

**STATE OF ILLINOIS**

**CITY OF URBANA**

*Laurel Lunt Prussing, Mayor*

*Phyllis D. Clark, City Clerk*



**URBANA CITY COUNCIL MEETING  
SEPTEMBER 15, 2008**

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The City Council of the City of Urbana, Illinois, met in regular session Monday, September 15, 2008 in the Council Chambers at the Urbana City Building.

**ELECTED/APPOINTED OFFICIALS PHYSICALLY PRESENT**

Charlie Smyth, Alderman Ward 1  
David Gehrig, Alderman Ward 2  
Robert E. Lewis, Alderman Ward 3  
Brandon Bowersox, Alderman Ward 4  
Dennis Roberts, Alderman Ward 5  
Heather Stevenson, Alderwoman Ward 6  
Lynne C. Barnes, Alderwoman Ward 7  
Laurel Lunt Prussing, Mayor  
Phyllis D. Clark, City Clerk

**ELECTED/APPOINTED OFFICIALS PRESENT VIA TELECONFERENCE**

None

**ELECTED/APPOINTED OFFICIALS ABSENT**

None

**STAFF PRESENT**

Ronald O'Neal, Jr.; Michael Bily; Michael Dilley; Elizabeth Tyler; Gale Jamison; Robert Myers; Thomas Carrino; Lisa Karcher; Rebecca Bird

**OTHERS PRESENT**

Carolyn Baxley; Joan Zagorski; Julian Gorski; Chris Berti; Ilona Matkovszki; Brian Adams; Linda Lorenz; Lois Steinberg; Chris Stohr; Members of the Media

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**A. CALL TO ORDER AND ROLL CALL**

Mayor Prussing called the meeting of the Urbana City Council to order at 7:02 p.m.

**B. APPROVAL OF MINUTES OF PREVIOUS MEETING**

September 2, 2008 - Alderman Smyth made a motion to approve the minutes of the meeting held September 2, 2008. Alderman Lewis seconded. The motion carried by voice vote.

**C. ADDITIONS TO THE AGENDA**

There were no additions to agenda.

Alderman Roberts suggested changing the order of the "New Business" items on the agenda, moving #11 before #1 to accommodate people in the audience wishing to give input. There were no objections.

**D. PETITIONS AND COMMUNICATIONS**

Public input was given at the time agenda items were presented.

**E. OLD BUSINESS**

There was none.

**F. REPORTS OF STANDING COMMITTEES**

1. Committee Of The Whole

a. Ordinance No. 2008-09-106: An Ordinance Authorizing the Lease of Certain Real Estate (911 North Lincoln Avenue)

Alderwoman Stevenson made a motion to approve. Alderman Lewis seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-106, "An Ordinance Authorizing the Lease of Certain Real Estate (911 North Lincoln Avenue)", was approved by Council by roll call vote (7-aye:0-nay).

b. Ordinance No. 2008-08-084: An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (Cobble Creek Drive at Amber Lane)

Agenda items #F.1.b, #F.1.c, F.1.d, and F.1.e were acted on in omnibus fashion.

Alderwoman Stevenson made a motion to approve Ordinance Nos. 2008-08-084, 2008-08-085, 2008-08-086, and 2008-08-087. Alderman Smyth seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** The following ordinances were approved by Council by roll call vote (7-aye:0-nay): Ordinance No. 2008-08-084, "An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at a Certain Intersection (Cobble Creek Drive at Amber Lane)"; Ordinance No. 2008-08-085, "An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Park Street)"; Ordinance No. 2008-08-086, "An Ordinance Amending Schedule L of Section 23-187 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Rainbow View at Montgomery Street; Rainbow View at Ogelthorpe Avenue; Rainbow View at Abercorn Street)"; and Ordinance No. 2008-08-087, "An Ordinance Authorizing the Mayor to Establish a Parking Meter Zone on Certain Streets (Park Street)".

- c. Ordinance No. 2008-08-085: An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Park Street)

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

- d. Ordinance No. 2008-08-086: An Ordinance Amending Schedule L of Section 23-187 of the Urbana Local Traffic Code Prohibiting Parking at All times on Certain Streets (Rainbow View at Montgomery Street; Rainbow View at Ogelthorpe; Rainbow View at Abercorn Street)

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

- e. Ordinance No. 2008-08-087: An Ordinance Authorizing the Mayor to Establish a Parking Meter Zone on Certain Streets (Park Street)

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

- f. Ordinance No. 2008-09-097: An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Wells or by Any Other Method

Alderman Stevenson made a motion to approve. Alderman Roberts seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-097, "An Ordinance Prohibiting the Use of Groundwater as a Potable Water

Supply by the Installation or Use of Potable Water Wells or by Any Other Method", was approved by Council by roll call vote (7-aye:0-nay).

g. **Ordinance No. 2008-09-104: An Ordinance Approving Two Agreements with Drainage District No. 3 of the Town of St. Joseph Regarding Detachment of Areas from the Drainage District**

Alderwoman Stevenson made a motion to approve. Alderman Roberts seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-104, "An Ordinance Approving Two Agreements with Drainage District No. 3 of the Town of St. Joseph Regarding Detachment of Areas from the Drainage District", was approved by Council by roll call vote (7-aye:0-nay).

h. **Ordinance No. 2008-09-105: An Ordinance Revising the Annual Budget Ordinance (St. Joseph Drainage Improvements)**

Alderwoman Stevenson made a motion to approve. Alderwoman Barnes seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	Mayor Prussing - Aye

**Disposition:** Ordinance No. 2008-09-105, "An Ordinance Revising the Annual Budget Ordinance (St. Joseph Drainage Improvements)", was approved by Council by roll call vote (8\*-aye:0-nay). [*\*Requires Mayor vote.*]

i. **Ordinance No. 2008-09-098: An Ordinance Amending Sections 3-5 and 3-60 of the Urbana City Code Concerning Removal of Partially Consumed Bottles of Wine from Restaurants**

Alderwoman Stevenson made a motion to approve. Alderwoman Barnes seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-098, "An Ordinance Amending Sections 3-5 and 3-60 of the Urbana City Code Concerning Removal of Partially Consumed Bottles of Wine from Restaurants", was approved by Council by roll call vote (7-aye:0-nay).

j. **Ordinance No. 2008-09-099: An Ordinance Amending Section 15-31 of the Urbana City Code Concerning Breaking and Entering**

Alderwoman Stevenson made a motion to approve. Alderman Lewis seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-099, "An Ordinance Amending Section 15-31 of the Urbana City Code Concerning Breaking and Entering", was approved by Council by roll call vote (7-aye:0-nay).

k. **Ordinance No. 2008-09-100: An Ordinance Amending Section 15-33 of the Urbana City Code Concerning Damage to Property**

Alderwoman Stevenson made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-100, "An Ordinance Amending Section 15-33 of the Urbana City Code Concerning Damage to Property", was approved by Council by roll call vote (7-aye:0-nay).

l. **Ordinance No. 2008-09-101: An Ordinance Amending Sections 15-35 and 15-36 of the Urbana City Code Concerning Criminal Trespass to Land**

Alderwoman Stevenson made a motion to approve. Alderman Roberts seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-101, "An Ordinance Amending Sections 15-35 and 15-36 of the Urbana City Code Concerning Criminal Trespass to Land", was approved by Council by roll call vote (7-aye:0-nay).

m. **Ordinance No. 2008-09-102: An Ordinance Amending Section 15-60 of the Urbana City Code Concerning Disorderly Conduct**

Alderwoman Stevenson made a motion to approve. Alderwoman Barnes seconded. The vote was as follows:

Barnes - Aye  
Bowersox - Aye  
Gehrig - Aye  
Lewis - Aye

Roberts - Aye  
Smyth - Aye  
Stevenson - Aye

**Disposition:** Ordinance No. 2008-09-102, "An Ordinance Amending Section 15-60 of the Urbana City Code Concerning Disorderly Conduct", was approved by a roll call vote (7-aye:0-nay).

n. **Ordinance No. 2008-09-103: An Ordinance Amending Chapter 15 of the Urbana City Code to Prohibit the Unlawful Possession of Cannabis and Drug Paraphernalia**

Alderman Stevenson made a motion to approve. Alderman Smyth seconded.

Following debate, Alderman Bowersox moved to defer. Alderman Smyth seconded.

This item will come back to Council at its next regular meeting scheduled for October 6, 2008.

With nothing further to report, the next meeting of the Committee Of The Whole is scheduled for September 22, 2008 at 7:00 p.m. in the Council Chambers.

**G. REPORTS OF SPECIAL COMMITTEES**

There were none.

**H. REPORTS OF OFFICERS**

Mayor Prussing informed Council Members that she had received e-mail correspondence from Champaign City Council Member Karen Foster challenging the Urbana City Council to form teams to compete against the Champaign Council at a tournament fundraiser supporting the Don Moyer's Boys & Girls Club.

Robert Myers (Planning Division Manager) gave a report on the results of the special census that was conducted for Urbana. He indicated good news for the City of Urbana, noting an increase in revenues as a result of the special census.

Alderman Lewis distributed a copy of a report he received from Champaign's Task Force regarding parks, trails and open space.

**I. NEW BUSINESS**

11. **Ordinance No. 2008-09-117: An Ordinance Designating a Historic Landmark (508 W. Elm Street, "Bills House" - Historic Preservation Case No. HP2008-L-02)**

Mayor Prussing acknowledged public input.

The following people addressed the Council in support of designating 508 W. Elm as a historic landmark:

Carolyn Baxley, 510 W. Main St.; Joan Zagorski, 1605 S. Race; Chris Berti, 411 W. Nevada; Ilona Matkovszki, 412 W. Elm; Brian Adams, 412 W. Elm; and Linda Lorenz, 409 W. High

Lois Steinberg, 306 W. Nevada, did not wish to speak but requested that her position be entered into record in support of designating 508 W. Elm as a historic landmark.

Julian Gorski, 28 Clinton Place (Normal, IL), addressed the Council in opposition to designating 508 W. Elm as a historic landmark.

There was no further public input.

Alderman Roberts requested to recuse himself from debate and voting on this item due to a probable conflict of interest. Mayor Prussing acknowledged.

Rebecca Bird (Historic Preservation Planner) presented the staff report.

Alderman Bowersox made a motion to approve. Alderman Smyth seconded. Debate ensued.

Following debate, Alderman Smyth moved to defer. Alderman Gehrig seconded.

This item will come back to Council at its next regular meeting scheduled for October 6, 2008.

1. **Ordinance No. 2008-09-107: An Ordinance Vacating Lakeside Terrace, Division Avenue, and Part of Broadway Avenue**

Gale Jamison (Assistant City Engineer) presented the staff report.

Alderman Smyth made a motion to approve. Alderwoman Barnes seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-107, "An Ordinance Vacating Lakeside Terrace, Division Avenue, and Part of Broadway Avenue", was approved by Council by roll call vote (7-aye:0-nay).

2. **Ordinance No. 2008-09-108: An Ordinance Approving Combined Preliminary and Final Subdivision Plats (Replat of Lots 2 and 3 of Lincoln Avenue and I-74 Resubdivision - Plan Case No. 2087-S-08)**

Mr. Myers presented the staff report.

Alderman Smyth made a motion to approve. Alderman Roberts seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-108, "An Ordinance Approving Combined Preliminary and Final Subdivision Plats (Replat of Lots 2 and 3 of Lincoln Avenue and I-74 Resubdivision - Plan Case No. 2087-S-08)", was approved by Council by roll call (7-aye:0-nay).

3. **Ordinance No. 2008-09-109: An Ordinance Approving a Preliminary and Final Subdivision Plat (Second Replat of Lots 1 and 2 of Meijer Urbana Subdivision - Plan Case No. 2086-S.08)**

Lisa Karcher (Planner) presented the staff report.

Alderman Stevenson noted that a meeting had been held with residents to express their concerns.

Following debate, Alderman Smyth made a motion to approve. Alderwoman Barnes seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-109, "An Ordinance Approving a Preliminary and Final Subdivision Plat (Second Replat of Lots 1 and 2 of Meijer Urbana Subdivision - Plan Case No. 2086-S.08)", was approved by Council by roll call vote (7-aye:0-nay).

4. **Ordinance No. 2008-09-110: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 139 Properties in the Historic East Urbana Neighborhood from R-4, Medium Density Multiple-Family Residential to R-3, Single- and Two-Family Residential - Plan Case No. 2080-M-08)**

Agenda items I.4, I.5, I.6, I.7 and I.8 were presented in omnibus fashion.

Mayor Prussing acknowledged public input.

Chris Stohr, 405 E. High, Chairman of the Historic East Urbana Neighborhood Association (HEUNA), addressed the Council in



support of the proposed rezoning of the properties in the Historic East Urbana Neighborhood.

Mayor Prussing entered into record e-mail correspondence she received from Joy Ready, 702 E. Elm, expressing her opposition to the proposed HEUNA rezonings.

There was no further public input.

Ms Karcher presented the staff report.

Alderman Roberts made a motion to approve Ordinance Nos. 2008-09-110, 2008-09-111, 2008-09-112, 2008-09-113 and 2008-09-114.

Alderman Lewis seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** The following ordinances were approved by Council by roll call vote (7-aye:0-nay): Ordinance No. 2008-09-110, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 139 Properties in the Historic East Urbana Neighborhood from R-4, Medium Density Multiple-Family Residential to R-3, Single- and Two-Family Residential - Plan Case No. 2080-M-08)"; Ordinance No. 2008-09-111, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 3 Properties in the Historic East Urbana Neighborhood from R-5, Medium High Density Multiple-Family Residential, to R-3, Single- and Two-Family Residential - Plan Case No. 2080-M-08)"; Ordinance No. 2008-09-112, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 3 Properties in the Historic East Urbana Neighborhood from R-4, Medium Density Multiple-Family Residential, to CRE, Conservation-Recreation-Preservation - Plan Case No. 2080-M-08)"; Ordinance No. 2008-09-113, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 7 Properties in the Historic East Urbana Neighborhood from B-3, General Business, to R-3, Single- and Two-Family Residential - Plan Case No. 2080-M-08)"; and Ordinance No. 2008-09-114, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 10 Properties in the Historic East Urbana Neighborhood from B-3, General Business, to B-2, Neighborhood Business-Arterial - Plan Case No. 2080-M-08)".

5. **Ordinance No. 2008-09-111: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 3 Properties in the Historic East Urbana Neighborhood from R-5, Medium High Density Multiple-Family Residential, to R-3, Single- and Two-Family Residential - Plan Case No. 2080-M-08)**

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

6. Ordinance No. 2008-09-112: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 3 Properties in the Historic East Urbana Neighborhood from R-4, Medium Density Multiple-Family Residential, to CRE, Conservation-Recreation-Preservation - Plan Case No. 2080-M-08)

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

7. Ordinance No. 2008-09-113: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 7 Properties in the Historic East Urbana Neighborhood from B-3, General Business, to R-3, Single- and Two-Family Residential - Plan Case No. 2080-M-08)

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

8. Ordinance No. 2008-09-114: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 10 Properties in the Historic East Urbana Neighborhood from B-3, General Business, to B-2, Neighborhood Business-Arterial - Plan Case No. 2080-M-08)

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

9. Ordinance No. 2008-09-115: An Ordinance Amending the Comprehensive Plan Map of the City of Urbana, Illinois (Comprehensive Plan Map Amendment for 502, 504 and 508 East Elm Street from "Central Business" to "Residential (Urban Pattern)", Plan Case No. 2082-CP-08)

Agenda items I.9 and I.10 were presented in omnibus fashion.

Ms Karcher presented the staff report.

Alderman Smyth made a motion to approve Ordinance Nos. 2008-09-115 and 2008-09-116. Alderman Roberts seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** The following ordinances were approved by Council by roll call vote (7-aye:0-nay): Ordinance No. 2008-09-115, "An Ordinance Amending the Comprehensive Plan Map of the City of Urbana, Illinois (Comprehensive Plan Map Amendment for 502, 504 and 508 East Elm Street from "Central Business" to "Residential (Urban Pattern)", Plan Case No. 2082-CP-08)"; and Ordinance No. 2008-09-116, "An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 502, 504 and 508 East Elm Street from R-5, Medium High Density Multiple Residential, to R-3, Single- and Two-Family Residential - Plan Case No. 2083-M-08)".

10. **Ordinance No. 2008-09-116: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 502, 504 and 508 East Elm Street from R-5, Medium High Density Multiple Residential, to R-3, Single- and Two-Family Residential - Plan Case No. 2083-M-08)**

This item was approved in omnibus fashion by a roll call vote (7-aye:0-nay).

12. **Ordinance No. 2008-09-118: An Ordinance Amending Section 26-61 of the Urbana Code of Ordinances (Limousines)**

Ronald O'Neal (City Attorney) presented the staff report.

Alderwoman Stevenson made a motion to approve. Alderman Smyth seconded. The vote was as follows:

Barnes - Aye	Roberts - Aye
Bowersox - Aye	Smyth - Aye
Gehrig - Aye	Stevenson - Aye
Lewis - Aye	

**Disposition:** Ordinance No. 2008-09-118, "An Ordinance Amending Section 26-61 of the Urbana Code of Ordinances (Limousines)", was approved by Council by roll call vote (7-aye:0-nay).

13. **Mayoral Appointments**

Items 13.a and 13.b were presented in omnibus fashion.

Mayor Prussing presented her recommendation of Alderman David Gehrig to the C-U Cable and Telecommunications Commission and the Urbana Public Television Commission.

Alderman Roberts made a motion to approve the appointments. Alderman Smyth seconded. The motion carried by voice vote.

**Disposition:** The appointments of Alderman Gehrig to the C-U Cable and Telecommunications Commission and the Urbana Public Television Commission were approved by Council by voice vote.

14. **Selection of Mayor Pro-tem**

Mayor Prussing noted that former Alderwoman Danielle Chynoweth was Mayor Pro-tem. Due to her recent resignation, it is necessary to appoint a new Mayor Pro-tem. Mayor Prussing opened the floor for nominations.

Alderwoman Barnes nominated Alderman Roberts and moved that he be appointed as Mayor Pro-tem. Alderman Lewis seconded. There were no further nominations. The motion carried by voice vote.

Alderman Roberts is Mayor Pro-tem, acting on matters of the City of Urbana on behalf of the Mayor in her absence.

**J. ADJOURNMENT**

There being no further business to come before the City Council, Mayor Prussing declared the meeting adjourned at 8:52 p.m.

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Deborah J. Roberts  
Recording Secretary

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Phyllis D. Clark  
City Clerk

This meeting was taped.

This meeting was broadcast on cable television.

Minutes Approved: October 6, 2008