

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite
Mayor



Phyllis D. Clark
City Clerk

**URBANA CITY COUNCIL MEETING
JULY 15, 1996**

The City Council of the City of Urbana, Illinois met in regular session on Monday, July 15, 1996 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT: Hayes, James Jr. (Alderman Ward 3)
Kearns, Carolyn (Alderwoman Ward 4)
Patt, Esther (Alderwoman Ward 1)
Pollock, Michael (Alderman Ward 5)
Ryan, Marya (Alderwoman Ward 2)
Whelan, Joseph (Alderman Ward 6)
Taylor, John (Alderman Ward 7) (7:33)

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Tod Satterthwaite, Mayor
Phyllis D. Clark, City Clerk
Bruce K. Walden, Chief Administrator Officer
Jack Waaler, City Attorney
Michael Metzler, Lieutenant/Police Dept.)
William Pessemier, Fire Chief
April Getchius, Community Development Director
William Gray, Public Works Director

OTHERS PRESENT: Earl O'Shea; Frieda Wascher; Patrick Fitzgerald;
Pat Brown; Media

Call To Order

The meeting was called to order at 7:31 p.m. by Mayor Satterthwaite.

A. Minutes Of Previous Meeting

July 1, 1996 -- Alderwoman Ryan made a motion to approve the minutes of July 1, 1996 and was seconded by Alderwoman Patt. The motion carried by voice vote.

B. Additions To The Agenda

Mayor Satterthwaite stated that he had a couple of additions to add to the agenda:

- 1) As agenda item #E.1.b, "An Ordinance Amending Schedules K and L of the Urbana Local Traffic Code Relating to Parking on Coler Avenue", to follow #E.1.a (regarding the Clark Street meters).

Alderman Pollock made a motion to add this item to the agenda as item #E.1.b. Ms Kearns seconded. The motion carried by voice vote.

- 2) As agenda item #H.5, "An Ordinance Approving a General Variance to Reduce the Minimum Required Front Yard Setback at 404 E. Elm Street, Urbana, Illinois From 20.3 Feet to 14.2 Feet."

There were no objections from the Council.

C. Petitions And Communications

Audience Participation

Earl O'Shea, 606-A Glover, addressed the Council on the topic of better government and expressed his support on the subject. He also expressed concerns regarding his neighbor's property at 602 and 604 S. Glover.

Frieda Wascher, 803 W. Fairview, addressed the Council on the topics of car "boom boom boxes" and source of revenue. She stated that car boom boom boxes should be declared illegal because they go beyond the stipulations of the Noise Ordinance and are dangerous (i.e., prohibit a person from hearing emergency vehicles, horns honking, etc.). With regard to source of revenue, Ms Wascher stated that she believed Urbana and Champaign should be declared an impact area for the University of Illinois.

People living in another area and coming into Urbana to work are paying taxes where they live; not in Urbana. Ms Wascher further stated that these people should pay something to work in Urbana, or the State of Illinois include Champaign and Urbana in an impact area, which would be a great source of revenue for the taxpayers of the City of Urbana.

Council Participation

Alderwoman Patt addressed the Council on a letter she received from the Preservation and Conservation Association

(PACA) regarding the Library's decision to put the Jacques House up for sell, and inquired if more information had been received from the Library Board president. Mayor Satterthwaite stated he had not received anything further, however, would be happy to place this item on a Council agenda sometime within the next month or so. He said that he would also request that representatives from the Library Board be present.

Alderman Whelan addressed the Council on the issue of the proposed neighborhood community center. He indicated that he would like to see the center used for the whole city and not confined to just the neighborhood (i.e., gym use for everyone).

Mayor Satterthwaite commented on a statement made by Ms Wascher regarding source of revenue impact.

D. OLD BUSINESS

There was none.

E. REPORTS OF STANDING COMMITTEES

1. Committee on Administration & Finance

a. ***Ord. No. 9697-4: An Ordinance Amending Schedule L of Section 17-1 of Article XVII of the Urbana Local Traffic Code Establishing Parking Meter Zones (Clark Street)***

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

Alderman Ryan asked if agenda item #E.1.a and #E.1.b could be considered together. Alderman Pollock stated that he, as the motioner, would like these two items to remain separate.

Alderman Ryan moved to table this item until the first Council meeting in August (August 5, 1996). Alderman Patt seconded.

Alderman Taylor moved to suspend the rules for discussion. There were no objections.

Following debate, Alderman Pollock made a motion to defer. Alderman Whelan seconded.

It was noted by the Council's parliamentarian, City Attorney Jack Waaler, that the motion to table took precedence over the motion to defer.

Disposition: The motion to table carried by voice vote. Ord. No. 9697-4: An Ordinance Amending Schedule L of Section 17-1 of Article XVII of the Urbana Local Traffic Code Establishing Parking Meter Zones (Clark Street) was tabled to August 5, 1996.

b. ***An Ordinance Amending Schedules K and L of the Urbana Local Traffic Code Relating to Parking on Coler Avenue***

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

Alderman Pollock then moved to have staff correct the ordinance and change the special district created for the southernmost four spaces on Coler Avenue to simply yellow curb, no parking zone. Alderwoman Kearns seconded.

Following debate, Alderman Pollock's motion to have staff make changes to the ordinance failed by a voice vote.

Alderman Pollock then made a motion to take the 105 ft. and put meters in from alley to Main Street on the west side of Coler Avenue. The motion was seconded by Alderman Whelan.

Following debate, the motion carried by a show of hands (4-aye:3-nay).

Alderwoman Ryan moved to table this item to the August 5, 1996 Council meeting. Alderman Pollock seconded, with a friendly amendment that it be included with Clark Street.

With nothing further to report, Alderman Pollock stated that the next meeting of the Committee on Administration & Finance would be August 12, 1996.

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

With no business to present at this time, Alderwoman Ryan stated that the next meeting of the Committee on Environment & Public Safety would be July 22, 1996 at 7:30 p.m. in the Council Chambers.

F. REPORTS OF SPECIAL COMMITTEES

Mayor Satterthwaite asked Alderwoman Kearns for a report of the Library Services Task Force at the same time the issue of the

Jacques House would be discussed. This would be placed on an agenda sometime with the next month or so. Alderwoman Kearns agreed.

G. REPORTS OF OFFICERS

Chief Administrative Officer Bruce Walden reported that the City of Urbana had received 100% of its request for reimbursement for tornado relief. He stated that recognition for the reimbursement should go to Glenn Berman, Assistant to the Public Works Director, who did the paperwork in processing the City's request.

H. NEW BUSINESS

1. An Ordinance Vacating A Portion Of Eads Street

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

Disposition: The motion carried by roll call vote (7-aye:0-nay). An Ordinance Vacating A Portion Of Eads Street was approved by Council. [Note: *This ordinance is indexed as Ord. No. 9697-13.*]

2. An Ordinance Vacating A Portion Of Berkley Avenue

Following a brief summary by City Attorney Jack Waaler, Alderman Whelan made a motion to approve. The motion was seconded by Alderman Taylor. 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	

Disposition: The motion carried by roll call vote (7-aye:0-nay). An Ordinance Vacating A Portion Of Berkley Avenue was approved by Council. [Note: *This ordinance is indexed as Ord. No. 9697-14.*]

3. An Ordinance Authorizing the Mayor To Execute A Development Agreement Between The City Of Urbana And Moosehead Holdings, Inc.

Community Development Director April Getchius presented staff's report on the subject ordinance. Ms Getchius stated that the site in question was that of the former SLM building located at 810 W. Anthony Drive, Urbana. This site is being purchased by United CD Rom. With regard to the percentage of adult-rated software to be sold, Patrick Fitzgerald, attorney representing United CD Rom, stated that there would be no adult-rated software sold.

Following debate, Alderman Taylor made a motion to approve the ordinance. The motion was seconded by Alderman Hayes. The vote on the motion was as follows:

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

Disposition: The motion carried by roll call vote (7-aye:0-nay). An Ordinance Authorizing the Mayor To Execute A Development Agreement Between The City Of Urbana And Moosehead Holdings, Inc. was approved by Council. [Note: This ordinance is indexed as Ord. No. 9697-15.]

4. An Amendment To A Part Of The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (810 W. Anthony Drive From IN Industrial To B-3 General Business)

Alderman Taylor made a motion to approve. Alderdwoman Kearns seconded. The vote on the motion was as follows:

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

Disposition: The motion carried by roll call vote (7-aye:0-nay). An Amendment To A Part Of The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (810 W. Anthony Drive From IN Industrial To B-3 General Business) was approved by Council. [Note: This ordinance is indexed as Ord. No. 9697-16.]

Mr. Pat Brown, President of United CD Rom, expressed his gratitude to the Council, April Getchius, and Reed Berger,

and stated that United CD Rom was very excited in becoming a part of the Urbana community.

5. An Ordinance Approving A General Variance To Reduce The Minimum Required Front Yard Setback At 404 E. Elm Street, Urbana, Illinois From 20.3 Feet To 14.2 Feet

Ms Getchius presented staff's report on this issue. She stated that this was a general variance that has been sent to Council from the Zoning Board of Appeals (ZBA) for final action.

The ZBA's recommendation was unanimously for approval. With regard to options the Council may use, they are summarized as follows: 1) Deny the variance request based on the record of proceedings before the ZBA; 2) Approve the variance request based on the record of proceedings before the ZBA; 3) Approve the variance request with any conditions deemed appropriate under the circumstances, based on the record of proceedings before the ZBA; and 4) Decide by a duly adopted motion to take additional testimony or evidence at a new public hearing subject to the provision of proper notice in compliance with the requirements of Section XI-10 of the Urbana Zoning Ordinance.

Alderman Taylor made a motion to approve the ordinance. Alderwoman Kearns seconded.

Alderwoman Patt offered a friendly amendment on page 2 of the ordinance where it reads, "The general variance described above shall only apply to the property ...", to change it to read, "... shall apply *only* to the *existing building* located at 404 E. Elm ..." There were no objections from Alderpersons Taylor and Kearns.

Following debate, the vote to approve the ordinance, as amended, was as follows:

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

Disposition: The motion carried by roll call vote (7-aye:0-nay). An Ordinance Approving A General Variance To Reduce The Minimum Required Front Yard Setback At 404 E. Elm Street, Urbana, Illinois From 20.3 Feet To 14.2 Feet was approved by Council. [Note: *This ordinance is indexed as Ord. No. 9697-17.*]

Urbana City Council Meeting
Monday, July 15, 1996
Page 8

I. ADJOURNMENT

There being no further business to come before the Council,
Mayor Satterthwaite declared the meeting adjourned at 8:32 p.m.

Phyllis D. Clark, City Clerk

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