

# Request for City Council Action

**Date:** March 25, 2014

<b>Agenda Section:</b> Consent Agenda  <b>No.</b> 5	<b>Originating Department:</b>  City Clerk's Office
<b>Item:</b> Acceptance of Minutes of Boards, Commissions and Committees  <b>No.</b> 5.4	<b>Approved:</b>

**Background:**

Attached for Council review and acceptance are minutes from the meetings of City boards, commissions and committees which have recently been sent to the City Clerk's Office.

**Recommended Action:**

The Council is requested to accept the following sets of minutes and place them on file:

Planning Commission – December 18, 2013

Neighborhood Business Advisory Committee of the Planning Commission – October 2, October 16 and December 18, 2013

Carbondale Library Board of Trustees – January 15, 2014

Liquor Advisory Board – December 10, 2013

Engineering Approval Obtained	Finance Approval Obtained	Legal Approval Obtained	Approval Obtained	Manager's Approval Obtained
-------------------------------------	---------------------------------	-------------------------------	----------------------	-----------------------------------

Council Action: Motion by \_\_\_\_\_ 2nd by \_\_\_\_\_ to \_\_\_\_\_

# MINUTES



**Carbondale Planning Commission**  
**Wednesday, December 18, 2013**  
**Room 108, 6:00 p.m.**  
**City Hall/Civic Center**  
**7:00 p.m.**

Mr. Grant called the meeting to order at 6:00 p.m.

---

**Members Present:** Anz, Grant, Kang, Love, Lilly  
Bradshaw (ex-officio) (6:12)

**Members Absent:** Barke, Hunsaker, McClurg

**Staff Present:** Wallace, Taylor

---

## **Approval of Minutes:**

Ms. Lilly moved, seconded by Mr. Kang, to approve the minutes of November 6, 2013.  
The motion to approve the minutes passed on a unanimous voice vote.

## **Report of Officers, Committees, Communications:**

None

## **Public Hearings:**

None

## **Old Business**

None

## **New Business**

### **A. Election of Officers**

It was decided that an Election Committee of all attendees would confer following the meeting to determine a slate of officers, to be elected at the next meeting, for 2014.

### **B. CIP Recommendations**

There was discussion regarding future CIP recommendations amongst commission

members.

Mr. Wallace explained that these suggestions will be forwarded to the Public Works Department, then to the City Council for consideration. He reviewed the list of CIP recommendations for the Commission.

Mr. Kang moved, seconded by Ms. Lilly, to move the CIP recommendations to the Public Works Department.

The motion was approved by a unanimous voice vote.

**C. The Commissioner, Fall 2013**

No discussion.

**D. City Council Agendas of November 19, December 3 and December 17, 2013**

Ms. Bradshaw reviewed this item.

**E. Neighborhood Business Advisory Committee Status Update**

Mr. Grant stated that a meeting of this committee will be held immediately after this meeting over in Room 103.

**7. Adjournment**

Mr. Grant adjourned the meeting at 6:32 p.m.



**MINUTES**  
**Neighborhood Business Advisory**  
**Committee of the**  
**Carbondale Planning Commission**  
**Wednesday, October 2, 2013**  
**Room 108**  
**City Hall/Civic Center**  
**7:00 p.m.**

Mr. Grant called the meeting to order at 6:05 p.m.

---

**Members Present:** T. Grant, N. Kang, and L. Love

**Members Absent:** J. Lilly

**Staff Present:** T. Taylor and C. Wallace

**Others Present:** J. Adams, J. Bradshaw, D. Gorton, S. Litecky, and M. O'Hara

---

**Discussion on Neighborhood Business District**

Mr. Grant provided an overview of the intent of the Neighborhood Business Advisory Committee including how the regulations could be amended to allow for the reuse of non-residential buildings built prior to 1974 that are located in residentially zoned districts.

Mr. Wallace explained that there are several things that he would like to have accomplished at the meeting tonight in order for staff to begin drafting new regulations to bring back to the Committee at their next meeting. He would like for the Committee to determine if the NB, Neighborhood Business district should be amended to only apply to non-residential buildings built prior to 1974 which are located in residential zoning districts or should the districts be arranged so that new construction would be allowed. The Committee should also decide if the NB district should be amended in a manner that retains the district as a separate zoning district or if the NB district should simply be an overlay district. He stated that the statement of intent will need to be revised to reflect the intent of the district. He also acknowledged that the use table will need to be amended to match the needs of the NB district.

Mr. Grant then read the statement of intent for the NB district.

There was general discussion regarding the statement of intent with several suggestions from those in attendance.

There was discussion regarding the reuse of non-residential buildings compared to new constructions.

Discussion centered on whether new construction in a NB district would be economically viable and if it would be necessary due to the close proximity of most of the City's residential areas to a commercial district.

There was a lengthy discussion explaining what uses are currently permitted as home occupations versus what uses may need to be included in the NB district rewrite.

S. Litecky expressed the necessity to allow the reuse of the existing non-residential buildings.

There was discussion regarding what buildings would be eligible and how many of these structures actually exist in the City.

Mr. Grant suggested that the NB district should focus solely on the reuse on non-residential buildings rather than new construction. There was concurrence from the group.

The group discussed proposed uses for the old National Guard Armory and how these uses could be accommodated through changes in the NB district regulations.

The group acknowledged that the Armory provides a unique opportunity with many uses that may be appropriate with the necessary oversight provided by the special use process.

Mr. Kang suggested that the group look at the list of uses included in the use table and determine which uses should be permitted in the NB district.

Mr. Wallace asked that the group sit down at a future meeting and go through the list of permitted and special uses to determine what should be allowed. In order to help facilitate this discussion, he asked that each member go through the use table and mark those uses that should be considered and bring them to the next meeting so that staff can compile the results for the group. The group agreed that this was an acceptable approach.

## **Adjournment**

Mr. Grant adjourned the meeting at 7:28 p.m.



**MINUTES**  
**Neighborhood Business Advisory**  
**Committee of the**  
**Carbondale Planning Commission**  
**Wednesday, October 16, 2013**  
**Room 108**  
**City Hall/Civic Center**  
**7:00 p.m.**

Mr. Grant called the meeting to order at 6:00 p.m.

---

**Members Present:** T. Grant and L. Love

**Members Absent:** N. Kang and J. Lilly

**Staff Present:** T. Taylor and C. Wallace

**Others Present:** S. Litecky, M. O'Hara, and D. Thomas

---

**Discussion on Neighborhood Business District**

Mr. Grant provided an overview of the last meeting and stated that what the group decided they would like to concentrate on are the large non-residential buildings located in residentially zoned areas. He explained how the Neighborhood Business district currently exists, as it was adopted by the Council as part of the new Zoning Ordinance, and that the Planning Commission's original recommendation to the Council was to make everything a special use. This would give Council the ability to place special conditions on each use. He went on to discuss home occupations and how those might apply within a NB district.

Mr. Wallace clarified that with the adoption of the new Zoning Ordinance, home occupations are now allowed within the residential districts as long as the eight criteria are met. This has helped simplify the process for residents.

Ms. O'Hara asked what happens if the eight criteria are not met.

Mr. Wallace stated that if the eight criteria are not met, then the home occupation would then be subject to the special use permitting process.

Mr. Grant began discussing potential uses of some of these buildings.

Mr. Wallace thanked the group for submitting the completed table where each member reviewed the uses and marked those with a "P" for permitted and an "S" for special use

for those uses that should be considered. He indicated that the responses would be compiled into a table that could be used for comparison purposes. This would simplify the process so that the group could focus on the areas where additional discussion would be required rather than spend time going over uses in which the group was already in agreement.

Mr. Grant asked how the Committee should proceed from here.

Mr. Wallace responded that in order to make a recommendation to the Planning Commission the committee must first decide on what uses will be allowed, then they must determine what the process will be for applying for the NB zoning and what properties would be eligible.

There was general discussion regarding the use categories with clarification from staff on those that needed explanation.

Mr. Wallace stated that he would like to put together the comparison tables and draft some specific language based upon the discussions held during these meetings and other feedback that he has received throughout this process. The Committee could then review the draft and provide feedback at their next meeting.

There were additional questions regarding use categories with staff providing clarification.

There was discussion with regards to the statement of intent. The Committee requested that staff revise the statement of intent and gave general ideas for what they would like to see.

Mr. Grant stated that the group is in agreement in that staff should revise the statement of intent, draft new regulations, and bring the compiled use table to the next meeting for discussion.

The Committee agreed.

## **Adjournment**

Mr. Grant adjourned the meeting at 7:21 p.m.



**MINUTES**  
**Neighborhood Business Advisory**  
**Committee of the**  
**Carbondale Planning Commission**  
**Wednesday, December 18, 2013**  
**Room 108**  
**City Hall/Civic Center**  
**7:00 p.m.**

Mr. Grant called the meeting to order at 6:27 p.m.

---

**Members Present:** T. Grant, J. Lilly, L. Love, and N. Kang

**Members Absent:** None

**Staff Present:** T. Taylor and C. Wallace

**Others Present:** C. Anz, J. Bradshaw, K. Schachel

---

**Discussion on Neighborhood Business District**

Mr. Grant opened the meeting and gave a brief explanation of the Committee's progress to date. He then asked Mr. Wallace to describe the information included in their packet.

Mr. Wallace explained the use table that was included in the Committee's packet and how the responses from Committee members and others from the community were compiled into the table. He then asked that the group discuss each use and determine what uses should be permitted by right and which should only be allowed as a special use.

The Committee discussed the list of uses and determined how each should be treated. After considerable discussion, the Committee was able to agree on how each use should be treated.

Mr. Grant reiterated the Committee's desire to amend the Neighborhood Business district to only apply to the non-residential buildings located in residential zoning districts. He then read the revised statement of intent.

The Committee discussed the revised statement of intent for the NB district as proposed by staff.

Mr. Wallace explained what properties would be eligible to apply for the NB zoning. Per the Committee's direction, the NB zoning would only be eligible for existing non-residential buildings and their existing parking areas. Restrictions on the district would not allow property adjacent to these buildings to be acquired in order to expand the building or parking. The intent would be to limit the size of NB districts and not allow further encroachment into neighborhoods.

Mr. Wallace then described the process for applying for the NB zoning which would be similar to the way a rezoning to PUD, Planned Unit Development or BPL, Planned Business is handled. This would give the City Council greater control over what is initially approved by requiring a preliminary development plan for the property. He went on to explain that any future deviations from the approved development plan would have to come before the City Council for consideration. This would again be similar to amendments to a BPL plan or PUD plan. This would give the City Council greater oversight over any future changes to the property.

The Committee agreed that this would allow a greater protection for the neighborhood and would give the City a higher level of oversight.

Mr. Grant asked if a person could acquire one of these non-residential buildings and have it torn down so that one might build a new commercial structure.

Mr. Wallace explained that under the proposed regulations this would not be allowed.

The Committee then went through all changes to the proposed district.

After discussion, the Committee agreed that the proposed changes were adequate to protect the surrounding neighborhoods while at the same time allowing the adaptive reuse of non-residential buildings located within residentially zoned areas.

Mr. Wallace stated that the item would be placed on a future Planning Commission agenda and would then be sent to the City Council.

## **Adjournment**

Mr. Grant adjourned the meeting at 7:40 p.m.

**Carbondale Public Library Board of Trustees**

Wednesday, January 15, 2014

4:30 p.m.

Meeting Room  
405 West Main St.

**MINUTES**

**Call to order.**

**Roll call.**

Introductions, audience and visitors. Visitors are asked to introduce themselves at this time and present any issues they wish to discuss. Visitors wishing to address specific agenda items will be granted two to five minutes at the discretion of the President, not to exceed a total of twenty minutes.

Roland Person, President (1)  
Philip Brown, Vice President  
Susan Tulis, Secretary  
Don Prosser, Treasurer (2)  
Joyce Hayes (1)  
Barbara Levine  
Harriet Simon (1)  
Sharifa Stewart (1)

**Absent.**

Julian Pei (1 + 4 excused)

The number following the Trustee's name indicates the number of absences this fiscal year.

**Staff present.**

Diana Brawley Sussman, Library Director  
Gwen Hall, Finance Manager

**Visitors present.**

None.

**President's report.**

None.

**Secretary's report.**

1. Approval of the December 11, 2013 minutes. One correction needed: change the word "someone" to "some" in the librarian's report. Harriet Simon made a motion to approve the minutes with this correction. Barbara Levine seconded. MOTION passed unanimously.

**Correspondence and communications.**

1. Discussed Jackson County Board of Review appeals for reductions in assessed value.

**Financial report.**

1. Approval of bills payable up to and including bills due January 16, 2013 to February 15, 2013. Philip Brown made a motion to approve payment of bills. Susan Tulis seconded. MOTION passed unanimously.  
2. Acceptance of the financial report for November 2013. Gwen Hall reported that the library had received

another 88,000 in property tax revenue. Revenue is coming in faster than it was last year. Gwen Hall addressed questions. Joyce Hayes made a motion to accept the report. Sharifa Stewart seconded. MOTION passed unanimously.

**Librarian's report.**

1. Building and grounds maintenance and construction. The Director reported that the carpeting had been completed as scheduled, with the exception of the stairway landing. Considering the high cost of replacing all quarry tile, we will install "walk-off" carpet tile on the landing and entryway vestibules, which should reduce carpet stains throughout the library. There may be some costs incurred to create in-ground outlets and re-route data lines. These changes will reduce the hazard of patrons' laptop cords being strung across a thoroughway when plugged into the wall. It will allow us to reposition one staff person's desk. The Director reported that library staff had been very helpful, and Maintenance Manager Jimmy Kalert's expertise and flexible personality were enormously beneficial throughout the project.

2. City Council meeting on levies. The Director reported that there were two votes against the levy (Mayor Fritzler and Councilwoman Adams). However, the Mayor stated that his objection was to the city's levy, not the library's and said that he felt that Councilwoman Adams agreed with him on this point.

**Committee reports.**

None.

**Unfinished business.**

None.

**New business.**

None.

**Other.**

Discussed making sure that we have (and that staff are aware of) memorial/in-honor-of donation forms. Discussed reviewing and perhaps amending by-laws to ensure that they allow for excused absences.

**Adjournment.**

Adjourned at 5:09 pm

Next Board Meetings for 2014 (all in Public Library meeting room, 4:30 p.m.): February 12, March 12, April 9, May 14, June 11, July 9, August 13, September 10, October 8, November 12, December 10

**Respectfully submitted:**

Susan Tulis, Secretary

**Prepared by:** Diana Brawley Sussman, Library Director



## Liquor Advisory Board December 10, 2013

The City of Carbondale's Liquor Advisory Board held a meeting on Tuesday, December 10, 2013, in Room 103 of the Carbondale Civic Center, 200 South Illinois Avenue. Chairman Robinson called the meeting to order at 5:30 p.m. with the following-named members of the Board present/absent:

### 1. Roll Call

Present: Mark Robinson, John Mills, Tasis Karayiannis, and Emily Loehmer

Absent: Steve Payne, Joyce Webb, Sarah O'Dell

A quorum was available to take action on the agenda items. City Staff present for the meeting included Deputy City Clerk Alicia Burtley and Fire Chief John Michalesko.

### 2. Approval of Minutes

J. Mills moved, T. Karayiannis seconded, to approve the minutes from November 7, 2013. VOTE: All voted aye, motion declared carried.

### 3. Consideration of an application for a Class A1 PKG liquor license from Heartland Business Operations, LLC d/b/a Pita Alley, 1711 West Main Street

The applicant, Imad Samarah, owner, was present to answer questions from the Board. In response to M. Robinson confusing his application as one for packaged liquor store, Mr. Samarah indicated his establishment would operate as a restaurant but would include the sale of packaged liquor, as long as the consumer purchases an entrée item, for off premises consumption.

The Board discussed concerns regarding restaurants having a license that enables them to sell package liquor. There were questions with regard to other businesses taking advantage of the Class A1 liquor license because they would classify their establishment as a restaurant. It was brought to the attention of the Board that the City Code specifically states, "A Class A1 license shall not be issued to the applicant unless at least fifty-one percent (51%) of its gross retail sales revenue is collected from the sales of nonalcoholic beverages and food."

M. Robinson asked the applicant how he intended to limit abuse of package liquor sales. Mr. Samarah indicated they would have to purchase an entrée and the least expensive entrée costs \$9.00, which are kebabs, beef and chicken entrées. J. Mills asked Mr. Samarah would he be okay with just a liquor license and not worrying about the package liquor license. Mr. Samarah stated he would be okay with that, however, he would appreciate it if the package liquor license would be approved.

MOTION: J. Mills moved, T. Karayiannis seconded, to recommend approval of Class A1 PKG liquor license to Heartland Business Operations, LLC d/b/a Pita Alley at 1711 West Main Street, contingent upon receipt of all outstanding items. VOTE: All voted aye, motion declared carried.

### 4. Liquor Advisory Board Comments

J. Mills stated that the City Council may want the Liquor Advisory Board to look at the wording of this particular license (Read: PKG) to see if it needs some changes. J. Mills' comments concerned the potential abuse of this option. M. Robinson referenced issues with a prior liquor license holder, Gold Mine.

**5. Citizens' Comments**

None

**6. Adjournement**

Meeting adjourned at 5:55 p.m.

---

Alicia Burtley, Deputy City Clerk

---

Date Approved