



**Champaign County Board**  
**Environment and Land Use Committee (ELUC)**  
County of Champaign, Urbana, Illinois

**MINUTES –APPROVED AS AMENDED 2/5/15**

DATE: Thursday, January 8, 2015  
TIME: 6:30 p.m.  
PLACE: Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

**Committee Members**

<b>Present</b>	<b>Absent</b>
Aaron Esry (Chair)	
C. Pius Weibel (Vice Chair)	
Astrid Berkson	
Stan Harper	
John Jay	
Patti Petrie	
	Jon Schroeder

**County Staff:** Deb Busey (County Administrator), John Hall (Director of Planning & Zoning), Brian Nolan (Recording Secretary)  
**Others Present:** Susan Monte (Regional Planning Commission), Jamie Hitt (Planning and Zoning), Joel Fletcher (State’s Attorney)

**MINUTES**

**I. Call to Order**

Committee Chair Esry called the meeting to order at 6:35 p.m.

**II. Roll Call**

A verbal roll call was taken and a quorum was declared present.

**III. Approval of Minutes**

A. ELUC Committee meeting – October 9, 2014

**MOTION** by Ms. Berkson to approve the minutes of the October 9, 2014 ELUC meeting as distributed; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED** unanimously.

**IV. Approval of Agenda**

Mr. Esry requested to move Item IX. to become Item X. and Item X to become Item IX. in order to improve the flow of discussion. The committee agreed with this change.

**MOTION** by Ms. Berkson to approve the agenda as amended; seconded by Mr. Jay. Upon vote, the **MOTION CARRIED** unanimously.

**Mr. Harper entered the meeting.**

**V. Public Participation**

None

**VI. Communications**

None

**VII. Items to be Approved by ELUC**

A. Annual Renewal of Recreation and Entertainment Licenses

1. Alto Vineyards Champaign, 4210 North Duncan Road, Champaign 1/1/15 – 12/31/15
2. Lake of the Woods Bar and Liquors, Inc., 204 South Prairieview Road, Mahomet 1/1/15 – 12/31/15

Ms. Berkson inquired about the status of each business due to licenses being approved a week into the new year. Mr. Hall explained that businesses are covered once they have submitted their applications. Ms. Petrie asked Mr. Hall if the application fee is required by state statute or if the County implements the fee.

**Mr. Weibel entered the meeting.**

Mr. Hall explained that the fee is limited by state statute.

**MOTION** by Mr. Jay to approve the Recreation and Entertainment Licenses for Alto Vineyard Champaign and Lake of the Woods Bar and Liquors, Inc.; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED** unanimously.

B. Annual Review of Hotel/Motel Licenses

1. Motel 6, 1906 North Cunningham, Urbana 1/1/15 – 12/31/15

**MOTION** by Ms. Berkson to approve the Hotel/Motel Licenses for Motel 6; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED** unanimously.

**VIII. Items to be Approved by ELUC at the February 5, 2015 Meeting**

A. Proposed amendment to Ordinance No. 55 Regulation of Business Offering Recreation or Entertainment

**MOTION** by Ms. Berkson to approve Item VIII. at the February 5, 2015 ELUC Meeting; seconded by Ms. Petrie.

Ms. Monte reported that the Champaign County Sheriff is satisfied with the proposed amendments regarding public safety. The aggregate amount of liability insurance needs to be changed from \$3 million to \$2 million based on advice from the county's insurance specialist. The board is also asked to consider giving additional notice to current license holders.

Mr. Weibel asked Mr. Hall if the establishment in question on Rt. 53 had previous licenses or if it was on private property. Mr. Hall explained it is a property that was rezoned during the 1990's and licensing was not discussed at the time of rezoning. Mr. Weibel asked if events have been previously held on the property. Mr. Hall confirmed and noted that the property owner should have a Recreation and Entertainment License along with a Liquor License. Ms. Petrie asked about the timeline of getting this item passed by the board and if there is time for further reflection on the item. Ms. Monte asked the board to hold the item for consideration until February's meeting. Ms. Petrie noted that there should be a change in the motion reflecting the item's movement to the February agenda.

**MOTION** by Mr. Weibel to defer Item VIII. to the February 5, 2015 ELUC agenda; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

**IX. Closed Session pursuant to 5 ILCS 120/2(11) to discuss litigation that is pending and litigation that is probable or imminent on behalf of Champaign County**

**MOTION** by Mr. Jay to enter closed session pursuant to 5 ILCS 120/2(11) to discuss litigation that is pending and litigation that is probable or imminent on behalf of Champaign County and have the following individuals remain present: Joel Fletcher, John Hall, Jamie Hitt, County Administrator and recording secretary; seconded by Mr. Weibel.

Roll call vote:

Aye: 7 – Berkson, Esry, Harper, Jay, Petrie, Weibel

Nay: 0

**MOTION CARRIED**

The Champaign County Environmental and Land Use Committee entered into Closed Session at 6:46 p.m.

The Champaign County Environmental and Land Use Committee resumed Open Session at 6:59 p.m.

**X. Items to be Approved by ELUC for Recommendation to the County Board**

A. Contract for Engineering Service

B. Contract for Appraisal Services

**OMNIBUS MOTION** by Mr. Weibel to approve items X. A, X. B: Contract for Engineering Services and Contract for Appraisal Services; seconded by Ms. Berkson.

Ms. Busey noted that upon approval, Planning and Zoning's 2015 Budget does not have adequate funds budgeted for these contacts. Based on the board's approval, a budget amendment will be prepared for the Finance Committee to approve.

Upon vote, the **MOTION CARRIED** unanimously.

**XI. Monthly Reports**

A. October 2014

B. November 2014

**MOTION** by Mr. Weibel to receive and place on file the Planning & Zoning Monthly Reports for October and November 2014; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED** unanimously.

**XII. Other Business**

None

**XIII. Chair's Report**

None

**XIV. Designation of Items to be Placed on Consent Agenda**

X. A, X. B

**XV. Adjournment**

**MOTION** by Ms. Berkson to adjourn; seconded Mr. Jay. Upon vote, the **MOTION CARRIED** unanimously. There being no further business, Mr. Esry adjourned the meeting at 7:03 p.m.

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**Champaign County Board Environment and Land Use Committee  
(ELUC)  
County of Champaign, Urbana, Illinois**

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***January 8<sup>th</sup>, 2015 Closed Session Minutes***

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**I. Closed Session pursuant to 5 ILCS 120/2(11) to discuss litigation that is pending and litigation that is probable or imminent on behalf of Champaign County**

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**MOTION** by Mr. Jay to enter closed session pursuant to 5 ILCS 120/2(11) to discuss litigation that is pending and litigation that is probable or imminent on behalf of Champaign County and have the following individuals remain present: Joel Fletcher, John Hall, Jamie Hitt, County Administrator and recording secretary; seconded by Mr. Weibel.

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Roll call vote:

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Aye: 7 – Berkson, Esry, Harper, Jay, Petrie, Weibel

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Nay: 0

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MOTION CARRIED

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The Champaign County Environmental and Land Use Committee entered into Closed Session at 6:46 p.m.

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Mr. Fletcher called for closed session in order to discuss issues with the Cherry Orchards property and the associated contracts. Cherry Orchards is a large apartment complex located outside of Rantoul that has been in deteriorating conditions for an extended period of time. The State's Attorney's Office is recommending that action is taken against the owner of the property. It should be noted that the Jones Building is owned separately from Cherry Orchards but is located on the same property. Last year, the State's Attorney's Office filed suit on the Jones Building located on the Cherry Orchard property in order to be declared dangerous. An inspection was conducted and it concluded that the building was dangerous. The State's Attorney's Office filed a complaint once the building was declared dangerous and the owner of the Jones Building consulted legal counsel. With the property owner's cooperation, a controlled burn was arranged for the Jones Building in coordination with the Thomasboro Fire Department and the State's Attorney's Office. Most recently, an EPA permit was acquired to allow the controlled burn to occur on the property. The next hurdle will be ensuring all asbestos is removed from the building before the burn occurs in early May. Appraisal and Engineering reports were paid for in relation to the Jones Building and costs are not likely to be recovered due to the cooperation of the property owner. The cost of the reports is relatively small in comparison to the cost of tearing down the building.

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The Cherry Orchards property is different from the Jones Building due to Cherry Orchards being foreclosed on by a multistate bank that owns the property and not the Jones Building. The Contracts for Appraisal and Engineering Services are designed for the State's Attorney's Office to acquire the information needed in order to have the buildings declared dangerous and to have the bank directed to tear the buildings down. If these services support the theory that the buildings on the Cherry Orchards property are dangerous, the State's Attorney's Office would seek for the court to direct the bank to demolish the buildings. The risks associated with this approach include the Engineering Services Contract report declaring the buildings as safe structures and the conditions on the property will remain the same. There is also an additional cost of \$1,200 associated with the Engineering Contact that covers an exterior tour of the property from the neighbor's property with their permission in order to obtain an administrative warrant from the judge to inspect the buildings on the Cherry Orchards property.

Mr. Harper asked who covers the cost of the asbestos removal. Mr. Fletcher explained that the owner of the Jones Building will be responsible for those costs; however, it is not a significant cost due to one room needing asbestos removal.

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**Mr. Alix entered closed session.**

Mr. Weibel asked if there are any reports of people living in the buildings. Mr. Fletcher responded that no reports of humans living in the buildings have been filed in the last year but there is graffiti that suggests people have been there. There is a concern that people will go there for shelter and start fires to stay warm, which contributes to the danger of the property. Ms. Petrie asked for the total amounts of each report. Mr. Fletcher explained that the Engineering report will cost \$7,250 and the Appraisal report will cost \$2,500. Mr. Alix asked if the bank still owns the property. Mr. Fletcher confirmed and noted that the bank tried to sell Cherry Orchard at an auction in December, which dramatically reduces the State’s Attorney’s options if the property is owned by an individual with fewer assets than the bank. Mr. Alix asked if there is anything that can be done to block the bank from selling the property. Mr. Fletcher noted that a suit could be filed against the bank. Mr. Alix asked if the taxes are paid on the property. Mr. Fletcher confirmed. Ms. Petrie asked about an alternative plan if this plan does not work. Mr. Fletcher explained that nuisance fines can be pursued. Ms. Petrie asked if the contract amounts are appropriate. Mr. Fletcher explained that the amounts are below competitive bidding thresholds and the amount is fair due to the scope of the problem.

The Champaign County Environmental and Land Use Committee resumed Open Session at 6:59 p.m.