

COMMITTEE OF THE WHOLE
SEPTEMBER 22, 1997
7:30 P.M.

Committee Members Present:

James Hayes, Laura Huth, Carolyn Kearns, Esther Patt,
John Taylor, Joseph Whelan and Ruth Wyman

Committee Members Absent:

None

Staff Members Present:

Deborah Roberts, Mayor Satterthwaite, Bruce Walden,
Police Chief Adair, Fire Chief Pessemier, David
Newcomb, April Getchius, Bruce Stoffel, Bill Gray,
Vacellia Clark, Mike Dilley, and Jack Waaler

Others Present:

Bob Kirchner, Kim Knowles-Yanez, Earl O'Shea, Greg
Springer, Sharon Monday-Dorsey, Dorothy Neumann,
Lindsay Wilson, Joe Denton, Doug Varner, Shirley
Stillinger, Mark Miller and Members of the Media

Meeting Location:

Urbana City Council Chambers

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

Additions to the Agenda and Staff Report

There were none.

Minutes of Previous Meetings

Ms. Kearns moved to approve the minutes of the
September 2, 1997 special meeting of the Committee of the Whole
and the September 8, 1997 regular meeting of the Committee of the
Whole. The motion was seconded by Ms. Wyman. Mr. Taylor
requested to change the minutes of the September 8, 1997 regular
meeting on page 4, under item 11, to state: "Ms.Patt made a
motion to go into closed session for the purpose of discussing

property acquisition and potential litigation regarding abandoned railroad property". There were no objections. Ms. Huth requested that the minutes of the September 8, 1997 regular meeting be changed under Public Input, to represent a clarification in the input of Mike Lehman, to add: "that addressed the needs of all citizens of Urbana", on page 2, line 20. There were no objections. The minutes were approved, as amended.

Public Input

Bob Kirchner, 215 E. Sherwin, addressed the Committee in opposition to a proposed amendment to the Human Rights Ordinance.

Kim Knowles-Yanez, 1203 N. Coler, addressed the Committee regarding racial and gender hate crime in Urbana.

Earl O'Shea, 606A South Glover Street, addressed the Committee on the topic of better government.

P. Greg Springer, 206 Wood, Sharon Monday-Dorsey, 301 W. Locust, and Dorothy Neumann, 301 W. Griggs addressed the Committee in opposition to the allowance of alcohol and weapons in the Homestead SRO Apartments.

Joe Denton, R. R. #2, Potomac; Lindsay Wilson, 1005 W. Gregory Drive; and Doug Varner, 606 Pheasant, Savoy addressed the Committee in opposition to the University of Illinois Fire Department Contract Services.

The following people were present to express their opposition to the elimination of the University of Illinois Fire Department, but did not speak:

Judy Stoll, 635 E. Grove, Rantoul
Kris Hlavatovich, 506 S. Webber, Urbana
Cheryl Horvath, 3114 Valerie, Champaign
Jeff Ballew, 3209 Cypress Creek, Champaign
Dales Hughes and Maureen Hughes
Peter Miller, 808 S. Race, Urbana
Donna Ferriman, 1304 Sunset Drive, Rantoul
Richard Ferriman, 1306 W. Green, Urbana
Pete Hetman, 1004 Maple Tree Lane, Mahomet
Alan Rutledge, Fisher
Melvin Jordan, 2607 Cherry Creek Drive, Champaign
J. Gladney, 1909 W. John, Champaign

Melissa Hart, Ogden
Thomas L. Kern, Ogden
Irene Kern, Ogden
Shirley Denton, 1110 W. Springfield, Urbana
Rodney Butler, 303 W. Beardsley

Metro Fire Presentation

Fire Chief Pessemier presented the staff report on the proposed Metro Fire Intergovernmental Agreement which included a brief history of the previous studies and recommendations, the Request for Proposal (RFP) received from the University, and the proposed contract that was prepared for Council in response to that RFP. (See attached.)

Following debate, Kathleen Pecknold, representing the University of Illinois, stated the University's position on the possible change.

Mayor Satterthwaite stated there will be a public hearing on the fire services contract from 6:00 to 7:15 p.m. on October 6, 1997, prior to the Cunningham Town Board meeting and the City Council meeting. The contract will be on the agenda for the City Council meeting on October 6.

An Ordinance Relating To Civil Service (Experienced Fire Fighters)

Mr. Taylor moved to send **An Ordinance Relating To Civil Service (Experienced Fire Fighters)** to Council for approval. The motion was seconded by Mr. Whelan and carried by a voice vote.

Human Rights Ordinance Revisions

Human Relations Officer Vacellia Clark and Mark Miller, Chairman of the Human Relations Commission, addressed questions raised by Mr. Hayes at a previous meeting.

Following debate regarding discrimination, issues relating to job elimination and grandfathering, Ms. Wyman moved to send the Human Rights Ordinance Revisions in ordinance form to Council for approval.

Following further debate, Mr. Taylor moved: 1. To amend the revision, Section 12-39 to add a section defining "Forcible Felony", as follows:

Forcible felony means treason, first degree murder, second degree murder, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, arson, Kidnaping, residential burglary, aggravated arson, aggravated kidnaping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual.

2. To Amend the ordinance to add a section 12-40 to state:

Nothing in this chapter shall prohibit discrimination in the leasing of residential property based upon a person's record of conviction for a forcible felony or a felony drug conviction or the conviction of the sale, manufacture or distribution of illegal drugs or convictions which are based upon factors which would constitute one (1) of the categories of convictions listed above under Illinois law; provided, that the conviction shall not be allowed to be the basis of discrimination if the person convicted has resided outside of prison at least the last five (5) consecutive years without being convicted of an offense involving the use of force or violence or the illegal use, possession, distribution, sale or manufacture of drugs. This exception is not a restriction on the use of conviction information for other necessary business reasons.

This exception shall not be construed to authorize the use of conviction information to achieve racial or ethnic discrimination or discrimination on the basis of a disability or any other protected basis other than conviction and landlords are encouraged to consider the rehabilitative efforts of individuals and the period since the conviction and circumstances of the conviction when deciding to discriminate on the basis of conviction information. The landlord is not relieved of any obligation of making a reasonable accommodation for persons with disabilities by this exception.

3. To amend the ordinance as necessary and as advised by staff, so it is consistent with the above changes.

The motion was seconded by Mr. Whelan.

Following debate, Mr. Whelan moved to extend the meeting to 11:30. The motion was seconded by Ms. Wyman and carried by a voice vote.

Following extensive debate regarding Mr. Taylor's

motion, Ms. Wyman moved to extend the meeting for 30 minutes. The motion was seconded by Mr. Hayes and carried by a voice vote.

The motion to amend the motion failed 3-4 by roll call vote. Voting aye were Kearns, Taylor and Whelan - 3; voting nay: Hayes, Huth, Patt and Wyman - 4.

Following further debate on the main motion, Mr. Whelan moved a substitute motion to send the ordinance to the next Committee meeting for consideration following review by the Legal Department. The motion was seconded by Mr. Taylor.

Following debate, the motion to substitute failed by a show of hands vote.

Mr. Whelan moved to amend the motion with reference to the composition of the Commission, Section 12-17, that the Commission on Human Relations shall consist of 7 members to be appointed by the Mayor with the approval of the City Council, as opposed to 11 members, to make it easier to arrive at a quorum. The motion was seconded by Mr. Taylor.

Ms. Wyman made a friendly amendment to make the number 9. The amendment was acceptable to the mover and seconder. The motion carried by a show of hands vote.

Mr. Whelan moved to amend Section 12-25 from "The Commission on Human Relations shall annually submit a budget to the City Council", to "The Commission on Human Relations shall annually submit a budget to the Mayor". The motion was seconded by Mr. Taylor. Following debate, the motion carried by a show of hands vote.

Mr. Taylor moved to amend Section 12-20 to be consistent with the motion to go from 12 to 9 members, to make the quorum be any 4 members, rather than 5. The wording would then be "The lessor of the majority of members or any 4 members of the Commission on Human Relations should constitute a quorum."

Chair Patt suggested that this be made a part of the motion on the floor. There were no objections.

The motion to send the Human Rights Ordinance Revisions in ordinance form, as amended, to the October 6 Council meeting for approval carried 4-3 by roll call vote. Voting aye were Members of the Committee: Hayes, Huth, Patt and Wyman - 4; voting nay: Kearns, Taylor and Whelan - 3.

Review of Homestead Policy Issues

Grants Management Manager Bruce Stoffel stated his understanding that the issues of interest to the Committee at this time were the possession of alcohol and weapons on the premises of Homestead Apartments. Information has been provided to Committee as to rules for the apartments at this time. There is no provision prohibiting possession of alcohol and weapons at the property.

Shirley Stillinger, representing the Homestead Board, stated that this is not a treatment center, it is an apartment building for single people. The apartments have subsidized rent. There is no other public housing in this community that prohibits legal activities inside a tenant's residence. A person does not give up his/her rights for subsidized rents. It would be impossible to enforce prohibition of alcohol in a person's room.

Sandy Lewis, representing the Mental Health Center, stated that the Mental Health Centers Board of Directors and the Homestead Board reviewed the tenant selection criteria and the proposed rules for tenancy prior to bringing it to City Council. After reviewing Rosemary Gerhardt's editorial, Ms. Lewis brought the policies back to the Boards attention to see if they wanted to reconsider. The Boards advised her to seek legal council and discussed the rights and responsibilities of tenants. The Boards remain firm in supporting the rules that were originally passed. This is not a treatment facility, it is an apartment building providing single occupancy dwellings.

Mr. Taylor moved to amend the annual action plan by replacing the entry "In Home budget granting additional funds to the project" to the new entry "authorizing additional funds only if project sponsors agree to change their policies regarding alcohols and weapons, specifically banning such from the premises at all times." The motion was seconded by Mr. Whelan.

Following debate, Ms. Wyman moved to suspend the rules to continue the meeting. The motion died due to lack of a second.

Mr. Whelan moved to suspend the rules. The motion was seconded by Ms. Wyman and carried by a voice vote.

Mr. Whelan moved to extend the meeting for five minutes. The motion was seconded by Ms. Wyman and carried by a voice vote.

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Mr. Whelan moved to send Homestead Apartment policy issues to the next committee meeting. The motion was seconded by Mr. Taylor. Following debate, Mr. Whelan withdrew the motion.

Following debate, the motion to amend the annual action plan by replacing the entry "In Home budget granting additional funds to the project" to the new entry "authorizing additional funds only if project sponsors agree to change their policies regarding alcohols and weapons, specifically banning such from the premises at all times" failed 2-5 by roll call vote. Voting aye were Members of the Committee: Taylor and Whelan - 2; voting nay: Hayes, Huth, Kearns, Patt and Wyman - 5.

Adjournment

There being no further business to come before the Committee, Chair Patt declared the meeting adjourned at 12:05 p.m.

Respectfully submitted,

Elaine Taylor
Recording Secretary