

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite
Mayor



Phyllis D. Clark
City Clerk

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

The City Council of the City of Urbana, Illinois met in regular session on Monday, August 19, 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)
Ryan, Marya (Alderwoman Ward 2)
Taylor, John (Alderman Ward 7)
Whelan, Joseph (Alderman Ward 6)

COUNCIL MEMBERS ABSENT: Pollock, Michael (Alderman Ward 5)

STAFF PRESENT: Tod Satterthwaite, Mayor
Phyllis D. Clark, City Clerk
Bruce K. Walden, Chief Administrative Officer
Jack Waaler, City Attorney
Lt. Michael Bily, Police Department
William Pessemier, Fire Chief
April Getchius, Community Development Director
N. Patrick Pioletti, Buildings Supervisor
James Kelly, Operations Manager

OTHERS PRESENT: Judy Wyatt; Paul Rubas; David Garner; Carolyn Baxley; Thad Elsesser; Frieda Wascher; Theryl Newland; Amy Daniell; Ruth E. Wyman; Doug Ellsworth; David Owen; Murray Childers; Media

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:32 p.m.

A. Minutes Of Previous Meeting

August 5, 1996 -- Alderman Hayes made a motion to approve the minutes of August 5, 1996. The motion was seconded by Alderman Whelan.

Alderman Whelan noted a correction in a statement made by Theryl Newland on page 3, paragraph 7 where it states that she

would like the City to have BOCA re-evaluate the plans for the New Yorker apartment building. Mr. Whelan said that she also indicated that she would like the City's ordinance to mirror the Federal Disability Act.

Alderwoman Kearns pointed out a correction on page 6, paragraph 1 under Council Participation. After confirming the statement with Alderwoman Ryan, it was noted that "step up enforcement" should read "S.T.E.P. enforcement." This relates to the City's S.T.E.P. Program.

The motion to approve the minutes of August 5, 1996 passed by voice vote with corrections noted.

B. Additions To The Agenda

There were none.

C. Petitions And Communications

Audience Participation

Judy Wyatt, 1202 E. Harding Dr., addressed the Council on the topic of disable parking at the Urbana Free Library. She has spoken to Pat Pioletti (Buildings Supervisor/City of Urbana), who addressed some of her concerns, and requests Council support in making sure handicap accessibility issues are met prior to the Library expansion.

The following persons addressed the Council on the topic of parking meters on Coler Avenue and expressed their opposition to Ord. No. 9697-12, "An Ordinance Amending Schedules K And L Of the Urbana Local Traffic Code Relating To Parking On Coler Avenue":

1) Paul Rubas, 308 N. Coler Avenue -- Mr. Rubas read a memo he had written to the Council which listed reasons for his opposition to the ordinance. (See Attachment A: Petitions & Communications/Rubas.)

2) David Garner, 306 N. Coler -- Residents of Ward 2 met with Alderwoman Ryan to express their concerns>

3) Carolyn Baxley, 510 W. Main -- Does not believe parking meters should be installed in any residential neighborhood.

4) Thad Elsesser, 608 W. Main -- Concurred with Ms Baxley regarding the installation of parking meters in residential neighborhoods.

5) Amy Daniell, 306 N. Coler -- Showed Council Members a map depicting areas where cars park.

6) Ruth Wyman, 705 W. Main -- The area is residential and installing parking meters would destroy the appearance of the neighborhood.

7) Doug Ellsworth, 605 W. Main -- Believes the concept of parking meters in any residential neighborhood is unjustifiable and would destroy the character of the neighborhood.

Frieda Wascher, 803 W. Fairview, addressed the Council on the following topics: 1) Solid waste -- Does not believe it is working for the public; citizens are being taxed for pick-ups they are not getting; there are just as many haulers in the area as before. 2) Atkins property -- Is opposed to this development on the basis that there is not enough control on how much property is being used per home; total waste of farm land.

Theryl Newland, 1813 Ridge Park, addressed the Council on the topic of the proposed golf course development and expressed her support for the project, stating that if it is developed the way it is proposed to be it will be a "win-win-win" proposition not only for Mr. Atkins and the City of Urbana, but also for the residents in Southeast Urbana; an asset to the cities of Urbana and Champaign. Ms Newland does not support the resolution as it is written.

Council Participation

There was none.

D. OLD BUSINESS

1. 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)**

(A motion for approval of this ordinance made by Alderman Pollock and seconded by Alderman Whelan remains on the floor from the July 15, 1996 Council meeting.)

Following debate, Alderman Whelan moved to table this item along with the following agenda item, #D.2 (Ord. No. 9697-12), until the next Council meeting. Alderman Taylor seconded, requesting to suspend the rules to discuss the motion for tabling. There were no objections to suspending the rules.

Alderman Taylor stated that he was strongly leaning

toward voting against both Ord. Nos. 9697-4 and 9697-12. He concurs with Alderman Whelan in tabling these items until Alderman Pollock is present and the Council can hear what he has to say. [Note: Although these issues involved Alderwoman Ryan's ward, they were deferred to this meeting by Alderman Pollock. Alderman Pollock believed the decision that would be made by Council regarding Clark Street could set a precedence for other neighborhoods and may be of benefit to the City. He wanted these concerns addressed by the Traffic Commission and reported back to Council. Alderman Pollock was not present at tonight's meeting.] Debate ensued.

The motion to table failed with a show of hands (3-aye:4*-nay). [Note: *Council tie vote of 3:3; Mayor broke tie.] Debate ensued.

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

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

Disposition: The motion failed by roll call vote (4-nay:2-aye). 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 not approved by Council.

2. Ord. No. 9697-12: **An Ordinance Amending Schedules K And L Of The Urbana Local Traffic Code Relating To Parking On Coler Avenue**

(A motion for approval of this ordinance made by Alderman Pollock and seconded by Alderwoman Kearns remains on the floor from the July 15, 1996 Council meeting.)

The vote on the motion was as follows:

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

Disposition: The motion failed by roll call vote (5-nay:1-aye). Ord. No. 9697-12, "An Ordinance Amending Schedules K And L Of The Urbana Local Traffic Code Relating To Parking On Coler Avenue", was not approved by Council.

3. Ord. No. 9697-2: **An Ordinance Approving And Authorizing**

The Execution Of An Agreement With Jumer's Castle Lodge, Inc.

(A motion for approval of this ordinance made by Alderwoman Ryan and seconded by Alderwoman Kearns remains on the floor from the August 5, 1996 Council meeting.)

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

Disposition: The motion carried by roll call vote (6-nay:0-aye). Ord. No. 9697-2, "An Ordinance Approving And Authorizing The Execution Of An Agreement With Jumer's Castle Lodge, Inc.", was approved by Council.

4. Ord. No. 9697-20: ***An Ordinance Authorizing The Refinancing Of Economic Development Facilities Constituting An "Economic Development Project" Within The Meaning Of Ordinance 8182-9, Authorizing The Issuance Of Not To Exceed $\langle \hat{\rangle}$ \$1,255,000 Private Activity Refunding Revenue Bonds, Series 1996 (Jumer's Castle Lodge Project) In Connection Therewith; Authorizing The Execution And Delivery Of A Loan Agreement Between The City Of Urbana, Illinois And Jumer's Castle Lodge, Inc.; Authorizing The Execution Of An Indenture Of Trust Securing Said Bonds; Authorizing The Execution Of A Purchase Contract Providing For The Sale Of Said Bonds To The Purchaser Thereof And Related Matters***

(A motion for approval of this ordinance made by Alderman Whelan and seconded by Alderwoman Ryan remains on the floor from the August 5, 1996 Council meeting.)

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

Disposition: The motion carried by roll call vote (6-nay:0-aye). Ord. No. 9697-20, "An Ordinance Authorizing The Refinancing Of Economic Development Facilities Constituting An "Economic Development Project" Within The Meaning Of Ordinance 8182-9, Authorizing The Issuance Of Not To Exceed $\langle \hat{\rangle}$ \$1,255,000 Private Activity Refunding Revenue Bonds, Series 1996 (Jumer's Castle Lodge Project) In Connection Therewith; Authorizing The Execution And Delivery Of A Loan Agreement Between The City Of Urbana, Illinois And Jumer's Castle Lodge, Inc.; Authorizing The

Urbana City Council Meeting
Monday, August 19, 1996
Page 6

Execution Of An Indenture Of Trust Securing Said Bonds;
Authorizing The Execution Of A Purchase Contract Providing For
The Sale Of Said Bonds To The Purchaser Thereof And Related
Matters", was approved by Council.

E. REPORTS OF STANDING COMMITTEES

1. Committee on Administration & Finance

In the absence of Alderman Pollock, Chairman for the Committee on Administration & Finance, Alderman Hayes (Vice-Chair) presented the Committee's reports.

a. Ord. No. 9697-28: *An Ordinance Revising The Annual Budget Ordinance (FEMA/Tornado Expense)*

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

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

Disposition: The motion carried by roll call vote (7*-aye:0-nay). Ord. No. 9697-28, "An Ordinance Revising The Annual Budget Ordinance (FEMA/Tornado Expense), was approved by Council. [Note: *Requires Mayor vote.]

b. Res. No. 9697-R9: *A Resolution Of Support For The Development Of A Portion Of Southeast Urbana (Atkins' Property)*

Alderman Hayes made a motion to adopt this resolution. Alderman Taylor seconded.

Following debate, Alderwoman Ryan moved to table this item to the next Council meeting. Alderwoman Patt seconded.

Alderman Whelan requested to suspend the rules for discussion. There were no objections.

Alderman Whelan stated that it would be reasonable to act on this item now and not delay it. He suggested that staff contact people in the neighborhood (i.e., Deerfield Trails). Alderman Whelan stated that he would not vote for anything that would jeopardize the make-up of that neighborhood. He supports the neighborhood regarding the bikepath and the park. Alderman Whelan urged other Council Members not to table this item.

The motion to table failed by voice vote. [Back on the floor is the original motion to adopt the resolution.]

Mayor Satterthwaite asked Alderwoman Patt to take the Chair (8:54 p.m.)

Mayor Satterthwaite stated that he believed the resolution to be well crafted and that there have several public meetings to discuss the area. Mayor Satterthwaite encouraged all Council Members to support the resolution.

The vote on the motion was as follows:

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

Disposition: The motion carried by roll call vote (5-aye:1-nay). Res. No. 9697-R9, "A Resolution Of Support For The Development Of A Portion Of Southeast Urbana (Atkins' Property)", was adopted by Council.

Mayor Satterthwaite resumed the Chair at 8:58 p.m.

With nothing further to report, Alderman Hayes concluded by stating that the next meeting of the Committee on Administration & Finance is scheduled for September 9, 1996 at 7:30 p.m. in the Council Chambers.

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

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

F. REPORTS OF SPECIAL COMMITTEES

There were none.

G. REPORTS OF OFFICERS

Mayor Satterthwaite stated that, after a review of accessibility issues regarding building code requirements, he has instructed staff to draft an ordinance that will incorporate the accessibility standards of the Federal Fair Housing act into the City's local Building Code. The ordinance will be on the Human Relations Commission agenda for September 4th, and the Council Committee agenda for September 9th.

H. NEW BUSINESS

1. Ord. No. 9697-29: **An Ordinance Approving A Preliminary And Final Plat Melrose Of Urbana First Subdivision (Plan Case No. 1627-S-96)**

Community Development Director April Getchius presented staff's report to Council. Ms Getchius stated that this is part of the continuing business to allow Integroup, Inc. to develop multiple-family apartments on the corner of Bradley and Lincoln Avenues. This is a preliminary and final plat of the property that allows the property transaction and construction to take place. It is a three lot subdivision; Lots 1 & 2 being the residential portion of the property and Lot 3 being the 10-acre commercial site. Ms Getchius brought-up two issues to the Council:

1) Drainage -- This is being handled by a regional detention basis. There will not be an on-site detention on the property.

2) Transportation -- When the commercial lot is developed, they may be required to provide access from the street to the north (an extension from Kenyon Drive southward). This is a condition of a previously approved subdivision. Because of the uncertainty of what will develop on the commercial, it is unclear whether that access may be a public street, a private drive, or an access across the parking lot if it were a single development. The intent of this condition is to allow staff to make certain that the connection can happen and the traffic can link onto Lincoln Avenue.

Following debate, Alderman Taylor made a motion to approve. Alderwoman Kearns seconded. 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

Disposition: The motion carried by roll call vote (6-aye:0-nay). Ord. No. 9697-29, "An Ordinance Approving A Preliminary And Final Plat Melrose Of Urbana First Subdivision (Plan Case No. 1627-S-96)", was approved by Council.

2. Ord. No. 9697-30: **An Ordinance Approving A Final Plat Of East Urbana Industrial Park (Plan Case No. 1572-S-96)**

Ms Getchius presented staff's report. This is a plat that has elapsed. The final plat has a validity date on it that if not recorded by that time, it lapses and will have to go back through the process. The plat was previously approved, but is back before Council for re-approval so that it can be recorded now.

Alderwoman Patt made a motion to approve. The motion 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

Disposition: The motion carried by roll call vote (6-aye:0-nay). Ord. No. 9697-30, "An Ordinance Approving A Final Plat Of East Urbana Industrial Park (Plan Case No. 1572-S-96)", was approved by Council.

3. Ord. No. 9697-31: **An Ordinance Approving An Annexation Agreement With Sunnycrest II Apartments, L.P.**

Ms Getchius presented staff's report. This is an annexation agreement for Sunnycrest II Apartments, south of Sunnycrest Apartments, and located on 10 acres east of Jewel-Osco on Colorado Avenue extended. It is a tax credit program for multiple-family housing. In a memo she distributed to Council this evening, Ms Getchius noted a change in Tenant Screening requirements (Sec. 7) that removes screening procedures required by the U.S. Department of Housing and Urban Development. Staff is in the process of review these procedures now, but have removed them from the agreement. The developer will have to following the codes and ordinances of the City of Urbana. The plat for this proposal is anticipated to be on the agenda for the first Council meeting in September.

A question was raised by Alderwoman Patt regarding income eligibility requirements. Mr. Murray Childers, owner/developer of the property, stated that these requirements are calculated by HUD. It will be affordable housing, however, there is no rental-assistance program being offered. Debate ensued.

Following debate, Alderman Taylor made a motion to

approve. Alderwoman Kearns seconded. The vote on the motion was as follows:

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

Disposition: The motion carried by roll call vote (7*-aye:0-nay). Ord. No. 9697-31, "An Ordinance Approving An Annexation Agreement With Sunnycrest II Apartments, L.P.", was approved by Council. [Note: *Requires Mayor vote.]

4. Ord. No. 9697-32: ***An Ordinance Revising The Annual Budget Ordinance (Jumer's Development Agreement)***

Alderwoman Kearns made a motion to approve. The motion was seconded by Alderwoman Ryan. The vote on the motion was as follows:

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

Disposition: The motion carried by roll call vote (7*-aye:0-nay). Ord. No. 9697-32, "An Ordinance Revising The Annual Budget Ordinance (Jumer's Development Agreement)", was approved by Council. [Note: *Requires Mayor vote.]

I. ADJOURNMENT

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 9:27 p.m.

Phyllis D. Clark, City Clerk

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