

City Council of the City of Carbondale, Illinois
Regular Meeting of September 1, 2015

Immediately following a meeting of the Local Liquor Control Commission, the City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 1, 2015, in City Council Chambers, 200 South Illinois Avenue. Mayor Henry called the meeting to order at 7:20 p.m. with the following members of the Council present/absent:

1. Roll Call

Present: Councilwoman Carolin Harvey, Councilman Lee Fronabarger, Councilman Tom Grant, Councilman Adam Loos, Councilman Navreet Kang, Councilwoman Jessica Bradshaw, and Mayor John M. Henry

Absent: None

Also present were City Clerk Jennifer Sorrell, City Manager Kevin Baity, and various members of the City's administrative staff.

2. General Announcements and Proclamations

Councilman Fronabarger announced Carbondale Rotary Club's annual Community Yard Sale on September 12 at the SIU Arena parking lot and a "2015 Forward to the Future" conference hosted by the City of Carbondale, Carbondale Main Street, and SI Connect on September 22 at the Civic Center.

Councilman Kang announced the Son de Carbon celebration of bilingual education at the Town Square Pavilion on September 4.

Councilwoman Harvey announced a fish fry fundraiser dinner on September 11 at Eurma C. Hayes Center to benefit the Zeta Amicae scholarship and educational fund.

Councilwoman Bradshaw announced the 5th annual Carbondale Rocks Revival on September 10 – 12 which will include multiple musical performances in Carbondale.

City Manager Baity announced the closure of City Hall for Labor Day and noted the delay of refuse collection due to the holiday. He then provided an update for the Downtown Master Plan Consultant, Houseal Lavigne, and the Downtown Advisory Committee plans for September through October.

3. Citizens' Comments and Questions

Lance Jack, owner of Fat Patties, 611 South Illinois Avenue, asked the City Manager about the planning for the dumpster, recycling, and grease enclosure for the planned parking lot on South Illinois Avenue.

4. Public Hearings and Special Reports

None.

5. Consent Agenda

1. Approval of minutes from the Public Hearing and Regular City Council Meeting of August 11, 2015. Recommendation: Approve.
2. Warrant for the Period Ending 08/03/2015 FY 2016 Warrant # 1251 in the amount of \$1,320,703.36. Recommendation: Approve Warrant #1251. (Exhibit A-09-01-2015)
3. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept and

place on file the minutes of the Planning Commission from July 22, 2015 and Preservation Commission from June 15, 2015.

4. Acceptance of a Temporary Construction and Permanent Maintenance Easement for the Development of a Public Parking Lot along South Illinois Avenue. Recommendation: Accept the Easement from Mark Garwin and authorize the City Clerk to have the easement recorded.
5. Planning Commission's Annual Report for Fiscal Year 2015. Recommendation: Accept the Planning Commission's Annual Report for Fiscal Year 2015.
6. Pulled by L. Jack

MOTION: L. Fronabarger moved, T. Grant seconded, to approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4 and 5.5. VOTE: Ayes: C. Harvey, L. Fronabarger, T. Grant, A. Loos, N. Kang, J. Bradshaw, and J. Henry. Nays: None. Motion declared carried.

5.6 Ordinance Amending Title Two of the Carbondale Revised Code as it Pertains to Transfers or Other Changes in Ownership for a Liquor-Licensed Establishment and Changes in Operation of a Liquor-Licensed Establishment.

MOTION: A. Loos moved, T. Grant seconded, to approve an Ordinance Amending Title Two as it pertains to Transfers of Licenses, Changes in Interest or Ownership, and Changes in Operation.

DISCUSSION: Council requested clarification on the third example provided in the Ordinance. VOTE: Ayes: C. Harvey, L. Fronabarger, T. Grant, A. Loos, N. Kang, J. Bradshaw, and J. Henry. Nays: None. Motion declared carried. (Ordinance 2015-38; Exhibit B-09-01-2015)

6. General Business

1. Resolution Commending Richard J. Brunner for Service to the City of Carbondale

MOTION: N. Kang moved, J. Bradshaw seconded, to adopt the Resolution commending Richard J. Brunner for service to the City of Carbondale. VOTE: Ayes: C. Harvey, L. Fronabarger, T. Grant, A. Loos, N. Kang, J. Bradshaw, and J. Henry. Nays: None. Motion declared carried. (Resolution 2015-R-34; Exhibit C-09-01-2015)

2. Ordinance Approving and a Resolution Denying Robert Casper's Request to Rezone Property Located at 217 South Giant City Road from the R-1-15, Low Density Residential, zoning district to the RMH, Planned Mobile Home district

DISCUSSION: Council questions revolved around the topics of zoning restrictions and allowances, special use permits, and legally nonconforming designations. There was discussion about and suggestions for alternative actions available to the requester. City Manager Baity and City Attorney Kimmel responded to Council questions, however additional information was required from Planning Staff.

Robert Casper, owner of Country Estates Mobile Home Park, 217 South Giant City Road, explained why he was requesting the rezoning and responded to Council questions.

MOTION: A. Loos moved, L. Fronabarger seconded, to defer action on the rezoning request until the October 6, 2015 City Council meeting. VOTE: Ayes: C. Harvey, L. Fronabarger, T. Grant, A. Loos, N. Kang, J. Bradshaw, and J. Henry. Nays: None. Motion declared carried.

3. Ordinance Amending Title Two of the Carbondale Revised Code as it Pertains to the Regulation of Happy Hours and Server Training

MOTION: J. Bradshaw moved, T. Grant seconded, to adopt an Ordinance amending Title Two as it relates to Happy Hours, with removal of the language relating to reporting requirements for party

packages and removal of language regarding changes to server training requirements.

DISCUSSION: The City Manager and City Clerk reviewed changes to the initial Ordinance language and offered clarification to the Council.

Curtis Conley, manager at PK's, 308 South Illinois Avenue, requested clarification for server training requirements and notification requirements for Happy Hour. City Attorney Kimmel, City Attorney Baity, and the City Clerk responded to Mr. Conley.

Lance Jack, owner of Fat Patties, 611 South Illinois Avenue, requested that the changes addressed during the meeting be provided to all of the liquor license holders.

VOTE: Ayes: C. Harvey, L. Fronabarger, T. Grant, A. Loos, N. Kang, J. Bradshaw, and J. Henry. Nays: None. Motion declared carried. (Ordinance 2015-39; Exhibit D-09-01-2015)

7. Council Comments

Councilman Loos suggested reviewing the State statute to determine if lawful permanent residents could hold a liquor license and then amending the City Code accordingly.

Councilman Fronabarger asked the City Manager for the anticipated start date for the South Illinois Avenue parking lot and City Manager Baity responded.

Councilwoman Bradshaw commended City staff and Manager on incorporating questions from the Human Relations Commission and including citizen input during Police Chief interviews.

Councilman Kang commented on the inclusion of an article in the Illinois Municipal Review which highlights Carbondale and SIU's Town and Gown cooperative relationship.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:27 p.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
