

URBANA CITY COUNCIL CLOSED SESSION
(Solid Waste - Pending Litigation)
May 27, 1993

The City Council of the City of Urbana, Illinois met in closed session at 10:35 p.m., May 27, 1993 in the Council Chambers in the Urbana City Building to discuss pending litigation on the Solid Waste issues.

Members present were: Barr, Hayes, Pollock, Ryan, Singer, Taylor, Whelan. Others present were: J. Waaler, T. Lindsey, B. Gray, B. Walden, R. Fletcher, Mayor Satterthwaite and P. Clark.

The city is required to file an answer to a complaint from the Waste Haulers Association, Frank Beech, by June 10, 1993. City attorney needs a consensus as to what to do.

Recommendation from legal is to change the effective date of the ordinance that is in place, this will cause the June 10 litigation date to be postponed and will give them more time to address the issue. Would like to have the effective date changed to October 1. This would give the council time to evaluate what it would like to do, such as changing the ordinance or continue with the existing one. Another option is to repeal the existing ordinances. These ordinances were the basis for the law suit. If they are repealed, the law suit would be dismissed on the motion of the plaintiff or on motion of the city. This would mean that the litigation would be over at this point in time. It is suggested that action be taken tonight.

After much discussion and many questions, the council decided to vote on rescinding the ordinance that is in question. The council made sure that there was indeed an ordinance that the city could operate it's solid waste under, even though it was not ideal, but felt that it was better than going through this litigation on the ordinances at present. With the lateness of the hour, the mayor entertained a motion to go beyond the 11:00 deadline, John Taylor so moved and Joan Barr seconded. The motion passed by voice vote. The closed session was extended to 11:30.

By a show of hands most favored repealing action. The consensus is as follows: Barr, Hayes, Pollock, Ryan, Taylor, Whelan, Mayor Satterthwaite - Aye; Singer - Nay.

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Mayor Satterthwaite called for a motion to return to open session
- closed session adjourned at 11:25 p.m.

Respectfully Submitted,

Phyllis D. Clark
City Clerk