

**STATE OF ILLINOIS**

*Laurel Lunt Prussing, Mayor*

**CITY OF URBANA**

*Phyllis D. Clark, City Clerk*



**URBANA CITY COUNCIL**  
**Monday, August 04, 2014**

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The City Council of the City of Urbana, Illinois, met in regular session Monday, August 4, 2014 at 7 p.m. in the Council Chambers at the Urbana City Building.

**ELECTED OFFICIALS PHYSICALLY PRESENT**

\*Charles Smyth, Alderman Ward 1  
Eric Jakobsson, Alderman Ward 2  
Carol Ammons, Alderwoman Ward 3  
Bill Brown, Alderman Ward 4  
Dennis Roberts, Alderman Ward 5  
Michael P. Madigan, Alderman Ward 6  
Diane Marlin, Alderwoman Ward 7  
Laurel Lunt Prussing, Mayor  
Phyllis D. Clark, City Clerk

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE**

\*Charles Smyth, Alderman Ward 1 (Enter meeting at 7:22 p.m.)

**ELECTED OFFICIALS ABSENT**

None

**STAFF PRESENT**

Mike Brunk; Patrick Connolly; Jeff Engstrom; Kevin Garcia; William Gray; Natalie Kenny-Marquez; Maximillian Mahalek; Mike Monson; Brian Nightlinger; James Simon; Elizabeth Tyler

**OTHERS PRESENT**

David Brodsky; Durl Kruse; Bishop King James Underwood; Rev. Dr. Evelyn Underwood; Members of the Media.

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

There being a quorum, Mayor Prussing called the meeting of the Urbana City Council to order at 7:04 p.m.

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

Aldерwoman Ammons made a motion to approve minutes from meeting held on July 21, 2014. Alderman Madigan seconded. Motion carried by voice vote.

**C. ADDITIONS TO THE AGENDA**

\*Alderman Smyth made a motion to add Mayoral Appointment of Andrew Wadsworth - C-U Joint CATV Commission and UPTV Commission - term to expire June 30, 2015 to the agenda. Seconded by Aldерwoman Ammons. Motion carried by voice vote.

**D. PETITIONS AND COMMUNICATIONS**

Mayor Prussing read a proclamation declaring August 3-9, 2014 National Farmers' Market Week.

Bishop King James and Rev. Dr. Evelyn Underwood did not wish to speak but are still concerned about the Dr. Ellis Subdivision sewer Problems.

David Brodsky from Natural Choice Holding addressed the council with a presentation proposal for Medical Cannabis Dispensary.

Durl Kruse addressed the council regarding Resolution No. 2014-07-042R he is not in favor.

**E. UNFINISHED BUSINESS**

There were none.

**F. REPORTS OF STANDING COMMITTEES**

1. Committee of the Whole

- a. **Ordinance No. 2014-07-067:** An Ordinance Amending Urbana City Code Chapter 3, Section 3-43 (Increasing the number of Class C Licenses for Freedom Oil Company, 1812 N. Cunningham Ave.)

Alderman Madigan recused himself from this item due to conflict of interest from 7:30-7:31p.m.

Alderman Brown made a motion to approve Ordinance No. 2014-07-067. Alderman Smyth seconded. Motion carried by roll call. No discussion. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Recuse	

**Action:** Ordinance No. 2014-07-067 was approved by roll call vote (6-Ayes; 0-Nay; 1-Recuse)

- b. Resolution No. 2014-07-040R** - A Resolution Approving the Purchase of *FANFARE*, for the Permanent Collection of Public Art of the City of Urbana

Alderman Brown made a motion to approve Resolution No. 2014-07-040R. Alderman Smyth seconded. No discussion motion carried by a voice call vote.

**Action:** Resolution No. 2014-07-040R was approved by a voice vote.

- c. Resolution No. 2014-07-042R:** A Resolution Approving and Authorizing the Execution of a Contract for Professional Services (Peckham Guyton Albers & Viets, Inc., FY 2014-2015)

Alderman Brown made a motion to approve Resolution No. 2014-07-042R. Alderman Roberts seconded. Motion carried by roll call. After debate. Vote was as follows:

Carol Ammons - Nay	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Resolution No. 2014-07-042R was approved by a roll call vote (6-Aye; 1-Nay)

- d. Ordinance No. 2014-07-068:** An Ordinance Approving a Second Amendment to an Agreement for Use of Right-Of-Way with Gargoyle Technologies, Inc., D/B/A VOLO Broadband

Alderman Brown made a motion to approve Ordinance No. 2014-07-068. Alderman Smyth seconded. Motion carried by roll call. No discussion. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Ordinance No. 2014-07-068 was approved by roll call vote (7-Ayes; 0-Nay)

- e. Ordinance No. 2014-07-069:** An Ordinance Revising the Annual Budget Ordinance FY 2014-15 (Irrigation System Research Grant)

Alderman Brown made a motion to approve Ordinance No. 2014-07-069. Alderman Roberts seconded. Motion carried by roll call. No discussion. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	Mayor Prussing - Aye

**Action:** Ordinance No. 2014-07-069 was approved by roll call vote (8-Ayes; 0-Nay)

- f. Ordinance No. 2014-07-070:** An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at All Times on Certain Streets (Ash Street)

Alderman Brown made a motion to approve Ordinance No. 2014-07-070. Alderman Smyth seconded. Motion carried by roll call. No discussion. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Ordinance No. 2014-07-070 was approved by roll call vote (7-Ayes; 0-Nay)

- g. Ordinance No. 2014-07-071:** An Ordinance Amending Schedule F of Section 23-83 of the Urbana Local Traffic Code Designating One-Way Streets and Alleys (Anderson Street Between Florida Avenue and Pennsylvania Avenue)

Alderman Brown made a motion to approve Ordinance No. 2014-07-071. Alderwoman Ammons seconded. Motion carried by roll call. After discussion vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Ordinance No. 2014-07-071 was approved by roll call vote (7-Ayes; 0-Nay)

- h. Resolution No. 2014-07-041R:** A Resolution Authorizing The Entry Into and Execution of An Agreement Between The City of Urbana, Illinois and The Community Foundation of East Central Illinois

Alderman Brown made a motion to approve Resolution No. 2014-07-041R. Alderwoman Ammons seconded. Motion carried by roll call. No discussion. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Resolution No. 2014-07-041R was approved by a roll call vote (7-Aye; 0-Nay)

- i. Ordinance No. 2014-07-072:** An Ordinance Amending Urbana City Code Chapter 25, Legacy Tree Program (Section 25-65 Consent)

Alderman Brown made a motion to approve Ordinance No. 2014-07-072. Alderman Roberts seconded. Motion carried by roll call. After debate. Vote was as follows:

Carol Ammons - Nay  
Bill Brown - Aye  
Eric Jakobsson - Aye  
Mike Madigan - Aye

Diane Marlin - Aye  
Dennis Roberts - Aye  
Charles Smyth - Aye

**Action:** Ordinance No. 2014-07-072 was approved by roll call vote (6-Ayes; 1-Nay)

- j. Ordinance No. 2014-07-073:** An Ordinance Revising the Annual Budget Ordinance FY 2014-15 (Windsor Road Reconstruction Philo to Race)

Alderman Brown made a motion to approve Ordinance No. 2014-07-073. Alderwoman Marlin seconded. Motion carried by roll call. After debate. Vote was as follows:

Carol Ammons - Aye  
Bill Brown - Aye  
Eric Jakobsson - Aye  
Mike Madigan - Aye

Diane Marlin - Aye  
Dennis Roberts - Aye  
Charles Smyth - Aye  
Mayor Prussing - Aye

**Action:** Ordinance No. 2014-07-073 was approved by roll call vote (8-Ayes; 0-Nay)

**G. REPORTS OF SPECIAL COMMITTEES**

There were none.

**H. REPORTS OF OFFICERS**

William Gray, Public Works Director announced a ground breaking to Olympian drive next Tuesday August 12, 2014 at 2:00pm. Everyone is invited to attend.

Elizabeth Tyler, Community Development Director presented the monthly Economic Development report. She reported that both Curbanas are up and operating on Main Street; C2E a video-conferencing-based English training startup, has opened in [co][lab]; Miss Possible, a startup working to engage girls in science and technology, has started a major crowd funding campaign and received a tweet from Melinda Gates, also working out of [co][lab] in the Downtown Urbana. A ribbon cutting for the new Wendy's was held on July 15. Ms. Tyler invited everyone to come this Saturday at 8:30a.m., to the Farmers Market to witness as the Mayor will be reading the Proclamation declaring August 3-9 as Farmers Market Week.

**I. NEW BUSINESS**

- 1. Ordinance No. 2014-08-074:** An Ordinance Approving a Special Use Permit (To allow additions to a church in the R-3, Single and Two-Family Residential District - Plan Case No. 2235-SU-14 / 1407 East Scovill Street - Kingdom Hall of Jehovah's Witnesses Church)

Maximilliam Mahalek, Community Development Planner Intern presented Ordinance No. 2014-08-074 with recommendation for approval.

After presentation Alderwoman Marlin made a motion to approve Ordinance No. 2014-08-074. Alderman Smyth seconded. Motion carried by roll call. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Ordinance No. 2014-08-074 was approved by roll call vote (7-Ayes; 0-Nay)

2. **Ordinance No. 2014-08-075:** An Ordinance Amending the City of Urbana 2005 Comprehensive Plan (Active Choices: Champaign County Greenways and Trails Plan - Plan Case No. 2223-CP-14)

Jeff Engstrom, Community Development Planner II presented Ordinance No. 2014-08-075 with recommendation for approval.

After presentation and debate Alderman Jakobsson made a motion to approve Ordinance NO. 2014-08-075. Alderwoman Marlin seconded. Motion failed with a roll call vote of (3-Ayes; 4-Nay).

After further discussion Alderman Smyth made a motion to keep Ordinance No. 2014-08-075 in committee for further analysis and to give Bicycle & Pedestrian Advisory Board (BPAC) an opportunity to review this ordinance. Alderman Madigan seconded with a friendly amended to keep Ordinance No. 2014-08-075 in Committee. Motion carried by voice vote.

**Action:** Ordinance No. 2014-08-075 was deferred back to committee for further review by BPAC.

3. **Ordinance NO. 2014-08-076:** An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois (Revising Article II and Article V to establish definitions and use provisions for "Medical Cannabis Dispensaries" and "Medical Cannabis Cultivation Facilities" / Plan Commission Case No. 2234-T-14)

Kevin Garcia, Community Development Planner II presented Ordinance No. 2014-08-076 with recommendation for approval.

After presentation and debate Alderman Smyth made a motion to approve Ordinance No. 2014-08-076. Alderwoman Ammons seconded. Motion carried by roll call. Vote was as follows:

Carol Ammons - Aye	Diane Marlin - Aye
Bill Brown - Aye	Dennis Roberts - Aye
Eric Jakobsson - Aye	Charles Smyth - Aye
Mike Madigan - Aye	

**Action:** Ordinance No. 2014-08-076 was approved by roll call vote (7-Ayes; 0-Nay)

4. **Mayoral Appointment**

- a. Champaign County Community Action Board - Kelly Mierkowski  
This appointment is to replace Jenell Hardy.

Mayor Prussing presented this Mayoral Appointment. Alderman Smyth made a motion to approve this Mayoral Appointment as presented. Alderman Roberts seconded. Motion carried by voice vote.

- \*b. Andrew Wadsworth - C-U Joint CATV Commission and UPTV Commission - term to expire June 30, 2015.

\*Alderman Smyth made a motion to approve added Mayoral Appointment as presented. Alderwoman Ammons seconded. Motion carried by voice vote.

**5. Mayoral Re-Appointment**

- a. Building Safety Code Board of Appeals - William Kubitz term to expire June 30, 2017.

Mayor Prussing presented this Re-Appointment. Alderman Smyth made a motion to approve re-appointment as presented. Alderwoman Ammons seconded. Motion carried by voice vote.

**J. ADJOURNMENT**

There being no further business to come before the City Council, Mayor Prussing declared the meeting adjourned at 9:57 p.m.

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Wendy M. Hundley  
Recording Secretary

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Phyllis D. Clark  
City Clerk

\*This meeting was taped.

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

Minutes Approved: August 18, 2014