

**URBANA CITY COUNCIL MEETING  
November 5, 2001**

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The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, November 5, 2001 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: Chynoweth, Hayes, Huth (arrived at 8:54 p.m.), Otto, Patt, Whelan, and Wyman - 7; absent: none.

Also present were staff members: Reed Berger, Ron Eldridge, Tim Fitzpatrick, Bill Gray, Fire Chief Rex Mundt, Bruce Walden, and Jack Waaler.

**MINUTES OF PREVIOUS MEETING**

Alderman Wyman moved approval of the minutes of the October 15, 2001 regular meeting. The motion was seconded by Alderman Patt and carried by a voice vote.

**ADDITIONS TO THE AGENDA**

Mayor Satterthwaite requested to remove the Closed Session - Pending Litigation from the agenda. There were no objections.

Mayor Satterthwaite requested to add **Agreement Providing for Rescinding Specific Obligations Provided Under an Agreement Providing for the Mutual Release of Obligations Under a Certain Contract for Sale as to 708 Sunset Drive, Urbana, Illinois** to the agenda as item 1. under **NEW BUSINESS**. There were no objections.

**PETITIONS AND COMMUNICATIONS**

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Ann Wymore, 701 S. Busey Avenue; Diane Dodd, 708 S. Busey Avenue; Bette Anderson, 713 W. Oregon; Linda Lorenz, 409 W. High Street; and Karen Kummer, representing PACA, addressed the Council in support of **Ordinance No. 2001-11-141: An Ordinance Approving the Designation of the**

**"Joseph Royer Historic District" Under the Provisions of the Urbana Historic Preservation Ordinance (For parcels located at 801 West Oregon Avenue and 701 South Busey Avenue - Plan Case HP-01-HDD-1).**

Linda Beredt, representing the Theta Club, owner of the property of 801 W. Oregon, addressed the Council in opposition to **Ordinance No. 2001-11-141.**

Kip Pope, representing C & U Poster, addressed the Council regarding **Ordinance No. 2001-11-140: An Ordinance Amending Section IX of the Zoning Ordinance, Interim Development Ordinance, Moratorium on Outdoor Advertising Sign Structures (Plan Case 1799-T-01).**

Aldерwoman Chynoweth requested that a discussion of Hate Crimes be put on the agenda of the Committee of the Whole to be held on Tuesday, November 13, 2001. There was no objection.

#### **OLD BUSINESS**

There was none.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee Of The Whole**

Alderman Otto moved to approve **Ordinance No. 2001-10-136: An Ordinance Approving the Addition of Territory to the Urbana Enterprise Zone (O'Brien Project Area / Interstate 74 and U.S. Route 45).** The motion was seconded by Aldерwoman Patt and carried 6-0 by roll call vote.

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Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, Whelan and Wyman - 6; voting nay: none.

Alderman Otto moved to approve **Ordinance No. 2001-10-135: An Ordinance Revising the Annual Budget Ordinance (Florida Avenue Improvements)**. The motion was seconded by

Alderwoman Patt and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, Whelan and Wyman - 6; voting nay: none.

Alderman Otto moved by omnibus motion to approve **Ordinance No. 2001-10-130: Annual Tax Levy Ordinance of the City of Urbana, Illinois For the Year Beginning July 2001 and Ending June 30, 2002; Ordinance No. 2001-10-131: An Ordinance Abating Tax Levy for \$5.705 Million General Obligation Bonds, Series 1994 (FY2001-02) and Ordinance No. 2001-10-132: An Ordinance Abating Tax Levy for \$1.0 Million General Obligation Bonds, Series 1992 (FY 2001-02)**.

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

Alderwoman Patt left the meeting at 8:45 p.m.

Alderman Otto moved to approve **Ordinance No. 2001-10-129: An Ordinance Approving and Authorizing the Execution of an East Central Illinois Mutual Aid Agreement**. The motion was seconded by Alderman Whelan and carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Whelan and Wyman - 5; voting nay: none.

Alderwoman Patt returned to the meeting at 8:50 p.m.

Alderman Otto moved by omnibus motion to approve **Ordinance No. 2001-10-133: An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting**

**Parking at All Times on Certain Streets (Kinch Street and Old U.S. Route 150) and Ordinance No.**

**2001-10-134: An Ordinance Amending Schedule M of Section 23-190 of the Urbana Local Traffic**

**Code Providing for Tow Away Zones (Old U.S. Route 150).** The motion was seconded by Alderwoman

Wyman and carried by a roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, Whelan and Wyman - 6; voting nay: none.

The next meeting of the Committee of The Whole will be Monday, November 13, 2001 at 7:30 p.m. in the Urbana City Council Chambers.

**REPORTS OF SPECIAL COMMITTEES**

**Rules Committee**

Alderwoman Patt moved to approve the minutes of the following closed sessions:

May 24, 1999	September 11, 2000
June 21, 1999	October 2, 2000
May 1, 2000	October 16, 2000
July 3, 2000	November 20, 2000
July 17, 2000	December 4, 2000
July 24, 2000	December 18, 2000
August 7, 2000	January 22, 2001

The motion was seconded by Alderman Otto. Alderwoman Patt moved to amend the December 18, 2000 minutes. First in the section under Pending Litigation, the first paragraph, the attorney's name is Dave Krchak. In the following paragraph there are two references using the word Appellate, both of which should be Circuit. The motion was seconded by Alderwoman Wyman and carried by a voice vote. The motion for approval of the minutes, as amended, carried by a voice vote.

**REPORTS OF OFFICERS**

Chief Administrative Officer Bruce Walden stated that an Open House will be held at Lincoln Square on November 15, 2001 from 6:00-8:00 p.m. to review the plans that have been developed for the Downtown, as well as some of the streetscape projects that are planned.

Mr. Walden stated that the new electronic parking meters have been installed around campus and the hospitals and the new rate is now in effect.

Mr. Walden stated that for the most part, the City is not putting any administrative hold on spending or any other discussions of new revenues at this time. The City of Urbana is not affected in the same way as Champaign by the recent economic developments.

Mr. Walden stated that staff is meeting several times a week on the diversity issue and will have some suggestions for the Human Relations Commission and for Council.

Aldерwoman Wyman thanked City Staff for taking the issue of diversity seriously.

Aldерwoman Huth arrived at 8:54 p.m.

**NEW BUSINESS**

Grants Management Division Manager Bob Grewe presented staff report on **Agreement Providing for Rescinding Specific Obligations Provided Under an Agreement Providing for the Mutual Release of Obligations Under a Certain Contract for Sale as to 708 Sunset Drive, Urbana, Illinois** with Urbana School District 116. The City and the District agree to rescind a specific phrase from an earlier agreement.

On July 10, 1999, the City and the School District entered into An Agreement Providing for the Mutual Release of Obligations Under a Certain Contract for Sale as to 708 Sunset Drive, Urbana, Illinois which, Paragraph five (5) indicates that the City intends to convey 1105 Harvey to the Urbana School District 116.

Illinois Center for Citizen Involvement (ICfCI) has identified a household that desires to build a new affordable house at 1105 N. Harvey. Since the City did not complete the conveyance and the School district did not have any improvements on 1105 Harvey Street, all parties agree that the parcel can be conveyed to ICfCI to support their affordable housing program.

Staff recommends that Council approve the Agreement.

Following debate, Alderwoman Wyman moved to approve **Agreement Providing for Rescinding Specific Obligations Provided Under an Agreement Providing for the Mutual Release of Obligations Under a Certain Contract for Sale as to 708 Sunset Drive, Urbana, Illinois.** The motion was seconded by Alderwoman Patt and carried 7-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, Whelan and Wyman – 7; voting nay: none.

Planning Manager Libby Tyler presented staff report on **Ordinance No. 2001-11-137: An Ordinance Amending an Agreement With the Urbana & Champaign Sanitary District (Concerning Improvements to the Woodland Park Neighborhood – Plan Case 1802-DA-01).** The Woodland Park Neighborhood Plan was adopted by City Council in November 1995. The Agreement was replaced by an updated version in April of 1997.

The Agreement provided for the rezoning of ten parcels to the Conservation, Recreation, and Education (CRE) zoning district. Although the Zoning Ordinance Provisions for the CRE District allow

a Sewage Treatment Plant with a special use permit, the Agreement limited the UCSD from using these parcels for sanitary treatment facilities or for storing or holding waste material.

The parcels previously occupied by homes along North Hickory Street extended are now owned by the Sanitary District and are currently vacant. The UCSD is requesting an amendment to the agreement to allow facilities associated with the sanitary treatment plan to take place upon four of the designated parcels in the northerly portion of the area. The UCSD owns these parcels and would like to use them for a westerly expansion of an existing biosolids storage pad and for construction of a digester and stormwater clarifier.

Staff recommends approval.

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2001-11-137: An Ordinance Amending an Agreement With the Urbana & Champaign Sanitary District (Concerning Improvements to the Woodland Park Neighborhood – Plan Case 1802-DA-01)**. The motion was seconded by Alderwoman Chynoweth and carried 7-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, Whelan and Wyman – 7; voting nay: none.

Planner Tim Ross presented staff report on **Ordinance No. 2001-11-138: An Ordinance Amending the Zoning Map of the City of Urbana (for a parcel located at 714 North Cunningham Avenue – Plan Case 1798-M-01)**. Randy Baker of Morton Buildings, Inc. has submitted a petition on behalf of East Lawn Burial Park Association for a Zoning Map Amendment to rezone 0.64 acres of property at 714 North Cunningham Avenue from B-3, General Business to AG, Agricultural. The rezoning would allow for the replacement of an existing cemetery maintenance building with a new office/maintenance building. Staff recommends approval of this ordinance.

Alderman Wyman moved to approve **Ordinance No. 2001-11-138: An Ordinance Amending the Zoning Map of the City of Urbana (for a parcel located at 714 North Cunningham Avenue – Plan Case 1798-M-01)**. The motion was seconded by Alderman Hayes and carried 7-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, Whelan and Wyman – 7; voting nay: none.

Mr. Ross presented staff report on **Ordinance No. 2001-11-139: An Ordinance Approving a Major Variance (to allow a 94% reduction in a rear yard setback for a cemetery office maintenance building at 714 North Cunningham Avenue – Case No. ZBA-MAJ-14)**. Randy Baker of Morton Buildings, Inc. has requested a major variance on behalf of the East Lawn Burial Association to construct a 1,350 square foot Morton Building at 714 North Cunningham Avenue, which will serve as an accessory office/maintenance building to the adjacent cemetery. The building would replace the existing brick office building.

Alderman Wyman moved to approve **Ordinance No. 2001-11-139: An Ordinance Approving a Major Variance (to allow a 94% reduction in a rear yard setback for a cemetery office maintenance building at 714 North Cunningham Avenue – Case No. ZBA-MAJ-14)**. The motion was seconded by Alderman Patt and carried 7-0 by roll call voice. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, Whelan and Wyman – 7; voting nay: none.

Mr. Ross presented staff report on **Ordinance No. 2001-11-140: An Ordinance Amending Section IX of the Zoning Ordinance, Interim Development Ordinance, Moratorium on Outdoor Advertising Sign Structures (Plan Case 1799-T-01)**. The Zoning Administrator is requesting an



amendment to the Zoning Ordinance to add an exception provision to Section IX-10, Interim Development Ordinance (IDO) – Moratorium on Outdoor Advertising Sign Structures. This would allow the billboard located at the Elite Diner site at 210 East Elm Street to be removed and a new billboard to be constructed at the Eliot Building site at 212 East Main Street, approximately 300 feet to the north. The current IDO significantly limits the placement of new Outdoor Advertising Structures (OASS) for a period of 180 days while the existing regulations are reviewed. Staff recommends approval.

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2001-11-140: An Ordinance Amending Section IX of the Zoning Ordinance, Interim Development Ordinance, Moratorium on Outdoor Advertising Sign Structures (Plan Case 1799-T-01)**. The motion was seconded by Alderwoman Patt and carried 6-1 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Otto, Patt, Whelan and Wyman – 6; Voting nay: Chynoweth – 1.

Senior Planner Rob Kowalski presented staff report on **Ordinance No. 2001-11-141: An Ordinance Approving the Designation of the “Joseph Royer Historic District” Under the Provisions of the Urbana Historic Preservation Ordinance (For parcels located at 801 West Oregon Avenue and 701 South Busey Avenue – Plan Case HP-01-HDD-1)**. The Preservation and Conservation Association (PACA) has submitted an application for a historic district for the properties at 801 West Oregon Avenue and 701 South Busey Avenue. 801 West Oregon Avenue was the original residence of Joseph Royer, a prominent Urbana architect, designed by Mr. Royer and built in 1905. The property at 701 South Busey was designed and built by Mr. Royer as a “mother-in-law” cottage for his mother-in-law Ella Danley in 1923. Presently 801 West Oregon Avenue is owned by the Theta Club and 701 South Busey is owned by Ann Wymore.

Staff recommends approval of the proposed "Joseph Royer Historic District" as presented in Plan Case HP-01-HDD-1.

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2001-11-141: An Ordinance Approving the Designation of the "Joseph Royer Historic District" Under the Provisions of the Urbana Historic Preservation Ordinance (For parcels located at 801 West Oregon**

**Avenue and 701 South Busey Avenue – Plan Case HP-01-HDD-1)**. The motion was seconded by Alderwoman Huth.

Following debate, Alderman Whelan moved a substitute motion to forward the ordinance to Committee for further discussion. The motion died for lack of a second.

Mayor Pro Tem Hayes took the Chair and Mayor Satterthwaite entered debate to state his support for the main motion. Mayor Satterthwaite resumed the Chair.

The motion to approve **Ordinance No. 2001-11-141: An Ordinance Approving the Designation of the "Joseph Royer Historic District" Under the Provisions of the Urbana Historic Preservation Ordinance (For parcels located at 801 West Oregon Avenue and 701 South Busey Avenue – Plan Case HP-01-HDD-1)** carried 6-1 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt and Wyman – 6; voting nay: Whelan – 1.

City Attorney Jack Waaler presented **Ordinance No. 2001-11-143: An Ordinance Authorizing the Mayor to Sign a Road Right-of-Way Dedication to the City of Urbana (Anthony Drive)** for Council approval. The City previously acquired certain tracts of land on north Route 45 on the east side because the property was needed for the right-of-way improvements in that area. A Portion of the

dedicated right-of-way will be dedicated to the State of Illinois and the rest to the City. It is appropriate to dedicate the necessary right-of-way at this time so that IDOT knows everything is in place.

Alderman Wyman moved to approve **Ordinance No. 2001-11-143: An Ordinance Authorizing the Mayor to Sign a Road Right-of-Way Dedication to the City of Urbana (Anthony Drive)**. The motion was seconded by Alderman Patt and carried 7-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, Whelan and Wyman – 7; voting nay: none.

Alderman Hayes moved to approve **Ordinance No. 2001-11-144: An Ordinance Authorizing the Mayor to Sign a Road Right-of-Way Dedication to the State of Illinois (Anthony Drive)**. The motion was seconded by Alderman Wyman and carried 7-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, Whelan and Wyman – 7; voting nay: none.

Economic Development Division Manager Reed Berger requested that Council approve a **Motion Regarding Publication of Annexation Notice**. Alderman Patt moved that the City Clerk be directed to cause to be published in the Champaign-Urbana News Gazette , a notice that annexation of the territory described on the attachment to this Motion is being contemplated by the City Council. The motion was seconded by Alderman Wyman and carried by a voice vote.

#### **ADJOURNMENT**

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 10:13 p.m.

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Mayor

Phyllis D. Clark, City Clerk

**Minutes approved: November 19, 2001, as amended**

**AMENDMENT TO THE NOVEMBER 5, 2001 MINUTES**

Alderman Whelan requested that page 2 of the minutes be amended to reflect that Kip Pope also spoke in opposition to the historic preservation issue. There were no objections.