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**DATE:** Monday, July 13, 2020  
**TIME:** 7:00 P.M.  
**PLACE:** \*Held virtually due to Governor's and Mayoral Emergency Declarations

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The City Council of the City of Urbana, Illinois, met in regular session July 13, 2020, at 7:00 p.m. via Zoom. Urbana City Council Chambers, 400 S. Vine St., Urbana, IL 61801

**ELECTED OFFICIALS PHYSICALLY PRESENT:** Mayor Diane Wolfe Marlin, Phyllis D. Clark, City Clerk

**ELECTED OFFICIALS PRESENT VIA ZOOM:** City Council Members (CM) Bill Brown, Bill Colbrook, Shirese Hursey, Jared Miller, Dennis Roberts, Maryalice Wu, (*Ward 2, vacant as of 06/30/2020*)

**ELECTED OFFICIALS ABSENT:** None

**STAFF PRESENT VIRTUALLY:** Elizabeth Hannan, Wendy Hundley, Jason Liggett, Charles Lauss, Carol Mitten, Andrea Ruedi, Joel Sanders, Bryant Seraphin, James Simon, Mike Wallace, Clinton Weidert

**OTHERS PRESENT VIA ZOOM:** Alana Ackerman, Tracy Chong, Danielle Chynoweth, Brian Dunn, Christopher Hansen, Ben Joselyn, Rohn Koester, Jane McClintock, Meghan McDonald, Felipe Menanteau, Sarah Nixon, Bijal Patel, Ameena Payne, Creel Unbeloved, Julie Watkins, Aidan Watson

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

There being a quorum virtually present, Mayor Marlin called the meeting of the Urbana City Council to order at 7:00pm following Cunningham Township Board meeting.

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

CM Miller made a motion to approve minutes from the June 15, 2020 (Special Meeting) and June 22, 2020 (Public Hearing). Motion seconded by CM Wu and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Wu  
Nay: None

#### **C. ADDITIONS TO THE AGENDA**

Mayor Marlin introduced two additional staff appointment for approval and asked to have all appointments approved after public input. CM Roberts made a motion to approve changes to the agenda. Seconded by CM Miller and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Wu  
Nay: None

#### **D. PRESENTATIONS AND PUBLIC INPUT**

##### 1. Input via zoom

From following people: Tracy Chong, Christopher Hansen, and Ben Joselyn. Summary of comments included: elected officials should call the State's Attorney at 217-384-3733 and ask for charges to be dropped against Aleyah Lewis and protestors, defund police, remove school resource officers out of the school districts, make the Civilian Police Review Board (CPRB) functional, make anti-bias training required, enforce CPRB ordinance and Ten Shared Principals, Freedom of Information Act (FOIA) request processes and fees.

2. Input via email

Public comment submitted by the following people: Amy Hatch, John Hays, Emily Kerlin, Durl Kruse, Karen Linder. A summary of comments included: charges against Ms. Lewis should be dropped, apologize to Ms. Lewis; pressure Julia Rietz to drop charges against Ms. Lewis and protestors, disarm UPD. IDOT reporting updates eliminate pretextual stops unless there is reasonable cause, delinking traffic enforcement from hot spot policing or call for service, UPD should monitor STEP stops more carefully, old policing practices and tactics must be updated to reflect historical changes.

3. **Mayoral Staff Appointments**

a. Urbana Fire Department – Division Chief

1. Mike Wallace
2. Clint Weidert

Mayor Marlin presented the appointments of Mike Wallace and Clint Weidert for the position of Division Chief with the recommendation for approval. Fire Chief Lauss, Mr. Wallace and Weidert answered questions from council about their past and current duties, involvement, and minority inclusion leadership in the department. Discussion ensued.

After discussion, CM Miller made a motion to approve appointments as presented. CM Roberts Seconded and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Wu  
Nay: None

4. **Mayoral Reappointments to Boards and Commissions**

a. Urbana Free Library Board – term ending June 30, 2023

1. Barbara Bennett
2. Jane Williams

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

a. Police Pension Fund Board – term ending June 30, 2023

1. Ronald Eldridge

Mayor Marlin presented the reappoints and appointments of boards and commission with the recommendation for approval in omnibus fashion.

With no objections to the appointments and reappointments, CM Wu made a motion to approve as presented. CM Hursey seconded and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts (passed), Wu  
Nay: None

6. **Presentation - City Building Reopening Status**

Finance Director Elizabeth Hannan that at this time the reopening has been delayed due to the spike of positive Covid-19 cases in the country and Champaign County. The original plan was to open on a limited basis by making physical changes to the offices; however, the city is not completely ready to open to the public at this time. After careful consideration of space constraints in the building, public, and employees safety especially those housed for more than 24 hours at a time like firefighters and police officers is a major concern. Mayor Marlin added that the city shared the same concerns as the Township and others in the area, it is a challenge to keep everyone safe. City functions will continue to be conducted by appointment only. Boards and Commissions and City Council will remain remotely at this time. Ms. Hannan and Mayor Marlin addressed all questions and concerns from council.

## 7. **Presentation – [Body worn camera video use, access and retention](#)**

Chief Bryant Seraphin and Lieutenant Joel Sanders presented this item. They gave an overview and background about the use of body-worn cameras highlighting the following:

- Background history (initial device purchase)
- Purpose of Body-Worn Cameras (evidence, transparency, accountability, police/community relations, and complaint investigation)
- 2019 – seven formal citizen complaints were investigated
- 514 events videos were submitted to State’s Attorney
- Technical information and expectations
- Audit review process
- Illinois Body-Worn Camera Act (50 ILCS 706)
- Officer use of body-worn camera procedures
- Video Retention policy as mandated by statute
- FOIA policy regarding body-worn cameras and flowchart
- Difference between automated vs. manual activation
- Privacy expectation benchmarks

After presentation, Lieutenant Sanders and Chief Seraphin addressed questions from council. Some of the questions included: video review process and criteria, policies and procedures, Statute guidelines, timing of cameras when in used, retention guidelines.

## **E. UNFINISHED BUSINESS**

There was none.

## **F. REPORTS OF STANDING COMMITTEES**

### **Committee Of The Whole**

1. **CONSENT AGENDA**
2. **REGULAR AGENDA**

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

There were none

## **H. REPORTS OF OFFICERS**

There were none

## **I. NEW BUSINESS**

1. **[Resolution No. 2020-07-032R](#)**: A Resolution Approving Orientation, Technical Training and Continuing Education Standards for Members of the Civilian Police Review Board Members

City Administrator Carol Mitten presented Resolution No. 2020-07-032R with the recommendation for approval. This resolution will allow the approval of the training program for CPRB. Ms. Mitten explained that this was supposed to have happened prior to seating any of the officers, however, the process was never undertaken as required per Section 19-23 of the ordinance. Discussion ensued.

At 10:28pm, CM Miller made a motion to extend the meeting to 11:00 pm, motion seconded by CM Colbrook and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Wu  
Nay: None

After discussion, the consensus was to add an additional section that includes the following: conflict resolution, cultural sensitivity, restorative practices, bias-based

policing/racial profiling, community and cultural awareness, and strongly recommending a ride-along. CM Wu made a motion to approve Resolution No. 2020-07-032R as amended. Motion seconded by CM Roberts and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Wu  
Nay: None

2. **Ordinance No. 2020-07-037**: Ordinance Ratifying Emergency Order 20-06 (Temporary Suspension of Certain Ordinances to Allow for Retail Sales and Services on Sidewalks and Parking Lots)

Mayor Marlin presented this ordinance with the recommendation for approval. This is another tool for local businesses who want to expand to sidewalks and parking lots. Mayor Marlin addressed questions clarifying the use and purpose.

CM Roberts made a motion to approve Ordinance No. 2020-07-037 as presented. Motion seconded by CM Hursey and carried by roll call vote as follows:

Aye: Brown, Colbrook, Hursey, Miller, Roberts, Wu  
Nay: None

### 3 **Mayoral Reappointments to Boards and Commissions**

- a. Urbana Free Library Board – term ending June 30, 2023
  1. Barbara Bennett
  2. Jane Williams

**\*\*Presented after public input**

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

- a. Police Pension Fund Board – term ending June 30, 2023
  1. Ronald Eldridge

**\*\*Presented after public input**

## J. **ADJOURNMENT**

With no further business to come before the council, Mayor Marlin adjourned the virtual meeting at 10:52 p.m.

Wendy M. Hundley  
Deputy City Clerk

This meeting was video recorded and is viewable [on-demand](#).

**Minutes Approved: July 27, 2020**

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Public Input  
**Date:** Monday, July 13, 2020 8:57:33 AM  
**Attachments:** [Council Comments July 13.docx](#)  
[ATT00001.txt](#)

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I am asking someone, either the Mayor or Jared Miller to read this during the beginning of public comment. I am unable to do so, or I would. Thank you.

Hello Mayor and Council Members,

I want to publicly share Urbana's recently posted 2019 IDOT Traffic and Pedestrian Stop Reports. Because of limited time, I will only mention stop rates.

The traffic report stated that black drivers were stopped at a rate three and a half times what one would statistically expect. This number falls within a 95% confidence interval of 3.2 – 3.8.

The pedestrian report stated that blacks were stopped at a rate eleven times what one would statistically expect. This number falls within a 95% confidence interval of 6.5 – 19. This rate ranks Urbana second highest in the state among municipalities with a similar or larger minority population.

The State has been reporting traffic stop data for sixteen years. Whether old census data, new census data, or traffic accident data is used, we know for a fact that racial disparities in traffic stops exists in Urbana. In 2004 African-American drivers composed 35.8% of all stops and in 2019, 33.5%. We no longer need to debate various methodologies or benchmarks to know a serious problem exists. At this juncture to do so would be counter-productive and distracting.

The failure to reduce this racial disparity after sixteen years is an alarm ringing loudly. The lack of progress clearly tells us the actions council has undertaken thus far have had little to no impact on the "root" cause of these disparities; **namely, traffic enforcement practices and tactics.**

Let's be clear, most people support the UPD, understand the inherent dangers of being an officer on the street, and the complexity of modern policing. But we also know that traditional ways of conducting traffic and pedestrian stops that produce racial disparities are no longer acceptable in today's world. Simply put, decades of racial disparate outcomes are no longer seen by society as fair, equitable, or tolerable.

Traditional policing practices and tactics that cause these disparities must end and be replaced with a new approach and awareness that racial equity and public safety can both be improved as a result.

More data collection, police bias training, community policing, etc. are all excellent examples of good intentions that simply have missed the mark. It is past time for the mayor and city council to refocus their efforts on changing traffic enforcement practices and tactics.

Reduced traffic disparities will only result if police practices and tactics change. A good example is the recent UPD policy change to STEP locations. Change is not as difficult as it seems, if people understand why the change is better for everyone. You do not need to tell the UPD how to police but you do need to communicate and set a new community standard for policing that says current racial disparities in traffic and pedestrian stops are simply unacceptable.

Through council resolution you can outline needed changes such as eliminating pretextual stops unless there is reasonable cause, delinking traffic enforcement from hot spot policing or calls for service, and asking the UPD to more closely monitor non-STEP stops, especially the amount of time and geographical locations in which officers conduct stops. If needed, adjustments can then be made that are more balanced by race and neighborhood.

These are the types of things the council can and must do if we are serious about reducing Urbana's unacceptable racial disparities. Simply put – old policing practices and tactics must be updated to reflect the historical changes being demanded and occurring today.

Thank you for your time and consideration, Durl Kruse.

**From:** [REDACTED]  
**To:** [!City Council](#)  
**Subject:** letter to members  
**Date:** Monday, July 13, 2020 1:48:35 PM

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Dear Urbana City Council Members,

I am writing as a concerned Urbana citizen, urging you to take immediate action in having all charges against Aleyah Lewis dropped. Her treatment during her arrest was unconscionable. The very least we can do is drop charges. The best we could do is to issue a formal apology to her and her family and to compensate her for lost wages and legal costs, and to support her with mental health counseling for the trauma she has endured at the hands of our law enforcement.

Thank you,

Emily Kerlin  
[REDACTED]

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** [\*\*\* QUARANTINE \*\*\*] PUBLIC INPUT: 07/13  
**Date:** Monday, July 13, 2020 2:15:23 PM  
**Importance:** Low

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City Council members,

I want to begin by asking you to take action in regards to Aleyah Lewis and the 27 protestors who were wrongfully arrested. Pressure Julia Rietz to drop the charges. This is something you can do right now.

Concerning the arrest of Aleyah Lewis, I want to draw attention to how incredibly weak the Urbana Police Department policy is regarding the use of force. I am referencing specifically the [Use of Force Policy](#) section. First, It seems preposterous that a majority of the document hinges on the reasonableness and belief of officers, often during moments of stress. What I read from this is not a document that advocates for civilian protection and de-escalation, but rather a document that allows officers to hide behind reasonableness and beliefs. Some policies even seem well designed to allow or even encourage escalation of force:

"300.4 DEADLY FORCE APPLICATIONS Use of deadly force is justified in the following circumstances: (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury"

Thinking of April 10 and what happened with Aleyah Lewis and her arrest, we see this escalation of force play out. First, the 911 call describes what seems to be an accidental discharge and that there may be someone needing medical attention, but then what happens? Nine (9) police officers arrive at the scene, an escalation of the situation. According to Seraphin, "Securing the scene" was the first priority, and so officers arrive and yell at the people they find, Aleyah Lewis and Busby, to get on their knees. Further, Officer Ruff threatens to shoot them if they don't put their hands up. Did he have reasonable belief that he or others were in danger of an imminent threat? I suppose he could argue that, but that is one part of the problem. It all hinges on the reasonable belief of an officer wielding deadly force. Finally, over a large distance outside, the police yell instructions to the suspects, and what happens if they hear incorrectly or deviate even the slightest? That becomes cause for use of force.

Item I. under the list of "300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE" reads as follows: "Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer." Consider the well known [fight or flight response](#), which can be triggered in individuals when experiencing a high stress situation, such as a situation that presents imminent physical danger to the individual. Do you really think that every civilian can be reasonably expected to follow every order or direction from an officer? If someone punched me and put their knee on my back and yelled 'stop resisting!', would I have the presence of mind to do that? Would any person?

Quite frankly, watching the videos, including the bodycam footage published by the UPD, the situation very well might have become another police enacted murder of a Black person, and the most sick thing about it is that the UPD policy would very likely have justified it.

The videos of Aleyah Lewis's arrest have been seen by thousands of people, and by and large

people are horrified at the actions the police took, and yet the same videos seen through the lens of UPD's Use of Force Policy will arguably be an unjust vindication of all actions taken that day.

To move forward, I'm not asking for a mere reform of police policy. Human decency cannot be enforced or taught by a set of policies, and I view every officer on that day as having behaved inhumanely. Policy won't and cannot reform them. Instead, I urge for the defunding of police. Every dollar that is divested from UPD is a dollar that can be invested towards parallel programs that can actually promote community safety.

There are alternatives to policing. Consider this [model from rural Alaskan and Canadian villages](#). I highly encourage you all to read this article, but for brevity, I will briefly outline the important points:

Small Alaska and Canadian villages have instituted Community Safety Officer Programs.

There are a few reasons these Community Safety Officer Programs are highly successful. To begin, the people working the jobs are truly involved with their local community and are often from the community. This provides a level of knowledge that will always be greater than any amount of generalized police training could account for. Consider that out of the nine officers who responded to the April 10 911 call, only two were from Champaign.

Secondly, the limitation of powers Safety Officers have helps ensure the focus on public safety. They do not have firearms, but still have spray, tasers, and handcuffs, and the one source in the article says he only ever needed the handcuffs in eight years on the job. It is very arguable that firearms do not aid in deescalation but rather point the way towards escalation. <https://www.thetrace.org/2020/06/police-power-guns-george-floyd/> . Further, the Safety Officers do not have the power to charge people with crimes, and this allows for an openness from the public community. How many people do not call the police for help because they know or suspect they might be making a slight infringement on the law? A police officer's training, equipment and policies are heavily weighted towards escalation.

Finally, all of the above is also strengthened by the fact that Community Safety Officer Programs are not originating from within the police department; they are a separate, but parallel structure to the police. This can act as a beneficial disruption of bad community relations with the police. Let's not pretend that it is only the public that has negative views of the police; the police all too often have negative views of the communities they patrol, which inevitably lends to their 'reasonable belief' that someone(a Black person) is inherently dangerous, and thus becomes a justification of force.

Police have so much power, and though we may ask for proper conduct, and implement stronger department policies, and laws, it remains all too easy, all too human, for that power to be abused. I believe there is one specific thing that Urbana can move towards, and that is disarming the UPD. This is a concrete step in the goal of defunding police that can be taken, and removing the primary tool of violence from police will contribute to de-escalation and public safety.

Defund the police, and invest in real solutions to community problems.

Jon Hays

**From:** [REDACTED]  
**To:** [!City Council](#)  
**Subject:** Aleyah Lewis  
**Date:** Monday, July 13, 2020 3:04:39 PM

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Dear City Council,

You must act in support of all people of color in our community by seeing to it that the charges against Aleyah Lewis are dropped. It is not enough to talk or kneel to show support, you need to take action. It is incredibly disappointing to see the UPD and Prosecutor dig in, continuing to press charges against Ms. Lewis. We can, and must do better than this! See to it that all charges against Ms. Lewis are dropped.

Take the first step in creating a better future for those of color in our community! Karen Linder