

COMMITTEE ON ENVIRONMENT AND PUBLIC SAFETY

APRIL 25, 1994

Committee Members Present:

James Hayes, Esther Patt, Michael Pollock, Marya Ryan, Clifford Singer (Chairman), John Taylor and Joseph Whelan

Committee Members Absent:

None

Staff Members Present:

Bruce Walden, Charles Gordon, April Getchius, Rod Fletcher, Jack Waaler, William Gray, Phyllis Clark and Mayor Satterthwaite

Others Present:

Steve Aupperle, Kathy Sims, Earl O'Shea, Members of the News Media

Meeting Location:

Urbana City Council Chambers

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

Additions to the Agenda and Staff Report

Chief Administrative Officer Bruce Walden stated that the TIF Bond Issue scheduled for discussion this evening is on track and Staff will be bringing the item to the next Committee meeting for action.

Mr. Hayes moved to accept the orders of the day with the deletion of TIF Bond Refinancing. The motion was seconded by Ms. Ryan and carried by a show of hands vote.

Minutes of Previous Meeting

Mr. Whelan moved to approve the minutes of the March 28, 1994 meeting. The motion was seconded by Mr. Hayes and carried by a voice vote.

Petitions and Communications

Steve Aupperle, 805 West Fairview, addressed the Committee regarding the solid waste issue stating his preference to select his own

hauler and his feeling that the City should support small businessmen. Mr. Aupperle also stated he would like to see plastic and cardboard included in recycling and he would like the haulers to pickup recycling.

Kathy Sims, 506 East Church, Champaign, representing the Women's Emergency Shelter, addressed the Committee urging them to waive the City's fees (\$3750) that were involved with the Forbes house move.

Carle Traffic Impact Analysis/Consultant Selection

Public Works Director/City Engineer William Gray reported that Staff is asking for a budget amendment ordinance to be considered so that funds that would be coming from the Carle Foundation could be forwarded to the City. A budget amendment would allow those funds to be spent to hire a consultant to perform a traffic impact analysis. Staff has considered Barton and Ashman for that analysis.

Ms. Patt moved to send An Ordinance Revising The Annual Budget Ordinance (Carle Traffic Impact Analysis/Consultant Selection) to Council. The motion was seconded by Mr. Taylor.

Following debate, the motion to send An Ordinance Revising The Annual Budget Ordinance (Carle Traffic Impact Analysis/Consultant Selection) to council carried by a voice vote.

Amendment To The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (Plan Case No. 1520-A-93: Request by Jeffrey Cross and Elton Ruthstrom to Rezone Western 1/3 of 602 and 604 South Glover From R-4, Medium Density Multiple Family Residential to IN, Industrial)

Community Development Director/City Planner April Getchius addressed the Committee to respond to questions asked at a previous meeting. Ms. Getchius stated that the Council can impose conditions other than those recommended by the Plan Commission and can require screening of the lots along Glover, staff recommends that it be a live screening.

Staff recommends that Council does not require that Mr. Cross discontinue any illegal use or operation on the site as a condition of the rezoning. That is an enforcement issue and that is something that needs to be done through the ordinance and our legal procedure.

Staff further recommends that Council does not put conditions on a future conditional use permits because this body is not the body that grants conditional use permits, that is done by the Zoning Board of Appeals. The Council can appear before the Zoning Board of Appeals to request changes.

Ms. Getchius stated that Community Development staff, Public Works staff and the Legal Department have been working together to examine some amendments to the nuisance ordinance. The nuisance ordinance works well in residential areas. It is less clear in industrial areas.

In response to the question of how the City benefits from the rezoning, Ms. Getchius stated that split zoning is problematic and in this situation, the zoning is not comparable. A commercial building that is not going to be renovated for residential use is a lost utility.

In response to Ms. Patt's question regarding whether it is in Council's authority to approve the zoning change but not allow conditional use permits, City Attorney Jack Waaler stated that there would have to be a planning justification for why that line was being drawn.

Earl O'Shea, 606A South Glover Avenue, addressed the Committee in opposition to the rezoning of 602 and 604 South Glover Avenue.

Following discussion of the rezoning of 602 and 604 South Glover Avenue, Mr. Taylor moved to send to Council an Amendment To The Zoning Ordinance Of The City Of Urbana, Illinois And the Zoning Map Of Urbana, Illinois (Plan Case No. 1520-A-93: Request by Jeffrey Cross and Elton Ruthstrom to Rezone western 1/3 of 602 and 604 South Glover From R-4, Medium Density Multiple Family Residential to IN, Industrial). The motion was seconded by Mr. Whelan.

Following further discussion of issues of concern such as drainage issues, mud on the side walk, accessibility of heavy machinery to children, appearance of the property and screening, Mr. Pollock moved to amend the motion by adding the requirement of live screening along the frontage on Glover Avenue.

The motion was seconded by Mr. Whelan and carried by a voice vote.

Mr. Pollock moved that prior to bringing the final agreement back to Council, Staff work with the petitioner and impose a reasonable height level for the protection of both the petitioner and the neighborhood in the event there is a single building. The motion was seconded by Mr. Whelan.

In response to Ms. Getchius' inquiry if Mr. Pollock was suggesting a height limit only on the single building or even on multiple warehouse buildings, Mr. Pollock responded his intent was a single building.

Mr. Pollock moved that Staff work with the Petitioner to develop

a written agreement for the petitioner to provide drainage relief along the southern portion of the property so that the water which has been pooling and going into the residential area to the south will run along the property border and into the swale by the railroad track. That agreement should require the swale be kept open and functioning. The motion was seconded by Mr. Taylor and carried by a voice vote.

Mr. Pollock moved that staff work with the petitioner and that, in the event that it does not inhibit his ability to develop the property, a requirement be arrived at to construct a fence screening on the north and south borders of that property prior to the redevelopment of the property itself. The motion was seconded by Ms. Ryan.

Following further debate, the motion carried by a voice vote.

Following further debate, an Amendment To The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (Plan Case No. 1520-A-93: Request by Jeffrey Cross and Elton Ruthstrom to Rezone Western 1/3 of 602 and 604 South Glover From R-4, Medium Density Multiple Family Residential to IN, Industrial), as amended, carried by a show of hands vote.

Bikepath/Sidewalk (Philo Road from Trails Drive to Mumford)

Director of Public Works/City Engineer William Gray addressed the Committee with an update of the progress on the Philo Road Bikepath.

Staff is proceeding to write an ISTEAA grant application for an eight-foot wide bituminous bicycle path from Windsor Road to Deerfield Trails subdivision. The proposed location would be on the east side of Philo Road to the east of the existing utility poles. This would require a right-of-way acquisition.

This would be almost entirely outside the City limits and would require the Urbana Township Board to submit the application. From discussions with the Township, this should be no problem if the City commits to covering any expense.

The total cost of the project is estimated to be approximately \$73,000. This includes \$22,000 for right-of-way acquisition, which is not grant eligible and assumes engineering would be done in-house. If the grant is awarded the City's cost would be approximately \$33,000, not including engineering services.

Resolution 1994 Oil and Chipping Program

Ms. Ryan moved to send a Resolution for the 1994 Oil and Chipping

Program to Council. The motion was seconded by Mr. Whelan.

Following debate on the resurfacing, the motion carried by voice vote.

Budget Amendment for Waiver of Fees - Forbes House Move

Mr. Pollock moved to request staff to draw up the appropriate paper work for the waiver of fees and bring it to Council at their earliest convenience. The motion was seconded by Mr. Whelan.

Following debate, the motion carried by voice vote.

Chairman Singer declared, without objection, a brief recess. The Committee recessed at 9:05 p.m. and reconvened at 9:16 p.m. with all Members previously in attendance still present.

Review of Solid Waste Bid Documents

Environmental Manager Rod Fletcher discussed a staff request that the Committee reconsider staff's recommendation that a Request for Proposal (RFP) be utilized to secure contractors to provide franchise collection services.

Mr. Fletcher stated that this method allows for greater flexibility in a number of ways which would be advantageous to the City.

Staff had previously been instructed to develop an Invitation for Bid (IFB) process because of concerns surrounding the time required to conduct a negotiated price for the different services and the methodology to be used. By definition, the major difference between the two methods is that detailed specifications are developed in an IFB and that submission and acceptance of a price is a binding contract.

Given the parameters to provide four collection zones and four contractors (a minimum of three contractors), bids or proposals will vary in pricing. Under an IFB, no negotiation can occur and four different prices would probably result and the City would be required to equalize the range of prices to establish a uniform price to customers citywide. This would be counterproductive to the City's attempt to provide the lowest possible cost to customers. The IFB would not provide equal compensation to individual haulers.

Therefore, staff is recommending that Council reconsider the RFP process.

Regarding the issue of Bid/Proposal Bond, investigation of the

cost to provide this proved that it would not unduly burden a potential proposer and it is recommended that this requirement be included in the document in an amount of \$5,000.00.

A Performance Bond, which is a corporate surety that guarantees compensation to the City in the event that it must assume obligations of the Contractor in order to continue service, will be required to assure performance of the Contract.

Mr. Fletcher stated that staff recommends that volume based pricing for recycling not be included in the sticker price.

Any changes in services or impacts by future federal or state legislation that may occur during the term of the contract which will impact compensation is addressed in Section 3.19 and 4.3.4. Since this is impossible to predict, staff cannot provide for every contingency that may occur and contract language will provide for these accordingly.

Mr. Fletcher further explained the Franchise Collection Selection Process Flow Chart Diagram, Lowest Proposal Determination Methodology chart and the Volume-Based Pricing, Estimated Sticker Quantities sheet (see attached).

Following debate regarding the franchise collection process, Ms. Patt moved to send the Request for Proposal (RFP) solicitation process to Council. The motion was seconded by Ms. Ryan.

Following further debate regarding time lines and the reason for the process not being effective until October, Mr. Singer moved a substitute that the lowest combination of bids be taken. The motion was seconded by Mr. Pollock. Following debate, the motion failed by voice vote.

Mr. Singer moved that an option be drawn up to award the bids zone by zone to the lowest bidder. The motion died for lack of a second.

Mr. Singer moved to set a price for the entire service structure and tell both the haulers and the consumers up front how much they are going to pay before the Committee passes the ordinance for the Invitation for Bids and ask how many haulers are willing to provide the service at that rate and choose those by lot if there are enough, if there are not enough, every one who is willing to do it, does it, and the City does the other zones. The motion died for lack of a second.

Ms. Patt's motion to send the Request for Proposal (RFP) solicitation to Council carried by a roll call vote. Voting aye were Members of the Committee: Hayes, Patt, Pollock, Ryan and Singer - 5;

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voting nay: Taylor and Whelan - 2.

House Moving Permit - 306 East High Street

Ms. Ryan moved to approve the House Moving Permit - 306 East High Street. The motion was seconded by Mr. Pollock and carried by a voice vote.

Amendment to Resolution On Resolutions

Mr. Pollock moved to send Amendment to Resolution On Resolutions to Council for approval. The motion was seconded by Mr. Taylor.

Following debate, the motion carried by a voice vote.

Ms. Patt moved to have a Rules Committee meeting following the City Council meeting on May 2, 1994. The motion was seconded by Mr. Taylor and carried by a voice vote.

There being no further business to come before the Committee, Chairman Singer declared the meeting adjourned at 11:05 p.m.

Respectfully submitted,

Elaine Taylor
Recording Secretary

**This meeting was broadcast on cable television.

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