

**MINUTES OF REGULAR MEETING**

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**Champaign County Environment  
& Land Use Committee  
Champaign County Brookens  
Administrative Center  
Urbana, IL 61802**

**DATE: September 12, 2005  
TIME: 7:00 p.m.  
PLACE: Meeting Room 1  
Brookens Administrative Center  
1776 E. Washington Street  
Urbana, IL 61802**

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**MEMBERS PRESENT:** Patricia Busboom, Chris Doenitz, Tony Fabri, Nancy Greenwalt (VC), Ralph Langenheim (C), Brendan McGinty, Steve Moser, Jon Schroeder

**MEMBERS ABSENT:** Jan Anderson

**STAFF PRESENT:** John Hall, Connie Berry, Susan Monte, Casey Rooney, Frank DiNovo, Deb Busey, John Dimit, Susan McGrath

**OTHERS PRESENT:** Hal Barnhart, Neil Malone, Marc Duitsman, Sherry Schildt, Colleen Braun, Rob Kowalski

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**1. Call to Order, Roll Call**

The meeting was called to order at 7:00 p.m. The roll was called and a quorum declared present.

**2. Approval of Agenda and Addendum**

Mr. McGinty moved, seconded by Mr. Doenitz to approve the agenda and addendum as submitted. The motion carried by voice vote.

**3/A1. Minutes of Previous Meeting (June 13, 2005, June 21, 2005, June 29, 2005, July 27, 2005, August 08, 2005).**

Mr. McGinty moved, seconded by Ms. Greenwalt to approve the June 12, 2005, June 21, 2005, June 29, 2005, July 27, 2005 and August 08, 2005, minutes as submitted. The motion carried by voice vote.

**4. Public Participation**

None

## **5. Correspondence**

- A. Letter to Barbara Wysocki, Chair, Champaign County Board from Clark Bullard dated 5/23/05 with attached "Prairie Rivers Network Statement to Champaign county Board" dated 5/23/05.
- B. Letter to Barbara Wysocki, Chair, Champaign County Board from James D. Cotrell dated 7/25/05.

Mr. McGinty moved, seconded by Mr. Moser to accept and place the two letters of correspondence on file. The motion carried by voice vote.

## **6 County Board Chair's Report**

None

- 7. Subdivision Case 184-05: Duitsman Subdivision. Minor Plat approval for a two-lot minor subdivision in the AG-1, Zoning District in Section 28 of Compromise Township located on the south side of CR 2600N and approximately 350 feet west of the Flatville Drainage Ditch.

Mr. Doenitz moved, seconded by Ms. Busboom to recommend approval of Subdivision Case 184-05: Duitsman Subdivision. The motion carried by voice vote.

- 8. Consideration of an Amendment to the Champaign County Liquor Ordinance Establishing the Rules and Regulations Governing the Sale of Alcoholic Liquor, Regarding Criminal Background Checks for Liquor License Applicants.

Mr. Moser moved, seconded by Mr. McGinty to recommend approval of Consideration of an Amendment to the Champaign County Liquor Ordinance Establishing the Rules and Regulations Governing the Sale of Alcoholic Liquor, Regarding Criminal Background Checks for Liquor License Applicants.

Ms. Greenwalt asked if this was a State requirement.

Ms. McGrath stated that this is an issue which has come before the Liquor Commission and ELUC for study. She said that there has been a change in legislation regarding the duties of the County and background checks are required for applicants which are requesting liquor licenses in the County. She said that conviction records and prior felony information can be obtained through the Champaign County Sheriff's office and the Illinois State Police records but the most accurate way to achieve total information is through fingerprinting of the applicant. She said that the amendment indicates that a fee will be charged to the applicant as well as setting up a time table as to when this shall occur. She said that this would only effect owners of 25% or more ownership so this should not be an onerous burden on people who did not have a substantial interest in the business. She said that Item F or the Ordinance included in the packet indicates the proposed

text. She said that the proposal is endorsed by the Sheriff.

Ms. Greenwalt asked Ms. McGrath if the background checks would be completed annually. She said that the Liquor Advisory Commission requested that existing business owners be grandfathered but it was determined that this was not possible.

Ms. McGrath stated that the State required that background checks must be completed on an annual basis. She said that the reason for the annual checks is because a person's background check may be fine one year but the subsequent year they may obtain a record. She said that the only way that the County can sufficiently do their job and comply with the State Statute is to complete the background checks annually. She said that the background checks cannot stop with just the on-site managers because there are persons who come to this area from different areas and start businesses which also need to be checked.

Mr. Fabri asked Ms. McGrath if there is liability to the County if the background checks are not completed.

Ms. McGrath stated that unfortunately there is liability to everything that the County does. She said that the fact of the matter is if the State mandates that the background checks must be completed and they are not and something happens at a business where the background checks were not completed then there is liability.

**The motion carried with one opposing vote.**

9. Community Development Program (CDAP) Loan Request from Family Medical Health Clinic, Philo, Illinois.

Mr. Moser moved, seconded by Mr. Schroeder to recommend approval of the Community Development Program (CDAP) Loan Request from Family Medical Health Clinic, Philo, Illinois. The motion carried by voice vote.

10. Enterprise Zone Boundary Expansion, University of Illinois Research Park, Phase II.

Mr. Casey Rooney, Regional Planning Commission Economic Development Manager, stated that two amendments to Ordinance 255 are requested to add contiguous territory to the Enterprise Zone. He said that the University of Illinois Research Park, Phase II project includes a proposed \$16 million hotel and a \$12 million conference center. He said that the proposed amendments to Ordinance 255 are minor modifications to the terminology that are included in the Enterprise Zone language to make it more user friendly.

Mr. Fabri asked if the Unit #4 School District was in agreement.

Mr. Rob Kowalski, Assistant Planning Director for the City of Champaign Planning Department, stated that the issue in which the Unit#4 School District is in disagreement with is a totally separate issue. He said that the issue in which they are concerned is in regard to the TIF District

and the joint agreement of the school districts and the development in the south campus area. He said that in regard to the hotel/conference project and the Enterprise Zone Expansion the Unit #4 School District is in complete agreement.

**Mr. Fabri moved, seconded by Mr. McGinty to recommend approval of Amendments to Ordinance 255, regarding Enterprise Zone Boundary Expansion, University of Illinois Research Park, Phase II.**

The roll was called:

<b>Anderson-absent</b>	<b>Busboom-yes</b>	<b>Doenitz-no</b>
<b>Fabri-yes</b>	<b>Greenwalt-yes</b>	<b>Langenheim-yes</b>
<b>McGinty-yes</b>	<b>Moser-no</b>	<b>Schroeder-no</b>

The motion carried.

**11/A2. Revision to Selected Champaign County Land Use Regulatory Policies-Rural Districts.**

**Mr. McGinty moved, seconded by Ms. Greenwalt to recommend approval of the Revision to Selected Champaign County Land Use Regulatory Policies-Rural Districts.**

Mr. Moser stated that he agreed to the framework when the he was involved in the working committee butt he predicts that it will not be approved by the full County Board as long as the stream protection buffer is included.

Mr. Fabri stated that he is unsure if this is a good idea. He said that he will vote in favor of the motion tonight but will not guarantee what his vote will be when it comes to the full Board.

Mr. Doenitz stated that he will not vote in favor of the motion due to the letter from Mr. Clark Bullard. He said that Mr. Bullard is speaking for a small group of people and that small group is making a lot of noise.

Ms. Busboom stated that Mr. Bullard needs to realize that corn, soybeans and wheat are the economy of the rural people and not birds and trees.

Mr. Moser stated that he is reluctant to send this to the full Board when he knows that it is going to die. He said that the republican members represent the rural people and the feedback that they are receiving hasn't changed as far as what their feelings are about the 250 foot buffer. He said that the Committee needs to decide whether they want to send it on to the Board and kill it or leave it here until something is done to make it better. He said that if nothing different is going to be done with it then he is going to vote to send it to the Board and end the whole thing. He said that this project has been in the works for 10 years and nothing has been done with it to get everyone to agree.

Mr. DiNovo stated that when the policies are sent to the County Board they will require a simple

majority to be amended unlike the Ordinance which is expected to require 21 votes. He said that the policies are drafted specifically in such a way that they do not automatically require a stream protection buffer.

**The roll was called:**

<b>Busboom-no</b>	<b>Doenitz-no</b>	<b>Fabri-yes</b>
<b>Greenwalt-yes</b>	<b>Langenheim-yes</b>	<b>McGinty-yes</b>
<b>Moser-no</b>	<b>Schroeder-yes</b>	<b>Anderson-absent</b>

**The motion carried.**

12. Comprehensive Zoning Review

Ms. Monte stated that once the policies are approved by the full Board the next step will be to come before this Committee with the revisions to Public Review Draft III of the Zoning Ordinance. She said that the draft could be presented to the Committee at the October 11, 2005, meeting with a presentation regarding the changes. She said that the Committee would receive a copy of the draft one week prior to the meeting and the Committee must determine if they are comfortable signing off on the draft at the October 11<sup>th</sup> meeting or want to hold on to the draft for one month and sign off or provide further direction to staff at the November 07, 2005, meeting. She said that if the Committee signed off on the draft at the October 11<sup>th</sup> meeting then public hearings could be possible in November or December. She said that if the Committee desires to wait and not sign off on the draft until the November 7<sup>th</sup> meeting then the public hearings would not be possible until after the first of next year. She requested ELUC's preference in regard to their review of Public Review Draft III of the Zoning Ordinance.

Mr. DiNovo stated that staff requires this information so that they can schedule Zoning Board of Appeals meeting dates.

Ms. Monte stated that this is being moved forward as a text amendment. She said that the map amendments will not be included in this draft.

Mr. Schroeder asked if the ZBA hearings will be held like the previous CZR hearings.

Ms. Monte stated that she is having a difficult time in determining if the Brookens Gymnasium will be available. She said that State Statute requires that the meetings be held in a County building.

Mr. Schroeder asked if this will preclude holding a hearing in each township.

Ms. Monte stated that the text amendment hearings are not required to be held at each township.

Ms. Busboom stated that the townships have a right to have a hearing in their township because this is where the people live that will be affected by the changes to the Ordinance.

Ms. Greenwalt stated that she would prefer that this be completed sooner than later.

Mr. Moser stated that he would suggest that this be completed sooner than later because after the first of the year it will be even more political than it is currently. He said that this needs to be done and over with.

**The consensus of the Committee was to direct Staff to proceed with Committee review of Draft Ordinance at the October 11, 2005, meeting.**

### **A.3. Request for Review of Existing Positions**

**Mr. Moser moved, seconded by Ms. Greenwalt to approve the request for Review of Existing Positions. The motion carried by voice vote.**

#### 13. Planning and Zoning Report A. Monthly Report

Ms. McGrath stated that there was an enforcement action in the month of August. She said that it was a zoning case and an emergency, temporary restraining order was obtained and a permanent injunction against a business which was operating illegally at the intersection of North Prospect and Ford Harris Road.

Mr. Schroeder stated that he appreciated Ms. McGrath's action on this matter. He said that he is aware that Ms. Hitt, Zoning Officer has visited the junk trailer court which is located along the west edge of Tolono but it appears that they are stacking and re-stacking everything around.

#### 14. Other Business

None

#### 15. Determination of Items to be placed on the County Board Consent Agenda

The consensus of the Committee was to place Items #7 and #9 on the County Board Consent Agenda.

#### 16. Adjournment

The meeting adjourned at 7:31 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

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