



## URBANA CITY COUNCIL MEETING November 6, 2006

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The City Council of the City of Urbana, Illinois met in regular session at 7:00 p.m., Monday, November 6, 2006 in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Prussing called the meeting to order at 7:06 p.m.

Present at the meeting were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth and Stevenson – 7; absent: none.

Also present were staff members: Police Chief Mike Bily, Economic Development Manager Tom Carrino, Comptroller Ron Eldridge, City Attorney Jim Gitz, Public Works Director Bill Gray, Assistant City Engineer Gale Jamison, Community Development Director Libby Tyler, Chief Administrative Officer Bruce Walden, and Planner Matt Wempe.

### **MINUTES OF PREVIOUS MEETING**

Alderman Stevenson moved to approve the minutes of the October 16, 2006 regular meeting. The motion was seconded by Alderman Barnes and carried by a voice vote.

### **ADDITIONS TO THE AGENDA**

Alderman Chynoweth requested an update on the status of the resolution to form a Public Arts Task Force. Chief Administrative Officer Walden stated it would be presented at the next Committee meeting.

## **PETITIONS AND COMMUNICATIONS**

Mary Haynes (City Clerk of Peoria), Janet Myers (City Clerk of Danville), Janet Gray (District VI Director for the Municipal Clerks of Illinois), and Jeremy Real (City Clerk of Rantoul) presented City Clerk Phyllis Clark the **ILION CRABEL MEMBER OF THE YEAR AWARD 2006.**

Roger Woodbury, 310 West Iowa Street, addressed the Council in support of the Neighborhood Conservation Districts.

Alderman Bowersox announced that the Housing Investment Corporation Workshop will be held at Phillips Recreation Center from 6:00-8:00 p.m. on Wednesday, November 8, 2006.

Alderman Smyth stated that Council needs to determine a written policy on electronic attendance and inquired when it will be presented.

Mayor Prussing stated that she had a communication from Donald Greely, a doctor from Carle, congratulating the City on their passage of the smoking ordinance.

Mayor Prussing announced that Big/Small/All is having two additional meetings. One will be Monday, November 13, 2006 in Rantoul; the second will be Tuesday, November 14, 2006, in Urbana at the Civic Center. Reservations are required.

Mayor Prussing thanked Alderman Dennis Roberts for all the effort he expended on the passage of the smoking ordinance.

Alderwoman Stevenson requested that BuildUrbana be put on the agenda of the Committee meeting on November 27, 2006.

Alderman Roberts stated that Council has been invited to visit the Urbana High and Middle Schools on November 29, 2006 between 10:00-12:00 a.m. for the purposed of learning first hand previous conditions that are of importance to the Community.

### **OLD BUSINESS**

There was none.

### **REPORTS OF STANDING COMMITTEES**

#### **Committee of the Whole**

Alderwoman Barnes moved to approve **Ordinance No. 2006-10-128: An Ordinance Revising the Annual Budget Ordinance (FY06-07 Property Tax Appropriation)**. The motion was seconded by Alderman Smyth and carried 7-0-1 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Mayor Prussing; voting nay: none. Alderwoman Stevenson voted present (this vote of present was counted with the majority).

Alderwoman Barnes moved to approve **Ordinance No. 2006-10-129: Annual Tax Levy Ordinance of the City of Urbana, Illinois, for the Year Beginning July 1, 2006 and Ending June 30, 2007**. The motion was seconded by Alderman Lewis.

Alderman Roberts moved to amend the ordinance by replacing all instances of Members of the Council with Corporate Authorities. The motion was seconded by Alderman Smyth and carried by a voice vote.

The motion to approve **Ordinance No. 2006-10-129: Annual Tax Levy Ordinance of the City of Urbana, Illinois, for the Year Beginning July 1, 2006 and**

**Ending June 30, 2007, as amended,** carried 7-0-1 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Mayor Prussing; voting nay: none. Alderwoman Stevenson voted present (this vote was counted with the majority).

Alderwoman Barnes moved to adopt **Resolution No. 2006-10-026R: A Resolution Directing the Champaign County Clerk to Abate the Tax Levy for the General Corporate Purpose for the Year Beginning July 1, 2006 and Ending June 30, 2007.** The motion was seconded by Alderman Roberts.

Alderman Smyth moved to amend the ordinance by replacing all instances of Members of the Council with Corporate Authorities. The motion was seconded by Alderwoman Chynoweth and carried by a voice vote.

The next meeting of the Committee of the Whole will be a 7:00 p.m., Monday, November 13, 2007 in the City Council Chambers at 400 South Vine Street.

### **REPORTS SPECIAL COMMITTEES**

There were none.

### **REPORTS OF OFFICERS**

Economic Development Manager Tom Carrino presented the Economic Development Report.

### **NEW BUSINESS**

Assistant City Engineer Gale Jamison presented staff report on **Ordinance No. 2006-11-131: An Ordinance Approving and Authorizing the Mayor to Execute Tiered Approach to Corrective Action Objectives (TACO) Agreement**

**(Broadway Avenue at University Avenue)**. Five Points Realty, LLC is currently completing Corrective Action work at the northeast corner of University Avenue and Broadway Avenue (102 East University Avenue) in response to leaking underground storage tank contamination discovered on the site. Subsurface investigation work has identified soil and groundwater contamination in excess of the Tier 1 soil and groundwater remediation objectives beneath the subject site. In order to obtain a No Further Remediation Letter for the subject site, Five Points Realty will propose a risk-based Corrective Action Plan which will evaluate risk-based Tier 2 soil and groundwater remediation objectives for the site and adjacent rights-of-way to the Illinois Environmental Protection Agency.

As a part of this Plan, Five Points Realty, LLC is proposing Institutional Controls be placed on the properties and adjacent rights-of-way. The form of Institutional Control proposed for this site is an agreement between the property owner and a highway authority (City) with respect to any contamination remaining under the City's right-of-way.

The agreement defines responsibilities for removal of contamination within the right-of-way by Five Points Realty, LLC, if encountered by construction activities. It provides for remedies for the City if Five Points Realty, LLC fails to take appropriate action. It also requires the City to prohibit the use of groundwater as a potable water supply within the right-of-way.

Alderwoman Stevenson moved to approve **Ordinance No. 2006-11-131:**  
**An Ordinance Approving and Authorizing the Mayor to Execute Tiered Approach**

**to Corrective Action Objectives (TACO) Agreement (Broadway Avenue at University Avenue).**

The motion was seconded Alderman Roberts. Following debate, the motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Planner Matt Wempe presented staff report on **Ordinance No. 2006-11-132: An Ordinance Approving the Period of Approval of a Preliminary Plat (Savannah Green Subdivision - Plan Case No. 1784-S-01); Ordinance No. 2006-11-133: An Ordinance Reapproving a Final Subdivision Plat (Savannah Green Subdivision, Phase 6 – Plan Case No. 1904-S-04) and Ordinance No. 2006-11-134: An Ordinance Reapproving a Final Subdivision Plat (Savannah Green Subdivision, Phase 7 – Plan Case No. 1905-S-04).**

The petitioner, Vic Armstrong, is requesting extension of the Preliminary Plat approval for the Savannah Green Subdivision and the Final Plat approvals for Phases 6 and 7 of the subdivision. All three plats were previously approved by the Urbana City Council. However, the Final Plats have not yet been recorded and the approval timeframe has since expired. None of the lots in either phase have been sold and no homes have been constructed, although infrastructure is already in place.

Extension of the Preliminary Plat approval is necessary because the approval timeframe has expired as set forth in Section 21-14.H.1. Per Section 21-14.H.1 of the Urbana Subdivision and Land Development Code, the City Council has the authority to extend the approval timeframe when appropriate.

Following debate, Alderman Smyth moved to approve **Ordinance No. 2006-11-132: An Ordinance Approving the Period of Approval of a Preliminary Plat (Savannah Green Subdivision - Plan Case No. 1784-S-01); Ordinance No. 2006-11-133: An Ordinance Reapproving a Final Subdivision Plat (Savannah Green Subdivision, Phase 6 – Plan Case No. 1904-S-04) and Ordinance No. 2006-11-134: An Ordinance Reapproving a Final Subdivision Plat (Savannah Green Subdivision, Phase 7 – Plan Case No. 1905-S-04).** The motion was seconded by Alderwoman Stevenson and carried 7 -0 by roll call vote. Voting aye were Members of the Council: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, and Stevenson – 7; voting nay: none.

Mayor Prussing presenting the following **Mayoral Appointments** for Council consideration:

Champaign County Housing Authority Board: Eddie Adair  
Champaign-Urbana Cable Franchise Renewal Team: Durl Kruse  
Human Relations Commission: Candace Godbolt  
Human Relations Commission: Carol Bradford

Alderman Smyth moved to approve the **Mayoral Appointments**. The motion was seconded by Alderwoman Barnes and carried by a voice vote.

Alderman Smyth moved to enter into **Closed Session** for the purpose of considering **Collective Bargaining Issues Pursuant 5 ILCS 120/2(c)(2)**. The motion was seconded by Alderwoman Stevenson and carried by a voice vote.

The Council entered into closed session at 7:45 p.m. and reconvened at 8:30 p.m. with all Members previously in attendance still present.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor

Prussing declared the meeting adjourned at 8:32 p.m.

Laurel Lunt Prussing  
Mayor

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Phyllis D. Clark, City Clerk

\*\*This meeting was taped.

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

**Minutes approved: December 4, 2006**