

COMMITTEE ON ENVIRONMENT AND PUBLIC SAFETY

APRIL 24, 1995

Committee Members Present:

James Hayes, Esther Patt, Michael Pollock, Marya Ryan
(Chairperson), Clifford Singer, John Taylor, Joseph Whelan

Committee Members Absent:

None

Staff Members Present:

Bruce Walden, Jack Waaler, Rod Fletcher, Bill Gray, Chief
Adair, Bruce Stoffel, Reed Berger, Craig Grant, Ronald
Eldridge, Phyllis Clark, and Mayor Satterthwaite

Others Present:

Laura Huth, Kurt Gross, Ralph Langenheim, Linda Applegquist,
Howard Wakeland, Jeff Warren, Ronald Peters, Earl O'Shea,
and Members of the News Media

Meeting Location:

Urbana City Council Chambers

There being a quorum, Chairperson Ryan called the meeting to
order at 7:35 p.m.

Additions to the Agenda and Staff Report

Mr. Pollock moved to consider item 6. CDBG Budget/
Consolidation Plan and item 8. TIF-3 together. The motion was
seconded by Mr. Taylor and carried by a voice vote.

Mr. Pollock moved to delete item 10. Free Standing Signs.
The motion was seconded by Mr. Taylor and carried by a voice vote.

Chief Administrative Officer Bruce Walden stated that staff
is not prepared to discuss item 7. Vicious Dogs.

Chairperson Ryan moved to delete item 7. Vicious Dogs from
the agenda. The motion was seconded by Ms. Patt and carried by a
voice vote.

Mr. Walden proposed that the first three meetings to discuss

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the budget be organized so that the first meeting on May 3rd consist of an overview, Police Department changes, and Public Works initiatives. On May 10th, the Fire Department, Community Development, and the remaining departments would present their changes. On May 17th, the Library and the Economic Partnership would present their budgets.

Mr. Pollock moved to accept Mr. Walden's schedule for the budget meetings. The motion was seconded by Ms. Patt.

Mr. Singer moved a substitute motion that there be one meeting on Wednesday, May 3rd and have the rest of the budget meetings at regularly scheduled Committee/Council meetings. The motion was seconded by Mr. Taylor and failed by voice vote.

The motion to accept Mr. Walden's schedule for the budget meetings carried by a voice vote.

Mr. Whelan moved to have the budget sessions covered by cable television. The motion was seconded by Mr. Singer and carried by a voice vote.

Minutes of Previous Meeting

Ms. Patt moved to approve the minutes of the March 27, 1995 regular meeting. The motion was seconded by Mr. Hayes and carried by a voice vote.

Public Input

Laura Huth, 504 1/2 E. Elm; Kurt Gross, 604 Eliot; Ralph L. Langenheim, 401 W. Vermont; Linda Applegquist, 204 Pell Circle; Howard Wakeland, 2213 Combes; and Jeff Warren, 2808 N. Lincoln; addressed the Committee regarding the Solid Waste/Recycling issues.

Ronald Peters, 2034 Burlison, addressed the Committee regarding the Community Development Block Grant and the Youth Job Training Program.

Earl O'Shea, 606A South Glover, addressed the Committee on the topic of better government and his problems with his neighbor, Jeff Cross.

An Ordinance Amending Chapter Twenty-Two Of The Code Of Ordinance, City Of Urbana, Illinois Establishing A Recycling Tax For Residential Dwellings

Chairperson Ryan noted that there would be no vote on any of the solid waste issues at this meeting.

City Attorney Jack Waaler stated that he had received a letter from Glenn Stanko, attorney for the Waste Haulers, in which he indicated that one of his concerns is that the way the ordinance was written, the City came dangerously close to creating a real estate tax. Under the Illinois constitution, a real estate tax can only be based on valuation.

After Mr. Stanko's criticism, Mr. Waaler and Assistant City Attorney Tom Lindsey reviewed what had been drafted and decided to revise it into the form it is in now.

The basic difference is that this proposal is a tax on the privilege of occupying a dwelling unit in the City of Urbana. The obvious way of having it collected is the same way that hotel/motel taxes are collected from the renters of a room, which is have the person who rents the room to the person collect the tax. It is the burden of the owner of the real estate to collect the tax and be accountable to the City.

The concept of imposing a lien as a means of collecting the tax has been dropped because ample means of enforcing the collection of the tax has been built in.

In response to Mr. Whelan's question regarding when it was decided to call this a tax, Mr. Whelan said the title is not really significant but it was decided that if and when it does get to Court, the Court would probably label it a tax.

Ms. Patt noted that dormitories, hotels, motels, and nursing homes have been excluded from the tax and inquired if a fraternity is considered a dormitory? Mr. Waaler stated that under this ordinance a fraternity is considered a dormitory.

In response to a question from Mr. Singer, Mr. Waaler stated that both he and Mr. Lindsey had spent a great deal of effort researching case law to determine if there was a problem with the previous ordinance.

In response to Mr. Singer's question as to whether or not this tax is deductible on income tax, City Comptroller Ron Eldridge stated that it is not.

Mr. Taylor moved to add the following language to 10.31 A "the haulers best estimate, based on its good faith effort, of the total number of daily collections made from recyclable materials" and amend 10.31 B with the same language "the haulers best estimate, based on it good faith effort, of the number of quantity by weight". The motion was seconded by Mr. Whelan.

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Following debate, the motion failed 2-5 by roll call vote. Voting aye were Members of the Committee: Singer and Taylor - 2; voting nay: Hayes, Patt, Pollock, Ryan, and Whelan - 5.

Mr. Taylor moved to amend section 10.75 by deleting items B and C. The motion was seconded by Mr. Whelan.

Mr. Taylor stated that he made the motion to essentially allow the private haulers who are collecting recyclables to collect from the curb on any day they want to. One of the haulers is buying equipment which allows him to pick up garbage and recycling at the same time.

Ms. Patt stated that it does not enhance the City to have recyclable cans on the street every day of the week. Haulers can pick up recyclables any day of the week at the back door.

Mr. Whelan stated his support for the motion.

Mayor Satterthwaite stated his agreement with Ms. Patt.

Following further debate, the motion failed 2-5 by roll call vote. Voting aye were Members of the Committee: Taylor and Whelan - 2; voting nay: Hayes, Patt, Pollock, Ryan, and Singer - 5.

Mr. Singer moved to amend A Resolution Regarding Residential Recycling by add "and municipal waste" following "that the Director of Public Works take the necessary steps for the Council to be able to consider a contract or contracts for the curbside collection of recyclable materials". The motion was seconded by Mr. Pollock.

Mr. Singer stated that the Committee should give serious consideration to allowing haulers to pick up cans of solid waste from the curb.

Mr. Pollock stated that Legal staff has said this is a potential legal problem because it makes a uneven playing field between the private sector and a City contractor that would have an advantage in that situation.

Ms. Patt stated that those people who are opposed to having recycling on the curb every day of the week would be even less happy about having garbage on the street every day. This package of ordinances is a genuine compromise.

Mayor Satterthwaite stated that this would put the plan back to square one as we search out alternatives for collecting solid waste. At this point we do not want to start considering other options. Ms. Patt's statement makes a point, this package of

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ordinances is a genuine compromise.

Mr. Whelan stated that the fact is that the City is redesigning a system that has worked well for a long time.

Following further debate, Mr. Singer's motion to insert "municipal waste" into the resolution regarding residential recycling failed 1-6 by roll call vote. Voting aye were Members of the Committee: Singer - 1; voting nay: Hayes, Patt, Pollock, Ryan, Taylor, and Whelan - 6.

Chairperson Ryan questioned why item C of section 10-31 was deleted on the Rod Fletcher/Tom Lindsey memo of April 20, 1995?

Rod Fletcher stated that the reason for that deletion was that it was felt that it would serve to complicate any potential litigation that might be forth coming. Mr. Stanko, attorney for the waste haulers, stated that he feels this reporting information is not necessary.

In response to Ms. Ryan's question regarding the potential legal complication, Mr. Fletcher stated this was originally included to determine information regarding service levels of the City in terms of once a week collection versus twice a week collection. This particular clause was generated at that time. At this point in time, it is felt that that particular information may not be of interest to Council, and since Mr. Stanko felt it was an infringement of proprietary information of the haulers, staff has recommended that it be deleted.

Mr. Singer moved to reinstate 10-31 C Reports. The motion was seconded by Chairperson Ryan, and carried by a voice vote.

Mr. Singer moved to send to Council An Ordinance Amending Chapter 22 Of The Code Of Ordinances, City Of Urbana, Illinois Establishing A Recycling Tax For Residential Dwellings. The motion failed due to a lack of a second.

Following further debate, Chairperson Ryan declared a brief recess at 9:31 p.m. The meeting reconvened at 9:39 p.m. with all Members of the Committee previously in attendance still present.

Miscellaneous Building Safety Codes

Building Safety Division Manager Craig Grant presented an overview of four specific areas that are being recommended to modify the BOCA model codes. These suggestions are based on a year of use of ordinances as adopted by Council.

1. Fire alarms - there was a need to eliminate a requirement that was redundant. It has been found that there is a better level of protection with sprinkler systems than with automatic alarms.
2. Elimination of a conflicting height of build provision under the conflicting definition of story above grade, so that for purposes of the type of electrical wiring used, a building is evaluated the same as for other code provisions.
3. This deals with below grade plumbing fixtures. They are restricted from residential uses and it is being recommended that they be protected with back flow valves for commercial or industrial occupancy.
4. Mobile home skirting - trying to eliminate some archaic language from non-combustible to the types of skirting that is readily available.

Following debate, Mr. Taylor moved to send the proposed revisions to Council. The motion was seconded by Mr. Pollock and carried by a voice vote.

CDBG Budget/Consolidation Plan

Community Development Director April Getchius stated that the one of the purposes of the plan is to combine the four Federal funding sources: Community Development Block Grant, HOME monies, Emergency Shelter Grant (ESG), and Housing Opportunities for People With Aids (HOPA). The purpose of the plan is to focus these monies to make sure there is an inter-relationship among the programs.

The housing component of the plan is a five year plan which replaces the CHAS, which was approved by the Council in 1993. The non-housing component replaces the Community Development Plan adopted in 1975.

The goals of the Consolidated Plan are to provide decent housing, a suitable living environment, and expand economic opportunities as well as make sure those programs inter-relate.

The document will also serve as the application for the Community Development Block Grant and HOME monies.

Community Development Division Manager Bruce Stoffel expanded upon the citizen participation aspect of this plan by stating that citizen participation is a major HUD regulation and one that the

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City and Commission have been promoting for years.

The most important section is the five year strategies section. This serves as a backdrop for the annual plan. HUD will be eliminating the various reporting plans and moving to a performance based evaluation system. The City sets the strategies and is judged against them. Those cities that fair well have the potential for bonus merit funding.

The strategies are divided into five sections: affordable housing, homelessness issues, supportive housing for people who are not homeless but need supportive housing environment, non-housing Community Development issues, and program delivery issues.

The strategies under affordable housing include an increase in section 8 type rent assistance programs, the support for Federal low income housing tax credit projects similar to Prairie Green and Rainbow projects. Homelessness programs have expanded greatly.

Economic development is a major theme. The number one service that has been requested in various CD surveys has not been for housing or for infrastructure, but for economic development in jobs. Job creation is critical to provide dignity for households assisted.

Also included in this report are capital improvement goals, expansion of subsidized child care, and non-housing plan.

Mr. Stoffel stated that under program delivery, it is recommended that to be able to undertake the strategies, the City look at a potential shift in the CD Division; that energies be shifted over time, from one of service delivery to one of program management. One recommendation would be to change the title of the division from CD Division to Grants Management Division to better reflect the responsibility of the Division; secondly, to support the development of community housing development organizations. The plan does not recommend the acknowledgement of just one community housing development organization to use our HOME Funds.

In addition to program delivery, staff is recommending that the Council establish a comprehensive policy on social service funding. There is a lot of confusion regarding what the City funds and what Cunningham Township funds. The CD Commission needs direction from Council regarding what social services agencies it should consider funding.

The Community Development Division recognizes the important involvement with the Housing Authority of Champaign County, and in particular it recognizes the efforts to improve management systems that have been made by the Authority in the past three or four months.

The Commission supports City involvement in the selection of the board members for the Housing Authority.

In response to a question from Mr. Hayes regarding how long the area designated a low income area will carry that designation, Mr. Stoffel stated that is a very difficult question to answer, that is one reason why more emphasis is being put on economic development so that we look more at economic issues.

Mr. Hayes questioned whether, since the plan is to eliminate the public housing units with single dwelling units, the funds will be spent to update those units rather than use the money to replace them one on one and, since Lakeside Terrace and Dunbar Courts have a total of 125 units, will there be spaces for these people?

Mr. Stoffel stated that would be something to be considered over the five year planning period. The intent is to provide better living environment for the people in public housing.

Ms. Patt inquired if the intent of strategy E3 on page 123 is to direct social service funding more specifically to Community Development projects and/or to certain census tracts rather than to the broad range of services now supported by City and Township?

Mr. Stoffel stated that the intent is to ask that Council establish a policy on funding that it would use broadly for social services, be it City, Township, or Community Development funds and to establish some sort of policy on a joint, common application procedure so agencies could best access those funds.

Mr. Stoffel stated that there are errors in the budget document. On page 129, the intent of the Commission was to delete Transitional Housing Program, \$17,500. On page 130, under Economic Development, what is shown as Small Business Development Program should be \$25,000 rather than \$30,000.

Mr. Stoffel stated that Community Development used four basic ground rules in establishing the budget:

1. Try to focus the limited funds on activities that would have a high impact.
2. Try to pursue collaboration in funding; work with other agencies to avoid duplication and stretch resources.
3. Try to leverage additional funds.
4. In developing the plan, there is a citizen participation component.

In regard to personnel and staffing, Community Development Block Grant and HOME Budget are shown in the report. The Community Development Division has other grants that support staffing for the coming fiscal year which include small rental properties program, supportive housing program, as well as the existing transitional housing program.

Proposed personnel changes are:

- Reduction of a Rehabilitation Specialists from full time to half time and transfer that half time position for a one year period to work with Building Safety and the City Building Construction Project. It is hoped that that one time change can be supported and that in the future rehab dollars will be as such to make it possible for a full time position.
- Addition of a full time clerk typist to the CD Division that would replace efforts currently done by Staff Assistant and a part time clerk typist.

Regarding the youth job training, there are several instances in the commission budget that are vague because the commission feels we need more time as a community to develop adequate responses in these areas. Youth job training is one of those areas. The Commission has had extensive discussions regarding youth job training and there is a consensus that there is a lack of adequate vocational technical training for individuals in the age group of 18-25. Solutions for this situation are being researched.

An area in which the community has a strong need is a small business development center that would provide on going assistance in business development. There have been discussions from Champaign, the Chamber of Commerce, and Banks interested in investigating the center that was operated at Parkland in the past.

There will be no new grants made to the Neighborhood Organization Grants. The funds shown in this budget are a carryover from the previous budget.

As the lead entity for the HOME Consortium, the general administrative expense are subject to our review.

Following debate, Mayor Satterthwaite stated that it is important to keep the transitional housing program in the block grant budget. The City has a contractual obligation to perform this program and he would like to see it returned to the block grant budget.

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Following further debate, Ms. Patt moved to extend the meeting until 11:30 p.m. The motion was seconded by Ms. Ryan.

Mr. Pollock suggested a friendly amendment that if the motion fails, the rest of the issues on this agenda be put on the agenda of the Committee on Administration and Finance, on Monday, May 8 and CDBG/Consolidation Plan to be on the agenda of the City Council meeting on May 1. The amendment was acceptable to the mover and the seconder.

The motion to extend the meeting failed by a show of hands vote.

There being no further business to come before the Committee, Chairperson Ryan declared the meeting adjourned at 11:00 p.m.

Respectfully submitted,

Elaine Taylor
Recording Secretary

**This meeting was broadcast on cable television.