

COMMITTEE ON ADMINISTRATION AND FINANCE

August 9, 1993

Committee Members Present:

Michael Pollock (Chairman), James Hayes, Marya Ryan, Clifford Singer, John Taylor, Joseph Whelan (arrived at 7:45 p.m.)

Committee Members Absent:

Joan Barr

Staff Members Present:

Bruce Walden, Jack Waaler, Bill Gray, Bruce Stoffel, Diane Schober, Chief Schlieter, Mayor Satterthwaite, Phyllis Clark

Others Present:

Earl O'Shea, Sally Eissfeldt, Thomas Betz, Larry Wingate, Esther Patt, Members of the News Media

Meeting Location:

City Council Chambers

There being a quorum, the meeting was called to order at 7:37 p.m. by Chairman Pollock.

Additions to the Agenda and Staff Report

There were none.

Minutes of Previous Meetings

Mr. Taylor moved to approve the minutes of the July 12, 1993 regular meeting. The motion was seconded by Ms. Ryan and carried by a voice vote.

Donation of Lot to School District - 1103 N. Gregory

Committee on Administration and Finance
August 9, 1993
Page 2

Community Development Division Manager Bruce Stoffel explained a proposal to donate a city-owned lot to Urbana School District 116 to be used for construction of a house by building trades students from Urbana and Champaign. He said proceeds from the sale of a house previously built by students in the program would be used to purchase materials and pay subcontractors. The house would be constructed on a lot located at 1103 North Gregory Street.

Mr. Hayes moved to send to Council An Ordinance Authorizing The Sale Of Certain Real Estate Owned By The City Of Urbana And Acquired Under The Community Development Program (1103 N.Gregory). The motion was seconded by Ms. Ryan and carried by a voice vote.

Mr. Pollock stated that the ordinance will be on the August 16, 1993 Council agenda.

Sale of 1106 West Eads
Acquisition of Property - 1202 North Gregory Street

Mr. Stoffel and TIF III Project Manager Diane Schober were present to answer questions regarding a proposal to acquire property located at 1202 North Gregory Street. The existing structure would be demolished and the lot prepared for housing construction similar to homes recently constructed in the Eads at Lincoln development. The owners of 1202 North Gregory Street would utilize their acquisition monies/relocation benefits to assist in constructing a new residence on property at 1106 West Eads Street donated by the City.

Questions were raised by Committee Members regarding the habitability of the residence at 1202 North Gregory Street and the costs of proceeding with the proposal. It was noted that although the house is habitable, the costs (\$33,000 for acquisition, \$4,000 for demolition and the \$3,100 to purchase the lot) are considered to be a reasonable investment to facilitate redevelopment efforts in the Eads at Lincoln neighborhood. It is anticipated that the completed property would generate approximately \$1,600 in annual property taxes.

Mr. Taylor moved to send to Council An Ordinance Authorizing The Purchase Of Certain Real Estate (1202 North Gregory Street) and An Ordinance Authorizing The Sale Of Certain Real Estate Owned By The City Of Urbana And Acquired Under The Community Development Program (1106 West Eads Street). The motion was seconded by Ms. Ryan and carried by a voice vote.

Mr. Pollock stated that the ordinances will be on the August 16, 1993 Council agenda.

Joseph Whelan arrived.

House Moving Permit - 206 East Washington

Public Works Director Bill Gray presented a request for a house moving permit to relocate a structure from 206 East Washington Street. The house will be moved outside the city limits; the existing

utilities can be temporarily relocated at the mover's expense.

Mr. Taylor moved to approve a house moving permit for 206 East Washington Street. The motion was seconded by Mr. Hayes and carried by a voice vote.

Security Deposit Ordinance

Public Participation

Earl O'Shea, 606A South Glover Street, expressed his support for proposed amendments to the Security Deposit Ordinance and raised questions regarding the costs of renovating rather than demolishing a structure located at 1202 North Gregory Street.

Sally Eissfeldt, representing the Champaign County Apartment Association, expressed support for a proposed change in the Security Deposit Ordinance. Resulting discussion focused on the question of requiring landlords to place security deposit funds in a special escrow account.

Thomas Betz, Director of Student Legal Services, University of Illinois, urged the Committee to retain the simplicity of the existing ordinance on security deposits requiring 5% interest. He said the current ordinance works well and is a rational approach in lieu of requiring an escrow account.

Larry Wingate, Manager of Town and Country Apartments, said he has been successful in getting state legislation passed regarding security deposits and has approached the City for consideration of a change to local legislation. He requested favorable consideration of the proposed amendment to sustain fairness and to peg it to a market driven interest rate.

Esther Patt, representing Champaign-Urbana Tenant Union, stated that if the City is going to lower the interest rate for damage deposits, a requirement should be implemented requiring landlords to hold the money in escrow for the protection of tenants. Ms. Patt cited several instances where tenants have not been able to collect their security deposits because landlords did not have the money available due to bankruptcy, sale of property and various other reasons. She said just changing the interest rate for landlords will not result in fairness for tenants.

Mr. Singer raised the question of whether it would be possible to devise a system where defaults on returning security deposits to tenants could be transferred with the property when sold (like a mechanic's lien) rather than leaving the tenants with no recourse. Mr. Taylor raised the question of whether it would be advisable to tie the interest on security deposits to the highest rate on a one-year Certificate of Deposit from the largest bank in Champaign County.

Discussion focused on the intent of the original ordinance, whether the City could impose

a different interest rate than the state, whether it would be worthwhile to adopt the changes, and whether requiring escrow accounts would be advisable.

Mr. Whelan moved to send to Council An Ordinance Amending Section 12.5 Of The Code Of Ordinances, City Of Urbana, Illinois Pertaining To Security Deposits On Residential Leases. The motion was seconded by Mr. Taylor.

Ms. Ryan moved a substitute motion to table the ordinance until she presents a package of ordinances regarding landlord-tenants to Council in four weeks. The motion was seconded by Mr. Taylor and failed by a show of hands (tie) vote.

Mr. Singer stated he would yield to the Mayor's wishes on tabling the ordinance and asked him to speak to the issue.

After the Mayor voiced support for tabling the ordinance, Mr. Singer requested that his vote be changed to support tabling the ordinance. Mr. Whelan also changed his vote to the affirmative.

Noting a consensus for tabling the motion, Mr. Pollock stated that the ordinance will be on the agenda of the September 13, 1993 Committee on Administration and Finance meeting.

Discussion of Ordinance Violation Procedures

City Attorney Jack Waaler stated that minimum fines suggested in the proposed ordinance were cooperatively compiled by the Legal Division, Police Department, and Judge Ann Einhorn.

Mr. Singer moved to increase the minimum fine for 3-22, Furnishing false identification for potential use (Minors) from \$75 to \$100; to decrease the minimum fine for 3-62, Carrying open container of alcoholic liquor out of liquor service premises from \$75 to \$50; and to decrease 15-64, Public Urination and defecation prohibited from \$75 to \$50. The motion was seconded by Ms. Ryan.

Answering a question of whether the suggested changes would be problematic, Mr. Waaler noted that the minimum fines were set at a level high enough to discourage the conduct and low enough to encourage voluntary settlement without court action. He questioned whether increasing the fine for 3-22, Furnishing false identification for potential use (Minors) would promote rather than deter court action.

Following Mayor Satterthwaite's reminder that the fines are minimums and could be higher if the conduct is blatant, Mr. Singer deleted the increase for 3-22, Furnishing false identification for potential use (Minors) from his motion with Ms. Ryan's consent.

The motion to amend minimum fines for 3-62, Carrying open container of alcoholic liquor

Committee on Administration and Finance
August 9, 1993
Page 5

out of liquor service premises and 15-64, Public Urination and defecation prohibited to \$50 carried by a voice vote.

Discussion followed on the possibility of designating possession of controlled substances as local violation.

Mr. Taylor moved to send to Council An Ordinance Amending Chapter One Of The Code Of Ordinances, City Of Urbana, Illinois Concerning Minimum Fines For Ordinance Violations And The Settlement Of Violations Without Filing Suit, as amended. The motion was seconded by Mr. Hayes and carried by a voice vote.

Mr. Singer moved to request staff to report in two weeks their estimate of how much time would be required to address the question of including in the list of minimum fines, possession of controlled substances. The motion was seconded by Mr. Taylor and carried by a voice vote.

Mr. Pollock stated that the ordinance will be placed on the agenda of the August 16, 1993 Council meeting and staff will report their findings at the August 23, 1992 Committee on Environment and Public Safety meeting.

Noise Ordinance

Mr. Waaler presented revisions to a proposed noise ordinance discussed at the previous Committee meeting. Language was added to address concerns raised regarding the possibility of an innocent bystander being responsible for noise at their place of residence. Mr. Waaler suggested that if the proposed provision for a required warning is a concern that it be deleted from the ordinance.

The discussion that followed centered on how the noise ordinance addresses complaints of barking dogs. Mr. Whelan suggested that the ordinance contain specific provisions to require a warning to the owners of barking dogs.

Mr. Singer moved to send the Noise Ordinance to the Committee on Environment and Public Safety in order to allow staff time to consider the possibility of including issues relative to barking dogs. The motion was seconded by Mr. Whelan and carried by a voice vote.

Mr. Pollock stated that the noise ordinance revisions will be placed on the agenda of the August 23, 1993 Committee on Environment and Public Safety meeting.

Adjournment

There being no further business to come before the Committee, Chairman Pollock declared the meeting adjourned at 10:15 p.m.

Committee on Administration and Finance
August 9, 1993
Page 6

Respectfully Submitted,

Sharon Menges, Secretary

*This meeting was tape recorded

**This meeting was broadcast on cable television