

## **Regular City Council Meeting June 8, 2021 (Tuesday, June 8, 2021)**

*Generated by Jennifer R Sorrell on Wednesday, June 9, 2021*

### **Council Members present**

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

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

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

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

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

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

Councilmember Loos inquired about in-person meetings resuming upon entering Phase 5 on Friday, June 11.

Councilmember Fronabarger announced that the Jackson County Health Department and Illinois EPA are holding a household chemical collection on Saturday, June 19, at the Banterra Center parking lot.

Councilmember Rye-Sanders commented that the City should try to show awareness and concern about gun violence in the City. She announced a Juneteenth celebration on June 19 at Attucks Park and invited citizens to attend. Further, she encouraged men to take proactive steps for their health during National Men's Health Month.

##### **Information, Procedural: 1.4 Proclamations for Juneteenth and Men's Health Month**

Mayor Henry proclaimed Saturday, June 19, as Juneteenth in the City of Carbondale and encouraged citizens to pay tribute to the journey, embrace the past, as well as the future that unity, respect, and appreciation brings. Sharon Simon accepted the proclamation and provided details about the events for Friday, June 18, and Saturday, June 19.

Mayor Henry proclaimed the month of June as Men's Health Month in the City of Carbondale and encouraged citizens to pursue preventative health practices and early detection efforts throughout the year.

#### 2. Public Hearings and Special Reports

#### 3. Consent Agenda of the City Council

Action (Consent): 3.1 **Minutes from the Regular City Council Meeting of May 11, 2021**

Resolution: Approve the minutes from the Regular City Council meeting of May 11, 2021.

Action (Consent): 3.2 **Approval of Wells Fargo Warrant for the Period Ending 04/30/2021 FY 2021 Warrant # WF 04/2021 in the amount of \$198,334.90**

Resolution: Accept the following report of payments made for the period ended: 04/30/2021 totaling \$198,334.90 (*Exhibit A-06-08-2021*)

Action (Consent): 3.3 **Approval of Warrant for the Period Ending: 05/14/2021 for the Combined FY 2021 & FY 2022 Warrant 1407 in the Total Amount of \$820,957.19**

Resolution: Accept the following report of payments made for the period ended: 05/14/2021 totaling \$820,957.19 (*Exhibit B-06-08-2021*)

Action (Consent): 3.4 **Approval of Warrant for the Period Ending: 05/28/2021 for the Combined FY 2021 & FY 2022 Warrant 1408 in the Total Amount of \$1,046,649.00**

Resolution: Accept the following report of payments made for the period ended: 05/28/2021 totaling \$1,046,649.00 (*Exhibit C-06-08-2021*)

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 **Appointments and Reappointments to Boards and Commissions - Sustainability Commission**

Resolution: Approve the Mayor's recommended appointments and reappointment to the Sustainability Commission

Action (Consent): 3.7 **Acceptance of an Easement for a Waterline Near the Super Splash Park**

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

Action (Consent): 3.8 **Approve the Purchase of a Multi-Compartment Recycling Drop-Off Trailer in the Amount of \$22,895.00 from Pro-Tainer Inc.**

Resolution: Approve the Purchase of a Multi-Compartment Recycling Drop-Off Trailer in the Amount of \$22,895.00 from Pro-Tainer Inc.

Action (Consent): 3.9 **Approval of the Annual Report of the Board of Fire and Police Commissioners for Calendar Year 2020 and Amendments to the Governing Rules Chapters II, III, and IV**

Resolution: Approve the Annual Report of the Board of Fire and Police Commissioners for Calendar Year 2020 and Amendments to the Governing Rules Chapters II, III, and IV

Action (Consent): 3.10 **Approve the Purchase of Laboratory Information Management System (LIMS) for the Central Laboratory in the Amount of \$33,400**

Resolution: Approve the Purchase of Laboratory Information Management System (LIMS) for the Central Laboratory in the Amount of \$33,400

Action (Consent): 3.11 **Approve the Purchase of a Replacement Blower for the Northwest Wastewater Treatment Plant in the Amount of \$27,315.00**

Resolution: Approve the Purchase of a Replacement Blower for the Northwest Wastewater Treatment Plant in the amount of \$27,315.00.

Action (Consent): 3.12 **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 Jeff Doherty, second by Carolin Harvey.

Final Resolution: Motion Carries

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

4. General Business of the City Council

Action: 4.1 **Ordinance Establishing a Permit for the On-Premises Consumption of Adult-Use Cannabis**

Council inquired about the closing hour of the dispensary, supervision at the lounge, the exception to the Cannabis Act referenced in the agenda item, remarked on fees charged in cities in Colorado, the capacity of the lounge, concern about the effects of the Ordinance on future establishments when restrictions begin to relax, questions about what the Ordinance does and does not do, questions about the license fee and shared their opinions about an appropriate license fee, inquired about when the purchase of cannabis products must be made relative to the use of the lounge, whether dispensaries with lounges draw more customers, questions about the prohibition of alcohol, what protections are in place to ensure sober drivers, a request to review the sales taxes that are received by the City from the sales at the dispensary, an inquiry about what organization would be receiving a portion of proceeds, and the expected opening hours of operation.

David Flood spoke on behalf of Consume Dispensary, explained the intent and planned use of the lounge and building space, and responded to questions.

MOTION: Approve An Ordinance Establishing a Permit for the On-Premises Consumption of Adult Use Cannabis, as amended with an annual license fee of \$100.

Motion by Adam Loos, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, John M Henry

Nay: Lee Fronabarger, Carolin Harvey, Ginger Rye Sanders (*Ordinance 2021-12; Exhibit D-06-08-2021*)

Action: 4.2 **City Council Discussion and Approval of Amended Non-Bargaining Unit Employees FY 2022 Pay Plan**

City Council inquired about the proposed pay plan range decrease for Grade 1, a question about the absence of Cape Girardeau in the two studies, remarked on the recommended adjustments, and expressed a preference to have an Ordinance brought back for Council action at the next meeting.

**Action, Discussion: 4.3 City Council Discussion and Approval of City Towing Contract Process**

Council asked if the City or the company paid the fee in the contract, about the implication for the City if it is unable to obtain records for the State from the towing companies, about how the towing fee is set and the amount, about the current towing contract process, whether the contract should be opened for bids, and the term of the current contract. There was a discussion about amending or rescinding Administrative Towing fees and a comment on how the contract was once acted on by the Council. There were suggestions to authorize the City Manager to handle the contract administratively, but to publish a Request for Proposals, keep Shelton's from the contract for a year, and a consensus to continue with Staff administration of the contract.

**Discussion: 4.4 City Council Discussion on Amending the Carbondale Revised Code to Allow for Micromobility Vehicles such as E-Scooters and to Reconsider Restrictions Placed on Cyclists**

Council asked whether the City had been approached by micromobility companies, expressed concerns about changing bicycle guidelines, a suggestion to change the age cut-off for riding on sidewalks to sixteen, asked about the obligation of the City should it give permission to a company, whether the City or company would be responsible for the placement of charging stations, liability to the City, ensuring that the company selected has a track record of diversity and inclusion, whether tracking devices are on vehicles, questions about the charges for using the devices, whether parking areas were necessary, shared experiences with scooters not being placed out of the path of pedestrians, charging a license fee, concerns about protecting the rights of pedestrians, concerns about the devices being used on sidewalks, expressed support to remove the requirement to register bicycles, commented on the purpose of the bicycle registration and publicizing it more, questions about who would have the right of way, a question about the legality of mini-motorcycles, a suggestion to make bicycle registrations optional, and a suggestion to keep fees and regulations reasonable.

Marshon Tucker asked if the Council would prefer a local or national company; Brandon Stewart noted that in Denver, there was a requirement to scan an ID for the use of a device, Scott Thorne's remarks and concerns about micromobility vehicles were read into record.

**5. Executive Session**

**Action: 5.1 Vote to Enter into Executive Session for the Purpose of Discussing the Setting of a Price for the Sale or Lease of Property Owned by the Public Body**

MOTION: Enter into an Executive Session to discuss the setting of a price for the sale or lease of property owned by the public body as permitted under the Illinois Open Meetings Act 5 ILCS 120/2(c)(6) *Open Session recessed at 8:30 p.m.*

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

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

Action: 5.2 Motion to Return to Open Session

MOTION: Return to Open Session

Motion by Carolin Harvey, second by Tom Grant.

Final Resolution: Motion Carries

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

*Open Session resumed at 8:55 p.m.*

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 8:57 p.m.

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Jennifer R. Sorrell, City Clerk

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Date