

**CITY OF URBANA**

**COMMITTEE OF THE WHOLE - March 23, 2015 - 7:00 P.M.**

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

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The City Council Committee of The Whole of the City of Urbana, Illinois, met in regular session Monday, March 23, 2015 in the Council Chambers of the Urbana City Building.

**ELECTED OFFICIALS PHYSICALLY PRESENT:** Aaron Ammons; Bill Brown; Eric Jakobsson; Diane Marlin; Dennis Roberts; Charles Smyth; Laurel Lunt Prussing; Phyllis Clark

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE:**

There were none

**ELECTED OFFICIALS ABSENT:**

Michael P. Madigan - Ward 6

**STAFF PRESENT:** Phillip Edwards; William Grey; Christopher Marx; Kelly Mierkowski; Mike Monson; James Simon, Richard Surles; Elizabeth Tyler;

**OTHERS PRESENT:** Nikki Hillier; Esther Patt; B.J. Ross; Amy Stevens; Paula Vanier; Members of the Media

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**1. CALL TO ORDER AND ROLL CALL**

There being a quorum, Chair Bill Brown called the meeting of the Committee of The Whole to order at 7:03 p.m., after which the City Clerk called the roll.

**2. ADDITIONS TO THE AGENDA AND STAFF REPORT**

1. Presentation: Urbana Townhomes/Aspen Court Redevelopment (Herman & Kittle)

Community Development Director Elizabeth Tyler introduced Kyle J. Peterson, Vice President of Development for the West Region, and Development Analyst Sarah Beck, both with Herman & Kittle. Ms. Beck gave an oral and visual presentation of the history and purpose of Herman & Kittle, of other projects and types of projects that the company has completed, and of the proposed Urbana Townhomes/Aspen Court redevelopment project.

Following Ms. Beck's presentation, discussion with the Committee and Mayor Prussing ensued. Mr. Peterson addressed the Committee's and Mayor Prussing's questions and concerns.

2. Community Development Director Elizabeth Tyler gave a staff report, first discussing that Public Art Coordinator Pauline Tannos participated in the National Arts Advocacy Day in Chicago, and second announcing that the City received a major grant from the Illinois Housing Development Authority's Blight Reduction Program.

Ms. Tyler introduced Grants Management Division Manager Kelly Mierkowski, who presented the details of the grant received including that the amount of the grant that the City, partnered with Habitat for Humanity, is to receive is \$525,000.00, to be used to redevelop and improve the foreclosed and blighted single-family homes that were submitted as part of the grant application.

Discussion with the Committee, Mayor and Ms. Mierkowski ensued following the presentation.

Ms. Mierkowski then addressed the Committee regarding the proposed City of Urbana and Urbana HOME Consortium (Champaign/Urbana/Champaign County) Consolidated Plan FY 2015-2019, City of Urbana Annual Action Plan FY 2015-2016, and City of Urbana FY 2015-2019 Housing Program Manual.

Ms. Mierkowski asked that the Committee review the documents over the next 30 days and to please submit comments to Community Development, as Community Development planned to bring the documents to Council at the May 4, 2015 meeting.

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

1. February 23, 2015

Alderman Ammons made a motion to approve the February 23, 2015 minutes. Alderman Jakobsson seconded. Being no changes, the motion to approve the February 23, 2015 minutes was carried by voice vote.

2. March 9, 2015

Alderman Roberts made a motion to approve the March 9, 2015 minutes. Alderman Ammons seconded. Being no changes, the motion to approve the March 9, 2015 minutes was carried by voice vote.

**4. PUBLIC INPUT**

1. At the time the proposed Smoking Ordinance Amendment was presented, Urbana resident Paula Vanier addressed the Committee on behalf of the Tenant Association and the tenants of Edge of Mall Apartments in support of a no smoking/restricted smoking amendment to the current smoking Ordinance.
2. At the time the proposed Smoking Ordinance Amendment was presented, Urbana resident B.J. Ross addressed the Committee in support of a no smoking/restricted smoking amendment to the current smoking Ordinance.
3. At the time the proposed Smoking Ordinance Amendment was presented, Urbana resident Amy Stephens addressed the Committee in support of a no smoking/restricted smoking amendment to the current smoking Ordinance.
4. At the time the proposed Smoking Ordinance Amendment was presented, Nikki Hillier with the Champaign Urbana Public Health District and Chair of the Champaign County Tobacco Prevention Coalition addressed the Committee in support of a no smoking/restricted smoking amendment to the current smoking Ordinance.
5. At the time the proposed Smoking Ordinance Amendment was presented, Urbana resident Esther Patt addressed the Committee discussing the smoking issue and the possible actions that could be taken by the City and/or landlords, along with how those actions could affect tenants and landlords.

**Committee Member Input**

1. After Amy Stephens addressed the Committee, Alderman Roberts confirmed with Ms. Stephens that she had contacted management at Edge of Mall Apartments regarding the smoking issue. Ms. Stephens responded to Alderman Roberts' inquiry, discussing management's response to her contact with them.
2. After Nikki Hillier addressed the Committee, discussion ensued with the Committee regarding the City's authority over buildings that are privately owned and the tenants', landlords' and staffs' responses to buildings that have converted to non-smoking voluntarily, Ms. Hillier and Tara McCauley addressed the Committee's questions and concerns.
3. After Esther Patt addressed the Committee; discussion with Mayor Prussing and the Committee ensued. Ms. Patt was presented with questions and concerns pertaining to various aspects of smokers and non-smokers residing in tenancy situations. Ms. Patt addressed the Committee's questions and concerns.
5. **Ordinance No. 2015-01-004:** An Ordinance Amending Urbana City Code Chapter 3.7, Section 3.7-15(Increasing Number of Licensed Premises that may Display Video Gambling Terminals/2015) - MAYOR

Mayor Prussing gave a presentation regarding the history of video gambling terminals in Urbana, and revenue received. Mayor discussed the licensing options, and her proposal of how to handle future licensing.

Discussion with the Committee ensued following Mayor Prussing's presentation. Throughout the discussion, Mayor Prussing, Community Development Director Elizabeth Tyler, Community Development Planner I Christopher Marx, and City Attorney James Simon addressed the Committee's questions and concerns.

Alderman Brown relinquished the Chair to Alderman Roberts from 8:26 p.m. to 8:29 p.m. to participate in the discussion. Alderman Brown made a motion to approve an amendment to Ordinance No. 2015-01-004, that would confirm that any business producing greater than 60 percent revenue from gaming shall be considered a gaming hall, and would then be required to obtain a G-2 license. Alderman Jakobsson seconded the motion. Alderman Brown's motion was carried by voice vote.

Alderman Smyth made a motion to remove all reference to distance in Ordinance No. 2015-01-004, specifically Section 2 q.(2) and Section 2 p.(7). Alderwoman Marlin seconded. Alderman Smyth's motion was carried by voice vote.

Following discussion, Alderwoman Marlin made a motion to send Ordinance No. 2015-01-004 to Council, with a recommendation for approval as amended. Alderman Smyth seconded. Discussion continued. Following discussion, the motion to send Ordinance No. 2015-01-004 to council

with a recommendation for approval as amended was carried by voice vote, with Alderman Roberts remaining opposed to the motion.

6. **Ordinance No. 2015-03-029:** An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Revising Article II, Article V, And Article VII to establish definitions, use provisions, and special use permissions for "Gaming Hall"/Plan Commission Case No. 2250-T-15) - CD

Planner I Christopher Marx presented a recap of portions of the previous discussion and an overview of the memorandum's highlights, discussing the changes that would need to be made to the Zoning Ordinance to provide for gaming halls, and the use of Special Use Permits.

Discussion with the Committee ensued following Mr. Marx's presentation. During the duration of the discussion, Community Development Director Elizabeth Tyler and City Attorney James Simon addressed the Committee's questions and concerns.

During discussion, Alderman Roberts made a motion to set distances of gaming halls to be 500 feet from schools and daycare, and 500 feet between gaming halls and other places with gaming terminals. Alderman Smyth seconded the motion. Discussion continued after Alderman Roberts' motion. Alderman Smyth requested a five minute recess. Chair Brown called for a 5 minute recess at 9:08 p.m.

Discussion resumed at 9:12 p.m. Alderman Smyth's motion to set the distances as above in Ordinance No. 2015-03-029 was carried by voice vote. Discussion resumed after the motion was carried. Alderman Smyth made a motion to send Ordinance No. 2015-03-029 to Council with recommendation for approval with changes that were approved by the Committee. Alderman Jakobsson seconded.

A brief discussion resumed following the motion, and the motion to send Ordinance No. 2015-03-029 with recommendation for approval with changes was carried by voice vote.

7. **Smoking Ordinance Amendment Discussion - Alderman Roberts**

Prior to Chair Brown introducing Ordinance No. 2015-03-030, Alderman Smyth made a motion to introduce the Smoking Ordinance Amendment Discussion as the next item to be discussed. Alderman Jakobsson seconded. The motion to discuss the Smoking Ordinance Amendment prior to the remaining Agenda items was carried by voice vote.

Alderman Roberts then presented his position, his reasoning and his proposed changes to amend the current Smoking Ordinance, Ordinance No. 2006-05-068. There was public input following Mr. Roberts' presentation.

Following Public Input discussion ensued. Community Development Director Elizabeth Tyler gave overview of various aspects of the issues at bar. Alderman Roberts followed, discussing his thoughts on the input and discussion on the issues thus far and how future discussions

with landlords, building owners and other persons and entities to resolve the smoking tenancy issues.

Alderman Roberts made a motion to keep the matter in Committee until the next Committee meeting. Alderman Smyth seconded. Discussion resumed, and a decision was reached to keep the matter in Committee for further discussion and/or a report in 5 weeks. The motion to keep the matter in Committee and revisit in 5 weeks was then approved by voice vote.

8. **Ordinance No. 2015-03-030:** An Ordinance Revising the Annual Budget Ordinance for FY2014/15 (JAG Grant) - UPD

Urbana Police Lieutenant Richard Surles gave a brief summary of the purpose of the Ordinance. Following Lieutenant Surles' summary, Alderwoman Marlin made a motion to send Ordinance No. 2015-03-030 to Council with a recommendation for approval. Alderman Smyth seconded. Being no discussion, the motion to send Ordinance No. 2015-03-030 to Council was carried by voice vote.

9. **Resolution No. 2015-03-013R:** Resolution to Authorize Execution of an Amendment to an Intergovernmental Agreement Regarding the Clinton Landfill Permit Application to Accept Polychlorinated Biphenyls (Agreement to Authorize the Hiring of Legal and Technical Consultants to Participate in Any Local Siting Hearing Conducted by DeWitt County Board to Consider Authorizing the Operation of a Chemical Waste Unit in DeWitt County.)- LEGAL

Chief of Staff Mike Monson presented an overview of the purpose of Ordinance No. 2015-03-013R. Following Mr. Monson's presentation, Alderwoman Marlin made a motion to send Resolution No. 2015-03-013R to Council with a recommendation for approval. Alderman Smyth seconded. Being no discussion, the motion to send Resolution No. 2015-03-013R to Council was carried by voice vote.

10. **Adjournment**

There being no further business to come before the Committee, Chair Bill Brown declared the meeting adjourned at 10:30 p.m.

Vicky A. Osborn  
Recording Secretary

\*This meeting was taped.

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

Minutes Approved: April 13, 2015