

STATE OF ILLINOIS

Laurel Lunt Prussing, Mayor

Minutes Approved, 9/18/2017; Approved for Release, RES. 2017-08-059R

Property Acquisition Issues 5 ILCS 120/2(c)(5)

CITY OF URBANA

Phyllis Clark, City Clerk

CLOSED SESSION

Allman Property



URBANA CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
Monday 12/14/2009

The City Council Committee of the Whole of the City of Urbana, Illinois, met in regular session at 7:00 pm Monday, December 14, 2009 in the Council Chambers of the Urbana City Building, 400 S. Vine St, Urbana, IL 61801.

ELECTED OFFICIALS PHYSICALLY PRESENT: Dennis Roberts (Chair); David Gehrig; Robert E. Lewis; Diane Marlin; Charles Smyth; Laurel Lunt Prussing

ELECTED OFFICIALS PRESENT VIA TELECONFERENCE: None

ELECTED OFFICIALS ABSENT: Phyllis Clark [excused]; Heather Stevenson [excused]; Brandon Bowersox [excused]

Closed Session: Property Acquisition Issues, Pursuant 5 ILCS 120/2(c)(5) During the course of the meeting, the committee went into closed session.

Mr. Smyth made a motion to go into closed session to discuss property acquisition issues pursuant 5 ILCS 120/2 (2)(5). Ms. Marlin seconded. The vote was as follows: Gehrig – aye Roberts – aye Marlin – aye Smyth – aye Lewis – aye Mayor Prussing – aye. The motion carried by a roll call vote (6-aye:0-nay).

The Committee of the Whole went into closed session at 8:36 p.m.

Elected Officials Present for the closed meeting: Dennis Roberts (Chair); David Gehrig; Robert E. Lewis; Diane Marlin; Charles Smyth; Laurel Lunt Prussing

Staff Present: Tom Carrino, Gale Jamison, Bill Gray, Libby Tyler, Mike Monson, Ron O’Neal

Chair Roberts called the session to order and turned things over to Tom Carrino. Tom Carrino stated the purpose of the meeting, to discuss property acquisition, the Allman Auto Repair business at Main and Springfield.

He gave quick history of negotiations with Mr. Allman and then his family following his passing. The option to buy expires Dec 22, 2009. Subsurface issues related to the demolition on site of the Flat Iron Building preclude building a multistory building on this site leaving it for use as a plaza or parking lot. Some site contamination is present and remediation would require working with the Kirby Tire facility next door. However, they aren’t interested in signing any agreement that would

restrict the use of their site. Negotiations to purchase their property could take place. TIF funds would be used for construction of a plaza or lot to complement local businesses.

Option 1: excavate everything on the site. This is prohibitively expensive either from \$1.1M or 1.4M
Option 2 – IEPA approached for an NFR letter but needs an ELUC that includes Kirby but they aren't willing to sign.

Option 3: is to terminate the option/allow the option to expire. \$100K spent so far with \$70K of that for environmental costs.

City Staff will allow the option to expire and that makes it available to other parties. City will continue to work with the Kirbys to keep the properties together. Alderman Smyth raised several questions answered by Gale Jamison related to cleanup and IEPA. IEPA won't force cleanup and this is low priority. The cheapest solution is just building a parking lot.

Alderman Roberts asked about Option 2 and how that would take place with removal of the Allman garage. Mr. Jamison indicated that the contamination could be capped with 10 feet of clay or covering it with a parking lot. He also reviewed what would be needed to use the building. Gale Jamison pointed out that for \$1.5M you could remove all the contamination and old building material but this would be on top of property acquisition and demolition. This would take a substantial project to justify. Alderwoman Marlin pointed out that we now have a baseline to work with given a future project. Additional discussion ensued about potential redevelopment and the costs involved. Consensus was to let the option expire.

Ron O'Neal moved discussion into potential litigation **Pursuant to 5 ILCS 120/2 (c)(11)** with negotiations over renewal of franchise agreement. Expect to go into a hearing as Comcast wants Urbana to move into their boilerplate franchise agreement. They want special treatment with respect to city ordinances, while we want our ordinances to take precedence. One example being that negotiations are centered around our Right of Way ordinance. If they chose to go to the state franchise, if they go that route, we would still get our current fees. Mr. O'Neal summarized other aspects of the negotiations as well. The financial aspects of the agreement over 10 years are about \$1M to the city.

The Committee of the Whole returned to open session and resumed regular session at 9:29 p.m. with all members present except for Mr. Bowersox, Ms. Stevenson and Ms. Clark, all absent and excused.

Deborah Roberts
Recording Secretary

Phyllis Clark
City Clerk

*This meeting was taped.
By Charles Smyth, 8/2/2017 from stored tape