Regular City Council Meeting (Tuesday, December 19, 2017)
Generated by Clinette C Hayes on Friday, December 22, 2017

City Council Members present
Councilman Jeff Doherty, Councilman Tom Grant, Councilwoman Carolin Harvey, Councilman Navreet Kang, Councilman Adam Loos, and Mayor John M. Henry

City Council Members absent
Councilwoman Jessica Bradshaw

Meeting called to order at 7:31 PM

A Local Liquor Control Commission meeting was held prior to the City Council Meeting.

5. Preliminaries to the City Council Meeting

5.1 Roll Call

5.2 General Announcements, Proclamations, and Council Comments

Councilman Kang announced the passing of John Karayiannis.

Councilman Grant wished everyone a safe and happy holiday.

5.3 Citizens' Comments and Questions

Nathan Colombo, 229 South Hunt Road, commended City Staff and Officials on the great work that is taking place in Carbondale and expressed his concerns with some of the City's actions and decisions that he believes have or will have an effect on its public image.

Ted Gutierrez, 316 South Lu Court, spoke on behalf of the Human Relations Commission. Mr. Gutierrez stated that upcoming topics of discussion will include the recent changes regarding the University and the City and County's public transportation system. He also announced that there are open seats on Human Relations Commission if there is anyone interested in serving. He extended an invitation to the public to attend the next meeting on January 8 and any other future meetings that are held the first Monday of every month.

6. Public Hearings and Special Reports

6.1 Review and Acceptance of the FY 2017 Audited Comprehensive Annual Financial Report and Other Supplemental Financial Reports

Finance Director Jeff Davis introduced Mark Dallas and Lisa Gill of Kerber, Eck & Braeckel to give a brief presentation of the FY 2017 Audited Comprehensive Annual Financial Report.

7. Consent Agenda of the City Council

7.1 Minutes from the Regular City Council Meeting of November 28, 2017
Resolution: Approve the minutes from the City Council meeting of November 28, 2017

7.2 Approval of Warrant for the Period Ending: 11/20/2017 FY 2018 Warrant 1317 in the Amount of $5,226,582.32
Resolution: Accept the following report of payments made for the period ended: 11/20/2017 totaling $5,226,582.32 *(Exhibit A – 12-19-2017)*

7.3 Approval of Warrant for the Period Ending: 12/04/2017 FY 2018 Warrant 1318 in the Amount of $1,086,555.28

Pulled by J. Doherty

7.4 Acceptance of Approved Meeting Minutes from Boards, Commissions, and Committees
Resolution: Accept the Approved Meeting Minutes from Boards, Commissions, and Committees and place them on file.

7.5 An Ordinance Condensing Chapters in Title Five, Business and Occupations, Pertaining to Temporary or Mobile Vending

Pulled by J. Doherty

7.6 Award of Contract for CIP No. WW1701 Northwest Wastewater Treatment Plant (NWWWTP) - Equalization Basin Modifications Concrete Bottom to BC Contracting of Carterville, Illinois in the Amount of $108,000.00
Resolution: Award of Contract for CIP No. WW1701 NWWTP - Equalization Basin Modifications Concrete Bottom to BC Contracting of Carterville, Illinois in the Amount of $108,000.00
(Exhibit D – 12-19-2017)

7.7 A Resolution Approving the Final Planned Unit Development (PUD) Plan for the Neuro Restorative - Adolescent Integration Facility Located at 2500 East Walnut Street
Resolution: Adopt a Resolution approving the final PUD plan for the Neuro Restorative - Adolescent Integration Facility located at 2500 East Walnut Street *(Exhibit E – 12-19-2017; Resolution 2017-R-63)*

7.8 Approval of Consent Agenda Items
Resolution: Approve all Consent Agenda items not pulled for separate consideration (items 7.1, 7.2, 7.4, 7.6 and 7.7)

Motion by Carolin Harvey, second by Navreet Kang.
Final Resolution: Motion Carries
Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry

7.3 Approval of Warrant for the Period Ending: 12/04/2017 FY 2018 Warrant 1318 in the Amount of $1,086,555.28

This item was pulled to comment on the condition of the new residential trash containers that were provided and delivered by Totter, LLC. Inquiries were made about a performance standard in the contract stating that the product had to be delivered in good condition.

MOTION: Approve the Warrant for the Period Ending: 12/04/2017 FY 2018 Warrant 1318 in the Amount of $1,086,555.28.

Motion by Adam Loos, second by Tom Grant
Final Resolution: Motion Carries
Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry
(Exhibit B – 12-19-2017)

7.5 An Ordinance Condensing Chapters in Title Five, Business and Occupations, Pertaining to Temporary or Mobile Vending

This item was pulled for clarification of the solicitation hours outlined in Section 5-5-17 (b). The solicitation hours for Saturday mornings should have been included in the drafted ordinance as previously discussed. An amendment was proposed.

MOTION TO AMEND: Propose that the ordinance be amended under Section 5-5-17 (b) to read "soliciting shall not occur except between the hours of 9:00 a.m. to 6:00 p.m. Monday through Saturday and between the hours of 12:00 p.m. to 6:00 p.m. on Sundays and state and national holidays".

Motion by Jeff Doherty, second by Carolin Harvey
Final Resolution: Motion Carries
Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, John M Henry
Nay: Adam Loos

MOTION: Approve an Ordinance Condensing Chapters in Title Five, Business and Occupations, Pertaining to Temporary or Mobile Vending as amended.

Motion by Jeff Doherty, second by Navreet Kang
Final Resolution: Motion Carries
Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry
(Exhibit C – 12-19-2017; Ordinance 2017-55)

8. General Business of the City Council

8.1 An Ordinance Approving, and a Resolution Denying, John Deas and Alison Smith's Request to Rezone Property Located at 300 South Oakland Avenue from R-1-8, Low Density Residential, to NB, Neighborhood Business and a Resolution Approving, and a Resolution Denying, a Special Use Permit for a Drinking Place with Alcoholic Beverages

John Deas and Allison Smith were present for any questions or concerns from the Council. Council expressed concern about the plans for a beer garden such as the location of the beer garden, the anticipated hours of operation, and if entertainment or amplified sound will be used. Other concerns were the purpose of three large doors facing Oakland Avenue and the impact of the proposed business in a residential area. The applicants stated that the planning for the property and beer garden is somewhat difficult since the process of attaining the property is still underway. They do not, however, plan to have entertainment or amplified sound. Mr. Deas explained to the Council the vision they have for the property and its role in the community.

MOTION: Adopt an Ordinance Approving the Rezoning of Property Located at 300 South Oakland Avenue from R-1-8, Low Density Residential, to NB, Neighborhood Business and Adopt a Resolution Approving a Special Use Permit for a Drinking Place with Alcoholic Beverages.

Motion by Adam Loos, second by Tom Grant.
Final Resolution: Motion Carries
Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry
(Exhibit F – 12-19-2017; Ordinance 2017-56 and Exhibit G – 12-19-2017; Resolution 2017-R-64)

8.2 An Ordinance Amending Title One, Chapter Four, Section Fourteen of the Carbondale Revised Code Adopting a Sexual Harassment Policy for the City of Carbondale

Concerns surfaced about employees initially addressing a sexual harassment incident through direct communication with an offender. It was stated that a third party, such as a supervisor or HR Manager, should be involved immediately in case an employee feels that he or she could not handle the situation on their own. The process of reporting and investigating an incident should be made as easy as possible.

Elius Reed, 2012 South Illinois Avenue, inquired about the City's discipline policy regarding sexual harassment. It was noted that there is a progressive discipline policy currently in place. Members of Council inquired about the process of handling a sexual harassment incident and suggested that a policy be established when an incident occurs between a supervisor and subordinate. It was also noted that a sexual harassment section should be included in City's contracts with vendors that prohibits sexual harassment. It was asked of City Staff to work towards including such language in future contracts.

MOTION: Adopt an ordinance amending Title One, Chapter Four, Section Fourteen of the Carbondale Revised Code Adopting a Sexual Harassment Policy for the City of Carbondale.

Motion by Adam Loos, second by Navreet Kang.
Final Resolution: Motion Carries
Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry
(Exhibit H – 12-19-2017; Ordinance 2017-57)

8.3 Discussion Item Regarding the Amendment of Local Bidder Preference Language in City Purchasing Rules

Council comments and discussion regarding this item included overriding low bidders to allow local bidder preference, the effects of local bidder preference on the City's pool of bidders, supporting local businesses, the financial aspects of investing in local bidders, and the maximum figures of 5% or $10,000 being too high.

9. Council Comments for the City Council

9.1 An opportunity for City Council members to offer general comments

Council Comments were held at the beginning of the meeting. There was discussion on the preference of Council Comments being held at the beginning or the end of meetings. There was further discussion of changing the City Council meeting start time from 7:00 p.m. to 6:00 p.m.

Mayor Henry distributed copies of FAQ's about the City's new logo and rebranding efforts that is also available on the City's website.

10. Executive Session

None

11. Adjournment of the City Council Meeting

11.1 Adjourn meeting

There being no further business to come before the public body, the meeting was declared adjourned at 9:05 p.m.

____________________________________ ____________________________________

Clinette C. Hayes, Deputy City Clerk Date