

## **Regular City Council Meeting May 10, 2022 (Tuesday, May 10, 2022)**

*Generated by Jennifer R Sorrell on Wednesday, May 11, 2022*

### **Council Members present**

Councilmember Adam Loos, Councilmember Ginger Rye Sanders, Councilmember Jeff Doherty, Councilmember Lee Fronabarger, Councilmember Tom Grant, Councilmember Carolin Harvey, and Mayor John M Henry

### **Meeting called to order at 6:00 PM**

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

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

##### **Procedural: 1.2 Citizens' Comments and Questions**

Scott Davis, Pastor Doug Cherry, Curt Caldwell, Pastor Bill Smith, Donna Glaub, Rosalind Greer, Pastor George Claud, Pastor Lito Tacderas, and Mica Cherry noted their opposition to the possibility of a medical clinic providing abortion services opening in the city.

Reverend Kimberly Ann Hoffman shared a story about her own abortion experience.

Nancy Maxwell remarked on other services which are provided at such a clinic and responded to earlier citizen comments.

Keesha Lo shared the story of her mother's pregnancy and remarked on the other services provided and options outlined by similar clinics.

##### **Procedural: 1.3 Council Comments, General Announcements, and Proclamations**

Councilmember Lee Fronabarger noted that SIU will host an educational and family friendly event relating to the total lunar eclipse occurring on Sunday, May 15.

Councilmember Rye Sanders announced that Women for Change Unity in the Community will hold their annual Garden Gala at 441 East Birch Street next to Eurma C. Hayes Center on Saturday, May 14. Further, she stated that Narcan education and distribution will continue on June 8 at the Carbondale Towers.

Councilmember Loos responded to citizen comments voiced in opposition to an abortion clinic and the Dobbs ruling.

##### **Procedural: 1.4 Proclamation for National Public Works Week**

Mayor Henry proclaimed the week of May 15 – 21, 2022, as National Public Works Week in the city of Carbondale and urged citizens to observe the week by recognizing the contributions made by Public Works professionals and the contributions they make to protect the health, safety, and comfort of citizens. Sean Henry accepted the proclamation on behalf of City staff and the Illinois Chapter of the American Public Works Association.

Procedural: 1.5 **Proclamation for Mental Health Awareness Month**

Mayor Henry proclaimed the month of May 2022 as Mental Health Awareness month in the city of Carbondale and urge citizens to recommit our community to increase our understanding of mental health and the need for accessible services.

2. Public Hearings and Special Reports

3. Consent Agenda of the City Council

Action (Consent): 3.1 **Minutes from the Special Joint City Council Meeting with the Park District on April 19, 2022, and Regular City Council Meeting Minutes from April 26, 2022**

Resolution: Approve the minutes from the Special Joint City Council and Park District meeting on April 19, 2022, and the regular City Council meeting minutes from April 26, 2022

Action (Consent): 3.2 **Approval of Warrant for the Period Ending: 04/15/2022 for the FY 2022 Warrant 1431 in the Total Amount of \$845,274.60**

Resolution: Accept the following report of payments made for the period ended: 04/15/2022 totaling \$845,274.60

Action (Consent): 3.3 **Approval of Warrant for the Period Ending: 04/29/2022 for the FY 2022 Warrant 1432 in the Total Amount of \$1,775,977.69**

Resolution: Accept the following report of payments made for the period ended: 04/29/2022 totaling \$1,775,977.69

Action (Consent): 3.4 **Approval of Wells Fargo Warrant for the Period Ending 03/31/2022 FY 2022 Warrant # WF 03/2022 in the amount of \$182,019.40**

Resolution: Accept the following report of payments made for the period ended: 03/31/2022 totaling \$182,019.40

Action (Consent): 3.5 **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): 3.6 **Ordinance Authorizing the Acceptance of a Grant from the Illinois Department of Public Health in the amount of \$4,989 to Purchase Soft Armor Inserts and Active Shooter EMS Supplies, Approving a Budget Adjustment to Increase the Fire Department's FY2023 Budget in the Amount of \$4,989, and Awarding the Purchase to Applied Fiber Concepts in the Amount of \$3,600 and Awarding the Purchase to Bound Tree in the Amount of \$1,389**

Resolution: Accept a Grant from the Illinois Department of Public Health in the amount of \$4,989, Approve a Budget Adjustment to Increase the Fire Department's FY2023 Budget in the Amount of \$4,989, and Award the Purchase to Applied Fiber Concepts in the Amount of \$3,600 and Award the Purchase to Bound Tree in the Amount of \$1,389

Action (Consent): **3.7 Acceptance of Easements for the Southern Illinois Multi-Modal Station (SIMMS) CIP SP1002**

Resolution: Approve the acceptance of easements for the Southern Illinois Multi-Modal Station (SIMMS) CIP SP1002

Action (Consent): **3.8 Resolution Authorizing the City Manager to Amend a Contract with Mayer Networks in the of \$77,788.48 to provide hardware for the conversion of the Carbondale Police Department's ERP from ITI to Tyler Technologies Public Safety ERP**

Resolution: Approve a resolution authorizing the City Manager to amend an agreement with Mayer Networks to provide additional hardware.

Action: **3.9 Approve the Purchase and Installation of a Screw Press for the Northwest Waste Water Treatment Plant (NWWWTP) in the amount of \$915,565 (CIP WW1804)**

*Pulled by A. Loos*

Action: **3.10 Ordinance to Approve, or a Resolution to Deny, a Special Use Permit to Allow for an Eating and Drinking Establishment in Order to Operate a Food Truck Venue in an AG, General Agriculture District**

*Pulled by City Manager*

Action (Consent): **3.11 Approval of Consent Agenda Items**

Resolution: Approve all Consent Agenda items not pulled for separate consideration

Question about the ownership of the property for item 3.7, granting Permanent Easement for SIMMS. 3.9 pulled by A. Loos and 3. 10 by City Manager.

MOTION: Approve all Consent Agenda items not pulled for separate consideration

Motion by Adam Loos, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, John M Henry

Action: **3.9 Approve the Purchase and Installation of a Screw Press for the Northwest Waste Water Treatment Plant (NWWWTP) in the amount of \$915,565 (CIP WW1804)**

Council expressed their concern about this item being a no-bid contract for such a high price, asked about and discussed the length of time that this issue has been ongoing and the haste to make this purchase, discussed whether to bid the purchase in whole or in part, discussed whether to act or bring back the purchase with additional details or to bid the purchase and installation, inquired about the availability of screw press manufacturers, asked about the additional delay which would result if the item is put out to bid, and which portions could be or should be put out to bid. Utilities Director Tony Harrison responded to Council questions.

Don Monty asked if this project was in the CIP program.

The screw press purchase will be brought at the next meeting

**Action: 3.10 Ordinance to Approve, or a Resolution to Deny, a Special Use Permit to Allow for an Eating and Drinking Establishment in Order to Operate a Food Truck Venue in an AG, General Agriculture District**

Council asked the applicant a series of questions about the business' plans, property and proposed layout, future plans, and related questions.

One of the applicants, Luke Terpstra, responded to Council questions and Mr. Monty's questions.

Don Monty noted several issues that he had concerns about the proposed business and location of the property.

**MOTION: Adopt an Ordinance Approving Luke Terpstra and Anna Hall's Request for a Special Use Permit to Allow for an Eating and Drinking Establishment in Order to Operate a Food Truck Venue in an AG, General Agriculture District**

Motion by Adam Loos, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, John M Henry

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

**Action, Discussion: 4.1 Discussion and Consensus on Changes to Title Five Chapter Five of the Carbondale Revised Code Relating to Mobile Vending as Private Property Operator or Food Truck Operator**

Councilmember Doherty read his edit to Title Five Chapter Five which would essentially remove licensing regulations for food truck/trailer/pushcart operators who locate their operations on privately owned property so long as they have the permission of the property owner and a Jackson County Health Department permit.

Councilmember suggestions included a recommendation to bring back a separate ordinance to add Evergreen Park to the Food Truck designated locations, establishing a Special Event license, requiring written permission from property owners authorizing private property operators to set up on their property and discussed why this would be or might not be a good idea, asked staff to look at the designated public property locations to prevent traffic congestion and give consideration to safety, prevailing on the Health Department to perhaps loosen up their requirements, and a suggestion to amend 5-5-18 to require Council consensus before the City Manager to actions to address license issues under Title Five Chapter Five.

Steve Quinn expressed his strong support for the proposed changes.

Luke Terpstra expressed his support for these proposals.

Nancy Maxwell asked about the current licensing fees and indicated support for the proposed changes.

**Action: 4.2 Approve the Purchase of Replacement Awnings for Properties Located 106 and 112 South Illinois Avenue to Yates Awning of Carbondale, Illinois in the Amount of \$22,000**

Council asked about the presence of posts in the proposal image, remarked on the façade, inquired if these encroach upon IDOT right-of-way, clarified that this takes five votes, and asked for details regarding Priority Sports' opposition to the proposed awning.

**MOTION:** Approve the Purchase of Replacement Awnings for 106 and 112 South Illinois Avenue to Yates Awning of Carbondale, Illinois in the Amount of \$22,000

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, John M Henry

**Action: 4.3 An Ordinance Approving and a Resolution Denying a Rezoning for Southern Illinois Healthcare**

Councilmembers noted their support for or opposition to the proposed rezoning, noted concern about the hospital taking over the neighborhood, expressed support for Staff's proposal about establishing a clear line where the expansion will occur and stop, asked where the current oxygen storage is located, inquired about the ownership of specific properties, question about the zoning of properties located in Exhibit A, asked that SIH come to a Council meeting to present planning for future development, asked about the existence of long-term plan, remarked on the importance of arriving an understanding by both SIH and the City Council, commented that the neighborhood should have some say in the expansion, inquired if approval could be granted for some parcels and not others, whether the denial of the properties to the north would create development problems for SIH, encouraged reestablishing the neighborhood district for the area,

Chris Post, Director of Design and Construction for SIH, responded to points and questions raised by the City Council.

Don Monty noted the history of SIH expansion over the course of 50 years, the impact of zoning changes on current property owners, and agreed on establishing parameters of the footprint of the hospital. He then asked about the exclusion of a property from the projected map, if the tank would be screened, and if City permits would be needed for the line.

Kierstin Lipe agreed on the importance of the consideration Council is requesting and her concerns about the neighborhood in which she lives.

Pete Lucas suggested that the City utilize this as leverage to get a clearer picture of the hospital's

plans.

Justin Zurlinden doesn't oppose this specific plan, agreed with the planning between the City and SIH, and encouraged taking proactive steps to advertise the discussion meetings. He noted that Preservation has looked at the houses and they are not able to be historically designated.

Sandy Litecky responded to some of the questions of Council with regard to ownership of parcels and the property not included in the Exhibit map. She encouraged approval of the rezoning request.

Priscilla Pimentel remarked that not maintaining property is not a reason for rezoning, identified what would improve the rezoning request, expressed her concerns on the impact for property values, challenges with making decisions regarding improvements without understanding the hospital plans, impacts of PA zoning in a neighborhood district, and commented on her letter to the City Council.

Don Monty stated that it would be helpful to know what properties they already own and are seeking to purchase.

A motion to approve an Ordinance Rezoning Parcels at Almond Street and Poplar Street for Southern Illinois Healthcare as presented was rescinded by Lee Fronabarger.

MOTION: Approve an Ordinance Rezoning Parcels 15-21-109-017; -023; -022; and -001

Motion by Lee Fronabarger, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, John M Henry

**Action: 4.4 Ordinance Establishing a Portion of the East and West Sides of North Almond Street as a "No Parking" Zone**

Council asked if the property owner losing their street parking would be able to park on the SIH lot.

MOTION: Approve an Ordinance Establishing a Portion of the East and West Sides of North Almond Street as a "No Parking" Zone.

Motion by Adam Loos, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey, John M Henry

5. Adjournment of the City Council Meeting

Procedural: 5.1 **Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 8:51 p.m.

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Jennifer R. Sorrell, City Clerk

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Date