Regular City Council Meeting April 11, 2017 (Tuesday, April 11, 2017)
Generated by Jennifer R Sorrell on Saturday, April 15, 2017

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 7:00 PM

1. Preliminaries to the City Council Meeting

Procedural: 1.1 **Roll Call**

Procedural: 1.2 **General Announcements and Proclamations**

None

Procedural: 1.3 **Citizens' Comments and Questions**

None

Procedural, Reports, Public Hearing: 1.4 **Public Hearing on the Proposed FY 2018 City Budget**

The public hearing was declared open at 7:02 p.m.

Donald Monty, 418 South Giant City Road, indicated he was glad to see the hiring of a forestry aide, that long-delayed projects in the CIP are being funded, noted that he did not see anything in the budget about the Walnut Street Baptist Church, and was glad to see the inclusion of garbage totes included in the budget. He suggested considering a smaller size as an option.

The public hearing was declared closed at 7:07 p.m.

Procedural, Reports: 1.5 Public Hearings and Special Reports

No additional Public Hearings or Special Reports

2. **Consent Agenda of the City Council**

Action (Consent): 2.1 Approval of the Regular City Council Meeting Minutes from March 21, 2017
Resolution: Approve the regular City Council meeting minutes from March 21, 2017

Action (Consent): 2.2 Approval of Warrant for the Period Ending: 03/13/2017 FY 2017 Warrant 1296 in the amount of $978,341.58
Resolution: Accept the following report of payments made for the period ended: 032/13/2017 totaling $978,341.58 *(Exhibit A-04-11-2017)*

Action (Consent): 2.3 Approval of Wells Fargo Warrant for the Period Ending 01/31/2017 FY 2017 Warrant # WF 01/2017 in the amount of $124,906.08
Resolution: Accept the following report of payments made for the period ended: 01/31/2017 totaling $124,906.08 *(Exhibit B-04-11-2017)*

Action (Consent): 2.4 Approval of Wells Fargo Warrant for the Period Ending 02/28/2017 FY 2017 Warrant # WF 02/2017 in the amount of $132,715.47
Resolution: Accept the following report of payments made for the period ended: 02/28/2017 totaling $132,715.47 *(Exhibit C-04-11-2017)*

Action (Consent): 2.5 Resolution Declaring Fair Days for the 2017 Sunset Concerts held at Lenus Turley Park
Resolution: Approve a Resolution declaring Fair Days for the 2017 Sunset Concerts held at Lenus Turley Park on June 22, July 6, and July 20, 2017, between the hours of 6:00 p.m. through 10:00 p.m. *(Resolution 2017-R-20; Exhibit D-04-11-2017)*

Action (Consent): 2.6 Approval of the Purchase of Lights and Poles for the Drainways/Greenways Path from Springfield Electric of Carbondale Illinois in the amount of $30,004.35
Resolution: Approve the Purchase of Lights and Poles from Springfield Electric of Carbondale, IL in the amount of $30,004.35

Action (Consent): 2.7 Award of Contract for City Hall Water Office and Foyer Improvements (PB1702) to Evrard-Strang Construction Inc., Marion, Illinois in the amount of $576,337.
Resolution: Award of contract for City Hall Water Office and Foyer Improvements (PB1702) to Evrard-Strang Construction Inc., Marion, Illinois in the amount of $576,337.

Action (Consent): 2.8 Approve the Purchase of Decorative Lights and Poles for the Downtown Streetscape Project from Sternberg Lighting in Roselle, IL in the amount of $151,700.
Resolution: Approve the Purchase of Decorative Lights and Poles for the Downtown Streetscape Project from Sternberg Lighting in Roselle, IL in the amount of $151,700.

Action (Consent): 2.9 Award of Contract for Southeast Wastewater Treatment Plant Excess Flow Lagoon Modifications (WW1702) to B.C. Contracting, Carterville, Illinois in the amount of $190,000
Resolution: Award the Contract for Southeast Wastewater Treatment Plant Excess Flow Lagoon Modifications (WW1702) to B.C. Contracting, Carterville, Illinois in the amount of $190,000

Action (Consent): 2.10 Award of Purchase of Digital Radio Equipment for the Police Department

Resolution: It is recommended that the City Council approve the purchase of (10) mobile and (8) portable digital radios and accessories from Roy Walker Communications in the amount of $47,634.50

Action (Consent): 2.11 A Resolution Authorizing the City Manager to Enter into an Agreement with the Illinois Department of Transportation for the Construction of a Multi-use Bicycle/Pedestrian Trail from Giant City Road to Reed Station Road; and a Resolution Dedicating $165,000 in Motor Fuel Tax (MFT) Revenues to Pay the City's Share of the Project
Resolution: Approve a Resolution authorizing the City Manager to enter into an Agreement with the Illinois Department of Transportation for the construction of a multi-use bicycle/pedestrian trail from Giant City Road to Reed Station Road; and a Resolution dedicating $165,000 in Motor Fuel Tax (MFT) revenues to pay the City's share of the project. *(Resolutions 2017-R-21 & -22; Exhibits E- & F-04-11-2017)*

Action (Consent): 2.12 An Ordinance Establishing “No Parking” On Portions Of Various Streets In The Area Bounded By: Oakland Avenue, Rigdon Street, Michaels Street, and Sycamore Street in the City of Carbondale
Resolution: Approve an Ordinance Establishing “No Parking” On Portions Of Various Streets In The Area Bounded By: Oakland Avenue, Rigdon Street, Michaels Street, and Sycamore Street in the City Of Carbondale *(Ordinance 2017-15; Exhibit G-04-11-2017)*

Action (Consent): 2.13 Approval a Resolution to Designate a Portion of Airport Road as a Truck Access Route for the Airport Road Realignment Project by the Southern Illinois Airport
Resolution: Approve a Resolution to Designate a Portion of Airport Road as a Truck Access Route for the Airport Road Realignment Project by the Southern Illinois Airport *(Resolution 2017-R-23; Exhibit H-04-11-2017)*

Action (Consent): 2.14 Approval of an Easement to Allow Relocation of Natural Gas Lines along South Illinois Avenue Across the City-Owned Property East of South Illinois Avenue
Resolution: Approve an Easement to allow the Relocation of Natural Gas Lines along South Illinois Avenue across the City Owned Property East of South Illinois Avenue

Action: 2.15 Resolution Establishing the City of Carbondale as a Safe and Welcoming Community
This item was pulled for separate consideration by Mayor Henry.

Action (Consent): 2.16 Approval of Consent Agenda Items
Resolution: Approval of all Consent Agenda Items which were not pulled for separate consideration

MOTION: Approve Consent Agenda Items 2.1 – 2.14

Motion by Adam Loos, second by Lee Fronabarger.
Final Resolution: Motion Carries

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

Action: 2.15 Resolution Establishing the City of Carbondale as a Safe and Welcoming Community
This item was pulled for separate consideration by Mayor Henry.

City Attorney Snyder responded to City Council inquiries regarding the definition of immigrant; whether a City grant would be awarded to someone who is not a legal resident; whether the Resolution would prohibit the City from adopting an E-verify, whether police officers would be allowed to ask about immigration status in the event that a driver's license could not be verified, if the intent of the Resolution was to protect those here legally or illegally, which portions of the Resolution bind City Staff, a request for examples when the police might have to report a person's immigration status, and whether this Resolution would prevent the retention of an individual identified as being sought by Immigration and Customs Enforcement. Council members expressed their individual support or opposition to the Resolution.

Jess Jobe, member of the Southern Illinois Immigrant Rights Project, asked attendees present to show their support and presented a petition with signatures of supporters.

An unidentified speaker asked to speak on non-related matters.

Dave Foster asked if the term "Safe and Welcoming" is a euphemism for Sanctuary City and if residency status was to be questioned during routine City business. He indicated his opposition to the Resolution.

Darrell Dunham expressed concern about an incident where an individual present in the country illegally was released by San Francisco and an innocent person died as a result.

MOTION: Approve a Resolution establishing Carbondale as a safe and welcoming community.

Motion by Adam Loos, second by Carolin Harvey.
Final Resolution: Motion Carries
Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, John M Henry
Nay: Navreet Kang *(Resolution 2017-R-24; Exhibit I-04-11-2017)*

3. General Business of the City Council

Discussion: 3.1 **Review and Discussion of the Proposed FY 2018 Budget and Five Year Community Investment Program**

The City Council comments and questions included appreciation for Staff's efforts and responsiveness to Council inquiries; comments from the Novak report which are pertinent to the budget, including staffing and support of public safety agencies by funding them within the

locality's ability to pay and prioritization of implementing recommendations in a prudent fashion; inquiring about the level of staffing for the police department; approval for the new layout of the budget; comments about two expiring 1/4% sales taxes and a county-wide increase in sales tax to fund schools beginning July 1; comparing Carbondale's staffing of police and calls received to those of Cape Girardeau and Paducah; whether a satellite at the Eurma C. Hayes Center was included in the budget; utilization of non-sworn staff at the police department; and about the reductions in program grants and whether community agencies had been finalized.

Charlie Howe, 47 Dart Drive, responded to comparisons of Carbondale to Cape and Paducah. Elius Reed asked about a satellite located at the Eurma C. Hayes, the rent increase for the I Can Read program, and how much longer the Saluki Way tax would be in effect.

Discussion: 3.2 **Discussion Regarding a Text Amendment to Title 15 as it Relates to the BPR, Primary Business, District Design Standards**

The City Council comments and questions included the need for design standards to ensure quality buildings; observations about how new materials can be used to emulate the look and feel of the downtown; a desire to see certain language regarding the building line tightened up; an interest in allowing a certain amount of creativity and allowing flexibility and staff discretion in design standards; an appreciation for the design standards to serve as a guide with some leeway built in; examples of other communities utilizing flexible design standards and their impact; differentiating between historic buildings and new development; concerns about dividing standards between north and south of Elm Street; incorporating the streetscape design plans with these standards; responses to citizen input; the influence of the environment, particularly when it is visually interesting, on the perception of walking the length of the downtown; using caution in flexible design standards so that the exception does not swallow the rule; and thoughts about the sign ordinance.

Meghan Cole, Director of Carbondale Main Street, expressed support for the Ordinance as written and defended the Dairy Queen building. Jane Adams, 606 West Elm Street, expressed support the design standards in principle, offered a reminder about the reason for the efforts to revitalize the downtown, and concern about the flattening out of creativity, lowest-common denominator architecture, and problems with conservative sign standards. Charlie Howe, 47 Dart Drive, would like to have a park downtown and a parking garage.

4. **Council Comments for the City Council**
Information: 4.1 An opportunity for City Council members to offer general comments

Councilman Fronabarger suggested that with the completion of the bicycle/pedestrian path, placing artwork on the back of the mural panels would be beneficial. He would like to have a plan worked out to accommodate additional attendants of the City Council meetings.

Councilman Loos noted his disappointed in Lyft's departure, indicated support for the City's

Ordinance, that one area which might be changed is the vehicle inspection, but suspects it is due to the requirement for background checks. He noted we have different responsibilities. Councilwoman Bradshaw suggested that part of the issue is the rate map. She indicated that it provides an opportunity for SIU I.T. students to create new ride-sharing apps. Councilman Loos suggested giving people the option of using the existing system or a meter.

Mayor Henry indicated his displeasure that Governor Rauner's ads only are shown as far south as Springfield.

5. **Executive Session**

MOTION: Enter into Executive Session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, and to conduct the semiannual review of closed meeting minutes pursuant to 5 ILCS 120/2 (c)(1),(c)(2), and (c)(21) of the Open Meetings Act.

Motion by Tom Grant, second by Carolin Harvey.
Final Resolution: Motion Carries
Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry *Open session recessed at 8:56 p.m.*

Action: 5.2 **Motion to reenter into Open Session**

MOTION: Resume Open Session

Motion by N. Kang, Second C. Harvey.
Final Resolution: Motion Carries
Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry *Open session resumed at 10:07 p.m.*

Approval of Closed Meeting Minutes, Determination of the need for confidentiality of Closed Meeting Minutes, and Authorization to destroy audio recordings of all Closed Meetings that were conducted more than 18 months ago for which minutes have been approved

MOTION: Approve the Closed Meeting Minutes from September 20, 2016, and January 10, 2017; declare the need for confidentiality exists, in whole or in part, for Closed Meeting minutes from March 17, 1998, through January 10, 2017, 2016; and authorization for the destruction of audio recordings of Closed Meetings conducted more than 18 months ago for which minutes have been approved.

Motion by Carolin Harvey, second by Tom Grant.
Final Resolution: Motion Carries

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

6. Adjournment of the City Council Meeting
Procedural: 6.1 **Adjourn meeting**

The City Council meeting adjourned at 10:10 p.m.

Submitted by: Approved:

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Jennifer R. Sorrell, City Clerk