

**CITY OF URBANA
COMMITTEE OF THE WHOLE - Monday, August 8, 2016 - 7:00 P.M.
CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL**

The City Council Committee of The Whole of the City of Urbana, Illinois, met in regular session Monday, August 8, 2016, in the Council Chambers of the Urbana City Building.

ELECTED OFFICIALS PHYSICALLY PRESENT: Aaron Ammons; Bill Brown; Eric Jakobsson; Diane Marlin; Dennis Roberts; Charles Smyth; Phyllis Clark; Laurel Lunt Prussing

ELECTED OFFICIALS PRESENT VIA TELECONFERENCE: None

ELECTED OFFICIALS ABSENT: Michael P. Madigan, Alderman Ward 6

STAFF PRESENT: Curt Borman; Brad Bennett; Patrick Connolly; William Gray; Elizabeth Hannan; Natalie Kenny-Marquez; Kelly Mierkowski; Mike Monson; Brian Nightlinger; Lorrie Pearson; Todd Rent

OTHERS PRESENTE: Melinda Carr; Peter Folk; Bishop King James Underwood; Members of the Media

1. CALL TO ORDER AND ROLL CALL

There being a quorum, Chair Roberts called the meeting of the Committee of the Whole to order at 7:41 p.m. *Meeting started late due to prior meetings.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

Alderwoman Diane Marlin made a motion to approve the minutes from the meeting held on July 11, 2016 and August 1, 2016(Special). Alderman Jakobsson seconded. Motion carried by voice vote.

3. ADDITIONS TO THE AGENDA

There were none.

4. PUBLIC INPUT

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.

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

Alderman Aaron Ammons reminded the Mayor and board that he is still looking forward to hearing the results and recommendations of the assigned IDOT Task Force. Mayor responded that this item will be discussed at the August 22nd meeting.

Marketing Coordinator/Director of Urbana's Market at the Square Natalie Kenny Marquez announced that National Farmers Market Week will take place from August 7-13, 2016. Urbana's Market at the Square and The Land Connection's Champaign Farmers Market are joining forces to celebrate this event. On Tuesday, August 9, 2016 from 4-7pm The

Champaign Farmers' Market will host a Sampling tent: Glassblowing demonstration; Where's Eggwardo and Make your own market stalls.

On August 13, 2016 from 8am-noon the Urbana's Market at the Square will have Art at the Market; Mayoral Proclamation; Kale eating contest and Performance from 9:30am-11:30am.

Peter Folk from Volo broadband addressed the committee regarding Ordinance No. 2016-08-066 with concerns regarding the changes, as it will affect his line of work.

5. **Presentations**

a. **Discussion on Zoning Variance Procedures**

Planning Manager Lorrie Pearson presented a PowerPoint presentation regarding the zoning variance procedures. Ms. Pearson started with a background that started during a public input discussion at a Committee of the Whole meeting on April 25, 2016. Proposed option changes are as follows:

- Improve language on agenda, legal ad, and letter to neighbors
- Eliminate ability to reduce a major variance to a minor variance; require a new application
- A revision from major to minor triggers automatic continuance to next ZBA meeting
- Require Council approval (either with ZBA 2/3 vote or with majority vote)
- Require 2/3 vote by ZBA, but not proceed to Council

Ms. Pearson addressed questions and concerns from committee. Discussion ensued.

6. **Staff Report**

a. **Library Board Report** - Celeste Choate

This item is scheduled for August 15th for City Council meeting.

**Alderwoman Diane Marlin made a motion to discuss items 19-21 after item 9 in order to accommodate the audience. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

7. **Resolution No. 2016-08-049R:** A Resolution Approving and Authorizing the Execution of a Promotional and Marketing Agreement

Marketing Coordinator/Director of Urbana's Market at the Square along with Jayne DeLuce from Visit Champaign County presented Resolution No. 2016-08-049R with recommendation for approval.

This resolution will renew agreement for the provision of promotion and marketing services by Visit Champaign County for the benefit of the City's tourism industry. Discussion ensued.

After presentation Alderman Bill Brown made a motion to send Resolution No. 2016-08-049R to council with recommendation for approval. Alderwoman Diane Marlin seconded. Motion carried by voice vote.

8. **Ordinance No. 2016-08-065:** An Ordinance Revising the Annual Budget Ordinance for FY 2016-2017 (Salary Adjustments)

Human Resource Manager Todd Rent presented Ordinance No. 2016-08-065 with recommendation for approval. Mr. Rent explained that this change will not impact the general fund balance. No discussion.

Alderwoman Diane Marlin made a motion to send Ordinance No. 2016-08-065 to council with recommendation for approval. Alderman Charles Smyth seconded. Motion carried by voice vote.

9. **Ordinance No. 2016-08-066:** An Ordinance Amending Urbana City Code Chapter 20, Articles III, IV, and V - Proposed Revisions to the City's Right-of-Way Ordinance

Assistant City Engineer Brad Bennett presented Ordinance No. 2016-08-066 with recommendation for approval. Mr. Bennett gave a brief explanation of why the ordinance amendment is necessary and how it would benefit the residents of Urbana. The proposed amendments are as follows:

- Section 1 - Prohibit the deposition of excavating spoils in the R.O.W.
- Section 2 - Require utility to notify adjoining properties of utility installation.
- Section 2 - Require signage on utility installation.
- Section 3 - Add a new section on one-dig utility coordination to limit repeated installation activities at a specific ROW location.
- Section 4 - Require City Arborist to be contacted before any tree root over 1-inch in diameter is cut or removed.
- Section 5 - Reduce time that an excavation is allowed to remain open from ten days to 48 hours without the prior written approval of City Engineer.
- Section 6 - Add requirement for a temporary surface for an excavation in the sidewalk or street that remains open for more than 48 hours.

Discussion ensued. After discussion various concern arose and Alderman Charles Smyth made a motion to keep Ordinance No. 2016-08-066 in committee for further study and to allow time to notify utility companies before this amendment goes into effect. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

10. **Motion** - Revisions to Erosion and Sediment Control Ordinance Manual of Practice

Assistant City Engineer Brad Bennett presented the proposed changes to the original Ordinance No. 2007-11-133. Staff recommended that the proposed revisions to the Erosion and Sediment control Ordinance Manual of Practice be adopted. Proposed Changes are as follows:

- 1. Add goe-ridge berm detail to the Class 1 MOP
- 2. Remove diversion berm from the Class 1 MOP
- 3. Add welded wire inlet basket detail to the Class 2 MOP
- 4. Add concrete washout facility detail to the Class 2 MOP
- 5. Combine erosion eel and straw wattle details into one wattle detail in the Class 2 MOP.

- 6. Revise Class 1 and Class 2 permit application
- 7. Separate Class 1 and Class 3 permit information in the Class 1 MOP
- 8. Remove Illinois Environmental Protection Agency (IEPA) erosion and sediment control permit forms.
- 9. Add an introductory section to the Class 1 and Class 2 MOPs.
- 10. Consolidate sample erosion control plans into one typical plan illustration for the Class 1 MOP.
- 11. Add typical single family lot erosion control option illustrations to the Class 2 MOP.
- 12. Update erosion control sequence summary in the Class 2 MOP
- 13. Incorporate miscellaneous formatting changes in Class 1 and 2 MOPs.

Alderman Charles Smyth made a motion to approve updates.

Alderman Eric Jakobsson seconded. Motion carried by voice vote.

11. **Ordinance No. 2016-08-067:** An Ordinance Amending Urbana City Code Chapter 11, Section 11-62 (Nuisances, specifically defined)

Environmental Sustainability Manager Scott Tess presented Ordinance No. 2016-08-067 with recommendation for approval. Mr. Tess explained that this Ordinance will clarify the language in the code since it does not specifically identify alleys, bicycle lanes, or streets as sharing in the same prohibition.

After presentation Alderman Charles Smyth made a motion to send Ordinance No. 2016-08-067 to council with recommendation for approval. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

After presentation Mr. Tess gave a brief update regarding Solar Energy program and Electric Aggregation. Mr. Tess also informed committee that the City of Urbana was recognized by USEPA for its Green power efforts.

12. **Resolution No. 2016-08-050R:** A Resolution Approving a City of Urbana Community Development Block Grant Program Agreement (Champaign County Regional Planning Commission - Youth Assessment Center, Project No. 1617-CSSP-01)

Grants Manager Kelly Mierkowski presented Resolution No. 2016-08-050R with recommendation for approval. This Resolution will authorize the agreement with Regional Planning Commission for the Youth Assessment Center project.

After presentation Alderwoman Diane Marlin made a motion to send Resolution No. 2016-08-050R to council with recommendation for approval. Alderman Charles Smyth seconded. Motion carried by voice vote.

13. **Resolution No. 2016-08-051R:** A Resolution Approving a City of Urbana Community Development Block Grant Program Agreement (Persons Assuming Control of their Environment - Personal Assistance, Project No. 1617-CSSP-02)

Grants Manager Kelly Mierkowski presented Resolution No. 2016-08-051R with recommendation for approval. No Discussion

Alderman Charles Smyth made a motion to send Resolution No. 2016-08-051R to council with recommendation for approval. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

14. **Resolution No. 2016-08-038R:** A Resolution Approving Home Loan Documents Between the Urbana Home Consortium and Highland Green, LLC. [COW 06/13/16]

Grants Manager Kelly Mierkowski presented Resolution No. 2016-08-038R with recommendation for approval. No discussion.

Alderman Charles Smyth made a motion to send Resolution No. 2016-08-038R to council with recommendation for approval. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

15. **Resolution No. 2016-08-044R:** A Resolution Approving a CDBG Infrastructure Agreement between the City of Urbana and Highland Green, LLC. [COW 06/27/16]

Grants Manager Kelly Mierkowski presented Resolution No. 2016-08-044R with recommendation for approval. No discussion.

Alderman Charles Smyth made a motion to send Resolution No. 2016-08-044R to council with recommendation for approval. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

16. **Ordinance No. 2016-06-052:** An Ordinance Authorizing the Sale of Certain Real Estate (401 and 403 E. Kerr Avenue) [COW 06/27/16]

Grants Manager Kelly Mierkowski presented Ordinance No. 2016-06-052 with recommendation for approval. This Ordinance will allow the sale of property to Highland Green for a family housing project. Ms. Mierkowski addressed the committee's questions.

After discussion, Alderman Charles Smyth made a motion to send Ordinance No. 2016-06-052 to council with recommendation for approval. Alderwoman Diane Marlin seconded. Motion carried by voice vote.

17. **Resolution No. 2016-08-052R:** A Resolution Amending an Emergency Solutions Grant Subrecipient Agreement (Rosecrance TIMES Center FY 2015-2016)

Grants Manager Kelly Mierkowski presented Resolution No. 2016-08-052R with recommendation for approval. Ms. Mierkowski explained that this grant was already approved under Resolution No. 2015-08-040R, but due to merger and name change, an amendment is necessary in order to make payments.

Alderman Charles Smyth made a motion to send Resolution No. 2016-08-052R to council with recommendation for approval. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

18. **Ordinance No. 2016-08-068:** An ordinance naming a street, avenue, alley, or other public place (Boneyard Creek Crossing)

Alderwoman Diane Marlin presented Ordinance No. 2016-08-068 with recommendation for approval.

**Chair Dennis Roberts relinquished the chair from 8:30-8:32pm to Alderman Bill Brown to join discussion.

After discussion Alderwoman Diane Marlin made a motion to send Ordinance No. 2016-08-068 to council with recommendation for approval. Alderman Eric Jakobsson seconded. Motion carried by voice vote.

19. **Ordinance No. 2016-08-069:** An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Increasing number of Class G2 liquor licenses for Blackhawk Restaurant Group, LLC d/b/a Emma's Eatery, 114 N. Vine Street, Suite 0)

Mayor Prussing presented Ordinance No. 2016-08-069 with recommendation for approval. Mayor Prussing explained that this establishment falls more under the G2 category class license instead of G1. Discussion ensued.

**Chair Dennis Roberts relinquished the chair from 8:50-8:52pm to Alderman Bill Brown to joined discussion.

After discussion, Alderman Charles Smyth made a motion to send Ordinance No. 2016-08-069 to council with recommendation for approval. Alderman Aaron Ammons seconded. Motion carried by voice vote.

20. **Ordinance No. 2016-08-070:** An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Increasing number of Class G2 liquor licenses for Mala LLC, d/b/a Lindy Lu's Place, 202 W. University Ave.)

Mayor Prussing presented Ordinance No. 2016-08-070 with recommendation for approval. This is a change of class from a G1 to a G2. Discussion ensued.

After brief discussion, Alderwoman Diane Marlin made a motion to send Ordinance No. 2016-08-070 to council with recommendation for approval. Alderman Charles Smyth seconded. Motion carried by voice vote.

21. **Ordinance No. 2016-08-071:** An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Increasing number of Class G2 liquor licenses for Northgate Gaming, Inc., d/b/a Lucky Luke's, 1504 N. Cunningham Ave.)

Mayor Prussing presented Ordinance No. 2016-08-071 with recommendation for approval. Mayor Prussing clarified that this is a request for a new license for a new business. Discussion ensued.

Alderwoman Diane Marlin made a motion to send Ordinance No. 2016-08-071 to council with recommendation for approval. Alderman Charles Smyth seconded. Motion carried by voice vote.

22. **Adjournment**

There being no further business before the committee, Chair Roberts declared the meeting adjourned at 9:33pm.

Wendy M. Hundley
Recording Secretary

*This meeting was taped.

**This meeting was broadcast on cable television.

Minutes Approved: August 22, 2016