

**CITY COUNCIL MEETING
Monday, August 7, 2000**

The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, August 7, 2000, in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:31 p.m.

Present at the meeting were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman – 6; Whelan (excused) – 1.

Also present were staff members: Police Chief Eddie Adair, Community Development Director April Getchius, Public Works Director Bill Gray, Senior Planner Rob Kowalski, Fire Chief Rex Mundt, Assistant City Planner Libby Tyler, City Attorney Jack Waaler, and Chief Administrative Officer Bruce Walden.

MINUTES OF PREVIOUS MEETING

Aldерwoman Patt moved to approve the minutes of the July 17, 2000 regular meeting. The motion was seconded by Alderman Hayes and carried by a voice vote.

ADDITIONS TO THE AGENDA

Aldерwoman Wyman requested that agenda item H.7. **Closed Session Concerning Pending Litigation** be moved to item H.5. There were no objections

PETITIONS AND COMMUNICATIONS

There were none.

OLD BUSINESS

There was none.

REPORTS OF STANDING COMMITTEES

Committee of the Whole

Alderman Taylor moved to approve **Ordinance No. 2000-07-070: An Ordinance Amending Schedule J Of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at all Times on Certain Streets (Sunset Drive)**. The motion was seconded by Alderwoman Kearns and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman – 6; voting nay: none.

Alderman Taylor moved to approve **Ordinance No. 2000-07-071: An Ordinance Amending Schedule K of Section 23-184 of the Urbana Local Traffic Code Prohibiting Parking During Certain Hours on Certain Streets (Broadway Avenue)**. The motion was seconded by Alderman Hayes and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman – 6; voting nay: none.

Alderman Taylor moved to approve **Ordinance No. 2000-07-072: An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at Certain Intersections (Ivanhoe Way at Lanore Drive and Somer Drive at Lincoln Avenue)**. The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman – 6; voting nay: none.

Alderman Taylor moved to approve **Ordinance No. 2000-07-0073: An Ordinance Revising The Annual Budget Ordinance (Fire Thermal Imaging Cameras)**. The motion was seconded by Mr. Hayes and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, Wyman, and Mayor Satterthwaite – 7; voting nay: none.

Alderman Taylor moved to approve **Ordinance No. 2000-07-092: An Ordinance Amending Ordinance No. 2000-06-051: "An Ordinance Fixing the Salary of City Officers Who are**

Elected for a Definite Term (Term Beginning May 2001)". The motion was seconded by Alderman Hayes and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman – 6; voting nay: none.

Alderman Taylor moved to approve **Ordinance No. 2000-07-093: An Ordinance Revising the Annual Budget Ordinance (Mayor and City Clerk Salaries)**. 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, Wyman, and Mayor Satterthwaite - 7; voting nay: none.

The next regularly scheduled meeting of the Committee of the Whole will be at 7:30 p.m. Monday, August 14, 2000 in the Urbana City Council Chambers at 400 South Vine Street.

REPORTS OF SPECIAL COMMITTEES

There were none.

REPORTS OFFICERS

There were none.

NEW BUSINESS

Public Works Director Bill Gray presented staff report on **Resolution No. 2000-07-026R: Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (FY 2000 MFT Street Resurfacing Contract)** which covers a list of street to be resurfaced this year. The number has been cut due to the concrete strike, which would cause a backlog and a higher cost. The streets that are being done this year are primarily asphalt.

Alderwoman Kearns moved to adopt **Resolution No. 2000-07-026R: Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (FY 2000 MFT Street Resurfacing Contract)**. The motion was seconded by Alderman Hayes and carried 6-0 by roll

call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor and Wyman – 6;
voting nay: none.

Assistant City Planner Libby Tyler presented staff report on **Ordinance No. 2000-07-074:**
An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Addition of Definitions
for “Athletic Training Facility, Non-Residential” and “Athletic Training Facility, Residential” – Plan
Case No. 1746-T-00) stating that this is a follow up to an ordinance adopted in May that amended the
Zoning Ordinance to add a number of uses to the table of uses including the Athletic Training Facility, Non-
Residential. As part of the motion to approve that ordinance there was a request to provide a definition for
this use for the Zoning Ordinance. This definition has been recommended by the Plan Commission

Following debate, Alderwoman Patt moved to approve **Ordinance No. 2000-07-074: An**
Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Addition of Definitions
for “Athletic Training Facility, Non-Residential” and “Athletic Training Facility, Residential” - Plan
Case No. 1746-T-00) as amended by the definition which was passed out at this meeting (see copy
attached). The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye
were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman - 6; voting nay: none.

Ms. Tyler presented staff report on **Resolution No. 2000-07-027R: A Resolution of**
Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (Six-Part
Omnibus Text Amendment Regarding Kennels, Veterinary Hospitals, Pet Cemeteries, Small-Scale
Fabricating Shops, Parking Requirements for Schools, and Clarification of Setback Requirements
for Rural Home Occupations - Plan Case CCZBA-219-AT-99. This case is omnibus text amendment,
which encompasses several text amendments. Staff has reviewed these amendments with respect to how
they affect the City and determined that there will be no negative affect on the City of Urbana. Plan
Commission recommends defeat of this protest.

Alderman Taylor moved to defeat **Resolution No. 2000-07-027R: A Resolution of Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (Six-Part Omnibus Text Amendment Regarding Kennels, Veterinary Hospitals, Pet Cemeteries, Small-Scale Fabricating Shops, Parking Requirements for Schools, and Clarification of Setback Requirements for Rural Home Occupations - Plan Case CCZBA-219-AT-99)**. The motion was seconded by Alderwoman Kearns and was defeated by voice vote.

Senior Planner Rob Kowalski presented staff report on **Ordinance No. 2000-07-087: An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Revisions to Article XII, Historic Preservation Ordinance - Plan Case No. 1750-T-00)** stating that this is a request by the Zoning Administrator to amend the Historic Preservation Ordinance. There are many inconsistencies in the current ordinances, such as typos and grammar. Most of the changes relate to procedure and how applications are accepted and timing for hearings. These changes have been reviewed by the Historic Preservation and Plan Commissions.

City Attorney Jack Waaler requested an amendment so that Section 1 reads that "it is hereby amended to read as reflected in Exhibit A" .

Alderman Hayes moved to approve **Ordinance No. 2000-07-087: An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Revisions to Article XII, Historic Preservation Ordinance - Plan Case No. 1750-T-00)**. The motion was seconded by Alderwoman Kearns and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman - 6; voting nay: none.

Alderwoman Wyman moved that Council enter into **Closed Session for the Purpose of Discussion of Pending and Probable Litigation**. The motion was seconded by Alderwoman Patt and

carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Patt, Kearns, Taylor, and Wyman - 6; voting nay: none.

The Council entered into closed session at 7:45 p.m. Alderman Taylor moved that Council reconvene at 8:09 p.m. The motion was seconded by Alderwoman Patt and carried by a voice vote. All Members previously in attendance were present.

Alderwoman Kearns moved that the Urbana City Council place the stipulation and consent degree which resulted from the City of Urbana as Plaintiff versus the East Urbana Development Corporation, Ivan Richardson and Donald Flessner, Defendants, Case No. 00-CH-110 into the official record of the City and have it placed on file. The motion was seconded by Mr. Hayes and carried by a voice vote.

Mayor Satterthwaite suggested that the following ordinances be considered in omnibus fashion:

Ordinance No. 2000-07-088: An Ordinance Approving an Annexation Agreement With Champaign Hotel Venture, Inc. (Park Inn International/2408 N. Cunningham Avenue)

Ordinance No. 2000-07-089: An Ordinance Approving An Annexation Agreement with Farm & Fleet of Monroe, Incorporated, A Wisconsin Company (Farm & Fleet/2501 N. Cunningham Avenue)

Ordinance No. 2000-07-090: An Ordinance Approving an Annexation Agreement with Harold D. Wheatley and Helen L. Wheatley (Wheatley Residence/710 Dodson Drive East)

Ordinance No. 2000-07-091: An Ordinance Approving an Annexation Agreement with Walter B. Gerhardt (Gerhardt Property/1804 N. Cunningham Avenue)

Chief Administrative Officer Bruce Walden and Community Development Director April Getchius reviewed the terms and categories of the annexation agreements.

The first category is the more commercial property, which includes Gerhardt property, Farm & Fleet property, and the Park Inn Property. While these properties are related to the Big Grove issue they are not related to the litigation.

The second category is the voluntary annexations of residences that are located near the Urbana Golf Course. There is also the category of clean-ups. such as Bakers Lane which is located in the Scottswood area and the Gallivan property near Oak Street.

Those annexations directly related to the Big Grove litigation are Routh Farm, Wheatley Annexation, and the stipulation voted on previously this evening by Council.

This action tonight does not force annex anyone in Edgewood or Scottswood. These properties would be excluded from the population of Big Grove.

Following debate, Alderman Taylor moved to approve the following ordinances:

Ordinance No. 2000-07-088: An Ordinance Approving an Annexation Agreement With Champaign Hotel Venture, Inc. (Park Inn International/2408 N. Cunningham Avenue)

Ordinance No. 2000-07-089: An Ordinance Approving An Annexation Agreement with Farm & Fleet of Monroe, Incorporated, A Wisconsin Company (Farm & Fleet/2501 N. Cunningham Avenue)

Ordinance No. 20000-07-090: An Ordinance Approving an Annexation Agreement with Harold D. Wheatley and Helen L. Wheatley (Wheatley Residence/710 Dodson Drive East)

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, Wyman, and Mayor Satterthwaite - 7; voting nay: none.

Alderman Taylor moved to forward:

Ordinance No. 2000-07-091: An Ordinance Approving an Annexation Agreement with Walter B. Gerhardt (Gerhardt Property/1804 N. Cunningham Avenue)

to the August 21, 2000 meeting of the Urbana City Council for approval. The motion was seconded by Alderwoman Patt and carried by a voice vote.

Mayor Satterthwaite stated that the following Ordinances Annexing Certain Territory to the City of Urbana can be considered in omnibus fashion:

Ordinance No. 2000-07-075: An Ordinance Annexing Certain Territory to the City of Urbana (A Part of the Routh Farm)

Ordinance No. 2000-07-076: An Ordinance Annexing Certain Territory to the City of Urbana (Wheatley Residence/710 Dodson Drive East)

Ordinance No. 2000-07-077: An Ordinance Annexing Certain Territory to the City of Urbana (A Strip of Land in the Unplatted Portion of Beringer Commons Subdivision)

Ordinance No. 2000-07-078: An Ordinance Annexing Certain Territory to the City of Urbana (Farm & Fleet/2501 N. Cunningham Avenue)

Ordinance No. 2000-07-079: An Ordinance Annexing Certain Territory to the City of Urbana (Park Inn/2408 North Cunningham Avenue)

Ordinance No. 2000-07-081: An Ordinance Annexing Certain Territory to the City of Urbana (Prickett Residence/513 East G.H. Baker Drive)

Ordinance No. 2000-07-082: An Ordinance Annexing Certain Territory to the City of Urbana (Stafford Residence/1918 N. Hagan Boulevard)

Ordinance No. 2000-07-083: An Ordinance Annexing Certain Territory to the City of Urbana (Wickesberg-Noffke Residence/1916 N. Hagan Boulevard)

Ordinance No. 2000-07-084: An Ordinance Annexing Certain Territory to the City of Urbana (Hill Residence/1917 N. Hagan Boulevard)

Ordinance No. 2000-07-085: An Ordinance Annexing Certain Territory to the City of Urbana (Baker's Lane)

Ordinance No. 2000-07-086: An Ordinance Annexing Certain Territory to the City of Urbana (James Gallivan Land Trust #1223/A Permanent Non-Exclusive Easement for Right-Of-Way Purposes)

Economic Development Manager Reed Berger was present to answer any questions

Council might have about these annexations.

Alderman Taylor moved to approve the following ordinances by omnibus motion:

Ordinance No. 2000-07-075: An Ordinance Annexing Certain Territory to the City of Urbana (A Part of the Routh Farm)

Ordinance No. 2000-07-076: An Ordinance Annexing Certain Territory to the City of Urbana (Wheatley Residence/710 Dodson Drive East)

Ordinance No. 2000-07-077: An Ordinance Annexing Certain Territory to the City of Urbana (A Strip of Land in the Unplatted Portion of Beringer Commons Subdivision)

Ordinance No. 2000-07-078: An Ordinance Annexing Certain Territory to the City of Urbana (Farm & Fleet/2501 N. Cunningham Avenue)

Ordinance No. 2000-07-079: An Ordinance Annexing Certain Territory to the City of Urbana (Park Inn/2408 North Cunningham Avenue)

Ordinance No. 2000-07-081: An Ordinance Annexing Certain Territory to the City of Urbana (Prickett Residence/513 East G.H. Baker Drive)

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Ordinance No. 2000-07-086: An Ordinance Annexing Certain Territory to the City of Urbana (James Gallivan Land Trust #1223/A Permanent Non-Exclusive Easement for Right-Of-Way Purposes)

The motion was seconded by Alderman Hayes and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman - 6; voting nay: none.

Alderman Taylor moved to send the following ordinance to the Council Meeting on August 21, 2000 for approval:

Ordinance No. 2000-07-080: An Ordinance Annexing Certain Property to the City of Urbana (Gerhardt Property/1804 N. Cunningham Avenue)

The motion was seconded by Alderwoman Kearns and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Kearns, Patt, Taylor, and Wyman - 6; voting nay: none.

Mr. Walden expressed his appreciation to the residents and business involved in these annexations.

Alderman Taylor expressed his appreciation to staff for their hard work and dedication involved in processing these annexations.

ADJOURNMENT

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 8:32 p.m.

Tod Satterthwaite
Mayor

Phyllis D. Clark, City Clerk

* This meeting was taped.

**This meeting was broadcast on cable television

MINUTES APPROVED: As amended, August 21,2000

AMENDMENTS TO AUGUST 7, 2000 CITY COUNCIL MINUTES

Alderwoman Patt requested that the minutes be amended on page 5, paragraph 1, to state "Alderman Taylor moved to adopt" rather than "Alderman Taylor moved to defeat" in the first line, and in the last line to change "was defeated by a vote" to "failed by a voice vote". There were no objections.