

**Local Liquor Control Commission and Regular City Council Meeting July 13, 2021
(Tuesday, July 13, 2021)**

Generated by Jennifer R Sorrell on Tuesday, July 20, 2021

Council Members present

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

A Local Liquor Control Commission meeting preceded the City Council meeting.

Meeting called to order at 6:35 PM

5. Preliminaries to the City Council Meeting

Procedural: 5.1 Roll Call

Procedural: 5.2 Citizens' Comments and Questions

Raymond Louis Ivy spoke on behalf of his son Bryan who was found deceased in the Gaslight Apartments. He indicated that he had found information and evidence not previously discovered. Mr. Ivy shared details that were shared with him by persons with whom he had spoken at the apartments and the homeless shelter. He disputed the findings, asked for an independent investigator, and asked to have the Illinois State Police perform additional testing of the belt from which he had been found hanging. Chief Reno provided limited information as the investigation is ongoing. Mr. Ivy then responded to Chief Reno's statements.

Procedural: 5.3 Council Comments, General Announcements, and Proclamations

6. Public Hearings and Special Reports

Information: 6.1 Presentation by Carbondale Warming Center Executive Director Regarding the Current and Future Use of City-owned Property at 608 E. College Street

Carmalita Cahill, Executive Director of the Carbondale Warming Center, updated the Council and public on the persons and services provided during the pandemic, including over 47,000 meals, over 300 guests served, and commented on the types of changes to programming and services that occurred in response to the pandemic. Additionally, she shared stories of individuals helped by the Warming Center.

Information: 6.2 Design Works/HMB Architects Presentation of the SIMMS Floorplan and Elevations

Thad Heckman presented detail on the progress for the design for the Southern Illinois Multimodal Station, the approvals, both tentative and confirmed, received thus far, the usage by Greyhound and local transit services, Amtrak, public spaces, and a daycare. He and the design team responded to inquiries.

Phillip Carrier shared his concern about the impact that the structure would have on the arts and

entertainment district to be discussed later in the meeting. Thad Heckman responded to Mr. Carrier's remarks.

Council comments and questions included the estimated timeline for construction, question about the entrance for Amtrak, inclusion of a co-working space, question about the approval of the design standard, questions about a child care center which was referenced, and indication that additional time was needed before feedback could be provided.

7. Consent Agenda of the City Council

Action (Consent): **7.1 Regular City Council Meeting Minutes of June 22, 2021 and City Council Retreat of June 30, 2021**

Resolution: Approve the City Council meeting minutes from the Regular City Council meeting of June 22 and the City Council Retreat of June 30, 2021

Action (Consent): **7.2 Approval of Wells Fargo Warrant for the Period Ending 05/31/2021 FY 2022 Warrant # WF 05/2021 in the amount of \$170,484.06**

Resolution: Accept the following report of payments made for the period ended: 05/31/2021 totaling \$170,484.06 (*Exhibit A-07-13-2021*)

Action (Consent): **7.3 Approval of Warrant for the Period Ending: 06/25/2021 for the Combined FY 2022 Warrant 1410 in the Total Amount of \$769,469.73**

Resolution: Accept the following report of payments made for the period ended: 06/25/2021 totaling \$769,469.73 (*Exhibit B-07-13-2021*)

Action (Consent): **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.

Action (Consent): **7.5 Appointments and Reappointments to Boards and Commissions**

Resolution: Approve the Mayor's recommended appointments and reappointments to Boards and Commissions

Action (Consent): **7.6 Award Purchase of Motor Fuel Tax Materials for FY2022**

Resolution: Conditionally Award the purchase of MFT Maintenance Materials pending IDOT's concurrence to: Section 22-00000-01-GM Groups A,C,E and G to Beelman Logistic LLC of East St Louis, IL, in the amount of \$23,007 and Group F to Illini Asphalt of Benton, IL, in the amount of \$12,320. It is further requested that the purchase of Non-MFT Maintenance Materials be awarded to Beelman Logistics LLC, East St Louis, IL, for Groups B and D in the amount of \$24,340.

Action (Consent): **7.7 Approve Fair Days Resolution for Sunset Concerts to be Held at Turley Park** Resolution: Approve a fair days resolution to hold Sunset Concerts at Turley Park. (*Resolution 2021-R-22; Exhibit C-07-13-2021*)

Action (Consent): 7.8 **Approve Purchase of Three (3) Whelen Solar Upgrade Kits and Labor for Emergency Warning Sirens from Roy Walker Communications, Inc. in the Amount of \$18,887**

Resolution: Approve the Purchase of Three (3) Whelen Solar Upgrade Kits and Labor for Emergency Warning Sirens from Roy Walker Communications, Inc. in the Amount of \$18,887

Action (Consent): 7.9 **Resolution Authorizing the City Manager to Petition the Illinois Department of Transportation for a Utility Permit to Construct New Water Main on East Main Street (CIP WS9813)**

Resolution: Approve a Resolution Authorizing the City Manager to Petition the Illinois Department of Transportation for a Utility Permit to Construct New Water Main on East Main Street (CIP WS9813) (*Resolution 2021-R-23; Exhibit D-07-13-2021*)

Action (Consent): 7.10 **Ordinance Adopting a Labor Agreement between the City of Carbondale, the Fraternal Order of Police Lodge #192 - Police Telecommunicators, and the Illinois State Fraternal Order of Police Labor Council for Fiscal Years 2022, 2023, and 2024** Resolution: Approve an Ordinance authorizing the City Manager to execute a collective bargaining with the Fraternal Order of Police - Telecommunicators for Fiscal Years 2022-2024. (*Ordinance 2021-16; Exhibit E-07-13-2021*)

Action (Consent): 7.11 **Award of Contract for Evergreen Park Accessibility Improvements to Samron Midwest Contracting of Murphysboro, Illinois in the Amount of \$1,174,374.40, Contingent upon DCEO Approval**

Resolution: Award a Contract for Evergreen Park Accessibility Improvements to Samron Midwest Contracting of Murphysboro, Illinois in the Amount of \$1,174,374.40, Contingent upon DCEO Approval

Action: 7.12 **Award of Purchase of a 72" Cut Scag Zero-Turn Lawnmower to Ben's Lawn Service of Benton, Illinois in the Amount of \$11,137.00, Declare a 2006 L3130 HS Kubota Tractor Belly Mower with 72" Cut as Surplus**

Pulled by J. Doherty

Action (Consent): 7.13 **Approval of Consent Agenda Items**

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

Pertaining to Item 7.12, there were questions about when construction would begin after the contract is awarded and what could be done with funds not used.

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

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

Action: 7.12 Award of Purchase of a 72" Cut Scag Zero-Turn Lawnmower to Ben's Lawn Service of Benton, Illinois in the Amount of \$11,137.00, Declare a 2006 L3130 HS Kubota Tractor Belly Mower with 72" Cut as Surplus

It was noted that the award of a contract in May for a mower was based on specs written specifically for the brand sought and that the City should award the contract to local business.

MOTION: Award the Purchase of an 72" Cut Scag zero-turn lawnmower for the Southeast Waste Water Treatment Plant to Ben's Lawn Service of Benton, IL in the amount of \$6,525.00 which includes a trade of \$4512.00 and Declare a 2006 L3130 HS Kubota Tractor with a 72" cut belly mower as surplus for trade.

Motion by Adam Loos, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Adam Loos, Lee Fronabarger, Carolin Harvey, John M Henry

Nay: Ginger Rye Sanders, Jeff Doherty, Tom Grant

8. General Business of the City Council

Action: 8.1 Add Projects to the FY 2022 Five Year Community Investment Program (CIP)

The Council inquired about the source for the estimated costs, the limits on Wall Street, integration of Town Square improvements with Phase 3 of Downtown Master Plan improvements, concern about the price tags, prioritization of projects, and possible inclusion of traffic calming measures with the North Wall Street improvements.

MOTION: Add Projects to the Approved FY2022 Five Year Community Investment Program (CIP)

Motion by Jeff Doherty, 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

Action, Discussion: 8.2 Council Discussion Regarding Possible Amendments to Title 15 of the Carbondale Revised Code Relative to Allowing Vacation Rental Units in Certain Zoning Districts without Requiring the Operator to Reside On-site, and a Resolution to Initiate a Text Amendment to Title 15 to be Presented before the Planning Commission

Citizen Comments

Sandy Litecky expressed concerns about this proposal and suggested a requirement that the City have a local contact to address problems.

Phillip Carrier noted that he has an interest in purchasing more properties for VRU development, stated he understands the concerns, that a need for additional short-term rentals exists, and indicated his favor of expanding VRUs.

Jane Adams opposed to the expansion of VRUs into R-2 and R-3 districts, stated that international corporations are expanding into this type of business, and expressed her preference to requiring a manager on-site.

David Schroeder stated that this proposal might be a good idea, but requires guardrails and should not be in R-2 and R-3 districts.

Chris Payne indicated he has purchased several Carbondale properties and shared the challenges in realizing returns on such investments, and expressed his favor for the proposal, noting this is a difficult rental market.

D Gorton disagreed with the statement that the market is self-correcting, shared an experience about operating a VRU, and commented on the difficulty in enforcing the current law.

Phillip Carrier remarked on the history of protectionist policies and noted that preventing other properties from entering the market is to the advantage of current VRU operators.

Sandy Litecky inquired about zoning of a specific area and noted that inclusion of that zoning district would remove that buffer.

Chris Payne remarked the issues with parties are not due to VRUs, but standard rentals; allowing people to come in and invest in these will improve situation.

Jane Adams expressed her appreciation for previous speakers. She stated changing the zoning code applies to everyone, both good and bad operators.

Council Discussion

The Council asked about the sources of inquiries into expanding VRU usage, commented on the subject of parties, expressed concern about including R-2 and R-3 zones, remarked on the history of problematic property owners, suggested capping licensing for non-owner occupied VRUs, noted concern about the Resolution as present, shared their experiences with using VRUs, suggested having 2 contacts available, and shared their opinions on the expansion.

MOTION: Adopt a Resolution Authorizing Staff to Initiate a Text Amendment Relating to VRUs for Consideration by the Planning Commission and City Council; excluding R-1

Motion by Tom Grant, second by Carolin Harvey.

Final Resolution: Motion Carries

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

Nay: Ginger Rye Sanders (*Resolution 2021-R-25; Exhibit F-07-13-2021*)

A break was observed from 8:52 p.m. to 9:02 p.m.

Discussion: 8.3 Discussion of Proposed Amendments to Titles 2, 5, 14 and 17 in Preparation for the Development of an Entertainment District in Carbondale's Downtown

Council Questions and Comments: Council comments expressed their favor for the development of such an area; concerns about the size of the footprint as well as suggestions to consider where arts and entertainment facilities may be in the future; remarks and concerns about lowering the entry age to 18; apprehension about allowing the relaxed restrictions 24-7; noting that the downtown will become center of student nightlife with closure of southeast bars; suggestions to allow amplified sound indoors only; opposition to waiving fees for outdoor uses; an inquiry about the site plan requirement; concerns about policing issues, broken glass, and littering; concerns about bringing in package liquor to the delineated area; and suggestions to allow food trucks in this area during events.

9. Adjournment of the City Council Meeting

Procedural: 9.1 **Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 9:25 p.m.

Jennifer R. Sorrell, City Clerk

Date