

CITY OF URBANA

COMMITTEE OF THE WHOLE - SEPTEMBER 9, 2013 - 7:00 P.M.

CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL

The City Council Committee Of The Whole of the City of Urbana, Illinois, met in regular session Monday, September 9, 2013 in the Council Chambers of the Urbana City Building.

ELECTED OFFICIALS PHYSICALLY PRESENT: Charlie Smyth (Chair); Bill Brown; Eric Jakobsson; Michael P. Madigan; Diane W. Marlin; Dennis Roberts; Charlie Smyth; Phyllis Clark

ELECTED OFFICIALS PRESENT VIA TELECONFERENCE: None

ELECTED OFFICIALS ABSENT: Carol Ammons; Laurel Lunt Prussing

STAFF PRESENT: Curt Borman; Mike Monson; Patrick Connolly; Brian Nightlinger; William Gray; Elizabeth Tyler; Thomas Carrino; Kelly H. Mierkowski; Robert Myers; John Schneider; John Collins; Bradley Bennett; Scott Tess; Jennifer Gonzalez; Jeff Engstrom

OTHERS PRESENT: Bishop King James Underwood; Rev. Dr. Evelyn B. Underwood; Nancy Dietrich; Ed Weiskamp; Bryan Endres; August Johnson; Chris Carl; Guy Tal; Jonah Weisschoft; Grace Kenney; Angelica Huerta; Daniel Kamberelis; Matt Cho; Dave Baker; Jeremy Wertz; Mark Tomory; James Roedl; Laurel Knoblett; Tamra Gingold; Barbara Bair; Tyler Thompson; Neil Malone; Matt Crosby; Michelle Perry; Esther Patt; Bryan Snyder; Members of the Media

1. CALL TO ORDER AND ROLL CALL

There being a quorum present, Chair Smyth called the meeting of the Committee Of The Whole to order at 7:07 p.m.

2. ADDITIONS TO THE AGENDA AND STAFF REPORT

CM Marlin proposed rearranging the order of the agenda to move items #10.a and #10.b right after Public Input, and switch the order of items #12 and #13. CM Madigan seconded. The motion carried by voice vote. The record of this meeting has been changed accordingly.

William Gray (Public Works Director/City Engineer) informed Committee Members of the "State Snow Rodeo" held last Friday in Normal, Illinois. John Collins (Public Works Operations Manager) assisted in orchestrating the 21 teams participating throughout the State of Illinois. The rodeo consisted of a written test, obstacle course, and a truck booby trapped to allow a certain amount of time in which to figure out all the things that were wrong. Taking First Place in the rodeo were the teams of Urbana Public Works employees Ray Knight and Kevin Morris.

a. Update: Municipal Electric Aggregation

Scott Tess (Environmental Sustainability Manager) gave a report on renewable energy credits, as requested by Council September 3, 2013, directing staff to evaluate alternatives within renewal energy credits and other strategies that would reduce community greenhouse gas emissions. Mr. Tess reviewed the background used as part of the first municipal electric aggregation and the options chosen. He also presented 7 additional options, which

included: 1) Purchasing REC's (Renewal Energy Credits) of particular generation dates and or from particular geographic locations; 2) CO2 Allowances, Pollution Permits, et al; 3) Carbon Credits; 4) Onsite Reneal Generation; 5) Home Energy Performance Program; 6) LED Streetlight Retrofit; and 7) HVAC Equipment Replacements.

No action was warranted on this item.

3. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

August 26, 2013 - CM Roberts made a motion to approve the minutes of the meeting held August 26, 2013. CM Jakobsson seconded.

CM Marlin noted a correction on page 1, item #2, paragraph 6: Correct "Lierman Neighborhood Association Committee" to read "Lierman Neighborhood **Action** Committee". There were no objections.

The motion to approve carried by voice vote, as amended.

4. **PUBLIC INPUT**

Bishop King James Underwood and Rev. Dr. Evelyn B. Underwood did not wish to speak, but submitted a public input card requesting that their position be entered into record indicating they are still concerned about Dr. Ellis Subdivision sewer problems.

Nancy Dietrich addressed the Committee in support of Ordinance No. 2013-09-082 regarding Property Maintenance Code Violations, with the suggestion to raise fines only for landlords who do not make repairs in a timely manner.

Ed Weiskamp addressed the Committee with concerns related to Ordinance No. 2013-09-078 regarding Multipart Zoning Ordinance text amendment as it pertains to residential businesses.

Bryan Endres addressed the Committee in support of a change to the Zoning Ordinance pertaining to storage of campers and residential vehicles in residential neighborhoods.

Dennis Roberts (Alderman Ward 5) addressed the Committee as Chair of the Urbana Sister City Committee, announcing that he had received the African Urban Poverty Alleviation Program Grant for work the City had done in Africa over the last two years. As a result, the City's program has been chosen to receive the 2013 Champaign-Urbana International Humanitarian Award which will be presented at the awards ceremony to be held September 26, 2013 at the I-Hotel. As Historic Commemorative Chair for Urbana, Mr. Roberts also announced that he had received, on behalf of the City of Urbana, a \$1,700 grant to install signs in the Joseph W. Royer Arts & Architectural District in Downtown Urbana. This celebrates the work of Joseph Royer, who was a prime architect in the City of Urbana at the turn of the century in 1900, developing a multitude of facades and buildings.

Committee Member Input

CM Jakobsson read a letter from Cope Cumpston regarding home occupation requirements. She requested that Council ask for more time to consider such restrictions.

Chair Smyth read correspondence he received from Theresa Michelson, Coordinator of the Southeast Urbana Neighborhood Association, indicating that she reluctantly supports raising fees in order to hire another building inspector. She is interested in having the Property Maintenance Code violations acted on before the raising of rental registration fees, and believes there should be some reduction of the fee for landlords who score "A" on their inspections. She also requested that a monthly or bi-monthly report be given to Council on fines that have been assessed or collected for various violations.

10. **COMMUNITY DEVELOPMENT COMMISSION ITEMS:**

Jennifer Gonzalez (Grant Coordinator) presented the staff report.

CM Marlin moved to act on agenda items #10.a.1, #10.a.2 and #10.a.3 in omnibus fashion. CM Roberts seconded. The motion carried by voice vote.

CM Marlin made a motion to send Resolution Nos. 2013-09-047R, "A Resolution Certifying a Community Housing Development Organization for the Urbana HOME Consortium for FY 2013-2014 (September 2013 - Habitat)", 2013-09-048R, "A Resolution Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization Agreement (Habitat CHDO Developer, 1205 West Beslin Street and 1208½ West Dublin Street)", and 2013-09-049R, "A Resolution Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization Agreement (Habitat CHDO Operating September 2013)", to Council with a recommendation for approval. CM Roberts seconded and the motion carried by voice vote.

a. **Community Housing Development Organization (CHDO)**

1. **Resolution No. 2013-09-047R: A Resolution Certifying a Community Housing Development Organization for the Urbana HOME Consortium for FY 2013-2014 (September 2013 - Habitat)**

[Sent to Council]

2. **Resolution No. 2013-09-048R: A Resolution Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization Agreement (Habitat CHDO Developer, 1205 West Beslin Street and 1208½ West Dublin Street)**

[Sent to Council]

3. Resolution No. 2013-09-049R: A Resolution Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization Agreement (Habitat CHDO Operating September 2013)

[Sent to Council]

b. Sale of Certain Real Estate

1. Ordinance No. 2013-09-083: An Ordinance Authorizing the Sale of Certain Real Estate (1205 West Beslin Street)

Ms Gonzalez presented the staff report.

CM Roberts made a motion to send this item to Council with recommendation for approval. CM Jakobsson seconded. The motion carried by voice vote.

2. Ordinance No. 2013-09-084: An Ordinance Authorizing the Sale of Certain Real Estate (1208½ West Dublin Street)

CM Roberts made a motion to send this item to Council with a recommendation for approval, and CM Marlin seconded. The motion carried by voice vote.

5. **ORDINANCE NO. 2013-09-086: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER THREE, SECTION 3-43 (INCREASING NUMBER OF CLASS A LIQUOR LICENSES FOR BLACK ROCK PIZZA COMPANY, LLC, 142 LINCOLN SQUARE)**

CM Madigan recused himself from debate and action on agenda items #5 and #6, due to conflict of interest. He left his seat at 7:51 p.m.

CM Marlin made a motion to send this item to Council with a recommendation for approval. CM Jakobsson seconded. The motion carried by voice vote.

6. **ORDINANCE NO. 2013-09-087: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER THREE, SECTION 3-43 (INCREASING NUMBER OF CLASS R-2 LIQUOR LICENSES FOR SITARA INDIAN RESTAURANT AND LOUNGE, LLC, 114 SOUTH RACE STREET)**

CM Jakobsson moved to send this item to Council with a recommendation for approval. CM Roberts seconded. The motion carried by voice vote.

CM Madigan returned to his seat at 7:55 p.m.

7. **PRESENTATION: ASPEN COURT/URBANA TOWNHOMES PROPOSED REDEVELOPMENT [KYLE PETERSON OF HERMAN-KITTLE PROPERTIES, INC.]**

John Schneider introduced Kyle Peterson (Development Coordinator for Herman-Kittle Properties, Inc.), who gave a presentation on the proposed redevelopment of the Aspen Court Urbana Townhomes site. Mr. Peterson gave a slide presentation depicting amenities and what the homes would look like.

This item did not warrant Council action at this time.

8. **ORDINANCE NO. 2013-09-081: AN ORDINANCE AMENDING SCHEDULE N OF SECTION 23-193 OF THE URBANA LOCAL TRAFFIC CODE LIMITING PARKING ON CERTAIN STREETS OR PUBLIC PARKING LOTS (HIGH STREET)**

CM Roberts made a motion to send this item to Council with a recommendation for approval. CM Brown seconded. The motion carried by voice vote.

9. **ORDINANCE NO. 2013-09-080: ORDINANCE APPROVING RIGHT-OF-WAY DEDICATION (608 WEST KILLARNEY STREET)**

CM Roberts made a motion to send this item to Council with a recommendation for approval. CM Marlin seconded. The motion carried by voice vote.

11. **ORDINANCE NO. 2013-09-078: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS (MULTIPART ZONING ORDINANCE TEXT AMENDMENT - PLAN CASE NO. 2208-T-13)**

Robert Myers (Planning Division Manager) presented the staff report.

Chair Smyth acknowledged public input.

The following people addressed the Committee in opposition to the proposed ordinance:

August Johnson; Chris Carl; Guy Tal; Jonah Weisssoft; Grace Kenney; Angelica Huerta; Daniel Kambererelis; Matt Cho; Dave Baker; Jeremy Wertz; Mark Tomory; James Roedl; Laurel Knoblett; Tamra Gingold; Barbara Bair; Tyler Thompson; and Neil Malone

The following people did not wish to speak, but completed public input cards requesting that their positions be entered into record:

Matt Crosby; and Michelle Perry

Following debate, CM Marlin made a motion to send this item to Council. CM Brown seconded. The motion carried by voice vote.

13. **ORDINANCE NO. 2013-09-082: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER FIVE, ARTICLE IX, SECTION 5-83 (REGARDING PROPERTY MAINTENANCE CODE VIOLATIONS - SECTIONS PM-106.4, PM-106.4.1 AND PM-106.4.3)**

Mr. Schneider presented the staff report.

Chair Smyth acknowledged public input.

Esther Patt (Director Campaign-Urbana Tenant Union) addressed the Committee with concerns and asked that the fines be raised. She indicated fines are too low and need to be enforced more strictly on landlords who do not maintain their properties.

During debate CM Marlin proposed tying the fine schedule to the three existing categories of the Property Maintenance Code that would include:

- 1) Violations that affect imminent health or have a life safety threat (i.e., leaking gas lines, inoperable toilets, locked fire exits, massive roach infestation, etc.). Deadlines for compliance with code violation start at 1-3 days with first missed deadline being a minimum of \$600 and after 7 days \$700; second missed deadline \$750 plus up to \$750 per day.
- 2) Liveability issues. First missed deadline \$450 and after 7 days \$600; second missed deadline \$750 and up to \$750 per day until violation corrected.
- 3) Routine maintenance. First missed deadline \$300 and after 7 days \$450; second missed deadline \$500 plus up to \$750 per day.

Following further debate, CM Marlin moved to send this item to the October 7, 2013 Council. CM Roberts seconded. The motion carried by voice vote.

12. **ORDINANCE NO. 2013-08-076: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER FOURTEEN, SECTION 14-7, REGARDING THE SCHEDULE OF FEES (ANNUAL RENTAL PROPERTY REGISTRATION - FY 2013-2014)**

John Schneider (Building Safety Division Manager) presented the staff report.

Following debate, Chair Smyth acknowledged public input.

The following people addressed the Committee in opposition:

Bryan Snyder; and Neil Malone

Following further debate, CM Marlin made a motion to send this item to Council with a recommendation for approval. CM Brown seconded. Debate ensued.

CM Brown made a motion to amend to lower the additional fee per multiple-family unit from \$20 to \$15. The motion died for lack of a second.

The motion to send this item to Council with a recommendation for approval failed by a show of hands (3:3). Debate ensued.

CM Marlin moved to keep this item in Committee. CM Roberts seconded. Debate ensued.

The motion to keep this item in Committee carried by a show of hands.

14. **ORDINANCE NO. 2013-09-077: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER SIXTEEN, SECTION 16-7 REGARDING NOISE AND VIBRATIONS (TO CLARIFY WHEN CONSTRUCTION OPERATIONS ARE PROHIBITED)**

Mr. Gray presented the staff report.

CM Madigan made a motion to send this item to Council with a recommendation for approval. CM Marlin seconded. The motion carried by voice vote.

15. **ORDINANCE NO. 2013-09-079: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER FIVE, ARTICLE XI (FLOOD HAZARD AREAS)**

Bradley Bennett (Sr. Civil Engineer) presented the staff report.

CM Marlin made a motion to send this item to Council with a recommendation for approval. CM Roberts seconded and the motion carried by voice vote.

16. **RESOLUTION NO. 2013-09-046R: A RESOLUTION APPROVING AN ILLINOIS ENVIRONMENTAL PROTECTION AGENCY NOTICE OF INTENT FOR PHASE II OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PROGRAM (2013)**

Mr. Bennett presented the staff report.

CM Roberts made a motion to send this item to Council with a recommendation for approval. CM Jakobsson seconded. The motion carried by voice vote.

17. **ORDINANCE NO. 2013-09-085: AN ORDINANCE TO APPROVE THE PURCHASE OF A CERTAIN RIGHT-OF-WAY NORTH OF THE CURRENT NORTHERLY TERMINUS OF LINCOLN AVENUE AS PART OF THE OLYMPIAN DRIVE CONSTRUCTION PROJECT**

Mr. Gray presented the staff report.

Due to the hour at hand, and to be in compliance with the Council's Rule on mandatory adjournment, CM Marlin moved to extend the meeting time to 11:15 p.m. CM Roberts seconded. The motion carried by voice vote.

Following debate, CM Marlin made a motion to send this item to Council with a recommendation for approval. CM Roberts seconded. The motion carried by voice vote.

Prior to adjournment, CM Brown moved to reconsider Ordinance No. 2013-09-076. CM Marlin seconded. The motion carried by voice vote. [For the Record: "Reconsideration of Ordinance No. 2013-09-076" added to this record.]

RECONSIDERATION OF ORDINANCE NO. 2013-09-076: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER FOURTEEN, SECTION 14-7, REGARDING THE SCHEDULE OF FEES (ANNUAL RENTAL PROPERTY REGISTRATION - FY 2013-2014)

CM Brown moved to change fee from \$20 to \$16 and send to Council with a recommendation for approval. CM Marlin seconded. The motion failed with a show of hands (3:3).

As a result of reconsideration on this item, it fails and does not stay in Committee as previously voted.

The record proceeds in regular format from this point.

18. **ADJOURNMENT**

There being no further business to come before the Committee, Chair Smyth declared the meeting adjourned at 11:10 p.m.

Deborah J. Roberts
Recording Secretary

This meeting was taped.

This meeting was broadcast on cable television.