

Regular City Council Meeting - May 23, 2023

Generated by Jennifer R Sorrell on Wednesday, May 24, 2023

Councilmembers present

Councilmember Clare Killman, Councilmember Adam Loos, Councilmember Nancy Maxwell, Councilmember Ginger Rye Sanders, Councilmember Jeff Doherty, and Mayor Carolin Harvey

Meeting called to order at 6:13 p.m.

5. Preliminaries to the City Council Meeting

5.1 Roll Call

5.2 Citizens' Comments and Questions

Citizens addressing the City Council during Citizen Comments and Questions included Raymond Lewis Ivy, James Cooper, Jr., Van Ikner, Elius Reed, and Samuel Bello Ulcue.

5.3 Council Comments, General Announcements, and Proclamations

Mayor Harvey proclaimed May 27, 2023, as Robert "Robbie" Stokes, Jr. Day in Carbondale and urged members of the Carbondale music community and citizens of Carbondale to recognize his contributions to the community.

Councilmember Doherty announced the annual Memorial Day Service at Woodlawn Cemetery and noted that information about the history of Memorial Day was available at the Illinois Municipal League website.

Councilmember Killman thanked the citizens for their attendance at the meeting, noting the substantial agenda with broad topics.

Councilmember Rye-Sanders announced the Women for Change Big Event "We Say No to Gun Violence" will be on June 3; she shared details about the event and encouraged attendance.

5.4 Presentation: Report on First Community-Scale Greenhouse Gas Inventory Baseline Year 2019 | Energy Sovereignty, Security, & Democracy

Sustainability Coordinator/Planner Lauren Becker presented the first Community-scale Greenhouse Gas Inventory Baseline Year 2019 and asked the Council to discuss the findings and provide direction to Staff on whether to continue to pursue the Focus Areas of Energy and People from the Sustainability Action Plan adopted by the City Council.

Councilmembers expressed their gratitude for the presentation and the work that was put into it by City Staff and were in favor of pursuing this moving forward. It was asked if there is a role of the university and Jackson County in relationship to this endeavor and if there are other communities in the area that are interested in this.

6. Public Hearings and Special Reports

6.1 Public Hearing to Solicit Input from a Diverse Set of Community Stakeholders on the Proposed Use of Energy Transition Community Grant Funds

Mayor Harvey declared the Public Hearing open at 7:21 p.m.

Gregory Norris, Economic Chair for Environmental Justice for the local NAACP branch, addressed changes from 2016 to present to move towards the adoption of the Climate Equitable Jobs Act. Acknowledged efforts in pursuing these endeavors.

Anthony Henson, Resource Coordinator for Jackson County, shared details about Dowell's efforts to adopt an energy sovereignty project and their use of funds.

Rania Haddadin asked about the timeline before benefits were realized. Lauren Becker responded to the question.

Victor Ludington stated that SIU is also interested in pursuing this type of energy transition and hopes that the presentation given could come before the SIU Board of Trustees. Recommended to consider long-term planning such as community land trust option.

Quianya Enge stated that community living is below poverty and do not own property. How will we convince landlords to make these kinds of changes to their properties and when does this start to benefit the community. Lauren Becker responded to the concerns.

Jane Cogie gave several suggestions and possible options on how to utilize the funds.

Public Hearing declared closed at 7:42 p.m.

7. Consent Agenda of the City Council

7.1 Minutes from the Regular City Council Meeting of May 9, 2023

Resolution: Approve the minutes from the regular City Council meeting of May 9, 2023

7.2 Approval of Warrant for the Period Ending: 05/12/2023 for the FY 2023 & FY 2024 Warrant 1459 in the Total Amount of \$901,825.53

Resolution: Accept the following report of payments made for the period ended: 05/12/2023 totaling \$901,825.53 *(Exhibit A 05-23-2023)*

7.3 Approval of Wells Fargo Warrant for the Period Ending 03/31/2023 FY 2023 Warrant # WF 03/2023 in the amount of \$143,328.43

Resolution: Accept the following report of payments made for the period ended: 03/31/2023 totaling \$143,328.43 *(Exhibit B 05-23-2023)*

7.4 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.

7.5 Appointments and Reappointments to Boards and Commissions

Resolution: Council is requested to concur with Mayor Harvey's recommended appointments and reappointments to Boards and Commissions.

7.6 Resolution Authorizing the City Manager to Execute an Engagement Letter with Kerber, Eck, & Braeckel for the City's FY 2023 Audit

Resolution: Adopt the Resolution authorizing the City Manager to execute the Engagement Letters with Kerber, Eck, & Braeckel for FY 2023 audit services
(*Resolution 2023-R-37; Exhibit C 05-23-2023*)

7.7 Accept an Easement to be Signed by the Mayor and Recorded in the Jackson County Courthouse

Resolution: Accept an Easement to be Signed by the Mayor and Recorded in the Jackson County Courthouse

7.8 Resolution Appropriating \$506,460 of Motor Fuel Tax Funds for the FY 2024 Program for Maintenance of Streets and Alleys

Resolution: Approve a Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code for appropriating \$506,460 in Motor Fuel Tax Funds pending review and approval by the Illinois Department of Transportation
(*Resolution 2023-R-38; Exhibit D 05-23-2023*)

7.9 Award of Purchase of a Kubota Compact Tractor to H&R Agri Power of Benton, Illinois in the Amount of \$13,776.58

Resolution: Award of Purchase of a Kubota compact tractor to H&R Agri Power of Benton, Illinois in the Amount of \$13,776.58

7.10 Resolution Authorizing the City Manager to Enter into a Code Compliance Tax Increment Financing Agreement with Walter Witkewiz (d/b/a PK's) for a Redevelopment Project at 308 S Illinois Avenue

Resolution: Approve a resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with Walter Witkewiz for a Redevelopment Project at 308 S Illinois Avenue (*Resolution 2023-R-39; Exhibit E 05-23-2023*)

7.11 Resolution Authorizing the City Manager to Enter into an Code Compliance Tax Increment Financing Agreement with Vortex Properties, LLC for a Redevelopment Project at 715 S. University Avenue ("The Island")

Resolution: Approve a resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with Vortex Properties, LLC for a Redevelopment Project at 715 S. University Avenue
(*Resolution 2023-R-40; Exhibit F 05-23-2023*)

7.12 Resolution Authorizing the City Manager to Enter into an Code Compliance Tax Increment Financing Agreement with AMT Entertainment LLC for a Redevelopment Project at 406 S Illinois Avenue (Booby's)

Resolution: Approve a resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with AMT Entertainment LLC for a Redevelopment Project at 406 S Illinois Avenue
(Resolution 2023-R-41; Exhibit G 05-23-2023)

7.13 Resolution Authorizing the City Manager to Enter into an Agreement with RJN Group in an Amount Not-To-Exceed \$120,500 for Engineering Services for Sanitary Sewer Lining Program (CIP SA2001)

Resolution: Authorize the City Manager to Enter into an Agreement with RJN Group in an Amount Not-To-Exceed \$120,500 for Engineering Services for Sanitary Sewer Lining Program
(Resolution 2023-R-42; Exhibit H 05-23-2023)

7.14 Resolution to Approve a Continuous Encroachment Permit to Allow Home2 Suites to Construct On-Street Parking Along the 200-Block of West Elm Street

Resolution: Approve a resolution to allow a continuous Encroachment Permit to Allow Home2 Suites to Construct On-Street Parking Along the 200-Block of West Elm Street.
(Resolution 2023-R-43; Exhibit I 05-23-2023)

7.15 Award of Purchase of One (1) 2023 Marked Police Vehicle from Vogler Ford of Carbondale, Illinois in the Amount of \$46,918; Approve an Ordinance Authorizing a Budget Adjustment to Increase the Police Department's FY24 Budget in the Amount of \$46,918; and Declare City-Owned Property as Surplus

Pulled by C. Killman

7.16 Approval of Consent Agenda Items

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

Agenda Item 7.14 - Sandy Litecky asked if there was a time limit on encroachment permit or if they would still be able to park there after SIMMS was constructed.

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

Motion by Adam Loos, second by Ginger Rye Sanders.

Final Resolution: Motion Carries

Yea: Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

7.15 Award of Purchase of One (1) 2023 Marked Police Vehicle from Vogler Ford of Carbondale, Illinois in the Amount of \$46,918; Approve an Ordinance Authorizing a Budget Adjustment to Increase the Police Department's FY24 Budget in the Amount of \$46,918; and Declare City-Owned Property as Surplus

Councilmembers deliberated whether this purchase and increase in the Police Department's budget was necessary. It was noted that these funds are in a restricted account and can only be utilized for certain police purchases per State law.

Victor Ludwig indicated that he did not feel that an increase in the Police Department's budget was necessary.

Sandy Litecky expressed support for the replacement of the vehicle

Don Monty noted that the funding to replace the vehicle comes from the insurance company and the police contingency fund.

MOTION: Award the purchase of one (1) 2023 Marked Police Vehicle from Vogler Ford of Carbondale, Illinois in the amount of \$46,918, approve an Ordinance authorizing a budget adjustment increasing the Police Department's FY 2024 budget in the amount of \$46,918 and declare replaced vehicle as surplus property.

Motion by Jeff Doherty, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

Nay: Clare Killman, Nancy Maxwell

(Ordinance 2023-22; Exhibit J 05-23-2023)

8. General Business of the City Council

8.1 Historic Preservation Award Presentation to the owners of the Oldenhage-Hughes Building located at 122 N. Illinois Ave., and to the owners of 209 N. Springer St. and 800 W. Sycamore St.

A recess was observed from 8:01 p.m. to 8:11 p.m.

8.2 A Resolution to Approve and a Resolution to Deny Kaw River Management LLC's Request for a Special Use Permit to Establish a Social Service Facility for Post-Incarceration Rehabilitation at 805 West Freeman Street in an R-3, High Density Residential, District

Council discussion and comments included remarks about a former post-incarceration facility, support and appreciation for efforts to reintegrate formerly incarcerated individuals in the community, whether this facility would include employment opportunities for those who have a criminal record, how the determination is made for who is eligible to participate in this program, approval from the federal government, and an expected timeline.

James Greg noted that the goal was to operate similarly as the former Glass House to include employment, counseling, collaborating with businesses to find meaningful employment, and keeping in compliance with the Federal Bureau of Prisons.

Julie Salmee explained the process of referring individuals to this particular rehabilitation center. A person's referral is reviewed and evaluated by the local resident re-entry management office and given the final decision by the halfway house.

It was asked that the representatives to introduce themselves and what their role will be. Greg Heedner introduced himself and James Greg as part of the executive team that oversees the local facility and Julie Salmee will be the vice president of compliance.

Van Ikner spoke in favor of this resource and shared his experiences as a member of the Glass House in the past as well as the opportunities it provided for him and others.

MOTION: Adopt a Resolution approving the Special Use Permit for a Social Service Facility for Post-Incarceration Rehabilitation for property zoned as an R-3, High Density Residential, District located at 805 West Freeman Street

Motion by Clare Killman, second by Ginger Rye Sanders.

Final Resolution: Motion Carries

Yea: Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

(Resolution 2023-R-44; Exhibit K 05-23-2023)

8.3 Resolution Authorizing the City Manager to Submit an Energy Transition Community Grant Program Application

Lee Fronabarger inquired about the allocation of funds, the minimum amount of time a business must be in operation to keep the funds, and if the recipients have to turn in records to account for expenditures.

Economic Development Coordinator, Steve Mitchell, explained to Mr. Fronabarger how the funds are dispersed, there is no minimum amount of time a business must be in operation, and no records of expenditures are required.

MOTION: Approve a Resolution Authorizing the City Manager to Submit an Energy Transition Community Grant Program Application

Motion by Clare Killman, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

(Resolution 2023-R-45; Exhibit L 05-23-2023)

8.4 Discussion of the Creation of a Hospital Overlay District

Council discussion, comments, and concerns included: SIH taking over more of the northwest neighborhood, concerns about regulating growth beyond the northwest neighborhood, making the issue more complicated by utilizing an overlay instead of using the current zoning, proposing to draw a line (or lines) by ordinance, specific areas that should or should not be included whether its within the overlay or defined by drawing lines, modification of the overlay, overregulation, added regulation for property that they already own, and addressing the improvement of diversity of hospital staff.

Lee Fronabarger asked about the inclusion of First United Methodist Church property in the proposed overlay.

Sandy Litecky expressed her support of the proposed overlay district.

Tom Grant suggested including the PA District to the south side of Main Street.

John Lenzini, Community Development Manager, addressed questions and comments from Council and citizens.

9. Executive Session

9.1 Enter Into Executive Session to Discuss Litigation, Setting a Price for Sale or Lease of Property Owned by the Public Body, and Security Procedures

MOTION: Enter into Executive Session as permitted by the Illinois Open Meetings Act 5 ILCS 120/2(c)(3), (c)(6), (c)(8), and (c)(11) to discuss Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting, the setting of a price for sale or lease of property owned by the public body, and security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

Motion by Jeff Doherty, second by Clare Killman.

Final Resolution: Motion Carries

Yea: Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

Open session recessed at 9:04 p.m.

9.2 Return to Open Session

MOTION: Return to Open Session

Motion by Jeff Doherty, second by Clare Killman.

Final Resolution: Motion Carries

Yea: Clare Killman, Adam Loos, Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

10. Adjournment of the City Council Meeting

10.1 Adjourn meeting

There being no further business to come before the City Council, the meeting was declared adjourned at 9:49 p.m.

Jennifer R. Sorrell, City Clerk

Date