

**CITY OF URBANA
COMMITTEE ON ADMINISTRATION & FINANCE - DECEMBER 11, 1995
CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL**

COMMITTEE MEMBERS PRESENT: Michael Pollock, Chairman; James Hayes, Jr.; Carolyn Kearns; Esther Patt; Marya Ryan; John Taylor; Joseph Whelan (7:35)

COMMITTEE MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Tod Satterthwaite, Mayor; Phyllis Clark, City Clerk; Bruce Walden, Chief Administrative Officer; Jack Waaler, City Attorney; Eddie Adair, Chief of Police; William Gray, Public Works Director; April Getchius, Community Development Director; Rod Fletcher, Solid Waste Manager; Delora Foster, Parking Administrator; Vacellia Clark, Human Relations Officer; Bruce Stoffel, Grants Management Division Manager; Reed Berger, Economic Development Coordinator; Diane Schober, Grants Coordinator II; Karen Rasmussen, Grants Coordinator I

OTHERS PRESENT: John Dorsey; Robert Tapley; Darrel Foste; Caroline Hibbard; Steve Gradman; Diane Nesbitt; Jean Burkholder; Thomas Betz; Bernadine Stake; Stuart Laird; Susan Freiburg; Henry Voigtlander; Teddy Dawson; Ruth Wyman; Lyn Petrie; Belinda Summers; Robert Michael Doyle; Greg Springer; Lee Petrie-Springer; Marc R. Miller; Dave Fontana; Jeff Tock; Dave Beckerle; Sheila Ferguson; Jim Rose; Paul Oliphant; Sandy Lewis; Media

Chairman Pollock called the meeting to order at 7:30 p.m.

1. **Additions to the Agenda and Staff Report**

There were none.

2. **Minutes of Previous Meeting**

Ms Patt made a motion to approve the minutes of November 13, 1995. The motion was seconded by Ms Ryan. Motion carried by voice vote.

3. **Public Input**

On the topic of SRO, the following people expressed their opposition:

John Dorsey, 301 W. Locust
Darrel Foste, 409 W. Main
Caroline Hibbard, 202 E. Oregon
Lyn Petrie, 204 Wood
Greg Springer, 206 Wood
Lee Petrie-Springer, 206 Wood (did not speak, but

wanted to be entered into the record)

The following persons supported the SRO:

Diane Nesbitt, 804 W. Park
Susan Freiburg, 2320 E. University Avenue
Teddy Dawson, 1106 Silver St.

Robert Tapley, Stepping Stone Shelter (Champaign), addressed the Committee on the topic of statistics regarding police calls to shelter.

On the topic of the Human Rights Ordinance, the following people expressed their support of the resolution:

Steve Gradman, 401 E. Daniel
Jean Burkholder, 506 W. Oregon
Thomas Betz, 707 W. Oregon
Bernadine Stake, 304 W. Iowa St.
Stuart Laird, Champaign County ACLU
Ruth Wyman, 1012 W. Clark, #22
Belinda Summers
Robert Michael Doyle, 105 E. Green, #A-4

Henry Voigtlander, 802 W. Pennsylvania, addressed the Committee on the topic of the SRO and expressed opposition to the resolution.

4. An Ordinance Approving An Application For Site Approval Of A Regional Pollution Control Facility (Expansion Of A Tank Farm For Storage And Recycling Of Liquid Wastes) To Be Operated By The Safety-Kleen Corporation

Mr. Rod Fletcher presented the staff report to Committee. State Statutes provide that a regional pollution control facility, such as Safety-Kleen and their proposed expansion, is required to seek approval from the City for an expansion of their particular facility. Statutes provide for certain criteria to be met in order for the City to consider whether or not to grant that siting approval. The criteria was listed in a memorandum from Thomas Thanas, attorney representing Safety-Kleen. The application for site approval was submitted to the City on July 6, 1995. The Council must make a decision within a 180-day timeframe from submittal date. The packet of information from Mr. Thanas indicated that there was no one in opposition at the public hearing, nor has anyone submitted any written comments after the siting hearing in opposition to the proposed expansion.

Mr. Fletcher stated that it was the opinion of Mr. Thanas that Safety-Kleen had met all of the criteria and the Council should

grant site approval for their facility.

Mr. Hayes inquired if the storage tanks would be above or below ground. Mr. Fletcher responded that they were above ground.

Chairman Pollock made the following inquiries for staff to submit a response to:

1) Confirmation that there is no venting done out of these tanks;

2) Confirmation that there have been no complaints from the residents of the area;

3) Are there any plans for future community events?

4) Is this a storage facility only, or is there any recycling actually on site.

5) How often is the facility inspected by the IEPA?

6) In the course of the last numbers of years have there been any problems with those inspections? If so, what are they?

7) Has there ever been a spill in that area?

8) In the event that they vacate the facility, is there a financial responsibility or environmental assessment done upon their vacation? And if something has leaked out or they find that there is contamination in the soil, are they responsible and is that covered?

9) Does Safety-Kleen own the land that this facility is located on?

Mr. Fletcher stated that he would submit a memorandum to the Council in response to Chairman Pollock's inquiries.

Mr. Whelan made a motion to send to Council with recommendation for approval. The motion was seconded by Mr. Hayes. Motion carried by voice vote.

5. Review of Food Handling Licenses and Combined Licensing Proposal With The Champaign-Urbana Public Health District

Ms Delora Foster presented staff's report to the Committee. The revision of Food Handling License is a continuation of the

City's process to make easier to do business in the City of Urbana. Those revisions include a change in the class and fee structure, and issuance of the combined license with the Champaign-Urbana Public Health District.

Mr. Whelan asked if the Public Health Department would administer the licensing entirely. Ms Foster responded that they would. Right now what is required is a public health permit and a city license. What would happen is that the business person would make one less trip to a public place to get the license and one less application to fill out. The Public Health District would collect our part of the fee and remit to us. We would continue to do the inspections for the City. This does not include peddler's--just food handling.

Mr. Hayes inquired about the inspection process. Ms Foster stated that the Fire Department does the annual inspection (i.e., checking Fire Code, Building Code) to make sure there are not any safety hazards.

Mayor Satterthwaite noted that the number of classifications would be reduced from 22 to 2.

Ms Ryan made a motion to send to Council for approval and was seconded by Ms Kearns. Motion carried by voice vote.

6. Schnucks Development Agreement

Mr. Walden introduced Messrs. Dave Fontana, Jeff Tock (legal counsel), and Dave Beckerle as representatives of Schnuck's. Mr. Fontana, Director of Real Estate for Schnuck's Corporation, made a brief presentation to the Committee.

Mr. Taylor inquired about the surveys and how they plan to draw clientele. Is it precisely people who live in Urbana? Mr. Fontana indicated that most of the clientele would be from the Champaign-Urbana area. They have consultants who do the surveys. Of primary concern to Mr. Taylor was the possibility of "pulling away" customers from existing Urbana businesses and not increasing the revenue in Urbana.

Mr. Whelan inquired if the market research included Beringer Commons and properties east of Urbana. Mr. Fontana stated that he did not perform the market analysis; he reviews them. Mr. Fontana stated that the studies would take into account the overall population growth in the Champaign-Urbana metropolitan area.

Mr. Whelan further inquired if his understanding of the

agreement was that Schnuck's would be paying for the infrastructure work to begin. Mr. Fontana concurred and explained that the way the agreement works is that the City would be doing the off-site work (i.e., street improvement, sidewalks, etc.). Schnuck's would be basically financing all of the development cost for the project on-site. They would not be looking for the City to advance them any money until the shopping center construction was completed and the store opened. The City would compensate Schnuck's in the amount of \$2 million for the infrastructure costs.

Following debate, Mr. Walden summarized the development agreement with Schnuck's. It can be divided into obligations of the developer and obligations of the City. The obligations of the developer include:

1) The purchase of the entire 10 acres and 24 parcels in 1996 (\$3.5 million);

2) The construction of the 83,000 retail space, including the grocery space by June 1, 1997;

3) The development of the two 1-acre outlots for freestanding uses of approximately one acre each;

4) The design, engineering, construction of all the site infrastructure including, but not limited to utilities, sanitary sewers, storm sewers, fire loops, hydrants, water mains, electrical, etc. (to be built in advance of the construction of the buildings);

5) The removal of all blight including, but not limited to environmental remediation;

6) The construction of landscaping, pursuant to the standards contained in the agreement;

7) The construction of the facility to the aesthetic standards (brick veneer on the buildings, etc).

8) The contribution of ornamental lighting installed on Vine and Main Streets (similar to downtown streetscape);

9) Make reasonable efforts in the retail space to lease to uses not now existing in Urbana.

The City obligations are summarized as follows:

1) Vacate right-of-way on portions of Water and Urbana Streets;

2) Convey to the developer other properties placed throughout this development that the City has an interest in, including portions of vacated railroad right-of-way;

3) Street improvements to begin by summer of 1996 (after the entire site has been acquired for \$3.5 million, all environmental remediations taken place, the buildings designed and engineered, the infrastructure is in place, the City has been provided evidence of a binding contract with a contractor to construct the retail portion of the development, and actually comes out of the ground with footings and foundations) with completion no later than the opening of the facility or by December 31, 1996;

4) Financially reimburse Schnuck's for the public infrastructure and blight removal on the site (2 parts): \$700,000 in 1997 upon completion of the project and opening of the stores, and \$1.3 million over the remaining 14 years of the TIF;

5) Provide zoning sufficient to support the project.

Mr. Walden concluded his presentation with a review of the economics of the project from his report to the Committee. With regard to the Niemann property, Mr. Fontana mentioned that a contract had been made between Schnuck's and Niemann Foods, however, there are some minor changes to be made before the contract is signed.

Following debate, Ms Kearns made a motion to send this item to Council for approval. The motion was seconded by Mr. Hayes.

Mr. Whelan stated his concern for existing Urbana businesses that would be impacted by the Schnuck's development. He was concerned about the retention of economic development and retention of existing businesses. Mr. Whelan noted two things for the record: 1) He believes the project is put together well and will be a benefit to the City; and 2) The need to address retention of existing businesses for the sake of fairness.

Mr. Taylor inquired when the City could have fully executed contracts of the remaining pieces of property. Mr. Fontana responded that they would be available this week.

Mr. Taylor moved to amend the motion to send to Council without a recommendation. Mr. Taylor said that he would like to see the fully executed contracts. Mr. Whelan seconded.

Mr. Taylor commented on the two pieces of property that do not have executed contracts. According to Mr. Walden, the City is obligated in the agreement to exercise eminent domain to secure at least one of the properties in order to complete the project. Mr. Taylor pointed out that, since the contracts would be executed this week, it would be advisable to send to

Council for action without a recommendation before obligating ourselves contractually.

Chairman Pollock stated that he would not support the motion to amend because the Council was aware many months ago that if this project were to be completed there was a possibility that there would be one or two parcels that the City would have to condemn in order to let the project go forward.

Mr. Jeff Tock, attorney representing Schnuck's, requested that the motion not be amended. Schnuck's is in negotiation to complete acquisition of the property. Mr. Tock stated that they (Schnuck's) would not like to be in a position where it would be perceived that it becomes a "condition" of the project by the City of Urbana that they make the acquisition.

A roll call on the motion to amend was taken as follows:

Alderman Hayes - Nay	Alderman Ryan - Nay
Alderman Kearns - Nay	Alderman Taylor - Aye
Alderman Patt - Nay	Alderman Whelan - Aye
Alderman Pollock - Nay	

The motion to amend failed (5-nay:2-aye).

Before the Committee now was the motion to send to Council for approval. The motion passed by voice vote (6-aye:1-nay).

Chairman Pollock called a recess at 10:06 p.m. The meeting reconvened at 10:14 p.m.

7. **Discussion of Homestead Apartments SRO**

Mr. Bruce Stoffel pointed out that the exhibits that were submitted with the staff memorandum were prepared, in large part, by the SRO planning group, of which the City staff is part. Mr. Stoffel asked that the planning group staff persons to give brief summary.

Ms Sheila Ferguson, Mental Health Center, spoke to the eligibility requirements (tenant selection), eviction and the application process.

Regarding basis for eviction, Ms Ryan inquired about the failure of the tenant to provide the management with required eligibility information. Ms Ferguson responded using the certification process as an example. If the tenant was working part-time and in the middle of the year began working full-time and did not report it to management, it would be an offense under HUD guidelines because it requires any change in income to be reported to management for recertification.

Ms Patt wanted clarification on "preference point" and asked if

preference point would be given to a person who was not homeless if their income was below \$15,000 a year and they were paying more than 50% of their income for rent. Ms Ferguson concurred that near homeless are included in the guidelines as a federal preference.

Jim Rose, SRO planning group, summarized the SRO development research.

Ms Patt inquired how many of the developments listed in the summary are apartment units like the one being proposed--not rooming houses. Mr. Rose responded perhaps one-third.

Mr. Taylor inquired about the number of staff members other developments had. Mr. Rose did not have that information readily available. Mr. Taylor asked that he obtain the information and submit it to the Council.

Mr. Paul Oliphant, Champaign County Mental Health Board, did a board presentation regarding SRO.

Ms Kearns inquired if five years down the road this project "goes under", who is obligated to "pick it up?" Mr. Oliphant responded Homestead Corporation, not the City of Urbana.

Mr. Hayes requested that Mr. Stoffel look into the assets in case of default.

Because of the hour (11:03 p.m.), Chairman Pollock noted that a motion was needed to extend the meeting time.

Mr. Hayes moved to extend the meeting time until 11:30 p.m. and was seconded by Ms Ryan. Motion carried by voice vote (5:2).

Mr. Taylor inquired how much more money would be needed to provide a full-time resident manager over the lifetime of the project. Mr. Rose responded approximately \$180,000 to \$200,000 (over 15 years).

Sandy Lewis, Champaign County Mental Health Board, gave the final summary of the SRO. In closing, she requested a pledge of support by January 2, 1996 in order for them present to the City of Champaign.

Mr. Stoffel noted that staff need some indication from the Committee as to what option they would be pursuing.

Ms Patt moved to send Option #1 to Council for approval. Chairman Pollock seconded for the purpose of discussion.

Ms Patt stated that because of the timeframe that is involved it is important to send something to Council next week.

Mr. Taylor made a friendly amendment to send Option #1 & #4 to Council.

Mr. Whelan seconded.

Mayor Satterthwaite stated he believed that Option #4, because of the cost, was the most undesirable. The cost per unit over the next couple of years is \$47,000 compared to just over \$15,000 for Option #1.

Chairman Pollock commented on the motion stating that he was not interested in Option #4 because it was too much of an investment for too little of a return.

Mr. Whelan stated that he did not support Option #1, but felt that the residents in the neighborhood have suggested they might accept something of a smaller nature.

Ms Ryan moved to substitute to send Option #1 & #2 to Council. Ms Patt seconded.

Ms Ryan stated that Option #2 looks like the most cost-effective of the smaller option.

Because of the hour (11:28 p.m.), Mr. Taylor made a motion to extend the meeting time to 12:00 a.m. Ms Ryan seconded. Motion carried by voice vote (6:1).

Chairman Pollock added that if this goes to Council, he will move to defer. There were no objections.

Mr. Stoffel asked for clarity on what would be happening next week.

Chairman Pollock explained that it would be on the Council agenda for next week, but would be deferred by two members of the Council. It will then be sent it to the next regularly scheduled Council meeting, which will be the first week in January. At that time the Council will either vote for or against it, or have the option of moving it to a future Committee meeting. It cannot be deferred again.

Mr. Whelan left the meeting at 11:31 p.m.

8. **Resolution In Support Of Drafting An Unfunded Mandates Constitutional Amendment**

Mr. Taylor moved to send to Council. Ms. Kearns seconded.

Ms Ryan submitted a resolution to the Committee titled: "Resolution In Support Of Drafting A Constitutional Amendment To Allow For A Progressive Income Tax." She then addressed her objections to the unfunded mandates.

Ms Ryan moved to substitute her resolution. Ms Patt seconded.

Following debate, Mr. Taylor moved to continue this to the next Committee on Administration & Finance meeting. Ms Ryan seconded. Motion carried.

9. **Human Rights Ordinance Amendments**

Ms Patt presented a resolution to the Committee titled: "Resolution On The Intent And Purpose Of The Urbana Human Rights Ordinance."

Mr. Marc Miller, Chairman for the Human Relations Commission, stated that the Commission is in the process of updating the ordinance. They plan to put together a draft ordinance and submit to Council for recommendations. The Commission will be reviewing two items. The first item they will review is matriculation, where a property owner cannot discriminate against students based on their status as a student. The second item involves Section 8 housing. What is being discussed is whether or not to prohibit a property owner from discriminating against someone who was applying but had a Section 8 voucher.

Both items were discussed at the last Human Relations Commission meeting and a motion was made to amend the ordinance on the matriculation issue, however the motion failed. The reason the motion failed was because the Commissioners felt they did not have enough information before them. The Commission wanted to hear from property owners and the Housing Authority.

Mr. Hayes inquired about the communitywide forum that will be sponsored by the Human Relations Commission in February 1996. Ms Vacellia Clark responded that this is a seminar she is planning for the community and the Human Relations Commission. She plans on having representatives from the John Marshall Law School do the training. Mr. Hayes asked if it would be possible for the issue dealing with a surplus number of family members living in a house could be included in the training at the seminar? Ms Clark said she would look into it.

Chairman Pollock asked if it would be possible for the Commission to review both of these issues, including the legal questions, and make a recommendation to the Council directly following the next Human Relations Commission meeting? Mr. Miller responded that they would probably be comfortable with the matriculation issue, however, the Section 8 issue is more complicated.

Ms Patt moved to send to Council the "Resolution On The Intent And Purpose Of The Urbana Human Rights Ordinance", and ask staff to work with the Human Relations Commission to examine changes that might be needed in the ordinance to carry out the intent expressed in the resolution. Ms Ryan seconded.

Ms Patt stated that she is asking the Council to agree that the intent of the Human Rights Ordinance was to secure an end to discrimination in the City, but not limited to discrimination against all the various different classes listed.

Mayor Satterthwaite stated that he felt the resolution was well-worded and urged Council members to support it.

Mr. Taylor stated that he understood the ordinance to mean that you could not discriminate against a college student. He interpreted federal program to mean Section 8 funds. Mr. Taylor stated that he supported Ms Patt's interpretation of the ordinance, but without having studied the resolution he was not prepared to vote on it.

Ms Patt stated that when the ordinance was passed federal, state and local payments meant specifically township vouchers, Section 8 rent assistance, etc. If anyone has reason to believe that this should change, it should be brought before the Council. Until these issues are looked into, Ms Patt stated that she believed it was important for the Council to reassure the public that the City of Urbana is committed to fair housing for everyone. And that the Human Rights Ordinance has not been changed, but the Council still supports the spirit that discrimination is always wrong if its based on categorizing and classifying people rather than examining their true qualifications.

Chairman Pollock stated that he would like to see the Human Relations Commission get a chance to review these issues. Chairman Pollock questioned whether it is legal to mandate that a landlord, or someone who rents, can submit paperwork to a third party (HUD), and whether the City could do that.

Ms Patt stated that she did not want to deny the Human Relations Commission the opportunity to have input, but they could not speak to the intent of the City Council.

The motion to send to Council carried by voice vote.

Chairman Pollock asked that the Human Relations Commission look at these two issues and submit a recommendation to the Council sometime in the first two weeks of January. There were no objections.

ADJOURNMENT

With no further business to come before the Committee, Chairman Pollock adjourned the meeting at 12:00 p.m.

Respectfully submitted,

Deborah J. Roberts

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Recording Secretary

*This meeting was broadcast on cable television.