

**CITY OF URBANA**

**COMMITTEE OF THE WHOLE - January 12, 2015 - 7:00 P.M.**

**CITY COUNCIL CHAMBERS - 400 S. VINE STREET, URBANA, IL**

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The City Council Committee of The Whole of the City of Urbana, Illinois, met in regular session Monday, January 12, 2015 in the Council Chambers of the Urbana City Building.

**ELECTED OFFICIALS PHYSICALLY PRESENT:** Bill Brown, Eric Jakobsson; Michael P. Madigan; Diane Marlin; Dennis Roberts; Charles Smyth; Laurel Lunt Prussing; Phyllis Clark

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE:** None

**ELECTED OFFICIALS ABSENT:** None

**STAFF PRESENT:** Brandon Boys; Elizabeth Beaty; Mike Brunk; Patrick Connolly; William Gray; Elizabeth Hannan; Mike Monson; Todd Rent; James Simon; Elizabeth Tyler

**OTHERS PRESENT:** Aaron Ammons; Brian Dolinar; Ricardo Diaz; Belden Fields; Ben Joselyn; Jan Kalmar; Karl Kern; Durl Kruse; Miriam Larson; Daniel Lewart; Martel Miller; Ivan Ruiz; Matt Turino; Rev. Dr. Evelyn Underwood and Bishop King Underwood, and members of the media.

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**1. CALL TO ORDER AND ROLL CALL**

There being a quorum, Chair Michael P. Madigan called the meeting of the Committee Of The Whole to order at 7:02 p.m.

**2. ADDITIONS TO THE AGENDA AND STAFF REPORT**

1. Alderman Smyth moved that item number 8 and item number 11 be moved on to the top of the agenda following "Public Input". Chair Madigan asked for a voice vote. Motion carried by voice vote.

Alderman Smyth moved to add Alderman Jakobsson's new item to item number 13 on the agenda. Alderman Jakobsson seconded the motion. Motion carried by voice vote.

2. Mayor Prussing read Carol Ammons' resignation letter of January 9, 2015 to all present.

**3. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Alderwoman Marlin made a motion to approve the minutes from the meeting held on December 8, 2014. Alderman Jakobsson seconded. Chair Madigan asked Council for any changes to the minutes. Alderman Roberts noted that in item 16 "Adjournment", that Eric Jakobsson should be changed to Dennis Roberts as the Alderman adjourning the December 8, 2014 meeting. Alderman Brown asked that the wording "motion carried by voice vote" that appears in the middle of page 3 (item number 6) be moved to after the disposition of the amendment. Motion to approve the December 8, 2014 minutes carried by voice vote with these changes incorporated.

**4. PUBLIC INPUT**

1. Ricardo Diaz, who is an Urbana Citizen and member of the Civilian Police Review Board (hereinafter CPRB), was one of the two members of the CPRB that worked with Chief Connolly and his staff to develop the proposed policy pertaining to the Urbana Police Department's purchase and use of Tasers. Mr. Diaz addressed the

Council with his position and concerns regarding proposed Ordinance numbers 2015-01-003 and 2015-01-006, and amending the Urbana City Code to allow citizens that live outside of Urbana City Limits to serve on the CPRB.

2. Reverend Dr. Evelyn Underwood presented that she received a package of holiday cards to be distributed to U.S. veterans from "Madam Nadia", a doctor that she and the group met on their journey to Thionville, France for Thionville's liberation celebration. Reverend Dr. Underwood asked Alderman Roberts to assist with the distribution of the cards. Reverend Dr. Underwood also gave an update on World War II veteran Kermit Harden's improving post-heart attack condition, as Mr. Harden suffered a heart attack while attending the Thionville, France celebration.
3. Chair Madigan acknowledged a card from Bishop King James and Reverend Dr. Evelyn Underwood, and further acknowledged that neither wanted to verbally express their concerns regarding Dr. Ellis Subdivision sewer issues, but asked that these issues be mentioned.
4. Brian Dolinar addressed Council in opposition of the proposed Taser Ordinance being approved. Mr. Dolinar also expressed that he is opposed to former residents of Urbana that now reside outside of Urbana being able to serve on Urbana's CPRB, and is therefore opposed to the proposed Ordinance to change the Urbana City Code to allow former residents of Urbana to serve.
5. Durl Kruse addressed Council regarding the Tax Increment Financing District (T.I.F.) One surplus funds distribution. Mr. Kruse read the Illinois Association of School Boards' Resolution that passed in November of 2014 at their Convention to inform the public of the position of the School Boards in the State of Illinois regarding T.I.F.

After Mayor Prussing's presentation regarding proposed Ordinance No. 2015-01-006, Durl Kruse addressed Council in opposition to the proposed ordinance, as Mr. Kruse is in opposition to persons that are not Urbana citizens serving on the Urbana CPRB or any other Urbana Boards.

Mr. Kruse followed Mr. Fields' comments to Council and the public regarding Tasers, and addressed Council in opposition to Tasers. Mr. Kruse expressed concerns over the public's opinion having an influence on the final policy that is put into place. Mr. Kruse suggested that the Urbana Police Department implementing body cameras prior to moving forward with the purchase of Tasers, and discussed reasons for this suggestion.

6. Martel Miller addressed Council expressing that the Urbana CPRB should be comprised of Urbana citizens. Mr. Miller also addressed Council in opposition of Tasers, discussing his concerns regarding the dangers of Tasers. Mr. Miller offered possible alternatives to Tasers, as well as alternative uses for the monies that are currently designated for the purchase of the Tasers.

7. Ben Joselyn addressed Council in opposition of video gambling. Mr. Joeslyn expressed concerns over the potential effect on problem gamblers and a possible increase in problem gambling, and discussed the City conducting a study on the effects and for the zoning ordinances to be approved prior to moving forward with an increase in the number of licenses.  
  
Mr. Joselyn again addressed Council following Durl Kruse regarding the Taser issue. Mr. Joeslyn expressed that he is in agreement with Mr. Kruse's suggestion that the Urbana Police Department implement body cameras prior to moving forward with purchasing Tasers, and discussed police defense options other than Tasers to resolve situations where a Taser might be used.
8. Karl E. Kern with Melody Music/Melody Gaming spoke in support of video gaming, but agreed that certain controls should be implemented, as Urbana has done and is continuing to do.
9. Belden Fields addressed Council in opposition to Tasers. Mr. Fields expressed that he does feel that members of the CPRB should live in Urbana. Mr. Fields discussed the intended purpose for the CPRB, and his concerns regarding the CPRB in relation to their assisting in the development of the Taser policy. Mr. Fields also expressed his concerns regarding the City of Champaign authorizing the purchase and use of Tasers for the Champaign Police Department if Urbana does approve for the Urbana Police Department.
10. Aaron Ammons addressed Council in opposition of Tasers. Mr. Ammons expressed concerns regarding the Taser policy and any changes that later may need to be made to the policy being controlled by the Urbana Police Department. Mr. Ammons suggested a public meeting where the police and public can openly discuss and address concerns, ask questions and engage in conversations that clarify and define the objectives of the Urbana Police Department, considering the publics' opinions and concerns.
11. The following individuals did not wish to speak, but asked to go on record regarding the Taser issue: Ivan Ruiz is in opposition of Tasers; Jan Kalmer is in opposition of Tasers; Daniel Lewart is in opposition of Tasers; Miriam Larson is in opposition of Tasers; and Matt Turino is in opposition of Tasers.

#### Committee Member Input

1. After Mr. Diaz's presentation, discussion ensued between Mr. Diaz and Mayor Prussing, Alderman Roberts, Alderman Jakobsson, and Alderman Brown regarding various aspects of both proposed Ordinances.
5. **Ordinance No. 2015-01-004:** An Ordinance Amending Urbana City Code Chapter 3.7, Section 3.7-15(Increasing number of licensed premises that may display video gambling terminals/2015) - FIN

Administrative Services Manager Elizabeth Beaty presented information on proposed Ordinance No. 2015-01-004 regarding the need to increase

the number of Video Gambling Terminal licensed premises, to accommodate additional businesses wanting to operate video game terminals. Discussion with Council ensued following Ms. Beaty's presentation. Alderman Jakobsson inquired as to if there is any evidence that existing video gambling terminals now in operation have contributed to or encouraged "problem gambling". Ms. Beaty and Mayor Prussing addressed Alderman Jakobsson's questions. Mayor Prussing discussed that there have been no problems from the existing establishments, so there does not seem to be any reason not to increase the number of licenses.

Alderman Roberts asked if the City Council will review each establishment before approving a given license. Ms. Beaty presented that the City Council reviews all liquor license applicants, and a business will be required to have a liquor license to be issued a video gambling terminal license, therefore Council will have reviewed all of the applicants at the time each applied for their liquor license.

Alderman Roberts made a motion to adopt Ordinance No. 2015-01-004. Alderwoman Marlin seconded.

Discussion resumed with Council. Alderman Smyth informed Council that the motion before Council should be a motion to send Ordinance No. 2015-01-004 to Council with recommendation for approval. Alderman's correction was acknowledged. Discussion with Council continued.

Alderman Madigan relinquished the Chair to Alderwoman Marlin from 7:59 p.m. to 8:04 p.m. to participate in the discussion, and voice concerns regarding storefronts being solely gaming establishments, and the potential income loss of established businesses with gaming to new businesses. Community Development Director and Mayor Prussing addressed Alderman Madigan's concerns. Alderman Jakobsson also offered comments in response to Alderman Madigan's comments and concerns.

Additional public input was heard following the foregoing discussion with Council.

After the first citizen spoke, Chair Madigan called for a voice vote on the motion to send Ordinance No. 2015-01-004 to Council. Motion carried by voice vote. Additional public input was heard after the voice vote.

6. **Ordinance No. 2015-01-007:** An Ordinance Approving a Redevelopment Agreement First Amended and Restated With Cake Design Development LLC - Series 204 West Main (204 West Main Street - Matt Cho) - CD

Economic Development Manager Brandon Boys explained to Council that due to structural damage the façade, which was to be reinforced and preserved, will now need to be demolished and reconstructed. Mr. Boys discussed that the current agreement will not allow for the demolition and reconstruction of the façade, therefore a proposed ordinance approving a First Amended and Restated Agreement, along with the proposed First Amended and Restated Agreement are being presented to Council for approval.

After Mr. Boys' presentation, Alderwoman Marlin made a motion to send Ordinance No. 2015-01-007 to Council for approval. Alderman Roberts seconded.

Discussion with Council ensued following the motion regarding the developer maintaining the integrity and appearance of the original façade design, and taking into consideration the appearance of the surrounding structures when planning and constructing the new façade. Alderman Madigan relinquished the Chair to Alderwoman Marlin from 8:20 p.m. to 8:22 p.m. participate in the discussion.

After discussion, Alderman Madigan called for a voice vote to send Ordinance No. 2015-01-007 to Council for approval. Motion was carried by voice vote.

7. **Ordinance No. 2015-01-002:** An Ordinance Revising the Annual Budget Ordinance FY 2014-15 (Capital Improvement Donations, Arbor Programs) - PW

City Arborist Michael Brunk presented that the current brochure "Under the Canopy Creating a Personal Green Space" is a compilation of the previous 4 regional tree growing guides that were released beginning in 1997. As the first version of the brochure is out of print and the publication needs updating, The Illinois Department of Natural Resources/Illinois Forestry Development Council, the University of Illinois Extension and the Illinois Arborist Association have agreed to donate \$5,000.00 each (\$15,000.00) total to updating the brochure in exchange for name recognition on the back of the publication and a set number of copies each.

Alderman Smyth made a motion to send Ordinance No. 2015-01-002 to Council for approval. Alderman Jakobsson seconded.

A brief discussion with Council ensued after the motion. Alderman Madigan then called for a voice vote to send Ordinance No. 2015-01-002 to Council for approval. Motion was carried by voice vote.

8. **Ordinance No. 2015-01-003:** An Ordinance Authorizing the Urbana Police Department to Purchase Tasers and for Civilian Police Review Board Oversight over Deployment and Use of Tasers (TASER Ordinance) - LEGAL

Police Chief Patrick Connolly presented information on the process to date regarding the Urbana Police Department moving forward with the purchase of Tasers. Discussion with Council ensued following Police Chief Connolly's presentation regarding several issues surrounding Tasers, including but not limited to the proposed Taser policy to be put in place, the procedure for future revision of the policy, the dangers of using Tasers and the police training required prior to a given officer being able to carry a Taser. How cases are reviewed by the CPRB was also discussed. City Attorney James Simon addressed the issue of the CPRB reviewing cases in a group, rather than on an individual basis, discussing how the reviews (both CPRB and internal reviews) would be done, and how the reviews would and would not be used.

Discussion with Council continued regarding Tasers, body cameras, police policy language, and proposed changes to the proposed Ordinance language. City Attorney Simon discussed documents obtainable under the Freedom of Information Act, and Police Chief Connolly provided additional information regarding Taser training and use.

Following discussion with Council, additional public input was heard. After public input, extensive discussion with Council resumed. Alderman Roberts made a motion to keep Ordinance No. 2015-01-003 in Committee. Alderman Jakobsson seconded. Motion carried by voice vote.

Council then recessed from 10:08 to 10:10. Council resumed meeting at 10:10, after the two minute break

9. **Ordinance No. 2015-01-006:** An Ordinance to Amend Urbana City Code Chapter 19, Article III, Division 1, Section 19-22(A) Concerning Qualifications for Service on City of Urbana Civilian Police Review Board - LEGAL

Mayor Prussing presented that she initiated this proposed amendment to the Urbana City Code to allow prior Urbana Residents who now reside outside of Urbana to be able to serve on the Civilian Police Review Board.

After Mayor Prussing's presentation, there was additional public input, after which discussion with Council ensued.

After discussion with Council, Mayor Prussing withdrew the proposed Ordinance No. 2015-01-006.

10. **Resolution No. 2015-01-002R:** A Resolution Deeming Certain Funds in the Special Tax Allocation Fund for the Downtown Urbana Tax Increment Redevelopment Project Area as "Surplus" Funds and Directing the Payment and Distribution Thereof (2014) - FIN

Finance Director Elizabeth Hannan discussed the purpose of Resolution No. 2015-01-002R, as reflected in the proposed Resolution. After Ms. Hannan's presentation, discussion with Council ensued. Alderman Brown proposed that based on the Library's tax rates, \$14,704.00 of the surplus be transferred to the Library.

Following discussion, Alderman Brown made a motion to send Ordinance No. 2015-01-002R to Council for approval, with a change to be made to the Resolution to distribute to the Library their appropriate share per the tax rate. Alderman Smyth seconded. Brief further discussion ensued. Alderman Madigan called for a voice vote to send Resolution No. 2015-01-002R to Council, with Alderman Brown's proposed change regarding the Library's distribution to be made. Motion carried by voice vote.

11. **Ordinance No. 2015-01-005:** An Ordinance Revising the Annual Budget Ordinance for FY2014/15 - FIN

Finance Director Elizabeth Hannan discussed the purpose of Ordinance No. 2015-01-005, and stated that she would amend the Ordinance to reflect the distribution to the Library. Following Ms. Hannan's presentation, Alderman Smyth made a motion to send Ordinance No. 2015-01-005 to Council, with a change to the Ordinance to distribute to the Library their appropriate share. Alderman Roberts seconded. Being no discussion, Alderman Madigan called for a voice vote to send Ordinance No. 2015-01-005 to Council, with the proposed change regarding the Library's distribution to be made. Motion carried by voice vote.

12. **Resolution No. 2015-01-003R:** Resolution Creating a Task Force to Study Why Health Insurances Costs 35% More in East Central Illinois than in Chicago, What the Extra Cost to Local Businesses, Governments, Residents, and True Not-For-Profit Organizations is, and to Recommend Solutions - Mayor

Mayor Prussing presented information pertaining to health insurance costs and health care costs. Mayor Prussing is proposing that a Healthcare Cost Study Task Force be created to study and define the reasons for the higher local health insurance and healthcare costs. Discussion with Council ensued after Mayor Prussing's presentation. Alderman Jakobsson drafted a resolution to be presented that pertains to the same issue, with a different approach.

After discussion, Alderman Roberts made a motion to send Resolution No. 2015-01-003R to Council with changes. Alderman Smyth suggested keeping both Mayor Prussing's proposed Resolution and Alderman Jakobsson's resolution in Committee to be presented in two weeks with changes. Alderman Roberts changed his motion to keep both Resolutions in Committee. Alderman Smyth seconded. Alderman Madigan called for a voice vote to keep both Resolutions in Committee. Motion carried by voice vote.

13. **Adjournment**

There being no further business to come before the Committee, Chair Alderman Michael P. Madigan declared the meeting adjourned at 10:56 p.m.

Vicky A. Osborn  
Recording Secretary

\*This meeting was taped.

\*\*This meeting was broadcast on cable television.

Minutes Approved: January 26, 2015