

## **Regular City Council Meeting May 8, 2018 (Tuesday, May 8, 2018)**

*Generated by Jennifer R Sorrell on Wednesday, May 9, 2018*

### **Council members present**

Councilwoman Jessica Bradshaw, Councilman Jeff Doherty, Councilman Tom Grant, Councilwoman Carolin Harvey, Councilman Adam Loos, and Mayor John M Henry

### **Council members absent**

Councilman Navreet Kang

### **Meeting called to order at 6:01 PM**

#### 1. Preliminaries to the City Council Meeting

##### Procedural: 1.1 **Roll Call**

##### Procedural: 1.2 **Council Comments, General Announcements, and Proclamations**

Mayor Henry proclaimed the month of May 2018 as National Bike Month in the City of Carbondale and encouraged citizens to support bicycling by riding a bike to work in celebration of these events.

Councilman Loos explained that he does not respond to posts in which he is tagged in order to avoid possible OMA violations.

Councilwoman Harvey extended congratulations to SIU graduates and their parents; Mayor Henry noted high school graduation is upcoming and remarked on the scholarship awards dinner held the prior week.

Councilwoman Bradshaw noted there are many artistic events occurring this week due to graduation weekend. She announced that the weekend of June 1 is Southern Illinois Pride Weekend and a full weekend of events will be held during that timeframe at the Varsity Center for the Arts, Rainbow Café, Street Bar, and the Pavilion.

City Manager Williams announced that the City Clerk had earned her Master Municipal Clerk certification.

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

Donald Monty commented that the sidewalk on Lewis Lane was completed yesterday and he has already noticed an increase in foot traffic; he thanked the City Council for the completing the project.

Ginger Rye, president of Women for Change - Unity in the Community, enumerated the goals of the organization. She expressed concern about a shooting which occurred that weekend in her neighborhood; noted that the organization had started an initiative to raise funds for the placement of waste receptacles in the northeast, as the City does not provide receptacles in any

area except the downtown; and conveyed her disappointment that the City was not in attendance at the open forum held for the neighborhood watch. Another forum will be scheduled in the future.

Charles Jefro noted that he was a victim of the shooting referenced by Ms. Rye. He expressed concern about squatters staying in vacant houses. Further, he noted that there is no place designated for the disposal of limbs and brush.

Elius Reed indicated that he believed that crimes were increasing, offered suggestions for the placement of officers at three locations in Carbondale, and suggested conducting a public meeting at the Eurma Hayes Center to discuss the shooting.

## 2. Public Hearings and Special Reports

### 3. Consent Agenda of the City Council

Action (Consent): **3.1 Approval of City Council Meeting Minutes from April 10 and April 20, 2018**

Resolution: Approve the meeting minutes from the Regular City Council meeting of April 10 and the Special Council meeting of April 20, 2018

Action (Consent): **3.2 Approval of Wells Fargo Warrant for the Period Ending 03/31/2018 FY 2018 Warrant # WF 03/2018 in the amount of \$176,227.69**

Resolution: Accept the following report of payments made for the period ended: 03/31/2018 totaling \$176,227.69 (*Exhibit A-05-08-2018*)

Action (Consent): **3.3 Approval of Warrant for the Period Ending: 04/09/2018 FY 2018 Warrant 1327 in the Amount of \$679,114.09**

Resolution: Accept the following report of payments made for the period ended: 04/09/2018 totaling \$679,114.09 (*Exhibit B-05-08-2018*)

Action (Consent): **3.4 A Resolution Authorizing the City Manager to Enter into an Agreement With the Illinois Department of Transportation (IDOT) for the Construction and Maintenance of Pedestrian Safety Improvements at Reed Station Road and Route 13; and a Resolution Dedicating \$15,000 in Motor Fuel Tax (MFT) Funds to pay for the City's Portion of the Project**

Resolution: Approve a Resolution Authorizing the City Manager to Enter into an Agreement With the Illinois Department of Transportation (IDOT) for the Construction and Maintenance of Pedestrian Safety Improvements at Reed Station Road and Route 13; and a Resolution Dedicating \$15,000 in Motor Fuel Tax (MFT) Funds to pay for the City's Portion of the Project (*Resolutions 2018-R-11 and 12; Exhibit C- and D-05-08-2018*)

Action: **3.5 A Resolution Authorizing the City Manager to Submit an Application to Illinois Department of Natural Resources (IDNR) for Flood Hazard Mitigation Assistance for the Econolodge Hotel Located at 801 East Main Street**

*Pulled by J. Doherty*

Action (Consent): **3.6 Ordinance Adopting a Labor Agreement Between the City of Carbondale and International Association of Firefighters Local No. 1961 for Fiscal Years 2019, 2020, and 2021**

Resolution: Ordinance adopting a Labor Agreement Between the City of Carbondale and International Association of Firefighters Local No. 1961 for fiscal years 2019, 2020, and 2021 (*Ordinance 2018-14; Exhibit F-05-08-2018*)

Action (Consent): **3.7 Ordinance Adopting a Labor Agreement between the City of Carbondale, the Fraternal Order of Police Lodge #192, and the Illinois State Fraternal Order of Police Labor Council for Fiscal Years 2019, 2020, and 2021**

Resolution: Approve an Ordinance Adopting a Labor Agreement between the City of Carbondale, the Fraternal Order of Police Lodge #192, and the Illinois State Fraternal Order of Police Labor Council for Fiscal Years 2019, 2020, and 2021 (*Ordinance 2018-15; Exhibit G-05-08-2018*)

Action: **3.8 Resolution Authorizing the City Manager to Purchase Materials from Henry Printing in an Amount Not to Exceed \$4,000 for FY2019**

*Pulled by M. Henry*

Action: **3.9 Resolution Approving an Intergovernmental Agreement between Jackson County, the City of Carbondale, the City of Murphysboro, and the Greater Egypt Regional Planning Commission**

*Pulled by Donald Monty*

Action (Consent): **3.10 Approval of Consent Agenda Items**

Resolution: Approval of all Consent Agenda Items which were not pulled for separate consideration

MOTION: Approval of all Consent Agenda Items which were not pulled for separate consideration

Motion by Carolin Harvey, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Tom Grant, Carolin Harvey, Adam Loos, John M Henry  
Not Present at Vote: Navreet Kang

Action: **3.5 A Resolution Authorizing the City Manager to Submit an Application to Illinois Department of Natural Resources (IDNR) for Flood Hazard Mitigation Assistance for the Econolodge Hotel Located at 801 East Main Street**

Council questions and comments included a concern that City funds would be used to purchase the property, whether there is a timeline for reimbursement, inquired about whether the City would be required to retain ownership of the property in perpetuity, a request for the breakdown of costs, if the work would begin before the funds were awarded, whether the property could be

utilized as a reservoir, the possibility of utilizing the property as a park and the development of such with aesthetics in mind.

Don Monty suggested that this grant might be federal pass through monies, and remarked that he had an earlier concern about returning the property to a "natural state", and noted that a park use would be appropriate.

MOTION: Adopt a Resolution authorizing the City Manager to submit an application to the Illinois Department of Natural Resources in the amount of \$1.1 million for the acquisition and demolition of the Econolodge Hotel located at 801 East Main Street.

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Tom Grant, Carolin Harvey, Adam Loos, John M Henry  
(*Resolution 2018-R-13; Exhibit E-05-08-2018*)

**Action: 3.8 Resolution Authorizing the City Manager to Purchase Materials from Henry Printing in an Amount Not to Exceed \$4,000 for FY2019**

Mayor Henry noted that he would be abstaining from discussion or action on this item.

MOTION: Approve a Resolution authorizing the City Manager to purchase materials from Henry Printing in an amount not to exceed \$4,000 for FY2019

Motion by Carolin Harvey, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Tom Grant, Carolin Harvey, Adam Loos  
Abstain: John M Henry (*Resolution 2018-R-14; Exhibit H-05-08-2018*)

**Action: 3.9 Resolution Approving an Intergovernmental Agreement between Jackson County, the City of Carbondale, the City of Murphysboro, and the Greater Egypt Regional Planning Commission**

Donald Monty noted that the enterprise zone has been used as an economic development tool and he wanted to call attention to it; further, he indicated that the title of the agenda did not provide enough detail to inform the public of the matter, but expressed support for the action.

Meghan Cole commented that this is a tool for businesses to utilize and noted that she has also utilized it in order to incentivize businesses.

Council inquired which entities have taken action on this matter, what opportunities there are for public input on the process, expressed an interest in cost/benefit analysis, and a desire that the tool not be abused.

MOTION: Adopt a Resolution Approving an Intergovernmental Agreement Between Jackson County, the City of Carbondale, the City of Murphysboro, and the Greater Egypt Regional Planning Commission

Motion by Jeff Doherty, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Tom Grant, Carolin Harvey, Adam Loos, John M Henry  
(*Resolution 2018-R-15; Exhibit I-05-08-2018*)

#### 4. General Business of the City Council

#### **Action: 4.1 Request from the Carbondale Tourism Board to Suspend the Enforcement of Public Possession and Public Consumption of Alcohol Within the Downtown Area On June 16, 2018**

The Council deliberated whether or not BYOB would be permitted and if so, in which areas of the designated boundaries; if aluminum containers should be permitted in the concert venue; whether an alcohol vendor should set up within the concert venue; expressed concerns about the enforcement of limiting BYOB to the concert venue only; whether to extend the boundary from those borders included on the exhibit map and what establishments would be included in the permitted public possession area; how to address overflow parking; whether to extend the hours of public consumption; comparisons of this event to the Eclipse; inquired if there is a policy to address these requests; and a need for better communication with the City for events which will require City services.

Cinnamon Smith from Tourism and Meghan Cole from Main Street responded to Council inquiries and shared their thoughts and experiences with similar events. Ginger Rye asked if there are any black-owned bars included in the 618 plan. Donald Monty asked if the amendment to the map would bring in Italian Village. Elius Reed noted that the music should be at night due the heat of the summer.

AMENDMENT 1: Amend the Resolution to allow people to bring their own alcohol to the event utilizing Sunset Concert rules where the prohibition against glass remains, but the prohibition against cans is removed for the Washington Street concert venue.

Motion by Adam Loos, second by Jessica Bradshaw.

Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Tom Grant, Carolin Harvey, Adam Loos, John M Henry

AMENDMENT 2: Amend the map of the permitted public possession and consumption areas to include any business which fronts on the boundary map attached to the item.

Motion by Adam Loos, second by Jessica Bradshaw.

Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Tom Grant, Carolin Harvey, Adam Loos, John M Henry

MOTION AS AMENDED: Approve a Resolution Suspending the Enforcement of Public Possession and Public Consumption of Alcohol Within the Downtown Area on June 16, 2018, as amended by Amendments 1 and 2.

Motion by Adam Loos, second by Jessica Bradshaw.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Tom Grant, Carolin Harvey, Adam Loos, John M Henry

Nay: Jeff Doherty (*Resolution 2018-R-16; Exhibit J-05-08-2018*)

**Discussion: 4.2 Discussion Item 2018-03 Regarding the Expansion of Temporary and Mobile Vending to Allow Sales on Public Property**

The Council questions and comments included an inquiry if food trailers were permitted, how the current food truck model was determined, discussed whether or not to expand sales, commented on the pressures faced by traditional restaurants, the history of protectionism in licensing, whether distance restrictions should include the sidewalk or parking in front of other similar businesses, getting rid of the designated areas for food trucks, not permitting these sales on public property, what entails subsidies for businesses, comparing the differences in regulations in other municipalities, considering the expansion at a later time when SIU enrollment increases, the different standards for brick-and-mortar businesses with regard to criminal background, amending the time frame for a criminal conviction barring a possible licensee, possibly removing mobile food vendors from the criminal history requirements, and allowing Carbondale restaurants to operate without a license.

Solomon (no last name provided), on behalf of Southern Q restaurant, noted his opposition to being required to apply for a license when they already have a restaurant and expressed opposition to the criminal background check for vendors.

Beau Henson spoke in favor of reduction of regulations, particularly for food carts, and noted that there is a possibility of a federal agency considering the development of a small food business incubator.

Don Monty suggested looking at nearby cities to see what their regulations are. He indicated there is some evidence that financial strain is already a challenge for some businesses.

City Staff will bring back some possible amendments for additional discussion at a later time.

**Discussion: 4.3 Discussion Item 2018-04 Regarding Chapter Two of the Liquor Code Relating to the Hearing Officer and Summary Action Authority**

Councilmembers concurred in their disinterest in expanding Summary Action Authority, expressed general support for selecting an external hearing officer so long as fees could be charged back to those licensees found guilty of violations, and were disinclined to allow a stipulated agreement/pleas of guilty to bypass the approval of the Commission. Donald Monty expressed support for external hearing officer, concern about extending summary action, and

suggested an alternative which would send a stipulated agreement to the Liquor Chair to be validated or denied and then sent to the Commission.

5. Executive Session

None

6. Adjournment of the City Council Meeting

Procedural: 6.1 **Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 8:32 p.m.

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Jennifer R. Sorrell, City Clerk

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Date