

URBANA CITY COUNCIL MEETING

MONDAY, JUNE 1, 1992

The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, June 1, 1992 in the Council Chambers of the Urbana City Building.

Present at the meeting were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7.

There being a quorum, the meeting was called to order at 7:30 p.m. by Mayor Jeffrey T. Markland.

In honor of Memorial Day, Mayor Markland led those present in reciting the Pledge of Allegiance.

MINUTES OF PREVIOUS MEETING

Alderman Whelan moved to approve the minutes of the May 18, 1992 regular meeting. The motion was seconded by Alderwoman Barr and carried by a voice vote.

ADDITIONS TO THE AGENDA

Alderman Singer moved to consider item 1 under Old Business, An Ordinance Approving The Annual Budget, prior to item f., Fiscal Year 92-93 Proposed Budget Changes under Reports of Standing Committees, Committee on Environment and Public Safety, to facilitate discussion on budget-related topics reported out of Committee. The motion was seconded by Alderman Pollock and carried by a show of hands vote.

Alderman Smyth moved to consider item h., An Ordinance Revising The Annual Budget Ordinance (Expert Testimony, Legal Division), under Reports of Standing Committees, Committee on Environment and Public Safety, after item e., A Resolution Approving The City Of Urbana Solid Waste Goals And Objectives. The motion was seconded by Alderman Singer and carried unanimously by show of hands vote.

PETITIONS AND COMMUNICATIONS

Richard Winkel, attorney representing Cablevision, addressed the Council in opposition to the proposed Motion Directing Staff To Collect A CATV Message Transmission Tax, stating his position that such a tax would be determined to be illegal and reiterating Cablevision's intent to pass any such tax directly on to Urbana consumers.

John Doctor, General Manager of Cablevision, addressed the Council in opposition to the CATV message transmission tax, advising the Council that contrary to assertions made by Council Members, it is the intent of Cablevision to pass any such tax directly on to Urbana customers.

Alex Foster, 106 Glover, addressed the Council in opposition to A Motion Directing Staff To Collect A CATV Message Transmission Tax.

William Ducey, 1810 Bellamy Drive, Champaign, addressed the Council regarding his position as meter writer with the City and the difficulties he has encountered because of the poor quality of the equipment provided by the City. Mayor Markland suggested that Mr. Ducey direct future complaints through appropriate administrative channels.

OLD BUSINESS

Having been moved and deferred at the May 18, 1992 Council meeting, An Ordinance Approving The Annual Budget was listed as Old Business on the agenda; however, to facilitate discussion, this item had been reordered to be considered under Reports of Standing Committees, Committee on Environment and Public Safety.

REPORTS OF STANDING COMMITTEES

Committee on Administration and Finance

Alderman Pollock reported that the next regular meeting of the Committee on Administration and Finance is scheduled for 7:30 p.m., Monday, June 8, 1992.

Committee on Environment and Public Safety

Alderman Smyth moved to accept the Plan Commission recommendation regarding the approval of a special use permit for the parking lot project and adopt An Ordinance Approving A Special Use Permit To Allow The Expansion Of A Church Use And Parking Lot (Plan Case No. 1472-SU-92: Request by Urbana Assembly of God Church for a Special Use Permit to expand a church use and parking lot at 2502 S. Race Street in an R-3 Zoning District), seconded by Alderwoman Tarr.

Following debate, the motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

Alderman Smyth moved to adopt An Ordinance Authorizing The Mayor To

Execute A Certain Loan Guarantee With The Bank Of Illinois For The Community Recycling Center Entitled "Loan Guarantee Agreement," seconded by Alderman Clark.

Chief Administrative Officer Bruce Walden distributed a new draft of the Ordinance and loan agreement, and requested that the Council substitute these documents for those which were reviewed in Committee and forwarded for adoption. Accordingly, after review of the documents, Alderman Smyth moved to substitute. The motion was seconded by Alderman Pollock and carried unanimously by show of hands vote.

Following debate, An Ordinance Authorizing The Mayor To Execute A Certain Loan Guarantee With The Bank Of Illinois For The Community Recycling Center Entitled "Loan Guarantee Agreement" carried 7-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

Alderman Smyth moved to adopt An Ordinance Revising The Annual Budget Ordinance (Payment to I.S.W.D.A. - \$14,077). The motion was seconded by Alderwoman Barr and carried 8-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr, Whelan and Mayor Markland - 8; voting nay: none.

Alderman Smyth moved to approve A Resolution Respecting The Performance Of The ISWDA Bond Guarantee. The motion was seconded by Alderwoman Barr and carried 7-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

Alderman Smyth moved to approve A Resolution Approving The City Of Urbana Solid Waste Goals And Objectives, seconded by Alderman Pollock.

City Clerk Brookens requested that the motion be clarified to include the following correction on page 1, second WHEREAS clause, to read: "WHEREAS, this principle is recognized in the Urbana Comprehensive Plan, approved by Council Ordinance in 1982, which states the following. . ."

Aldermen Smyth and Pollock affirmed that the motion was intended to include the correction.

Following debate, Alderman Smyth moved to amend the Resolution so that number 5 now reads: "Known disposition of recyclables and promotion of highest and best use of recyclable materials." The motion was seconded by Alderman Singer and carried by a voice vote.

Following further debate, the motion to approve the Resolution, as amended, carried 7-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

Alderman Smyth moved to adopt An Ordinance Revising The Annual Budget Ordinance (Expert Testimony, Legal Division - \$5,000), seconded by Alderwoman Tarr.

Following debate, Mayor Pro Tem Pollock took the Chair and Mayor Markland entered debate.

Following further debate, the Ordinance carried 8-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr, Whelan and Mayor Markland - 8; voting nay: none.

The Chair was returned to Mayor Markland.

The Council recessed at 8:45 p.m. and reconvened at 8:58 p.m. with all members previously in attendance still present.

Mayor Markland stated that An Ordinance Approving The Annual Budget was before the Council from the previous meeting. Alderman Smyth stated that the following motions to amend the proposed budget for FY 92-93 were forwarded from the Committee on Environment and Public Safety.

Alderman Smyth moved to approve the following social service grant allocations:

Central Illinois Children's Chorus	\$ 300
Champaign-Urbana Girls' Club	3,300
Champaign-Urbana Tenant Union	8,100
Correctional Employment Service	2,400
Crisis Nursery of Champaign County	7,000
Don Moyer Boy's and Girls' Club	500
Eastern Illinois Food Bank	3,600
Educational Resources in Environmental Science	300
Frances Nelson Health Center	22,800
Heartland Pathways	300
Prairie Center for Substance Abuse	3,100
Welfare Rights Clinic	2,000
Women's Emergency Shelter	5,400
A Woman's Fund	<u>6,500</u>
TOTAL	<u>\$ 65,600</u>

The motion was seconded by Alderwoman Tarr and carried by a voice vote.

Alderman Singer moved to affirm General Fund expenditures on bicycle safety and the Fighting Back program and transfers to Social Services, and entertain no further motions altering these items, seconded by Alderman Smyth.

Following debate, Alderman Singer requested a roll call vote and the motion carried 7-0 by roll call vote. Voting aye were members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

Alderman Smyth moved to approve a Statement Of Direction Concerning Solid Waste Volume-Based Pricing:

The City Council suggests four steps towards establishment of a comprehensive volume-based pricing scheme:

1. LICENSING: Prepare a draft of improved licensing arrangements with the broadest practical coverage for committee review by June 22, 1992 with an aim to subsequent public review and enforcement no later than September 1, 1992.
2. ZONING: Investigate zoning options to extend coverage of volume-based pricing, retain customer choice and pricing competition, and improve collection efficiency. Any such investigations needed should begin no later than September 1, 1992 and proceed on a schedule which would allow passage of any required ordinances by January 19, 1993, with enforcement scheduled to commence as early as March 22, 1993.
3. QUALITY CONTROL: Prepare an outline of an Urbana waste stream quality control ordinance by June 8, 1992 and a draft ordinance for consideration on June 22, 1992.
4. WEIGH STATION AND INSPECTION AREA: Immediately initiate contacts with owners of potential sites, and make preliminary cost estimates by July 20, 1992 (and outline a regional pollution control facility site application in the absence of other arrangements by the ISWDA).

The motion was seconded by Alderwoman Barr.

Alderman Singer moved to amend the first sentence to read: "The City Council suggests exploring four steps towards establishment of a comprehensive volume-based pricing scheme by the following actions:" The motion was seconded by Alderman Clark.

Following debate, Alderman Whelan offered a friendly amendment to #1,

LICENSING, to add as the last sentence: "The option of using private enterprise to facilitate these goals will be explored." The friendly amendment was accepted by Aldermen Singer and Clark.

Following further debate, the motion to amend carried by voice vote.

The motion to approve a Statement Of Direction Concerning Solid Waste Volume-Based Pricing, as amended, carried by unanimous voice vote.

Alderman Smyth moved to approve A Resolution Rescinding Resolution No. 9192-R32 Concerning The Environmental Management/Insurance Reserve Fund. The motion was seconded by Alderman Pollock and carried by a voice vote.

Alderman Smyth moved to direct staff to pursue all actions necessary, including litigation if required, to insure collection by the cable TV franchisee and payment to the City of Urbana henceforth from July 1, 1992 of the 5% message transmission tax pursuant to Chapter 22, Section 22-44 of the Urbana City Code, seconded by Alderwoman Barr.

Following debate, Alderman Singer moved to table this item to follow the next item, Police Officers and Mobile Data Terminals. The motion was seconded by Alderwoman Barr.

Following further debate, Alderman Singer moved to withdraw his motion to table, with the concurrence of Alderwoman Barr.

A Motion Directing Staff To Collect A CATV Message Transmission Tax was before the meeting.

Following debate, Mayor Pro Tem Pollock took the Chair and Mayor Markland entered debate.

Following further debate, A Motion Directing Staff To Collect A CATV Message Transmission Tax failed 2-5 by show of hands vote.

The Chair was returned to Mayor Markland.

Alderman Smyth moved the recommendation of the Committee on Environment and Public Safety regarding police officers and mobile data terminals to amend the budget to reduce the amount of the tax levy, as proposed by Mayor Markland, by \$25,000 and to include allocations for mobile data terminals (MDTs) and two police officers. The motion was seconded by Alderman Singer.

Following debate, Alderman Pollock moved to amend the motion to remove one police officer (\$45,000), to not include MDTs transfer (\$20,000), delete the General Fund transfer

to Transitional Housing (\$27,000), increase property tax to General Fund (\$37,000), increase transfer from the General Fund to the Tax Stabilization Fund (\$129,000), delete the transfer from the Supplementary Reserve Fund to VERF for the MDTs (\$30,000), delete the General Fund transfer into VERF for purchase of the MDTs (\$50,000), and delete the General Fund transfer into CDBG for overhead (\$15,000). The motion was seconded by Alderwoman Tarr.

Following debate, Alderman Whelan moved to substitute including the purchase of the MDTs, funded from VERF by delaying the purchase of a vehicle, and by transferring \$20,000 from the interest on the Building Fund, seconded by Alderman Clark.

Following debate, Alderman Whelan requested a roll call vote. The motion failed 1-6 by roll call vote. Voting aye was: Whelan - 1; voting nay: Barr, Clark, Pollock, Singer, Smyth and Tarr - 6.

Following further debate, Mayor Pro Tem Pollock took the Chair and Mayor Markland entered debate.

Following debate, the motion to amend the motion to remove one police officer (\$45,000), to not include MDTs transfer (\$20,000), delete the General Fund transfer to Transitional Housing (\$27,000), increase property tax to General Fund (\$37,000), increase transfer from the General Fund to the Tax Stabilization Fund (\$129,000), delete the transfer from the Supplementary Reserve Fund to VERF for the MDTs (\$30,000), delete the General Fund transfer into VERF for purchase of the MDTs (\$50,000), and delete the General Fund transfer into CDBG for overhead (\$15,000) failed by show of hands vote.

The Chair was returned to Mayor Markland.

Alderman Singer moved to amend the main motion to remove two police officers (\$90,000), to not include the MDTs transfer (\$20,000), to increase the property tax levy to the General Fund (\$25,000), to delete the transfer to the General Fund from the Building Fund (\$6,000), to increase the transfer to the Tax Stabilization Fund (\$129,000), to delete the transfer from the Supplementary Reserve Fund to VERF for MDTs (\$30,000), and to delete the expenditure or transfer into VERF for purchase of the MDTs (\$50,000). The motion was seconded by Alderman Pollock.

Following debate, Alderman Singer moved to close debate. The motion was seconded by Alderwoman Barr and carried by show of hands vote.

The motion to amend the main motion failed by voice vote.

The Council recessed at 10:50 p.m. and reconvened at 11:00 p.m. with all Members previously in attendance still present.

Mayor Markland ruled that, pursuant to Council rules governing 11:00 p.m. adjournment, a motion to extend the meeting would be in order.

Alderman Pollock moved to extend the meeting to 11:30 p.m. The motion was seconded by Alderman Clark and carried by a voice vote.

A motion to approve the recommendation of the Committee on Environment and Public Safety to amend the budget to reduce the amount of the tax levy, as proposed by Mayor Markland, by \$25,000 and to include allocations for MDTs and two police officers was before the Council.

Alderman Pollock moved to substitute a motion to remove the two police officers from the recommendation. The motion was seconded by Alderman Clark and carried by a voice vote.

Alderman Singer moved to reconsider the A Motion Directing Staff To Collect A CATV Message Transmission Tax. The motion was seconded by Alderman Smyth.

Following debate, Mayor Pro Tem Pollock took the Chair and Mayor Markland entered debate.

Following further debate, the motion to reconsider failed by voice vote.

The Chair was returned to Mayor Markland.

Alderman Pollock moved to recommend the purchase of MDTs, as recommended by Mayor Markland. The motion was seconded by Alderman Clark and carried by a show of hands vote.

Alderman Singer moved to increase the property tax levy by \$20,000 and to fund the MDTs through a transfer from the General Fund into VERF. The motion was seconded by Alderwoman Barr and failed by a show of hands vote.

Alderman Smyth moved to reduce the transfer into the Tax Stabilization Fund by \$45,000 to fund the salary of one additional police officer. The motion was seconded by Alderman Whelan and failed by a voice vote.

Alderman Singer moved to affirm the expenditures for the MDTs from the General

Fund and to entertain no further motions concerning this item. The motion was seconded by Alderman Smyth.

Following debate, Alderman Singer requested a roll call vote. The motion failed 2-5 by roll call vote. Voting aye were Members of the Council: Tarr and Pollock - 2; voting nay: Barr, Clark, Singer, Smyth and Whelan - 5.

Alderman Singer moved to increase the property tax levy by \$45,000 to fund the salary of one additional police officer. The motion was seconded by Alderman Smyth and failed by a voice vote.

Alderman Smyth moved the recommendation of the Committee on Environment and Public Safety to include within the Building Fund an allocation of \$475,000 to be released by Council Resolution for the construction of the Public Works/Engineering annex and to include \$1.5 million bond revenue in the TIF III Fund. The motion was seconded by Alderwoman Barr.

Following debate, Alderman Pollock moved to separate the question, seconded by Alderman Whelan.

Following further debate, the motion to separate failed by voice vote.

The time being 11:30 p.m. and in accordance with Council rules, Mayor Markland ruled that a motion to extend the meeting would be necessary.

Alderman Whelan moved to extend the meeting for 30 minutes. The motion was seconded by Alderman Pollock and carried by a voice vote.

Alderman Whelan moved to amend the motion to include only \$.5 million in bond revenue in the TIF III Fund. The motion died for lack of a second.

Following debate, Alderman Whelan moved to amend the motion to include only \$1 million in bond revenue in the TIF III Fund. The motion was seconded by Alderman Pollock and failed by a voice vote.

Following further debate, Mayor Pro Tem Pollock took the Chair and Mayor Markland entered debate.

The motion to include within the Building Fund an allocation of \$475,000 to be released by Council Resolution for the construction of the Public Works/Engineering annex and to

include \$1.5 million bond revenue in the TIF III Fund carried 4-3 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Singer and Smyth - 4; voting nay: Pollock, Tarr and Whelan - 3.

Alderman Smyth moved to adopt An Ordinance Amending Section 24-16 Of The Urbana City Code Relating To Sewer Use. The motion was seconded by Alderwoman Barr and carried 6-1 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth and Whelan - 6; voting nay: Tarr - 1.

Alderman Pollock moved to Reduce the Environmental Management Fund "garbage use fee" revenue estimate from \$50,000 per month to \$25,000 per month, or on an annual basis from \$600,000 to \$300,000. The motion was seconded by Alderman Singer and carried by a voice vote.

Alderman Singer moved to affirm the remaining Environmental Management Fund expenditures and to entertain no further amendments to Environmental Management appropriations. The motion was seconded by Alderman Smyth.

Following debate, Alderman Singer requested a roll call vote.

The motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

Alderman Pollock moved to close debate and to call the question regarding An Ordinance Approving The Annual Budget. The motion was seconded by Alderman Whelan and carried by a voice vote.

An Ordinance Approving The Annual Budget, as amended, carried 7-0 by roll call vote. Voting aye were Members of the Council: Barr, Clark, Pollock, Singer, Smyth, Tarr and Whelan - 7; voting nay: none.

ADJOURNMENT

Since it was 12:00 midnight and no further motions were made to extend the meeting, Mayor Markland declared the meeting adjourned at 12:01 a.m., Tuesday, June 2, 1992.

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Jeffrey T. Markland
Mayor

Ruth S. Brookens, City Clerk

*This meeting was taped.

**This meeting was broadcast on cable television.