

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite
Mayor



Phyllis D. Clark
City Clerk

**URBANA CITY COUNCIL MEETING
FEBRUARY 19, 1996**

The City Council of the City of Urbana, Illinois met in regular session Monday, February 19, 1996 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT: Hayes, James Jr. (Alderman Ward 3)
Kearns, Carolyn (Aldерwoman Ward 4)
Patt, Esther (Aldерwoman Ward 1)
Pollock, Michael (Alderman Ward 5)
Ryan, Marya (Aldерwoman Ward 2)
Taylor, John (Alderman Ward 7)
Whelan, Joseph (Alderman Ward 6)

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Tod Satterthwaite, Mayor
Phyllis D. Clark, City Clerk
Bruce K. Walden, Chief Administrator Officer
Stephen Holz, Assistant City Attorney
Ronald C. Eldridge, Comptroller
Eddie Adair, Chief of Police
William Pessemier, Fire Chief
April D. Getchius, Community Development Director
William Gray, Public Works Director/City Engineer
Jay Getz, Senior Planner

OTHERS PRESENT: Al Edmundson; Dave Dressel; Frieda Wascher; Rev. Lundy Savage; Ben Cox, Sr.; Rev. W.B. Keaton; Shirley L. Hursey; Earl O'Shea; Media

The meeting was called to order at 7:30 p.m. by Mayor Satterthwaite.

A. MINUTES OF PREVIOUS MEETING

Aldерwoman Patt made a motion to approve the minutes of February 5, 1996. Alderman Pollock second. The motion carried by voice vote.

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B. ADDITIONS TO THE AGENDA

Alderman Pollock explained that the Olympian Drive location study alignment selection was approved by a motion at last week's Committee on Administration & Finance meeting. However, a resolution is necessary in order to put it in force. Although it appears on tonight's agenda, it needs to be officially added to the agenda since it was not placed at the Committee meeting.

Alderman Pollock made a motion to add Resolution No. 9596-R23, "A Resolution Endorsing Alignment #1 For The Olympian Drive Location Study", to the agenda as item #F.1.f. Alderwoman Ryan seconded. There were no objections.

C. PRESENTATION BY THE UNIVERSITY OF ILLINOIS ON SAFETY

Representatives from the University of Illinois, Al Edmundson (Director of Capital Programs), and Dave Dressel (Director of Facility Planning) made a slide presentation to the Council. They also presented some of the recommendations of the Safety Committee.

D. PETITIONS AND COMMUNICATIONS

Audience Participation

Frieda Wascher, 803 W. Fairview, addressed the Council on the topic of the City Clerk, and expressed her support of a budget transfer for over expenditures in the Clerk's Overtime, Training & Education and Travel & Conference line items.

Rev. Lundy Savage, 2801 Rachel (Champaign), representing Mt. Olive Missionary Baptist Church, addressed the Council on the topic of the City Clerk, and expressed support of a budget transfer for over expenditures in the Clerk's Overtime, Training & Education and Travel & Conference line items.

Ben Cox, Sr., 1600 W. Bradley (Champaign), representing the Human Relations Center, addressed the Council on the topic of the City Clerk, and expressed support of a budget transfer for over expenditures in the Clerk's Overtime, Training & Education and Travel & Conference line items.

Shirley Hursey, 1309 Ellis Drive, addressed the Council on the topic of the City Clerk vs. other City departments, and expressed support of a budget transfer for over expenditures in the Clerk's Overtime, Training & Education and Travel & Conference line items.

Rev. W.B. Keaton, 1407 Summit Ridge (Champaign), representing the Ministers' Alliance of Champaign-Urbana, addressed the Council on the topic of the City Clerk's budget issue, and expressed support of a budget transfer for over expenditures in the Clerk's Overtime, Training & Education and Travel & Conference line items.

Earl O'Shea, 606-A Glover, addressed the Council on the topic of better government and his neighbor, Jeff Cross, and expressed his support for a need for better government.

Council Participation

Alderman Whelan asked that the Committee on Administration & Finance put on its next agenda the issue of possibly making the City Clerk's position an appointed job rather than an elected position, and the possibility of the City administration supervising the budget in that office. This item will appear on the March 11, 1996 agenda.

Alderwoman Ryan stated that the Bicycle Safety Task Force has been revived by Winn Gibson of Champaign. Alderwoman Ryan is the Urbana representative.

Alderman Pollock stated that, in addition to the traffic study presented this evening, there is a task force consisting of the Chancellor of the University, Urbana & Champaign Mayors, and a number of interested community people meeting specifically on the condition of Campustown (both Champaign & Urbana). The issues involve not only traffic safety, but personal safety, lighting, infrastructure, and streets.

E. OLD BUSINESS

There was none.

F. REPORTS OF STANDING COMMITTEES

1. Committee on Administration & Finance

a. (Ord. No. 9596-72) ***An Ordinance Revising The Annual Budget Ordinance (Fire/Police)***

Alderman Pollock made a motion to approve.
Alderman Taylor seconded.

Alderman Pollock clarified that this is a combination of ordinances, one of which is to approve the purchase of a new air compressor. It is also to cover overtime

in the Fire Department. The funds for the overtime expenses will be coming from personnel line items from other departments in the City.

Alderman Whelan asked Chief Pessemier to give a brief statement as to how this came about. Chief Pessemier stated that they are looking at the possibility of being short of staff. One of the things that has contributed to this is the reorganization that was made in the Fire Department at the beginning of this fiscal year. The problem with overtime has existed for two or three years.

Alderwoman Patt inquired how the Fire Department would handle the situation if the City Council did not approve the budget transfer. Chief Pessemier responded that the options would be either to reorganize and put the Division Officers/Shift Commanders back on the Engine Company, or to lower the minimum staffing to ten or eleven. This would mean putting either the ladder truck out of service or the rescue unit out of service.

Mayor Satterthwaite stated that no one is called back for overtime, unless it is to meet the minimum staffing level. Chief Pessemier concurred. With regard to fire services for the citizens of Urbana, if the ladder truck were to be put out of service, the functions that it normally provides at the fire ground would not be done. The most important functions of the two-person truck company crew is search and rescue and to ventilate the fire building. Without these functions being done, it would be much more difficult to put fires out quickly and effectively.

Following debate, the vote on the motion was as follows:

Alderman Hayes - Aye	Alderwoman Ryan - Aye
Alderwoman Kearns - Aye	Alderman Taylor - Aye
Alderwoman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Aye	Mayor Satterthwaite - Aye

Disposition: The motion to approve carried by roll call vote (8-aye:0-nay). Ord. No. 9596-72, "An Ordinance Revising The Annual Budget Ordinance (Fire/Police)" was approved by Council.

***** DISCUSSION ON AGENDA ITEMS F.1.b & c ARE VERBATIM *****

POLLOCK: Next is an ordinance revising the annual budget

ordinance for the City Clerk's office for overtime in the amount of \$401. So moved.

TAYLOR: Second.

SATTERTHWAITE: We have a motion and a second. Is there any discussion? Mr. Hayes.

HAYES: We have two amendments before us and could you let us know what the correct amounts are? The total of the two?

SATTERTHWAITE: I believe this ordinance that's before us is for \$401 to be taken from a line item in the Executive Department and put into the Clerk's budget for overtime. The other is, as written, is to take \$266 from the City Council budget for travel and conference and put \$99 of that to the Clerk's travel budget, and \$167 to the Clerk's training budget.

HAYES: So the total amount is \$568?

SATTERTHWAITE: No the total would be \$467. Between the two. No, I'm sorry \$667. So that would be \$401 going to overtime, \$99 going to travel, and \$167 going to training and education, for a total of \$667. This is a different amount from last week, since the Clerk had volunteered to get a refund from a conference that has not taken place yet. That was in the amount of \$267. So this ordinance this week reflects those changes. Last week there was an amount of some \$935. This week it's reduced to \$667. Mr. Hayes.

HAYES: I'd just like say that one of the reasons we're having problems is because the City Clerk, like ourselves, is in an elected position. Therefore, she should be her own boss and we should treat her as an equal. If there is a problem, then we should be able to work it out ourselves without going through a whole lot of changes. Now, we just got finished passing the Fire Department budget, which was necessary, in the amount of \$30,000. So what are the changes? Cost overruns due to overtime and training. We have before us several documents from the Municipal League of the State of Illinois encouraging your clerk and deputy to obtain their certified municipal clerk cer-

tification; would be a great investment in your community, administrative, efficiency. Now, in order to be certified, you have to go to school to get the training. I'm certain you will agree with me that the educational opportunities for municipal clerks are just as important as educational opportunities for mayors. That for municipal clerks to be properly and fully educated in their field is just as important as it is for mayors to receive education on how to be a good mayor. And we could go on. As mentioned earlier, on the next agenda of the Administration & Finance Committee, the item on the agenda is going to be to check to see whether or not the City Clerk's position should be appointed. What you need to know is that this is not the first time that this item came up. Two years ago when the Illinois Municipal Clerks met in the City of Urbana, if I'm not mistaken, our own Mayor and Administrative Officer, if I'm not making a mistake, they suggested at that time that they thought the City Clerk's job should be an appointed position. So, I don't know exactly what's going on. I don't know if it's a co-conspiracy to keep it from staying an elected position, or to create so much chaos that they would get somebody else to run in the position instead of leaving Mrs. Clark in the position, especially after going to school getting this training and whatnot so that she could be certified. So we are either part of the problem or part of the solution. That's the reason Mr. Taylor came up with the solution. We have the solution in front of us. So I'm asking my fellow colleagues in Wards 1, 2, 4, 5, 6 and 7 to let's pass these budget amendments with all due diligence.

SATTERTHWAITE: Is there further discussion? Mr. Whelan.

WHELAN: I have some questions I'd like to ask Mrs. Clark. Mrs. Clark, you have this overtime described to you in your weekly finance reports don't you?

CLARK: At last week's Committee on Administration & Finance meeting, I answered all of your questions regarding overages in the Clerk's budget. There are no changes in my explanation and nothing more to be added. In view of a public interview made by Mr. Whelan insinuating that there has been mis-

conduct on my part and that he will be seeking action from the State's Attorneys office, and upon advice from legal counsel, I will not be answering any questions tonight. If the Council has any further questions regarding the expenditures from my office, which are before you at this time, I will accept them in writing and they will be responded to in the same manner. This is also on advice of legal counsel. The power that lies within this body now is that of your vote. I encourage you, as Council, to move forward and vote as you deem necessary.

SATTERTHWAITE: Mr. Whelan.

WHELAN: I just wanted to ask Mrs. Clark if our conversation on Friday, I asked her if she paid attention to those printouts and she said she wasn't very strong on those and she was getting better on it. But I wondered if she could at least respond to that.

SATTERTHWAITE: It seems as though ...

WHELAN: So Mrs. Clark refuses to answer any questions about her budget or her travel expenses?

SATTERTHWAITE: Is that true, Mrs. Clark?

CLARK: At the advice of legal counsel, I will answer no questions tonight.

WHELAN: Your Honor, I must say I'm a little nonplussed. I can appreciate Mrs. Clark's reluctance to answer questions. I think it would be easier for everybody if she could reflect on, throw some light on some of the questions I have. They're ones that we all should be interested in. I guess there is a public responsibility here to answer questions to the public. And I don't think that's a legitimate position to take. I don't see at this point that there's anything criminal here, and I certainly didn't suggest that. I did say when I was asked if there was ... You see, if the question of it being anything wrong comes if it was done intentionally and with the intention of personal gain. And I don't suspect that for a moment. I did answer a question to the effect that, if Mrs. Clark, if anybody, did overuse or overstep a bud-

get for the purpose of self-gain, then that was a felony. And then I would certainly pursue if there was a question like that. And I did say that. I never did say, though, that I was going to sue Mrs. Clark or take her to court, or I haven't talked to the State's Attorney about this. The only person I've spoken to about this is Mrs. Clark herself on Friday when I asked her if she had reviewed her weekly budget reports. Now, your Honor, yourself, you said last week that, and this is reported in The News-Gazette, that Mrs. Clark does not avail herself of the information that you provide her with. And you, yourself, have said that she is provided with budgetary information from week to week and should know, is given the information, should know that she's going over budget. And that doesn't reflect certainly any criminal intent by any means. But it does reflect certainly not being on top of the records. And if anything, if this were to show that there was a need for improvement in those efforts and that work that you do, then you would certainly want to correct that, and you have said that you would. Mrs. Clark, I address you. You have said to us here that this will not happen again, recognizing that it is a mistake. The fact of the matter is that the job of City Clerk is one of keeping records. And that's all it is. It's a job of keeping records. Reporting minutes of the meetings. There are four monthly meetings that minutes have to be taken and then typed up and sent out with other information. But it's mainly a job of keeping records. And that certainly would imply to me that being aware of one's budget would be primary. Well, and the question of the Fire Department is a good one. It came up earlier and, of course, quite honestly it's a matter of the Fire Department is a problem we've had with staffing for a long time. *[Next response because of a comment from audience.]* Well, you know folks, I'd like to answer your concerns and questions fairly. And I can't do that because that's not the forum we're in. But, you know, I happen to like Mrs. Clark. But I must tell you this, Mrs. Clark ran for an office of public trust. She ran for this office saying she could do a better job than Mrs. Brookens and she's failed to show that. The job requires competency in recordkeeping, and that's all it is. And she's failed to do that. And she

excuses it by saying that she didn't know what her budget status was. And the Mayor, himself, says that's not true. Now all Mrs. Clark has to do is answer some of these questions and we can, perhaps, arrive at a reason why this happened so that we can avoid it again. And, as a matter of fact, I suggested last week, and this is certainly probably known widely, that I told Mrs. Clark that if she has a budgetary problem and is a shortfall she should ask for more money. And that I would support. But the point is that Mrs. Clark went, well this is for the next item coming up on the agenda.

Frankly, I have a question about the overtime and I can't ask Mrs. Clark because by advice of legal counsel she's been told not to answer the questions in public. I think that's too bad. I would like to know how the overtime did occur. I wonder if everybody comes in and spends a full day in the office? If there's a shortage of time, or a shortage of the clerk's being able to handle the work? Is Mrs. Clark there all of the time? If those questions could be answered fairly, then we might avoid the overtime. If she needs more staffing, then we should look at that. And there should be an explanation of why that staffing is needed. Mrs. Brookens never needed it. Mrs. Brookens never used overtime. Mrs. Clark says that Mrs. Brookens advised her that going over the 52-hour cap that we have on comp time, which means that if you spend overtime up to 52 hours you can accumulate that kind of time and that's what the City declared in 1988. Mrs. Brookens, I talked to her today, and she did not recall saying that at all.

Now the Mayor has said that the records are given to you, reports are given to you, you know what your budgetary limits are. You say you don't know. Mrs. Brookens has said to me that she doesn't recall saying that to you; that it's okay to go over 52 hours. And, yet, you say that she did say that. There is some discrepancies here which concern me. And that's why I'm pursuing this so much. Because it seems to me that there is certainly some lack of diligence here that we need to call for. When you ask for the public trust and you ask people to vote for you, because you can do a good job keeping records, then you should do that job. And being put to question because of a failure to do that does not mean or impugn your character or your personality. And I

said earlier, I like Mrs. Clark. I've always liked her. And I like her today. It's very hard to do this. But I am responsible to the people who elected me, to guard these tax dollars. And I will pursue anything like this.

SATTERTHWAITE: Any further discussion on this motion? If there's no further discussion, will the Clerk please call the roll?

CLARK: Mr. Hayes?

HAYES: Yes.

CLARK: Mrs. Kearns?

KEARNS: Yes.

CLARK: Ms Patt?

PATT: Yes.

CLARK: Mr. Pollock?

POLLOCK: Yes.

CLARK: Ms Ryan?

RYAN: Yes.

CLARK: Mr. Taylor?

TAYLOR: Yes.

CLARK: Mr. Whelan?

WHELAN: No.

CLARK: Mayor Satterthwaite?

SATTERTHWAITE: Yes.

SATTERTHWAITE: That passes with seven ayes. Mr. Pollock.

POLLOCK: Next is an ordinance revising the annual budget ordinance for the City Clerk's office for training and education, travel and conference. So moved.

KEARNS: Second.

SATTERTHWAITE: We have a motion and a second. Is there any discussion? Mr. Pollock.

POLLOCK: For informational purposes the amount of this transfer is \$266 and this will be coming out of the City Council Travel & Conference fund, which has surplus funds in it for that purpose.

SATTERTHWAITE: Any further discussion? Mr. Whelan.

WHELAN: I might as well take a crack at it. I'm not going to certainly change anybody's mind. It does give me an opportunity, though, to say that all this misinformation about my filing a lawsuit against Mrs. Clark gives me the opportunity to deny that and to certainly share with all of us here our affection for Mrs. Clark. It's unfortunate that politics is the way it is, and I certainly don't succumb to it. But I do succumb to the responsibility to watch these dollars. It's my responsibility. People asked me to do that when they elected me. People asked Mrs. Brookens to be careful too, when they elected her. Members of this Council, Democrats too, dismiss this as not being a big amount and just a result of not being advised of budget overage. Well, it's not a very big amount. However, Mrs. Clark is advised of her budget overage. And what I'm curious about, I asked this last meeting, when you go on a trip you pay registration fees, and when you go to a hotel, now for example, Mr. Hayes and Mrs. Clark stayed at the Palmer House at \$201 a night. You must have known that before you stayed there that you were going to spend \$201 a night. I mean I asked you that and you said no, you didn't know. So I don't understand that. Now, Mayor, you got a room for \$80 a night, I believe, at that same meeting. Do you recall being given the information before you went to the hotel? To the meeting?

SATTERTHWAITE: Well, I knew my secretary had called up to the hotel and got the rates and did the booking for me.

WHELAN: But your secretary did know that you spent \$80 for your hotel room. Mrs. Clark apparently didn't know that she was going to spend \$201 for her room at the Palmer House. The question that I have

about this is that Mrs. Clark went on these trips, on this particular trip, in September. Now, the City policy is to file a reconciliation of that within two weeks or thirty days after. And sometimes people don't get it right in on the two weeks time. Mrs. Brookens reminded me of that tonight when we talked. And that's understandable. I mean, people aren't perfect. But at the same time, it took four months for Mrs. Clark to file this report. And it was only filed after it was brought to her attention that she was coming before the Council. Now, again this is an issue of being on top of the records and being forthright with your reporting. I don't think that we should pay for this. I use a car phone to deal with the City because I'm on the road all the time. I pay for that car phone myself at the cost of hundreds of dollars. I do not ask the City to compensate me. I have asked on one in the past for about \$23, I decided. Our budget only allows for \$2,300 for the whole City Council for telephone. So I won't bother to submit my bills. I think that Mrs. Clark should pay for this and I would ask the Council to insist that she do this and with the hope that she will be more diligent in the future. And also with the hope that when this comes before the Council in budget time, the question of staffing and budget, that we look at this with an open mind so that we can overcome this kind of a problem, so that the accusations aren't rumored, so that any enmity or anger that might come out of this does not follow. I think we need a positive solution to this for a long-term solution. Thank you.

SATTERTHWAITE: Is there further discussion? Mr. Hayes.

HAYES: I don't know why Mr. Whelan included my name in his discourse about the City Clerk. All you do is open up a bucket of worms. So the bucket of worms, you know how you're in a crowded room and you walk up to an individual and say, "Hey, when are you going to stop beating your wife?" Now he may not ever put his hand on his wife. But in a crowded room he could never explain it, because people don't want to listen. And so, as long as you've been on the City Council, I'm going to ask you one of those loaded questions. Have you ever gone to a conference, checked in, didn't go to any

meetings, and then hopped on the transportation coming back?

SATTERTHWAITE: Is there further discussion?

WHELAN: Your Honor?

[TAPE ENDED]

WHELAN: ... dollars a night for a hotel room either.

SATTERTHWAITE: Is there further discussion? Mr. Pollock, if you will take the floor.

POLLOCK: Mayor Satterthwaite.

SATTERTHWAITE: I said last week, and I'm going to repeat this week, that I believe there's a certain amount of training that's important for every department in the City, including the Clerk's office. And I know that money needs to be spent on travel on conferences in order to facilitate that training and education. I believe, however, that it is more important to be sure that spending on training, education, travel, and conferences does not exceed the amount budgeted by the City Council for those purposes. And it is for that reason that I repeat that I will not support this budget transfer. I believe that Mrs. Clark should pay out of her own salary for the overages for travel and conference. I don't believe that there can be any comparison in the Clerk's overages to the Fire Department, which is for public safety and for minimum manning/minimum staffing, of our Fire Department. So those are two completely different items. But as I said last week, I believe that for training and travel when a public official goes over their travel budget that they should be expected to pay that and not the taxpayers. And with that, I'll turn the chair back over to Mr. Pollock.

POLLOCK: Are there further comments on the ordinance?

WHELAN: Just that I'm going to vote no for it. At the last meeting, I will say Mr. Taylor proposed, I thought, a conciliatory motion, and that was one the one we're dealing with, and that is to take this money out of the City Council's Travel &

Conference. And I was willing to support that at the time. But when I have since gotten the records of Mrs. Clark's attendance at the meetings and saw the costs involved and saw also that the reports, the information was available before, and there is no report made for four months, I think there's a reckless disregard for the responsibility of the office. There's certainly not compliance with what would be the previous behavior of the previous City Clerk. So I'm going to vote no for it. And I would ask this Council, as trustees of the City with the taxpayers' money to vote no also. People have to be responsible for themselves.

POLLOCK: Ms Patt.

PATT: I think it's quite evident by both the tiny dollar amounts involved here, and the fact that it's for expenditures that were intended by this Council to be made and were included in the budget, that there has been no recklessness, no disregard for responsibility, nothing other than an error. Were there such recklessness we would be dealing with a much bigger dollar amount. I'm sorry that Mrs. Clark did not catch the error in reconciling her year to date balance before going to this conference and discovering that it would put her over by \$266. I think, considering the fact that the Council has approved spending \$4,000 more on our own travel and conference that we have not spent, that it is a wise and responsible use of taxpayer money to use \$266 dollars of those unspent funds for travel and conference for two full-time administrators with the City. I think the people of Urbana will benefit more from that expenditure than had any of us gone on a trip. I urge a yes vote on this motion.

POLLOCK: Further debate from Council members? Seeing none, will the Clerk please call the roll?

CLARK: Mr. Hayes?

HAYES: Yes.

CLARK: Mrs. Kearns?

KEARNS: Yes.

CLARK: Ms Patt?
PATT: Yes.
CLARK: Mr. Pollock?
POLLOCK: Yes.
CLARK: Ms Ryan?
RYAN: Yes.
CLARK: Mr. Taylor?
TAYLOR: Yes.
CLARK: Mr. Whelan?
WHELAN: No.
CLARK: Mayor Satterthwaite?
SATTERTHWAITE: No.
POLLOCK: That motion passes and I'll return the chair to Mayor Satterthwaite.

***** END VERBATIM *****

d. (Ord. No. 9596-74) ***An Ordinance Declaring The Necessity Of Transferring Certain Real Property From The Urbana-Champaign Sanitary District To The City Of Urbana***

Alderman Pollock made a motion to approve and was seconded by Alderman Hayes. The vote on the motion was as follows:

Alderman Hayes - Aye	Alderman Ryan - Aye
Alderman Kearns - Aye	Alderman Taylor - Aye
Alderman Patt - Aye	Alderman Whelan - Aye
Alderman Pollock - Aye	

Disposition: The motion to approve carried by roll call vote (7-aye:0-nay). Ord. No. 9596-74, "An Ordinance Declaring The Necessity Of Transferring Certain Real Property

From The Urbana-Champaign Sanitary District To The City Of Urbana", was approved by Council.

e. (Ord. No. 9596-75) **An Ordinance Enacting Section 4-47 To The Urbana City Code (Removal Of Dog Excrement)**

Alderman Pollock made a motion to approve and was seconded by Alderwoman Kearns.

Alderman Pollock stated that he had someone phone him with a concern about the way the ordinance is worded. If you pay a fine once it is levied without taking it to court, the fine is \$50.00. However, if you take it to court, you could be fined up to \$500.00. Alderman Pollock inquired if there were other ordinances in the City structured the same way. If so, which ones. Alderman Pollock stated that his concern is that he would not want to penalize anyone for exercising their right to have a fair hearing.

Mr. Walden explained that most of the City's "pay by mail" violations are structured in this manner. These cover curfew violations, leash law, and many smaller ordinance violations. Alderman Pollock asked if most of them were also structured at the \$500.00 limit? Mr. Walden responded that the standard is not to exceed \$500.00. Very rarely, if ever, has there been a judge who would exact that amount. Mr. Holz stated that \$500.00 was the maximum. He has never seen a fine go over \$100.00 in any of the City's court cases. Sometimes the fines are below the City's minimum.

Alderwoman Patt stated the reason she brought this issue up is because a little over five years ago, the City of Champaign either amended their ordinance in this area or included it in their City Code. It left an impression with a lot of people that this was Urbana's law also. Last year she received a phone call from a constituent inquiring if the City of Urbana required dog owners to clean-up after their dogs on other people's lawns. Alderwoman Patt said that she learned that the City of Urbana did not have such a requirement. She does not believe it is a good idea for the City of Urbana to inform people that they are not responsible for cleaning up after their dogs. City staff cannot tell people they are responsible unless this paragraph is added to the City Code.

Following debate, the vote on the motion was as follows:

Alderman Hayes - Aye
Alderwoman Kearns - Aye

Alderwoman Ryan - Aye
Alderman Taylor - Aye

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Alderwoman Patt - Aye
Alderman Pollock - Nay

Alderman Whelan - Nay

Disposition: The motion to approve carried by roll call vote (5-aye:2-nay). Ord. No. 9596-75, "An Ordinance Enacting Section 4-47 To The Urbana City Code (Removal of Dog Excrement)", was approved by Council.

f. (Res. No. 9596-R23) ***A Resolution Endorsing Alignment #1 For The Olympian Drive Location Study***

Alderman Pollock made a motion to approve. The motion was seconded by Alderman Hayes. The motion carried by voice vote.

Earlier this evening, Alderman Pollock distributed a tentative budget timetable for next fiscal year's budget deliberations, which included the social services hearings, departmental hearings, and budget mark-up hearings. He asked that Council members contact him if they had difficulty with these dates, or if they wanted to amend the timetable.

With nothing further to report, Alderman Pollock concluded by stating that the next meeting of the Committee on Administration & Finance is scheduled for Monday, March 11, 1996 at 7:30 p.m. in the Council Chambers.

2. **Committee on Environment & Public Safety**

There being no business on tonight's agenda, Alderwoman Ryan stated that the next meeting of the Committee on Environment & Public Safety would be February 26, 1996 at 7:30 p.m. in the Council Chambers.

G. REPORTS OF SPECIAL COMMITTEES

Alderman Taylor stated that the City Clerk had prepared a list of closed session minutes that need to be reviewed. The minutes are available for review in the Clerk's office as well as the City Attorney's office. A resolution recommending which minutes should be released and which ones should remain closed will be prepared for the Council some time within the next three or four weeks.

H. REPORTS OF OFFICERS

Mayor Satterthwaite reported that Rod Fletcher had informed him that the City was successful in getting a grant award for a household hazardous waste collection event, which will be available to City residents. It will take place on Saturday, April 20, 1996, at the Public Works facility on Glover Street, from 8:00 a.m. to 3:00 p.m. Items such as car batteries, flashlight batteries, antifreeze solvents, paints, insecticides, etc., will be accepted at the site.

Alderman Pollock stated that this is a very tough program to get and the City of Urbana is very fortunate to have received this award. He inquired what steps would be made to inform the public, outside of announcing it at meetings between now and April 20th, and what the structure of it is.

Mayor Satterthwaite stated that with this particular grant the IEPA does the function of the collection. Our responsibility is to have some volunteers and staff at the site. None of the volunteers would be handling the hazardous materials themselves. There is also a public relations media for the event.

I. NEW BUSINESS

1. (Ord. No. 9596-R24) ***A Resolution Of Protest Against Proposed Miscellaneous Amendments To Text Of The Champaign County Zoning Ordinance (CCZBA Case No. 026-AT-95)***

Ms Getchius presented staff's report to Council. The recommendation is a presentation of a resolution of protest, which staff recommends that Council defeat. If the Council votes to defeat this, it is the appropriate legal mechanism.

Mayor Satterthwaite clarified that the recommend is to move a resolution of protest, but then to defeat it.

Alderwoman Patt asked for an explanation of page 3 of Mr. Dinovo's memo regarding disconnected territory. Ms Getchius stated that the way she understands it is that the City currently has a direct conversion in the Zoning Ordinance so that when we annex property it can directly convert from residential to residential. When someone disconnects from the City, rather than change that zoning in the County back to whatever was adjacent to it in the County, they would take it to the most comparable zoning district that it was in the City. In other words, try to establish a better conversion.

Alderman Whelan moved to pass a resolution of protest against this property. Alderman Taylor seconded.

Mayor Satterthwaite reiterated that the recommendation is to vote this down.

Disposition: The motion was defeated by voice vote. Res. No. 9596-R24, "A Resolution Of Protest Against Proposed Miscellaneous Amendments To Text Of The Champaign County Zoning Ordinance (CCZBA Case No. 026-AT-95) was not adopted by Council.

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J. ADJOURNMENT

There being no further business to come before the Council,
Mayor Satterthwaite declared the meeting adjourned at 9:20 p.m.

Phyllis D. Clark, City Clerk

*This meeting was taped.