



**URBANA CITY COUNCIL**

**Monday, October 16, 2017**

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The City Council of the City of Urbana, Illinois met on Monday, October 16, 2017 at 7:00 p.m. in the Council Chambers at the Urbana City Building, 400 S. Vine St, Urbana.

**ELECTED OFFICIALS PHYSICALLY PRESENT**

Eric Jakobsson, City Council Member Ward 2  
Aaron Ammons, City Council Member Ward 3  
Bill Brown, City Council Member Ward 4  
Dennis Roberts, City Council Member Ward 5  
Dean Hazen, City Council Member Ward 6  
Jared Miller, City Council Member Ward 7 (arrived at 8:35 pm)  
Diane Wolfe Marlin, Mayor  
Charles A. Smyth, City Clerk

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE**

Maryalice Wu, City Council Member Ward 1

**ELECTED OFFICIALS ABSENT**

None

**STAFF PRESENT**

Chad Hensch; Kevin Garcia; William Gray; Wendy Hundley; Sanford Hess; Brian Nightlinger; Lorrie Pearson; John Schneider; James Simon

**OTHERS PRESENT**

Carletta Donaldson; Chris Billing; Amy Felte; Louise Kuhny; David Thies; Susan Taylor; Bishop King James Underwood; representatives of Roanoke Concrete Products; Members of the Media

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

Mayor Marlin called the meeting of the Urbana City Council to order at 7:02pm.

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

City Council Member (CM) Bill Brown made a motion to approve the minutes from October 2, 2017 City Council meeting and October 9, 2017 Public Hearing. Motion seconded by CM Ammons and carried by voice vote with no corrections.

**C. ADDITIONS TO THE AGENDA**

Mayor Marlin read a public proclamation in honor of the founder of the Baha'I Faith and presented it to Amy Felte.

Wendy Hundley was sworn in as Deputy Clerk by Clerk Smyth.

**D. PUBLIC INPUT**

Paul Hixson and Landi Najarro, UC2B Board members for Urbana, and Brian Bell (UC2B Community Benefit Fund Committee) gave an update on UC2B activities reporting on the

buyout by i3 Broadband, new construction (map provided) by i3 and their plans to start in Champaign-Urbana first next year instead of Peoria. Mr. Hixson and Mr. Bell provided an update on the UC2B Community Benefit Fund activities and the rollout of the application process (3 handouts distributed), which should result in awards being made January 2018. Questions and answers followed.

Carletta Donaldson spoke favorably about the new Leek and Sons Funeral Home on Bradley Avenue.

Bishop King James Underwood did not wish to speak, but asked that his position be entered into the record regarding the Dr. Ellis Subdivision sewer issues.

Susan Taylor did not wish to speak, but asked that her opposition to the Special Use permit for the proposed concrete plant on N. Lincoln (Ordinance 2017-10-059) be entered into the record.

**E. UNFINISHED BUSINESS**

There was none.

**F. REPORTS OF STANDING COMMITTEES**

1. **Committee Of The Whole** (*Reported by City Council Member Roberts*)

- a. **Resolution No. 2017-10-069R:** A Resolution Approving and Authorizing the Execution of a Promotional and Marketing Agreement (Visit Champaign County, FY 2017-2018)

CM Roberts made a motion to approve Resolution No. 2017-10-069R. Motion seconded by CM Jakobsson. There was no discussion and the motion carried by roll call vote as follows:

Ammons – aye	Brown – aye
Hazen – aye	Roberts – aye
Jakobsson – aye	Wu – aye

**Disposition:** Resolution No. 2017-10-069R was carried by roll call vote (6-Aye; 0-Nay)

- b. **Resolution No. 2017-10-070R: A Resolution Approving and Authorizing the Execution of a Promotional and Marketing Agreement (Urbana Business Association, FY 2017-2018)**

CM Roberts made a motion to approve Ordinance No. 2017-10-070R. Motion seconded by CM Hazen. There was no discussion and the motion carried by roll call vote as follows:

Ammons – aye	Brown – aye
Hazen – aye	Roberts - aye
Jakobsson– aye	Wu – aye

**Disposition:** Ordinance No. 2017-10-070R was carried by roll call vote (6-Aye; 0-Nay)

- c. **Ordinance No. 2017-10-058:** An Ordinance Revising the annual Budget Ordinance for FY 2017/18 (Budget Amendment #3 – Rebudgets & Miscellaneous Items)

CM Roberts made a motion to approve Ordinance No. 2017-10-058. Motion seconded by CM Jakobsson. There was no discussion and the motion carried by roll call vote as follows:

Ammons – aye	Brown – aye
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Hazen – aye                      Roberts – aye  
Jakobsson – aye                Wu – aye  
Mayor Marlin – aye

**Disposition:** Resolution No. 2017-10-58 was carried by roll call vote (7-Aye; 0-Nay)

- d. **Resolution No. 2017-10-066R:** A Resolution to Approve an Inter-Governmental Agreement (Agreement between City of Urbana and Parkland Community College Regarding ARMS System)

CM Roberts made a motion to approve Resolution No. 2017-10-066R. Motion seconded by CM Hazen. There was no discussion and the motion carried by roll call vote as follows:

Ammons – aye                      Brown – aye  
Hazen – aye                        Roberts – aye  
Jakobsson – aye                  Wu – aye

**Disposition:** Resolution No. 2017-10-066R was carried by roll call vote (6-Aye; 0-Nay)

- e. **Resolution No. 2017-10-067R:** A Resolution Amending Housing Rehabilitation Program Operational Guidelines as Originally Authorized by Resolution No. 2015-05-023R (City of Urbana Housing Program Manual Program Years 2015-2019)

CM Roberts made a motion to approve Ordinance No. 2017-10-067R. Motion seconded by CM Jakobsson. CM Aarons asked several questions concerning blight reduction that were answered by CD Director John Schneider. The motion carried by roll call vote as follows:

Ammons – aye                      Brown – aye  
Hazen – aye                        Roberts – aye  
Jakobsson – aye                  Wu – aye

**Disposition:** Ordinance No. 2017-10-67R was carried by roll call vote (6-Aye; 0-Nay)

- f. **Resolution No. 2017-10-068R:** A Resolution Approving and Authorizing an Urbana Home Consortium Subrecipient Agreement (Rosecrance TBRA FY 2017-2018)

CM Roberts made a motion to approve Ordinance No. 2017-10-068R. Motion seconded by CM Hazen. There was no discussion and the motion carried by roll call vote as follows:

Ammons – aye                      Brown – aye  
Hazen – aye                        Roberts – aye  
Jakobsson – aye                  Wu – aye

**Disposition:** Ordinance No. 2017-10-68R was carried by roll call vote (6-Aye; 0-Nay)

**G. REPORTS OF SPECIAL COMMITTEES**

There were none.

**H. REPORTS OF OFFICERS**

John Schneider, Community Development Director, reported that U-Haul on S. Philo Road, Urbana was having a ribbon cutting and lunch on Wednesday October 18, 2017.

**I. NEW BUSINESS**

1. **Ordinance No. 2017-10-059:** An Ordinance Approving a Special Use Permit (3202 North Lincoln Avenue / Roanoke Concrete Products – Plan Case 2313-SU-17)

Kevin Garcia, Planner II CD, and Lorrie Pearson, Planning Manager, presented the staff memo for Ordinance 2017-10-059. Planner Garcia began with a separate explanation of the Special Use Permit process and the associated criteria for approval stating that evaluation of the criteria are the only basis for a decision. He next reviewed the Letter of Protest filed by the attorney of several surrounding property owners and indicated that it was not valid as it did not have the required 40% signatories of surrounding properties within 250 feet of the property line. A 2/3rds supermajority of council would not be required for approval. CM Ammons asked for clarification of the protest letter procedure and the Special Use Criteria. Planner Garcia reviewed the criteria of a protest letter having received signatures of only 7 of 23 property owners). City Attorney Jim Simon provided additional explanation of the Special Use Criteria.

Planner Garcia reviewed the site plan and the proposed layout of the facility on N. Lincoln Avenue on 11.5 Acres as a concrete recycling and manufacturing facility. He noted the surrounding property uses as primarily Industrial or Agricultural. The property is zoned IN-2, Heavy Industrial. He described the zoning classification and permitted uses. A ready mix concrete plant is not in the list, so it falls under the catch all of “All Other Industrial Uses” and requires a special use permit.

The site plan is preliminary and the location is towards the northern half of the property. The south 6.5 acres would be set aside for a future extension of Airport Road. Fencing and screening as well as paving requirements are indicated in the plans. He indicated that the Berns-Clancy Associates memo objections go beyond the geographic scope of the proposal or beyond the special use evaluation criteria. Lincoln Avenue has been reconstructed for use as heavy industrial and designated truck route. The proposed driveway meets the city’s access guidelines. Frasca Field asked for the development to be as far north as possible, which Roanoke Concrete has done. The developer is responsible for sewer and storm water management. The La Salle Criteria do not enter into evaluation of the special use permit. He enumerated the 3 special use criteria and described how each criterion is met.

The Plan Commission voted to forward the Special Use Permit with a recommendation for approval to City Council with conditions as listed in the ordinance in a 6-1 vote at their meeting on October 5, 2017.

Several city council member questions followed covering heights of towers and materials as well as Planner Garcia showing an overlay of an earlier Hanson Professional Services study of Frasca runway and clearance needs showing that the plant would be outside the Runway Protection Zone required by the Federal Aviation Administration.

Chris Billing of Berns-Clancy spoke briefly to their memo but wanted to raise the issue of traffic levels, the lack of any conditions attached to the special use to make future contributions to road construction, and the lack of comprehensive planning on the overall site of 47 acres. Mr. Billing passed around 9 aerial maps of other large sites recently developed in and round Urbana, and discussed planned streets in those developments. CM Brown asked Mr. Billing if other businesses had contributed to these roads but he did not know the source of those comments. CM Roberts asked if Mr. Billing objected to the concrete business itself. Mr. Billing replied that he did not but reiterated his position that they were objecting to the lack of on overall site plan.

CM Ammons asked Bill Gray, Public Works Director to speak to the issue of road construction and contributions for repaving such as on N. Lincoln Avenue. Mr. Gray indicated that planning has been done over 25 years and that the city has spent millions of dollars on construction of roads to accommodate industrial traffic, and the road will easily handle the additional traffic from this new facility. The roadway can handle 5 or 6 times the amount of current traffic (1,300 ADT), with a capacity of 10-12,000 ADT needed before PW would consider expanding the road to a 4 lane configuration. The bridges, right-of-way, and everything else has been planned to eventually accommodate four lanes in the preliminary design. He added that we don't have impact fees and little contribution in the past for such road building though if they need traffic signals or turn lanes they would need to pay for those. The decision by the developers of where to locate their facility is their decision. If the Developer decides to subdivide then they would be involved in paying for improvements and dedicating right-of-way. Mr. Gray also noted that for most of the developments that Mr. Billing passed around, there were no contributions from the developers. Many of the issues related to construction are timing related and many times there are development agreements through TIF or tax rebates, but in this case there are no incentives. Final plans will determine storm water detention and the final location of the driveway.

Mr. David Thies, Webber and Thies, representing Blager Properties spoke to the legal issue of the zoning not permitting the use by right but instead the City Council has the ability to allow this with conditions. He reviewed two of the criteria for special use being consistent with the zoning and planning considerations to be made. He reiterated the position that the 11 acre site, being in the middle of a 47 acre site, needs comprehensive planning. He urged a delay to consider some of the concerns raised by a larger development in the future.

CM Wu raised a question about environmental procedures followed. This was answered by the two representatives from Roanoke Concrete indicating that they follow EPA guidelines for air and water pollution issues. In answer to Mayor Marlin's questions, they stated that they owned 6 or 7 other facilities and that this site would employ about 5-10 people to start. They indicated that they were supportive of Airport Road and that they had no plans for additional development at this time. Additional questions and answers between council members and the owners followed.

CM Roberts asked staff if the access driveway could be moved or modified to which Mr. Gray indicated that any future road access for other developments on the site would be from Oaks Road or a future Airport Road. CM Brown asked about EPA permits and asked for more details about EPA requirements in future cases. CM Roberts asked about noise abatement to which Ms. Pearson noted that noise is expected in the IN2 zoning district. Additional questions and answers followed.

With no further questions, CM Brown made a Motion to Approve Ordinance No. 2017-10-059. Seconded by CM Roberts. CM Brown stated that the conditions recommended by the Plan Commission are good and he doesn't have anything to add but commented on screening. CM Jakobsson stated that there is nothing about this project that is negative except that this use is not by right. He sees no difference between this use and others on the list being uniquely a problem. CM Roberts agreed with CM Jakobsson and how this use is similar to those across the street. CM

Ammons spoke to the lack of comprehensive planning but is supportive of the development while acknowledging the issues raised in public input.

With no further discussion, the motion carried by roll call vote as follows:

Ammons – aye	Brown – aye	
Hazen – aye	Miller – aye	
Roberts – aye	Jakobsson – aye	Wu – aye

**Disposition:** Ordinance No. 2017-10-059 was carried by roll call vote (7-Aye; 0-Nay)

2. **Ordinance No. 2017-10-060:** An Ordinance Approving a Preliminary Development Plan for a Planned Unit Development (1404 South Lincoln Avenue / Pierre Moulin – Plan Case 2314-PUD-17)

Planner Garcia presented the staff memo for both Ordinance 2017-10-060 and -061 as Preliminary/Final development plans for a single residential unit Planned Unit Development (PUD). The ordinances can be considered simultaneously as the application contains the details required of a final PUD. He described the underlying R7 zoning classification, the site development plan, proposed changes in the parking layout, bicycle parking, and tree placement and preservation. The conversion of the former Zeta Tau Alpha sorority will result in a mix of studio through 3 bedroom apartments and up to 40 inhabitants. The Historic Preservation Commission issued a certificate of appropriateness Oct. 12, 2017 for proposed modifications in accordance with the Historic designation of the property. The Plan Commission recommended council approval 5-0 on October 12, 2017 with two conditions listed in the ordinances.

Council Member Brown asked about the width of the driveway along Vermont where garbage trucks would be backing up, concerned that it was too narrow and would result in trucks driving over the right-of-way.

Louise Kuhny, a nearby property owner and resident, spoke in favor of the proposal. However, she expressed concern about the PUD process including protections via zoning and the City's Comprehensive Plan.

Motion to approve Ordinance No. 2017-10-060 was made by CM Roberts and seconded by CM Brown. CM Roberts stated that he considers the project exciting with no concerns from the neighborhood. CM Brown stated his support for the project but asked that the driveway issue be investigated. He suggested the developer investigate a heat pump approach as possibly financially feasible and leading to a quieter solution. With no further discussion, the motion carried by roll call vote as follows:

Ammons – aye	Brown – aye	
Hazen – aye	Miller – aye	
Roberts – aye	Jakobsson – aye	Wu – aye

**Disposition:** Ordinance No. 2017-10-060 was carried by roll call vote (7-Aye; 0-Nay)

3. **Ordinance No. 2017-10-061:** An Ordinance Approving a Final Development Plan for a Planned Unit Development (1404 South Lincoln Avenue / Pierre Moulin – Plan Case 2314-PUD-17)

Motion to approve Ordinance No. 2017-10-061 by CM Roberts, seconded by CM

Ammons. There was no discussion and the motion carried by roll call vote as follows:

Ammons – aye                      Brown – aye  
Hazen – aye                        Miller – aye  
Roberts – aye                      Jakobsson – aye                      Wu – aye

**Disposition:** Ordinance No. 2017-10-061 was carried by roll call vote (7-Aye; 0-Nay)

4. **Ordinance No. 2017-10-062:** An Ordinance Approving a Subdivision Ordinance Waiver Regarding Stormwater Management (407 North Maple Street / Plan Case No. 2319-S-17)

Planning Manager Lorrie Pearson presented this ordinance and discussed the staff memo for the lot just east of Carter’s Furniture. They are planning a small development on the space next to the Boneyard Creek and want to be able to send storm water directly to the Boneyard. Staff considers it a good idea as it moves the water quickly downstream. CM Miller asked about language in our subdivision code that would permit such an obvious solution to which Ms. Pearson indicated that staff were looking for creating such an exception in their upcoming revision. CM Brown asked about the need for a creek way permit to which Ms. Pearson answered in the affirmative.

CM Roberts made a motion to approve Ordinance No. 2017-10-062. Motion was seconded by CM Miller and with no further discussion carried by roll call vote as follows:

Ammons – aye                      Brown – aye  
Hazen – aye                        Miller – aye  
Roberts – aye                      Jakobsson – aye

**Disposition:** Ordinance No. 2017-10-062 was carried by roll call vote (6-Aye; 0-Nay)

(electronic connection with Council Member Wu was lost some time during the prior discussion about 9:30 pm). Mayor Marlin thanked the staff of CD for their work on item three.

5. **Mayoral Appointments to Boards and Commissions**

- a. Sustainability Advisory Commission (SAC) – Vice Chair

1. Elizabeth Meschewski

Mayor Marlin presented the appointment of Elizabeth Meschewski as Vice-Chair of the SAC. CM Roberts made a motion to approve the appointment. Motion seconded by CM Jakobsson and carried by voice vote.

**Disposition:** The appointment of Elizabeth Meschewski as vice-chair carried by unanimous voice vote.

## J. **ADJOURNMENT**

With no further business before the city council, Mayor Marlin declared the meeting adjourned at 9:42 pm.

Charles A. Smyth  
City Clerk

The information and video for this meeting are available at  
<http://www.urbanaininois.us/node/6690>

This meeting was taped.  
This meeting was broadcast on cable television

\*CM = City Council Member

**Minutes Approved: November 06, 2017**