

COMMITTEE ON ENVIRONMENT AND PUBLIC SAFETY

January 25, 1993

Committee Members Present:

Joan Barr, Lonnie Clark, Michael Pollock, Clifford Singer, Charles Smyth (Chairman), Bonnie Tarr and Joseph Whelan

Committee Members Absent:

None

Staff Members Present:

Bruce Walden, Jack Waaler, Chief Schlieter, Rodney Fletcher, April Getchius, Bruce Stoffel, Delora Foster, William Gray, Charles Gordon, Bob Gleissner and Mayor Markland

Others Present:

Jim Wright, Chris Till, Don Slack, Raymond Norton, Richard Rebman, David Monk, Karl Smith, James Payne, Mike Ulm, Wendell Merry, Hattie Jenkins and Members of the News Media

Meeting Location:

Urbana City Council Chambers

There being a quorum, Chairman Smyth called the meeting to order at 7:32 p.m.

Additions to the Agenda and Staff Report

Mr. Pollock stated that there had been a request to review the petition of the people along the abandoned Norfolk and Southern Railway line for City assistance in acquiring the abandoned right-of-way, which now appears on the agenda as a presentation on Rails to Trails. Chairman Smyth clarified that it was his intent to discuss both.

Mr. Whelan stated that the owners of property adjacent to the abandoned Norfolk and Southern right-of-way located between Washington Street and Florida Avenue petitioned the City of Urbana "to assist us in getting the railroad to transfer

ownership of said right-of-way to us."

Minutes of Previous Meeting

Mr. Clark moved to approve the minutes of the December 21, 1992 regular meeting and the special meeting of January 4, 1993. The motion was seconded by Mr. Pollock and carried by a voice vote.

Rails to Trails Presentation and Request that City Seek Acquisition of Abandoned Railroad Right-Of-Way Located Between Washington Street and Florida Avenue

Jim Wright, 1513 Lincolnwood, Richard Rebman, 1617 Ivanhoe Way, Karl Smith, 1614 Fairlawn, and W.A. Merry, 1711 Fairlawn, addressed the Committee in opposition to the Rails to Trails proposal stating problems with weed control, vandalism causing property damage and the lack of privacy as objections.

Chris Till, 906 South Maple, David Monk, 115 N. Market, Champaign, James Payne, representing the Conservation Group of Champaign County, and Mike Ulm representing the Illinois Chapter Rails-to-Trails addressed the Committee in support of Rails to Trails explaining the community enjoyment and benefits of such trails.

Don Slack, a lawyer from Champaign representing the Douglas Trust, addressed the Committee regarding farmland southeast of the parcel of land being discussed which is owned by Mr. and Mrs. Raymond Douglas. The Douglas family has been paying the taxes on the abandoned right-of-way on the railway just southeast of the Florida to Washington area. They assume that the right-of-way has been abandoned back to the original owner. The Douglas family questions what might happen with an extension of the Rails to Trails on to the southeast and what would be asked of those property owners past the Urbana city limits but still within the one and one-half mile extraterritorial planning area.

Raymond Norton, 1214 Lanore Drive, addressed the Committee stating that with the exception of apartments on the boundary, he owns the largest contiguous property along that abandoned right-of-way. He presented pictures and a map of the area. Although he has been trying to purchase the right-of-way from the railroad, he is not against a Rails to Trails bikeway.

Mr. Smyth read through the questions that were a result of the public input regarding the Rails to Trails/railroad-right-of-way that are directed to staff for answers. They were as

Committee on Environment and Public Safety
January 25, 1993
Page 3

follows:

1. Whose responsibility is it to maintain the railroad right-of-way at this time?
2. Who is responsible for the storm sewer that is collapsing?
3. The cost of removing the rock and bringing the elevation down.
4. What is the status of the Illinois Power right-of-way - what rights and responsibilities do they have, and do they need to move trucks up and down the right-of-way?
5. Is the Adams Street right-of-way City right-of-way or additional railroad right-of-way, and what is the City doing with that?
6. What Federal funds are available for instituting Rails to Trails conversion?
7. Is there any responsibility of the railroad to remove the rock and left over ties?

Mr. Whelan said those questions deal with rails-to-trails not the original request from the neighborhood residents. He requested that staff investigate the railroad's ownership of the property, if it could be transferred to the City, and if the City could convey the property back to the adjacent property owners as was done with the property north of Washington Street.

Mr. Pollock requested verification from staff whether the railroad has an obligation based on the City's own legal precedent and deeds, to return adjoining property to adjacent land owners upon abandonment. He is not in favor of the City taking the property until it has been determined what is going to happen with it as it is too expensive to maintain. It would be more appropriate to act as an intermediary with whomever is negotiating for the property.

Mr. Clark stated that another problem that needs to be investigated is the easements for utilities.

Mr. Singer requested that Mr. Waaler investigate the railroad's responsibility in regard to junk and debris and to what extent can the City enforce that.

Mr. Pollock moved that the issue of Rails-to-Trails/Acquisition of Abandoned Right-of-Way be put on the Agenda of the February meeting of the Committee on Environment and Public Safety. The motion was seconded by Ms. Tarr and carried by a voice vote.

Solid Waste Ordinances

Mr. Singer moved to send to Council as a substitute for this ordinance on the council floor the four "Motions on Solid Waste Ordinances for 25 January, 1993, Committee Meeting" distributed to the Committee (copy attached). The motion was seconded by Mr. Smyth and carried by a show of hands vote with Mr. Whelan and Mr. Clark opposed.

The Committee recessed at 10:05 p.m. and reconvened at 10:17 p.m. with all members previously in attendance still present.

An Amendment To The Zoning Ordinance To Create The B-4E Central Business District Expansion Zoning District (Plan Case No. 1481-T-92: Request to Amend the Zoning Ordinance for the B-4E Central Business Expansion District)

Following a debate on the size of the setback at the front of business property to be zoned B-4E, Mr. Clark moved to send An Amendment to The Zoning Ordinance to Create The B-4E Central Business District Expansion Zoning District to Council. The motion was seconded by Ms. Tarr.

Mr. Singer moved to send the ordinance to Council with an amendment to change the setback at the front of business property from 5 feet to 6 feet. The motion was seconded by Mr. Smyth and carried by a voice vote. The motion to send the ordinance to Council as amended carried by a voice vote.

Mr. Pollock and Mr. Smyth commended staff on a job well done on the Zoning Ordinance. April Getchius stated that much of the credit goes to Bob Gleissner.

Boneyard Storm Permit Ordinance

Mr. Walden stated that the blank for the fee that was in the ordinance at the last Committee meeting has been completed. The fee was established to be \$25.00. Mr. Pollock moved to send An Ordinance Requiring A Permit To Connect To The City Of Urbana's Stormwater Drainage Facilities to Council. The motion was seconded by Mr. Clark and carried by a voice vote.

Maintenance Bond Procedures

Mr. Pollock moved to request that staff review the maintenance bond procedures. The motion was seconded by Mr. Clark and carried by a voice vote.

Shelby License Agreement - Light Pole Installation

Mr. Clark moved to send An Ordinance Authorizing The Mayor To Execute A Certain Agreement Entitled "License Agreement" Which Is Between The City Of Urbana, Illinois And Shelby's In Urbana to Council. The motion was seconded by Mr. Pollock and carried by a voice vote.

Budget Amendment - Police Department Hepatitis B Shots

Mr. Walden stated that this is a Budget Amendment to provide a Hepatitis B series for police department personnel. This is a result of requirements for funding of Bloodborne Pathogen from both the State of Illinois and Federal Government. The purpose is to reduce law enforcement personnel's exposure to risk during accidents, crime scene investigations and other incidents. The act requires that employers provide the series B at no cost to employees. This \$9,200 was not budgeted for this fiscal year.

Mr. Pollock inquired if this series was covered by HMO and why the fee is so costly. Chief Schlieter replied that it is not covered by HMO and the fee is the lowest estimate the City received. It is a two shot series.

Mr. Singer stated that he is familiar with the vaccine and the price is not surprising as it is a new serum.

Mr. Clark stated that the City has to do this in order to meet the mandate. He moved to send An Ordinance Revising The Annual Budget Ordinance (Police Hepatitis B Shots - \$9,200) to Council. The motion was seconded by Ms. Tarr and carried by a voice vote.

Discussion of Public Safety and Police Staffing

Hattie Jenkins, 1402 West Beslin, addressed the Committee concerning crime in Urbana, expressly the King School Area. She urged the Committee to find the means to hire extra police officers, some of which should be black.

Ms. Jenkins was specifically concerned with alcohol and drug abuse and feels there needs to be an ordinance prohibiting the use of alcohol on the public streets.

Mr. Clark stated there should be a blanket ordinance that prohibits drinking in public view on the public streets. He asked Ms. Jenkins if she felt the people in the community would accept an increase in taxes to hire the extra police officers. Ms. Jenkins responded that they can't afford not to do so.

Mayor Markland stated that the City does not take this problem lightly and there is an ordinance being circulated now that deals the alcohol problem.

Mayor Markland mentioned that Fighting Back Champaign County has started an action committee to concentrate on drug abuse problems and urged people in the community to be actively involved in these groups.

Mr. Smyth stated that in the past the priority was a single officer for the D.A.R.E. program and three additional line officers.

Chief Schlieter stated the need for a juvenile officer is first and foremost. There is an tremendous increase in juvenile activity. Additional officers would be best used on the second shift due to the activity at the middle and high schools.

Mr. Whelan asked Mr. Walden if he had any suggestions where items could be cut from the budget to allow for these extra officers.

Mr. Walden stated that it is difficult to deal with this issue outside the context of a budget process. He understands the desire to add more resources. The City will have to look at the resource allocation citywide during the next budget process.

Mr. Singer said an alternative is to identify a revenue source and act on it. Several such sources are message transmission, cigarette and alcohol taxes.

Mr. Smyth asked Mayor Markland if he was prepared to discuss the meeting he has planned with the people in the King Park neighborhood.

Mayor Markland stated that the meeting was set up to get a better idea of the problems in the King Park area and how the residents of the area might help solve those problems.

Mr. Pollock asked Chief Schlieter about shift changes, has there been a reorganization? Can the City do better with its

present resources? Chief Schlieter replied that there have been some shift changes. The activity of the department is being reviewed and some of the report taking is being done by civilians.

Mr. Pollock asked Chief Schlieter if he had identified how additional staff would be utilized if it were available? The Chief stated that one of the serious disabilities that the department has with manpower is the ability to be proactive. The projects that the department has run in the past are illustrative. The use of overtime is the way the Department is able to run these projects.

Mr. Singer stated that police staffing is not the only aspect of the problem, prevention is another. He stated concerns about the D.A.R.E. program. Presently this program is operated in the elementary schools. Mr. Singer feels the program will lose its effectiveness if it is not carried on to the middle schools.

Chief Schlieter stated that the State of Illinois has developed curriculum and training for the middle school program and a high school program. Chief Schlieter would like to see this program at least in the middle school but it would require a full time person. The department has one person for the elementary schools who is also neighborhood watch coordinator, crime prevention and community relations.

Mr. Singer said his understanding is that the biggest problem with the gun control ordinance as drafted is the issue of people breaking into houses and stealing guns. Should the ordinance be drafted with respect to the availability of the weapon and ammunition?

Chief Schlieter stated that Tom Lindsey had pointed out some issues regarding the conflict that occurs when state charges are brought and there is a municipal ordinance involved. It can pose a serious dilemma if a juvenile that steals a weapon injures someone.

Ordinance Allowing Temporary Removal Of Parking Meters In the North Campus Area

Mr. Singer stated that the Traffic Commission recommended that the Director of Public Works be given the authority to remove meters between Harvey and Goodwin and Springfield and University for a period of 90 days.

Mr. Pollock asked Director of Public Works Bill Gray

how he would interpret the passage of such an ordinance?

Mr. Gray stated that he would review the parking problems in that area and then take action.

Ms. Tarr moved to send An Ordinance Amending Section 14-13 Of The Urbana Local Traffic Ordinance As amended Regarding Parking Permits to Council. The motion was seconded by Mr. Clark and carried by a voice vote.

Reduction of 3-10 a.m. Parking Permit Price East of Orchard Street

Mr. Singer stated that the previous allowance for a one day parking permit was left out of the system. The present situation is that an \$8.00 permit can be purchased for parking over night or one can get a \$5.00 ticket. The Traffic Commission recommended that the one day and three day permit prices be re-established at \$2.00 and \$5.00 respectively.

Office Supervisor Delora Foster stated that the \$8.00 permit fee encourages people to break the law. People would rather get a \$5.00 ticket than an \$8.00 parking permit. Staff feels the one day permit should be available for those needing it.

Assistant Police Chief Charles Gordon stated that it doesn't make much difference to the Police Department what the fee is. The \$8.00 charge for the permit more correctly reflects the cost of staff time in issuing the permit.

Mr. Singer questioned if people can phone in requests for these permits and pay for them by credit card.

Ms. Foster said the Finance Department has the ability to take credit cards. The problem is that the credit card company charges a minimum fee of \$5.00. It is unlikely that anyone will want to pay a \$5.00 credit card charge for a \$2.00 parking permit. This would make the total cost of the parking permit \$7.00. People do use credit cards for yearly permits.

Mr. Singer asked if payment could be guaranteed by credit card and payment made by mail. Ms. Foster responded that that could probably be done but that is a lot of accounting time. The credit card process requires quite a lot of time and would be a costly procedure for a \$2.00 permit.

Mr. Singer pointed out one difficulty that has come up. The present system of permits goes from January 14. A permit

Committee on Environment and Public Safety
January 25, 1993
Page 10

good for the entire year can be purchased for \$135.00 or an \$85.00 permit from January 14 which is a half year permit. Since this time period has been set up, the University has shifted its calendar and is starting the semester earlier.

Ms. Foster stated that this year people came in a week ahead of the date the permits were to be issued. She, along with City Attorney Jack Waaler, made the decision to open up the sale of permits a week early. The starting date for the sale of half year permits should be changed to the first of January.

Ms. Foster stated that the proration system of permits could work on a monthly basis provided it is initially paid for the entire remaining period as it is purchased.

Mr. Singer requested that further discussion be dropped for the present to wait until this item comes back from Traffic Commission or is put back on an agenda.

Adjournment

There being no further business to come before the Committee, the meeting was adjourned at 11:12 p.m.

Respectfully submitted,

Elaine Taylor
Secretary

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

Committee on Environment and Public Safety
January 25, 1993
Page 11