

Regular City Council Meeting July 25, 2023 (Tuesday, July 25, 2023)

Generated by Jennifer R Sorrell on Wednesday, July 26, 2023

Councilmembers present

Councilmember LaCaje Hill, Councilmember Clare Killman, Councilmember Adam Loos, Councilmember Nancy Maxwell, Councilmember Ginger Rye Sanders, Councilmember Jeff Doherty, and Mayor Carolin Harvey

Meeting called to order at 6:02 PM

1. Preliminaries to the City Council Meeting

Procedural: 1.1 Roll Call

Procedural: 1.2 Citizens' Comments and Questions

Citizens addressing the City Council included Vanessa Sneed, Tony Holsey, Corinne Brevik, Adam Turl, James Cooper, Jr., Brian Pierce, Elius Reed, and Van Ikner.

Procedural: 1.3 Council Comments, General Announcements, and Proclamations

Councilmember Hill announced that we was working with Staff to develop a Carbondale Family Night as a result from a survey that he conducted.

Councilmember Killman requested assistance from the public in drafting changes to Title Fifteen of the City Code to expand the definition of family in order to accommodate households that include polyamorous relationships.

Councilmember Rye Sanders invited community support for an event that will teach children to play drums as part of a drumline at the Eurma C. Hayes Center.

Councilmember Loos encouraged utilization of the Little Resource Center which provides family and prenatal assistance. Further, he expressed his appreciation for the work of City staff.

2. Public Hearings and Special Reports

3. Consent Agenda of the City Council

Action (Consent): 3.1 Minutes from the Regular City Council Meeting of July 11, 2023

Resolution: Approve the minutes from the regular City Council meeting of July 11, 2023

Action (Consent): 3.2 Approval of Warrant for the Period Ending: 0/07/2023 for the FY 2024 Warrant 1463 in the Total Amount of \$1,443,961.83

Resolution: Accept the following report of payments made for the period ended: 07/07/2023 totaling \$1,443,961.83 (*Exhibit A-07-25-2023*)

Action (Consent): 3.3 Approval of Wells Fargo Warrant for the Period Ending 05/31/2023 FY 2024 Warrant # WF 05/2023 in the amount of \$154,850.19

Resolution: Accept the following report of payments made for the period ended: 05/31/2023 totaling \$154,850.19 (*Exhibit B-07-25-2023*)

Action: 3.4 **Approve an Agreement with Carbondale Elementary School District #95 to Provide a School Resource Officer** Resolution: Approve an agreement with Carbondale District #95 to provide a school resource officer.

Pulled by C. Killman

Action, Action (Consent): 3.5 **Approve the Placement of a Sign at Turley Park Naming the Kiwanis Playground**

Resolution: Approve the placement of a sign at Turley Park naming Kiwanis Playground

Action (Consent): 3.6 **Resolution Authorizing the City Manager to Enter into a Tax Increment Financing Agreement with Grayson Investments, LLC for a Redevelopment Project at 506, 507, 511, and 512 North Davis Street**

Resolution: Approve Resolution authorizing the City Manager to enter into a TIF agreement with Grayson Investments, LLC for a redevelopment project at 506, 507, 511, and 512 North Davis Street. (*Resolution 2023-R-56; Exhibit C-07-25-2023*)

Action (Consent): 3.7 **Award of Contract for the Rehabilitation of Three Sanitary Sewer Lift Stations to WJ Burke Electric Co., Inc. of Murphysboro, Illinois in the Amount of \$98,500**

Resolution: Award a Contract for the Rehabilitation of Three Sanitary Sewer Lift Stations to WJ Burke Electric Co., Inc. of Murphysboro, Illinois in the Amount of \$98,500

Action (Consent): 3.8 **Approve the Purchase of CivicGov Community Development Software in the Amount of \$29,753; and, Approve an Ordinance Authorizing a Budget Adjustment to Increase the FY 2024 Budgeted Expenditures for the Use of American Rescue Plan Act of 2021 (ARPA) Funds**

Resolution: Approve the purchase of CivicGov software and Approve an Ordinance Authorizing a Budget Adjustment to Increase the FY 2024 Budgeted Expenditures for the Use of American Rescue Plan Act of 2021 (ARPA) Funds in the Amount of \$29,753 (*Ordinance 2023-27; Exhibit D-07-25-2023*)

Action (Consent): 3.9 **Resolution Authorizing the City Manager to Execute a Contract for the Purchase of Land from Lawrence Millard for Property on Sports Blast Road and to Authorize the Mayor to Accept a Quit Claim Deed for Conveyance of Said Land, and an Ordinance Authorizing a Budget Adjustment to Increase FY 2024 Parks and Recreation Budget to Purchase Said Land**

Resolution: Approve a Resolution Authorizing the City Manager to Execute a Contract for the Purchase of Land from Lawrence Millard for Property on Sports Blast Road and to Authorize the Mayor to Accept a Quit Claim Deed for Conveyance of Said Land, and Approve an Ordinance Authorizing a Budget Adjustment to Increase FY 2024 Parks and Recreation Budget to Purchase Said Land (*Resolution 2023-R-57; Exhibit E-07-25-2023*)

Action: 3.10 **Conditionally Award the Purchase of Motor Fuel Tax (MFT) Funded Street Maintenance Materials, Pending Concurrence by the Illinois Department of**

Transportation (IDOT) to: Illini Asphalt, Benton, IL, for Section 24-00000-02-GM Group A in the amount of \$55,958.33; Section 24-00000-01-GM Groups A,C,E and G to Beelman Logistic LLC of East St Louis, IL, in the amount of \$29,828 and Group F to Illini Asphalt of Benton, IL, in the amount of \$16,445; and, Approve the Purchase of Non-MFT Maintenance Materials to be Awarded to Beelman Logistics LLC, East St Louis, IL, for Groups B and D in the amount of \$33,120

Pulled by G. Rye Sanders

Action (Consent): 3.11 **Approval of Consent Agenda Items**

Resolution: Approve all Consent Agenda items not pulled for separate consideration

MOTION: Approve all Consent Agenda items not pulled for separate consideration

Motion by Jeff Doherty, second by Clare Killman.

Final Resolution: Motion Carries

Yea: LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

Action: 3.4 **Approve an Agreement with Carbondale Elementary School District #95 to Provide a School Resource Officer** Resolution: Approve an agreement with Carbondale District #95 to provide a school resource officer.

Council remarks and questions included concern about an armed police officer in the school, inquiring if there was data about the success of having a SRO in the school, remarked on the lack of credible research about the usefulness of these roles, asked about amending the contract, and sharing their individual opinions and experiences relating to the topic.

Citizens commenting on this item included Jess Jobe, Adam Turl, Sharonda Cawthon, Jessica Harrocks, Emily Zurlinden, Luke Herron Titus, Sandy Litecky, Tish Turl, Corinne Brevik, Connor Sullivan, and Jeremy Allen.

MOTION: Approve an agreement with Carbondale District #95 to provide a school resource officer.

Motion by Jeff Doherty, second by LaCaje Hill.

Final Resolution: Motion Carries

Yea: LaCaje Hill, Adam Loos, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey
Nay: Clare Killman, Nancy Maxwell

Action: 3.10 **Conditionally Award the Purchase of Motor Fuel Tax (MFT) Funded Street Maintenance Materials, Pending Concurrence by the Illinois Department of Transportation (IDOT) to: Illini Asphalt, Benton, IL, for Section 24-00000-02-GM Group A in the amount of \$55,958.33; Section 24-00000-01-GM Groups A,C,E and G to Beelman Logistic LLC of East St Louis, IL, in the amount of \$29,828 and Group F to Illini Asphalt of Benton, IL, in the amount of \$16,445; and, Approve the Purchase of Non-MFT Maintenance Materials to be Awarded to Beelman Logistics LLC, East St Louis, IL, for Groups B and D in the amount of \$33,120**

Council remarks and questions included discussion regarding federal funding versus state funding which levels of government's DBE requirements have precedence over specific types of contracts or purchases; discussing the content of letter from Evan Gross relating to the SIMMS project, as opposed to the purchase of MFT materials; reviewing the state-certified DBE contractors and the bid packet for the SIMMS project; a request for an explanation of workforce participation and DBE (ownership versus demographics of work force); minority contractors not listed on the state's certified list were identified; and a request to place this issue as a discussion item on a future agenda.

Citizens commenting on this item included Tony Holsey and Elius Reed.

MOTION: Conditionally Award the purchase of MFT Maintenance Materials, pending IDOT's concurrence, to: Illini Asphalt, Benton, IL, for Section 24-00000-02-GM Group A in the amount of \$55,958.33; Section 24-00000-01-GM Groups A,C,E and G to Beelman Logistic LLC of East St Louis, IL, in the amount of \$29,828 and Group F to Illini Asphalt of Benton, IL, in the amount of \$16,445 AND the purchase of Non-MFT Maintenance Materials be awarded to Beelman Logistics LLC, East St Louis, IL, for Groups B and D in the amount of \$33,120

Motion by Jeff Doherty, second by Adam Loos.

Final Resolution: Motion Carries

Yea: LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

4. General Business of the City Council

Action: 4.1 **Ordinance Amending Title 17, Chapter 14 of the Carbondale Revised Code as it Relates to City Parks**

A recess was observed from 8:04 to 8:11 p.m.

Council comments and questions noted personal opinions in favor of or in opposition to the proposed language and regulations surrounding unscheduled pop-up gatherings, as well as hours of operation for park use. Further, they expressed an interest in having more defined language to consider, bringing back an established number for determining a maximum size for unplanned gatherings, suggested having a park attendant, and requested that an Ordinance come back that incorporates some of their concerns and suggestions.

Parks Superintendent Mark McDaniel provided illuminating details about the issues being faced that generated this topic for discussion.

MOTION: Approve an ordinance amending Title 17, Chapter 14 of the Carbondale Revised Code as it relates to City parks

Motion by Jeff Doherty, second by Adam Loos.

Motion withdrawn by universal concurrence of the body.

There was unconditional agreement by the Council to abandon the motion and bring the Ordinance back with more specific language.

Discussion: 4.2 **Discussion on Rental Licensing**

The City Attorney presented information explaining the differences between rental registration and rental licenses, as well as a landlord/tenant ordinance.

Council comments and questions included whether the question is to license landlords or each individual property; the administration of violation hearings; question about the extent of the Council's authority to address withholding of rent for property violations; question about the impact on renters being unhoused through no fault of their own as a result of a landlord having their license revoked;

Councilmembers shared their individual opinions about implementation of a licensing and a landlord/tenant ordinance; the benefits which might be realized; the impact of problem landlords; and differentiating between malicious versus inept landlords.

Victor Ludwig encouraged taking a close look at the Chicago Ordinance, particularly as it relates to rent stoppage.

Webb Smith recommended the inclusion of input from landlords in the end product.

Justin Zurlinden encouraged looking at the matter property by property versus licensing the landlord overall

Don Monty suggested that a possible solution is an accelerated inspection schedule for problematic properties.

Ron Deedrick, as a representative of the Realtor lobbying organization, itemized a number of issues that should be addressed, such as updating building codes and indicated an interest in participating in future discussions.

5. Executive Session

Action: 5.1 Enter Into Executive Session to Discuss the Purchase or Lease of Real Estate and the Setting a Price for Sale or Lease of Property Owned by the Public Body

Open Session recessed at 9:22 p.m.

MOTION: Enter into Executive Session as permitted by the Illinois Open Meetings Act 5 ILCS 120/2(c)(5) and (c)(6) for the purpose of discussing the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired, and the setting of a price for sale or lease of property owned by the public body

Motion by Jeff Doherty, second by Clare Killman.

Final Resolution: Motion Carries

Yea: LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

Action: 5.2 **Return to Open Session**

MOTION: Return to Open Session

Motion by Clare Killman, second by LaCaje Hill.

Final Resolution: Motion Carries

Yea: LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey *Open Session resumed at 9:51 p.m.*

6. Adjournment of the City Council Meeting

Procedural: 6.1 **Adjourn meeting**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:51 p.m.

Jennifer R. Sorrell, City Clerk

Date