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**DATE:** Monday, September 17, 2018  
**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 September 17, 2018 at 7:00 p.m. in the Council Chambers at the Urbana City Building.

**ELECTED OFFICIALS PHYSICALLY PRESENT:** City Council Members (CM) Maryalice Wu (Ward 1), Eric Jakobsson (Ward 2), Aaron Ammons (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:** None

**STAFF PRESENT:** Carol Mitten, Bryant Seraphin, Charles Lauss, John Schneider, Bill Gray, Robert Fitzgerald, Melissa Haynes, Kelly Mierkowski, Bridget Broihahn, Jim Simon

**OTHERS PRESENT:** News-Gazette, WCIA, Rev. Dr. Evelyn Underwood, Charles Young, Durl Kruse, Minnie Pearson, Belden Fields, David Sutton, Delores Henry, James Kosmopoles, Joel Bacon, Art Svymbersky, Rev. Charles Coles Nash Jr.

**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 7:00 p.m.

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

City Council Member (CM) Ammons made a motion to approve minutes from August 27, 2018 Public Hearing and regular meeting from September 4, 2018, seconded by CM Wu, and passed by unanimous voice vote.

**C. ADDITIONS TO THE AGENDA**

There were none.

**D. PUBLIC INPUT**

Joel Bacon, CSPAN, accompanied by Art Svymbersky of Comcast, spoke about the CSPAN Capitol Bus Tour. They spent the day parked at the University of Illinois to talk to students and others. Mr. Bacon wanted people to know that CSPAN provides a public record of the federal government as a non-partisan, nonprofit organization. He described how CSPAN started and emphasized that it's not part of the government, not paid for by tax dollars, and funded by cable and satellite. The tour is to find out what states and cities think is important. Their next stop is Springfield as the 41<sup>st</sup> visited capitol. Mr. Bacon pointed out that their Co-CEO is an alumnus of the school and spoke to a class today. He also said that the tour would end in December on their 25<sup>th</sup> anniversary. He ended by stating that CSPAN broadcasts the US House and Senate live without commercials.

CM Brown thanked them for their visit stating that he enjoyed the bus tour and noted the fair and balanced location of the bus on Wright Street.

James Kosmopoulos introduced himself as the Illinois Student Government liaison to the Urbana City Council. He indicated that he would be attending meetings and noting relevant issues to the University and students.

Rev. Dr. Evelyn B. Underwood did not wish to speak, but asked that her position be entered into the record regarding her concerns for the Dr. Ellis Subdivision sewer issues.

**E. UNFINISHED BUSINESS**

There was none.

**F. REPORTS OF STANDING COMMITTEES**

1. **Committee Of The Whole** – *(Reported by Council Member Bill Brown)*

a. **Resolution No. 2018-09-041R:** A Resolution Approving an Agreement with the Illinois Department of Transportation (University Avenue Improvement)

Reporting for the committee, CM Brown moved approval of Resolution 2018-09-041, seconded by CM Miller. Mayor Marlin pointed out that IDOT is providing approximately \$8M towards these safety improvements at little cost to the city. With no further discussion, the motion passed by roll call 7-0: Ammons – Aye; Brown – Aye; Hazen – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Wu – Aye.

b. **Ordinance No. 2018-09-061:** An Ordinance Approving a License Agreement with Stephens Building, LLC (Parking Lot 11)

Reporting for the committee, CM Brown moved approval of Ordinance 2018-09-061, seconded by CM Roberts. With no discussion, the motion passed by roll call 7-0: Ammons – Aye; Brown – Aye; Hazen – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Wu – Aye.

**G. REPORTS OF SPECIAL COMMITTEES**

There were none.

**H. REPORTS OF OFFICERS**

There were none.

**I. NEW BUSINESS**

1. **Resolution No. 2018-09-042R:** A Resolution Approving a Community Development Block Grant Agreement (Daily Bread Soup Kitchen, Project No. 1819-CSSP-01)

Kelly Mierkowski, Grants Manager, spoke to the staff memo for Resolutions 2018-09-042R and 2018-09-043R describing these agreements are subrecipient CDBG grants related to Social Service funding. She said the City administers CDBG with priorities set by the Community Development Commission. These two agencies fit the priorities and on August 28, the Commission recommended approval.

CM Ammons asked for clarification of Support Services under the Park District. Ms. Mierkowski indicated that these are priorities that come from consolidated support. The UPD is hiring youth for the summer where they learn and get training on jobs at the UPD. The \$1500 goes towards the youth salaries. Overall 50 students will be part of the program (shared with School District and other agencies). In response to CM Ammons' concerns about diversity, Ms. Mierkowski indicated CDBG income guidelines apply and most students are on income based school lunch programs, but she will check.

With no further discussion or questions, CM Miller moved approval of Resolution 2018-09-042R, seconded by CM Hazen. The motion passed by roll call 7-0: Ammons – Aye; Brown – Aye; Hazen – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Wu – Aye.

2. **Resolution No. 2018-09-043R:** A Resolution Approving a Community Development Block Grant Agreement (Urbana Park District – Youth Summer Employment Program, Project No. 1819-CSSP-02)

CM Roberts moved approval of Resolution 2018-09-043R, seconded by CM Miller. The motion passed by roll call 7-0: Ammons – Aye; Brown – Aye; Hazen – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Wu – Aye.

3. **Resolution No. 2018-09-044R:** A Resolution Approving an Emergency Solutions Grant Program Subrecipient Agreement with Crisis Nursery (FY 2018-2019)

Kelly Mierkowski, Grants Manager, spoke to the staff memo for Resolutions 2018-09-044R and -045R describing these agreements stemming from Federal funds to the Illinois Department of Human Services. The Continuum of Care applied for the funds and the city administers these grants. These funds are for operations as well as administrative costs to city. The Community Development Commission forwarded these to council with a recommendation for approval at their Aug. 28<sup>th</sup> meeting.

CM Brown noted that the total is \$25K and Ms. Mierkowski explained the threshold issues related to the administration and distribution of these state funds noting that the amount changes every year based on agencies and what they request. CM Brown thanked Ms. Mierkowski for her knowledge and expertise. Ms. Mierkowski described her new job in Jacksonville, FL. CM Wu asked about language on page 4 for reporting requirements on how data is gathered and used, reading the relevant paragraph. Ms. Mierkowski explained the reporting requirements noting that the data is for homeless management.

With no further discussion or questions, CM Miller moved approval of Resolution 2018-09-044R, seconded by CM Hazen. The motion passed by roll call 7-0: Ammons – Aye; Brown – Aye; Hazen – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Wu – Aye.

4. **Resolution No. 2018-09-045R:** A Resolution Approving an Emergency Solutions Grant Program Subrecipient Agreement with the CU Men’s Shelter (FY 2018-2019)

CM Wu moved approval of Resolution 2018-09-045R, seconded by CM Ammons. The motion passed by roll call 7-0: Ammons – Aye; Brown – Aye; Hazen – Aye; Jakobsson – Aye; Miller – Aye; Roberts – Aye; Wu – Aye.

Mayor Marlin noted Kelly Mierkowski’s employment history with the city and thanked her for her service.

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

- a. Extended Term of Appointment to the Housing Authority of Champaign County

1. Rebecca Obuchowski – July 1, 2021 through June 30, 2023

Mayor Marlin noted that HACC appointment are for 5 years and the city default of 3 year terms had been used for Ms. Obuchowski’s appointment, approved previously by the council. This action is to extend the appointment to the full 5 years. CM Ammons moved approval of the extended appointment, seconded by CM Miller, and passed by unanimous voice vote.

6. **Discussion Item**

- a. Pedestrian Stops

An Urbana Pedestrian Stop presentation was made by the Urbana Police Department. Mayor Marlin introduced the report by stating that several years ago the Illinois

Department of Transportation (IDOT) legislation mandated reporting police pedestrian stops. Cities were provided some guidance and implementation but no definitions. When asked for clarification, IDOT told the city to develop its own plan for collection. About half of the cities in Illinois have reported and data varies widely from one community to another, some of it making no sense given a city's population and demographics. Urbana was told to consult with our City Attorney and state representatives. There are questions and concerns about the data. The mayor introduced Interim Police Chief Seraphin and Analyst Melissa Haynes to talk about Urbana's statistics and how they are collected.

Interim Chief Seraphin, speaking from a PowerPoint presentation, provided a historical perspective on the police and community relationship act. He noted different components to the act but specifically, definitions weren't clearly defined in the act itself. He noted the lack of guidance from IDOT. In the absence of official guidance, UPD staff contacted other professional associations and police departments and developed a colored flowchart to reflect UPD's interpretation of when reporting needs to be done. It is complex but they tried to create some bright line rules for reportable and non-reportable descriptors. Under the current system, if borderline, the stop is included. Council has been provided with the memo to staff providing guidance as well. The numbers are high compared to other communities and why discussion is needed.

Analyst Haynes provided the police report format for pedestrian stops noting that the form has been updated over time to clarify searching in the computer database system ARMS. For example, some searches are procedurally required such as in giving a ride to someone in need. She provided a chart showing comparable cities (as used by CUCPJ). She reviewed the Federal Uniform Crime Reporting process which allows for clear comparisons and compared Index crimes by comparable cities and pedestrian stop data noting that we are the only agency reporting more pedestrian stops than index crimes compared to others.

Ms. Haynes indicated that she views 2016 as a pilot year because of changes made in data collection that first year. The data presented was for 2017 to date. She provided a chart of all calls for service, police reports, non-reportable and reportable pedestrian stops. She described the breakdown of non-reportable and reportable pedestrian stops noting that the form asks for the reason for the stops (and there can be multiple reasons). She noted reactive versus proactive stops. She also used word cloud to pick out some common reportable/non-reportable, non-reactive stops categorized as "other". She then broke out stops by demographics.

As a summary, she noted that the data is useful and consistent for use within the department but not between police departments of other cities. Most stops are reactive in reason and the demographics of pedestrian stops closely mirrors demographics of police reports. All of the data is available on the city's public data portal.

Chief Seraphin noted the cities are comparatives by CU Citizens for Peace and Justice (CUCPJ). He has talked to other chiefs about this study and is learning that there are challenges in data collection and the importance of defining terms. There is no consistent interpretation of the reporting requirements among local police departments. He stated that what we are seeing here is based on how we are counting, not how we are policing.

Questions from Council Members noting that the city hasn't yet spoken with our local representatives, how interactions with Metcad transpire, and ongoing work around implicit bias issues as well as stops that don't involve detention, but are reportable. The police department is taking a broad definition of what is public. If the city had just reported stops that took place in publicly-owned spaces (e.g., sidewalks, parks), only 150 stops would have been counted. CM Brown suggested that in the future we might want to count how many stops are related to warrants for arrest. CM Wu was concerned about including shoplifting calls for service as a pedestrian stop. CM Jakobsson asked about how all non-vehicle stops are counted, which results in reporting under non-reportable pedestrian stops in certain situations such as bicycles. It was also noted that the form in use is based on an IDOT form modified for Urbana purposes.

Public Input followed.

Minnie Pearson, chair of the NAACP of Champaign County, stated that it is good to have a dialogue but presenters don't have answers. She expressed her concern about the high numbers of African Americans stopped. If we want to have a healthy community we need to start talking and behaving like adults. She was concerned that the numbers don't seem fair and we have work to do to make sure that our citizens are being treated fairly. She suggested working with other organizations and encouraged the council to give this a lot of thought and consideration.

Belden Fields and Delores Henry made a presentation on behalf of CUCPJ. Mr. Fields stated his appreciation of the chief reaching out to other police departments. The first slide notes that Urbana made more pedestrian stops of African Americans in 2016-17 than any other city except Chicago and Cicero. They were stopped twice as often as Caucasians. Asked if the city is suggesting that the difference between cities is solely due to the way departments collect data and if so what evidence do they have to support this contention. Why are stops so disproportionate by race? UPD states that 85% of its stops are non-discretionary, what does this mean? Are they targeting African American pedestrians? Mr. Fields compared arrested pedestrians by race across the state by city and asked how the UPD explains this racial disparity. When adjusted by population and race, white arrests are comparable to other cities while African American are very different from other communities.

Mr. Fields also discussed non-reportable stops and how a comparison of total stops gives a more complete picture of the impact of stops on the African-American community. He suggested several possible reasons. Mr. Fields concluded by suggesting actions the Mayor and city council can take going forward, including reviewing its pedestrian stop procedure, comparing the police policy to other area law enforcement agencies (noted as done), and addressing implicit bias. He further commented that non-reportable stops 67% African Americans is troubling. There is a lot of discretion that can take place based on location. He stated that he was glad that we are having this discussion in a non-adversarial way so that we can better understand what we are doing. If we find that what we are being discriminatory we need to change our practices so that African Americans feel safe and fairly treated. He said he is proud of the Urbana Police Department.

Rev. Nash of the CU Ministerial Alliance noted that the data has some flaws that we can agree on and that the numbers are too high. He stated that we should be ready and willing to treat every person equally as an educated society. That we should reevaluate the data. He expressed his concern about the proportion of African Americans stopped, suggesting that it sends the wrong message to the community. He ended by stating that every human being in this community should have the freedom to go wherever, regardless of race or gender.

Durl Kruse read from a written statement provided to council members. He stated that he doesn't think the city council knows what kind of data it needs. UPD has provided what it thinks is helpful but doesn't explain the disparity in pedestrian stops. He has four suggestions for improving the report: by looking at longitudinal data including 2016 as the baseline for comparison; Race is the issue and the data needs to be disaggregated by race; Focus on comparisons to local data, not between communities; and quantify racial and implicit bias in stops for comparison purposes by ratio.

In response to CM Ammons, Mr. Kruse explained what he meant disaggregation as the breakdown within the categories by percentages by race. CM Brown stated that we understand there is bias, we are trying to measure it and track it and what degree there is bias. The data for calculating a ratio is in the report and CM Brown suggested it is about 1.1.

Charles Young, Champaign, stated that not everyone can research accurately, they do what they know. He considers the report one sided and compared qualitative and quantitative measures. He discussed tracking biases. He suggested looking at a mixed method to fix the data as documented in the Sage Handbook of Qualitative Research, Denzin and Lincoln.

David Sutton, Champaign, suggested that the disparity may be due to running our court systems on the backs of the people we put in jail. Pedestrians don't have money and through fees and fines, we run a paupers prison. He suggested looking at what the Colorado ACLU and the Colorado Springs municipal courts have done. He suggested that pauperism and the disparity may be due to racial bias.

With no more public input, discussion followed. CM Ammons determined that Durl Kruse compiled the CUCPJ presentation data. He reviewed the history of the council as it relates to IDOT traffic stops, the subsequent task force, and the hiring of an analyst. He asked why are Urbana's numbers are so different when other communities are showing a consistency with respect to Caucasian population numbers. He stated that African Americans being adversely affected, emotionally and financially. That lives are being lost and he doesn't sense a sense of urgency by the council to address this issue. All deliberate speed does not bring about fairness and equity.

Mayor Marlin stated that it was not her intent to push aside the seriousness of this but wants to make clear is that the information that we know to be accurate and consistent is that which Urbana has counted. She provided examples of other comparable cities reporting two and 17 pedestrian stops, noting that these low numbers don't make sense and cannot be compared to other communities. We know what Urbana is collecting and where the numbers are coming from, that's what transparency is. Our numbers are higher than other communities but we can't account for what they are doing. She also noted that the report didn't calculate a disparity ratio but could, just didn't do it for this report. Her point was not to put anyone on the defensive but to reiterate that to be fair, we can only compare to ourselves.

CM Ammons noted that he understands the desire to treat 2016 as pilot year but that transparency requires using the numbers, so if needed tease them out the data. CM Brown stated that he thinks having too much data is better than not enough and glad that we are collecting everything. He agreed it was difficult to tease out the data to see if people are being biased. He noted that all the Urbana stop data is online, including the non-reportable stops. He suggested an ad hoc committee of the council of two people to dig in to see what would make sense and be meaningful. He suggested ways of looking at the data that might show bias as well as breaking out data by race and asked to get the report down to three or four pages. CM Brown noted the annual reports from the police departments like Danville, Normal, Champaign to put things in context of patterns arrests, complaints. Ms. Haynes showed council members the link and Urbana annual police department report.

CM Jakobsson noted that the pedestrian stop report provided quite a bit of racial data but didn't see a breakdown in calls for service. Ms. Haynes provided disaggregated data for arrestees noting 3,678 arrests, 53.56% African American for 2017 to date. Ms. Haynes noted that she could not provide call for service racial statistics as that is not collected, she can only work from police reports.

CM Wu prefaced her comments by stating that at the end of the day, there is the disproportionate contact with the police department by the African American community. Three things we are attempting to do: the least important we are reporting to IDOT; second, the ability to compare to other communities; and third, understanding the information behind the numbers which is the difficult part. We've been dealing with quantitative data but we don't have the time for qualitative analysis and that is beyond the capabilities of the police department. It would be interesting and challenging for someone to do some kind of qualitative study. The main confusion in comparing the numbers relates to the terminology pedestrian and detainment. To meet the three goals, we have to define what we mean by a pedestrian stop.

CM Hazen asked if someone could estimate what it costs the City of Urbana to track racial statistics. No one was able to provide this answer. CM Miller brought up the issue of resource allocation, asking what is our next action or deliverable. City Administrator Mitten replied using as an example, page 9 of Ms. Hayne's presentation, where 2% of calls for service are reportable

stops noting that we don't talk about the other 39,000 calls for service. For deliverables, the leadership team has been looking at operationalizing mayor-council priorities. As it relates to pedestrian stops, this is not one of the articulated priorities. In order to get to the point of real tangible deliverables, we have to make resource tradeoffs. The upcoming discussion will be both qualitative and quantitative but to move the needle on mayor-council priorities, resources will have to be reallocated. It will be necessary to stop doing some things so that energy can be focused on what is decided to be most important. Mayor Marlin noted that a goals discussion will occur in a couple of weeks. CM Miller stated that he thought this conversation is needed going forward to determine what to prioritize.

CM Jakobsson discussed implicit bias and asked how council and staff can overcome, and be trained to overcome, implicit bias. He noted that training is provided to police officers and from his own past training on gender, race, and disabilities, concluded that training might be the focus. CM Ammons stated that it would be great to allocate the resources to train all city employees. It is a necessity because of the impact on the community. CM Ammons added that at the end of the day, each ethnic group should be within a margin of error of each other in how they are treated. Ms. Mitten stated that staff's job is to tell the council what investment it would take to do that. It is a wonderful aspiration but comes at a cost. There are a variety of priorities but we can't pretend that it comes for free.

Mayor Marlin stated that goals discussion should be ready in a couple of weeks. She suggested in the meantime, looking at the big picture, to read the Police Department's Annual report. Noting the overall function of the police department, Mayor Marlin called attention to the 40,000 calls for service with 80% of the pedestrian stops associated with calls for service. She stated that we can manage and address the numbers of pedestrian stops. CM Ammons raised the issue of a task force of volunteers to dig deeper into the numbers. Ms. Mitten pointed out that a task force would also need staff support and resources stating that we need to decide the best investment.

## **J. ADJOURNMENT**

With no further business to come before the council, Mayor Marlin adjourned the meeting at 9:29 p.m.

Charles A. Smyth  
City Clerk

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

<https://www.urbanaininois.us/node/7311>

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

<http://urbanaininois.us/upty>

**Minutes Approved: October 1, 2018**