

Tuesday, February 13, 2024

Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
City Council Chambers, Room 108
200 South Illinois Avenue
Carbondale, Illinois 62901
6:00 p.m.

1. Preliminaries to the Local Liquor Control Commission Meeting

Subject : 1.1 Roll Call
Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type : Procedural

Public Content

2. Citizens' Comments for the Local Liquor Control Commission

Subject : 2.1 Citizen Comments for the Liquor Commission
Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :

Public Content

Citizens comments for the Local Liquor Control Commission

3. General Business of the Local Liquor Control Commission

Subject : 3.1 Local Liquor Control Commission Meeting Minutes of January 9, 2024
Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type : Action
Recommended Action : Approve the meeting minutes from the Local Liquor Control Commission meeting of January 9, 2024

Public Content

Originating Department: City Clerk's Office

File Attachments

[Local Liquor Control Commission Meeting Minutes 09 January 2024.pdf \(10 KB\)](#)

3. General Business of the Local Liquor Control Commission

Subject :	3.2 Application for an On-Premises Secondary Restaurant from Little Pizza My Heart LLC d/b/a Pagliai's Pizza
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action
Recommended Action :	<ol style="list-style-type: none">1. Approve the issuance of the On-Premises Secondary Use Restaurant liquor license with video gaming rider, contingent upon receipt of all outstanding items; or2. Approve the issuance of the On-Premises Secondary Use Restaurant liquor license without the video gaming rider, contingent upon receipt of all outstanding items; or3. Deny the On-Premises Secondary Use Restaurant liquor license based on one or more of the provisions of the Liquor Code.

Public Content

Originating Department:

City Clerk's Office

Background:

Attached is an application from Little Pizza My Heart, LLC dba Pagliai's of Carbondale located at 509 South Illinois Avenue; the entity is seeking an On-Premises Secondary Use Restaurant Liquor License with a Video Gaming Rider. The current owners and operators of Pagliai's are selling the business to the owner of Little Pizza My Heart, LLC, the sale of which is set to close following approval of the liquor license contingent upon receipt of all outstanding items.

Liquor Code Provisions:

On-Premises Secondary Use Restaurant: Sales of alcohol and/or video gaming revenues are ancillary to the operation of the business.

The principal source of revenue shall come from the sale of nonalcoholic beverages and food. There is no minimum age for entry.

2-4-5: PROCEDURE FOR CRITERIA FOR ISSUING A LICENSE:

A. Notice: Upon the filing of an application for a liquor license, the application shall be reviewed by City staff for completeness, accuracy, and recommendation to the Commission; the application will then be considered at the next available Liquor Commission meeting. The applicant shall be notified of the date of said meeting not less than three (3) business days in advance. Failure of the applicant to accept, read, or review the notice, whether provided by mail, email, or telephone, does not constitute improper notification by the Commission.

B. Hearing And Evidence: The Commission shall receive and may require such evidence deemed necessary to make findings based upon the standards and factual criteria set out below and elsewhere in this title.

C. Standards And Factual Criteria: After the hearing, the Commission may grant a liquor license, contingent upon receipt of outstanding items, if it is determined that the grant of the license would not be detrimental to the general welfare of the City. The Commission may deny an application or may require changes to the applicant's plans in order to establish grounds for the issuance of the license if they find that the application meets one or more of the factual criteria listed below.

1. The application does not contain all the information, supporting documents, or fees required by this title.
2. The issuance of the license would be in violation of any part of this title.
3. The applicant does not have sufficient financial assets to maintain the proposed liquor establishment or has demonstrated insufficient financial responsibility.
4. The applicant is a convicted felon who has not been adequately rehabilitated.
5. The issuance of the license can reasonably be expected to create excessive noise, traffic, parking, or litter problems.
6. The applicant has a history of problems with regard to violations of health regulations, laws, and ordinances at prior establishments owned or managed by the applicant.
7. The building in which the applicant seeks to operate does not meet building and zoning code ordinances and regulations.
8. The issuance of the license can reasonably be expected to create a nuisance such as excessive and repeated breaches of the peace.
9. The applicant has previously had a liquor license revoked or suspended in this or any other state or jurisdiction.
10. The applicant is seeking a restaurant license and does not provide sufficient facilities or menu items to operate as a restaurant.

Outstanding Items:

The \$100 application fee has been paid and the criminal history check did not reveal anything which would preclude the applicant from holding a liquor license. The current license holder at this location must surrender their liquor license before a license can be issued to the applicant.

Staff Recommendation: Approve

License classification is appropriate for the operation
The location and parking are fitting for a restaurant

File Attachments

[Little Pizza My Heart, LLC \(Pagliai's Pizza\) - Liquor Application_Redacted.pdf \(4,564 KB\)](#)

[2-4-5 CRC Procedure for Criteria for Issuing a License.pdf \(20 KB\)](#)

[2-4-4 Ineligibility for License - State Liquor Code Section 235 ILCS 5.6.2 - Issuance of licenses to certain persons prohibited.pdf \(91 KB\)](#)

[2-4-8 Special Conditions and License Riders.pdf \(452 KB\)](#)

4. Adjournment of the Local Liquor Control Commission

Subject : 4.1 Time of Adjournment for Local Liquor Control Commission

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Procedural

Public Content

5. Preliminaries to the City Council Meeting

Subject : 5.1 Roll Call

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Procedural

Public Content

5. Preliminaries to the City Council Meeting

Subject : 5.2 Citizens' Comments and Questions

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Procedural

Public Content

Citizens may address the City Council for up to four minutes on any agenda item. Public comments will be accepted for a maximum of 30 minutes per item. Those wishing to address the City Council should raise their hand to be recognized by the Mayor prior to approaching the podium. Speakers should provide their names for the minutes and end their comments when the four-minute time limit is announced. The

Council may suspend or waive the speaker time limit with the consent of a majority of Council members present and are not required to respond to public remarks during the meeting.

5. Preliminaries to the City Council Meeting

Subject : 5.3 Council Comments, General Announcements, and Proclamations

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Procedural

Public Content

General Comments from the City Council and City Manager. Proclamations, Special Recognition, and Oaths of Office will periodically be administered at this time.

5. Preliminaries to the City Council Meeting

Subject : 5.4 Proclamation for National Black History Month

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Procedural

Public Content

Originating Department: Mayor's Office

Background: A Proclamation declaring the month of February 2024 as National Black History Month

File Attachments

[Proclamation for National Black History Month, 2024-02-13.pdf \(72 KB\)](#)

6. Public Hearings and Special Reports

Subject : 6.1 Presentation on the Proposed Permanent Stage to be Located at the 100 - 200 block of South Washington Street

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Discussion

Goals : [Goal #1: Provide a high quality-of-life and foster a sense of community for all residents](#)
[Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services](#)
[Goal #4: Encourage progressive economic development, tourism, arts, and entertainment](#)

Goal #5: Provide high-quality City infrastructure
Goal #8: Use the downtown master plan as a guide to
revitalize the City Center

Public Content

Originating Department: Economic Development

Background:

On October 12, 2021, Thad Heckman with Design Works presented to Council preliminary designs for a proposed permanent stage and other improvements on City-owned property located on the 100 - 200 block of South Washington Street. Council approved seeking funding for the proposed project.

On January 6, 2022, during a special meeting of the Carbondale City Council, Council approved a resolution authorizing the City Manager to submit an application for the Rebuild Downtowns & Main Streets Grant Program for a downtown Entertainment and Event Plaza in the amount of \$2,055,040.00. Included in the resolution was a commitment from the City to provide 20% local matching funds, estimated to total \$513,760.

On September 21, 2022, the City received a Notification of State Award from the Illinois Department of Commerce and Economic Opportunity (DCEO) that the City had been awarded \$2,055,040.00 in grant funds for the project.

On September 29, 2023, the City received a fully executed grant agreement from DCEO for this grant. The grant agreement is effective on January 1, 2023 and expires on December 31, 2024.

On December 12, 2023, Council approved a resolution authorizing the City Manager to enter into a professional services agreement with Design Works for architectural and engineering services related to the Entertainment Plaza.

On December 19, 2023, representatives of Design Works, Kirkegaard and Associates Acoustic Consultants and City staff met with members of the Carbondale Musicians Advisory Council to review the initial stage design. The group uncovered additional important considerations that have been incorporated into the designs since the project was last presented to Council on January 6, 2022.

Attached for Council consideration are the current designs for Phase 1 of the proposed entertainment and event plaza on Washington Street. Phase 1 of the project includes a fully functioning stage structure, along with other improvements to the property.

Phase 2 is contingent upon additional funding, and includes permanent restrooms, a ticketing office, a covered pavilion, fencing and other improvements.

The proposed Phase 1 design allows the City to more fully develop this location into a facility that can effectively host not only more concerts and other forms of live entertainment, but other types of events as well, creating a flexible, multi-functional space that will be used for years to come.

Recommended Action:

It is recommended that the City Council hear a Presentation on the proposed Permanent Stage to be located at the 100 - 200 block of South Washington Street, and provide feedback to incorporate into the final design.

File Attachments

[C'Dale Entertainment and Event Plaza Council Display Files 2024-02-13.pdf \(4,305 KB\)](#)

6. Public Hearings and Special Reports

Subject :

6.2 Public Hearing on Proposed Rental Licensing and
Housing Rights Ordinances

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Public Hearing

Public Content

Originating Department: City Manager

Background:

This public hearing is an opportunity for anyone to present comments or information to the City Council. The City Council is not required to respond to citizens during the public hearing but may provide responses during the General Business item discussion later in the agenda.

7. Consent Agenda of the City Council

Subject : 7.1 Regular City Council Meeting Minutes from January 23, 2024

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Action (Consent)

Recommended Action : Approve the minutes from the regular City Council meeting of January 23, 2024.

Public Content

Originating Department: City Clerk's Office

Background:

File Attachments

[Regular City Council Meeting Minutes 2024-01-23.pdf \(316 KB\)](#)

7. Consent Agenda of the City Council

Subject : 7.2 Approval of Warrant for the Period Ending: 01/19 /2024 for the FY 2024 Warrant 1477 in the Total Amount of \$2,625,351.74

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Action (Consent)

Recommended Action : Accept the following report of payments made for the period ended: 01/19/2024 totaling \$2,625,351.74

Goals : [Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services](#)

Public Content

Originating Department: Finance

Background:

File Attachments

[Warrant 1477 2024-02-13.pdf \(357 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.3 Approval of Warrant for the Period Ending: 02/02 /2024 for the FY 2024 Warrant 1478 in the Total Amount of \$1,420,686.13
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action (Consent)
Recommended Action :	Accept the following report of payments made for the period ended: 02/02/2024 totaling \$1,420,686.13
Goals :	Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: Finance

Background:

File Attachments

[Warrant 1478 2024-02-13.pdf \(315 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.4 Reappointment to Boards and Commissions
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action (Consent)
Recommended Action :	Council is requested to concur with Mayor Harvey's recommended reappointment to Boards and Commissions

Public Content

Originating Department: Mayor's Office

Background: Mayor Harvey recommends the following reappointment to Boards and Commissions:

Planning Commission: Reappointment of Sandy Litecky, to a term ending January 31, 2028.

7. Consent Agenda of the City Council

Subject : 7.5 Accept Permanent Easements for Stormwater Replacement Project (CIP 9902)

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Action (Consent)

Recommended Action : Accept easements for CIP project SS9902.

Public Content

Originating Department: Public Works - Engineering

Background:

A large section of stormwater piping in southwest Carbondale was installed in the 1960s using corrugated metal pipes. City staff have televised most sections and have found that the bottoms of the existing pipes have disintegrated over time which is causing settlement in roads, private property, and around some curb inlets. These pipe failures are causing safety and maintenance issues and as such, City Staff have begun preliminary construction work for community investment project SS 9902.

The City's civil engineering consultant has developed a conceptual map (attached) for this project. As Staff began to investigate the private property areas where the existing storm sewer piping and structures will need to be replaced found that when the subdivisions were originally developed there were no easements granted to the City to maintain the stormwater system. Staff hired Hanson Engineering Services to perform all the legal work and negotiation for this project and have now secured all 23 easements that are needed. On November 14, 2023 the City Council accepted 19 easements, the remaining 4 easements are attached for acceptance.

Staff recommends that the City Council accept the attached 4 easements so they can be recorded at the Jackson County courthouse.

File Attachments

[SS 9902 - Phase 1 - Storm Sewer Location Map - 2023-11-14.pdf \(11,961 KB\)](#)

[Permanent Easement - 15-20-254-002 - 1505 W. Eddings St..pdf \(594 KB\)](#)

[Permanent Easement - 15-24-254-007 - 209 S. Hewitt.pdf \(1,047 KB\)](#)

[Permanent Easement - 15-20-254-003 - 1503 W. Eddings St..pdf \(1,584 KB\)](#)

[Permanent Easement - 15-20-401-010 - 1500 Taylor Dr..pdf \(425 KB\)](#)

7. Consent Agenda of the City Council

Subject : 7.6 Resolution Authorizing the City Manager to Submit an Application for U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Action (Consent)

Recommended Action : Approve a resolution authorizing the City Manager to submit an application for U.S. Department of Transportation's RAISE grant program.

Goals : [Goal #5: Provide high-quality City infrastructure](#)
[Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services](#)

Public Content

Originating Department: City Manager

Background:

On November 30, the US Department of Transportation (DOT) released the Notice of Funding Opportunity for the Rebuild American Infrastructure with Sustainability and Equity (RAISE) grant program. The Infrastructure Investment and Jobs Act appropriated \$1.5 billion to be awarded by DOT to local and regional infrastructure projects.

The City of Carbondale applied for the FY23 RAISE grant, seeking funds to improve/resurface various City streets including West Mill Street, West Chautauqua Street, East Fisher Street, North Marion Street, West Oak Street, North Oakland Street, North and South Poplar Street, North Washington Street, and West Willow Street. The City was a finalist to receive funding during this funding cycle with our application being scored "highly recommended" but fell short due to the Benefit-Cost Analysis (BCA). The City has recently entered into a Professional Services Agreement with Prosody Consulting ED to create a BCA for the FY24 application to maximize the City's chance of receiving RAISE grant funding.

This project, if awarded, will bring the select roads into a state of good repair. The roads will also be upgraded to a "complete street" style of road that includes cycling lanes and upgraded ADA-curb ramps. The total project cost is estimated to be \$12,089,533. The City is requesting \$9,671,626 in federal funding, which if awarded, will provide up to 80% of the funds with the City being responsible for the 20% match of \$2,417,906. The application deadline is February 28.

File Attachments

[Resolution Approving the Submission of a 2024 U.S. DOT RAISE Grant 2024-02-13.pdf \(10 KB\)](#)

7. Consent Agenda of the City Council

Subject : 7.7 Award of Contract to Hutchison Engineering, Inc. in the Amount of \$49,526 for Phase III Engineering/Construction Inspection Services for the East College Street Box Culvert Replacement (CIP ST1303)

Meeting : Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024

Type : Action (Consent)

Recommended Action : Award of Contract to Hutchison Engineering, Inc. in the Amount of \$49,526 for Phase III Engineering/ Construction Inspection Services for the College St Box Culvert Replacement(CIP ST1303)

Public Content

Originating Department: Public Works Engineering

Background:

The City was awarded \$553,288 in surface transportation funds from the Southern Illinois Metropolitan Planning Organization and has pledged \$110,657.60 in matching funds (20%) to replace the existing box culvert under E. College Street at Piles Fork Creek. Since this project is administered by IDOT, the City is required to complete Phase 3 resident engineering (RE) which means that an IDOT-certified City representative is required to be present during the duration of the project to ensure that all construction and materials meet the proposed project design. The full scope of RE includes inspecting all work completed, documenting all material quantities on approved IDOT forms, completing on-site testing of all earthwork and materials, completing daily logs and weekly reports, inspecting erosion control measures, approving shop drawings, processing pay applications and change orders, and coordinating project closeout with IDOT. In short, these requirements necessitate the placement of a full-time resident engineer during the duration of the project to include post-construction activities. This project was awarded by IDOT to ET Simonds of Carbondale and work is expected to begin this June.

Current City staffing isn't available to meet IDOT's Phase 3 RE requirements. As such, Staff has contacted civil engineering firms to assist with this portion of the work. Hutchison Engineering is a local engineering firm certified with IDOT for Phase III engineering work; their Carbondale office Director is a retired IDOT administrator and fluent with the project requirements. As such, Hutchison is well-qualified to complete this work.

The approved 5-year CIP includes funds for RE for this project. Funds exist within the current CIP to apply to this project.

Recommended Action: It's recommended that the City Council award a contract with Hutchison Engineering of Carbondale in an amount not to exceed \$49,526 for Phase III engineering services related to the reconstruction of Box Culvert on East College Street at Piles Fork Creek.

File Attachments

[Hutchison Engineering Services Agreement College St Box 2024-02-13.pdf \(5,175 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.8 Award of Purchase of three (3) Police Vehicles from Vogler Ford, Carbondale, IL in the Amount of \$146,335; Approve an Ordinance Authorizing a Budget Adjustment to Increase the Police Department's FY24 Budget in the Amount of \$146,335; and Declare City-Owned Property as Surplus
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action (Consent)
Recommended Action :	Award the purchase of three (3) vehicles from Vogler Ford, Carbondale, IL in the amount of \$146,335 approve an Ordinance authorizing a budget adjustment increasing the Police Departments FY2024 budget in the amount of \$146,335.00 and declare replaced vehicles as surplus property.

Public Content

Originating Department: Police Department

Background:

The Police Department's FY2024 budget did not include funds for the purchase of police package vehicles. The Police Department needs to replace four (4) vehicles that have high mileage and will require significant costly repairs to continue to be serviceable. The new vehicles are needed to maintain safe, reliable police vehicles for responses in the City and to continue the take-home car program for officers who live within the City limits. There are still production waiting times for previously approved vehicles that the Police Department has not received. The fleet is experiencing significant repairs due to the ages of the vehicles, high mileage, and higher operating hours. It should be noted that police patrol vehicles run nearly 24 hours per day. Vehicles are

shared among the three operational shifts and due to the electronics to power body-worn camera, dash camera, and dispatch software the vehicles need to remain running which adds significant running hours for the vehicle engines. The increase in hours has the same effect as mileage increases which results in police vehicles having shorter operation lives.

Specifications for the police vehicles were prepared and the bid was advertised in the *Southern Illinoisan* on Saturday, January 6, 2024, made available on the City website, and sent to nine (9) dealerships, as shown on the attached bid certificate.

Five (5) bids were submitted on February 6, 2024. The lowest bid received that met the minimum specifications and delivery time, as shown on the attached Bid Tabulation was from Vogler Ford, Carbondale, IL in the amount of \$148,335, minus the trade-in values of \$2,000, making a total bid of \$146,335. It is recommended that Vogler Ford, Carbondale, IL be awarded the bid.

It will be necessary to declare the trade-in vehicles as surplus prior to the purchase.

1. 2003 Ford Expedition (1FMPU16L23LC47240) Mileage 124,401
2. 2005 Ford Crown Victoria (2FAFP71W25X158775) Mileage 113,744
3. 2001 Dodge Ram (3B7KC26Z11M534625) Mileage 201,476
4. 2016 Ford Police Utility (1FM5K8ARXGGA77628) Mileage 160,965

File Attachments

[Police Vehicles FY2024 Budget Adjustment 2024-02-13.pdf \(16 KB\)](#)
[24-29 Three \(3\) 2024 4-WD Crew Cab Pickups Bid Tab 2024-02-13.pdf \(24 KB\)](#)
[24-29 Three \(3\) 2024 4-WD Crew Cab Pickups Certificate 2024-02-13.pdf \(18 KB\)](#)
[Ordinance Authorizing a BA for the Purchase a Replacement of Four Patrol Vehicles 2024-02-13.pdf \(224 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.9 Approval of Consent Agenda Items
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action (Consent)
Recommended Action :	Approve all Consent Agenda items not pulled for separate consideration

Public Content

8. General Business of the City Council

Subject :	8.1 A Resolution Approving and a Resolution Denying the Glisson Subdivision
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action
Recommended Action :	Adopt a Resolution Approving the Glisson Subdivision
Goals :	Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: Community Development

Background:

On behalf of the Glisson Family Trusts, William Bollinger has submitted a subdivision plat for property at the 800-900 block of East Grand Avenue (see location map). Proposed lots 1, 2, 3, and 4 are zoned BPL, Planned Business, and lot 5 is zoned PUD, Planned Unit Development. Since more than four (4) lots are proposed, City code categorizes this as a Major Subdivision.

This subdivision is primarily a proposed division of land into smaller parcels. The only development planned for the property at this time is a stand-alone Dominos Pizza store to the west of the Grand Avenue Mall (proposed Lot 2), which is in the site plan review process with the City at this time.

The Planning Commission voted unanimously(7-0) to recommend approval of this subdivision at their February 7th, 2024, meeting.

Attached for City Council review are the following:

- 1- The proposed final plat and topographic map for the subdivision of land
- 2- Staff report that was presented to Planning Commission
- 3- A Resolution approving the subdivision
- 4- A Subdivision Agreement

File Attachments

- [Subdivision Resolution Exhibit A - Subdivision Agreement, Glisson Subdivision, Maj SD 24-01, 2024-02-13.pdf \(106 KB\)](#)
- [Subdivision Resolution, Glisson Subdivision, Maj SD 24-01, 2024-02-13.pdf \(119 KB\)](#)
- [Proposed Final Plat, Glisson Subdivision MajSD 24-01, 2024-02-13.pdf \(528 KB\)](#)
- [Topographic Map, Glisson Subdivision, MajSD 24-01, 2024-02-13.pdf \(382 KB\)](#)
- [Staff Report Glisson Maj SD 24-01 w location map.pdf \(1,809 KB\)](#)

8. General Business of the City Council

Subject :	8.2 Discussion with Stakeholders Concerning Rental Agent Licensing, Rental Unit Licensing, and Housing Rights
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Discussion, Public Hearing
Goals :	Goal #6: Enhance residential development/rehabilitation Goal #1: Provide a high quality-of-life and foster a sense of community for all residents

Public Content

Originating Department: Legal/City Manager/Development Services

Background:

On July 25, 2023, City Staff presented information to the City Council regarding comparisons between the current residential rental registration program and residential rental licensing programs that have been adopted by other Illinois municipalities. Following discussion,

Staff was directed to establish a focus group consisting of landlords and SIU student legal services. Staff also contacted Land of Lincoln legal aid and Illinois Realtors to assist Staff in preparing draft ordinances to possibly convert the City's current rental registration program to a licensing program.

At the December 12, 2023, City Council meeting the Council heard from several members of the public concerning the proposed ordinance that would directly affect the landlords and tenants. It was recommended that some changes be made and certain Council members wanted to make specific changes after discussion with Staff. Before the December 12th meeting City Staff met with Andy Wallace based upon comments that he provided and provided him with responses in person at the City Attorney's office. Some changes were made to clarify issues that he had, as well as providing further explanation to Mr. Wallace that provided him with a better context of the proposed language. The City also received a response from Jason Grenman, a staff attorney with Land of Lincoln Legal Aid, concerning the provisions of the ordinance. Staff reviewed his suggestions and incorporated some of those changes. The City Attorney also discussed the language that was being proposed with Scott Hendricks, who represents Home Rentals as well as from Ron Deedrick of Illinois Realtors.

The drafted ordinances and information on tonight's public hearing were shared with the public and registered landlords on January 19 via a link on the City website and through social media posts. There have been no new comments or suggestions from the public. Staff requests that the City Council discuss the attachments and provide further direction to Staff regarding possible future adoption of the ordinances. The two notable changes that Staff would like to draw the Council's attention to are the following:

22-4-12(A)(5): In the event that the City of Carbondale inspectors, or any government agency, prohibit occupancy to the premises due to the landlords noncompliance with the Carbondale revised code, the tenant shall be permitted to immediately terminate the lease and shall be compensated the sum of two months rent to assist with tenant relocation; and the landlord shall return the entire security deposit to tenant. All forfeited rents and deposits shall be returned to the tenant within thirty (30) days from the date the premises was determined to be uncopyable.

4-17-6(A):Reasons For Revocation: A license issued hereunder may be revoked by the City Council, following a hearing on the record, if the holder of the license meets any of the following:

File Attachments

[Housing Rights Ordinance - Cross Reference 2024-02-13.pdf \(209 KB\)](#)

[Residential Rental Agent Licensing Ordinance 2024-02-13.pdf \(122 KB\)](#)

[Residential Unit Licensing and Grading 2024-02-13.pdf \(184 KB\)](#)

8. General Business of the City Council

Subject :	8.3 Ordinance Amending Title Sixteen, Chapter Nine, Section Six of the Carbondale Revised Code Addressing Operational Procedures at Poplar Camp Beach
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action
Recommended Action :	Adopt an Ordinance Amending Title Sixteen, Chapter Nine of the Carbondale Revised Code Addressing Operational Procedures at Poplar Camp Beach
Goals :	Goal #4: Encourage progressive economic development, tourism, arts, and entertainment

Public Content

Originating Department: Public Works - Utilities

Background:

Poplar Camp Beach at Cedar Lake has been a summer destination for residents of Carbondale and the surrounding area for decades. Historically, the beach has been open 7 days per week from Memorial Day to Labor Day. Staffing shortages of certified lifeguards in recent years have caused unscheduled closures of the beach, which is an inconvenience to beach guests and results in declining attendance. Additional information is attached.

The Carbondale Revised Code Title Sixteen, Chapter Nine, Section Six addresses public use of the City-owned Poplar Camp Beach. City Staff recommends revising the City Code to remove the requirement for certified lifeguards and permit the public to swim at their own risk on this property. The beach would still be staffed with seasonal workers for safety and monitoring. Safety equipment will be available, user fees will still be collected, and concessions and restroom facilities will remain open. This will allow the City full control over operational hours to keep the beach open 7 days per week for the full season.

Every effort has been made over the past several years to improve lifeguard staffing levels, however despite adding financial incentives, we've seen little success. Due to ongoing challenges with achieving full staffing levels, the beach can only be open 4-5 days per week if lifeguards are required. In addition, the Recreational Master Plan was presented to the City Council last year and includes capital

investments at the beach to include upgrades for the beach restroom and concession facilities. Council direction will also guide staff in planning and prioritizing future projects at Cedar Lake. The proposed additions are shown in Attachment A of the attached Ordinance. It is recommended that the City Council adopt the Ordinance to better serve the public by providing more operational hours at Poplar Camp Beach.

File Attachments

[Lifeguard Costs by year.pdf \(435 KB\)](#)

[Poplar Camp Beach Report.pdf \(464 KB\)](#)

[Ordinance Amending Title 16, Chapter 9, Section 6 of the CRC 2024-2-13.pdf \(298 KB\)](#)

8. General Business of the City Council

Subject :	8.4 Approve a Proposal to Enter into an Intergovernmental Agreement with Jackson County and the City of Murphysboro to Purchase, Remodel, and Operate an Animal Control Facility
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Action
Recommended Action :	Approve a proposal to enter into an intergovernmental agreement with Jackson County and the City of Murphysboro to purchase, remodel, and operate an animal control facility.
Goals :	Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: City Manager

Background:

The City of Carbondale has contracted with the Jackson County Humane Society for many years to assist our Animal Control Officer in providing a place to house and care for impounded animals. As a result of operational changes to the Humane Society, the City was notified in Spring, 2023 that they would no longer offer contractual services to the City. Since the City was given little notice of this change, Staff reached out to municipal animal control facilities within the region as well as nonprofit shelters. Although options were available to accept animals, none were ideal due to potential travel times, limitations on the number of animals that could be accepted, or cost. As such, City Staff has continued to evaluate options for providing animal control services. The City transports approximately 600 animals per year to the Humane Society.

In April 2023, the Humane Society agreed to continue providing services but with the addition of several new conditions as well as a significantly higher annual cost of \$120,000. Staff was able to negotiate the annual cost down to \$90,000 which was still much higher than previous years.

In December 2023, the Humane Society again reached out to communicate new conditions for their services which included restrictions on types of animals and situations where they would offer shelter. In addition, before and after this correspondence, and due to staffing issues, the Humane Society asked our Animal Control Officer to not take animals to their facility for several months. These circumstances have expedited our efforts to find alternate solutions for animal control.

City Staff has been in communication with Jackson County and the City of Murphysboro to discuss the possibility of providing county-wide animal control services. During our research, we found that Herrin and Marion each have new facilities, and recently Union County announced their plans to build a new facility. Based on our experience with the Humane Society over the past couple of years, we believe the public's best option is to pursue our own facility like these other communities have done.

Staff has been working with Jackson County to develop a budget for a property that has been located in rural Jackson County. The location is mid-point between Carbondale and Murphysboro which provides convenient access for all three agencies. There are around 6,500 square feet of space that can provide separation for the three departments while also offering space to grow if needed. The building is one-story slab-on-grade with ample parking that would be modified to be ADA-compliant. The property also has over one acre of fenced-in pasture that would be ideal to accommodate horses, goats, and other livestock that animal control staff regularly encounters. A preliminary layout has been created as well as a remodeling budget that would include new electric service, new HVAC, plumbing modifications for ADA compliance, and all interior finishes. In addition, the budget includes equipment and annual operational costs.

Council is advised that the current combined annual fees for the three governments to the Humane Society is \$191,000 per year. In addition, each entity has its own Animal Control Officer and associated budget which isn't included in the proposed budget attached.

If Council approves this directive, the City of Carbondale will work with Jackson County and the City of Murphysboro to develop an intergovernmental agreement that will require all three entities to share annual costs of the facility while also providing equal access to the property. At a meeting among these three entities on January 12, representatives from Jackson County and the City of Murphysboro were in agreement of this proposal. Similar proposals are being considered by those governments this evening. Staff is seeking the support of the City Council to continue pursuing this possibility as we believe it's the best long-term option to manage animal control and reduce the City's reliance on a third-party to provide these services.

Recommended Action: Staff recommends that the City Council discuss this proposal and approve moving forward with securing the property and developing an intergovernmental agreement to be considered at a later date.

File Attachments

[PROPOSED - Animal Control Facility Budget - 2024-02-13.pdf \(314 KB\)](#)

[Humane Society - Dec 2023 Email.pdf \(843 KB\)](#)

[Humane Society Letter - April 2023.pdf \(435 KB\)](#)

[Animal Control Concept Plan - 2024-02-13.pdf \(433 KB\)](#)

[Animal Control MEP Estimate - 2024-02-13.pdf \(124 KB\)](#)

[Estimate of Probable Cost - 2024-02-13.pdf \(140 KB\)](#)

9. Adjournment of the City Council Meeting

Subject :	9.1 Adjourn meeting
Meeting :	Feb 13, 2024 - Local Liquor Control Commission and Regular City Council Meeting February 13, 2024
Type :	Procedural

Public Content

The Mayor will declare the meeting adjourned.