

COMMITTEE ON ENVIRONMENT AND PUBLIC SAFETY

February 28, 1994

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Committee Members Present:

James Hayes, Esther Patt, Michael Pollock, Marya Ryan, Clifford Singer, John Taylor and Joseph Whelan (arrived at 7:39 p.m.)

Committee Members Absent:

None

Staff Members Present:

Bruce Walden, Tom Lindsey, Rod Fletcher, Bill Gray, Charlie Gordon, Phyllis Clark and Mayor Satterthwaite

Others Present:

Glenn Stanko, Members of the Media

Meeting Location:

Urbana City Council Chambers

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There being a quorum, Chairman Singer called the meeting to order at 7:31 p.m.

Additions to the Agenda and Staff Report

There were none.

Minutes of Previous Meeting

Ms. Ryan moved to approve the minutes of the January 24, 1994 regular meeting. The motion was seconded by Mr. Pollock and carried by a voice vote.

Petitions and Communications

Glenn Stanko, representing the Waste Haulers Association, addressed the Committee to point out inconsistencies in the Solid Waste Management Interim Plan.

Ordinance Authorizing The Removal Of Parking Meters On Coler Avenue

Public Works Director William Gray addressed the

Committee regarding the removal of parking meters on Coler Avenue stating that the City of Urbana has entered into an agreement with the Illinois Department of Transportation for improving the traffic signals at University Avenue and Coler Avenue. These improvements include the establishment of left turn lanes for northbound and southbound Coler Avenue. The establishment of the northbound left turn lane requires the removal of the five metered parking spaces located on the east side of Coler Avenue immediately south of University Avenue. This ordinance is authorization to remove those five metered parking spaces.

Following debate, Mr. Taylor moved to send the Ordinance Authorizing The Removal Of Parking Meters On Coler Avenue to Council for approval. The motion was seconded by Mr. Hayes and carried by a voice vote.

#### An Ordinance Authorizing A Loan To Cunningham Township

An Ordinance Authorizing A Loan To Cunningham Township was forwarded to this Committee from the Urbana City Council meeting of February 21, 1994.

Mayor Satterthwaite stated that he spoke with Cunningham Township Supervisor Kenneth Zeigler the afternoon of Monday, February 28, 1994. In this conversation Mr. Zeigler stated that he has consulted the Township Attorney Fred Grosser and is awaiting an opinion from Mr. Grosser as to whether the Township can legally receive a loan from the City of Urbana.

Following debate, Mr. Singer requested that An Ordinance Authorizing A Loan To Cunningham Township be put on the agendas of both the Urbana City Council and the Cunningham Town Board for the meetings of March 7, 1994. There were no objections.

#### Interim Solid Waste Plan

Chairman Singer requested that, during the staff report by Environmental Manager Rod Fletcher, Committee Members to consider how the recycling program will be funded starting July 1, 1994 and how this process will be kept on schedule.

Rod Fletcher reviewed the Solid Waste Management Interim Plan with the following observations.

The advent of solid waste legislation in Illinois, along with public concern, has increased focus on types and quantities of wastes that are generated, as well as the type and cost of collection services and the location and cost of disposal. It is estimated that 38,955 tons of waste will be generated in the City of Urbana in 1994.

At present refuse collection is provided entirely by

private haulers for both residential and commercial customers, with the exception of the University of Illinois, which provides these services for its student population.

In the current free market system, customers may select their hauler of choice. Routes are not established for optimum service delivery, rather they are sporadic stops.

Recycling services are provided by both public and private sector. The City of Urbana's program offers weekly collection to residential customers. U-Cycle collects newspaper, glass containers and can containers.

A single, un-manned drop-off facility is available to Urbana residents, is located at the Jerry's IGA store. This facility is financially supported by the City of Urbana and is provided by the Community Recycling Center.

A few haulers have established recycling service for their residential customers.

There is no landfill operating in Champaign County. The majority of municipal waste is being disposed of at the Brickyard Landfill in Danville and the Clinton Landfill in Clinton.

Federal authority to regulate the management of hazardous and non-hazardous waste is provided in the Conservation and Recovery Act (RCRA). Non-hazardous municipal waste is covered under Subtitle D of RCRA, which establishes minimum national performance standards necessary to ensure that "no reasonable probability of adverse effects will result from solid waste disposal facilities or practices."

Under regulations effective October 9, 1993, all municipal landfills are required to comply with strict mandates dealing with landfill siting, design and operation, ground water monitoring, financial assurance and closure/post-closure requirements.

The Illinois General Assembly has passed three district laws which direct local government compliance while encouraging and assisting local government to implement programs consistent with the acts:

1. Local Solid Waste Disposal Act (LSWDA). The purpose of this act to protect the public health and welfare and the quality of the environment by providing local governments with the ability to properly disposal of solid waste within their jurisdiction by preparing and implementing solid waste management

plans for the disposal of solid waste and, where feasible, to efficiently use products generated by the disposal process.

2. Solid Waste Management Act (SWMA). The purpose of this act is to reduce reliance on land disposal of solid waste, and to assist local governments with solid waste planning and management. This act established the following waste management hierarchy, in descending order of preference, as State policy:
  - a. volume reduction at the source
  - b. recycling and reuse
  - c. combustion with energy recovery
  - d. combustion for volume reduction
  - e. disposal in land facilities
3. Solid Waste Planning and Recycling Act (SWPRA). This act provides incentives for decreased generation of municipal waste, to require certain counties to develop comprehensive waste management plans that place substantial emphasis on recycling and other alternative to landfills, to encourage municipal recycling and source reduction, and to promote composting of yard waste.

The SWPRA is the most significant act affecting local governments. It mandates and empowers counties to develop, adopt and implement comprehensive solid waste management plans.

The Intergovernmental Solid Waste Disposal Association (ISWDA) was created in July, 1986, to address local solid waste issued and to be the intergovernmental organization assisted to respond to State requirements.

With the demise of the ISWDA, Urbana has expended significant effort to alleviate solid waste issues. Failure of the ISWDA's planned programs and funding structure has caused Urbana's management programs to address and secure a method of funding.

The lack of a municipal landfill or processing/transfer where surcharges could be levied, and the policy decision not to utilize or increase the tax base for such activities, has led to examination of the collection system as a source or point to generate funding. The amended solid waste goals state the avenue to be pursued and is one of the highest priorities: "Promote cost savings to the public through efficiency of solid waste and recyclable collections with the cost of all solid waste collection and program costs to be reflected in the solid waste system costs

without local tax dollar subsidy."

Mayor Satterthwaite stated the Solid Waste Management Interim Plan incorporates the goals and objectives the Committee has prioritized earlier.

One of the recommendations of this plan is to see what kind of numbers are received from the RFP's to be able to determine if there would be savings from a franchising system.

This Interim Solid Waste Plan will provide the vehicle for proceeding to issue the RFP's.

It is important to note that it is not merely a franchise collection system but part of a comprehensive plan that includes expanded recycling, incentives for recycling, recycling education, household hazardous waste program and possibly other things as well. This is an entire plan; not just franchise collection.

Mr. Hayes questioned how customer satisfaction will be handled?

Rod Fletcher stated that if the City enters into a contract on behalf of the residents of the City of Urbana, it would insure that customer satisfaction is met. If there is a complaint, it can be addressed to City Staff.

Mr. Whelan asked how customer satisfaction would be controlled by the City?

Bill Gray responded that if the terms of a contract for services are not met, penalties can be assigned. If there is a failure by the hauler to respond to the complaint, the contract could be canceled.

Mr. Taylor questioned whether any action other than the request for bids will be taken on the interim report if it is approved at this meeting?

Rod Fletcher stated that Staff would like Council adoption of the plan, however the resolution that was passed in December, 1993 already set in motion the issuance of requests for proposals and staff is proceeding on those.

Mr. Pollock stated that the time line calls for a review by Committee of the RFP's before they go out and asked if the process is so far advanced that it cannot be altered or will the Committee have the opportunity to look at some of the requests and make adjustments.

Rod Fletcher responded that Staff would like input from the Committee if the Committee would like to make adjustments to

the RFP prior to its issuance.

Mr. Whelan pointed out statements in the plan that he perceives to be strong staff opinions rather than substantiated facts.

Ms. Patt question the fact that the figures corresponding to expanded U-cycle and multi-family U-cycle seem higher than the cost is presently.

Rod Fletcher stated that in FY 92-93, the City program cost for U-cycle was \$157,000 at a rate of 50% participating. Our collection capacity would need to be doubled if the participating rate was 80 or 90% and those costs would also increase with introduction of new materials.

Chairman Singer asked Rod Fletcher to review the status of the Intergovernmental Solid Waste Disposal Association (ISWDA).

Mr. Fletcher stated that the ISWDA has approximately \$165,000 in assets, the largest being the Homer Farmstead. The remainder is cash.

Chairman Singer inquired if the proposed RFP's will expand the recycling program. Rod Fletcher responded that there would be options for the expansion of certain materials.

Mr. Whelan presented a petition circulated by concerned citizens who oppose the idea of franchising. This petition contained approximately 873 names.

Mr. Pollock moved to send the Solid Waste Management Interim Plan to Council. The motion was seconded by Ms. Ryan.

Following further debate regarding the merits of franchising and using the private sector, Vice Chair Ryan took the Chair and Chairman Singer responded to the question regarding the cost of receiving the proposed RFP's including that of staff time.

Mr. Taylor asked Tom Lindsey to comment on the bids. Mr. Lindsey stated that he was comfortable with an RFP rather than a bid process if we bear in mind that it is a solicitation of information. Getting the information isn't the problem, the next set is. It is more important what is done with the information than that it was requested. Mr. Lindsey further stated that he has not researched case law on this issue.

Mr. Taylor requested a 5 minute recess. There being no objection, the Committee recessed at 9:15 p.m. and reconvened at 9:30 p.m. with all members previously in attendance still present.

In response to Mr. Whelan's question of why, if the majority of the Council and the Mayor want to franchise, it isn't just put out for bids, Mr. Pollock stated that before he takes a step like that, he wants more facts.

Mr. Singer moved an amendment to the motion that a draft of the Request for Proposals or Invitations for Bids called for in the previous resolution, accompany this plan before it is passed. The motion was seconded by Mr. Pollock.

Mr. Pollock stated that it was his understanding that this would be brought back to Committee for review and consideration in two weeks and inquired if that is correct. Bill Gray stated that is correct.

Following debate, the amendment to the motion carried by a voice vote.

The motion to send the Solid Waste Management Interim Plan to Council carried 5-1-1 by roll call vote. Voting aye were Members of the Council: Hayes, Patt, Pollock, Ryan and Taylor - 5; voting nay: Whelan - 1; voting present - Singer - 1.

Vice Chair Ryan retained the Chair.

Mr. Singer returned to the issue of what the City will do July 1 regarding solid waste when the City is in Court and how is the process going to be kept on schedule?

Mr. Singer stated that he is skeptical that the City will be able to stay on schedule if a decent job is done.

Mr. Singer questioned how U-Cycle will be paid for after July and presented "Seven Ways to Pay for U-Cycle While in Court" (copy attached).

Mr. Pollock moved to allow Chairman Singer to add U-Cycle Funding to the agenda. The motion was seconded by Mr. Singer and carried by a voice vote.

Following debate, Mr. Singer moved to adopt one of the "Seven Ways to Pay for U-Cycle While in Court. The motion was seconded by Mr. Taylor for the purpose of discussion.

Mr. Pollock stated his agreement with Mr. Singer that the Committee does need to derive an alternate plan in the event the City is in court and discuss this in further depth.

Following further debate, the motion to adopt one of the "Seven Ways to Pay for U-Cycle While in Court" failed 1-6 by roll call vote. Voting aye was Committee Member: Singer - 1; voting

nay: Hayes, Patt, Pollock, Ryan, Taylor and Whelan - 6.

Mr. Singer moved that it is the sense of the Committee that it intends that one of these seven options, or some other option yet to be determined, will be adopted within the March.

The motion was seconded by Ms. Patt.

Mr. Satterthwaite stated that the City should have a plan in the event it is in Court but he would prefer to study the situation for awhile before there is a commitment made.

Mr. Taylor stated that agreed with Mayor Satterthwaite that more time should be allowed to study the issue.

Mr. Singer stated his feeling that this should be done as soon as possible because some of the options disappear as time goes by.

Rod Fletcher stated that this motion puts the City has a contingency outline prior to the receiving of proposals, this would impede receipt of any proposals for this process. If a fall back contingency plan is put in front of the RFP process, no one will respond.

Mr. Singer stated that all of these options are temporary and he does not feel these options compromise the RFP process.

Following further debate, the motion to for committee to accept one of the seven options, or an option yet to be determined, by the end of March failed 1-6 by roll call vote. Voting aye was Committee Member: Singer - 1; voting nay: Hayes, Patt, Pollock, Ryan, Taylor and Whelan - 6.

Alderman Singer moved to discuss the Solid Waste Plan Time Line. The motion was seconded by Ms. Patt and carried by a voice vote.

Mr. Singer stated that the City is a minimum of a month late on the previously defined time line and feels the skeptical that the RFP will get out before the end of the month and that the rest of the process can be done in the time frame allotted. He further stated that he does not feel that staff believes the Council is serious about the issue.

Ms. Patt stated that she also was concerned about how the recycling is to be paid for and will examine the alternatives. Ms. Patt further stated that she believes it is not wise to make a decision tonight.

Mr. Whelan stated that the issue has to be decided and the leadership should come from Mayor Satterthwaite and the Mayor should be allowed to handle it.

Mayor Satterthwaite stated that one of the utmost concerns of himself and staff is to find a way to get recycling on the budget with a revenue source in a timely fashion.

Mr. Singer requested that the question of paying for U-Cycling after July 1, 1994 be put on the Counsel agenda.

Chairman Singer resumed the Chair.

#### PEG Discussion

Vice Chair Ryan assumed the Chair.

Mr. Pollock stated that he requested that this item be put on the agenda following the passage of the Cable Franchise and the 2 percent surcharge to fund the public educational and governmental programs the City currently enjoys. Mr. Pollock suggested developing a citywide, community wide PEG blueprint through the Cable Commission, asking for proposals perhaps with the help of a consultant, to be brought back to both Urbana and Champaign City Councils for consideration.

Mr. Pollock further stated that some thought needs to be given to what will be done if a community wide effort is not successful.

Tom Lindsey presented a recap on the Cable process. He stated that he had discussed this with Champaign staff and three of the members of the Cable Commission.

Mr. Lindsey further stated the Cable Commission would probably be the best vehicle to use in terms of seeking community wide support for PEG programming and how the funds would be expended and to allow the Cable Commission to be the initial filter of whatever proposals might come forward.

Mr. Lindsey stated that he has a time line in mind, a vehicle in terms of the Cable Commission, and the initial recommendation would be that the Commission hire a consultant to provide the City some of the expertise we are lacking. The City will further call upon those members of the public who have an interest and technical capability to provide information to the Commission throughout the development process.

It is important that a prioritization as to where the money is spent is developed.

Mr. Pollock discussed a goals and needs listing from

Barbara Gladney, one of the Urbana representatives to the Cable Commission, who also works with the video facilities at Parkland.

Mr. Hayes urged that regularly schedule enrichment programs be included in the PEG programming.

Ms. Patt stated that the goal of public access is not merely to assure first amendment rights, but to provide a vehicle for a different type of programming than what that is provided on commercial television.

Mr. Singer stated that he has investigated this issue over the past few weeks. He said there is a lot of interest in the general public and what they need to get started is a camera.

Mr. Singer further stated that there is unused studio equipment, everything needed to provide a first rate public access, already existing in this community waiting to be used. The City could have four fully active channels going on public service tomorrow if it wished. There is a seven day a week, twenty-four hour international news service, C-Span Two, BBC World Service and C-Span audio one and two available immediately. All that is needed is a decision and a designated person to make it happen.

Mr. Singer stated that there is tremendous potential to get a good quality service started and tremendous potential to get much more public service broadcasting on these channels, including Community Access.

Mr. Singer left the meeting at 10:30 p.m.

Mr. Lindsey stated that the change to include WEIU in Charleston, Illinois is required by the Cable Act and is required to be on the Basic Tier. The CNBC station is not required to be there and will probably now be a part of the extended tier.

Mr. Whelan stated that he does not agree with the franchise fee.

Mr. Pollock stated that idea of the Commission acting as a lead is an attempt to make this a combined community PEG program between Champaign and Urbana. In the future, the local educational and governmental meetings would be discontinued were it not for the 2 percent increase.

Ms. Patt stated that the only people affected by the 2 percent increase are those people who subscribe to cable.

Mr. Pollock urged that people contact Barbara Gladney, John Peterson, himself or any other member of the Cable Commission

for ideas or questions as the work on the PEG system progresses.

Adjournment

There being no further business to come before the Committee, Acting Chair Ryan declared the meeting adjourned at 10:45 p.m.

Respectfully submitted,

Elaine Taylor  
Secretary

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