

**URBANA CITY COUNCIL MEETING**  
**September 7, 2004**

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The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Tuesday, September 7, 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.

The Pledge of Allegiance was recited in honor of Labor Day.

Present at the meeting were Members of the Council: Chynoweth, Hayes, Otto, Patt, Whelan (arrived at 9:36 p.m.), and Wyman – 6; absent: Huth – 1 (excused).

Also present were staff members: Assistant Police Chief Mike Bily, Economic Development Specialist Ryan Brault, Public Works Director Bill Gray, Planner Paul Lindahl, City Attorney Steve Holz, Planning Division Manager Rob Kowalski, Fire Chief Rex Mundt, Director of Community Development Libby Tyler, and Chief Administrative Officer Bruce Walden.

**MINUTES OF PREVIOUS MEETING**

Alderman Wyman moved approval of the minutes of the August 16, 2004 regular meeting. The motion was seconded by Alderman Patt and carried by a voice vote.

**ADDITIONS TO THE AGENDA**

Mayor Satterthwaite requested that **Ordinance No. 2004-09-119: An Ordinance Approving a Development Agreement with Stratford Center, LLC, #6 under NEW BUSINESS** be moved to be the first item of discussion due to the number of people present interested in the item. There were no objections

**PETITIONS AND COMMUNICATIONS**

Christopher Alex, 301 East George Huff, addressed the Council to state his appreciation for the way it has handled the M.O.R. recommendations.

Alderman Hayes announced that he would not seek re-election for his seat as Alderman for Ward 3 in the next election.

Mayor Satterthwaite thanked Alderman Hayes for his twelve years of service to City of the Urbana.

John Barela, 611 West Green Street, addressed the Council with his concerns regarding the ethics ordinance.

### **NEW BUSINESS**

Joe Petry and Ray Timpone, Jr. made a presentation on the Stratford project at 106 North Race Street and urged support for **Ordinance No. 2004-09-119: An Ordinance Approving a Development Agreement With Stratford Center, LLC.**

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2004-09-119: An Ordinance Approving a Development Agreement With Stratford Center, LLC.** The motion was seconded by Alderman Hayes. Following further debate, the motion carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, and Wyman – 5; voting nay: none.

### **OLD BUSINESS**

Grants Management Division Manager Bob Grewe presented staff report on **Ordinance No. 2004-08-099: An Ordinance Approving and Authorizing the Execution of An Urbana HOME Consortium Community Housing Development Organization Developer Agreement – Urbana League of Champaign County Development Corporation (Lease-Purchase Program, FY 2004-2005).** Jean Algee of the Urban League of Champaign County presented her views on possibly revisiting the program and requested that Council approve what is presented tonight.

Following debate, Alderman Hayes moved to approve **Ordinance No. 2004-08-099: An**

**Ordinance Approving and Authorizing the Execution of An Urbana HOME Consortium Community Housing Development Organization Developer Agreement – Urbana League of Champaign County Development Corporation (Lease-Purchase Program, FY 2004-2005).**

The motion was seconded by Alderwoman Wyman and carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, and Wyman – 5; voting nay: none.

Planning Division Manager Rob Kowalski clarified a few areas of **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 MOR, Mixed-Office-Residential , Zoning District – Plan Case No. 1897-T-04).**

Alderwoman Patt 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 MOR, Mixed-Office-Residential , Zoning District – Plan Case No. 1897-T-04).** The motion was seconded by Alderwoman Wyman and carried 4-1 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Patt, and Wyman – 4; voting nay: Otto – 1.

Alderwoman Patt moved to approve **Ordinance No. 2004-08-105: An Ordinance Approving Design Guidelines (The MOR, Mixed-Office-Residential, Zoning District Design Guidelines – Plan Case No. 1897-T-04).** The motion was seconded by Alderwoman Wyman and carried 4-1 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Patt, and Wyman – 4; voting nay: Otto – 1.

Alderwoman Patt moved to approve **Ordinance No. 2004-05-053: An Ordinance Regarding City Officials and Employee Ethics and Political Activity.** The motion was seconded by Alderwoman Wyman.

Following debate, Alderman Otto moved to amend the main motion to add to Section 2-207 in the second sentence after the word officer , the phrase “or to any relative, as the term relative is described in Section 2-205, paragraph 6.” Following debate, the motion failed for lack of a second.

Following further debate, Mayor Pro Tem Hayes took the Chair and Mayor Satterthwaite entered debate. Following debate, Mayor Satterthwaite resumed the Chair.

The motion to approve **Ordinance No. 2004-05-053: An Ordinance Regarding City Officials and Employee Ethics and Political Activity** carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, and Wyman – 5; voting nay – none.

## **REPORTS OF STANDING COMMITTEES**

### **Committee Of The Whole**

Alderman Wyman moved to approve **Ordinance No. 2004-08-112: An Ordinance Revising the Annual Budget Ordinance (Landfill Remediation Cost)**. The motion was seconded by Alderman Patt and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, Wyman, and Mayor Satterthwaite – 6; voting nay: none.

Alderman Wyman moved to approve **Ordinance No. 2004-08-113: An Ordinance Revising the Annual Budget Ordinance (Traffic Signal Lamp Replacement)**. The motion was seconded by Alderman Patt and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, Wyman, and Mayor Satterthwaite – 6; voting nay: none.

Alderman Wyman moved to approve **Ordinance No. 2004-08-110: An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a certain Intersection (Saline Court, Smith Road)**. The motion was seconded by Alderman Patt and carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, and Wyman – 5; voting nay: none.

Alderwoman Wyman moved to approve **Ordinance No. 2004-08-0114: An Ordinance**

**Disclaiming and Quitclaiming to the News-Gazette All Interest in Certain Real Property**

**(Encroachment at east edge of 300 W. Main)**. The motion was seconded by Alderwoman Patt and carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, and Wyman – 5; voting nay: none.

The next meeting of the Committee of the Whole will be Monday, September 13, 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**

Chief Administrative Officer Bruce Walden presented the **Economic Development Update**. Council Members have the report before them. Staff has been spending a considerable amount of time on some of the issues in Southeast Urbana; Sunnycrest and Philo trying to come up with strategies.

**NEW BUSINESS**

Planning Division Manager Rob Kowalski presented staff report on **Ordinance No. 2004-09-115: An Ordinance Approving a Final Subdivision Plat (Savannah Green Subdivision Phase VII– Plan Case No. 1905-S-04)**. Construx of Illinois has submitted a final plat for Phase VII of the Savannah Green Subdivision. The plat would create 27 lots to the west of Phase VI, which is currently under construction. The plat would dedicate the continuation of Smith Road, Rainbow View Drive and Country Squire Drive from their existing stubs. Staff recommends approval.

Alderwoman Patt moved to approve **Ordinance No. 2004-09-115: An Ordinance Approving a Final Subdivision Plat (Savannah Green Subdivision Phase VII– Plan Case No. 1905-S-**

**04).** The motion was seconded by Alderwoman Wyman and carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Otto, Patt, and Wyman – 5; voting nay: none.

Mr. Kowalski presented staff report on **Ordinance No. 2004-09-116: An Ordinance Approving an Extension of Final Plat Approval (Walton Subdivision No. 1 – Plan Case No. 1884-S-04).**

Alderman Otto recused himself due to a possible conflict of interest.

Mr. Kowalski stated that although the final plat has been approved and is ready to be recorded, unforeseen legal circumstances associated with the real estate closing on the property, have caused a hold up. The plat has not been recorded and the property has not been transferred. Due to this, the project engineer has requested a 180-day extension of the final plat approval. Staff recommends approval.

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2004-09-116: An Ordinance Approving an Extension of Final Plat Approval (Walton Subdivision No. 1 – Plan Case No. 1884-S-04).** The motion was seconded by Alderwoman Patt and failed 3-1 by roll call vote. Voting aye were Members of the Council: Hayes, Patt, and Wyman – 3; voting nay: Chynoweth – 1.

Planner Paul Lindahl presented staff report on **Ordinance No. 2004-09-117: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio from 0.40 to 0.45 at 510 W. Washington Avenue in Urbana's R-2, Single-Family Residential Zoning District / Case No. ZBA-04-MAJ-11).** Laura Green has requested an increase in the maximum allowable Floor Area Ratio (FAR) to accommodate a proposed addition to her home and garage. Staff recommends approval.

Alderwoman Patt moved to approve **Ordinance No. 2004-09-117: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio from**

**0.40 to 0.45 at 510 W. Washington Avenue in Urbana's R-2, Single-Family Residential Zoning District**

**/ Case No. ZBA-04-MAJ-11)**. The motion was seconded by Alderman Otto.

Mayor Satterthwaite declared a five-minute recess at 9:15 p.m. The Council reconvened at 9:26 p.m. with all members previously in attendance still present.

Mr. Whelan arrived at 9:26 p.m.

Mayor Satterthwaite stated that the motion on the floor was to approve **Ordinance No. 2004-09-117: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio from 0.40 to 0.45 at 510 W. Washington Avenue in Urbana's R-2, Single-Family Residential Zoning District / Case No. ZBA-04-MAJ-11)**. The motion 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 Whelan moved to reconsider **Ordinance No. 2004-09-116: An Ordinance Approving an Extension of Final Plat Approval (Walton Subdivision No. 1 – Plan Case No. 1884-S-04)**. The motion was seconded by Alderwoman Patt. Alderman Otto recused himself due to a conflict of interest. The motion to reconsider carried by a voice vote.

Alderwoman Wyman moved to approve **Ordinance No. 2004-09-116: An Ordinance Approving an Extension of Final Plat Approval (Walton Subdivision No. 1 – Plan Case No. 1884-S-04)**. The motion was seconded by Alderwoman Patt.

Following debate, the motion carried by 4-1 by roll call vote. Voting aye were Members of the Council: Hayes, Patt, Whelan, and Wyman – 4; voting nay: Chynoweth – 1.

Mr. Lindahl presented staff report on **Ordinance No. 2004-09-118: An Ordinance Approving a Major Variance (To Allow a 100% Increase in the Maximum Permitted Letter Size From 6" to 12" for an Identification Sign at the North West Corner of 101 W. Windsor Road in the R-3,**

**Single- and Two-Family Residential Zoning District / Case No. ZBA-04-MAJ-09) and Ordinance No. 2004-09-120: An Ordinance Approving a Major Variance (To Allow a 100% Increase in the Maximum Permitted Letter Size From 6” to 12” for an Identification Sign at the Main North Entrance of 101 W. Windsor Road in the R-3, Single- and Two-Family Residential Zoning District / Case No. ZBA-04-MAJ-10).** These two variances were filed by Clark-Lindsey Village for a proposed change in the

identification signage for their facility. The petitioners would like to construct a new brick gateway wall at their entrance on Windsor Road. These variances would allow an increase in the permitted letter size of the words “Clark-Lindsey Village.” Staff concurs with the ZBA recommendation of approval.

Alderwoman Patt moved to approve **Ordinance No. 2004-09-118: An Ordinance Approving a Major Variance (To Allow a 100% Increase in the Maximum Permitted Letter Size From 6” to 12” for an Identification Sign at the North West Corner of 101 W. Windsor Road in the R-3, Single- and Two-Family Residential Zoning District / Case No. ZBA-04-MAJ-09).** The motion was seconded by Alderwoman Wyman. Following debate, the motion 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 moved to approve **Ordinance No. 2004-09-120: An Ordinance Approving a Major Variance (To Allow a 100% Increase in the Maximum Permitted Letter Size From 6” to 12” for an Identification Sign at the Main North Entrance of 101 W. Windsor Road in the R-3, Single- and Two-Family Residential Zoning District / Case No. ZBA-04-MAJ-10).** 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.

Mayor Satterthwaite presented Betsy Cronan, 305 West High Street, as the final **Mayoral Appointment for the Development Review Board**. Ms. Cronan is the owner and manager of a small pottery studio on Griggs Street. The term will expire June 30, 2007. Alderman Hayes moved approval of



Betsy Cronan to the Development Review Board. The motion was seconded by Alderwoman Patt and carried by a voice vote.

City Attorney Steve Holz introduced the representatives who will make a **Presentation by Illinois American Water Company**, Sue Schultz, Attorney for Illinois American Water; Terry Gloriod, Managing Director for the Central Region and President of Illinois American Water Company; Fred Ruckman, General Manager for the State of Illinois; and Brent O'Neill, District Manager for the Champaign-Urbana District.

Mr. Gloriod presented an overview of the reorganization of the company and what is going on with the operations of Illinois American Water Company. Mr. Gloriod expressed the commitment of the company to maintain good service to Urbana.

Following Mr. Glorio's presentation, the group of representatives from Illinois American Water Company answered questions from City Council Members.

### **ADJOURNMENT**

There being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 10:45 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 20, 2004**