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**DATE:** Tuesday, September 3, 2019  
**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 3, 2019 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), Bill Brown (Ward 4), Dean Hazen (Ward 6), Shirese Hursey (Ward 3), Jared Miller (Ward 7), Charles A. Smyth (City Clerk), Diane Wolfe Marlin (Mayor)

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE:** Eric Jakobsson (Ward 2)

**ELECTED OFFICIALS ABSENT:** Dennis Roberts (Ward 5)

**STAFF PRESENT:** Carol Mitten, Michelle Brooks, Charles Lauss, Elizabeth Hannan, John Schneider, Celeste Choate, Marcus Ricci, Craig Shonkwiler

**OTHERS PRESENT:** News Media, Bishop King James and Rev. Dr. Evelyn Underwood, Elderess Melinda Carr, Andy Rousseau

**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 7:26 p.m. following a meeting of the Cunningham Township Board. The Pledge of Allegiance was recited in honor of Labor Day.

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

City Council Member (CM) Miller made a motion to approve minutes from the August 12, 2019 Public Hearing and the August 19, 2019 regular meeting, seconded by CM Brown, and passed by unanimous voice vote.

**C. ADDITIONS TO THE AGENDA**

There were none.

**D. PUBLIC INPUT**

Bishop King James Underwood and Rev. Dr. Evelyn Underwood did not wish to speak but asked that their concerns regarding the Dr. Ellis Subdivision sewer issues be entered into the record.

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

Mayor Marlin read a Proclamation in honor of National Library Card month and presented it to Celeste Choate, Executive Director of the Urbana Free Library. Mayor Marlin also noted the new Seed Lending library being established at the Urbana Free Library.

**E. UNFINISHED BUSINESS**

There was none.

**F. REPORTS OF STANDING COMMITTEES**

1. **Committee Of The Whole** – *Consent Agenda*

- a. [Resolution No. 2019-08-032R](#): A Resolution to Approve an Intergovernmental Agreement (GIS Consortium Base Station Agreement)
- b. [Resolution No. 2019-08-033R](#): A Resolution Approving a City of Urbana Community Development Block Grant Program Agreement (Habitat for Humanity Project No. 1920-CSSP-01)
- c. [Ordinance No. 2019-08-050](#): An Ordinance Authorizing the Dedication of Right-of-Way (301 N. Race Street)
- d. [Ordinance No. 2019-08-051](#): An Ordinance Amending Urbana City Code Chapter 2, Sections 2-4, 2-27, and 2-28

For the record, CM Hazen read Resolutions 2019-08-032R and 033R, and Ordinances 2019-08-050 and 051. Mayor Marlin noted that there was no related public input or requests for removal of items from the consent agenda. For the committee, CM Hazen moved consideration of the aforementioned items in omnibus fashion, seconded by CM Miller, and approved by unanimous voice vote. For the committee, CM Hazen moved approval of the aforementioned Resolutions and Ordinances, seconded by CM Wu. With no discussion, the motion passed by roll call vote (6-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Wu – Aye.

## 2. **Committee Of The Whole**

- a. [Ordinance No. 2019-08-047](#): An Ordinance Amending Urbana City Code Chapter 22 by Adding Article II, Sections 22-16 through 22-19 (Municipal Cannabis Retailers' Occupation Tax)

For the committee, CM Hazen moved approval of Ordinance 2019-08-047, seconded by CM Miller. Questions and discussion followed. In response to CM Wu, Assistant City Attorney Brooks didn't think sales tax is collected on Cannabidiol (CDB) oil but would need to read more of the act.

CM Hazen noted being contacted by a number of constituents and wanted to make clear that this ordinance is strictly related to collection of tax by the city. Mayor Marlin added that this establishes a Municipal Tax on the sale of cannabis and has to be done now to respond to the state. She noted that there are lots of other issues to address including additional zoning locations, consumption, and a lot of expungements next year. These will be addressed in coming months but there are still a lot of unknowns so this will be a step by step process.

With no further discussion, the motion passed by roll call vote (6-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Wu – Aye.

- b. [Ordinance No. 2019-08-048](#): An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #1 - Omnibus)

For the committee, CM Hazen moved approval of Ordinance 2019-08-048, seconded by CM Brown. CM Wu acknowledged several departments having provided answers to her questions from the previous week and thanked them. In response to CM Wu, Finance Director Hannan stated that the fleet management system software is a onetime cost for implementation. Mayor Marlin described the street work done at Green and Race which was folded into the overall asphalt city paving project, saving time and money and added that the city commitment as part of the hotel development agreement is complete except for the landscaping. With no further discussion, the motion passed by roll call vote (7-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Wu – Aye; Mayor Marlin -- Aye.

- c. [Ordinance No. 2019-08-049](#): An Ordinance Amending Schedule J of Section 23-183 of the Urbana Local Traffic Code Prohibiting Parking at all Times on Certain Streets (Green Street between Lincoln Avenue and Race Street)

For the committee, CM Hazen moved Ordinance 2019-08-049, seconded by CM Miller. With no discussion, the motion passed by roll call vote (6-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Wu – Aye.

## G. REPORTS OF SPECIAL COMMITTEES

There were none.

## H. REPORTS OF OFFICERS

Mayor Marlin updated the City Council on the Public Works Director search. She noted excellent response and applications, that the search committee will meet the coming week, and will start evaluating them next week. She also stated that there will be opportunities to meet with candidates as part of the interview process. Mayor Marlin also noted that a draft Memorandum of Understanding (MOU) was sent by City Administrator Mitten to the Independent Media Center (IMC) for comment and review. Council Member Miller is helping on this process. She added that the city still needs to revise public events ordinance and the IMC has to provide house rules but she is pleased with the progress.

## I. NEW BUSINESS

1. [Ordinance No. 2019-09-052](#): An Ordinance Approving a Major Variance (303 West University Avenue / ZBA Case No. 2019-MAJ-07)

Planner Marcus Ricci presented the Zoning Board of appeals case and reviewed the staff memo. He introduced Andy Rousseau from the Urbana Park District as available to answer questions. Mr. Ricci described the existing parking lot which is 16 feet into the front yard at 303 W. University, a parcel the CRE district. He described the location, provided some history, the relocation of staff parking, and described the impact of the expansion on the park and landscaping. He noted that the park is surrounded by B3 and B4 zoning and except for encroachment, all other city requirements for parking lots will be met. He noted that staff findings are listed in the memo noting that the proposal minimizes loss of trees and combines parking for the site. He listed Council options provided and stated that the ZBA voted 6-0 to recommend approval by Council with the single condition that the lot conform to the provided site plan. Questions and discussion followed.

In response to CM Wu, Mr. Ricci noted that the variance request was only for the new portion of the parking lot and that the initial lot is not included. He explained the geometry of the lot is such that the west end encroaches 16 feet to match the existing lot and that the new parking lot will extend an additional 50 feet eastward. In response to CM Brown, Mr. Rousseau indicated that they are leasing space at a lot south of the park but concerns about safety early and late in the day has led to this request to consolidate. He added that they have seven full time and one or two part-time staff as well as visitors and meetings. The lot is public, and that they have no problems so far with respect to Carle Hospital visitors parking on the lot.

CM Hazen moved approval of Ordinance No. 2019-09-052, seconded by CM Miller. With no further questions or discussion, the motion passed by roll call vote (6-0): Brown – Aye; Hazen – Aye; Hursey – Aye; Jakobsson – Aye; Miller – Aye; Wu – Aye.

2. [Mayoral Appointments to Boards and Commissions](#)

- a. **Historic Preservation Commission** – term ending June 30, 2022

1. Renee Pollock

Mayor Marlin nominated Ms. Pollock and read a brief statement of qualifications. CM Miller moved approval of the appointment, seconded by CM Wu, and passed by unanimous voice vote.

- b. **Urbana Arts and Culture Commission** – terms ending June 30, 2022

1. Frank Modica
2. Gonzalo Pinilla
3. Angela Williams

Mayor Marlin nominated Mr. Modica, Mr. Pinilla, and Ms. Williams and reviewed qualifications. CM Hursey moved approval of the appointments, seconded by CM Brown, and passed by unanimous voice vote.

## **J. ADJOURNMENT**

Mayor Marlin thanked Finance Director Elizabeth Hannan and City Administrator Mitten as well as the owners and manager of NuMed for their work on the Cannabis Tax ordinance. With no further business to come before the council, Mayor Marlin adjourned the meeting at 7:56 p.m.

Charles A. Smyth

City Clerk

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

<https://www.urbanaininois.us/node/7665>

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

<http://urbanaininois.us/upty>

Minutes Approved: September 16, 2019