

**Local Liquor Control Commission and Regular City Council Meeting August 13, 2019  
(Tuesday, August 13, 2019)**

*Generated by Jennifer R Sorrell on Wednesday, August 14, 2019*

**Council Members present**

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

*A Local Liquor Control Commission Meeting immediately preceded this Council meeting.*

**Meeting called to order at 6:27 PM**

5. Preliminaries to the City Council Meeting

Procedural: 5.1 **Roll Call**

Procedural: 5.2 **Citizens' Comments and Questions**

Dawn Roberts inquired about discrepancies in overhead signage and road markers on Illinois Avenue and Main Street.

Procedural: 5.3 **Council Comments, General Announcements, and Proclamations**

Councilman Loos suggested that any additional special meetings of the Park District and Council be scheduled for dates where there would not be back to back meetings.

Councilwoman Harvey thanked those who attended the meeting. She noted the start of school and the arrival of new people; she encouraged citizens to offer welcoming interactions.

Councilwoman Bradshaw concurred with Councilwoman Harvey and noted that the resolution adopted on Monday may be the first Joint Resolution adopted.

Councilman Fronabarger noted the repeated occurrence of the word "explore" and defined it with relation to what the two board would be doing.

Mayor Henry noted that he would be on campus greeting families on campus; that the City is putting its best foot forward; and that the enrollment will be down again, but the university is making additional strides to improve enrollment.

Councilman Grant noted the student retention rate has improved.

6. Public Hearings and Special Reports

Public Hearing: 6.1 **Public Hearing Regarding the Sale of Land to College Street Land Trust #705 for City-Owned Property at 705 E. College**

The public hearing was declared open at 6:37 p.m.

Donald Monty inquired if the purchase price is predicated on current zoning or rezoned land.

With no further comments, the public hearing was closed at 6:39 p.m.

7. Consent Agenda of the City Council

Action (Consent): 7.1 **Approval of City Council Meeting Minutes from July 23, 2019**

**Resolution: Approve the minutes from the City Council meeting of July 23, 2019**

Action (Consent): 7.2 **Approval of Warrant for the Period Ending: 07/26/2019 for the FY 2020 Warrant 1360 in the Total Amount of \$944,468.01**

Resolution: Accept the following report of payments made for the period ended: 07/26/2019 totaling \$944,468.01 (*Exhibit A-08-17-2019*)

Action (Consent): 7.3 **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: 7.4 **Resolution Approving the Final Plat of the Roberts Second Subdivision and Subdivision Agreement with Michelle Roberts for Property Located at 1655 North Reed Station Road**

*Pulled by T. Grant*

Action (Consent): 7.5 **Ordinance Approving a Budget Adjustment of \$415,000.00 and the Modification of the FY2020 Community Investment Program for Projects That Were Not Completed in FY2019**

Resolution: Adopt an Ordinance Approving a Budget Adjustment of \$415,000.00 and approve the modification of the FY2020 Capital Improvements Program for the completion of various Capital Improvement Program Projects that were not completed in FY2019 (*Ordinance 2019-20; Exhibit C-08-17-2019*)

Action (Consent): 7.6 **Resolution Authorizing the City Manager to Execute a Contract for the Sale of Land to College Street Land Trust #705 for Property at 705 East College Street and to Authorize the Mayor to Execute a Warranty Deed for Conveyance of Said Land**

Resolution: Approve a resolution authorizing the City Manager to execute a Contract for the Sale of Land to College Street Land Trust #705 for Property at 705 East College Street and to Authorize the Mayor to Execute a Warranty Deed for Conveyance of Said Land (*Resolution 2019-R-45; Exhibit D-08-17-2019*)

Action (Consent): 7.7 **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 Carolin Harvey, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

**Action: 7.4 Resolution Approving the Final Plat of the Roberts Second Subdivision and Subdivision Agreement with Michelle Roberts for Property Located at 1655 North Reed Station Road**

There was a question about the proximity of the property from the City's sanitary sewer. Public Works Director Sean Henry responded.

**MOTION:** Adopt the Resolution Approving the Final Plat of the Roberts Second Subdivision and Subdivision Agreement for Property Located at 1655 North Reed Station Road

Motion by Tom Grant, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, John M Henry  
*(Resolution 2019-R-44; Exhibit B-08-17-2019)*

**8. General Business of the City Council**

**Action: 8.1 Resolution Authorizing the City Manager to Submit an Application to Self-Designate the City of Carbondale as an Environmental Justice Community**

Charlie Howe commented on the impact this action could have for the residents and the environment.

**MOTION:** Approve A Resolution Authorizing the City Manager to Submit an Application to Self-Designate the City of Carbondale as an Environmental Justice Community

Motion by Tom Grant, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, John M Henry  
*(Resolution 2019-R-46; Exhibit E-08-17-2019)*

**Action: 8.2 An Ordinance Amending the City Code as it Relates to Truancy**

Council inquired about the lack of strike-through changes; why this should be criminalized at all; who receives and who processes the referrals; if there was a repeal of the Ordinance, who would prosecute and under which Code; under what circumstances parents or children would perform the community service; what other schools have truancy officers; whether there are efforts to discover the reasons for their absence; the use of social services; identifying more funding to provide enhanced social services and assistance programs; a request to repeal the current Ordinance in its entirety; and personal opinions on this proposed Ordinance.

Assistant City Attorney Brandon Woudenberg and City Attorney Jamie Snyder responded to the

Council inquiries, shared their experiences with this subject matter, and explained the practical application of the Ordinance and citations.

Dawn Roberts is concerned that a fine or community service would be a burden on a poor family and compound the problem. She shared a related personal story.

Charlie Howe referenced a law in Georgia regarding an educational program for homeless children.

Barry Ancell, Truancy Officer, described under what circumstances they write tickets and what interactions he has had during home visits. He responded to concerns and questions from the City Council.

Cheryl Graff, Regional Superintendent, outlined the services and programs that they offer for various issues that the students may be experiencing, information about the evidence-based funding changes, the multi-tiered process in addressing absenteeism and truancy, and responded to concerns and questions from the City Council

**MOTION:** Approve an Ordinance Amending the City Code as It Relates to truancy to help fight the growing epidemic of children not attending school

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, Jessica Bradshaw, John M Henry

Nay: Adam Loos *(Ordinance 2019-21; Exhibit F-08-17-2019)*

**Discussion: 8.3 Discussion of Proposed Amendments to Title Five of the Carbondale Revised Code to Increase Video Gaming License Fees**

Debbie Bridges inquired about differences in this year's proposal versus the prior year's proposal, noted that the State is also proposing changes, and asked if the City's proposal was for a change in their percentage or for the terminal fee. City Manager Williams identified the changes.

Karriem Shariati inquired about the inclusion of language for truck stops in Carbondale

Councilman Loos stated that he will not participate in the discussion or on the future vote.

Council noted a change in the state tax on income for this year and next year; the expected impact of the Walker's Bluff casino; reviewed which proposals they favored; offered their own modifications; inquired about why certain language was struck from proposed Ordinance; due to the increase in machines, expressed support for an increase in fees; and their support for license fees for terminal handlers/operators.

**Discussion: 8.4 Discussion About Expanding the Residency Requirement for Liquor License Holders or the Resident Managers/Agents of Liquor License Holders**

Council inquired about Staff's recommendation, whether there would be any concern about removing the residency requirement entirely, requiring licensees to identify more than one contact and providing information for a truly responsible party, and addressing the matter of contact information for responsible parties in the application separate from Code language.

Donald Monty remarked on the challenge of finding the best language to define an appropriate responsible party who can address city-related matters, aside from the owner. He also commented on the L.A.B.'s discussion on this issue.

#### 9. Executive Session

##### **Action: 9.1 Enter into Executive Session to Discuss the Setting of Price for Sale or Lease of Property, Pending or Imminent Litigation, and to Conduct the Semi-Annual Review of Executive Session Meeting Minutes**

MOTION: Enter into an Executive Session to discuss the setting of price for sale or lease of property, pending or imminent litigation, and to conduct the semi-annual review of executive session minutes as permitted under the Illinois Open Meetings Act 5 ILCS 120/2(c)(6), (11), and (21)

Motion by Jeff Doherty, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, John M Henry  
*Open session recessed at 8:13 p.m.*

##### **Action: 9.2 Motion to Reenter into Open Session**

MOTION: Return to Open Session.

Motion by Tom Grant, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, John M Henry  
*Open session resumed 8:55 p.m.*

##### **Action: 9.3 Approval of the Executive Session Meeting Minutes from March 12, March 26, and April 23, 2019; Declare Whether the Need for Confidentiality Exists, in Whole or in Part, for Closed Meeting Minutes from March 17, 1998, through April 23, 2019; and Authorize the Destruction of Audio Recordings of Executive Session Meetings That Were Conducted More Than 18 Months Ago for Which Minutes Have Been Approved**

MOTION: Approve the Executive Session Meeting Minutes from March 12, March 26, and April 23, 2019; Declaring that the Need for Confidentiality Exists, in Whole or in Part, for Closed Meeting Minutes from March 17, 1998, through April 23, 2019, Except for the Minutes from March 6 and July 31, 2012, October 22, 2013, October 9, 2014, February 24, April 27, June 30, 2015, February 23, 2016, April 25 and October 17, 2017; and Authorizing the Destruction of Audio Recordings of Executive Session Meetings That Were Conducted More Than 18 Months Ago for Which Minutes Have Been Approved

Motion by Jessica Bradshaw, second by Jeff Doherty.

Final Resolution: Motion Carries

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

10. Adjournment of the City Council Meeting

Procedural: 10.1 **Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 8:56 p.m.

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Jennifer R. Sorrell, City Clerk

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Date