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**DATE:** Monday, March 18, 2019  
**TIME:** 7:00 P.M.  
**PLACE:** Urbana City Council Chambers, 400 S. Vine St, Urbana, IL 61801

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The City Council of the City of Urbana, Illinois, met in regular session March 18, 2019 at 7:00 p.m. in the Council Chambers at the Urbana City Building.

**ELECTED OFFICIALS PHYSICALLY PRESENT:** City Council Members (CM) Eric Jakobsson (Ward 2); Shirese Hursey (Ward 3); Bill Brown (Ward 4); Dennis Roberts (Ward 5); Dean Hazen (Ward 6); Jared Miller (Ward 7); Diane Wolfe Marlin (Mayor); Charles A. Smyth (City Clerk)

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE:** None

**ELECTED OFFICIALS ABSENT:** Maryalice Wu (Ward 1)

**STAFF PRESENT:** Carol Mitten; John Schneider; Jim Simon; Elizabeth Hannon; Libby Horwitz

**OTHERS PRESENT:** News-Gazette; Elderess Melinda Carr; Bishop King James Underwood; Grant Jones; Mike Lawson

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

There being a quorum present, Mayor Marlin called the meeting of the Urbana City Council to order at 7:02 p.m.

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

City Council Member (CM) Hursey made a motion to approve minutes from the March 4, 2019 Regular Meeting and Public Hearing, seconded by CM Jakobsson, and passed by unanimous voice vote.

**C. ADDITIONS TO THE AGENDA**

There were no additions.

**D. PUBLIC INPUT**

Elderess Melinda Carr did not wish to speak but asked that her continued concerns about Dr. Ellis subdivision sewer issues, equity and historic impact be entered into the record.

Bishop King James Underwood did not wish to speak but asked that his continued concern about the Dr. Ellis sewer issues be entered into the record.

**E. UNFINISHED BUSINESS**

There was none.

**F. REPORTS OF STANDING COMMITTEES**

1. **Committee Of The Whole** – (Council Member Jared Miller)

- a. **Resolution No. 2019-03-004R:** A Resolution Approving the Re-Engagement of Baker Tilly Virchow Krause, LLP for Financial Auditing Services

For the committee, CM Miller moved approval of Resolution 2019-03-004R, seconded by CM Roberts. With no discussion, the motion passed (6-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye.

- b. **Ordinance No. 2019-03-020:** An Ordinance Approving and Causing Publication of the Official Zoning Map of the City of Urbana, Illinois (Plan Case 2372-M-19) a.

For the committee, CM Miller moved approval of Ordinance 2019-03-020, seconded by CM Hursey. With no discussion, the motion passed (7-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Mayor Marlin – Aye.

- c. **Ordinance No. 2019-03-021:** An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Increasing number of Class A liquor licenses for Niemann Foods, Inc. dba Save-A-Lot #477, 220 N Broadway Ave., Urbana, IL)

For the committee, CM Miller introduced Ordinance 2019-03-021 noting that this item was sent to Council without recommendation. Mayor Marlin summarized the case noting that Niemann Foods dba Save-A-Lot, is requesting a change from a Class C liquor license to a Class A license which would allow them to pour on the premises. If granted they will be applying to the state for a Video Gaming license after which they will request a G-1 license from the city to allow up to 5 gaming terminals on site. The facility has a separate entrance for the liquor store and photos were provided to Council Members. Mayor Marlin also noted that liquor is only sold from the liquor store where terminals would be located. She reported that there are 22 locations with video gaming terminals, 9 of which are stand along gaming halls and 13 are bars, restaurants, or veterans clubs. A map of locations was also provided.

Questions from Council Members followed. Representatives for Niemann Foods, Grant Jones of Midwest Electronics Gaming and Mike Lawson, Store Manager of Save-A-Lot, introduced themselves. Mr. Jones acknowledged that Midwest Gaming would own terminals if placed in the store and he clarified that there is a single mailing address for the building but with separate entrances and willingness to have two separate addresses. CM Jakobsson asked about the reversibility of action if taken by the City Council. City Attorney Simon explained that licenses expire yearly, are not a vested right, that there are no property rights, or if the local liquor commissioner decides to not renew the license, it is within her authority. CM Hursey asked if everyone with these licenses has to come to council yearly to which Mayor Marlin noted that after the initial approval which is whether or not to increase the number of liquor or gaming license, renewals are at the administrative level.

CM Miller asked CM Jakobsson if he was asking that if council members change their minds would the applicant be entitled to a refund. CM Jakobsson explained that he has not made up his mind on this case. He stated that he thinks gaming is problematic and is troubled by possible individual losses. However, he understands the small profit margins of some businesses and having granted licenses for establishments that serve liquor, follows. He noted that allowing gaming in these circumstances would be broader than allowed in Champaign. Mayor Marlin noted that the State of Illinois requires a pour license in order to have a gaming license.

CM Hazen noted that he has struggled with this as he sees nothing but the negative side of gambling. However, he thinks that businesses deserve the same opportunities as others though many shopping here may not have money to lose. He will support this. CM Hursey asked the applicants what if they get their pour license but are denied a gaming license. Mr. Grant indicated that they would keep asking for one. She asked them about alternate plans but Mr. Lawson indicated that the only thing they are interested in is the gaming license. CM Roberts has not enjoyed supporting gaming programs but understands that its part of the economics for some restaurants and clubs to stay open. He indicated that he cannot support them in grocery stores.

CM Hazen made a motion to approve Ordinance 2019-03-021, seconded by CM Jakobsson. Discussion followed. CM Brown indicated that he's voted against some gaming parlors and noted the venues that have added gaming but ended up closing. He distinguished between grocery and liquor stores and since it's not in our ordinance to prohibit them, isn't opposed. CM Jakobsson noting the physical separation, asked about the separation of finances between the two sides of the store to which Mr. Lawson indicated there was none. CM Jakobsson, acknowledging the

bottom line, thought keeping the grocery store at that location is relevant.

With no further discussion, the motion passed (4-2): Brown – Aye; Hazen – Aye; Hursey – No; Jakobsson – Aye; Miller – Aye; Roberts – No.

#### **G. REPORTS OF SPECIAL COMMITTEES**

There were none.

#### **H. REPORTS OF OFFICERS**

Economic Development Coordinator Libby Horwitz provided the monthly Business and Development Report. She reported that Best of Africa Food Store has completed their expansion and is planning an event center. Brinshore Development was unable to secure funding for their proposed Urbana Arts project but will continue to work with the cities to develop affordable housing. Enchantment Alley will be moving to 123 W. Main Street and there are 3 ribbon cuttings on March 22: Gopher Mafia, Rick's Bakery, and Scrubs and Cuts. April 6 will be Urbana Celebrates the Boneyard. CM Miller asked about the amount of space being taken by Enchantment Alley. CM Hursey asked about tax exempt properties to which Ms. Horwitz noted the developments eligible for incentives as well as properties that are tax exempt and not receiving incentives.

#### **I. NEW BUSINESS**

##### **1. Mayoral Appointments to Boards and Commissions**

- a. **Urbana Free Library Board** – term ending June 30, 2020
  1. Shirese Hursey
- b. **Urbana Arts and Culture Commission** – term ending June 30, 2021
  1. Jared Miller

Mayor Marlin thanked CM Jakobsson for his service on the Arts and Culture Commission, noting that he was stepping down. She nominated CM Miller for the Arts and Culture Commission, moving off of the Library Board and nominating CM Hursey for the Library Board. CM Roberts moved approval of the nominees, seconded by CM Hazen and passed by unanimous voice vote.

#### **J. ADJOURNMENT**

With no further business to come before the council, Mayor Marlin adjourned the meeting at 7:30 p.m.

Charles A. Smyth

City Clerk

This meeting was video recorded with website link (viewable on demand):

<https://www.urbanaininois.us/node/7556>

This meeting was broadcast on cable television (UPTV) and streamed live:

<http://urbanaininois.us/upty>

**Minutes Approved: April 1, 2019**