

**URBANA CITY COUNCIL MEETING**  
**August 16, 2004**

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The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, August 16, 2004 in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:32 p.m.

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

Also present were staff members: Police Chief Eddie Adair, Acting Assistant Police Chief Mike Bily, Planner Ryan Brault, Public Works Director Bill Gray, City Attorney Steve Holz, Planning Division Manager Rob Kowalski, Senior Planner Michaela Oktay, Economic Development Manager John Regetz, Director of Community Development Libby Tyler, and Chief Administrative Officer Bruce Walden.

**MINUTES OF PREVIOUS MEETING**

Alderwoman Patt moved approval of the minutes of the August 2, 2004 regular meeting. The motion was seconded by Alderwoman Wyman. Alderwoman Wyman requested to amend the minutes on page 4, paragraph 6, line 2. to add "Market" between the words "Farmers" and "Week", and on page 8, the last sentence on the page, to change the "5" to a "6". There were no objections. The minutes, as amended, were approved by a voice vote.

**ADDITIONS TO THE AGENDA**

Mayor Satterthwaite stated that Alderman Otto requested that **Ordinance No. 2004-05-053: An Ordinance Regarding City Officials and Employees Ethics and Political Activity** be postponed for two week so that he will be able to participate in the discussion. Staff has requested a two week postponement of **Ordinance No. 2004-08-099: An Ordinance Approving and Authorizing the Execution of an Urbana HOME Consortium Community Housing Development Organization**

Developer Agreement – Urban League of Champaign County Development Corporation (Lease-Purchase Program FY 2004-2005) There were no objections to these requests.

### PETITIONS AND COMMUNICATIONS

Mayor Satterthwaite announced that Alderwoman Wyman was the winner of the Promotional Sweet Corn Eating Contest and presented her with a hat in the shape of an ear of corn. Mayor Satterthwaite and Chief Adair also participated in the contest.

Joe Petrie and Ray Timpone, Jr. made a presentation on the proposed Stratford project at 106 North Race Street.

Curtis Pettyjohn, 907 South Orchard, addressed the Council with comments regarding the Design Review Board for the Mixed-Office-Residential Zoning District.

Elona MCloskey, 412 West Elm, addressed the Council regarding her concerns for the Guidelines for MOR District.

Lester and Barbara Pritchard, 601 West Pennsylvania, addressed the Council with their concerns regarding the Guidelines for the MOR District.

Steve Ross, 609 West Green, addressed the Council regarding the MOR Design Guidelines.

Gabe Omo-Sage, 2409 North High Cross, addressed the Council regarding the petition drive to get at-large members of the City Council.

Alderman Hayes announced that Thursday, August 19, 2004 there will be an Eads at Lincoln Celebration from 5-7:00 p.m. It will be at the corner of Eads and Gregory Streets.

### OLD BUSINESS

There was none.

## REPORTS OF STANDING COMMITTEES

### Committee Of The Whole

Alderwoman Patt moved to approve Ordinance No. 2004-06-068: An Ordinance

Amending the City of Urbana Code of Ordinances (Curfew for Minors). The motion was seconded by Alderwoman Wyman. Alderwoman Wyman moved to amend by completing spaces left for Council Members to complete. On page 3 of the strike out version, item 3. Maximum fine for violation of this section shall be: first offense \$25,00, second offense, \$50.00, third offense, \$75.00, and the same for the item below that, Violations by Parents, Guardians, etc., and also the correction of a typographical error on page 2 at the bottom of the page, item 5, strike out the word, "the juvenile" so it reads "Is homeless". The motion was seconded by Alderwoman Patt. Following debate, the motion to amend, carried 5-1 by roll vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, and Wyman – 5; voting nay: Whelan – 1.

Alderwoman Chynoweth moved to amend the Ordinance on page 2 under C.2. to delete the phrase "without any detour or stop." The motion was seconded by Alderwoman Wyman. Following debate, the motion carried by a voice vote.

Following further debate, the motion carried 4-2 by roll call vote. Voting aye were Members of the Council: .Hayes, Huth, Patt, and Wyman – 4; voting nay: Chynoweth and Whelan – 2.

Alderwoman Patt stated that Ordinance No. 2004-08-106: An Ordinance Amending Section 1-18 of the Code of Ordinances (Pay-By-Mail Corrections, Curfew Fines) was removed from the agenda as it was no longer needed.

Alderwoman Patt moved to adopt Resolution No. 2004-08-018R: A Resolution to Impose a Temporary Moratorium on Permitting Outdoor Advertising Sign Structures (OASS's) (Until an Interim Development Ordinance can be adopted to impose a moratorium on OASS issuance while the review of the number, placement, and development standards of OASS's is being completed). The motion was seconded by Alderwoman Wyman. Following debate, the motion carried 5-1 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, and Wyman – 5; voting nay: Whelan – 1.

Alderwoman Patt moved to approve Ordinance No. 2004-08-107: An Ordinance Amending Chapter 24, Article VI of the Code of Ordinance (Increasing the Size of the UPTV Commission). The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, Whelan, and Wyman –6; voting nay none.

The next meeting of the Committee of the Whole will be Monday, August 23, 2004 at 7:30 p.m. in the Urbana City Council Chambers, 400 South Vine Street.

#### REPORTS OF SPECIAL COMMITTEES

There were none.

#### REPORTS OF OFFICERS

There were none.

#### NEW BUSINESS

Planning Division Manager Rob Kowalski presented staff report on Ordinance No. 2004-08-100: An Ordinance Approving a Final Plat (Savannah Green Subdivision Phase IV – Plan Case No. 1904-S-04).

Construx of Illinois has submitted a final plat for Phase IV of the Savannah Green Subdivision. The final plat would create 29 lots to the west of Phase V. The plat would dedicate the continuation of Ogelthorpe Avenue and Rainbow View Drive from their existing stubs.

Following debate, Alderwoman Chynoweth moved to approve **Ordinance No. 2004-08-100: An Ordinance Approving a Final Plat (Savannah Green Subdivision Phase IV – Plan Case No. 1904-S-04)**. The motion was seconded by Alderman Hayes and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, Whelan, and Wyman – 6; voting nay: none.

Mr. Kowalski presented staff report on **Ordinance No. 2004-08-101: An Ordinance Approving a Preliminary and Final Plat (Prairie Winds Subdivision – Plan Case No. 1902-S-04)**. Paul Tatman is requesting both preliminary and final plat approval for Prairie Winds Subdivision. The subdivision is proposed for a 31-acre tract of property on the south side of Colorado Avenue east of Philo Road. The subdivision will cultivate the development of a Senior Retirement Center residential condominiums and 29 single-family homes.

Alderwoman Wyman moved to approve **Ordinance No. 2004-08-101: An Ordinance Approving a Preliminary and Final Plat (Prairie Winds Subdivision – Plan Case No. 1902-S-04)**. The motion was seconded by Alderwoman Patt. Following debate, the motion carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, Whelan, and Wyman – 6; voting nay: none.

Economic Development Manager John Regetz presented staff report on **Ordinance No. 2004-08-108: An Ordinance to Correct a Typographical Error in Ordinance No. 2004-06-078 Entitled “An Ordinance Fixing a Time and Place for a Public Hearing in Connection With a Proposed Supplement and Amendment to the Redevelopment Plan and Related Redevelopment Projects for the Downtown Urbana Tax Increment Redevelopment Project Area”**. This is basically cleanup work.

When the hearing date was set it was published as Monday, September 7, 2004, the date is correct, however, it is Tuesday, rather than Monday and the meeting will be 7:15 p.m. instead of 7:30 p.m.

Alderwoman Patt moved to approve **Ordinance No. 2004-08-101**. The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, Whelan, and Wyman – 6; voting nay: none.

Mayor Satterthwaite stated discussion regarding whether Alderperson Huth has a conflict of interest with her position at Habitat for Humanity has been going for a number of months. Habitat for Humanity delivered a letter to Chief Administrative Office Bruce Walden the afternoon of August 16, 2004 indicating that they are withdrawing their requests for funding from CDBG and HOME funds and for lots to be dedicated for their use. The supposition is that may eliminate the need for **Ordinance No. 2004-08-102: Ordinance Requesting That the U.S. Department of Housing and Urban Development Grant Exceptions for Conflicts of Interest of Alderperson Laura Huth**. City Attorney Steve Holz stated that the City would review the letter and also communication with HUD to insure that they agree with the intent of the letter. This ordinance will be returned for Council consideration if deemed necessary.

Mr. Holz presented staff report on **Ordinance No. 2004-08-103: An Ordinance Authorizing the Chief Administrative Officer to Execute An Agreement Between Ameren Corporation and the Cities of Champaign, Illinois and Urbana, Illinois Concerning the Acquisition of Illinois Power by Ameren**. The cities of Champaign and Urbana have intervened in the Illinois Commerce Commission (ICC) proceeding with respect to the takeover of Illinois Power by Ameren. In that context we have negotiated a settlement agreement.. The negotiation is for a total of \$14,000,000 to the cities, \$6,000,000 per year for the next two years to be used to correct deficiencies identified by engineering audits. An additional \$1,000,000 per year for two years would be spent with discretion by the cities.

In addition, Ameren reimburse up to \$50,000 toward the expense of our expert engineers used for the technical review of audits.

Chief Administrative Officer Bruce Walden stated that the City's expense has been around \$50,000.

Following debate, Alderman Whelan moved to approve **Ordinance No. 2004-08-103: An Ordinance Authorizing the Chief Administrative Officer to Execute An Agreement Between Ameren Corporation and the Cities of Champaign, Illinois and Urbana, Illinois Concerning the Acquisition of Illinois Power by Ameren.** The motion was seconded by Alderwoman Wyman. Following further debate, the motion carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, Whelan, and Wyman – 6; voting nay: none.

Mr. Kowalski and Senior Planner Michaela Oktay presented staff report on **Ordinance No. 2004-08-104: An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Revisions to various sections of the Urbana Zoning Ordinance as they pertain to the requirements of the M.O.R., Mixed-Office-Residential Zoning District – Plan Case No. 1897-T-04).**

In July 2003, Council passed a four-month moratorium on development in the M.O.R. Zoning District. The two primary goals for that moratorium were to revamp the Development Review Board, which was an all staff board at that time, and consider a board that would be more consistent with some of our other boards and commissions. It would be a citizen/resident board. The second issue would be to consider the development of some design guidelines for the district.

This fine-tunes what was done in November 2003, as well as replacing the section that addresses design guidelines, eliminates the list of 23 or 24 guidelines that was passed earlier and references the new guideline booklet to be used by the Development Review Board. There is also a provision to eliminate the section that prohibits parking underneath a structure.

Mrs. Oktay reviewed the Design Guidelines.

Following debate, Alderwoman Wyman moved to approve Ordinance No. 2004-08-104: An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Revisions to various sections of the Urbana zoning Ordinance as they pertain to the requirements of the M.O.R., Mixed-Office-Residential Zoning District – Plan Case No. 1897-T-04). The motion was seconded by Alderman Hayes.

Alderwoman Wyman moved to delete Section 2. Section VIII-3 J., Location of Parking Facilities, is hereby deleted. The effect of that is to prohibit parking located at ground level below any principal structure. The motion was seconded by Alderwoman Patt. Following debate, the motion carried by a show of hands.

Alderwoman Chynoweth moved to amend the main motion to delete Section 3. Section XI-12 J.1-5 and replace it with the following:

**J. Design Guidelines Review**

The Development Review Board shall evaluate the design of any proposed new development to determine compatibility with the residential character of the neighborhood and with the "M.O.R., Mixed-Office-Residential Zoning District Design Guidelines." A compatible structure shall:

1. Have a main entrance on the street side of the building. If the lot has more than one street frontage, then the main entrance shall be on the more major frontage.
2. Have windows facing each street frontage that are a minimum of 25% of the wall face. The "M.O.R., Mixed-Office-Residential Zoning Design Guidelines shall be adopted under a separate ordinance and shall be housed in the City of Urbana Community Development Services Department. Any proposed amendments to the "M.O.R., Mixed-Office-Residential Zoning District Design Guidelines" shall be considered by the Urbana Plan Commission in the form of a public hearing. The Plan Commission shall forward a recommendation on any proposed amendments to the Urbana City Council for final action.

The motion was seconded by Alderwoman Wyman. Debate followed.



Alderman Whelan moved to table the issue to the next Meeting of the Committee of the Whole. The motion was seconded by Alderwoman Chynoweth. Alderwoman Chynoweth made a friendly amendment to specifically state that Council would like language to address adaptive reuse of existing parking structures that would allow for building on top of existing parking structures and a recommendation for a requirement that would go in the ordinance that would stipulate a certain amount of window size. The amendment was acceptable to the mover.

Debate followed. This ordinance will be considered at the Committee of the Whole meeting on August 23, 2004.

Alderwoman Patt moved to table **Ordinance No. 2004-08-105: An Ordinance Approving Design Guidelines (The M.O.R. Mixed-Office-Residential Zoning District Design Guidelines – Plan Case No. 1897-T-04)** to the August 23, 2004 meeting of the Committee of the Whole for further discussion. The motion was seconded by Alderwoman Wyman. This Ordinance will be considered at the next meeting of the Committee of the Whole.

Chief Administrative Officer Bruce Walden presented staff report on **Ordinance No. 2004-08-109: An Ordinance Authorizing the Chief Administrative Officer to Execute a Tentative Agreement Regarding the Stratford Project**. This is an agreement to proceed. The reason this was needed was that time is running out on this construction season. In two weeks the final agreement will be presented at Council. An agreement on the terms is outlined in this ordinance.

Alderman Whelan moved to approve **Ordinance No. 2004-08-109: An Ordinance Authorizing the Chief Administrative Officer to Execute a Tentative Agreement Regarding the Stratford Project**. The motion was seconded by Alderwoman Wyman and carried 7-0 by voice vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Patt, Whelan, Wyman, and Mayor Satterthwaite – 7; voting nay: none.

Mayor Satterthwaite presented his recommendation Michael Bily for the Appointment of Assistant Police Chief. Mr. Bily has twenty-two years or progressive law enforcement experience, including nine years as a Lieutenant with the Urbana Police Department.

Alderman Hayes moved to approve the appointment of Michael Bily as Assistant Police Chief. Following debate, the motion was seconded by Alderwoman Wyman and carried by a voice vote.

Mayor Satterthwaite presented his recommendations for Appointments for the Design Review Board:

|   |                           |
|---|---------------------------|
| Art Zangerl, 702 W. Michigan                    | Term to end June 30, 2005 |
| Laurie Goscha, 612 W. Iowa                      | Term to end June 30, 2005 |
| Jennifer Gentry, 2104 S. Vine                   | Term to end June 30, 2006 |
| Christopher Hartman, 905 S. McKinley, Champaign | Term to end June 30, 2006 |
| Brian Adams, 412 W. Elm                         | Term to end June 30, 2007 |
| Michael McCulley, 2354 CR1100E, Champaign       | Term to end June 30, 2007 |

Alderwoman Wyman moved to approve Appointments for the Design Review Board as presented by Mayor Satterthwaite. The motion was seconded by Alderwoman Patt. Following debate, the motion carried by a voice vote.

## ADJOURNMENT

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 10:25 p.m.

Tod Satterthwaite  
Mayor

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Phyllis D. Clark, City Clerk

\*This meeting was taped.

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

Minutes approved: September 7, 2004, as written