



**COMMITTEE OF THE WHOLE**  
November 27, 2006

**Committee Members Present:**

Lynne Barnes (Chair), Brandon Bowersox, Danielle Chynoweth, Robert Lewis, Dennis Roberts, Charlie Smyth, and Heather Stevenson

**Committee Members Absent:**

None

**Other Elected Officials**

Mayor Laurel Prussing and City Clerk Phyllis Clark

**Staff Members Present:**

Police Chief Mike Bily, Economic Development Manager Tom Carrino, City Attorney Jim Gitz, Public Works Director Bill Gray, Assistant City Engineer Gale Jamison, Planning Division Manager Robert Myers, Assistant to the Public Works Director Barb Stiehl, Community Development Director Libby Tyler, and Chief Administrative Officer Bruce Walden.

**Others Present:**

Nickalus Zielinski, and Members of the Media

**Meeting Location:**

Urbana City Council Chambers

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There being a quorum, Chair Chynoweth called the meeting to order at 7:12 p.m.

**Additions to the Agenda and Staff Report**

None.

### **Minutes of the Previous Meeting**

Ms. Barnes moved to approve the November 13, 2006 minutes of the regular meeting of the Committee of the Whole. The motion was seconded by Mr. Lewis. Mr. Smyth requested that the minutes be changed to reflect that Resolution No. 2006-11-027R was forwarded to Council rather than kept in Committee. This was acceptable to the mover and seconder. The minutes, as amended, carried by a voice vote.

### **Public Input**

Mayor Prussing announced that there will be a Public Open House on the High Cross Road/Illinois 130 Corridor Study on December 14, 2006 at the Auditorium of the Urbana Free Library. The report is available to review from December 15, 2006 through January 5, 2007 at RPC Offices.

On December 1 and 2, 2006, there is an Art Hoo Ha Holiday Show and Sale. There are twelve different locations in Urbana.

Mr. Roberts stated that the City Council will be doing a tour of the Urbana Middle and High Schools this week.

Mr. Bowersox stated the last opportunity to be part of the My Plan Public Input Meeting is Tuesday, November 28, 2006 at 6:30 p.m. at King School.

Mr. Smyth announced that this is the last week to get leaves picked up by the City.

### **Ordinance No. 2006-11-142: An Ordinance Approving the Transfer of Volume Cap in Connection with Private Activity Bond Issues, and Related Matters (AssistUrbana 2006)**

Chief Administrative Officer Bruce Walden presented staff report. This is a request by Paul Tatman on behalf of Prairie Winds LLC for use of Urbana's 2006 private activity bond volume cap to finance in part the Prairie Winds supportive living facility. This allocation is in follow-up to the "Official Intent Resolution with Respect to Supportive Living Facility to be Developed by Prairie Winds of Urbana, LLC" approved by the Urbana City Council in October of 2005.

Following debate, Mr. Smyth moved to forward **Ordinance No. 2006-11-142: An Ordinance Approving the Transfer of Volume Cap in Connection with Private Activity Bond Issues, and Related Matters (AssistUrbana 2006)** to Council with a recommendation for approval. The motion was seconded by Ms. Barnes and carried by a voice vote.

**Motion to Approve House Moving Permit (From 1402 St. Mary's Road to 1708 S. Cottage Grove / Terraco, Inc.)**

Assistant to the Public Works Director Barb Stiehl presented staff report on this motion. The Public Works Department received a house moving application to move the one time home of the poultry manager of the South Farms from 1402 St. Mary's Road to 1708 South Cottage Grove Avenue in Urbana. Ms. Stiehl reviewed the route the move will follow.

Following debate, Mr. Smyth move to approve the House Moving Permit. The motion was seconded by Ms. Barnes and carried by a voice vote. No further action is required on this item.

**Resolution No. 2006-11-036R: A Resolution Approving and Authorizing the Execution of an Intergovernmental Agreement Regarding Greenways and Trails**

Public Works Director Bill Gray presented staff report. This is the proposed agreement between the City of Urbana, City of Champaign, Village of Savoy, Village of Mahomet, Champaign Park District, Urbana Park District, University of Illinois, Champaign-Urbana Mass Transit District, Champaign County Forest Preserve District, Champaign County Regional Planning Commission, and Champaign County providing for Phase One of the 2004 Champaign County Greenways and Trails Plan.

Phase One is made up of a list of tasks identified by the steering committee as detailed in the agreement to achieve goals and benchmarks identified in the plan. The agreement also establishes policy and technical committee membership, states that Champaign Regional Planning will be the contracting agency, and establishes a cost sharing formula.

Following extensive discussion, Mr. Smyth moved to ask Mr. Gitz to draft something regarding connectivity, complete streets and adding a member of the Bicycle and Pedestrian Committee to be in attendance at the Greenways and Trails Meetings to be added to the resolution. The motion was seconded by Mr. Lewis and carried by a voice vote.

**Resolution No. 2006-11-036R: A Resolution Approving and Authorizing the Execution of an Intergovernmental Agreement Regarding Greenways and Trails** will be amended and brought back to Council on December 4, 2006.

**Resolution No. 2006-11-035R: A Resolution Approving an Amendment to An Agreement Between the Illinois Department of Transportation and the City of Urbana (Goodwin Avenue)**

Mr. Gray presented staff report. This resolution approves an Amendment to an Agreement between the Illinois Department of Transportation and the City of Urbana along with supporting documentation for the Goodwin Avenue Bike Path Project.

Ms. Barnes moved to forward the **Resolution No. 2006-11-035R: A Resolution Approving an Amendment to An Agreement Between the Illinois Department of Transportation and the City of Urbana (Goodwin Avenue)** to Council with a recommendation for adoption. The motion was seconded by Ms. Stevenson and carried by a voice vote.

**Ordinance No. 2006-11-139: An Ordinance Amending Schedule A of Section 23-62 of the Urbana Local Traffic Code Increasing State Speed Limits in Certain Zones (Philo Road); Ordinance No. 2006-11-140: An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (Brighton Drive at Cottage Grove Avenue; Mitchem Drive at Cottage Grove Avenue; and Harding Drive at Cottage Grove Avenue); and Ordinance No. 2006-11-141: An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Rainbow View)**

Mr. Gray presented staff report. **Ordinance No. 2006-11-139** is for the establishment of altered State speed limits on Philo Road from Mumford drive to Windsor. The speed limit on Philo Road is currently 40 MPH. The requested change is to 35 MPH, based upon the results of an engineering study.

**Ordinance No. 2006-11-140** is for placement of stop signs for eastbound and westbound traffic on Brighton Drive and Harding Drive at Cottage Grove Avenue and for westbound traffic on Mitchem Drive at Cottage Grove Avenue. These stop signs are required due to the increase of visibility obstructions along the intersections in this area.

**Ordinance No. 2006-11-141** is for restriction of parking on the south side of Rainbow View between Smith Road and the easternmost end of Rainbow View. The location of the restriction is on the north side of Rainbow View, east of Smith Road. The restriction is requested by residents of the Savannah Green Subdivision.

Mr. Smyth moved by omnibus motion to forward **Ordinance No. 2006-11-139: An Ordinance Amending Schedule A of Section 23-62 of the Urbana Local Traffic Code Increasing State Speed Limits in Certain Zones (Philo Road); Ordinance No. 2006-11-140: An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (Brighton Drive at Cottage Grove Avenue; Mitchem Drive at Cottage Grove Avenue; and Harding Drive at Cottage Grove Avenue); and Ordinance No. 2006-11-141: An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Rainbow View)** to Council with a recommendation for approval. The motion was seconded by Mr. Roberts and carried by a voice vote.

**Resolution No. 2006-11-032R: A Resolution Approving and Authorizing the Execution of a Joint Agreement with the City of Champaign, Illinois, and the Illinois Department of Transportation (Lincoln Avenue and University Avenue); and Resolution No. 2006-11-033R: A Resolution Appropriating Funds for the Modernization of Traffic Signals at Lincoln Avenue (FAU Route 7177); and University Avenue (FAP Route 808/US 45) Resolution No. 2006-11-034R: Resolution for Improvement by Municipality Under the Illinois Highway Code (Lincoln Avenue and University Avenue)**

Mr. Gray presented staff report. In order to facilitate the free flow of traffic and insure safety to the motoring public, the State of Illinois wishes to modernize the traffic signals at the intersection of University Avenue and Lincoln Avenue and to interconnect the traffic signals along University Avenue from Wright Street in Champaign to Race Street in Urbana. The project will be constructed jointly by the State of Illinois, the City of Champaign and the City of Urbana. The City will share in the costs of the signal modernization improvements at the University Avenue and Lincoln Avenue intersection and the interconnect improvements at all the intersections from Goodwin Avenue to Race Street.

**Resolution No. 2006-11-032R** authorizes the Mayor and City Clerk to execute and deliver the agreement on behalf of the City. **Resolution No 2006-11-033R** sets the amount and how the funds are to be paid for the City's share of the project. **Resolution No. 2006-11-034R** appropriates the use of MFT funds to pay for the City's share of the project.

Ms. Barnes moved by omnibus motion to forward **Resolution No. 2006-11-032R: A Resolution Approving and Authorizing the Execution of a Joint Agreement with the City of Champaign, Illinois, and the Illinois Department of Transportation (Lincoln Avenue and University Avenue); and Resolution No. 2006-11-033R: A Resolution Appropriating Funds for the Modernization of Traffic Signals at Lincoln Avenue (FAU Route 7177); and University Avenue (FAP Route 808/US 45) Resolution No. 2006-11-034R: Resolution for Improvement by Municipality Under the Illinois Highway Code (Lincoln Avenue and University Avenue)** to Council with a recommendation for adoption. The motion was seconded by Mr. Smyth and carried by a voice vote.

**Ordinance No. 2006-10-130: An Ordinance Amending Chapter 16, Noise and Vibrations, of the Urbana Code of Ordinances**

Mr. Gray and Ms. Stiehl presented staff report. The combined use of the downtown area by business and residents is providing an urban setting where residents can live and work within the downtown community. In this setting one area of concern is amplified outdoor music within permitted sidewalk café areas. The City ordinance does not currently permit piped in music in the public right-of-way.

The proposed changes will allow businesses to provide musical entertainment for their patrons. The changes in the sidewalk Café license agreement will establish time restrictions.

Following debate, Ms. Barnes moved to forward **Ordinance No. 2006-10-130: An Ordinance Amending Chapter 16, Noise and Vibrations, of the Urbana Code of Ordinances** to Council with a recommendation for approval. The motion was seconded by Mr. Roberts and carried by a voice vote.

**Ordinance No. 2006-11-138: An Ordinance Approving and Authorizing the Execution of a Mutual Aid Agreement With the City of Champaign and the Village of Savoy**

Mr. Gray presented staff report. The public works departments of the cities of Urbana, Champaign, and the Village of Savoy have discussed the possibility of creating a mutual aid association among our communities. The group researched several other agreements in other states and decided to use as a template an agreement originating in Wisconsin.

Mr. Smyth moved to forward **Ordinance No. 2006-11-138: An Ordinance Approving and Authorizing the Execution of a Mutual Aid Agreement With the City of Champaign and the Village of Savoy** to Council with a recommendation for approval. The motion was seconded by Mr. Lewis and carried by a voice vote.

**East Urbana Interceptor Study Update and Design Request**

Planning Manager Robert Myers, Assistant City Engineer Gale Jamison, and Mr. Gray presented staff report. The proposed East Urbana Sewer Interceptor would provide infrastructure to allow sewer service collection along the eastern and southern areas in Urbana. This would include a new sewage pump station with interceptor sewer lines extending 400 feet from it toward the north, east and south; removal of the existing pump station; and construction of a sewer force main from the pump station to the Northeast Wastewater Treatment Plant. As development occurs in the future, developers will still need to extend sewer lines as they have in the past to connect into the system.

Following debate, Mr. Smyth moved to accept the preliminary engineering report on the results of the East Urbana Interceptor Study, and direct City staff to prepare an intergovernmental agreement between the City and the Urbana-Champaign Sanitary District for the engineering design of the East Urbana Interceptor. The motion was seconded by Ms. Barnes and carried by a voice vote.

Chair Chynoweth declared a short recess at 9:06 p.m. The Committee resumed session at 9:11 p.m. with all Members previously in attendance still present.

**Ordinance No. 2006-08-109: An Ordinance to Establish a Rental Registration Program for Residential Property Within the City of Urbana**

Nickalus Zielinski, 505 West Springfield Avenue, Apartment 3B, addressed the Committee in support of this ordinance and to share with the Committee problems with the upkeep of his apartment.

Community Development Director Libby Tyler and City Attorney Jim Gitz reviewed the changes requested by Committee Members at a previous meeting.

Extensive debate followed.

Mr. Smyth moved to forward this ordinance to Council with a recommendation for approval with the language "As a public service and an incentive for improved compliance, the City shall periodically publish a list of properties with their designation pursuant to Section 10 of this ordinance." The motion was seconded by Mr. Bowersox.

Mayor Prussing requested Section 19, third line from the bottom where it says "Mayor and Council summarizing **your** findings" be changed to **their** findings. Mr. Smyth accepted that as a correction.

Mr. Roberts made a friendly amendment that in the first paragraph, the word "**many**" be change to "**some**". Mr. Smyth accepted the friendly amendment. Mr. Gitz stated if the entire list was going to be pursued, it needs to be done item by item and that the suggested change is not a good one. The friendly amendment was withdrawn.

Mr. Roberts made a friendly amendment stating that the requirement that the payment of other fees and fines owed to the City is an unnecessary aspect of the registration fee. The motion died for lack of a second.

Mr. Smyth assumed the Chair and Chair Chynoweth entered debate.

Following further debate, Ms. Chynoweth moved to direct staff to revise the ordinance to exempt owner occupied units renting to one or two people and exempt owner occupied units from 13 a and b. The motion was seconded by Mr. Bowersox. Mr. Smyth stated that he could accept this easily if it's exempt owner occupied units renting a single room to no more than two people. Ms. Chynoweth accepted this statement as a friendly amendment.

The amendments carried by a show of hands.

Mr. Roberts moved that a definition be given to owner occupied as appropriate. The motion was seconded by Mr. Smyth and carried by a voice vote.

The motion to send the ordinance to Council, as amended, carried.

Ms. Chynoweth resumed the Chair.

**Ordinance No. 2006-11-137: An Ordinance Amending Chapter Fourteen of the Code of Ordinances, City of Urbana, Illinois, Adding Registration Fees for Residential Properties Being Rented Within the City of Urbana to the Schedule of Fees**

Mr. Lewis moved to send **Ordinance No. 2006-11-137: An Ordinance Amending Chapter Fourteen of the Code of Ordinances, City of Urbana, Illinois, Adding Registration Fees for Residential Properties Being Rented Within the City of Urbana to the Schedule of Fees** to Council with a recommendation of approval. The motion was seconded by Ms. Barnes and carried by a voice vote.

**Closed Session Regarding Property Acquisition**

The Closed Session was canceled.

**Adjournment**

There being no further business to come before the Committee, Chair Chynoweth declared the meeting adjourned at 10:40 p.m.

Respectfully submitted,

Elaine Taylor  
Recording Secretary

\*This meeting was taped.

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

Minutes approved: December 11, 2006, as corrected

**CORRECTION: In the section COMMITTEE MEMBERS PRESENT – Change the Chair from Barnes to Chynoweth.**