

CITY OF URBANA

**COMMITTEE ON ADMINISTRATION & FINANCE - MONDAY, NOVEMBER 13, 1995
CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL**

COMMITTEE MEMBERS PRESENT: Michael Pollock, Chairman; James Hayes, Jr.; Carolyn Kearns; Esther Patt; Marya Ryan; John Taylor; Joseph Whelan

COMMITTEE MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Tod Satterthwaite, Mayor; Phyllis Clark, City Clerk; Bruce Walden, Chief Administrative Officer; Jack Waaler, City Attorney; Eddie Adair, Chief of Police; William Gray, Public Works Director; April Getchius, Community Development Director; Bruce Stoffel, Grants Management Division Manager; Jay Getz, Senior Planner; Diane Schober, Grants Coordinator II

OTHERS PRESENT: Dorothy Neumann; John Dorsey; Earl O'Shea; Mike Doyle; Timothy Bartlett; Mike Fritz; John Snyder; Media

Chairman Pollock called the meeting to order at 7:31 p.m.

Mayor Satterthwaite recognized the Leal School Webelos Scout Patrol and stated that they were here to observe the meeting.

1. ADDITIONS TO THE AGENDA AND STAFF REPORT

There were none.

2. MINUTES OF PREVIOUS MEETING

Ms Patt made a motion to approve the minutes of October 9, 1995 and was seconded by Ms Ryan.

Mr. Whelan was dissatisfied with the way the minutes reflected Mr. Earl O'Shea under the "Public Input" section and made a motion that the wording in the minutes under public input should say: "Earl O'Shea, 606-A Glover, addressed the Committee on the topics of better government. His remarks were critical of the City's attention paid to his problem in his neighborhood, and he spoke also in support to the resolution of a retrial for Mumia Abu-Jamal." Ms Patt seconded. The motion carried by voice vote.

By a voice vote, the minutes of October 9, 1995 were approved as amended.

3. PUBLIC INPUT

Dorothy Neumann (301 W. Griggs) and John Dorsey (301 W. Locust) did not address the Committee, but completed cards to be

entered into the record indicating their opposition to the SRO.

Earl O'Shea, 606-A Glover, addressed the Committee on the topic of better government.

Mike Doyle, 411 W. Park, representing UCAN, addressed the Committee on the topic of the Carle Agreement.

Timothy Bartlett, representing the Urbana Park District, addressed the Committee on the topic of the Carle Agreement.

4. A Resolution Authorizing The Mayor To Execute An Intergovernmental Agreement Between The County Of Champaign And City Of Urbana Concerning Conditions For The Vacation Of Bennett Street

Bruce Walden directed the Committee's attention to the agreement attached to the resolution. He stated that the agreement parallels the resolution that was adopted April 17, 1995 by the City Council and submitted to the County. The only additions to the language of that resolution are that the County will begin programming to review their need for courtroom spaces within the next six months. In the event they need the right-of-way occupied by Bennett Street, the resolution states that they will petition and the City will look at it favorably.

Mayor Satterthwaite stated that this would allow the County to take the first necessary steps to see what kind of courts and court-related facilities they will need in the downtown area, how much space, what kind of footprint that would have, and whether they would need the Bennett Street right-of-way or not.

Ms Ryan inquired about the date of execution mentioned in the last paragraph of the Agreement. It was noted that the word "above" should be corrected to read "below."

Mr. Whelan inquired if the City had received any specific ideas of what the County's plans/needs are going to be as far as space and size are concerned. Chairman Pollock responded that his understanding was that they would like this type of commitment from the City so that they could move ahead and answer those types of questions, rather than spending a lot of money and finding out later that there is a problem with the vacation. Mayor Satterthwaite mentioned that the State Legislature had approved two new judges for Champaign County; so additional courtroom spaces will be needed. Chairman Pollock clarified that this is not a vacation, but simply informing the County that unless there is a good reason not to vacate, we will work with them on their plans.

Mr. Taylor made a motion to send to Council for approval and was seconded by Mr. Whelan. The motion carried by voice vote.

5. An Ordinance Authorizing The Acquisition Of Certain Property By Purchase Or Eminent Domain

Jack Waaler stated there have been plans for over a year to improve the intersection of Fairview and Lincoln Avenues. We have acquired all of the necessary right-of-way, with the sole exception of 7 feet in front of the property at 801 and 803 Lincoln. Mr. Waaler stated that it was still possible to deal with the owner, however, he has not shown a willingness to sit down and conclude this matter. In order to keep the project on schedule, Mr. Waaler stated that he was asking that the Council authorize eminent domain so that if it cannot be brought to a quick resolution, it can be filed in court.

Mr. Taylor inquired if the City had made an offer to the owner (Steve Layden). Mr. Waaler stated that a dollar offer had not been made. Mr. Layden was informed that if he selected an appraiser the City would hire him/her and share in the expense. Mr. Waaler added that the owner had not been able to name an appraiser that he (the owner) has any trust in. Mr. Taylor wanted to know if it would be appropriate for the City to have one of its people go out and appraise the property and make an offer before we proceed further. Mr. Waaler stated that he had already talked with an appraiser to go out to the property. Once the appraiser has returned with a dollar amount, Mr. Layden will be informed. If there is no response within a reasonable amount of time, Mr. Waaler stated that he would do as directed by the City Council.

Ms Patt asked Mr. Gray to describe the parcel. Mr. Gray stated that the acquisition of this 7-foot strip would allow the City to add the left-turn lanes north and south on Lincoln Avenue. The widening would then relocate the curb and gutter further to the west and the sidewalk would be located to the west on this 7 foot strip of land. The pavement would be wider at the intersection to accommodate left-turn lanes at Fairview.

Mr. Hayes inquired about other right-of-ways already acquired. Mr. Waaler stated that right-of-way had been obtained from University Orthopedic to the nursing home and everything needed on the other side of the street, including the apartment house on the north side. Mr. Hayes suggested that if we had not heard anything from the owner by December 10, 1995, the City could proceed with eminent domain.

Ms Kearns moved to send this item to Council for approval and was seconded by Ms Patt.

Mr. Whelan inquired if legal staff would advise the Council of the status before actually enacting eminent domain. Mr. Waaler stated that he was trying to let Mr. Layden know that the City would be proceeding with this. The ordinance also requires that the City Clerk send the owner a copy of the ordinance.

Mr. Taylor stated his support of the motion, noting that it was part of the orderly development along Lincoln Avenue.

Mr. Hayes concurred that this was an important part of the infrastructure of Lincoln and Fairview Avenues, but wanted to make sure that the owners would be notified.

Mr. Whelan stated that he was very reluctant to use eminent domain in any case. However, because of the traffic problem at Fairview and Lincoln Avenues, it seems that if there is any legitimate use of eminent domain it is for public health and safety rather than giving one business advantage over another. Therefore, he is in support of the motion.

The motion to send this item to Council for approval passed with a voice vote of 6-ayes and 1-nay*. (*Mr. Hayes voted nay.)

6. A Resolution Directing The Reorganization Of The Champaign-Urbana Joint Cable Television Commission As The Intergovernmental Telecommunications Commission

Chairman Pollock gave a brief history of this issue. Over the last 6 to 8 months the Cable TV Commission has been working with a number of local public officials, the School District and private citizens who are interested in the issue of data communications, which is the high-speed transfer of data via some fiber optic line in the community from computer to computer. Currently, the only fiber optic system that is available is that put in by the cable company in the recent rebuild. The Commission has been interested in looking into organizing a forum to see how to proceed with this type of development. The resolution directs the Cable Commission to make a decision within the next 6 months on what it would like to accomplish in terms of data communication, as well as continuing their current job of advising the city councils and acting as an intermediary between the public and the cable company.

With regard to Section 4 of the resolution, Mayor Satterthwaite asked Chairman Pollock to briefly go over the mission of the Cable Commission. Chairman Pollock stated that

his understanding is that the Cable Commission's responsibilities are exactly those items indicated in Section 4, but only in terms of the cable TV system and oversight of the franchise with Time Warner. The idea of the resolution is to expand those duties to cover more than simply the cable TV system.

Mr. Whelan inquired how other members of the Commission felt about the resolution. Chairman Pollock stated that there was a meeting at which the original resolution presented by Mr. Ed Ryan to have Champaign withdraw from the Commission was discussed at length. The Commission was not only unanimous, but vehement in its opposition to that direction, with the exception of Mr. Ryan. The resolution was passed by Champaign's City Council.

Mr. Whelan made a motion to send this item to Council for approval. The motion was seconded by Ms Patt. The motion carried by voice vote.

7. a. Request by the Zoning Administrator to Amend the 1982 Comprehensive Plan and Official Comprehensive Plan Map to Reflect Recommendations Made in the Woodland Park Neighborhood Plan (Plan Case 1599-CP-95)

b. Request by the Zoning Administrator to Rezone From R-3 Single-/Two-Family Residential, R-4 Medium Density Multiple Family Residential, and AG Agriculture to CRE Conservation-Recreation-Education Properties at 600 East University Avenue, 606 North Sycamore Street, 702 North Ash Street, and 704-714 North Hickory Street (Plan Case 1600-M-95)

Ms Patt made a motion to send these items to Council for approval. The motion was seconded by Ms Ryan. Motion carried by voice vote.

8. Carle Agreements: Ord. No. 9596-47: An amendment To The Comprehensive Plan Of The City Of Urbana, Illinois (Carle Neighborhood Plan); Ord. No. 9596-48: An Amendment To The Zoning Ordinance, Text And Map Of The City Of Urbana, Illinois (Medical Institutional Campus Zoning District Provisions); Ord. No. 9596-49: An Ordinance Approving and Authorizing The Execution Of An Agreement With Carle Foundation (Carle Development Agreement); and Ord. No. 9596-50: An Ordinance Approving And Authorizing The Execution Of An Agreement With The Urbana Park District (Relating To Carle Development Agreement)

April Getchius responded to questions raised at the November 6, 1995 City Council meeting. (The questions were primarily raised by Ms Miles.)

Re: \$200,000 in the implementation plan for various capital improvements projects. The implementation plan was an attachment to the Traffic Impact Analysis and listed all of the capital improvement projects in the area that have already been included in the Capital Improvement Plan and not necessarily relevant to the Master Site Plan at this point.

Re: How does the increase in the floor area ratio affect parking? It doesn't. Parking is based on the amount of square footage that you build. So if you increase the allowable amount of square footage, you will have to provide equal amount of parking for that new square footage.

Re: Alternative medicine. Who will define that? We have tried to include some examples of what alternative medicine is in the definition in the Zoning Ordinance Amendment. Other than that it would be an interpretation of the zoning administrator, and could also be appealed to the Zoning Board of appeals.

Re: When will the light at Church and Lincoln be installed? That will be installed when warrants indicate that it is needed; when the traffic at that intersection and the movement at that intersection warrant that installation.

Ms Patt questioned if up to 40% of land use would be commercial and the noncommercial uses would include both hospital and clinic, why do we not think 51% of the property would be taxable? Ms Getchius responded that it was never said that 51% of the property would not be taxable. It depends on what the uses are and what the mixture is. The zoning simply allows for the mixed use in one building. The 60% of medical use and 40% of non-medical that is allowed by zoning does not affect the taxable status of any of those properties; nor does the zoning amendment stating that 60% could be hospital and 40% could be commercial indicate that there is going to be taxable property or nontaxable property in those buildings.

Ms Patt wanted to know why the City is not concerned about having some type of guarantee against the erosion of our tax base (i.e., guarantee that a certain amount of the property would be taxable). Mayor Satterthwaite stated that people from Carle indicated that we can project out what would be taxable and what would not based on the current ratios. However, if something were to change nationwide in the health care industry where, for instance, there was some new legislation in Congress, everything could be nontaxable and hospitals all across the nation could change their tax status. It was concerns about some of the legal

landscape at the Federal or State level that were at the heart of Carle's concerns.

Mike Fritz, CEO at Carle, indicated that it would not be prudent to make any long term decision regarding the tax base because they are not sure of what direction health care will take in the future.

Ms Patt stated that her impression is that part of the City's interest in this project is the "expectation" of commercial development on this land. Ms Patt inquired what Carle's vision of is planned for the 12 city blocks. Mr. Fritz responded that they are trying, with some degree of certainty, to plan their replacement or expansion of the Carle system in Urbana. He could not say specifically what the land would be used for, because of all of the changes that are happening to Carle. They are trying to identify a process and a potential, so that as the buildings become obsolete, there will be an area where they can be replaced on the Urbana campus.

Ms Patt inquired how it was decided how much land was needed. Mr. Fritz stated that the decision came initially from their consultants.

Mr. Hayes stated that it had been mentioned that the parking lot at Coler and Park would possibly be used for a bedding facility for patients. If this takes place, will it be constructed upwards and across Coler Avenue to be attached to the hospital, or does Carle plan on closing and Coler and Park Street? John Snyder (Carle) responded that they had not planned that far ahead, but he would envision that they would probably use a tunnel connection.

Mayor Satterthwaite inquired what proportion of the clinic and hospital facilities combined are taxable. Mr. Snyder was unsure but assumed that it was close to 50%. As to whether or not the ratio would change as Carle expanded west to Lincoln Avenue, Mr. Snyder indicated that it was speculative at this point. It would probably be more outpatient.

Ms Kearns stated that one of the major concerns of residents in the neighborhood is what would become of affordable housing. Another concern was about the number of houses being demolished. When she met with UCAN they told her 75 houses would be demolished north of Church Street. In reading the Agreement, Ms Kearns stated that she learned that only one was being demolished. She believes there is a lot of protection in the Agreement for affordable housing. Another concern had to do with the medical waste incinerator pollution problem. In a letter

that the Mayor received from the IEPA, it states that the incinerator complies with all of the State and Federal regulations. In addition to the letter, Ms Kearns stated that the Mayor informed her that in a conversation he had with IEPA dioxin is not a health hazard from the incinerator. Another concern was regarding the tax revenue. The Agreement indicates that Carle will pay the City revenues if its losing them because of a change in evaluation. Ms Kearns stated that she believes all of the concerns have been addressed and, therefore, she is in support of approving the agreements.

Ms Patt clarified that the Carle Master Site Plan is not a plan for what will go in 12 city blocks. It is a plan for the elimination of all the housing north of the hospital and clinic up to Fairview. There are 55 homes in the area between Church and Fairview that will be eliminated under this plan over the course of the next 25 years. The City does not have a plan for replacing those homes. Ms Patt stated that one of her concerns is that if the City is going to be a partner in the elimination of a neighborhood, she would like to know why. Ms Patt mentioned two concerns: 1) the mixture of commercial use with hospital; and 2) the lack of any guarantee that there will be any development of any kind that will result in the City having the same amount of tax money it currently receives from the single-family homes there. She would like these concerns to be adequately addressed before a vote is taken on the agreements. With regard to demolition, Ms Patt concurred that the "protections" are good in terms of protecting the neighborhood from being blighted over the course of the next 25 years.

Mayor Satterthwaite clarified that the Council would not be voting on Carle's plan, but the City's plan. This consists of development agreements where it specifically states that, north of Church Street, one home is going to be demolished. The zoning is not going to be changed.

Mr. Hayes asked that Carle and UCAN meet again before the Council takes any action on the agreements.

Chairman Pollock inquired what the original disposition of the land north of Church. Was it open for development as originally proposed? Ms Getchius stated that originally the Agreement extended beyond Church Street in terms of designation. In order for any of the properties north of Church Street to be used for parking lots, medical facilities, or any other type of commercial, there would have to be an amendment to the Comprehensive Plan, because the designation of the area north of Church Street is remaining residential. There would also have to be an amendment to the Zoning Ordinance and an amendment to the

Agreement.

Ms Ryan stated that she was not prepared to make a decision at this time, and also would like for Carle and UCAN to meet again.

Ms Ryan made a motion to send this item to the next Committee on Environment & Public Safety meeting to be held November 22, 1995. Mr. Hayes seconded.

Chairman Pollock inquired about what specific points Ms Ryan or UCAN would like to address at the meeting, and how would it impact tonight's discussion.

Ms Ryan withdrew her motion for the purpose of discussion. Though not speaking on behalf of UCAN, Ms Ryan stated that she had a concern about the stability of the neighborhood and would like to see a neighborhood investment fund.

Chairman Pollock asked Ms Ryan if anyone other than she and Mr. Hayes would be attending the meeting with UCAN on behalf of the City. Ms Ryan responded that UCAN wanted to keep the meeting one-on-one with them and Carle. Ms Ryan said that they agreed to let her and Mr. Hayes attend because they represent the wards.

Mr. Taylor stated that in a discussion he had with the Mayor, he suggested sending this item to Council on November 20th and at the same time place it on the next Committee agenda. If sent to Council he (Taylor) would move to defer it at that time so that it could be discussed at the next Committee meeting afterwhich it could come back to Council on December 4th for a vote.

Mr. Taylor moved to amend Ms Ryan's motion that we concurrently send everything under item #8 to the next Committee meeting for discussion. This motion is to move all the ordinances under item #8 (Ord. nos. 9596-47, 9596-48, 9596-49 and 9596-50) to the November 20, 1995 Council meeting at which time Mr. Taylor will make a motion to defer to the Committee on Environment & Public Safety meeting on November 27, 1995. It would then have to be voted on at the next Council meeting (December 4, 1995). Mr. Whelan seconded. (As a point of clarification, Chairman Pollock asked Mr. Whelan if he would be willing to second the motion to defer at the next Council meeting. Mr. Whelan's response was "yes.")

Following debate, the motion carried with a voice vote of 6-ayes and 1-nay*. (*Ms Patt voted nay.)

9. An Ordinance Amending Schedule H Of Section 14-3 Of The Urbana Local Traffic Code Prohibiting Parking On Certain Streets (Kerr Avenue)

Mr. Whelan made a motion to send to Council for approval. Ms Patt seconded. The motion carried by voice vote.

10. An Ordinance Amending Schedule H Of Section 8-3 And Schedule I Of Section 8-4 Of The Urbana Local Traffic Code Requiring Stop Signs At Certain Intersections And Removing Yield Signs At Certain Intersections

Mr. Gray stated that the intersections in question are deleting yield signs North and Southbound Maple and California, North and Southbound Webber at California, North and Southbound McCullough and Nevada, Southbound Geraldine at Kerr, and Southbound Highland at Kerr. Those intersections would be replaced with two-way stop signs at North and Southbound Maple and California, North and Southbound Webber at California, North and Southbound McCullough at Nevada, and one-way stop signs Southbound Geraldine at Kerr, Southbound Highland at Kerr and Berkley at Kerr. The reason for these recommendations is due to safety-related issues and the warrants being met for stop signs being the more appropriate traffic control device in lieu of a yield sign.

[Due to a prior commitment, Mr. Taylor left the meeting at 9:12 p.m.]

Mr. Hayes made a motion to send to Council. Ms Ryan seconded. The motion carried by voice vote.

ADJOURNMENT

With no further business to come before the Committee, Chairman Pollock adjourned the meeting at 9:16 p.m.

Respectfully submitted,

Deborah J. Roberts
Recording Secretary

*This meeting was broadcast on cable television.