

URBANA CITY COUNCIL MEETING  
TUESDAY, September 2, 1997

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The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Tuesday, September 2, 1997 in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was recited in honor of Labor Day.

Present at the meeting were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; absent: none.

Also present were staff members: Police Chief Eddie Adair, Fire Chief Bill Pessemier, Jack Waaler, Bruce Walden, April Getchius, Bruce Stoffel, Reed Berger, Kim Gerstein, Jay Getz, and Phyllis Clark.

**MINUTES OF PREVIOUS MEETING**

Aldерwoman Patt moved approval of the minutes of the August 18, 1997 regular meeting. The motion was seconded by Aldерwoman Wyman. Aldерwoman Patt requested that a typographical error in the fourth paragraph, first sentence, under item E.1.a. be corrected to read "motion" rather than "moved". The minutes, as amended, carried by a voice vote.

**ADDITIONS TO THE AGENDA**

There were none.

**PETITIONS AND COMMUNICATIONS**

Tyrone Clapper, representing Neil and Linda Foltzer, stated that he was present to answer any questions that might arise regarding the agenda items for 1009 A and 1009 B-C North Cunningham.

In response to Alderwoman Wyman's question if the Foltzers would be willing to build a fence to screen the area, Mr. Clapper stated that he was sure that they would.

Bill Goldstein, representing the Flex-N-Gate Corporation, thanked Council for their efforts on behalf of Flex-N-Gate and urged support for the agenda items involving Flex-N-Gate.

Tom Berns, representing the Flex-N-Gate Corporation, addressed the Council in support of the ordinances relating to Flex-N-Gate.

Mayor Satterthwaite announced that the second Annual Mayor's Race will be held Sunday, September 4, 1997 at Meadowbrook Park. This is a running and cycling event in which Mayor Satterthwaite and Champaign Mayor McCullom participate.

Mayor Satterthwaite congratulated the Urbana Fire, Public Works and Police Departments for awards they received from OSHA for their services in the trench rescue that occurred on June 4, 1997.

**OLD BUSINESS**

**Ord. No. 9798-24: An Ordinance For The Sale Of Outlot**

2 Of Hollywood Subdivision (Nonbuildable 25' x 120' Strip) was on the floor from a previous meeting. There being no discussion, the motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

REPORTS OF STANDING COMMITTEES

Committee Of The Whole

Alderman Whelan moved by omnibus motion to approve: Ord. No. 9798-25: An Ordinance Granting A Special Use Permit (To Allow a Manufacturing Facility - Flex-N-Gate Corporation) (Plan Case No. 1668-SU-97), Ord. No. 9798-26: An Amendment To The Comprehensive Plan Of The City Of Urbana, Illinois (Flex-N-Gate Development) (Plan Case No. 1668-CP-97), and Ord. No. 9798-27: An Amendment To A Part Of The Zoning Ordinance Of The City Of Urbana, Illinois And The Zoning Map Of Urbana, Illinois (Flex-N-Gate Property From R-4 Medium Density Multiple Family Residential IN Industrial) (Plan Case No. 1668-M-97). The motion was seconded by Alderwoman Kearns and carried 7-0 by voice vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Alderman Whelan moved to approve Ord. No. 9798-28: An Ordinance Approving An Annexation And Development Agreement With Flex-N-Gate Corporation. The motion was seconded by Alderwoman Kearns.

Ms. Getchius requested that Council note that the dollar amount for the City's participation is listed as \$272,000.

A memo passed out earlier indicates that the agreement with Flex-N-Gate states that the City's maximum participation is capped at \$300,000. This memo is to make that change in both the annexation agreement and the IDOT agreement.

Following further debate, the motion carried 8-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman and Mayor Satterthwaite - 8; voting nay: none.

Alderman Whelan moved to approve **Ord. No. 9798-30: An Ordinance Approving An Agreement With The Illinois Department Of Transportation.** The motion was seconded by Alderwoman Patt and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Alderman Whelan moved to approve **Ord. No. 9798-29: An Ordinance Approving The Addition Of Territory To The Urbana Enterprise Zone (Flex-N-Gate 2, 505 North Smith Road).** The motion was seconded by Alderwoman Patt and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Alderman Whelan moved to approve **Ord. No. 9798-31: An Ordinance Revising The Annual Budget Ordinance (Flex-N-Gate Road Improvement).** The motion was seconded by Alderwoman Patt and carried 8-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman and Mayor Satterthwaite; voting nay: none.

Alderman Whelan moved to approve Ord. No. 9798-32: An Ordinance Amending Schedule H Of Section 8-3 Of The Urbana Local Traffic Code Requiring Stop Signs At Certain Intersections (Briarcliff, Kenyon); And Amending Schedule L Of Section 14-7(B) Requiring Curbs To Be Painted Yellow (Cedar). The motion was seconded by Alderwoman Kearns and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Alderman Whelan moved to approve Ord. No. 9798-33: An Ordinance Authorizing The Execution And Delivery Of An Intergovernmental Cooperation Agreement And Certain Documents In Connection Therewith; And Related Matters, as included in this week's packet. The motion was seconded by Alderwoman Kearns. Following debate, the motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Alderman Whelan moved to approve Ord. No. 9798-34: An Ordinance Approving An Agreement With The Board Of Trustees Of The University Of Illinois (Municipal Sanitary Waste Water Sewerage Service). The motion was seconded by Alderwoman Patt and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Mayor Satterthwaite stated that a voice vote motion for Addendum A with Ord. No. 9798-34 is needed.

Alderman Whelan moved to approve Addendum A with Ord.

City Council Meeting

September 2, 1997

Page 6

**No. 9798-34.** The motion was seconded by Alderman Taylor.

Following debate, the motion carried by a voice vote.

Alderman Whelan stated that the next meeting of the Committee of the Whole will be Monday, September 8, 1997 at 7:30 p.m. in the Urbana City Council Chambers.

#### **REPORTS OF SPECIAL COMMITTEES**

There were none.

#### **REPORTS OF OFFICER**

There were none.

#### **NEW BUSINESS**

Planning Technician Kim Gerstein presented staff report on **Ord. No. 9798-35: An Amendment To The Comprehensive Plan Map Of The City Of Urbana, Illinois (1009 A and 1009 B-C North Cunningham Avenue, Plan Case No. 1667-CP-97) and Ord. No. 9798-36: An Amendment To A Part Of The Zoning Ordinance And Zoning Map Of The City Of Urbana, Illinois (1009 A and 1009 B-C North Cunningham, Plan Case No. 1667-M-97).**

Following debate, Alderman Whelan moved to approve **Ord. No. 9798-35: An Amendment To The Comprehensive Plan Map Of The City Of Urbana, Illinois (1009 A and 1009 B-C North Cunningham Avenue, Plan Case No. 1667-CP-97).** The motion was seconded by Alderman Taylor and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

City Council Meeting

September 2, 1997

Page 7

Alderwoman Kearns moved to approve Ord. No. 9798-36: An Amendment To A Part Of The Zoning Ordinance And Zoning Map Of The City Of Urbana, Illinois (1009 A and 1009 B-C North Cunningham, Plan Case No. 1667-M-97). The motion was seconded by Alderman Whelan.

Following debate, the motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Alderwoman Wyman moved to remind staff that the developer has indicated that he will be willing to put in a fence between the residential area and the business area at such time when a site plan would be before staff for approval. The motion was seconded by Alderwoman Huth and carried by a voice vote.

Senior Planner Jay Getz presented Staff report on Ord. No. 9798-37: An Ordinance Approving A Final Plat (Stone Creek Subdivision No. 1, Plan Case No. 1672-S-97). Mr. Getz stated that the plat has been revised. The lot numbers that are shown on the plat Council have been changed. Staff recommends approval of the final plat.

Following debate, Alderman Taylor moved to approve Ord. No. 9798-37: An Ordinance Approving A Final Plat (Stone Creek Subdivision No. 1, Plan Case No. 1672-S-97). The motion was seconded by Alderwoman Kearns and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns,

City Council Meeting

September 2, 1997

Page 8

Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

Mr. Getz stated that Ivan Richardson is present to answer any questions regarding Ord. No. 9798-38: An Ordinance Approving A Final Plat (Beringer Commons Subdivision No. 3, Plan Case No. 1670-S-97) and presented the staff report on the ordinance.

Alderman Hayes moved to approve Ord. No. 9798-38: An Ordinance Approving A Final Plat (Beringer Commons Subdivision No. 3, Plan Case No. 1670-S-97). The motion was seconded by Alderman Taylor and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Whelan and Wyman - 7; voting nay: none.

#### ADJOURNMENT

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 8:20 p.m.

Tod Satterthwaite  
Mayor

Phyllis D. Clark, City Clerk

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



Alderwoman Kearns noted that the date of the Annual Mayors Race was incorrect in paragraph 4, page 2. Instead of September 4, 1997, the date should read September 14, 1997. There were no objections to the correction.

Mayor Satterthwaite suggested replacing the last paragraph on page 3, pertaining to the dollar amount for the City's participation in the Flex-N-Gate project, with the following language: "Ms. Getchius requested that the Council note the dollar amount for the City's participation in the road improvements is listed as \$272,000 in Exhibit E. The dollar amounts are only estimates; however, the City's liability for these costs cannot exceed \$300,000 as set forth in Article II. Section 4. Note too, the dollar amounts set forth in the parallel agreement with IDOT which is part of the Flex-N-Gate package before you. The Mayor suggested such be annotated on Exhibit E.

The motion to approve the September 2, 1997 City Council minutes, as amended, carried by a voice vote.

Minutes approved September 15, 1997.