

STATE OF ILLINOIS

CITY OF URBANA

URBANA CITY COUNCIL MEETING

APRIL 16, 2001

The City Council of the City of Urbana, Illinois, met in regular session Monday, April 16, 2001 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT

Ward 1 - Alderwoman Esther Patt
Ward 2 - Alderwoman Ruth Wyman
Ward 3 - Alderman James H. Hayes, Jr.
Ward 4 - Alderwoman Carolyn Kearns
Ward 5 - Alderwoman Laura Huth (7:43 p.m.)
Ward 6 - Alderman Joseph A. Whelan, Jr.
Ward 7 - Alderman John C. Taylor

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Tod Satterthwaite; Phyllis Clark; Bruce Walden; Jack Waaler;
Timothy Fitzpatrick; William Gray; Richard Rotramel; Rodney
Fletcher; Robert Kowalski; Delora Siebrecht

OTHERS PRESENT

Members of the Media

There being a quorum, Mayor Satterthwaite called the meeting of the Urbana City Council to order at 7:35 p.m.

A. APPROVAL OF MINUTES OF PREVIOUS MEETING

April 2, 2001 - Alderman Hayes made a motion to approve the minutes of the April 2, 2001 Council meeting. Alderwoman Patt seconded. The motion carried by voice vote.

B. ADDITIONS TO THE AGENDA

Mayor Satterthwaite recognized Bruce Walden (Chief Administrative Officer). Mr. Walden requested that two items be added to the agenda:

1. An Ordinance Approving and Authorizing the Execution of an Agreement With Andrae's Harley-Davidson, Inc.; and
2. Resolution Expressing the Sense of the Council (Hendrick House Parking Lot).

There were no objections. The order of the agenda will be changed to show these items as numbers 1 and 2 respectively, and the Closed Session as item number 3.

C. PETITIONS AND COMMUNICATIONS

There were none.

Council Member Input

There was none.

D. OLD BUSINESS

The following items were acted upon in omnibus fashion:

1. Ordinance No. 2001-04-032: ***An Ordinance Approving a Major Variance (Reduction of the Required Side Yard Setback in the City's R-2, Single-Family Residential Zoning District, From Five Feet to Two Feet / 105 W. Florida Avenue - Case No. ZBA-01-MAJ-2)***; and
2. Ordinance No. 2001-04-033: ***An Ordinance Approving a Major Variance (Reduction of the Required Rear Yard Setback in the City's R-2, Single-Family Residential Zoning District, From Ten Feet to One Foot / 105 W. Florida Avenue - Case No. ZBA-01-MAJ-3)***

Robert Kowalski (Senior Planner) presented the staff report. These items were continued from the April 2, 2001 City Council meeting, where the Council requested new language that would permit the variances only for the footprint of the existing garage structure and not for the entire length of the east and south property lines.

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

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Ordinance No. 2001-04-032, "An Ordinance Approving a Major Variance (Reduction of the Required Side Yard Setback in the City's R-2, Single-Family Residential Zoning District, From Five Feet to Two Feet / 105 W. Florida Avenue - Case No. ZBA-01-MAJ-2)", and Ordinance No. 2001-04-033, "An Ordinance Approving a Major Variance (Reduction of the Required Rear Yard Setback in the City's R-2, Single-Family Residential Zoning District, From Ten Feet to One Foot / 105 W. Florida Avenue - Case No. ZBA-01-MAJ-3)", were approved by Council by roll call vote (7-aye:0-nay).

3. Ordinance No. 2001-03-026: ***An Ordinance Approving an Application for Site Approval of a Regional Pollution Control Facility (Siting of the Central Waste Transfer and Recycling Facility)***

(Note: A motion for approval made by Alderman Whelan and seconded by Alderwoman Patt at the April 2, 2001 Council meeting remains on the floor.)

With nothing new by staff to report, the vote on the original motion to approve was as follows:

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Ordinance No. 2001-03-026, "An Ordinance Approving an Application for Site Approval of a Regional Pollution Control Facility (Siting of the Central Waste Transfer and Recycling Facility)", was approved by Council by roll call vote (7-aye:0-nay).

E. REPORTS OF STANDING COMMITTEES

1. **Committee Of The Whole**

- a. Ordinance No. 2001-04-034: ***An Ordinance Providing for the Refinancing by the City of Urbana, Illinois of a Residential Rental Project by the Refunding of Prior Bonds for Village Community Partners I, L.P. (The "Borrower"); Authorizing the Issuance of its \$1,700,000 Adjustable Rate Multi-Family Housing Revenue Bonds, Series 2001 (Village Community Partners I, L.P. - Prairie Green Apartments), in Connection Therewith; Authorizing the Execution and Delivery of a Loan Agreement Between the City of Urbana, Illinois and the Borrower; Authorizing the Execution and Delivery of a Trust Indenture Securing Said Bonds; and Authorizing the Execution of a Bond Purchase Agreement Providing for the Sale of Said Bonds to the Purchaser Thereof and Related Matters***

Alderman Taylor moved to approve. Alderwoman Wyman seconded. The vote on the motion was as follows:

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Ordinance No. 2001-04-034, "An Ordinance Providing for the Refinancing by the City of Urbana, Illinois of a Residential Rental Project by the Refunding of Prior Bonds for Village Community Partners I, L.P. (The "Borrower"); Authorizing the Issuance of its \$1,700,000 Adjustable Rate Multi-Family Housing Revenue Bonds, Series 2001 (Village Community Partners I, L.P. - Prairie Green Apartments), in Connection Therewith; Authorizing the Execution and Delivery of a Loan Agreement Between the City of Urbana, Illinois and the Borrower; Authorizing the Execution and Delivery of a Trust Indenture Securing Said Bonds; and Authorizing the Execution of a Bond Purchase Agreement Providing for the Sale of Said Bonds to the

Purchaser Thereof and Related Matters", was approved by Council by roll call vote (7-aye:0-nay).

- b. Ordinance No. 2001-04-035: **An Ordinance Amending Section 1-16 of Chapter One of the Urbana Code of Ordinances Relating to Checks Returned for Insufficient Funds**

Alderman Taylor moved to approve. Alderwoman Patt seconded. The vote on the motion was as follows:

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Council approved Ordinance No. 2001-04-035, "An Ordinance Amending Section 1-16 of Chapter One of the Urbana Code of Ordinances Relating to Checks Returned for Insufficient Funds", by roll call vote (7-aye:0-nay).

- c. Ordinance No. 2001-03-030: **An Ordinance Approving and Authorizing the Execution of an Amended and Restated Boundary Development Area Agreement (Metrozone)**

Alderman Taylor moved to approve. Alderwoman Huth seconded. The vote on the motion was as follows:

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|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Ordinance No. 2001-03-030, "An Ordinance Approving and Authorizing the Execution of an Amended and Restated Boundary Development Area Agreement (Metrozone)", was approved by Council by roll call vote (7-aye:0-nay).

- d. Ordinance No. 2001-04-037: **An Ordinance Disconnecting 710 Dodson Drive, Urbana (Harold D. Wheatley and Helen L. Wheatley)**

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

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Ordinance No. 2001-04-037, "An Ordinance Disconnecting 710 Dodson Drive, Urbana (Harold D. Wheatley and Helen L. Wheatley)", was approved by Council by roll call vote (7-aye:0-nay).

- e. Ordinance No. 2001-04-039: **An Ordinance Amending Chapter Eleven of the Code of Ordinances, City of Urbana, Illinois, Regulating Health and Sanitation (Summary Abatement)**

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

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Ordinance No. 2001-04-039, "An Ordinance Amending Chapter Eleven of the Code of Ordinances, City of Urbana, Illinois, Regulating Health and Sanitation (Summary Abatement)", was approved by Council by roll call vote (7-aye:0-nay).

- f. Ordinance No. 2001-04-040: **An Ordinance Amending Chapter Twenty-Five of the Code of Ordinances, City of Urbana, Illinois, Regulating Vegetation**

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

Following debate, Alderwoman Patt made a motion to amend language in Sections 11-62(C) as it relates to vegetation which aids the harboring of rats, etc., 11-62(G)(1) concerning intentionally planted vegetation in excess of eight (8) inches in height, 11-62(H) concerning aggressively invasive vegetation encroaching on another property, and 11-62(I) relating to visual blight. Alderwoman Wyman seconded. Debate ensued.

Rodney Fletcher (Environmental Manager) requested that staff be given the opportunity to make these changes and present a new ordinance for review at the Council's next Committee Of The Whole meeting scheduled April 23, 2001.

Alderwoman Patt moved to defer this item to the April 23, 2001 Committee meeting. Alderwoman Wyman seconded. This item is deferred.

With nothing further to report, Alderman Taylor stated that the next meeting of the Committee Of The Whole is scheduled for Monday, April 23, 2001 at 7:30 p.m. in the Council Chambers.

F. REPORTS OF SPECIAL COMMITTEES

There were none.

G. REPORTS OF OFFICERS

There were none.

H. NEW BUSINESS

1. ***An Ordinance Approving and Authorizing the Execution of an Agreement With Andrae's Harley-Davidson, Inc.***

Mr. Walden presented the staff report. He acknowledged the owner, Sharon Andrae, and her attorney, Carl Webber, in the audience. Attorney Webber also addressed the Council.

Alderman Taylor moved to approve the agreement. Alderman Whelan seconded.

Alderwoman Patt requested an opportunity to review the agreement for at least five minutes, since it was just presented to the Council this evening. Alderwoman Wyman concurred, and there were no objections from other Council members.

Mayor Satterthwaite called a 15-minute recess for the purpose of reviewing the agreement.

The Council resumed its session at 8:40 with all members present.

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

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|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

Disposition: Council approved The Development by and between the City of Urbana, Champaign County, Illinois, and Andrae's Harley-Davidson, Inc. by roll call vote (7-aye:0-nay). This agreement is approved by passage of "An Ordinance Approving and Authorizing the Execution of an Agreement With Andrae's Harley-Davidson, Inc."

2. ***Resolution Expressing the Sense of the Council (Hendrick House Parking Lot)***

Jack Waaler (City Attorney) presented the staff report. William Gray (Public Works Director) assisted.

Alderwoman Patt made a motion to adopt the resolution. Alderwoman Wyman seconded. The motion carried by voice vote.

Disposition: "Resolution Expressing the Sense of the Council (Hendrick House Parking Lot)" was adopted by Council by voice vote.

3. ***Closed Session: Fee Determination for Sale of Right-Of-Way***

Alderman Hayes moved to enter into closed session for the purpose of discussing fee determination for sale of right-of-way. Alderman Whelan seconded. The vote on the motion was as follows:

| | |
|--------------|--------------|
| Hayes - Aye | Taylor - Aye |
| Huth - Aye | Whelan - Aye |
| Kearns - Aye | Wyman - Aye |
| Patt - Aye | |

The Council entered closed session at 8:45 p.m.

The City Council resumed its regular session at 9:34 p.m. Alderman Taylor was not present.

I. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Satterthwaite declared the meeting adjourned at 9:34 p.m.

Deborah J. Roberts
Recording Secretary

Phyllis D. Clark
City Clerk

*This meeting was taped.

**This meeting was broadcast on cable television.

Minutes Approved: May 7, 2001