

ORDINANCE NO. 2009-09-104

**AN ORDINANCE APPROVING  
AN AMENDMENT TO THE AGREEMENT  
WITH CHAMPAIGN COUNTY FOR THE PLACEMENT  
OF A NEWSPAPER RACK LOCATED AT THE CHAMPAIGN COUNTY  
COURTHOUSE SITE, APPROVED IN ORDINANCE NO. 2009-05-048**

WHEREAS, in Ordinance 2009-05-048, the Urbana City Council approved an agreement with the County of Champaign regarding the placement of a newspaper rack at the Champaign County Courthouse site; and

WHEREAS, when such agreement was approved by the parties, it was anticipated that the newspaper rack to be placed, would be of special design incorporating artistic features; and

WHEREAS, the cost of construction of the newspaper rack contemplated exceeded the budgeted costs, and thus the City has determined to place a less expensive news rack at the site previously agreed to.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE URBANA, ILLINOIS, as follows:

Section 1. That the Agreement approved in ordinance 2009-05-048, if the County Board agrees to such, is hereby amended to read as set forth in the attachment.

Section 2. That the amendments to the agreement reflected in the attachment, shall become effective immediately upon the County Board approving them.

Section 3. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

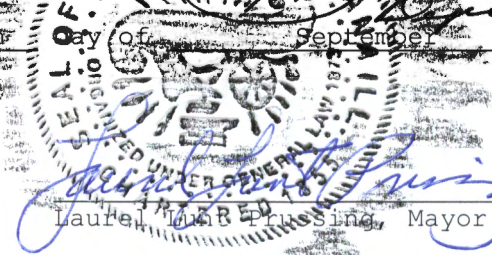
PASSED by the City Council this 21st day of September,  
2009 .

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Stevenson

NAYS:

ABSTAINS:

APPROVED by the Mayor this 30th day of September,  
2009 .

*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk  
*by Debra M. Estep*  
Debra M. Estep, Deputy Clerk  
  
*Laurel L. Prussing*  
Laurel L. Prussing, Mayor

OCT 23 2009

AN AGREEMENT BETWEEN THE COUNTY OF CHAMPAIGN<sup>Phyllis D. Clark</sup>  
AND THE CITY OF URBANA RESPECTING THE PLACEMENT OF <sup>City Clerk</sup>  
"COURTHOUSE" NEWS RACK

WHEREAS, as a result of cooperative efforts between the County of Champaign (hereinafter referred to as "County") and the City of Urbana (hereinafter referred to as "City"), the County was able to accomplish an architecturally impressive courthouse renovation in a setting of carefully considered streetscape treatment of the adjacent sidewalk right-of-way and the block bounded by Main Street, Vine Street, Elm Street and Broadway Avenue, and

WHEREAS, in addition, the City has spent considerable time and funds in an effort to beautify the downtown area, and

WHEREAS, that the City has created a TIF District encompassing the downtown in an effort to revitalize the downtown, and

WHEREAS, the parties recognize that the existing newspaper racks on the corner of Broadway Avenue and Elm Street present an unsightly appearance and pose a potential hazard due to their insecure installation which frequently impedes pedestrian traffic, and due to their location which frequently impedes vehicular traffic, and

WHEREAS, the parties recognize that it is a convenience to the public to be able to purchase or acquire newspapers in the downtown area especially at the courthouse plaza block, and

WHEREAS, the parties recognize that in consideration of these factors, it would be desirable for the City and County to cooperate in the design and placement of a more attractive and contained news rack as proposed by the City and place it on the county property in the courthouse plaza block at a location that would not interfere with person using the sidewalks or otherwise attending to matters in the courthouse.

THEREFORE the parties agree as follows:

1. That the City may place and maintain a news rack, utilizing the design recommended by the City as portrayed generally in Exhibit A attached to this Agreement, on the Northeast quadrant area of the County Courthouse property near the main entrance, subject to the prior approval of the Champaign County Sheriff's Office.
2. That the City working in conjunction with various vendors shall be solely responsible for what newspapers are displayed in the news rack, including the establishment and operation of whatever system is implemented for permission to display newspapers in the said news rack.
3. That the City shall be solely responsible for maintenance of the news rack.

4. If a claim of a violation of a constitutional right because of or based upon the City policies which govern the use of the news rack is made, and the County, its officers, officials or employees or any of them are named as parties, the City agrees to undertake the legal defense against such claim by counsel satisfactory to the parties and indemnify the County, its officers, officials or employees for any judgment entered in court against them or any of them, based on such claim.

5. That the news rack shall be placed on the County Courthouse property in the designated area shown in Exhibit B at the completion of the Courthouse Masonry Stabilization Project, which the parties anticipate will be completed no later than September 28, 2009. In addition, should the County have the need to engage in further restoration or maintenance of the County Courthouse property during the term of this Agreement, or any extension of this Agreement, if it becomes necessary to move the news rack for such work to be performed, the City shall remove the news rack to a temporary location during the project until it can be restored by the City to its original location on the County Courthouse property.

6. That the County shall allow the news rack to remain on the designated area of the County Courthouse property for a period of fifteen years. Should the parties desire to extend the term of this Agreement, they shall do so in writing at least ninety days prior to the expiration of this term.

7. That the County shall not allow other news racks to be placed on the County Courthouse property. If any other news racks are placed on County Courthouse property, the County shall promptly remove such news racks.

Dated this 20<sup>th</sup> day of October, 2009

COUNTY OF CHAMPAIGN

CITY OF URBANA

C. Pius Weibel  
County Board Chair

Laurel Lunt Prussing  
Mayor

Attested:   
Mark Shelden, County Clerk and  
Ex-officio Clerk of the Champaign  
County Board

Attested:   
Philip Clark, City Clerk  
  
Robert H. ...  
Deputy Clerk





Modular Newsrack units by Rak Systems

Urbanastand Newsrack Project Proposal Figures

