

IV. MAYOR’S REPORT AND PRESENTATIONS

Mayor Raymer reported that March marks the beginning of National Severe Weather Preparedness. Terry Mulvany, Department of Emergency Management Director is seeking help in preparing a list of places with belowground space where people could go in the event of severe weather conditions. Communication will be sent to local churches to find out if their facilities have underground spaces that they would open up to the public during severe weather.

V. CITY COUNCIL ACTION

1. Consent Agenda:

- a. Approval of Minutes – Regular Meeting February 19, 2013
- b. Approval of Minutes – Family Aquatic Center Workshop February 25, 2013

Councilman Black moved and Councilman Meador seconded the motion to approve the minutes of the regular City Council meeting of February 19, 2013 and the Workshop meeting on February 25, 2013. Roll call vote. AYES: Councilmen Bringwald, Meador, Huddlestun, Black, and Mayor Raymer. NAYS: None. Motion carried.

2. Recommendation from Planning Commission to Amend Chapter 23 of the City Code entitled “Zoning”, to add CILAs (Community Integrated Living Arrangements) as Permitted Uses in the RS-2, RS-3, and RS-5 Residential Zoning Districts

City Manager Gruen addressed a request from the Marion County Horizon Center represented by David Armbrust to allow for CILAs to be a permitted use in the R2, R3, and R5 Residential zones. This request was taken up by the Planning Commission recently and they recommended that an ordinance be adopted that will allow for CILAs be a permitted use in those zones. Gruen described CILAs as “community integrated living arrangements at which no more than eight individuals with developmental disabilities reside under the supervision of a CILA staff. CILAs are regulated by the IL Dept of Human Services (DHS) and are supported financially, at least in part, by Medicaid. Gruen further commented that the City Council has in the past given support to Murray Center by Resolutions and that CILAs are not being considered in any manner that is intended to waiver on that support from the City. The issues on zoning are a topic of Federal Law (Federal Fair Housing Act and Americans with Disabilities, ADA) and Federal Law requires that Salem make accommodations in its zoning code that allow CILAs to locate here. He indicated that the City Attorney agrees with Mr. Armbrust’s interpretation of the law.

David Armbrust was present and discussed their request, reiterating City Manager Gruen’s comments. Armbrust pointed out that these living facilities usually look like any other home in the neighborhood; they boost economic development in that jobs are created; and bring money to community in construction, furniture, food, maintenance and local entertainment venues. He indicated that this request is not a direct result of the possible closure of Murray Center and he disagrees with the complete closure of state-operated facilities. He commented that CILAs can meet the needs of some but not all of the Murray residents. He further commented that Marion County ranks 2nd to the last of counties offering CILAs in Southern Illinois. He indicated that they are not going to take legal action, but informing Council that there is a Federal law, The Fair Housing Act, that prohibits communities from taking action through zoning code to prohibit the people with disabilities from coming into a community. He added that if Council decided that this is not what they want, they are not going to fight it; they would rather that the community be on board and understands what they are trying to do. He noted an example of legal action that was taken in Lincoln, IL where the city was sued under the Fair Housing Act and the housing facility won, adding they are not taking any legal stance - that is not what they were here for, he was just expressing how it has been applied from the legal aspect. He also referred to the Ligas lawsuit ruled in favor of the person with disabilities.

Council and residents discussed concerns with Mr. Armbrust. He advised that they can choose who is taken in the home and if the staff determines that a person is not safe, they probably would not take that person. Some of the concerns were the effect on neighborhood home values; if residents would be violent or sexual predators; would there always be staff at the home; and are CILAs considered a business and how zoning regulations apply to them.

City Manager Gruen indicated this is first reading and an ordinance will be prepared for further consideration at next Council Meeting.

Chief Campo, during *Reports Agenda Item* in the meeting, suggested it would be helpful to both the Police Officers as well as the residents if the police knew who will be in the buildings, what their needs are and what the Police Officers need to be aware of beforehand to help with assistance, should the occasion arise.

3. Ordinance 2013-03 - Ordinance/Resolution Authorizing Execution of Illinois Public Works Mutual Aid Network Agreement

An ordinance was presented for consideration at the recommendation of Public Works Director Pruden authorizing the execution of a Mutual Aid Agreement with the Illinois Public Works Mutual Aid Network. This mutual aid between communities is essentially a pledge by members to offer government support services in times of emergency or disaster. **Councilman Black**

moved and Councilman Meador seconded the motion to approve Ordinance 2013-03 upon first reading, an ordinance authorizing execution of the Illinois Public Works Mutual Aid Network Agreement. Roll call vote. AYES: Councilmen Meador, Huddlestun, Black, Bringwald and Mayor Raymer. NAYS: None. Motion carried.

4. Family Aquatic Center Operations – Extended Season and Closing Time

City Manager Gruen commented in response to the Workshop held on February 25th, two items pertaining to pool operations are being brought back for possible action – 1.) Closing the Aquatic Center to general public one hour earlier each day at 6:00 p.m. instead of 7:00 p.m. to save wages and make parties more attractive. 2.) Discontinuing the extended season at the beginning of the school season rather than staying open on two weekends between the start of school through Labor Day weekend. This would save expenses by saving on chemicals and staff hours. He reported that public response has been limited and indifferent and recommended approval.

Councilman Meador moved and Councilman Bringwald seconded the motion to approve changing the daily closing time to one hour earlier and to discontinue the extended season for closing of the pool. Councilman Black suggested the need to address increase in pool fees. City Manager Gruen commented he would like to try these two measures prior to considering an increase in fees. Roll call vote. AYES: Councilmen Huddlestun, Black, Bringwald, Meador and Mayor Raymer. NAYS: None. Motion carried.

5. Financial Projection Report for FY ending April 13, 2013 (and report on intent to move forward with purchase of two new squad cars)

Finance Director Ben Stratemeyer reported on the projected income and expenditures for the Fiscal Year Ending April 30, 2013 for the General Fund. His report projected the General Fund to be slightly over budget; the Water Fund closed to budget and the gas sales will be down. City Manager Gruen indicated that bids will be requested for the purchase of the second new squad car that was budgeted this fiscal year.

6. IDOT Preliminary Engineering Agreement - 2013 ERP Resurfacing N. Shelby Ave.

The Preliminary Engineering and Construction Guidance Agreement was presented for Motor Fuel Tax Funds for 2013 ERP resurfacing of North Shelby Ave. from E. Main to E. Boone Streets for an amount not to exceed \$17,000. This was a project that was made possible with access funds from the College Street project.

Councilman Meador moved and Councilman Huddlestun seconded the motion to approve the engineering agreement with Rhutasel & Associates for an amount not to exceed \$17,000 for resurfacing of North Shelby Ave. from East Main to East Boone. Roll call vote. AYES: Councilmen Black, Bringwald, Meador, Huddlestun, and Mayor Raymer. NAYS: None. Motion carried.

VI. CITY MANAGER REPORT –

VII. CITY ATTORNEY REPORT – No Report

VIII. FINANCE DIRECTOR REPORT – No. Report

IX. CITY COUNCIL REPORT

Councilman Black asked if the pool closing times could be changed during the season if people later complain to which City Manager Gruen indicated he will let the Council know if that happens.

Councilman Huddlestun passed along to the Public Works Director a “thank you” for sweeping the streets that he received while at the Chamber Home Show this past weekend.

Councilman Black commented that it was a good Home Show sponsored by the Chamber of Commerce this week end.

Councilman Meador reported that attention needs to be given to a leaning tree that is located east of the band stage in Bryan Park.

X. ADJOURNMENT

There being no further business for discussion at 7:10 P.M., **Councilman Black Moved and Councilman Meador seconded the motion to adjourn. Motion carried.**

Jane Marshall, CMC
City Clerk

Approved by City Council on March 18, 2013.