

CHAMPAIGN COUNTY BOARD
Committee of the Whole Minutes

Tuesday, October 4, 2011 – 6:00pm
Lyle Shields Meeting Room
1776 E. Washington St., Urbana, IL

MEMBERS PRESENT: Alix, Ammons, Anderson, Bensyl, Betz, Carter, Cowart, Holderfield, James, Jones, Kurtz, Langenheim, Maxwell, Michaels, Moser, Nudo, O'Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder, Weibel

MEMBERS ABSENT: Berkson, Esry, Jay, McGinty

OTHERS PRESENT: Deb Busey (County Administrator) Alan Reinhart (Facilities Director), John Hall (Zoning Director), Susan Chavarria (RPC), Tom Berns (Berns, Clancy & Assoc.), Ricka Shorish (League of Women Voters), Stacy James, Ranae Wolken (recording secretary), J.J. Farney (video)

Call to Order

Board Chair Weibel called the meeting to order at 6:04pm.

Roll Call

The secretary called the roll. Weibel noted that John Jay had called in advance that he would not be in attendance.

Approval of Minutes

Motion by James to approve the open and closed session minutes of the September 6, 2011 meeting; seconded by Ammons. **Motion carried.**

Berkson entered the meeting at 6:06pm.

Approval of Agenda/Addendum

Motion by Rosales to approve agenda for the meeting; seconded by Kurtz. There was no addendum. **Motion carried.**

Public Participation

Dr. Stacy James spoke regarding the storm water management project. She stated she is a research scientist and also the Chair of the local Prairie Group of the Sierra Club. She encouraged the Board to consider the Best Management Practices approach because it is the best approach to a green infrastructure. She gave a number of reasons as outlined in her handout to the Board.

Communications

None.

Environment & Land Use

Recreation & Entertainment License – ECA Hunting & Trade Show

Motion by James to approve the request for a Recreation & Entertainment License for the ECA Hunting & Trade Show; seconded by Berkson. **Motion carried unanimously.**

Proposed FY2012 RPC Planning Contract

MOTION by Betz to recommend approval of the FY2012 RPC Planning Contract; seconded by Anderson. Holderfield stated she does not want to approve the \$70,550 contract. She thought there was a cap of \$42,500. She said that some of the additional items are redundant and not needed.

Motion by Holderfield to amend the motion to not exceed \$42,500 on the contract; seconded by Jones. Petrie stated she missed the study session. She said that she had also suggested previously a lower amount in the beginning. She supported the reduction and asked that Holderfield amend her motion to shorten the length of the contract. Holderfield agreed amend her motion to a 6 month period for contract and reassess at that time to see if the contract was effective. Jones accepted the addition also. Weibel want to clarify that her motion was for a 6 month contract for \$42,500.

Motion by Quisenberry to divide the question on the amendment; seconded by Alix. **Motion to divide the question carried.**

A roll call vote failed on the motion to shorten the contract with Ammons, Holderfield, O'Connor and Petrie voting yes and with Alix, Anderson, Bensyl, Betz, Carter, Cowart, James, Jones, Kurtz, Langenheim, Maxwell, McGinty, Michaels, Moser, Nudo, Quisenberry, Richards, Rosales, Schroeder and Weibel voting no.

Discussion turned to the question of reducing the amount of the contract. Holderfield restated her motion. Nudo stated that since this is a not to exceed contract and if voting on lower amount that takes out the items listed. Secondly, he clarified that the \$42,500 are the items listed on the priority list page 21 of the contract.

Motion by Nudo to amend the motion to state that if at the end of February if all other departments are asked to reduce their budgets, then this contract also be included with any reduction that is directed by the Board; seconded by Ammons. Busey stated this is an action that should probably happen in February, if that time happens. Moser said that since this is a not to exceed contract, and asked where the LESA project stands with regard to expenses. Chavarria said they would continue and should be done by the end of this year, with the exception of the County board approval process. She stated the LESA project is included entirely in the current budget and wouldn't continue on into next year. Busey said if it crossed over, a recommendation would come at that time.

Kurtz asked Ms. Chavarria to explain what would not be included in the contract should the amount be reduced to \$42,500.00. She said the community recycling project falls under the list and that would be dropped. She spoke about renewable energy community projects. She continued with going over the list. Quisenberry stated he will vote against and said that while he's comfortable with a not to exceed limitation, he said it's clear to him that more things will be asked of RPC and reducing the dollars would reduce their ability to answer questions when

needed. Anderson stated that dropping the recycling events would be inexcusable and not be good for the community. Schroeder thinks he would have the priority list a little different where everything listed after the LRMP would be the priority.

James wanted to clarify on Nudo's motion that if the contract amount were cut to \$42,500, and if in February there were additional cuts determined by the Board, this would affect that amount also. Nudo confirmed yes, that was what his motion was. Busey questioned why that decision should be made tonight and felt it should be made when, if ever the Board is at that point. Ammons asked about parliamentary procedure because it didn't seem that this was on the agenda for this evening. Betz stated in broad terms this could be considered. Ammons said her concern is more about the overall budget. Quisenberry said we shouldn't bind our hands and can take this up in February.

A roll call vote on Nudo's motion to amend failed with Jones, Michaels, Moser, Nudo, O'Connor, Schroeder and Weibel voting yes and with Alix, Ammons, Anderson, Bensyl, Berkson, Betz, Carter, Cowart, Holderfield, James, Kurtz, Langenheim, Maxwell, Petrie, Quisenberry, Richards and Rosales voting no.

Discussion returned to the discussion on the motion to reduce the contract to \$42,500. Holderfield confirmed the \$42,500 included only the work on the LRMP and that it drops the remaining priorities on the list. Petrie said it would behoove the county to incorporate interns for some of the projects. She said to look at it as a pilot project and it can be changed if we find it doesn't work out. James wanted clarification the \$42,500 is for the whole year. Ammons asked if the printing of the LRMP is taken out. Busey says it will have to be included because it is part of the administrative costs. Schroeder asked where the additional money would go. Busey said the \$70,550 is already included the FY2012 budget. Quisenberry wanted to tie into what Ammons stated, that items on page 21 would have to be included. Bensyl asked about Item 7 on page 24 and said that if Mr. Hall said it wasn't needed, then why was it left in. Chavarria said that staff felt it was a priority because it had to do with the LRMP to be left in, while Hall felt not. James gives credit to those who worked on the proposal. Jones questioned language on page 31, Policy, 8.3.1 and asked about the status of the opinion from the Attorney General. Kurtz stated he had not yet received a response about that.

A roll call vote on the motion to reduce the amount to \$42,500 failed with reduce amount failed with Ammons, Bensyl, Holderfield, Maxwell, Michaels, Moser, O'Connor and Petrie voting yes and with Alix, Anderson, Berkson, Betz, Carter, Cowart, James, Jones, Kurtz, Langenheim, Nudo, Quisenberry Richards, Rosales, Schroeder and Weibel voting no.

A roll call vote to approve the original motion that the contract as presented passed with Alix, Ammons, Anderson, Berkson, Betz, Carter, Cowart, James, Jones, Kurtz, Langenheim, Nudo, Quisenberry, Richards, Rosales and Weibel voting yes and with Bensyl, Holderfield, Maxwell, Michaels, Moser, O'Connor, Petrie and Schroeder voting no.

Final Recommendations to County Board for Zoning Ordinance Amendments
Request to Amend Champaign County Zoning Ordinance – Zoning Case 683-AT-11

MOTION by Schroeder to recommend approval of an Ordinance Amending the Champaign County Zoning Ordinance – Case 683-AT11; seconded by Anderson. **Motion carried.**

Request to Amend Champaign County Zoning Ordinance – Zoning Case 684-AT-11

MOTION by Anderson to recommend approval of an Ordinance Amending the Champaign County Zoning Ordinance – Case 684-AT-11; seconded by Rosales. **Motion carried.**

Monthly Report

Motion by Betz to receive and place on file the monthly report of the Zoning Office; seconded by Rosales. **Motion carried.**

Other Business

None.

Designation of Items to be placed on the Consent Agenda

No items are to be placed on the Consent Agenda.

County Facilities

East Campus Storm Water Management

Approval of East Campus Storm Water Management Project Approach

Motion by James to recommend approval of the Storm Sewer Approach submitted by Berns, Clancy and Associates (BCA) at an estimated cost of \$398,000; seconded by Rosales. James said he's looked at all the information presented and he feels there is nothing that says they can't go back and put in some green lands at a later time.

Motion by Alix to defer the motion for a period of 6 months; seconded by Kurtz. Alix said that looking at the report he was not surprised to see that the storm sewer approach came in less expensive than the green approach, but he also said as a practical matter it does not appear to be an imminent emergency. He said that we were told by the interested parties that they believe there is a solution of approximately \$250,000, but is skeptical that it could be done for that cost, but the Board should pursue that possibility and he asked the Board to consider deferring this. Petrie would like to see the Board, during the six month period, approach other local firms and ask their experts to give some guidance in doing this at a lesser cost. Berkson asked to amend the motion to include and separate out filtration from penetration. James said that the money is there, the planning is done, and this project should be done now and green lands can be implemented at a later time as time goes on.

Ammons said last month at the presentation there were many questions. Her understanding was RFQ was put out to see what the options were and didn't guarantee to go with the options given. She said she couldn't imagine not looking at other options if it saved the county \$100,000.

Schroeder was opposed to deferring this issue. If we consider all we've heard about saving this money, but there are already engineering fees spent on this. Quisenberry asked Busey to walk thru the logistical process if taking looks at another proposal. Busey wants direction and what the Board wants from staff. She state that staff followed the QVS process, went through the competitive process and the Board selected a firm to develop a presentation. She doesn't now know how to go ahead and talk with competing firms to talk about the

presentation by the engineers that made the presentation. She stated the Board must enter into another contract in order to obtain information on actual costs. Nudo said that what Busey described is the proper process and is growing weary of the going thru another process because there might be someone out there that might do it better than what has already been presented. He said this is already in the bond issue and the money is already there and should not procrastinate further. Maxwell stated the storm sewer approach would solve the problem and opposes pursuing the matter further. Berkson asked if it was possible to go to the other firm to find the option. Busey wasn't sure what to do in this case and could check into the legal requirements in doing so. But she thought if in doing so the second firm would have to be paid to make their presentation also. Weibel asked could we go back to BCA and ask for adjustments and figure out what is really needed. Busey said because we are already in a working contract with them, there is no need to put out another bid. Alix stressed he was not saying that BCA didn't do the job they were asked to do what was asked, but feels they should ask community experts to review the plan.

Petrie said she was disturbed that the money paid to BCA was not for original work and felt there was a better plan. Betz asked about time constraints. Reinhart said the city has not issued a deadline yet, but they know the County is working towards a solution. Quisenberry asked Reinhart which way to proceed. Reinhart felt BCA gave the best design they could, but doesn't feel the green approach fits the area and the way it could be used. He said he's not against the green approach, but feels there is a better matched scenario. He said that he and Tom Berns had discussed this issue and Mr. Berns said they could develop an option that blended the two concepts that were proposed. He stated the work that was done in 2006 was done at the specific direction of the County to be presented to the City for their review. They were asked for two approaches and that was what was given according to the direction from the County Board. Alix asked if there was room for a lower rate of release of water at a lower cost. Berns said the question was how to deliver the water to what the County had already purchased and built at the corner of Lierman and Main.

Petrie stated, that in her research, in 2001-2003 the County Board had already talked about developing a plan for the East Campus. She said that now the Board is talking about possible jail expansion and what other facilities may come down the line in 10-15 years. She said she's looked at the plan and should have more conversation about that plan and how it ties into storm water management.

Schroeder asked to amend the motion to defer to three months and the reason is said that all these good ideas could be done and be able to start the project in the summer rather than pushing back to fall/winter. Alix accepted the amendment. Nudo wanted to make sure that what is proposed during the three month delay is based on what is already contracted for and not additional costs. Berns said it was reasonable to do somewhat quickly and at a lower cost. He said it's been done to this point relatively inexpensively. Ammons asked why does it cost more if those approaches were already done, why can't combine them without additional costs. Busey said the Board entered into a contract for two approaches and that was done. The Board can ask what it would cost for a combination of the two plans and present the proposal at the next meeting. Betz asked for straw poll of those in favor of hybrid approach of the two plans. A show of hands showed an even split. Holderfield stated she loves beautification and would love to see something pleasing, but given circumstances regarding budgetary issues, we should get this project done at the lowest cost possible and work in the green areas over time and use interns, gardeners or volunteers later to put in the green lands and beautification. She said we should make a conservation decision because there isn't enough money.

Kurtz wanted clarification what was done from 2001-2003. Berns said part of the team back in 2001 that dealt with the entire East Campus Plan, but that plan did not include storm water management. The 2006 issue dealt with the City of Urbana requirements at that time. Kurtz's issue with payment had to do with what work was completed using older proposals. Berns stated that no matter who would have done the work for the two approaches would have had to use the work done in 2001 and 2006. Anderson said it's not a matter of beautification, but more a matter of runoff where it shouldn't be.

A roll call vote to amend the motion to defer for three months carried with Alix, Anderson, Berkson, Betz, Carter, Cowart, Kurtz, Langenheim, O'Connor, Petrie, Quisenberry, Richards, Schroeder and Weibel voting yes and with Ammons, Bensyl, Holderfield, James, Jones, Maxwell, Michaels, Moser, Nudo and Rosales voting no.

Betz asked for what work exactly the committee desires during the three months. Weibel wanted to concentrate on the filtering portion of the project in order to control the mosquito population. Alix encouraged the Board to engage those individuals of the public to look at the proposals and come forward with options at a lower cost. Kurtz asked Busey to talk with the second bidder about the BCA proposal and also asked for itemized bills that state exactly what BCA charged the County for their work. Busey stated we already have that information as each billing is itemized.

Richards stated that since there is an existing contract with BCA, he asked them to break down the cost of the differences between the two approaches. Bensyl said he understands the contracted amount has already been spent and any more additional work will be at additional costs. He stated he is troubled by accusations and questions about BCA costs incurred in doing this project. He said we had a contract to deliver two products and they did so and is appalled to see Board members question their reputation at this meeting. He said it's never been done previously and doesn't like to see it done tonight. Ammons stated that all contracts should be questioned as it is the responsibility of the Board to do so and should from this point forward. She said she would just be able to revise what was presented. Nudo agreed on that point. He said that if Berns said a hybrid approach can be developed, then let him do that. He said to let BCA give a cost proposal next month and have a new approach presented at the following meeting after that. He does not want to procrastinate any further on this project.

Petrie stated a hybrid approach should be looked at as a whole system. She said sometimes a delay may mean more savings, not more costs. James said he's not ever seen a change order save money. O'Connor stated the fact that the storm sewer approach is estimated at \$398,000 as compared to the higher cost of the other approach and at this time that is the bottom line.

Busey asked for specific direction for staff work. Betz said that Board members are to encourage public for input on the costs of the different approaches. Until then Busey is to work with BCA to give a cost for determination of developing a hybrid approach. Holderfield said that BCA should be given specific direction as to what they would put in the hybrid approach, specifically taking out the wetlands and filtering the ground water. She said we should give them, as the contractor, specificity with what is desired. Alix wants input from the public before determining what direction to proceed with BCA. Langenheim expressed that when calling in other experts, competitors of BCA shouldn't be called. Busey again stated that BCA was the firm selected for the project through the QVS process.

Moser said he is growing tired of the micromanaging that seem to go on. Maxwell stated that the \$36,000 spent for developing the two approaches would have been approved by the City of Urbana and he is now concerned with an additional cost of developing another approach because there is still costs down the road with the engineering and construction phases.

Jones, Michaels, Moser and James left meeting at approximately 8pm.

A roll call vote to defer the recommendation for the storm sewer approach carried with Alix, Ammons, Anderson, Bensyl, Berkson, Betz, Carter, Cowart, Holderfield, Kurtz, Langenheim, Petrie, Quisenberry, Richards and Weibel voting yes and with Maxwell, Nudo, O'Connor, Rosales and Schroeder voting no.

Facilities Director **Monthly Reports**

Motion by Weibel to received and place on the file the monthly reports of the Physical Plant; seconded by Quisenberry. **Motion carried unanimously.**

Clock Tower Finial Update

Reinhart stated the finial is repaired and they're waiting on the availability of a crane and an okay to close off Main Street while the finial is being replaced. He is coordinating roofers and equipment and hopes the finial will be placed this week or next.

202 S. Art Bartell Rd. Construction Project Report

Provided for committee information.

Chair's Report

Betz strongly encouraged those Board members to seriously bring the information regarding the storm water management project at the next meeting.

Betz stated a sign-up sheet for a jail tour went around this meeting and encouraged members to sign up and take the tour. This item is coming up at future meetings and a study session will be scheduled. He wants people to see the jail so they know the facility, how it looks and how it functions.

Other Business

None.

Designation of Items to be placed on Consent Agenda

No items are being presented to the County Board.

Semi-Annual Review of Closed Session Minutes

Ammons left meeting at 8:12pm

Chair Weibel resumed the Chair of the meeting. He stated a memo from the Civil Attorney Dave Dethorne that recommends to open a number of minutes was placed on the desks this evening. Weibel requested that only two sets be opened.

Motion by Betz to open the minutes of June 2, 2004, relating to the search for a County Engineer and the minutes of January 25, 2000 of the Environment and Land Use Committee; seconded by Schroeder. **Motion carried.**

Adjournment

Chair Weibel declared the meeting adjourned at 8:14pm

Respectfully submitted,

Ranae Wolken
Recording Secretary