Local Liquor Control Commission and Regular City Council Meeting January 14, 2025 (Tuesday, January 14, 2025)
Generated by Jennifer R Sorrell on Wednesday, January 15, 2025

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

Meeting called to order at 6:06 PM

5. <u>Preliminaries to the City Council Meeting</u>
Procedural: 5.1 **Roll Call**

Procedural: 5.2 **Citizens' Comments and Questions**
Members of the public addressing the City Council included Dawn Roberts, Marcella Woodson, James Cooper, Jr., and Feral Lamb Fine.

Procedural: 5.3 **Council Comments, General Announcements, and Proclamations**
Councilmember Doherty expressed thanks to city employees for their work during the ice and snowstorms and the storm debris pickup.

Councilmember Maxwell concurred with Mr. Doherty's remarks.

Councilmember Rye Sanders invited the public to attend celebrations honoring Dr. Martin Luther King, Jr.'s birthday.

Mayor Harvey announced a community celebration of Dr. King's birthday on Sunday at the Civic Center.

6. <u>Public Hearings and Special Reports</u>
Information: 6.1 **PLAN Carbondale - Comprehensive Plan Update**
Senior Planner Molly Maxwell presented information on the progress of and next steps in the update of the Comprehensive Plan.

There was an inquiry about whether a simplification or rewrite of the Zoning Code was contemplated and asked about what residents desired for the neighborhoods in those neighborhoods termed “neighborhood opportunity.”

Elius Reed noted a reference to equal opportunity suggestions and offered suggestions not relating to Comprehensive Plan.

Feral Lamb Fine asked Ms. Maxwell about a comment made regarding zoning hindering development in neighborhoods.

7. Consent Agenda of the City Council

Action (Consent): 7.1 **Regular City Council Meeting Minutes from December 10, 2024 and Special City Council Meeting Minutes from January 8, 2025**
Resolution: Approve the minutes from the regular City Council meeting of December 10, 2024 and the special City Council meeting from January 8, 2025

Action (Consent): 7.2 **Approval of Warrant for the Period Ending: 12/06/2024 for the FY 2025 Warrant 1500 in the Total Amount of $1,099,168.46**
Resolution: Accept the following report of payments made for the period ended: 12/06/2024 totaling $1,099,168.46 *(Exhibit A-01-14-2025)*

Action (Consent): 7.3 **Approval of Warrant for the Period Ending: 12/20/2024 for the FY 2025 Warrant 1501 in the Total Amount of $3,201,431.56**
Resolution: Accept the following report of payments made for the period ended: 12/20/2024 totaling $3,201,431.56 *(Exhibit B-01-14-2025)*

Action (Consent): 7.4 **Approval of Warrant for the Period Ending: 01/03/2025 for the FY 2025 Warrant 1502 in the Total Amount of $1,560,388.60**
Resolution: Accept the following report of payments made for the period ended: 01/03/2025 totaling $1,560,388.60 *(Exhibit C-01-14-2025)*

Action (Consent): 7.5 **Approval of Wells Fargo Warrant for the Period Ending 10/31/2024 FY 2025 Warrant # WF 10/2024 in the amount of $165,684.85**
Resolution: Accept the following report of payments made for the period ended: 10/31/2024 totaling $165,684.85 *(Exhibit D-01-14-2025)*

Action (Consent): 7.6 **Approval of Wells Fargo Warrant for the Period Ending 11/30/2024 FY 2025 Warrant # WF 11/2024 in the amount of $103,773.64**
Resolution: Accept the following report of payments made for the period ended: 11/30/2024 totaling $103,773.64 *(Exhibit E-01-14-2025)*

Action (Consent): 7.7 **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

Action (Consent): 7.8 **Appointment to Boards and Commissions**
Resolution: Council is requested to concur with the Mayor's recommended appointment to Boards and Commissions.

Action (Consent): 7.9 **Resolution Dedicating $8400 from the Local Improvement Fund to Cover the City's Portion of Right of Way Costs for CIP ST1502 - Pleasant Hill Road Construction (McLafferty Road to Union Hill Road)**
Resolution: Approve a Resolution Dedicating $8400 from the Local Improvement Fund to Cover the City's Portion of right of way costs for CIP ST1502 - Pleasant Hill Road Construction (McLafferty Road to Union Hill Road) *(Resolution 2025-R-01; Exhibit F-01-14-2025)*

Action (Consent): 7.10 **Award of Contract for Southeast Wastewater Treatment Plant Equalization Basin Slope Stabilization to B.C. Contracting of Carbondale, Illinois in the amount of $125,000.00**
Resolution: Award the Contract for Southeast Wastewater Treatment Plant Equalization Basin Slope Stabilization to B.C. Contracting of Carbondale, Illinois in the Amount of $125,000.00

Action (Consent): 7.11 **Award of Contract for Water Treatment Plant Air Stripper Tower Replacement to Korte & Luitjohan Contracting, Inc. of Highland, Illinois in the Amount of $505,000.00**
Resolution: Award the Contract for Water Treatment Plant Air Stripper Tower Replacement to Korte & Luitjohan Contracting, Inc. of Highland, Illinois in the Amount of $505,000.00

Action (Consent): 7.12 **Resolution Authorizing the Interim City Manager to Submit an FY 2025 U.S. DOT RAISE Grant Application**
Resolution: Approve the Resolution authorizing the Interim City Manager to submit an FY 2025 U.S. DOT RAISE Grant application *(Resolution 2025-R-02; Exhibit G-01-14-2025)*

Action (Consent): 7.13 **Resolution Authorizing the Mayor to Negotiate a Contract with the City Manager Candidate**
Resolution: Approve the Resolution Authorizing the Mayor to negotiate a contract with the City Manager Candidate *(Resolution 2025-R-03; Exhibit H-01-14-2025)*

Action (Consent): 7.14 **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 Clare Killman, second by Jeff Doherty.
Final Resolution: Motion Carries
Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey

8. <u>General Business of the City Council</u>
Action, Discussion: 8.1 **An Ordinance Amending Title Four, Chapter Four of the Carbondale Revised Code as it Relates to Housing and Landlord and Tenant Rights and Obligations**

Note from Clerk: This item was discussed for about one and a half hours. The brief synopsis of the subjects discussed follow; however, those wishing to review the entirety of the discussion are encouraged to view the video on the City's website.

The Council remarked on the length of the Ordinance and the need for more time to review it; emphasized the importance of meeting with the community regarding this matter before passing an Ordinance; remarked on the city's responsibility relating to regulation and the decline in the quality of housing stock; noted the frequent attempts to engage involvement from the public;

remarked that action is going to occur at some point; asked about the number of individuals who had asked to participate in the committee; whether the Ordinance had been made publicly available; if the feedback that had been provided was incorporated into the current draft; suggested providing one more opportunity to engage citizen input; noted the multiple citizens that contacted them about their requests to participate on the committee; asked staff to find out how many interested parties there had been; asked about the proposed makeup of the committee and questioned the practicality of a committee of that size; suggested proceeding to form a committee for the landlord licensing Ordinance; noted that much of the language in the proposed Ordinance is actually existing language in Title Four; questioned whether contract for deed transactions should be included in this Ordinance; suggested a reorganization of the language; remarked that the Council can serve as the committee while allowing public input during the meetings; pointed out inconsistencies, unreasonableness, and conflicts with timelines for required actions such as the return of deposits and landlord right of access; the lack of a definition for fair rental value; questioned how it would be possible to determine the responsible party for bedbugs; whether it was necessary to require written notice for delinquent taxes; noted that there are situations where 24 hour notice for repairs would not be practical; and shared details about why certain requirements were included in the draft.

The Council discussed possible dates when this Ordinance could be brought back for a vote.

There was a discussion about whether it was or was not a conflict of interest for a Councilmember to draft an Ordinance to be considered by the City Council as a whole.

Connor Sullivan stated that he had hoped that this item would be voted upon today; encouraged the Council to vote on this in the next month; suggested that the focus group is a red herring; agreed with not excluding contract for deed from the ordinance; stated that air conditioning should be a requirement; and suggested utilizing a redline/strikethrough draft for the public.

Greg Holthaus remarked that a contract for deed is a legal means to transfer ownership and that there are federal regulations to address these concerns. He questioned the legality of being able to legislate this. He shared the challenges of being a property manager, and the regulations already in place at the state level, remarking that the city is not enforcing those regulations.

Feral Lamb Fine shared some of his background as a tenant organizer, noted that creating exemptions to this legislation will lead to abuse of those exemptions, and asked if there was a three year inspection process.

Andy Wallace noted that he was a landlord who sent a letter of interest and that he had filed a FOIA request seeking information about those who did apply. He has not had an opportunity to completely review the drafted Ordinance. He shared his recollection about the makeup of the 11 member board and asked who it was that did not apply.

Rolf Schilling commented that about 65% of the residential housing would be affected by this ordinance. He stated that there had been no advance notice and remarked on the difficulty in reviewing a fifty page document in just a couple of days. He noted that he did send in his request to serve on the committee and suggested that perhaps the public are not concerned about revising this section of the Code. Further, he suggested that this is a political stance by a minority of council members.

Ron Deedrick commented that all other Landlord Tenant Ordinances across the state were drafted with input from all parties. He remarked on past discussions with the prior City Manager, the City Attorney, and Councilmember Loos. Further, he noted that prior versions of the Ordinance modeled that of other communities and noted inconsistencies in the document. He then itemized specific sections of the language with which he took issue.

Denton Williams thanked the Council for raising concerns about conflicts of interest; suggested pursuing the original proposal of licensing instead of this regulation; commented on impracticalities in the Ordinance; and noted that the Ordinance needs community input.

Adam Ashby noted that 150 signatures of supporters of the regulation have been obtained. He suggested that some may not be in attendance due to work or fear of retaliation. He suggested that anonymized statements might be utilized.

Justin Zurlinden noted that if 150 signatures in support of the regulation were obtained, there should be four willing to serve on the committee. He indicated that the current draft does not have the public input that it needs which may result in unhappy tenants moving.

Yolanda Dean asked if someone who has been a tenant, but is not currently a tenant, would be able to serve on the committee.

9. Executive Session
Action: 9.1 **Enter into Executive Session to Discuss the Setting of a Price for the Sale or Lease of City-Owned Properties and Pending or Imminent Litigation**

MOTION: Enter into Executive Session to Discuss the Setting of a Price for the Sale or Lease of City-Owned Properties and Pending or Imminent Litigation as permitted by the Illinois Open Meetings Act 5 ILCS 120/2(c)(6) and (c)(11)

Motion by Jeff Doherty, second by Nancy Maxwell.
Final Resolution: Motion Carries
Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey *Open Session recessed at 8:18 p.m.*

Action: 9.2 **Return to Open Session**

MOTION Return to Open Session

Motion by Clare Killman, second by Jeff Doherty.
Final Resolution: Motion Carries
Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey *Open session resumed at 8:54 p.m.*

10. Adjournment of the City Council Meeting

Procedural: 10.1 **Adjourn meeting**

There being no further business to come before the City Council, the meeting was declared adjourned at 8:55 p.m.

Jennifer R. Sorrell, City Clerk	Date