

CITY OF URBANA
COMMITTEE ON ADMINISTRATION & FINANCE - MONDAY, AUGUST 14, 1995
CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL

COMMITTEE MEMBERS PRESENT: James Hayes, Jr., Vice Chairman; Esther Patt; Marya Ryan; Clifford Singer; John Taylor; Joseph Whelan, Jr.

COMMITTEE MEMBERS ABSENT: Michael Pollock, Chairman (excused)

STAFF MEMBERS PRESENT: Tod Satterthwaite, Mayor; Phyllis Clark, City Clerk; Bruce Walden, Chief Administrative Officer; Jack Waaler, City Attorney; Eddie Adair, Chief of Police; Mathew Webber, Division Officer-UFD; William Gray, Public Works Director; April Getchius, Community Development Director; Bruce Stoffel, CD Division Manager

OTHERS PRESENT: Delroy A. Robinson; Jayna Caroline; Suong Ives; Roger Dunlap; Tracy Parsons; Media

There being a quorum, Vice Chairman Hayes called the meeting to order at 7:35 p.m.

1. Additions to the Agenda and Staff Report

Ms Patt suggested moving agenda item #10 (Job Training Initiative) after #3 (Public Input).

2. Minutes of Previous Meeting

Vice Chairman Hayes moved to approve the minutes of July 10, 1995. Ms Patt seconded.

Mr. Whelan questioned the minutes.

At the request of Alderpersons Whelan and Singer, the following discussion is verbatim.

WHELAN: I object to the minutes of the meeting previously. Although I wasn't here, I find that the minutes are used throughout to accomplish two or three things. One of them is certainly to defend Ms Clark and the actions that she used in hiring Ms Roberts and to criticize me. It's used as an apologetic rather than as a strict accounting of the meeting. The verbiage is very much in detail in supporting Ms Clark, and criticizing and nullifying me. And I take a point of personal privilege, Mr. Chairman, in objecting to the way these minutes were used. I think it is an improper use of Ms

Clark's office as City Clerk. And that is self-serving. It personally attacks me. And I must say that I would like to address the questions that were raised.

It seems to call for, in the minutes, consistently for closure of the issue. You'll notice that since I came back and learned that there was some great concern about it I did not intrude upon the question again. I didn't want to offend a lot of people with that misperception of my purpose. And I'm very sensitive to that. You may recall that I have in the past complimented Ms Roberts. My first reaction when she was hired was one of great satisfaction. I thought, how wonderful. I've worked with her for years and I have a lot of respect for her. I didn't know, the way she was hired, I didn't know that there was no publishing of the job; no interviews of other people. And I didn't know that the salary was so inordinate. That is to say \$700 a month more, or a year rather, more than the previous clerk or assistant secretary was making. I believe in the closed session we had it was one of the other members, maybe Mr. Singer or somebody else, that brought up the issue. I never raised it because I didn't know about it. When I found out about it, and it's with great pain, and I told Ms Roberts that before this meeting, that I'm bothered because I had to make the point. It is not easy to do that when you're talking about a friend. And I consider her previous years of time a friend. The thing that brought me to that point was that we were committed, in our ordinance it says in the preamble, we are committed to a city which provides equal opportunity and nondiscrimination at all levels of city government. That is the spirit of the law, equal opportunity. I was concerned with the thought that there wasn't really equal opportunity here. There was, certainly, affirmative action. And that didn't even bother me. The way the ordinance was drafted I voted for it because I thought that there are many people who are under; many talents that we are not hiring that we could in the community that perhaps affirmative action would satisfy. This wasn't in anyway, though, equal opportunity, which our ordinance defends. I asked the Council to put this on the agenda to see if it was wrong; not to throw stones. I have never said in public nepotism. Although, the press asked me about it and we got into a discussion about the thought. I never said here at the Council meeting anything like

that. The criticism that was leveled at me by Ms Ryan is something that we do not do at this Council. We have never done before. And that is to call somebody with invectives like vile and despicable. And even though we do things in partisan ways, we do not level those criticisms at people. I would have no thought of doing that to any one of you. Chairman Pollock stated that it was very clear to him that there was no violation of any kind in the Clerk's office, but he said that I violated the Council's traditions by making this public. I didn't make it public. The press came to me. Ask Mike here. I made it public before. He came to me and said that somebody told him about it. I didn't make it public. But when I was asked about it, I told him what I thought about it. I thought it had already been made public. So the criticism by Mr. Pollock of me is unfair. Mr. Singer tries to highlight the fact that it should be written that, and Ms Clark has approved changing her policy in the future. Well, if she's going to change her policy, why would she change it if she didn't think that it was somehow improper. The Mayor even thought the salary increase was improper when he didn't include it in his budget. There's something wrong here when we can't discuss these things in public when we're dealing with city tax money. And we have to guard that very carefully. I think that if there's some criticism to be laid, then it should be laid fairly and the person who might be criticized might say, gee, you know I think I made a mistake. We can correct that. And in all honesty that's all it takes. But for us to do these things behind closed doors and to not make them public and to not want to discuss them I think reflects on the whole Council on the integrity, of not only the whole Council, but even on the Mayor who, although he knew this was incorrect, he didn't do anything to really stop it. I wonder if an inordinate raise was given to Ms Roberts, why wasn't a raise given to Ms Taylor who has worked there for a long time. Ms Roberts was given the salary increase of \$700 above the previous employee who had worked for years to attain that salary. She was then given also the 3.25 percent increase plus a \$600 deputy clerk's salary. That's an inordinate raise that brings her to a level higher than any other secretary in the city. And that's after those people have worked in those jobs and those skills for years. I think that Ms Roberts is a skilled person and I know it. And I know she is a woman of fine integrity and a person of great character. But for her to receive that

salary I think is inordinate. And I think we have to be the guardians of those dispensing of taxpayers money.

The minutes call for closure and call for it needing not to come up again. And I think that I really struck a chord here and I was concerned about that because apparently a lot of people who I respect who came to that meeting were somewhat incensed. They thought that I was attacking Ms Clark. I wasn't attacking Ms Clark personally. I was attacking her because basically I think that we gave an inordinate salary to a person who hadn't earned that salary yet. And it was done without using the precedent that Ruth used before; Ms Brookens used before. And that was she published the job and she interviewed other people. That was the precedent.

And Ms Clark did not accept the precedent. Even though it is not a law. She did not break the law. She broke what I consider the trust of the people by giving an inordinate salary to a relative. And the appearance of that is even bad.

I wanted to respond to that. I want the minutes, please, to reflect my statements verbatim, as well as you have the attacks on me.

HAYES: Any other questions on the minutes? Ms Patt.

PATT: I think that the minutes; I was at the meeting and the minutes that we are discussing are an accurate record of what happened, although a lot is left out. It states on page 2, third paragraph: "Those persons who indicated their support, for the record, were ...", and it lists their names, though it doesn't say any of their comments. Jennifer Putman pointed out that Deborah Roberts had been working for the City for 19 years and spoke to the criticism in a News-Gazette editorial, "All In The Family", as though the issue here was the hiring of a relative without any regard to the fact that this is an issue of promoting a person in the city to a hirer position. John Lee Johnson pointed out, and I'm glad to hear Mr. Whelan say it now, that no law has been broken and that it is by law the prerogative of the City Clerk to appoint, which she did. Catherine Hogue actually made a very excellent point, which I wish had been reflected in the minutes, and that is that Deborah Roberts should have been promoted a long time ago. And I have to say, as far as this incorrect portrayal that an inordinate raise was

given to Deborah Roberts, it is a sad statement of the economic situation of women in our society that after working for the City of Urbana for 19 years, a worker was making only \$22,000 a year. And, granted, upon promotion, Deborah Roberts is now making 34 cents an hour more than her predecessor, who was hired by the previous Clerk. But I think after working some place for 19 years, that type of seniority ought to merit a pay differential of 34 cents an hour over one's predecessor. And when we look at the salary rates of people in the City who make a great deal more than our secretaries or our deputy clerk, who by the way is not a secretary but a deputy clerk, then I think that talking about the amount that the salary jumped with the promotion is still something that is not unprecedented and that it's not even that unusual a dollar amount compared to the raises other people around here have gotten, right up to the top.

I'd also like to say that on the subject of the criticism of the Mayor, I think that is just totally unfounded. We all were here. It's very upsetting when people portray to the public something that happened in a different way than what it really happened. The reason that this was discussed in public was because the Mayor brought it up. The Mayor and the City Clerk had a disagreement about their respective authorities with regard to hiring and with regard to the budget. And the City Clerk prevailed on the hiring issue, because that is her prerogative as City Clerk. And the Mayor prevailed on the budget issue because that is his prerogative as Mayor. And the way they resolved their difference was by agreeing to bring it before us, the City Council, and we looked at the facts. And the facts are that Deborah Roberts had been an employee, at the time, of the City of Urbana for 18 years. And the fact was that the salary proposed was, granted \$700 a year more, but that translates into 34 cents an hour more than the predecessor. And the fact is that we all thought it was a reasonable decision to make. And that is why the City Council approved that dollar amount and upon our approval the Mayor included that change in the budget in his list of amendments that he proposed to us. So I don't think we're going to have closure on this. I think we're just going to keep on hearing about it forever. But if we are, and as long as we are, I think we should stick to the truth and the facts.

And one last thing, the portrayal, as far as this relative thing, it is so ridiculous, it is so ridiculous to try to portray someone who is so distantly related to another person to even try to present that as nepotism. I wish that, if someone was really concerned about fair play I'd like to hear some complaints about one of the finest public servants in our community, the director of the Attorney General's office, being fired so that the Republicans can put in one of their lackeys instead. I think that's the type of thing ... And at a much higher salary rate than \$27,000 a year.

HAYES: Can we stick with the approval of the minutes? Any other questions?

PATT: I apologize.

HAYES: Any other questions? Mr. Singer.

SINGER: I do have a motion. I would like to move to strike, on page 3, to strike the last sentence in the first paragraph concerning the imputed intentions behind the events, and also the last paragraph in section 4 starting Chairman Pollock. And if I get a second for this I will explain why.

WHELAN: Second.

SINGER: The motion is to strike the second line on page 3, and the paragraph that is right above section 5. The reason for that is because these contain an ad hominem attacks. Ad hominem comments, let me call them. And I, myself, have done this twice in this chamber, and I'm trying to put an end to the practice as I walk out; once to Mr. Whelan, and I apologize humbly for doing that, and once to my missing colleague here, and I apologized, I thought humbly for that, although it wasn't taken that way. It is against the rules and I should have objected at the time, I must say. I'm not sure about the second line up here, but some of this is against the rules to make ad hominem attacks in referring to, particularly referring to another member in an elected body by name, is actually not allowed and is context under Roberts Rules of Order. And had the person been here it would have been an (slightly misstated at best). Maybe it's cautioned against. And we'll get the information on that shortly I expect. Had the person been here it certainly would have been

appropriate to raise the point of personal privilege about some of these things. So I think that it is appropriate to strike these. There may be a motion to separate, since one of the comments, one person is here and the other person isn't here. And I would certainly encourage the author of the second set of comments to move to reintroduce them into the minutes, if he feels that's appropriate, which would be possible to do. But I do not think it's appropriate for these to stand. Not strongly. And there are reasonable points of view on whether or not this is appropriate. I don't say that the rules are a hundred percent clear on this.

I would, while you're pondering that, like to add that I do not know the name of a single one of my third cousins. Not a single one. And I own an entire family tree that was researched by my aunt. And if anyone is willing pass to me the names of more than half of their third cousins, then I will reconsider my comment that I agree with Ms Patt that bringing up nepotism in this context is literally absurd. Because I would not, if someone were appointed to this council, and I come from this state, under certain extent from this area, if someone were appointed to a position for this city, I would not have the foggiest idea if they were my third cousin. My grandfather changed his name. Everybody else is married out of the family. I really would not know. My great grand ... somebody in my family changed their name somewhere back there. So ... Really, absolutely, totally off the wall, that particular comment. Questions of salaries that are appropriate positions are reasonable things to discuss, but that is not, I think, by any reasonable standard, something that should be discussed here.

I would like, and this is going to make me unpopular but I would like to say, that the previous speaker stated the issue of the facts reasonably clearly, but not the essence of what was behind facts. The essence of what was behind the facts, and I know that this is the case, was that this item was brought forth in budget in order to send a message. And that message was replied to at the meeting. And it was replied to very clearly in the meeting. And if you didn't get the message then you really weren't listening. But it was replied to very clearly. And the reply was no. And the speaker who's being criticized in here was the predictable messenger to the press of this message as originally sent. It would never have been noticed,

this whole thing never would have been noticed had not this item been stuck in the budget in order to send a message to the Clerk's office. And the responsibility for that lies squarely with the Administration. They have paid for it. And they may continue to pay for it. I hope not. And I hope it never happens again. But you're really pointing finger at the wrong person here.

HAYES: There's a motion by Mr. Singer, seconded by Mr. Whelan. Any questions on the motion? All in favor say aye.

(Unison): Aye.

HAYES: Opposed? It carries. Now the original motion.

SINGER: One more technical correction on page 4, "Mr. Singer presented." It doesn't make any sense. Can we strike that by unanimous consent? Item 7.

HAYES: Back to the original motion, the approval of the minutes. All in favor say aye.

(Unison): Aye.

HAYES: Opposed? The minutes are approved.

***** End Verbatim *****

3. Public Input

Delroy Robinson, Urban League, addressed the Committee on the topic of adult employment training.

Suong Ives, Time Warner Cable, also addressed the Committee regarding adult employment training and explained Time Warner's involvement in the partnership.

Roger Dunlap, Coldwell Banker Devonshire Realty, addressed the Committee concerning the Eads at Lincoln Development.

10. Job Training Initiative

Mr. Stoffel presented staff's report to the Committee. Mr. Stoffel explained that the training initiative was developed by staff in conjunction with the Community Development Commission in accordance with the Consolidated Plan adopted May 1995 by the Urbana City Council. Staff is now seeking direction from Council prior to proceeding with subgrantee agreements necessary to

implement a job training program.

Mr. Robinson (Urban League) stated that they are leaving it up to the City to set the standards for the program.

Tracy Parsons, President of the Urban League, stated that they are trying to put in place a way to provide "who's working and who's not." This program would enable them the opportunity to evaluate the working force problem.

4. Street Closure Aspects of Carle Master Site Plan

Mr. Waaler did a drawing presentation to the Committee and briefly explained the difference between vacating and closing a street. All of this was directed to the topic of Carle's proposal.

Following debate, Mr. Whelan inquired if it were possible to enter into a partnership with Carle. For clarity, if the City decided to improve what has been closed, who makes the improvement; who has the say and pays the bill. Mr. Waaler responded that under home rule authority you can have any type of agreement you want as long as it is not bizarre and still advances the public's interest.

Ms Patt inquired if the City could vacate and then rent to a separate entity. Mr. Waaler responded that he did not believe the City could rent right-of-way, even under home rule authority.

Following debate, Mr. Singer made a motion to request staff to take to Carle an alteration of the agreement which deletes the last paragraph on page 16 and includes Section 317 which would read: "Carle agrees that no compensation shall be due to them upon the City deciding to reopen streets closed under this agreement."

Mayor Satterthwaite pointed out that staff is still working on this issue and it is in draft form. He stated that it would be inappropriate to make a motion at this time and suggested that Mr. Singer submit his comments in writing or meet with him and Ms Getchius.

Mr. Singer made a new motion that the City not pay a whole lot of money to Carle if they reopen the street. The motion was seconded by Ms Patt.

Mr. Taylor stated that he believed the way the motion was phrased could leave the City open to ridicule and requested that the motion be withdrawn.

Ms Ryan made a friendly amendment to the motion to read that the City would not bear the cost of reopening the street.

Mayor Satterthwaite agreed with Mr. Taylor that the motion should be withdrawn.

Mr. Singer then requested that "cost" be rephrased to read "substantial amount."

Following further debate, the motion passed by voice vote (3-ayes, 2-nays, 1-present).

5. An Ordinance Authorizing the Execution and Delivery of an Intergovernmental Cooperation Agreement and Certain Documents in Connection Therewith, and Related Matters

Mr. Stoffel presented staff's report. This is a proposed intergovernmental agreement regarding the implementation of a first-time home buyers program for Urbana residents. If approved, the City would pool its 1995 private activity revenue bond authority with eight other Illinois communities to provide special financing arrangements for households desiring to purchase their first home.

Mr. Taylor made a motion to send this item to Council. Ms Ryan seconded.

Mr. Singer inquired what would happen if too many people qualified. Will preference be given to lower income people even if they have not been processed within the first three months. Mr. Stoffel explained that the way the document reads now, it would be on a first come first serve basis on whatever pool is remaining.

Mr. Singer moved, as a friendly amendment to the motion, that instead of the applicant being required to complete the entire procedure in three months, have the loan application form completed and dated in three months. Mr. Taylor had no objection. The motion on the amendment passed by voice vote.

The motion to send to Council passed by voice vote.

Mr. Singer made a motion to request staff to report back next week with some preliminary comments on how this type of pool could be targeted to lower income residents. Ms Ryan seconded.

Mr. Stoffel stated that he would prefer to go back to the

financial institution and get some input from them.

Following further debate, Mr. Singer amended the motion to read one month instead of next week. The motion failed.

6. An Ordinance Authorizing Purchase of Certain Real Estate (1110 West Church Street)

Mr. Taylor motioned to send to Council. Ms Patt seconded. Motion carried by voice vote.

7. An Ordinance Authorizing Purchase of Certain Real Estate (1306 West Eads)

Mr. Whelan motioned to send to Council. Mr. Taylor seconded. Motion carried by voice vote.

8. A Resolution Approving and Authorizing the Execution of an Amended Development and Financing Agreement for the Eads at Lincoln Development

Mr. Taylor motioned to send to Council. Ms Ryan seconded. Motion carried by voice vote.

9. A Resolution Approving and Authorizing the Execution of an Amended Marketing Agreement for the Eads at Lincoln Development

Mr. Taylor motioned to send to Council. Ms Patt seconded.

Ms Schober stated that under this agreement the lots would actually be deeded to the buyer and the City will have some restrictions built into the agreement to insure that a house would actually be constructed.

Following debate, the motion to send to Council carried by voice vote.

11. Request for Development Proposals/Maple and Vine Area (Tax Increment Finance District No. 2)

Mr. Taylor made a motion directing staff to proceed with the advertisement of the RFP to solicit developers. Ms. Ryan seconded.

Mr. Whelan stated that he understood the meaning of the request for proposals to be open to any developer. Mr. Walden concurred. Mr. Whelan then inquired if there were any developers who had expressed an interest. Mr. Walden responded that there is considerable interest in that redevelopment area.

Mr. Walden explained that this is a request that the City Council concur with staff's decision to go ahead and advertise, using open process, to solicit developers.

The motion carried by voice vote.

Adjournment

Before adjourning the meeting, Vice Chairman Hayes commended the Urbana Police Department on an outstanding job. In the first six month of this year crime has dropped tremendously.

With no further business to come before the Committee, Vice Chairman Hayes adjourned the meeting at 10:30 p.m.

Respectfully submitted,

Deborah J. Roberts
Recording Secretary

*This meeting was broadcast on cable television.