
DATE: Tuesday, January 3, 2023
TIME: 7:00 pm
PLACE: 400 South Vine Street, Urbana, IL 61801

The City Council Committee of The Whole of the City of Urbana, Illinois, met in regular session Tuesday, January 3, 2023, at 7:00pm.

ELECTED OFFICIALS PRESENT: Diane Wolfe Marlin, Mayor; Phyllis D. Clark, City Clerk; CM Maryalice Wu, CM Christopher Evans, CM Shirese Hursey*, CM Jaya Kolisetty*, CM Chaundra Bishop, CM Grace Wilken, CM James Quisenberry

*Denotes present after roll

ELECTED OFFICIALS ABSENT: None

STAFF PRESENT: Carol Mitten, Bourema Ouedraogo, Darcy Sandefur, Dave Wesner, Kevin Garcia

OTHERS PRESENT:

Chair: James Quisenberry, Ward 7

1. Call to Order and Roll Call

With a quorum present, Chair Quisenberry called the meeting of the Committee of the Whole to order at 7 p.m.

2. Approval of Minutes of Previous Meeting

None.

3. Additions to the Agenda

Chair Quisenberry asked to move Public Input before the Closed Session, and to remove the closed session topic of Collective Bargaining.

4. Public Input and Presentations

a. Public Input

Derrick Bryles spoke in opposition to the FOP contract. *Justin* spoke in opposition to the FOP contract. *Tony Allegretti* glad to hear that the FOP contract has been removed from the agenda as an action item this evening in order to allow for additional deliberations. Hopes to see further revisions to contract. *George Vasilios* expressed concern about the FOP contract. *Sarah Blanco* spoke in opposition to the FOP contract. *Eddie Pratt Jr.* shared statistics in opposition to FOP contract. *CM Quisenberry read a written statement on behalf of Alex Taylor, Lesley Owens, Olek Yargas, Luke Lee, Hildegard Luijten, and Julie Watkins. CM Hursey read written statements from Allan Axelrod. Additional written comments were submitted from Sarah-Lin, Evan Lemberger, Christopher O'Brien, Anonymous, and a joint letter from the ACLU and NAACP.*

5. Closed Session: Property Acquisition Issues Pursuant to 5 ILCS 120/2 (c) (5); ~~Collective Bargaining Pursuant to 5 ILCS 120/2 (c) (2)~~

Motion to enter closed session by CM Wu and seconded by CM Hursey.

Vote by roll call:

AYE: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAY: None

Entered closed session at 7:26 pm.

Motion to return from closed session by CM Wu and seconded by CM Bishop.

Vote by roll call:

AYE: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAY: None

Returned to open session at 7:54 pm.

6. Staff Report

Carol Mitten announced a community engagement event on upcoming design and construction of Fire Stations on Thursday, January, 12 from 5:30 to 7:30 pm. Event will be an open house with opportunities to provide public input on projects. **Mayor Marlin** shared an update from IT director Sanford Hess, sound equipment in Council Chambers and UPTV were upgraded last week. Announced the swearing in of five new Police Officers this afternoon.

7. Unfinished Business

a. Resolution No. 2022-12-091R: A Resolution Approving a Collective Bargaining Agreement with the Fraternal Order of Police, Lodge #70 (Term of July 1, 2023 through June 30, 2026) - HRF

Motion to keep in committee and to have a future presentation by CM Wu and seconded by CM Kolisetty.

Vote by roll call:

AYE: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAY: None

b. Ordinance No. 2022-12-054: An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Increasing the Number of Class R&T-1 Liquor Licenses for Best of Africa Food Store LLC, 208 W. Griggs Street, Urbana, IL) – Exec

Item amends City Code to allow for Best of Africa Food Store to have a liquor license. Presented by Mayor Marlin.

Motion to approve to consent agenda by CM Quisenberry and seconded by CM Kolisetty.

Vote by roll call:

AYE: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAY: None

c. Resolution No. 2022-12-092R: A Resolution Approving an Amended and Restated Right-of-Way License Agreement with MCDJ, LLC (208 W. Griggs Street) – PW

Presented by Carol Mitten. Mitten shared a site diagram. Item amends the license agreement to add additional areas along Griggs and along the back of Best of Africa to create patio and parking for the business. Questions and discussion ensued.

Motion to approve to regular agenda by CM Bishop and seconded by CM Wu.

Vote by roll call:

AYE: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAY: None

8. New Business

- a. Ordinance No. 2023-01-001:** An Ordinance Authorizing an Office Lease (Cohen Building - 136 West Main Street) – Exec

Presented by Carol Mitten the City Administrator. Item authorizes the City to Sign a lease for Human Resources Office space at the Cohen Building. Questions and discussion ensued. Motion to approve to the regular agenda by CM Hursey and seconded by CM Bishop.

Vote by roll call:

AYE: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAY: None

9. Discussion

- a. Prioritizing Planning Division Projects – CD**

Kevin Garcia the Zoning Administrator shared a presentation of proposed planning division projects with the intention of receiving direction from Council on prioritization. The projects are addressing the short-term rentals such are AirBnB/BRBO and changing zoning in the B-3U district to more closely reflect the intended businesses in the campus area. Garcia explained both projects and the methods the division currently has in place to manage these areas. Garcia mentioned other smaller projects that are a lower priority but also take less staff time. Questions and discussion ensued.

10. Council Input and Communications

CM Wilken shared appreciation for the ARPA planning process timeline, asked clarifying process questions. *Mayor Marlin* thanked the City staff for addressing calls for help during the holiday weekend. Shared information about the community warming centers and overnight shelters. *CM Quisenberry* shared information about what he observed in residences during the dangerous winter weather.

11. Adjournment

With no further business before the committee of the whole Chair Quisenberry adjourned the meeting at 9:26 p.m.

Darcy Sandefur
Recording Secretary

This meeting was video recorded and is [viewable on-demand HERE](#).

Minutes approved: 02-20-2023

Sandefur, Darcy

From: Alex Taylor <[REDACTED]>
Sent: Monday, January 02, 2023 8:18 PM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

*** Email From An External Source ***

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Hi,

I am a PhD student at The University of Illinois and a resident of Champaign-Urbana, and I am concerned about the new Fraternal Order of Police union contract for 2023-2026 being brought before Urbana City Council on January 3rd, 2023.

Please read my comment out loud during the council meeting on 1/3/23:

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues including the use of excessive force, witness coercion, de-escalation, and civilian oversight.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to pass a contract that fails to address the safety issues that an unchecked police force can present to our community. Equally unacceptable are the deceptive negotiation tactics used by the FOP to push this through six months early, without any transparency or respect for the democratic process.

As a concerned member of the Urbana community, I ask that you vote NO on resolution 2022-12-091R.

Sandefur, Darcy

From: Lesley Owens <[REDACTED]>
Sent: Tuesday, January 03, 2023 12:47 PM
To: !City Council
Subject: Public Input 1/3/21

***** Email From An External Source *****

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Dear Urbana Alderpersons,

Please read my comment out loud during the council meeting.

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues like the use of excessive force and adequate oversight through the Civilian Police Review Board.

I am very concerned about how the contract has been pushed through negotiations without public input. This contract goes far beyond protecting the rights of public employees--it keeps cops from being accountable to the taxpayers who fund their salaries and the community members they claim to protect.

As a concerned member of the Urbana community, I ask that you vote no on resolution 2022-12-091R.

Sincerely,

Lesley Owens
Urbana, Illinois Resident
[REDACTED]

Sandefur, Darcy

From: Yardas, Olek [REDACTED]
Sent: Tuesday, January 03, 2023 1:11 PM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

*** Email From An External Source ***

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Hello Aldermen,

Please read my comment out loud during the council meeting.

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues including the use of excessive force, witness coercion, de-escalation, and civilian oversight.

The deceptive negotiation tactics used by the FOP to push this through six months early should make it clear that this contract doesn't put public safety first. This contract puts the interests of the FOP ahead of public safety and shows blatant disregard for the democratic process.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to have a contract negotiated without transparency that does not address the safety issues that an unchecked police force can present to our community.

As a concerned member of the Urbana community, I ask that you vote no on resolution 2022-12-091R.

-Oleksandr Yardas

Sent from my iPhone

Sandefur, Darcy

From: Luke Lee <[REDACTED]>
Sent: Tuesday, January 03, 2023 6:21 PM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Please read my comment out loud during the council meeting.

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues including the use of excessive force, witness coercion, de-escalation, and civilian oversight.

The deceptive negotiation tactics used by the FOP to push this through six months early should make it clear that this contract doesn't put public safety first. This contract puts the interests of the FOP ahead of public safety and shows blatant disregard for the democratic process.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to have a contract negotiated without transparency that does not address the safety issues that an unchecked police force can present to our community.

As a concerned member of the Champaign-Urbana community, I ask that you vote no on resolution 2022-12-091R.

Sandefur, Darcy

From: Hildegard Luijten <[REDACTED]>
Sent: Tuesday, January 03, 2023 6:31 PM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

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Please read my comment out loud during the council meeting.

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues including the use of excessive force, witness coercion, de-escalation, and civilian oversight.

The deceptive negotiation tactics used by the FOP to push this through six months early should make it clear that this contract doesn't put public safety first. This contract puts the interests of the FOP ahead of public safety and shows blatant disregard for the democratic process.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to have a contract negotiated without transparency that does not address the safety issues that an unchecked police force can present to our community.

As a concerned member of the Urbana community, I ask that you vote no on resolution 2022-12-091R.

Sandefur, Darcy

From: Julie Watkins [REDACTED]
Sent: Tuesday, January 03, 2023 3:03 PM
To: !City Council
Subject: Public Comment for January 3 meeting, please read at meeting

***** Email From An External Source *****

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From Julie Watkins, resident of Urbana.

I am writing to request that the council vote for the FOP contract remain in committee. I don't see any presentation listed such as Jaya Kolisetty suggested on December 19th to explain the contract to the public. Even if there is a presentation tonight that doesn't give adequate time for public commentary and questions about that presentation.

I have a question for the FOP contract discussion tonight. In 2011 – over ten years ago – a side letter was attached to the FOP contract. Despite the "Notwithstanding" paragraph in the side letter, it appears the FOP wants to have it both ways. They will acknowledge the existence of CPRB but are insisting on an agreement on how it shall be. Much previous comment has detailed how this means a lack of accountability. Why is this acceptable? Staff should be directed to answer this question in the presentation I've already mentioned. Please keep the contract in committee.

Thank you,
Julie Watkins

Sandefur, Darcy

From: Sarah-Lin [REDACTED]
Sent: Tuesday, January 03, 2023 11:30 AM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

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"Please read my comment out loud during the council meeting.

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues including the use of excessive force, witness coercion, de-escalation training, and civilian oversight.

The deceptive negotiation tactics used by the FOP to push this through six months early should make it clear that this contract doesn't put public safety first. This contract puts the interests of the FOP ahead of public safety and shows blatant disregard for the democratic process.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to have a contract negotiated without transparency that does not address the safety issues that an unchecked police force can present to our community.

As a concerned member of the Urbana community, I must ask that you vote "NO" on resolution 2022-12-091R."

All power to the people,
Romie Lin

Sandefur, Darcy

From: Evan Lemberger <[REDACTED]>
Sent: Tuesday, January 03, 2023 9:52 AM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

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Please read my comment out loud during the council meeting.

I urge all council members to vote against the hastily negotiated Fraternal Order of Police contract for 2023-2026. This contract fails to address critical issues including the use of excessive force, witness coercion, de-escalation, and civilian oversight.

The deceptive negotiation tactics used by the FOP to push this through six months early should make it clear that this contract doesn't put public safety first. This contract puts the interests of the FOP ahead of public safety and shows blatant disregard for the democratic process.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to have a contract negotiated without transparency that does not address the safety issues that an unchecked police force can present to our community.

As a concerned member of the Urbana community, I ask that you vote no on resolution 2022-12-091R.

Best,

Evan

Sandefur, Darcy

From: Christopher O'Brien <[REDACTED]>
Sent: Tuesday, January 03, 2023 8:07 PM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023

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Please read my comment out loud during the council meeting.

I urge all council members to vote against the Fraternal Order of Police contract for 2023-2026. This contract fails to adequately deal with critical issues including the use of excessive force, witness coercion, de-escalation, and civilian oversight.

The deceptive negotiation tactics used by the FOP to push this through six months early should make it clear that this contract doesn't put public safety first. This contract puts the interests of the FOP ahead of public safety and shows blatant disregard for the democratic process.

Given the ongoing issues with law enforcement locally and nationally, it is unacceptable to have a contract negotiated without transparency that does not address the safety issues that an unchecked police force can present to our community.

Sandefur, Darcy

From: [REDACTED]
Sent: Monday, January 02, 2023 10:54 PM
To: !City Council
Subject: PUBLIC INPUT 1/3/2023 - "NO" on resolution 2022-12-091R

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Hey!

Please vote "NO" on resolution 2022-12-091R

The police haven't done much to reduce crime. Many police behave like criminals themselves! Please create a resolution which would make policies which could make it easier for the city to fire police officers! The police are overpaid considering the awful behavior they have. No on resolution 2022-12-091R

Don't print my name in public. I fear retaliation by the police. Many police are corrupt and evil.



January 29, 2023

Dear Mayor Marlin, City Council Members Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, and Quisenberry, and Chair of the Civilian Police Review Board Diaz and CPRB Board Members,

We write on behalf of the local ACLU and NAACP to share our deep concern about how the contract negotiated with the Fraternal Order of Police negotiating unit undermines Urbana's commitment to reforming public safety and rebuilding public trust. In particular, we are concerned about those articles in the proposed contract that conflict with the Department's own Use of Force Policy and the Ten Shared Principles. The side letter concerning the Civilian Police Review Board is a particular concern. Please enter this letter into the public record.

Our specific concerns are:

1. **FOP Contract Article 22 "Civilian Police Review Board"** undermines several core principles set forth in the Urbana Police Department's Use of Force Policy and the "Ten Shared Principles" (adopted by the City of Urbana in September 2020). The UOF Policy states: "The Department is committed to building and maintaining community trust through transparency with the public about every use of force and accountability for every officer who uses force." UOF Policy Sec. 300.1. Similarly, the Ten Shared Principles "endorse" "transparency," "accountability," and "build[ing] and rebuild[ing] trust" between police and the community. (Nos. 4–5.) The FOP Contract's restrictions on Urbana's Civilian Police Review Board (CPRB) undermines these principles in three key ways: (a) by making it "optional" for "officers subject to a CPRB proceeding to appear before the CPRB" (officers "shall not be required to appear"); (b) by requiring that "CPRB members shall maintain [the] confidentiality of any and all officer records"; and (c) by prohibiting the CPRB from "conduct[ing] independent third party investigations of an officer's conduct" and instead requiring that "inquiries and concerns of the CPRB [] be addressed by the Chief of Police." Contract Sec. 22.2; Contract Side Letter. In contrast to these restrictions, the principles of transparency, accountability, and rebuilding of trust would require (a) that any officer subject to a CPRB proceeding be required to participate; (b) that CPRB records be subject to public disclosure under FOIA; and (c) that CPRB be empowered to conduct independent third-party investigations of officer misconduct. Other civilian police review bodies in Illinois—including the City of Chicago's Civilian Office of Police Accountability ("COPA")—have these basic structures in place to ensure transparency, accountability, and community trust.

2. FOP Contract Section 9.2 “Psychiatric or Physical Testing” potentially conflicts with UOF Policy Sec. 301.3.1 “Psychological Examination.” The Policy requires that “[a]ll officers directly involved in an incident that results in death or very serious injury to another . . . shall be required to undergo a mental health evaluation as soon as practical after the incident.” Policy Sec. 301.3.1 However, the FOP Contract sets a higher standard for when the City may require an officer to undergo psychological testing: only when the “City has a reasonable basis to question the . . . psychological or mental fitness of an officer.” Contract Sec. 9.2.

There could conceivably be a situation where an officer was involved in an incident causing death or very serious injury, thereby triggering the Policy’s requirement for psychological examination, but the circumstances of the incident do not create “a reasonable basis to question the . . . psychological or mental fitness of [the] officer.” Contract Sec. 9.2. In that situation, the psychological exam would be barred by the FOP Contract even though it is required by the Policy.

We urge the Mayor and City Council to consider carefully their role in the process of negotiating and approving a contract and to honor the commitment they have made to reform public safety in Urbana. This includes reforming and modernizing the Civilian Police Review Board so that it can function as a stronger liaison between the police and the community and provide some of the accountability the community demands. We urge you, our elected representatives, to make every effort to negotiate a contract which does not conflict with the Urbana Police Department's own policies and principles.

Sincerely,

Carol Leff and Minnie Pearson, Presidents

ACLU of Champaign County

NAACP -- Champaign County Branch