



COMMITTEE OF THE WHOLE
July 25, 2005

Committee Members Present:

Lynne Barnes, Brandon Bowersox, Danielle Chynoweth, Robert Lewis, Dennis Roberts, Charlie Smyth, and Heather Stevenson - 7.

Committee Members Absent:

None.

Staff Members Present:

Police Chief Eddie Adair, City Clerk Phyllis Clark, Public Works Director Bill Gray, and Chief Administrative Officer Bruce Walden

Others Present:

Paul Debevec, John Lee Johnson, Burnell Dixon, James Beauchamp, Chris Creek, and Members of the Media

Meeting Location:

Urbana City Council Chambers

There being a quorum, Chair Barnes called the meeting to order at 7:03 p.m.

Additions to the Agenda and Staff Report

There were none.

Minutes of Previous Meeting

Mr. Roberts moved to approve the minutes of the July 11, 2005 meeting of the Committee of the Whole. The motion was seconded by Ms. Stevenson and carried by a voice vote.

Public Input

Paul Devec, 708 West California; John L. Johnson, 44 East Main, Champaign; and Burnell Dixon, 507 Crystal Lake Drive addressed the Committee with their concerns regarding the IDOT Report on Racial Profiling.

James Beauchamp, 1003 Eliot, expressed his support for the K-Mart site re-use.

Ordinance No. 2005-07-115: An Ordinance Approving and Authorizing the Execution of a Development Incentive Agreement with CTC Properties, LLC (K-Mart Site Re-use)

Chief Administrative Officer Bruce Walden presented staff report. Staff is seeking approval from Council to enter into a redevelopment agreement for the re-use of the vacant K-Mart site on Philo Road. The proposed project is a \$20,000,000 multi-use facility with 300 multi-family units and approximately 40,000 square feet of retail space.

The two major obligations of the City are the reimbursement of \$285,000 to the developer to be used as costs of demolition, site preparation and clearance and grading of land on the existing site and the assurance of the connection of Florida Avenue to Route 130 accomplished in a timely manner.

Chris Creek, representing CTC Properties, LLC, answered Committee Members' questions regarding the project.

Following debate, Ms. Stevenson moved to forward **Ordinance No. 2005-07-115: An Ordinance Approving and Authorizing the Execution of a Development Incentive Agreement with CTC Properties, LLC (K-Mart Site Re-use)** to Council with a recommendation for approval. The motion was seconded by Mr. Smyth and carried by a voice vote.

Ordinance No. 2005-07-116: An Ordinance Approving an Extension to a Redevelopment Agreement with Allen Strong

Mr. Walden presented staff report. The purpose of this ordinance is to grant a one-year extension to Ordinance No. 2003-11-136 which is an ordinance approving a redevelopment agreement with Allen Strong.

The original agreement required significant completion of the banquet center by October 31, 2005 or the repayment of the \$50,000 note and mortgage. Progress on the project has been stalled due to lack of an agreement between Mr. Strong and an adjacent property owner. On July 12, 2005, Mr. Strong submitted a letter requesting a one-year extension of the development agreement to explore alternatives to the original

project.

Following debate, Ms. Chynoweth moved to forward **Ordinance No. 2005-07-116: An Ordinance Approving an Extension to a Redevelopment Agreement with Allen Strong** to Council with a recommendation for approval. The motion was seconded by Ms. Stevenson and carried by a voice vote.

Ordinance No. 2005-07-117: An Ordinance Revising the Annual Budget Ordinance (Water System Audit)

Public Works Director Bill Gray stated that on January 18, 2005, the Urbana City Council approved an agreement permitting the cities of Champaign and Urbana to have an independent water system audit of their water plant and the water distribution system performed to confirm that it is meeting certain standards and regulations.

The audit will provide a detailed report that will identify those areas where Illinois American Water Company needs to address problems identified.

The cost to the City of Urbana is 17.5% of the actual cost, not to exceed \$3,400. Staff recommends approval.

Following debate, Ms. Chynoweth moved to forward **Ordinance No. 2005-07-117: An Ordinance Revising the Annual Budget Ordinance (Water System Audit)** to Council with a recommendation for approval. The motion was seconded by Mr. Smyth and carried by a voice vote.

Ordinance No. 2005-07-118: An Ordinance Revising the Annual Budget Ordinance (Engineer, Windsor Road)

Mr. Gray presented staff report requesting that the Committee consider the possibility of creating another Civil Engineering position that could be assigned projects that would otherwise need to be completed by engineering consultants. With in-house expertise, the City could avoid additional fees and be able to capture more dollars for construction rather than consulting fees.

This fiscal year's budget contains \$100,000 in fees budgeted for the preliminary design of the Windsor Road project. These consultant fees could be used for the employment of the Civil Engineer. There are additional consulting fees for this project for the next three fiscal years. Staff recommends approval of this ordinance.

Following debate, Ms. Stevenson moved to forward **Ordinance No. 2005-07-118: An Ordinance Revising the Annual Budget Ordinance (Engineer, Windsor Road)** to Council with a recommendation for approval. The motion was seconded by Chynoweth and carried by a voice vote.

Ordinance No. 2005-07-090: An Ordinance Amending the Health and Sanitation Code (Littering and Dumping)

Mr. Walden presented staff report. An earlier version of the Code of Ordinances included a Section 10-5: "Depositing Waste on Property of Another" (or "Littering Prohibited") with a pay-by-mail minimum fine of \$50. Ordinance No. 2004-03-026, which was passed to generally revamp our ordinances relating to proper handling of municipal waste, reserved Section 1-05, noting that "Littering Prohibited" had been renumbered as 11-57[c], and is a part of the separate schedule of escalating fines in Section 11-57. This section makes no distinction between littering and serious illegal dumping. This requires a first-time violator to pay a \$250 fine.

This ordinance would add a new Section 11-57[d] which would address casual dropping of small amounts of waste and drop the fine from \$250 to \$50.

Following debate, Mr. Smyth moved to forward **Ordinance No. 2005-07-090: An Ordinance Amending the Health and Sanitation Code (Littering and Dumping)** to Council with a recommendation of approval. The motion was seconded by Mr. Bowersox and carried by a voice vote.

Mayoral Appointment – C-U Joint Cable Commission and UPTV (Durl Kruse)

Mayor Prussing submitted Durl Kruse for appointment to the C-U Joint Cable Commission and UPTV Commission. Mr. Kruse is a retired Public School Administrator and a resident of Urbana for the past two years. Mr. Kruse has served on the Red Cross and Salvation Army Boards and assisted with Habitat for Humanity. He currently serves as Board President of Channing-Murray Foundation. His term would expire June 30, 2007.

Mr. Smyth moved to forward Mayor Prussing's recommendation of Durl Kruse to the C-U Joint Cable Commission and UPTV to Council with a recommendation for approval. The motion was seconded by Mr. Bowersox and carried by a voice vote.

Discussion: Employee Retention and Recruitment

Mr. Walden presented staff report in response to the City Council directive of May 16, 2005 to explore methods to improve the open-ended nature of staff appointments and the general concern on how to improve employee retention and recruitment.

The City of Urbana is unusual in that twenty-six of the top managers and supervisors require annual reappointment by the Mayor and City Council and can be terminated at any time without notice or just cause. Some of the risk associated with our appointment process is central in the Mayor-Aldermanic form of government.

There are several steps the City can take to improve competitiveness with respect to appointments, job security, and pension security.

The City Code provides for the annual appointment of the CAO, City Attorney, and Department Heads. Only seven of our twenty-six appointments fall under this provision. Staff recommends that the City Council direct staff to prepare a civil service ordinance that will return division managers to civil service.

State law limits the appointment period to the term of the major, but does not limit the length of appointments. Staff recommends that City Council direct staff to prepare an Ordinance to amend Sections 2-42 and 2-43 of the City Code to provide the Mayor and City Council with the option of approving longer initial appointments when not otherwise restricted by the statute.

Professional candidates, former, and existing staff have indicated that job and pension security are very important factors in job acceptance and retention. Despite the best intentions of a mayor or city council, prospective and current appointees know that they can be fired without notice or cause at any time. Staff recommends that a standard agreement be approved for the CAO and all other appointees and offered to all new appointees, including our next City Attorney and Police Chief.

Following debate, Committee Members decided to take this issue up at a caucus session.

Discussion: Crosswalk at Vine & Windsor

Chair Barnes requested that Mr. Roberts assume the chair as she stated her concern and the concern of many of her constituents regarding the safety of pedestrians crossing Windsor Road at Vine Street. Children cross the street to access Prairie Play Park. Chair Barnes inquired about the possibility of stop signs or lights at the intersection.

Mr. Gray stated that the intersection does not warrant stop signs or a light. Public Works has investigated the possibility of a striped island in the center of the street to allow pedestrians to be able to walk half-way across the street and have a safe haven while waiting for traffic.

Following debate, it was requested that the island be raised. Mr. Gray said this could be done. Public Works will proceed with the construction of this island.

Ms. Barnes resumed the Chair.

Discussion: IDOT Report on Racial Profiling

Ms. Chynoweth led the discussion. Ms. Chynoweth stated that she had provided information from Chief Adair that reviewed specific action items the Police Department is taking in response to concerns.

There are a couple of differences between Champaign and Urbana that are significant. In Champaign, in terms of the rate of equipment versus traffic violation stops, consent searches and citations versus warning rates, there is an inequality. IDOT talks about minority stops. Ms. Chynoweth's interest lies with African-American versus Caucasian.

Ms. Chynoweth stated that her biggest concern was looking at the State report; the average rate is 1.5 where as Urbana's minority rate is 1.47. The argument has been made that more African-Americans commit crimes and there is more police activity in those areas, therefore there are more stops due to the higher level of activity.

Another issue is, even if profiling is not happening and the police activity is in the predominantly African-American neighborhoods, there is a sense of siege. How do we have a police presence without a feeling of intimidation? The perception of African-American young men is that they are being targeted.

Chief Adair discussed the information in the Northwestern Study that the City provided to the Illinois Department of Transportation stating that the demographics of the State plays a big part in the report. The percentages go up in the population centers.

Ms. Chynoweth asked if it was possible to get the entire report that was sent to IDOT. Chief Adair stated that he could provide it or it could be accessed by computer.

Ms. Chynoweth inquired if there was a way to deploy officers without making residents feel under siege? Chief Adair responded that he had never encountered an area that felt under siege. He further stated that the Police Department staff respond based on demand for service, calls for service and reported crime. The staffing level is shifted accordingly.

Mr. Smyth suggested that the following data might be looked at to further investigate whether profiling is occurring: time of day, age, age of vehicle, and geographic location of stop.

Mr. Roberts suggested that the number of false stops might also be useful.

Following further debate it was agreed that this item would be discussed at the August 22, 2005 of the Committee of the Whole.

ADJOURNMENT

There being no further business to come before the Committee, Chair Barnes declared the meeting adjourned at 10:30 p.m.

Respectfully submitted,

Elaine Taylor
Recording Secretary

*This meeting was taped.

*This meeting was broadcast on cable television.

Minutes approved: Approved, as amended, August 8, 2005

AMENDMENTS TO THE JULY 25, 2005 MINUTES

On page 5, paragraph 3, under "Discussion: Crosswalk at Vine and Windsor" "this island" should be corrected to read "the painted pedestrian refuge".

In the section mention above "Mr. Roberts assume the chair" should read "Mr. Bowersox assumed the chair".

On page 6, paragraph 3 under "Discussion: IDOT Report on Racial Profiling" change "1.5" to read "1.15" and change "African-Americans" to read "low-income."