

Regular City Council Meeting November 1, 2016 (Tuesday, November 1, 2016)

Generated by Jennifer R Sorrell on Friday, November 4, 2016

Council Members present

Councilwoman Jessica Bradshaw, Councilman Lee Fronabarger, Councilman Tom Grant, Councilwoman Carolin Harvey, Councilman Navreet Kang, Councilman Adam Loos, and Mayor John M Henry

Meeting called to order at 7:11 PM

4. Preliminaries to the City Council Meeting

Procedural: 4.1 Roll Call

Procedural: 4.2 General Announcements and Proclamations

Councilman Fronabarger noted the hours that early voting was available at the SIU Student Center and the Jackson County Clerk's Office. He also noted the time change occurring this weekend.

Councilwoman Harvey extended an invitation to veterans and their guests to a free made-to-order breakfast on Saturday, November 5, at the Eurma C. Hayes Center.

Councilwoman Bradshaw announced Medea Benjamin will speak at the SIU Law School on Thursday, November 3, a vigil for peace and justice centered on stopping the Dakota Access Pipeline will be held at the Pavilion followed by a lunch and teach-in at 216 North Washington Street, and a musical performance by The Phonics at the Varsity Center for the Arts on Saturday, November 5.

Councilman Kang announced the Veterans Day Program which will take place on November 11 at 11:00 a.m.

Procedural: 4.3 Citizens' Comments and Questions

Colleen Kuczynski asked the City Council to address the matter of parking occurring on both sides of North Almond Street.

Procedural, Reports: 4.4 Public Hearings and Special Reports

None.

5. Consent Agenda of the City Council

Action (Consent): 5.1 Approval of the Regular City Council Meeting Minutes from October 11, 2016
Resolution: Approve the minutes from the Regular City Council meeting on October 11, 2016.

Action (Consent): 5.2 Approval of Warrant for the Period Ending: 09/26/2016 FY 2017 Warrant 1284 in the amount of \$1,652,831.41

Resolution: Accept the following report of payments made for the period ended: 09/26/2016 totaling \$1,652,831.41

Action (Consent): 5.3 Approval of Warrant for the Period Ending: 10/10/2016 FY 2017 Warrant 1285 in the amount of \$4,324,442.98

Resolution: Accept the following report of payments made for the period ended: 10/10/2016 totaling \$4,324,442.98

Action (Consent): 5.4 Resolution authorizing the City Manager to accept a Warranty Deed for Bleyer Field

Resolution: City Council to approve a Resolution authorizing the City Manager to accept a Warranty Deed from Gelco Management and Developers, LLC

Action (Consent): 5.5 Approve an Ordinance Authorizing Acceptance of an Illinois Department of Transportation Grant and a Budget Adjustment in the amount of \$18,670

Resolution: It is recommended that the City Council approve an Ordinance authorizing the City Manager to accept an Illinois Department of Transportation Grant and to approve a Budget Adjustment in the amount of \$18,670 to increase the Police Department's FY2017 budget

Action (Consent): 5.6 Award of Contract for Dixon Street Waterline Replacement Project (WS1702) to Dean Bush Construction in the amount of \$144,331.00

Resolution: Award the Contract for the Dixon Street Waterline Replacement Project (WS1702) to Dean Bush Construction of Carbondale, Illinois in the amount of \$144,331.00

Action (Consent): 5.7 Acceptance of Approved Meeting Minutes from Boards, Commissions, and Committees

Resolution: Accept and place on file the approved meeting minutes from Boards, Commissions, and Committees.

Action (Consent): 5.8 A Resolution of Intent to Utilize Motor Fuel Tax (MFT) Funds for the Repayment of the 2006 Series Street Improvement Bonds

Resolution: The City Council is requested to pass a Resolution of Intent to Utilize Motor Fuel Tax (MFT) Funds for the repayment of the 2006 Series Street Improvement Bonds

Action: 5.9 A Resolution in Support of the Illinois Transportation Legislative Initiative as Championed by the American Public Works Association (APWA)

This item was pulled for separate consideration.

Councilman Loos and Councilwoman Bradshaw noted their reasons for voting against this item.

Curran Bishop, 1005 West Willow Street, asked the Council members in opposition to the item for further clarification.

MOTION: The City Council is requested to pass a Resolution in Support of the Illinois Transportation Legislative Initiative.

Motion by Navreet Kang, second by Carolin Harvey.

Final Resolution: Motion Fails

Yea: Lee Fronabarger, Carolin Harvey, Navreet Kang

Nay: Jessica Bradshaw, Tom Grant, Adam Loos, John M Henry

Action (Consent): 5.10 A Resolution Authorizing the City Manager to Submit a Single Family Rehabilitation Grant Application to Assist in the Rehabilitation of Homes for Low-Income Households

Resolution: It is recommended that the City Council "move to adopt a resolution authorizing the City Manager to submit an application to the Illinois Housing Development Authority for the Single Family Rehabilitation Program."

Action: 5.11 Resolution Approving 500 South Lewis Lane LLC's Request for a Special Use Permit to allow a Rehabilitation Center in an R-3 District at 500 South Lewis Lane

This item was pulled for separate consideration.

City Council questions and comments included whether the facility would be secured at all hours of the day, if there would be outdoor areas available to the residents, and the anticipated usage of security cameras. Michael Blisko responded to inquiries from the City Council.

MOTION: Adopt the Resolution approving 500 South Lewis Lane LLC's request for a Special Use Permit allowing a Rehabilitation Center at 500 South Lewis Lane.

Motion by Adam Loos, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry

Action (Consent): 5.12 A Resolution Authorizing the City Manager to Execute a Change Order on the Water Plant Filter Rehabilitation Project (WS1701) in the Amount of \$81,053.00

Resolution: The City Council is requested to adopt a Resolution Authorizing the City Manager to Execute a Change Order on the Water Plant Filter Rehabilitation Project (WS1701) in the Amount of \$81,053.00

Action (Consent): 5.13 Ordinance amending Title Two of the Carbondale Revised Code adding Banquet Hall Facilities to the legal entry age exemption

Resolution: It is recommended that the City Council adopt the Ordinance amending Title two providing an exemption from the legal entry age for Banquet Halls.

Action (Consent): 5.14 Approval of Consent Agenda Items

Resolution: Approval of all Consent Agenda Items which were not pulled for separate consideration

Approval of Consent Agenda Items 5.1 - 5.8, 5.10, 5.12 - 5.13.

Motion by Navreet Kang, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry

6. General Business of the City Council

Action: **6.1 An Ordinance amending Title 13 as it relates to Chronic Nuisances**

Daniel Presley, 606 South James Street, Donald Monty, 418 Giant City Road, and Jane Adams, 606 West Elm Street, spoke in support of the Ordinance.

Jeff Woodruff, 601 West Campus Drive, Andy Wallace, 500 North Oakland, and Chris Boettcher, 500 North Oakland, spoke in opposition to the Ordinance.

City Attorney Snyder advised the City Council on a recent HUD ruling referenced by speakers on this item, what effect this Ordinance would have in the event that citations were not upheld in court, concerns about privacy, the use of an administrative hearing officer, what constitutes an “uncooperative” landlord, and whether this Ordinance would apply to short-term rental locations.

A typographical error in the Ordinance was noted.

City Council comments and questions addressed providing model lease language for landlords, future consideration of licensing landlords, the effect on larger complexes if more than one unit is cited, finding a means of taking action against tenants as opposed to just the landlords, reviewing other options available to the City including crime-free housing, a comprehensive tenant and landlord ordinance, reviewing the impact of this Ordinance in one year, and generally expressed their support or opposition to the Ordinance as currently written.

Council deliberated whether to act upon or delay action on this item. A motion and second to table the item was withdrawn by the mover.

MOTION: Approve an Ordinance Amending Title Thirteen as it relates to Chronic Nuisances

Motion by Jessica Bradshaw, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Carolin Harvey, Adam Loos, John M Henry

Nay: Tom Grant, Navreet Kang

8. Council Comments for the City Council

Information: 8.1 An opportunity for City Council members to offer general comments

Councilman Loos noted that there appeared to be support for either a landlord licensing ordinance or comprehensive landlord/tenant ordinance and recommended establishing a committee to hold hearings on how best to achieve such goals. Andy Wallace asked when the last agenda item will come into effect and City Manager Williams noted that it will take some time to implement.

Councilman Fronabarger requested an update on the Giving Tuesday campaign, which update was provided by City Manager Williams, and he then commented on the importance on keeping a close eye on the City’s budget, noting the situation which Mt. Vernon is currently facing.

Councilman Kang inquired about the ramifications of the Chronic Nuisance Ordinance on leases which are currently in effect. City Manager Williams responded. Councilman Loos also responded to Mr. Kang’s inquiry. Councilman Kang congratulated the City Manager on the City’s Distinguished Budget Award.

9. Executive Session

None

10. Adjournment of the City Council Meeting

The Carbondale City Council adjourned at 8:47 p.m.

Submitted by:

Approved:
