

STATE OF ILLINOIS

CITY OF URBANA

Tod Satterthwaite, Mayor

Phyllis D. Clark, City Clerk



**URBANA CITY COUNCIL MEETING
APRIL 19, 2004**

The City Council of the City of Urbana, Illinois, met in regular session Monday, April 19, 2004 in the Council Chambers at the Urbana City Building.

COUNCIL MEMBERS PRESENT

Ward 1 - Alderwoman Esther Patt
Ward 2 - Alderwoman Ruth Wyman
Ward 3 - Alderman James H. Hayes, Jr.
Ward 4 - Alderwoman Danielle Chynoweth
Ward 5 - Alderwoman Laura Huth
Ward 6 - Alderman Joseph A. Whelan, Jr.
Ward 7 - Alderman Milton Otto

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Tod Satterthwaite; Phyllis Clark; Stephen Holz; Eddie Adair; Rex Mundt; Gale Jamison; Elizabeth Tyler; Robert Kowalski; Michaela Oktay

OTHERS PRESENT

Bob Leach; Jerry Moreland; Betty Williams; Members of the Media

Mayor Satterthwaite called the meeting of the Urbana City Council to order at 7:30 p.m.

A. APPROVAL OF MINUTES OF PREVIOUS MEETING

April 5, 2004 - Alderwoman Wyman made a motion to approve the minutes of the April 5, 2004 meeting. Alderwoman Patt seconded. The motion carried by voice vote.

B. ADDITIONS TO THE AGENDA

There were no additions to the agenda.

Mayor suggested moving the ward map item to the end of the agenda. There were no objections.

Alderwoman Patt suggested also moving the B-1 discussion to the end of the agenda.

C. PETITIONS AND COMMUNICATIONS

Bob Leach, 910 N. Broadway, addressed the Council regarding Ordinance No. 2004-03-029 and the proposed convenient store at the corner of Lincoln Avenue and Bradley Avenue, and expressed concerns about the annexation agreement and zoning change related to how close this development is to the water wells of Illinois-American Water Company.

Jerry Moreland, 703 N. Mathews, addressed the Council concerning Provena-Covenant Medical Center's not-for-profit status appeal, requesting that consideration be given to TIF 3 in the event the appeal is granted.

Betty Williams, 1204 N. Lincoln Avenue, addressed the Council with concerns in opposition to the proposed development of a gasoline service station at the corner of Bradley Avenue and Lincoln Avenue. She is also opposed to the sale of liquor there, particularly hard liquor.

Council Member Input

Alderman Hayes commended the Community Development and Public Works Departments and Arbor Division for their efforts to beautify the city-owned park at the corner of Goodwin Avenue and Beslin Street.

Alderman Chynoweth thanked Council Members and staff for their efforts in making the Boneyard Arts Festival a success this past weekend.

E. REPORTS OF STANDING COMMITTEES

1. **Committee Of The Whole**

- a. Resolution No. 2004-008R: ***A Resolution Authorizing An Extension of An Agreement for Use of Right-Of-Way (Illinois-American Water Company)***

Alderman Otto made a motion to adopt the resolution. Alderman Patt seconded. The motion carried by voice vote.

Disposition: Resolution No. 2004-008R, "A Resolution Authorizing An Extension of An Agreement for Use of Right-Of-Way (Illinois-American Water Company)", was adopted by the City Council by a voice vote.

- b. Resolution No. 2004-04-009R: ***A Resolution Providing for the Financing by the City of Urbana, Illinois, of the Acquisition and Construction of Certain Nursing Home Facilities, to Provide Increased Job Opportunities and Retain Existing Jobs; Authorizing the Issuance of Multiple Series of Capital Improvement Revenue Bonds (Clark-Lindsey Village, Inc. Project) in Connection Therewith; Authorizing the Execution and Delivery of a Loan Agreement, Supplemental Loan Agreements, a Mortgage and Security***

Agreement, and an Assignment Agreement and Supplemental Assignments Securing Such Bonds; Authorizing and Providing for the Sale of Such Bonds; Authorizing the Execution and Delivery of Arbitrage Regulation Agreements; and Related Matters

Alderman Otto made a motion to adopt the resolution.
Alderwoman Wyman seconded. The vote was as follows:

Chynoweth - Aye	Patt - Aye
Hayes - Aye	Whelan - Aye
Huth - Aye	Wyman - Aye
Otto - Aye	

Disposition: Resolution No. 2004-04-009R, "A Resolution Providing for the Financing by the City of Urbana, Illinois, of the Acquisition and Construction of Certain Nursing Home Facilities, to Provide Increased Job Opportunities and Retain Existing Jobs; Authorizing the Issuance of Multiple Series of Capital Improvement Revenue Bonds (Clark-Lindsey Village, Inc. Project) in Connection Therewith; Authorizing the Execution and Delivery of a Loan Agreement, Supplemental Loan Agreements, a Mortgage and Security Agreement, and an Assignment Agreement and Supplemental Assignments Securing Such Bonds; Authorizing and Providing for the Sale of Such Bonds; Authorizing the Execution and Delivery of Arbitrage Regulation Agreements; and Related Matters", adopted by Council by a roll call vote (7-aye:0-nay).

- c. Resolution No. 2004-04-007R: **A Resolution Evidencing the Intention of the City of Urbana, Champaign County, Illinois, to Reserve the 2004 Private Activity Bond for the Purpose of Furthering Neighborhood initiatives**

Alderman Otto made a motion to adopt the resolution.
Alderwoman Osler seconded. The vote was as follows:

Chynoweth - Aye	Patt - Aye
Hayes - Aye	Whelan - Aye
Huth - Aye	Wyman - Aye
Otto - Aye	

Disposition: Resolution No. 2004-04-007R, "A Resolution Evidencing the Intention of the City of Urbana, Champaign County, Illinois, to Reserve the 2004 Private Activity Bond for the Purpose of Furthering Neighborhood Initiatives," was adopted by Council by a roll call vote (7-aye:0-nay).

With nothing further to report, Chair Otto stated that the next meeting of the Committee Of The Whole is scheduled for Monday, April 26, 2004 at 7:30 p.m. in the Council Chambers.

F. REPORTS OF SPECIAL COMMITTEES

There were none.

G. REPORTS OF OFFICERS

There were none.

H. NEW BUSINESS

1. Ordinance No. 2004-04-044: ***An Ordinance Approving and Authorizing the Execution of An Annexation Agreement (1501 North Lincoln Avenue Annexation Agreement / Approximately 2.71 Acres on the Southwest Corner of Lincoln Avenue and Bradley Avenue - Plan Case No. 1887-A-04 & 1887-M-04)***

Mr. Kowalski presented the staff report and noted that the public hearing was not noticed in time and, therefore, no action could be taken this evening. A public hearing has been scheduled for Monday, May 3, 2004 prior to the City Council meeting.

No action taken on this item.

2. Ordinance No. 2004-04-045: ***An Ordinance Approving a Special Use Permit (Request by Champaign County to Establish a Nursing Home in the CRE, Conservation-Recreation-Education, Zoning District, 500 South Art Bartell Road - Plan Case No. 1888-SU-04)***

Mr. Kowalski presented the staff report.

Alderwoman Whelan made a motion to approve. Alderwoman Wyman seconded. The vote was as follows:

Chynoweth - Aye	Patt - Aye
Hayes - Aye	Whelan - Aye
Huth - Aye	Wyman - Aye
Otto - Aye	

Disposition: Ordinance No. 2004-04-045, "An Ordinance Approving a Special Use Permit (Request by Champaign County to Establish a Nursing Home in the CRE, Conservation-Recreation-Education, Zoning District, 500 South Art Bartell Road - Plan Case No. 1888-SU-04)", was approved by Council by roll call vote (7-aye:0-nay).

3. Ordinance No. 2004-04-046: ***An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning for 395 N. Race Street From IN, Industrial, to B-4, Central Business - Plan Case No. 1885-M-04)***

Michaela Oktay (Senior Planner) presented the staff report.

Alderwoman Chynoweth made a motion to approve. Alderwoman Wyman seconded.

The vote was as follows:

Chynoweth - Aye	Patt - Aye
Hayes - Aye	Whelan - Aye
Huth - Aye	Wyman - Aye
Otto - Aye	

Disposition: Ordinance No. 2004-04-046, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning for 395 N. Race Street From IN, Industrial, to B-4, Central Business - Plan Case No. 1885-M-04)", was approved by Council by a roll call vote (7-aye:0-nay).

4. Resolution No. 2004-04-010R: ***A Resolution Authorizing the City to Intervene in the Ameren and Illinois Power Merger Case at the Illinois Commerce Commission***

Stephen Holz (City Attorney) presented the staff report.

Alderman Hayes made a motion to adopt the resolution. Alderwoman Wyman seconded. The motion carried by a voice vote.

Disposition: Resolution No. 2004-04-010R, "A Resolution Authorizing the City to Intervene in the Ameren and Illinois Power Merger Case at the Illinois Commerce Commission", was adopted by Council by a voice vote.

D. OLD BUSINESS

1. Ordinance No. 2004-03-029: ***An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (With Respect to the Standards and Regulations for the B-1, Neighborhood Business, Zoning District / Plan Case No. 1878-T-04)***

Robert Kowalski (Planning Division Manager) presented the staff report. An alternative ordinance was also presented.

Alderwoman Chynoweth suggested a correction under section 8, indicating that "Laundry and Dry Cleaning Pick-up" should be under "Dry Cleaner", which would be something only allowed by special use. There were no objections.

Following debate, Alderwoman Chynoweth made a motion to approve the alternative ordinance presented tonight, with the correction to put "Laundry and Dry Cleaning Pick-up" from Section 8 into Section 7 under "Dry Cleaner". Alderwoman Patt seconded. The vote was as follows:

Chynoweth - Aye	Patt - Aye
Hayes - Aye	Whelan - Aye
Huth - Aye	Wyman - Aye
Otto - Aye	

Disposition: Ordinance No. 2004-03-029, "An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (With Respect to the Standards and Regulations for the B-1,

Neighborhood Business, Zoning District / Plan Case No. 1878-T-04)", was approved by Council by a roll call vote (7-aye:0-nay).

2. Ordinance No. 2004-04-043: ***An Ordinance Redistricting the Wards of the City of Urbana***

Alderwoman Wyman made a motion to approve. Alderwoman Huth seconded. Debate ensued.

Alderman Whelan made a motion to amend the map to take the area west of Philo Road down to Windsor Road (includes McHenry to Windsor, and Philo to Anderson) and make it part of Ward 7. Alderman Otto seconded. Debate ensued.

Alderman Hayes took the chair at 9:29 p.m. and Mayor Satterthwaite entered debate. Mayor Satterthwaite resumed chair at 9:33 p.m.

Alderman Whelan's motion to amend failed by a show of hands. Debate ensued.

Alderman Otto moved to amend to include that part of Ward 6 commonly known as Beringer Commons north of Washington Street from Ward 6 into Ward 5, and to keep the population balanced to move the three blocks between Race Street and Cedar Street and south of California Avenue and north of Washington Street from Ward 5 into Ward 4, and then to further balance the population, to move the two blocks from Anderson Street to Lynn Street and from Washington Street to Fairlawn Avenue into Ward 6. Alderman Whelan seconded. Debate ensued.

Alderman Hayes took the chair at 9:48 p.m. and Mayor Satterthwaite entered debate. Mayor Satterthwaite resumed the chair at 9:52 p.m.

Alderman Whelan requested a roll call vote on the motion to amend. The vote was as follows:

Chynoweth - Nay	Patt - Nay
Hayes - Aye	Whelan - Aye
Huth - Nay	Wyman - Nay
Otto - Aye	

Alderman Otto's motion to amend failed by a roll call vote (3-aye:4-nay).

Following further debate, the vote on the main motion to approve was as follows:

Chynoweth - Aye	Patt - Aye
Hayes - Nay	Whelan - Nay
Huth - Aye	Wyman - Aye
Otto - Nay	

Disposition: Ordinance No. 2004-04-043, "An Ordinance Redistricting the Wards of the City of Urbana", approved by Council by roll call vote (4-aye:3-nay).

I. ADJOURNMENT

There being no further business to come before the City Council, Mayor Satterthwaite declared the meeting adjourned at 10:15 p.m.

Deborah J. Roberts
Recording Secretary

Phyllis D. Clark
City Clerk

*This meeting was taped.

**This meeting was broadcast on cable television.

Minutes Approved: May 3, 2004*

*With corrections. (See attached)

CORRECTIONS TO MINUTES
APRIL 19, 2004

At a regular meeting of the Urbana City Council held Monday, May 3, 2004, the following correction(s) was made to the minutes of April 19, 2004:

Page 3, item c, change "Osler" to read "Patt". Thus,
reading: "Alderwoman Patt seconded."

These corrections pertain to original debate in the minutes of April 19, 2004.

By attaching this correction sheet, the minutes of April 19, 2004 are hereby corrected to read as stated herein.

Respectfully submitted,

Deborah J. Roberts
Recording Secretary