. Levant, Carolyn and Norman Baxley, Sally Shepherd, Cope Cumpston, Mary Beth Allen, Joan Stolz, Norman Millian, Sarah Nixon, Daniel McDonough, Bob and Ann Burger, Sarah McEvoy, Huseyin Sehitoğlu, Peggy Patten, Jennifer Hines, Todd Kinney, Lisa Treul, M. Elizabeth Guenther, Johannes S. Frazier, Rick Nelson, Eunice Weech, Bruce Schatz, Nathan C. Sonnenschein, Karen L. Fresco, Laura Haber, Robin Fellers, Ryan Fellers, Kevin Price, Zachary R. Putman, Jenelle Weaver, Esther Patt, Eric Larson, Laura O'Donnell, Dallas R. Trinkle, Patricia Cardenas, Deborah Katz-Downie, Beverly Fagan, John D. Polk, Andrew Alleyne, Thomas Rauchfuss, Deborah Allen, Howard Schein, Ruth Wene, Tom Seals, Tiaffanie Bui and Matt Freund, Better Anderson, Corby Rosset, Rachel Rosset, Mary Lee Milton, Jack Ritter, Kara McKinn, Andrew Orta, Ingrid Melief, Daniel Newman, Audry Ishii, Josephine Kibbee, Douglas Kibbee, Rob McColley, Marie-Pierre Lassiva-Moulin, Juan Alvarez, Mary Pat McGuire Paul T. Debevec and Elizabeth Cardman; PUD does not follow the comprehensive plan agreement with West

Urbana Neighborhood Association (WUNA); hold landlords accountable for the conditions of their properties; where did COVID money go; what has been done to address the Emulsicoat; against officer promotion; the FOIA officer information should be listed in the City's vestibule and website; water shutoffs are still happening; LIHEAP ends in April; against Officer Koker's appointment; rehab pilot program to address properties conditions.

Public Input received via email are attached.

D. COUNCIL INPUT AND COMMUNICATIONS

CM Wu acknowledged the equity work of CM Hursey she has been working with Public Health to get the African American population vaccinated.

E. ADDITIONS TO THE AGENDA

There were none.

F. UNFINISHED BUSINESS

There was none

G. REPORTS OF STANDING COMMITTEES

Committee Of The Whole – *(Council Member Bill Colbrook)*

1. CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered to be routine and non-controversial by the City Council and will be enacted by one motion and roll call vote. There will be no individual discussion of these items. If discussion is desired by the Mayor, Council members, or a member of the public, the item will be removed from the Consent Agenda and discussed immediately after approval of the remaining items in the Consent Agenda

- a. [Resolution No. 2021-03-008R](#): A Resolution Authorizing a Federal Excess Equipment Cooperative Agreement with the Illinois Department of Natural Resources
- b. [Resolution No. 2021-03-009R](#): A Resolution for Improvement Under the Illinois Highway Code (State Motor Fuel Tax for Lincoln and Springfield Resurfacing Project)
- c. [Resolution No. 2021-03-010R](#): A Resolution for Improvement Under the Illinois Highway Code (State Motor Fuel Tax for Race Street Resurfacing Project)

At the request of staff Ordinances No. 2021-03-005/2021-03-006/2021-03-007 were removed from the consent agenda.

CM Colbrook made a motion to approve the consent agenda as forwarded from committee in omnibus fashion, he read Resolution No. 2021-03-008R, Resolution No. 2021-03-009R, and Resolution No. 2021-03-010R. Seconded by CM Miller and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

2. REGULAR AGENDA

City Clerk Clark advised committee chair Colbrook and Mayor Marlin that a vote was needed to properly remove the ordinances from the consent agenda. CM Roberts move to accept changes to the consent agenda, seconded by CM Brown and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

- a. [Ordinance No. 2021-03-005](#): An Ordinance Approving an Amendment to a Solar Facility Ground Lease (Central)

Sustainability & Resilience Officer Scott presented changes to all three ordinances in omnibus fashion.

CM Colbrook moved to approve Ordinance No. 2021-03-005 as amended, seconded by CM Wu and carried by roll call as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

- b. [Ordinance No. 2021-03-006](#): An Ordinance Approving an Amendment to a Solar Facility Ground Lease (East)

CM Colbrook moved to approve Ordinance No. 2021-03-006 as amended, seconded by CM Hursey and carried by roll call as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

- c. [Ordinance No. 2021-03-007](#): An Ordinance Approving an Easement with Ameren Illinois

CM Colbrook moved to approve Ordinance No. 2021-03-007 as amended, seconded by CM Roberts and carried by roll call as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

- d. [Ordinance No. 2020-12-070](#): An Ordinance Approving a Preliminary Development Plan for a Planned Unit Development (602 South Lincoln Avenue / CCH Development, LLC & CMH Development, LLC – Plan Case 2411-PUD-20) – [12/07/2020; 01/25/2021/03/01/2021]

CM Colbrook made a motion to open the floor to discuss Ordinance No. 2020-12-070 and Ordinance No. 2020-12-071 as forwarded from committee, without recommendation for approval. Seconded by CM Hursey. Discussion ensued.

Developer Chris Hartman addressed some of the issues mentioned at previous meetings in regards to storm water, permeable pavers, and types of trees.

After an extensive discussion Chris Hartman and Josh Daly addressed questions from council.

Mayor Marlin read a statement with all of the conditions made by the DRB, which showed that the developer did everything that it was asked of them. They went a step further by compromising on the masonry materials, permeable pavers, and additional trees. Additionally, the City and developers followed the current planning and zoning guidelines.

After all discussions, CM Colbrook made a motion to approve Ordinance No. 2020-12-070 and Ordinance No. 2020-12-071 with the following amendments: maximize the permeable pavers on the site, switch to rectangular stone shape, swapping out ornamental tree for canopy tree upon approval from the City Arborist. The motion failed by roll call vote as follows:

Aye: Brown, Colbrook,
Nay: Hursey, Miller, Roberts, Sacks, Wu

- e. [Ordinance No. 2020-12-071](#): An Ordinance Approving a Final Development Plan for a Planned Unit Development (602 South Lincoln Avenue / CCH Development, LLC & CMH Development, LLC – Plan Case 2412-PUD-20) – [12/07/2020; 01/25/2021/03/01/2021]

This item failed, voted in omnibus fashion under item (d)

- f. **Ordinance No. 2021-01-003**: An Ordinance Amending Urbana City Code Chapter 12 (Human Rights Ordinance – Applicability to the City of Urbana) – [COW 01/19/2021; 02/17/2021/03/01/2021]

CM Colbrook made a motion to approve Ordinance No. 2021-01-003 as forwarded from committee with amendments. Seconded by CM Miller and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu

Nay: None

H. REPORTS OF SPECIAL COMMITTEES

There were none

I. REPORTS OF OFFICERS

There were none

J. NEW BUSINESS

1. **Ordinance No. 2021-03-008**: An Ordinance Approving Major Variances (Duplex at 213 W. Illinois St. / ZBA Case Nos. 2020-MAJ-07 and 2020-MAJ-08)

Planner Katherine Trotter presented the following items in omnibus fashion with the recommendation for approval. Ordinance No. 2021-03-008 and Ordinance No. 2021-03-009. Trotter began her presentation by showing the location of the building and the reason why two major variances are required. These variances will allow a duplex on a lot that is smaller and narrower than required by the Zoning Ordinance, and one major variance to allow a garage to be reconstructed in a required front yard, four feet from the property line.

Planner Trotter and Community Development Director Lorrie Pearson addressed questions from council.

CM Roberts made a motion to approve Ordinance No. 2021-03-008 as presented, seconded by CM Wu and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu

Nay: None

2. **Ordinance No. 2021-03-009**: An Ordinance Approving A Major Variance (Garage at 213 W. Illinois St. / ZBA Case No. 2020-MAJ-09)

CM Miller made a motion to approve Ordinance No. 2021-03-009 as presented. Seconded by CM Hursey. Discussion followed. After brief discussion the motion failed as follows:

Aye: Brown, Hursey, Sacks,

Nay: Colbrook, Miller, Roberts, Wu

3. **Ordinance No. 2021-03-010**: An Ordinance Approving A Major Variance (1006 S. Wabash Ave. / ZBA Case No. 2021-MAJ-01)

Planner Katherine Trotter presented this item with the recommendation for approval. She said that Deborah Berthold requested a variance to allow a garage to encroach six inches into a required 18 inches setback at 1006 South Wabash Avenue.

Trotter and applicant answered questions from council. CM Miller made a motion to approve Ordinance No. 2021-03-010 as presented. Seconded by CM Brown and carried by roll call as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

4. Mayoral Staff/Board and Commission Appointments

- a. Deputy Fire Chief – Kent “Demond” Dade
- b. Police Lieutenant – James “Cory” Koker
- c. City Attorney – David Wesner (Evans, Froehlich, Beth & Chamley)
- d. Plan Commission – Debarah McFarland – term ending June 30, 2022

Mayor Marlin presented the mayoral staff/board and commission appointments. Her office received five letters of recommendation in support of Sergeant James Cory Koker appointment to Lieutenant from The Central Illinois Mosque and Islamic Center, City of Champaign Mayor Feinen, U of I Police Training Institute, Randy and Moly Pankau, and Vic Ahnan.

CM Miller make a motion to extend the meeting to 10:45pm. Seconded by CM Colbrook and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

CM Miller made a motion to separate the Mayoral Staff/Board and Commission Appointments to be consider as follows:

- Deputy Fire Chief and Plan Commission
- Police Lieutenant
- City Attorney

Seconded by CM Roberts and carried by roll call vote as follows:

Aye: Brown, Hursey, Miller, Roberts, Sacks, Wu
Nay: Colbrook

CM Wu made a motion to approve the appointment of Deputy Fire Chief Kent Demond Dade and Plan Commission Debarah McFarland as presented. Seconded by CM Colbrook and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu
Nay: None

CM Colbrook made a motion to approve the appointment for Police Lieutenant Cory Koker. Seconded by CM Hursey. Discussion ensued.

CM Miller asked Sargent Koker to talk about his handling of Aleyah Lewis, and another recent incident reported on social media about behavior. Mayor Marlin interceded and reminded the council that no questions about Aleyah Lewis were going to be addressed because it is an ongoing case. Allowable questions can only be about his education and experience. CM Colbrook chimed in and said “as elected official and in order for the defendant to get a fair trial among her peers we the council will not comment on an active criminal case”.

Sargent Koker addressed CM Miller’s questions about the second incident and explained his reason for the encounter and his lamentation of the handling.

CM Miller’s closing comments were about the position and that as leaders people are held at a higher standard.

CM Hursey added the following statement with her vote “a person should not be defined by their mistakes, Sargent Koker has shown that he is capable of being a lieutenant”.

After discussion, the motion carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Sacks, Wu

Nay: Miller

Abstention: Roberts

CM Colbrook made a motion to approve the appointment of Dave Wesner as presented. Seconded by CM Hursey. Discussion ensued.

CM Miller made a motion to extend the meeting until 10:50pm. Seconded by CM Wu and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu

Nay: None

Council Members asked the following questions in regards to the legal appointment:

→ cost of full time attorney vs. hourly cost

→ legal stance about Freedom of Information requests/Open Meetings Act violation by a municipality.

After discussion and clarification from Wesner the motion carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Roberts, Sacks, Wu

Nay: Miller

CM Colbrook congratulated Lieutenant Koker and Dave Wesner on their appointments.

Mayor Marlin said items (5) and (6) would be added to next Committee of the Whole or City Council due to lack of time.

5. **BPAC** – Annual Report

6. **Discussion:** City of Urbana Use of Criminal Background Checks

K. ADJOURNMENT

With no further business to come before the council, Mayor Marlin adjourned the virtual rescheduled meeting at 10:50 p.m.

Wendy M. Hundley
Deputy City Clerk

This meeting was video recorded and is viewable [on-demand](#).

Minutes Approved: April 12, 2021