

**CITY OF URBANA
COMMITTEE OF THE WHOLE – Monday, February 12, 2018 – 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, February 12, 2018, in the Council Chambers of the Urbana City Building.

ELECTED OFFICIALS PHYSICALLY PRESENT: Aaron Ammons; Bill Brown; Dean Hazen; Eric Jakobsson; Jared Miller; Dennis Roberts; Maryalice Wu; Diane Wolfe Marlin; Charles A. Smyth

ELECTED OFFICIALS PRESENT VIA TELECONFERENCE: None

ELECTED OFFICIALS ABSENT: None

STAFF PRESENT: Elizabeth Beaty; Brad Bennett; Brandon Boys; John Collins; William Gray; Elizabeth Hannan; Melissa Haynes; Elizabeth Horwitz; Wendy Hundley; Sylvia Morgan; Kelly Mierkowski; Brian Nightlinger; Matt Rejc; John Schneider; James Simon; Scott Tess

OTHERS PRESENT: Carol Ammons; Lili Banihashem; Sheila Dodd; Sarah Grubisich; Scott Green; Mona Jawad; Rebecca Laurent; Stuart Levy; Rodney Roberts; Sohinee Oswal; Mary Jane Oviatt; Bishop King James Underwood; Members of the Media

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

There being a quorum, Chair Bill Brown called the meeting of the Committee of the Whole to order at 7:04pm. Following a Public Hearing.

2. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

Alderman Miller made a motion to approve minutes from the meeting held on January 22, 2018. Motion seconded by Alderman Roberts and carried by voice vote.

3. **ADDITIONS TO THE AGENDA**

There were none.

4. **PETITIONS AND COMMUNICATIONS**

Bishop King James Underwood did not wish to speak, but asked that his position be entered into the records regarding the Dr. Ellis Subdivision sewer issues.

The following residents addressed committee members at the time the item was presented in support of Resolution No. 2018-02-005R: Scott Green, Rebecca Laurent, Sohinee Oswal, Mary Jane Oviatt.

The following residents did not wish to speak, but asked that their position in support of Resolution No. 2018-02-005R be entered into the records. Sarah Grubisich, Mona Jawad, Lili Banihashem, Stuart Levy.

State representative Carol Ammons addressed the committee to express her concerns regarding racial disparity issues in the City of Urbana and as a Urbana resident and policy maker for the state of Illinois. She said that she worries about her children leaving the house because of the likelihood of them having an encounter with the Urbana Police Department under one of their

pretext stops, even though they have never been in trouble with the law. Nevertheless, the likelihood of them being stop is higher compare to other races according to the IDOT Traffic Annual Report as presented.

5. **PRESENTATIONS**

There were none.

6. **STAFF REPORT**

Economic Development Coordinator Elizabeth Horwitz presented the January Business and Development report as follows:

- **Business Updates**

- There were two significant developments that were completed downtown.
 - Food Hall opened at 401 N. Broadway
 - Piato completed their remodel, which included two kitchens, and one will be a commercial kitchen for commissary use.

- **Upcoming Projects**

- The 200 S. Vine request for proposal (RFP) is currently being designed by local designers and will be going out soon.
- What is in your Square visioning process for the Lincoln Square Mall, Landmark Hotel, and the city owned parking lot will start in spring 2018.
- Think Urbana marketing Google campaign began in January and it has increased to an average of 24 views per day. To-date, there have been 30 projects, and 66 units with Think Urbana.

- **Upcoming Events**

Ms. Horwitz also announced upcoming events:

- February 20, 12:30pm-1:30pm – Business and Development Luncheon at the new Broadway Food Hall at 401 N. Broadway with the first 50 spots sponsored by First State Bank. Registration closed today with 75 attendees – currently taking names in a await list for spots
- February 22, 11:00am – UBA Workshop – CEO Activism: Risk Rewards, and Implications. This event will be at the Urbana Civic Center located at 108 E. Water.
- February 27, 7:30am – 9:30am – UBA Connection over Coffee. This event will take place at Tricoci University of Beauty located at 202 E University.
- March 2, 4:00pm – 11:00pm - Urbana First Fridays. Downtown Urbana
- March 20, 8:30am-9:30am – Home Builders Breakfast – City of Urbana will be collaborating with Home Builders Association of East Central Illinois Coffee With A Builder. This event will take place at the Broadway Food Hall at 401 N. Broadway.

Ms. Horwitz also addressed questions from the committee about Think Urbana.

Environmental Sustainability Manager Scott Tess reported the results from the Guaranteed Energy Savings Project. The results of the study would put the city in a vulnerable position with a cash deficit for nine years. At this time, the vendor has

been notified not to proceed with the project. Staff may re-evaluate a guarantee savings project at some point when funds become available.

a. [IDOT Traffic Stops Update](#) – UPD

Police Chief Sylvia Morgan and Crime Analyst Melissa Haynes presented an overview of the 2017 IDOT Annual Report. Ms. Haynes said that this report is a visual overview of the last ten years being compared with 2017.

The focus points of the report were as follows:

○ Number of Stops

A chart presented with some yearly stops from 2008-2017 (4079 – 2990)

○ Benchmarks

→ Disparity ratio – visual table showed the range of the 2017 disparity ratios using the average and standard deviation of the race of drivers involved in traffic accidents. Ms. Haynes said that the graph shows a decrease over time for Asian drivers and African American drivers. African American disparity ratio is consistently higher than other races. The American Indian ratio is not reported as the percentage of stops is less than .05 % of all drivers, and the Hispanic ratio fluctuates considerably due to the low number of stops of Hispanic drivers.

○ Decision to Stop

→ The Motivation for Stop categories are as follows:

- Traffic Problem – With the motive of reducing the number and severity of motor vehicle crashes, an officer conducts a static patrol in an area with a disproportionate number of accidents.
- Targeted Patrol – With the motivation of investigating a specific incident, an officer conducts a targeted stop.
- Community Caretaking – With the motivation of educating a driver, an officer stops a vehicle.

A pretextual stop can be defined as a stop conducted for a legitimate reason such as (observed violation) for investigating further a suspected criminal activity.

→ Reason for stop

- For each citation or warning, an officer must indicate not only his or her motivation initiating the stop but also the reason for the stop. These reasons include moving, equipment, license/registration, and commercial violations. While there is still a disparity, the percentage of African Americans stopped for equipment violations was highest before 2010, but has decreased in the last five years. License/registration violations have more variation across all minority races, but still, a higher percentage of African American drivers compared to other races.

→ STEP and non-STEP (Selective Traffic Enforcement Program)

- These stops are calculated separately from regular patrol stops, this allows for another avenue of analysis. Approximately 32% of the 36,662 traffic stops conducted from 2008-2017 were STEP traffic stops, and STEP stops represented 31% of traffic stops in the last five years.

- STEP and non-STEP stops also vary in disparity ratios. The disparity is higher for minorities in non-STEP traffic stops. African American drivers have the highest variation in both categories in nearly all years, indicating African American drivers are more likely than expected to be stopped based on the driving population.
- Outcomes of Stops
 - Citations vs. Warnings
 - It was noted that over time, Hispanic drivers have been much less likely than expected to receive warnings. In 2017, Hispanic drivers were 17% less likely to receive a warning ticket and 43% more likely to receive a citation that would be expected based on the stopped populations, but this should be interpreted with caution, as only 46 warning tickets and 84 citations were issued to Hispanic drivers. African American and Hispanic drivers are much more likely than expected to have a traffic stop resulting in an outcome that is more serious than a traffic violation.
 - Duration of Stops
 - Overall, a stop resulting in a warning ticket takes about 9.6 minutes, a citation about 12 minutes and a more severe outcome about 24.4 minutes. In all categories, stops of Hispanic drivers have the most prolonged duration.
 - More Serious
 - This section presented information on crimes that are more serious than traffic violations. Such as driving with a suspended license, no valid driver's license, theft, and any drug-related offense.
- Searches during Stops
 - These searches can be performed for many reasons, including probable cause, reasonable suspicion, incidental to arrest, drug dog alert, and consent. Minorities are searched at a higher rate. However, because the numbers of searches are so small, further analysis is not presented.
- Arrests during Stops
 - Across all races, the number of drivers arrested during traffic stops has gone down. However, African American drivers account for over half of all arrests in all years, and 94.55% of arrests were non-discretionary. The most frequent offenses that led to arrests were warrants (139 charges), followed by driving under the influence of drugs/alcohol (101 charges) and driving under revoked license/registration (77 charges). Only 17 of 312 arrests included only allegations that the officer had discretion to arrest or not arrest in that case.

Police Chief Morgan and Criminal Analyst Melissa Haynes addressed the committee's concerns and questions about the report presented.

Some of the questions addressed by the committee are as follows:
Is there a margin for error for "Race" based on human judgment?

At what point does an officer run license plates before making a traffic stop?
Is there a way to measure economic disparity based on traffic stops?
What are we doing about the problem, how are we going to decrease racial disparity?
What changes have been implemented about patrol training and target areas?

Mayor Marlin reminded everyone present that this report was a summary of the last ten years and compared to 2017. New policies and practices were implemented as of January 1, 2018.

7. **Resolution No. 2018-02-005R**: Urbana Climate Inheritance Resolution – iMatter

Environmental Sustainability Manager Scott Tess presented this item on behalf of the iMatter youth movement. He voiced that the only implications to consider with this resolution is that the city would agree to reach a goal of net carbon neutrality community-wide by 2040 and generate 100 percent of the community's electricity from renewable sources by 2025. Discussion ensued.

From 8:46pm -8:51pm Alderman Brown relinquished the chair to Alderman Roberts to join the discussion.

After discussion, Alderwoman Wu made a motion to send Resolution No. 2018-02-005R to council with the recommendation for approval. Alderman Ammons seconded. Motion carried by voice vote.

8. **Resolution No. 2018-02-006R**: A Resolution Approving Modifications to the City of Urbana Community Development Target Area

Community Development Coordinator Matt Rejc and Grants Manager Kelly Mierkowski presented Resolution No. 2018-02-006R with the recommendation for approval. This resolution is to approve modifications to the City of Urbana Community Development Target Area. The change will bring the Community Development target area into conformity with the updated data provided by the U.S. Department of Housing and Urbana Development (HUD). Discussion ensued.

After discussion, Alderman Roberts made a motion to send Resolution No. 2018-02-006R to council with the recommendation for approval. Alderman Miller seconded. Motion carried by voice vote.

9. **Resolution No. 2018-02-007R**: A Resolution Approving an Amendment to an Urbana Home Consortium Subrecipient Agreement (Habitat for Humanity FY 2017-2018)

Community Development Coordinator Matt Rejc and Grants Manager Kelly Mierkowski presented Resolution No. 2018-02-006R with the recommendation for approval. Mr. Rejc explained that the existing agreement committed \$ 150,000 from the City of Champaign's allocation of HOME funds to assist Habitat by partially subsidizing four new homeownership units for sale to income-eligible buyers. The mortgage lender for the purchase of one of the properties did not accept the statutory restrictions that the Urbana HOME Consortium is required to apply for all properties assisted with these type of funds. Therefore, the proposed amendment would only change the geographic locations of the two affordable homeownership construction activities. There is no fiscal impact to either the general or the home fund. Discussion ensued.

After discussion, Alderman Miller made a motion to send Resolution No. 2018-02-007R to council with the recommendation for approval. Alderwoman Wu seconded. Motion carried by voice vote.

10. **Ordinance No. 2018-02-008:** An Ordinance Authorizing the Sale of Certain Real Estate (1301 East Washington Street – R Rentals Series LLC)

Economic Development Manager Brandon Boy presented Ordinance No. 2018-02-008 with the recommendation for approval. Mr. Boys gave a brief history of this property and plans. A public hearing notice was published in the News-Gazette on January 26, 2018, for tonight.

Mr. Boys said that the subject property is located within the Urbana Enterprise Zone and a new construction project at this site would be anticipated to receive sales tax exemption certificates on new construction material as well as property tax rebates on the new construction value. The only financial impact to the city will be the seven percent commission to the broker. The city may also incur additional title and closing costs that are not expected to exceed \$ 1, 300.00 but all proceeds from the transaction will be deposited in the City's General Fund.

After the presentation, there was no discussion, and Alderman Roberts moved to send Ordinance No. 2018-02-008 to council with the recommendation for approval. Alderman Miller seconded. Motion carried by voice vote.

11. **Ordinance No. 2018-02-009:** An Ordinance Approving an Agreement with Downtown Creations, LLC for Site Lighting Improvements Installation (111 W. Main Street)

Assistant City Engineer Brad Bennett presented Ordinance No. 2018-02-009 with the recommendation for approval. He said that Blackbird bar at 119 West Main Street, has installed site lighting for outdoor seating but the lighting cables are fastened into the wall of the City's parking garage, therefore, requiring a license agreement for that addition. There is no financial impact to the city. Downtown Creations, LLC will pay an annual fee of \$ 94.00 to the City for the attachments to the City Parking Deck following the City's schedule of fees.

After the presentation, there was no discussion, and Alderman Miller moved to send Ordinance No. 2018-02-009 to council with the recommendation for approval. Alderman Hazen seconded. Motion carried by voice vote.

12. **Ordinance No. 2018-02-010:** An Ordinance Amending Urbana City Code Chapter 1, Section 1-18, And Chapter 14, Section 14-7 (Pedal Bus Fines and Fees)

City Attorney James Simon and Administrative Services Manager Elizabeth Beaty presented Ordinance No. 2018-02-010 with the recommendation for approval. The pedal bus owners would like to have the opportunity to provide the same service as they do in Champaign. Mr. Simon said that this ordinance is about 98/99 percent mirror to the one in Champaign. Mr. Rodney Roberts from Slow Ride Pedal Tours was present to answer questions that committee may have. Discussion ensued.

After discussion, Alderman Miller made a motion to send Ordinance No. 2018-02-010 as presented to council with the recommendation for approval. Alderman Ammons seconded. Motion carried by voice vote.

13. **Ordinance No. 2018-02-011:** An Ordinance Amending City Code Chapters 3 And 26 (Pedal Bus Operating and Liquor Licenses)

Alderman Miller made a motion to split this item into two questions, one addressing Chapter 3 and one for Chapter 26. Alderman Ammons seconded. Motion carried by unanimous voice vote.

City Attorney James Simon and Administrative Services Manager Elizabeth Beaty presented Ordinance No. 2018-02-011 with the recommendation for approval. Ms. Beaty said that both pedal bus operators met with the Mayor and staff to bring this attraction to town. Mr. Simon added that it would be best to keep the ordinance as consistent as possible with the one in Champaign. Discussion ensued.

After discussion, some of the suggestions for this ordinance were to add provisions regulating signage on the pedal bus, no foam cups or glassware for the patron, and restrictions to operating hours. Staff was directed to add time restrictions for the south on High Street, East of Lincoln Ave., and South of Green Street after 9:00 pm.

After further discussion, Alderman Miller made a motion to send Ordinance No. 2018-02-011 Chapter 26 to council with the recommendation for approval without any of the amendments mentioned. Alderman Hazen seconded. Motion carried by voice vote.

*At 9:55 pm Alderman Miller recused himself from voting on this item, due to conflict of interest, as he is a manager for a business that holds a liquor license in the City of Urbana.

Mr. Rodney Roberts addressed committee's concerns about the responsibilities of the drivers/servers while on a tour.

After discussion, Alderman Ammons made a motion to send Ordinance No. 2018-02-011 chapter 3 as presented to council with the recommendation for approval. Alderman Hazen seconded. Motion carried by voice vote.

14. **ADJOURNMENT**

There being no further business before the committee, Chair Brown declared the meeting adjourned at 9:58 pm.

Wendy M. Hundley

Recording Secretary

This meeting was taped.

This meeting was broadcast on cable television.

*** Website link for this meeting:

https://www.city.urbana.il.us/Scripts/CouncilVideo/Video.asp?v=/_Video/City_Council/2018/20180212

Minutes Approved: February 26, 2018