

CITY OF URBANA

COMMITTEE ON ADMINISTRATION & FINANCE - OCTOBER 12, 1994

CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL

COMMITTEE MEMBERS PRESENT: Michael Pollock, Chairman; James Hayes; Esther Patt; Marya Ryan; Clifford Singer; John Taylor; Joseph Whelan

STAFF MEMBERS PRESENT: Bruce Walden; Jack Waaler; Charles Gordon; William Gray; April Getchius; Bruce Stoffel; Jay Getz; Mayor Satterthwaite; Phyllis Clark

OTHERS PRESENT: Sharon Monday-Dorsey; Rachel McCarthy; Media

Chairman Pollock called the meeting to order at 7:06 p.m.

Additions to the Agenda and Staff Report

There were none.

Minutes of Previous Meeting

Ms Patt moved to approve the minutes of September 12, 1994. The motion was seconded by Ms Ryan.

Mr. Singer made a motion to approve the minutes as amended. Ms Ryan seconded. Motion carried by a voice vote.

Ms Patt moved to make a correction to page 9, paragraph 6 of the minutes which showed the motion count as "4-1-1." The count should read "5-1-1." Mr. Hayes seconded. Motion carried by voice vote.

Mr. Singer moved to delete paragraph 6 on page 8 of the minutes. Ms Patt seconded. Motion carried by voice vote.

The motion to approve the minutes of September 12, 1994 carried by voice vote.

Petitions and Communications

Sharon Monday-Dorsey, 301 W. Locust, spoke on the topic of animal control. Ms Dorsey stated that on Wednesday morning, October 5, 1994, she was attacked by two American Staffordshire Terriers, commonly known as "pit bulls", while riding her bike on Wood Street. Ms Dorsey requested that the Committee review the Animal Control Ordinance and suggested the following changes: (Taken verbatim from Ms Monday-Dorsey's letter.)

"1. Public education: At the time animals are registered with the County for rabies vaccination, the owner should receive a brochure which outlines their rights and responsibilities and the penalties for failure to properly manage their pet.

2. Ordinance - Section 4-22 'Procedure as to dog which has bitten a human being': I request that the ordinance be when a dog has bitten a person in an unprovoked* attack it will be taken into possession by Animal Control, observed, and disposed of in a humane way. In addition, the owner should be fined between \$100 - \$500 depending on the nature and circumstance of the attack.

3. Under Section 4-23 'Vicious Dog': I question your definition of vicious dog. I believe it should be considered "vicious" if the dog attacks a person in an unprovoked manner and not be based solely on the extent of bodily injury. Again, the ordinance should clearly state that animals who attack on an unprovoked manner will be confiscated and the owner fined."

Ms Monday-Dorsey explained that she interpreted "unprovoked" to mean that the person bitten did not taunt or threaten the dog by break-in, etc., and that the bite was serious enough to require medical attention.

Ms Monday-Dorsey concluded by saying that she hopes the City will review the ordinance to reduce the possibility of future traumatic attacks to adults, and possibility severe fatal attacks to children. She then presented another letter to the Committee from a neighbor who was also attacked when the dog broke the chain.

Rachel McCarthy, 303 W. Locust, also spoke on the topic of animal control and on behalf of her neighbor, Sharon Monday-Dorsey. Ms McCarthy stated that she was very concerned about the children in the area, noting that she believed if a child had been attacked he/she would have been killed. Ms McCarthy presented the Committee with a letter written by her mother regarding the dog attack.

IHDA Agreement

Mr. Stoffel began by stating that this is a proposed extension of the City's existing loan with the Illinois Housing Development

Authority of \$150,000 to provide for housing construction at Eads at Lincoln Subdivision. The current loan actually matured in February of 1994 and has been used to build homes in the First and Second Subdivisions, Eads at Lincoln. Stoffel stated that IHDA staff has agreed to change the maturity date as shown in the loan extension agreement and also in the mortgage note from February 5, 1996 to August 5, 1996. This is an additional six months to allow more time for construction. The resolution prepared includes references to a loan extension agreement, mortgage note, mortgage, and environmental indemnity agreement which is required as part of the package.

Mr. Hayes moved to send to Council for next week's meeting. The motion was seconded by Mr. Whelan. Motion carried by voice vote.

Amendment to HOME Consortium Agreement

Mr. Stoffel stated that back in June, the Urbana City Council, as well as the Champaign City Council and County Board, adopted resolutions to participate in a consortium under the new HOME program, which is a Federal program for affordable housing. The pertinent documents were submitted to HUD and we have been informed that we were approved. Stoffel said that as a consortium, the field office has sent documents to Washington to prepare for this, however, the agreement we submitted has not been approved. HUD is asking that we comply, word for word, with an agreement that they had already hammered out in Lake County. The action that they are requesting that we take is really twofold:

1. That we amend the existing agreement that we passed previously in June to amend and supersede that agreement with a new agreement which is entitled "HOME Investment Partnerships Consortium Agreement." This basically means replacing what we had with the HUD version.
2. Adopt the intergovernmental agreement. This means re-adopting what we've already adopted, but in this case adopt it as an intergovernmental agreement which HUD would not be party to, nor would HUD see; but would provide us the local guidance.

Mr. Stoffel stated that the same actions are requested to be taken by the Champaign City Council next Tuesday, as well as the County Board next Tuesday. HUD has established a deadline of getting the documents by October 31, 1994.

Ms Patt moved to send to Council. Seconded by Mr. Whelan.
Motion carried by voice vote.

Otto Annexation Agreement Information

Jay Getz explained that this agreement is for the southeast corner of High Cross Road and US Route 150. It has been recommended in the Extraterritorial Jurisdiction Plan, which was adopted by Council in January 1993 as an industrial site. Ms Getchius stated that this issue was being brought to Committee first (instead of to Council for approval) because staff wanted to allow the Committee an opportunity to discuss.

Mr. Whelan inquired why the property was still zoned agricultural. Ms Getchius responded that it was zoned AG-2, which is the County's Agricultural District, but it was recognized that it was on the urban fringe and should convert to something urban. Getchius pointed out that the Sanitary District passed an ordinance in the last few years that requires you to annex to the City or have an annexation agreement in place if you are going to connect to a sanitary sewer. There is more benefit to annexing and zoning it to the City, in terms of Enterprise Zone and other benefits. Mr. Whelan asked if it would fit into the Enterprise Zone. Ms Getchius responded that the Enterprise Zone could be amended to include it.

Mr. Hayes pointed out that in the Comprehensive Plan it was zoned heavy industry and wanted to know if it was going to be light industry now. Ms Getchius responded that right now we only have one industrial district in the Zoning Ordinance, such as the IN District, that basically allows lighter industrial uses. Heavy industrial uses under that zoning district requires a special use permit. One of the recommendations of the ETJ Plan was to split that zoning district into two districts which allows more uses permitted by right; a light industrial district permitted by right; and a heavy industrial district. But since that split or new zoning has not been created yet, it would come in as our standard IN (Industrial) District.

Mr. Singer moved to send to Council for approval. Seconded by Mr. Whelan. Following more discussion, the motion carried by voice vote.

Chairman Pollock made note of the time and stated that, due to the Special Council meeting that was to follow this meeting, the Committee could either reschedule the remaining agenda items

until a separate meeting, or proceed with some reasonable time limit, or table to reconvene this meeting following the Special Council meeting.

Mr. Singer moved to table the remaining agenda items until after the Special Council meeting. Seconded by Mr. Taylor. Motion carried by voice vote. The meeting was temporarily adjourned at 7:31 p.m.

Chairman Pollock resumed the meeting at 9:46 p.m.

CABLE DISCUSSION

Mr. Singer stated that Mr. Lindsey indicated that he did not know whether or not the proposed box system is going to interfere with people who want to have both basic service and other services. The question is, Are you then going to be able to do everything with the basic service that you use to be able to do." Singer said that he understood, from the outline, that the problem was with the scrambling. All of the other services, except for basic, are going to be scrambled. Therefore, there should not be a problem with being able to do everything with the basic service that you use to be able to do. Mr. Singer inquired where that information came from and how certain are we that it is correct, and what are we going to do if it is not correct. Mr. Singer asked Mr. Pollock or Mr. Lindsey to clarify.

Mr. Pollock responded that the local lower tier basic service will include all the broadcast channels including PBS, WEIU, the local public educational and governmental channels. The upper tier will include what about 90% of the people have right now, which includes premium channels of ESPN, USA, Bravo, Arts & Entertainment, and the basic package of the second tier outside of pay channels. Under Time Warner's proposal you will be able to get basic service with no converter box. If you want any other service over and above that it will require a box and the public will have to pay for that box. Mr. Pollock said that in terms of where that information came, he received it from Mr. Lindsey, Mr. Peterson and from Time Warner.

Mr. Whelan inquired if, at any time during the discussions, there was any mention made to the boxes and how they would be applied, what limitations people would have, and what tiers it would include. Mr. Pollock responded that it was very clear that there would be some type of converter box necessary in order to do interactive TV and receive Pay For View and 150 channels and all the other things that the company must perform under this

contract. There was never a discussion apparently of how they get from the signing of that contract to the implementation of that technology. There was never a discussion about what it was going to cost the public for the converter boxes. There was no discussion of the fact that people would need multiple converter boxes for multiple TV's or VCR's. There was no discussion that those boxes, at least in the initial rebuild, would require that you lose services that you now currently enjoy in terms of what you can tape on what different tiers. If you want to watch and tape anything on any of the upper tiers at the same time you will need two converter boxes. However, right now the second converter box that would allow you to do this does not exist and is not expected until early next year.

Mr. Whelan asked that since these people did not tell us about certain cost factors or limitations on the equipment that we have, would the franchise be subject to renegotiation because of that nondisclosure. Mr. Pollock stated that he had asked that question of Mr. Lindsey and the response was that there was not adequate cause in the contract for canceling. According to our legal counsel, regardless of the fact that we think that they negotiated in bad faith on these issues, that does not give us the right to cancel the franchise.

GOAL SETTING

Mr. Singer presented the Committee with the following motion:

"The Committee suggests that affording 2% per year of the 'extremely low income households under housing stress' (as described in Urbana's Comprehensive Housing Affordability Strategy) a reasonable opportunity to extricate themselves from this category should be one of a number of goals given serious consideration in the Urbana City and Cunningham Township's 1995 planning processes."

Mr. Hayes asked how the word "extricate" was being interpreted. Mr. Singer responded that right now we have, according to CHAS, 1,907 households who are extremely low income and under housing stress. To extricate yourself from that means that you're not that poor anymore or at least you've got enough capital in your house even if you've got no income that you, if you're older, can afford to live there without getting thrown out of it.

Mr. Hayes asked for confirmation from Ms Patt that there were more than 2% in this situation. Ms Patt explained that a small

percent of low income households are not under housing stress or severely rent-burdened because they receive assistance through the Champaign County Housing Authority or they are living in privately-owned subsidized housing. Ms Patt stated that she interprets what Mr. Singer means is to tackle 2% of the problem.

Following more debate, Mayor Satterthwaite suggested that more consideration was needed on this issue before the Committee moved on it.

Mr. Singer requested that his motion be put on the Council agenda.

ADJOURNMENT

With no further business to come before the Committee, Chairman Pollock adjourned the meeting at 10:30 p.m.

Respectfully submitted,

Deborah J. Roberts
Recording Secretary

*This meeting was broadcast on cable television.