

Request for City Council Action

Date: June 10, 2014

Agenda Section: Consent Agenda No. 5	Originating Department: City Clerk's Office
Item: Acceptance of Minutes of Boards, Commissions, and Committees No. 5.5	Approved:

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 minutes and place them on file:

Planning Commission – March 5, 2014

Zoning Board of Appeals – January 29, 2014

Preservation Commission – April 21, 2014

Foreign Fire Insurance Board – December 12, 2013 and February 13, 2014

Sustainability Commission – February 20, March 20, and April 17, 2014

Human Relation Commission – April 7, 2014

Liquor Advisory Board – April 3, 2014

Engineering Approval Obtained	Finance Approval Obtained	Legal Approval Obtained	Approval Obtained	Manager's Approval Obtained
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Council Action: Motion by _____ 2nd by _____ to _____



MINUTES
Carbondale Planning Commission
Wednesday, March 5, 2014
Room 108, 6:00 p.m.
City Hall/Civic Center

Mr. Grant called the meeting to order at 6:03 p.m.

Members Present: Anz, Field, Grant, Kang, Lilly, Loos, Love, Schachel
Bradshaw (ex-officio)

Members Absent: Barke

Staff Present: Wallace, Taylor

Approval of Minutes:

Mr. Kang moved, seconded by Ms. Lilly, to approve the Planning Commission minutes of December 18, 2013, and the minutes of the Neighborhood Business Advisory Committee of October 2, October 16, and December 18, 2013. The motion to approve the minutes passed on a unanimous voice vote.

Report of Officers, Committees, Communications:

None

Public Hearings:

A. PC 14-11, Text Amendment Relative to the NB, Neighborhood Business District

Mr. Grant declared Public Hearing PC 14-11 open and asked Mr. Wallace to read the legal notice.

Mr. Wallace read the legal notice.

Mr. Grant asked Mr. Taylor to present the staff report.

Mr. Taylor, Planner for the City of Carbondale, was sworn in and read part A of the staff report.

Mr. Grant asked if there were any questions of staff.

Ms. Field asked how religious institutions are defined.

Mr. Wallace responded that any religious organization with a 501.C.3 designation would be recognized, and that the ordinance was reworded to be more inclusive, with the recent

updates.

Mr. Grant asked if there were any further questions.

There were none.

Mr. Grant asked Mr. Taylor to complete the staff report.

Mr. Taylor read parts B and C of the staff report, with a recommendation to approve PC 14-11.

Mr. Grant asked if Commissioners had any questions for staff.

There were none.

Mr. Grant asked if there were any questions from anyone to anyone.

Ms. Sandy Litecky came forward and asked if this could not also be applied to residential units that someone wished to turn into a commercial property.

Mr. Wallace responded that it would not apply to residential properties. The Ordinance was recently amended to allow more home occupations. It could not be rezoned, however, for commercial use.

There was brief discussion on the issues of parking and traffic generation, and how that would have to be taken into consideration with any new business.

Ms. Mary O'Hara came forward and stated that she was representing Study Circles Neighborhood Alliance Group. She said that they are very happy to see the changes that have been incorporated, but wanted to ask for a change on page 73, under retail sales and service. She said they would like to see the permissible use be changed to a special use because there is no size restriction.

Mr. Wallace stated that he, with the consent of the Planning Commission, would make that change, and send it to the City Council as a special use.

Mr. Grant asked if anyone wished to speak in opposition.

There was no one.

Mr. Grant asked if there were any further questions.

There were none.

Mr. Wallace stated that there was a change on page 45, under section 217.10. He said that under D, he wished to amend it to say "any signs" so the size and location of all signs would have to be shown, rather than just free standing signs. He stated that he would also like to add a provision under I which would state that "any proposed modifications to the building façade or exterior." He said that another change would be on the next page,

under section 217.11, he would like to amend section D to say “an increase in the size, location or amount of signs, including free standing and architectural.”

There was discussion regarding changing this to say “any signs,” and it was agreed to do so.

Mr. Wallace asked to add an E onto the same section, to say that modifications may be made to the exterior of the building, but would require Council approval.

Mr. Grant closed the public hearing for PC 14-11 and asked for a motion on the findings of fact.

Mr. Kang moved, seconded by Ms. Lilly, that the Commission accept as findings of fact Parts A and B of the staff report for PC 14-11, that the applicant was present and that no one spoke in favor or in opposition, but two people asked general questions.

The motion passed on a unanimous voice vote.

Mr. Grant asked for a recommendation to the City Council.

Mr. Kang moved, seconded by Ms. Lilly, that the Commission recommend approval of PC 14-11, with the five amendments as follows:

1. Modify Section 15.2.29 under the use category, “Retail, general, except as otherwise listed” from Permitted to a Special Use
2. Modify Section 2.17.10.A .1.(d) to read, “Location and size of any signs”
3. Add (i) to Section 2.17.10.A.1, which should read “Any modifications to the exterior of the building.”
4. Modify Section 2.17.11.A.1 (d) to read “An increase in the size, location, or amount of signs.
5. Add (e) to Section 2.17.11.A.1, which should read “modifications to the exterior of the building”

Roll Call Vote:

Yes – 8 (Anz, Grant, Field, Loos, Schachel, Kang, Lilly, Love)

No – 0

Mr. Grant stated that the motion passed.

B. PC 14-12, P. Michael Kimmel has requested a text amendment that would allow the reconstruction of a building built before 1974, in the R-1 Low Density Residential district without the necessity of the structure being destroyed by fire or some other natural cause.

Mr. Grant declared Public Hearing PC 14-12 open and asked Mr. Wallace to read the legal notice.

Mr. Wallace read the legal notice.

Mr. Grant asked Mr. Taylor to present the staff report.

Mr. Taylor, Planner for the City of Carbondale, was sworn in and read part A of the staff report.

Mr. Grant asked if the applicant was present and would like to speak.

Mr. P. Michael Kimmel came forward and stated that he lives at 505 West Walnut, and that he is here as a citizen of Carbondale. He said that in many of the older neighborhoods, there are out buildings that were built on small lots without any alternative place to put them, that are in disrepair. He said that if these buildings are allowed to be reconstructed, they will then meet fire and safety codes, besides improving the neighborhoods. He said that he also has the support of the Carbondale Preservation Commission, who will be sending a letter in the near future. He offered to answer any questions.

Mr. Grant asked if anyone had any questions for Mr. Kimmel.

There were none.

Mr. Grant asked if anyone would like to speak in favor of the text amendment.

Ms. Sandy Litecky came forward and asked for approval from the Commission, saying that the amendment is needed.

Mr. Wallace then read a letter of support for the text amendment submitted by the Arbor District, which will be made a part of the permanent record.

Mr. Grant asked if there was anyone who wished to speak in opposition.

There was no one.

Mr. Grant asked Mr. Taylor to complete his staff report.

Mr. Taylor read parts B and C, with the recommendation to approve PC 14-12.

There was discussion regarding the rebuilding of non-conforming structures, particularly duplexes, if they were destroyed.

Mr. Wallace explained that it is the intent of the Code that a duplex or other non-conforming structure cannot be rebuilt. He stated that the additional language recommended by staff would help clarify this.

Mr. Grant asked if there were any further questions.

Ms. Bradshaw asked if there would be any sort of oversight, or if people would just be able to rebuild without coming to the City at all, and if the design would be reviewed.

Mr. Wallace responded that one would have to obtain a Zoning Certificate and a Building

Permit from the City prior to any construction, but there would be no design oversight.

Mr. Grant asked for a motion on the findings of fact.

Mr. Kang moved, seconded by Mr. Love, that Parts A and B of the staff report, that one person spoke in favor, no one spoke in opposition, and one letter was read in support.

The motion passed by a unanimous voice vote.

Mr. Grant asked for a motion as to the recommendation to the City Council.

Mr. Kang moved, seconded by Mr. Love, to recommend approval of PC 14-11.

Roll Call Vote:

Yes – 8 (Anz, Grant, Field, Loos, Schachel, Kang, Lilly, Love)

No – 0

Mr. Wallace stated that the motion passes and that it will be on the March 25 City Council agenda.

5. Old Business

A. Election of Officers

Mr. Wallace stated that he recalled the slate was to remain the same for this year, with Mr. Grant as Chair, Mr. Love as First Vice Chair, and asked for a volunteer for Second Vice Chair.

Mr. Kang was nominated as Second Vice Chair, which he accepted.

Ms. Lilly moved, seconded by Mr. Loos, to accept the slate as proposed.

The motion was approved by a unanimous voice vote.

6. New Business

A. Commissioner Article: “Getting the Most Out of Staff Reports”

Mr. Wallace explained that this article touched on what all Commissioners are given for all Planning Commission cases and how important consistent staff reports are.

Mr. Grant also spoke about the importance of the article, citing the “Three C’s.”

B. City Council Agendas of January 7, January 28, February 11, February 25, and March 4, 2014

Ms. Bradshaw reviewed this item.

7. Adjournment

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

MINUTES

Carbondale Zoning Board of Appeals

January 29, 2014
City Hall / Civic Center, Room 108
200 South Illinois Avenue
6:00 p.m.

MEMBERS PRESENT: Kang, Anz, Field, Loos, Schachel

MEMBERS ABSENT: Barke, Grant, Love, Lilly

STAFF PRESENT: Wallace, Price

Approval of Minutes: Mr. Loos moved, seconded by Mr. Anz, to approve the minutes of August 14, 2013.

The motion was approved by a unanimous voice vote.

HEARING:

- A. **ZBA 14-03**, 6:00 p.m. – Home Rental’s appeal of the City’s authority to regulate Real Estate Signs as described in Section 15.4.10.9.B

Roll call was completed and the determination of a quorum was made.

Mr. Kang opened the Public Hearing at 6:00 p.m. and asked Mr. Wallace to read the Legal Notice.

Mr. Wallace read the Legal Notice.

Mr. Price, Planner for the City of Carbondale, was sworn in and presented the staff report for ZBA 14-03.

Mr. Scott Hendricks, legal representative for the appellant, came forward and stated that he wished to point out that their appeal is with the City’s attempt to regulate the signs of his clients, as set forth in his appeal notice. He said that the photographs provided by City staff do depict the signs that they are contesting, not with regard to signs as a whole. He said the signs are made with durable material and are permanently attached to the buildings, and that the basis of the appeal is the First Amendment of the United States Constitution as well as the Fourteenth Amendment. He spoke about the Supreme Court decisions and their interpretations that he felt supported his standing. He said that the

City would have to show that the reason for the regulations of their signs would have to be substantial, and that the regulation directly advances the government interest. He stated that his client's signs are only on multi-unit apartment buildings, not in single family zoning areas, and that they advertise units for rent. He said that the Ordinance, in Section 15.4.10.2, states the purposes of the sign regulations, the first being "to preserve, protect and promote the public safety on City streets by limiting unnecessary distraction of motorists caused by signs." He stated that while driving through the City this evening, he noticed there are more signs in Carbondale than in many metropolitan areas. He spoke about the Ordinance in detail and how his client's signs do not violate City Code, in his opinion and supported by his legal research. He submitted copies of his researched cases to members of the Board and thanked them for their time.

Mr. Kang asked if there were any questions from the Board.

There were none.

Mr. Kang asked Mr. Jamie Snyder, Assistant Attorney for the City of Carbondale, to present his case.

Mr. Snyder came forward and stated that most of the information he wished to present was given to the Board prior to the meeting in the form of a Memorandum written by him and added to Mr. Price's staff report. He asked Mr. Price to show the slide of the signage that was torn and left in disrepair, and one that showed four separate signs on one building frontage, stating that the signs are not being maintained, nor does there need to be four signs on one building to advertise rentals. He reviewed the memorandum that he had written related to case law, which he said was extremely well settled. He added that the appellant has had ample due process. He offered to provide copies of the case law to the Board members, and spoke about the limited time the signage was allowed to be up, so therefore should not be permanently affixed to the buildings. He said that anything that disturbs the community can be regulated by the police powers of a Home Rule city. He concluded that this does not violate the freedom of speech, as it is a restriction on the manner and not the content of speech, and asked that the Board deny the request.

Mr. Kang asked if the Board had any questions of Mr. Snyder.

There were none.

Mr. Kang asked Mr. Hendricks if he could explain how the First Amendment is violated by restrictions on the size and number of days that a sign may be displayed.

Mr. Hendricks responded that the restrictions can affect the information that is contained in the sign and what the sign is trying to convey, according to the Supreme Court.

Mr. Kang asked Mr. Hendricks if he would like to make a closing statement.

Mr. Hendricks stated that the due process argument was with respect to the Fourteenth Amendment which incorporated the First Amendment, which is why he coupled them in the appeal. He said that they wouldn't get anywhere if they didn't question the Ordinance because that does not mean it passes muster with the Supreme Court rulings.

Mr. Kang asked Mr. Snyder if he had a closing statement.

Mr. Snyder stated that the Ordinance does not state that the sign cannot be up, it states that you cannot leave it up for more than fourteen days after the property has been leased or sold. He said that is the main difference in the Supreme Court case law that was cited by Mr. Hendricks. He said that the City is not trying to tell them they cannot have signs, they are restricting the size, number and length of time the signs are up. He asked the Board to vote that the Ordinance is valid.

Mr. Kang asked the Board if they were ready to vote.

Board members responded yes, they were.

Mr. Kang asked for a motion that the City has jurisdiction over this matter.

Mr. Anz moved, seconded by Mr. Loos, that the City has jurisdiction.

The motion passed by a unanimous voice vote.

Mr. Kang asked for a motion as to the fact that the applicant has the standing to bring the case to the Board.

Mr. Loos moved, seconded by Ms. Field, that the applicant does have the standing.

The motion passed by a unanimous voice vote.

Mr. Kang asked for a motion as to the finding of the facts.

Mr. Anz moved, seconded by Mr. Loos, as to the finding of facts.

The motion passed on a unanimous voice vote.

Mr. Kang asked for a motion as to the approval or denial of the appeal.

Ms. Schachel moved, seconded by Mr. Loos, to approve the appeal.

Roll Call Vote:

Yes – 0

No - 5 (Loos, Anz, Field, Schechel, Kang)

Mr. Wallace stated that the appeal is denied.

Mr. Kang told Mr. Hendricks that he would receive written notification of the denial of his appeal within a few weeks.

Old Business:

Mr. Kang stated there was no Old Business to conduct.

New Business:

Mr. Kang stated there was no New Business to conduct.

Citizen Comments or Questions:

There were none.

Adjournment:

Mr. Kang adjourned the meeting 6:44 p.m.

MINUTES

City of Carbondale Preservation Commission Monday, April 21, 2014 City Hall/Civic Center – 7:30 p.m.

1. **Roll Call:** Chair Parkinson called the meeting to order at 7:30p.m.

Members Present: Benedict, Clark, Doherty, Ittner, Parkinson, VanAwken

Members Absent: Comparato, Sigler

Staff Present: Sergeev

Guests: Seven CCHS students

2. **Approval of Minutes:** Ms. Ittner moved, seconded by Mr. VanAwken, to approve the minutes of March 17, 2014.

3. Public Hearings

None

4. **Communications and Reports:**

A. Education and Technical Assistance Committee

Ms. Ittner stated that she has been looking for history from 1896 on for the Alumni Association. She said she located three collections about the Alumni Association after some diligent searching at Morris Library.

Mr. Parkinson stated that the bus tour had taken place earlier in the evening and that it had gone very well. He asked that thank you cards be sent out to both the IDOT personnel who allowed them into their building, as well as Andy Wallace, who let them tour the previous Armory building and treated them very well.

B. Nomination and Hardship Review Committee

Mr. Parkinson stated that a hearing will be held at the Varsity Center for the Arts, scheduled for April 23, 2014, at 9:00 a.m. at the Varsity Theater. He said that they are going to formally ask permission to move forward with the exterior renovations.

C. Work Plan Committee

Mr. Clark stated that the Work Plan Committee met and reviewed the work plan. Everyone was given a copy of the excel spreadsheet that shows the upcoming events and plans for the entire Commission.

There was brief discussion regarding a second plaque for the plan in 2015, and the timing of the Annual National Preservation Conference. Ms. Sergeev stated that she will obtain the date and location in an email, and forward it on to all Commissioners.

D. Nomination Committee

Mr. Parkinson stated that he was going to combine this item and item 6.A.

5. Old Business:

A. Plaque Dedication Date

Mr. Parkinson spoke about the significance of the plaque that has been received. He suggested the dedication for at 10 a.m. on May 31st.

6. New Business:

A. Officer Elections

Ms. Benedict stated that the Nomination Committee had met, and that Mr. Parkinson is slated for Chair and Mr. Sigler for Vice Chair for the next term.

Mr. Clark moved, seconded by Mr. Van Awken, that the slate be accepted.

The motion was passed by a unanimous voice vote.

B. Historic Preservation Month

- a. Recommendation of Certificate of Appreciation to Dianna Reusch and David Pendell for their work on the *Carbondale Remembered* oral history project

Ms. Ittner stated that these two people from John A. Logan College have been transcribing oral histories since 2006, and that she feels it is time to publically thank them, hopefully at a City Council Meeting.

Ms. Sergeev stated that she is looking into a presentation at a City Council Meeting.

C. FY 2015 Meeting Schedule

Mr. Parkinson reviewed the schedule of meetings for FY 2015, as the new fiscal year begins on May 1st, 2014. The March and April dates were corrected, and Mr. Parkinson asked for a motion to approve the calendar of meetings.

Mr. VanAwken moved, seconded by Ms. Doherty, to approve the schedule.

The motion passed by a unanimous voice vote.

7. **Comments by the Public, Commission Members and Staff:**

There was brief discussion regarding the placement of the plaque and the people who should be invited. Ms. Sergeev requested that Commissioners send her any names that need to be added to her list of invitees.

8. **Adjournment:**

Mr. Parkinson adjourned the meeting at 8:01 p.m.

CITY OF CARBONDALE, ILLINOIS
MEETING MINUTES
5:00 PM, DECEMBER 12, 2013
FIRE STATION #1, 600 E. COLLEGE

PRESENT: Chief John Michalesko, Captain Mike Rishel, Wesley Clemmons, Dylan Fairfield, Sean Sherwood. **ABSENT:** RON STOLZ, ROB MILLER **GUESTS:** None

CALL TO ORDER

Wesley Clemmons called the meeting to order at 5:04 PM.

MINUTES OF PREVIOUS MEETING

A motion was made by Sean Sherwood to approve the previous meeting's minutes, Mike Rishel seconds and all in favor.

TREASURER'S REPORT

SEAN SHERWOOD REPORTED A BALANCE OF \$66,956.73 WITH NO OUTSTANDING EXPENDITURES. DYLAN FAIRFIELD MADE A MOTION TO ACCEPT, MIKE RISHEL SECONDS AND ALL IN FAVOR.

UNFINISHED BUSINESS

The decision was made to cancel the purchasing of the chain come-along that was previously approved so a different one could be purchased.

NEW BUSINESS

Mike Rishel made a motion to purchase rescue equipment totaling \$9065.60 including 38 pocket window punches (\$9.99 each totaling \$399.68), two rocket panel ram supports (\$139 each plus shipping totaling \$306.00), a four point combo strut kit (\$7,336.00 including shipping), and two chain come-alongs (\$149.99 plus shipping totaling \$349.98). John Michalesko seconds and all in favor. A motion was made by Mike Rishel to purchase cabinets for the bay at station 1 for \$1,741.98, Dylan Fairfield seconds and all in favor. Discussion was made about purchasing exercise equipment for the new station and also a treadmill for station 1. It was decided to table the items until next meeting. Mike Rishel made a motion to purchase five TV mounts (\$149.99 each totaling \$749.95) and a projector mount (\$79.00) for the new station. Sean Sherwood seconds and all in favor. A motion was made by Mike Rishel to purchase appliances for the new station including a dishwasher (\$701.10), three refrigerators (\$776.29 each totaling \$2,328.87), and a gas range stove (\$2,051.99). Sean Sherwood seconds and all in favor. The schedule for the 2014 meetings were given to the members.

Guest Comments and Questions

None

ANNOUNCEMENTS AND ADJOURNMENT

The next meeting is to be scheduled for February 14, 2014. Mike Rishel made a motion to adjourn, John Michalesko seconds and all in favor at 6:25 PM.

Dylan Fairfield, Secretary

City of Carbondale, Illinois
Foreign Fire Insurance Board
Meeting Minutes
5:00 pm, February 13, 2014
Fire Station #1, 600 E. College

Present: Chief John Michalesko, Rob Miller, Wesley Clemmons, Dylan Fairfield, Sean Sherwood.
Absent: Captain Mike Rishel, Ron Stolz Guests: None

Call to Order

Meeting was called to order by Clemmons at 5:07 PM.

Minutes of Previous Meeting

Was not reviewed.

Treasurer's Report

Sean N Sherwood reported a current balance of \$60,297.63 with an available balance of \$51,232.03. The outstanding balance was \$9,065.60 including pocket window punches (\$399.62), rocker panel ram support (\$306.00), shark collapsible cribbing (\$674.00), four point combo strut kit (\$7,336.00), and a two ton chain come along (\$349.98). Miller made a motion to approve the report, Michalesko seconds and all in favor.

Unfinished Business

Discussion was made about treadmills for station 1 and 2. It was decided to table the items until more quotes were provided.

New Business

Motion was made by Miller to purchase Mediacom for the new station for two months and a reconnect for \$550.00, Sherwood seconds and all in favor. Miller made a motion to purchase a Bunn automatic brewer for the new station, Fairfield seconds and all in favor. A motion was made by Miller to purchase a universal gym system (\$3,149.00), a weight set (\$199.98), and a curl bar (\$49.99) for the new station, Fairfield seconds and all in favor. Discussion was made about additional exercise equipment that had been requested for purchase for the new station. It was decided to table the items until we moved in and knew if there would be enough space. A motion was made by Fairfield to purchase three recliner chairs for the new station at \$739.00 each, totaling \$2,217.00. Miller seconds, Michalesko votes against, and the rest in favor. Motion carries with the majority in favor. Motion was made by Fairfield to purchase two end tables for the new station for \$732.00. Sherwood seconds, Michalesko votes against, and the rest in favor. Motion carries with the majority in favor. Miller made a motion to purchase leather seats for the front of Car 2 for \$775.00, Sherwood seconds and all in favor.

Guest Comments and Questions

None.

Announcements and Adjournment

The next meeting was to be scheduled for April 10th. A motion was made by Miller to adjourn, Sherwood seconds and all in favor at 6:22 PM.

Dylan Fairfield, Secretary

MINUTES
City of Carbondale Sustainability Commission
Thursday, February 20, 2014
City Hall / Civic Center – 6:00 p.m.

1. **Roll Call:** Ms. Wagner called the meeting to order at 6:07 p.m.

Members Present: Ms. Wagner, Mr. Kunath, Mr. Thorne, Mr. Loos, Ms. Davis

Members Absent: Mr. Stewardson, Mr. Monty, Ms. Bonney, Ms. Shimada

Staff Present: Loren Polley

Others Present:

Minutes: Motion by Mr. Thorne, 2nd by Mr. Loos, all in favor, of approval of January 16, 2014, minutes

2. **Communications:**

Review of the current Status Report of the Former Koppers Wood-Treating Site. Updates should be posted on website

Old Business: Website approved. Website content is processing. Greencarbondale.com

Energy Committee –

Bike Path /Green Space Committee –

Recycling Committee –

New Business:

Adjournment: With no further business to be conducted Ms. Wagner adjourned the meeting at 6:31 PM.

3. Respectively submitted by Loren K. Polley, City of Carbondale Staff Liaison

MINUTES
City of Carbondale Sustainability Commission
Thursday, March 20, 2014
City Hall / Civic Center – 7:30 p.m.

1. **Roll Call:** Ms. Wagner called the meeting to order at 7:44 p.m.

Members Present: Ms. Wagner, Mr. Kunath, Ms. Shimada, Mr. Loos, Ms. Davis

Members Absent: Mr. Stewardson, Mr. Monty, Mr. Thorne

Staff Present: Loren Polley

Others Present:

Minutes: Motion by Mr. Loos, 2nd by Ms. Shimada, all in favor, of approval of February 20, 2014, minutes

2. **Communications:**

Review of the current Status Report of the Former Koppers Wood-Treating Site. Updates should be posted on website

Old Business: Website is up and running. Greencarbondale.com

Energy Committee –

Bike Path /Green Space Committee –

Recycling Committee –

New Business: Ms. Bonney has resigned leaving two vacant positions. A CCHS student and an SIU student are needed to fill Commission seats.

Adjournment: With no further business to be conducted Ms. Wagner adjourned the meeting at 8:23 PM.

3. Respectively submitted by Loren K. Polley, City of Carbondale Staff Liaison

MINUTES
City of Carbondale Sustainability Commission
Thursday, April 17, 2014
City Hall / Civic Center – 6:00 p.m.

1. **Roll Call:** Ms. Wagner called the meeting to order at 6:19 p.m.
Members Present: Ms. Wagner, Mr. Kunath, Ms. Shimada, Mr. Loos, Ms. Davis Mr. Monty
Members Absent: Mr. Thorne
Staff Present: Loren Polley
Others Present: 7 CCHS students, 3 SIU students, Sarah Heyer from KCB
Minutes: Motion by Mr. Loos, 2nd by Ms. Shimada, all in favor, of approval of March 20, 2014, minutes

2. **Communications:**

Review of the current Status Report of the Former Koppers Wood-Treating Site. Updates should be posted on website

Old Business: Website is up and running. Greencarbondale.com

Energy Committee –

Bike Path /Green Space Committee –

Recycling Committee –

New Business: Mr. Stewardson has resigned leaving a vacant position. Bike Path/Green Space committee is to be split into two separate committees. Green Space Committee and Transportation Committee are the two new committees. Motion by Mr. Kunath, 2nd by Ms. Davis, all in favor, of the split. 1st by Mr. Loos, 2nd by Ms. Shimada, all in favor, of the proposed committee definitions.

Adjournment: With no further business to be conducted Ms. Wagner adjourned the meeting at 6:45 PM.

3. Respectively submitted by Loren K. Polley, City of Carbondale Staff Liaison



Commissioners Present: Jeraldine Brown, Joseph Brown, Peg Falcone, Jerrold Hennrich, Faith Miller, Les O'Dell, Dora Weaver

Commissioners Excused: Lauren Bonner

Commissioners Absent: Blaine Tisdale

Study Circle Staff Present: Sarah Heyer

Guests Present: Karriem Shariati , Elius Reed, CCHS Students (Dyrell Bates, Sierra Burns, JayLynn Davidson, Rachel Fligor, Brianna Halliday, Brittany Hewerdine, Sabrina LeBlanc, Simone Pike,

Staff Present: Deborah McCoy, Chief Jodi O'Guinn, City Manager Kevin Baity

Call to Order

The meeting was called to order by Vice Chair Hennrich at 6:35 p.m.

Minutes

Motion was made by Commissioner O'Dell and seconded by Commissioner Falcone to approve the minutes from the March 17, 2014, meeting, with the correction that Commissioner Jeraldine Brown had an excused absence. Motion carried.

Announcements

April 9: EPA will have representatives at the Eurma Hayes Center from 6:00-9:00 pm to discuss issues regarding the old Copper Tire Plant area. The meeting is not considered one of the two to be sponsored the City Council.

April 12: Annual Soul Food fund raiser will be sponsored by the African American Museum from 11:30 am – 3:30 pm in the University Mall food court area. Cost is \$7 for adults and \$3 for children.

April 12: Spring Clean Up will be held at Turley Park

April 12: Aids Walk

April 17: SIU Board of Trustees Meeting will be held at the Student Center at 9:00 am.

April 17: Dr. Cornell West will be speaking at Shryock Auditorium at 7:00 pm.

Congratulations were extended to Commissioner Miller on her appointment as the Director of the SIU-C Dental Hygiene Program.

Public Comments:

Mr. Reed commented on the negative impact the investigation of SIU-C student Pravin Varughese's death might have on the university's declining enrollment. He referenced Carbondale Times articles (February 19, 22, & 26, 2014) containing statements from Police Chief O'Guinn and descriptions of the District #13 State Police Officer's actions. Mr. Reed stated that an article in the April 3, 2014, Daily Egyptian reported that the toxicology report showed no signs of alcohol or drugs in Mr. Varughese's system. Mr. Reed stated that he was told by Representative Enyart's Office that Mr. Varughese's parents had contacted Indian government officials, who contacted Chancellor Cheng or some other official, to inform the university that they would not be sending the proposed 500 students to SIU-C as planned because Carbondale is no longer a safe place for students.

Mr. Baity commented that he and Mr. Reed had spoken about the situation with the Indian government not sending students to Carbondale. Chancellor Cheng indicated that no one from the Indian Consulate or Indian Government had contacted her office.

Mr. Reed indicated that his comments were meant to bring attention to the seriousness of the issue (danger to students) and that the issue has not been resolved. He suggested there be a public meeting to discuss the issue.

Chief O'Guinn commented that the information being reported about the toxicology test is inaccurate, and that the State's Attorney's Office had advised that it not be commented on as there is an open investigation. Questions were asked about the search for Mr. Varughese and Chief O'Guinn summarized the information received and the steps taken by the Carbondale Police Department.

Commissioner Falcone stated that something positive to come out of the situation could be improved communication between law enforcement agencies.

Study Circles Report

Neighborhood Action Group

Coordinator Heyer reported the Neighborhood Group met April 2, 2014. Representatives from Glenview Street were present and looking to organize a neighborhood group. There was discussion regarding the Neighborhood Business Proposal, the City's budget shortfall, the Carbondale *Communique*, and the Carbondale Neighborhood Watch meeting scheduled for Tuesday, April 8, 2014, 5:00 p.m. April 19, 2014 will be a ground breaking ceremony at the Buckminster Fuller Dome.

No report

Continuing the Dialogue/Education - No report

Race Relations - No report

Non-Violent Carbondale Project

Coordinator Heyer reported on the following events:

April 4 - Community of Rights – Rights of Community Speakers

April 7, 2014

April 5 – Workshop on collecting stories. Things are missed in the community when things are viewed only from a science perspective and not an anecdotal.

April 12 – Workshop – kids collecting stories – Boys & Girls Club

April 26 – Sharing stories

Commissioner Miller commented that there is a good deal of information contained in the “Linking Lands, Lives and Arts of Southern Illinois” that can be found on line.

Old Business

Law Enforcement Reports: Vice Chair Hennrich called attention to the 2011, 2012, and 2013 reports distributed at the last Human Relations Commission meeting. Commissioner Falcone inquired whether there was any way of determining whether the numbers are duplicates, e.g. the number of people as opposed to number of actual arrests. Chief O’Guinn stated that the current system is not set up to extract that kind of information, but the new system may allow customization. Questions were asked about a Restorative Justice program for juveniles. Under Mr. Wepsiec’s Office, few individuals were recommended for the program, but Mr. Carr may choose to handle the program differently. Restorative Justice puts the victim and the offender together. Chief O’Guinn stated that there may not be sufficient staffing or funding to support the program. Commissioner Joseph Brown commented that the university, particularly the Dean of Liberal Arts, would be a resource and internships and externships could be created. Students studying delinquency could be connected to those issues present in the Carbondale community. Chief O’Guinn commented that part of the problem is that a lot of people are saying what needs to be done, but no one is stepping forward to move things along. Chief O’Guinn provided clarification of UCR Violation Codes, index crimes, burglary, theft, and calls for service. Traffic citations have been increased as a result of phone calls about driving while texting/talking, running red lights, and stop signs. Traffic stops also include warnings (roughly 5,000 citations with 3,000 of those being warnings).

Mr. Baity reported that the City is reviewing state traffic violations to determine if and how they can be incorporated into City Ordinances so the City of Carbondale can write the ticket and the revenue stays local rather than going to the State of Illinois.

Commissioner Weaver asked the CCHS students if they were aware of any discrepancies between white and black kids. Most comments indicated that the environment, parenting, matter of discipline, and peer group contributed to the differences.

HRC Responsibilities, Role, Charges:

Educational Campaign: Vice Chair Hennrich spoke about a seminar he attended where Judge Timberlake was the facilitator. A white paper, titled “Restorative Justice: A Primer and Exploration of Practice Across Two North American Cities,” was distributed to Commissioners. Commissioner O’Dell suggested that Commissioners be given an opportunity to review the handout and discuss at the next meeting. Commissioners agreed.

Retreat: On hold until after Illinois Municipal Human Relations Association Conference.

Community Discussions: Environmental Racism. Commissioner Miller encouraged Commissioners attend the meeting with the EPA at the Eurma Hayes Center on April 9, to learn or to hear any issues that are related to environmental racism. Commissioners will need to take some action regarding what direction they would like

to move, perhaps at the next HRC meeting.

Partnering for Social Justice: States Attorney Mike Carr was scheduled to speak on Restorative Justice, but had to cancel, and the meeting was cancelled due to weather.

Illinois Municipal Human Relations Conference: May 1, 2014, Springfield, IL. Commissioner Joseph Brown will attend. Other Commissioners interested in attending should contact Ms. McCoy.

New Business

Commissioner Weaver reported that she had emailed the Mayor indicating her desire to continue with the HRC.

Next Meeting: May 5, 2014, 6:30 p.m.

Adjournment - There being no further business, the meeting was adjourned at 8:05 p.m.

Recorded by Deborah McCoy _____



Liquor Advisory Board April 3, 2014

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, April 3, 2014, in Room 103 of the Carbondale Civic Center, 200 South Illinois Avenue. Vice-Chairman Mills called the meeting to order at 5:32 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: John Mills, Tasis Karayiannis (arrived at 5:33 p.m.), and Sarah O'Dell

Absent: Steve Payne, Joyce Webb, Emily Loehmer, and Mark Robinson

A quorum was available to take action on the agenda items. City Staff present for the meeting included City Clerk Jennifer Sorrell, Fire Chief Michalesko, and Lt. Matt Dunning.

2. Approval of Minutes

T. Karayiannis moved, S. O'Dell seconded, to approve the minutes from March 6, 2014. VOTE: All voted aye, motion declared carried.

3. Consideration of an application for a Class C2 (Grocery Store – Beer and Wine Package Sales) Liquor License for Aldi, Inc. d/b/a Aldi at 1232 East Main Street

Representatives from Aldi included Dale Richards, Store Manager, Monica Del Rio, Shipping Manager, and Jim Mittrucker, District Manager.

Mr. Mittrucker noted that the corporation does sell some wine products and a few beer products. He provided a handout depicting the products which they carry and noted there are some additional varieties for the summer and around the holidays. He stated there is a weekly shipment received at each store and training is provided to employees. The cost per six-pack is approximately \$6.00 and he noted he anticipated no problems in administering the law regarding sales of alcohol. Mr. Mittrucker indicated that the standard layout for all Aldi stores places the alcohol in the first aisle against the wall. Mr. Richards stated that customers are able to bypass the first aisle altogether once they enter the business.

J. Mills asked about the training received by employees, the seasonal changes to the alcohol lines, and then commented about the ordinance requirement regarding the placement of alcohol within the store. He noted that the Council may not accept the layout where alcohol is placed in the first row and that alternate arrangements may have to be made.

Mr. Mittrucker stated that walls can be placed on either side of the shelving and noted that the entire display is 12' in length. He remarked that the store is small and there is not a lot of flexibility on moving the product.

T. Karayiannis noted the display would not be very large, there are licenses available, and that he did not see any problems with the application, but agreed that they may have a problem at the Council level.

Mr. Mittrucker asked if the Board would recommend the store having a license.

J. Mills noted his reluctance to state in any recommendation that the store be exempted from the

Ordinance, but it is Council's decision. He then suggested that the representatives may wish to discuss the matter with the City Manager or Mayor.

VOTE: T. Karayiannis moved, S. O'Dell seconded, that the application be approved contingent upon receipt of outstanding items and with the understanding that the matter with the shelving be worked out. All voted aye, motion declared carried.

4. Liquor Advisory Board Comments

The Clerk indicated that the May meeting of the Liquor Advisory Board where license renewals will be considered will be scheduled in mid- to late- May.

5. Citizens' Comments

None

6. Adjournment

Meeting adjourned at 5:50 p.m.

Jennifer R. Sorrell, City Clerk

Date Approved