

**Local Liquor Control Commission and Regular City Council Meeting February 14, 2023  
(Tuesday, February 14, 2023)**

*Generated by Jennifer R Sorrell on Thursday, February 16, 2023*

**Council Members present**

Councilmember Tom Grant, Councilmember Adam Loos, Councilmember Ginger Rye Sanders, Councilmember Jeff Doherty, Councilmember Lee Fronabarger, and Mayor Pro Tempore Carolin Harvey

**Council Members absent**

Mayor John M. Henry

**Meeting called to order at 6:10 PM**

5. Preliminaries to the City Council Meeting

Procedural: 5.1 **Roll Call**

Procedural: 5.2 **Citizens' Comments and Questions**

Citizens addressing the City Council during Citizens' Comments included Sandy Litecky, Donald Monty, James Cooper, Jr., George Wallace, Elius Reed, Brandon Ferron, and Susan Welch-Pimentel.

Procedural: 5.3 **Council Comments, General Announcements, and Proclamations**

Councilmember Fronabarger noted the anniversaries of two local businesses, WSIL for their 70th year and Vogler Ford celebrating 100 years; he remarked on the upcoming anniversary of 150 years of incorporation as a City this August.

Councilmember Rye Sanders encouraged citizens to attend some of the many Black History Month events ongoing through February; she noted that Black History is every day.

Councilmember Loos asked a citizen commenter to re-send their email.

6. Public Hearings and Special Reports

Reports: 6.1 **Presentation from Artspace304 on Carbondale's Downtown Mural Project**

Marsha Ryan and Carolyn Deane gave a presentation on the Downtown Mural Project and the process of obtaining and selecting artists and their proposals.

Council inquired about the mural selection committee, the project funding, details about the prior process, and gave personal thoughts about the content of select murals, as well as the surface for the mural, consideration of the City Code for murals, expressed thanks for the program, the planned areas of focus, insuring of murals, outreach to younger artists, asked about the number of artists who might be involved, and whether other grant funds could be pursued.

Discussion: 6.2 **Sustainability Coordinator Report of Progress - February 2023**

Lauren Becker, Sustainability Coordinator, presented the progress report on the City's Sustainability, its goals and actions.

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

Action (Consent): **7.1 City Council Meeting Minutes from January 31, 2023**

Resolution: Approve the meeting minutes from the City Council meeting of January 31, 2023

Action (Consent): **7.2 Approval of Wells Fargo Warrant for the Period Ending 12/31/2022 FY 2023 Warrant # WF 12/2022 in the amount of \$150,900.43**

Resolution: Accept the following report of payments made for the period ended: 12/31/2022 totaling \$150,900.43 (*Exhibit A-02-14-2023*)

Action (Consent): **7.3 Approval of Warrant for the Period Ending: 02/03/2023 for the FY 2023 Warrant 1452 in the Total Amount of \$2,141,969.04**

Resolution: Accept the following report of payments made for the period ended: 02/03/2023 totaling \$2,141,969.04 (*Exhibit B-02-14-2023*)

Action (Consent): **7.4 Acceptance of Approved Meeting Minutes from Boards, Commissions, and Committees**

Resolution: Accept the approved meeting minutes from Boards, Commissions, and Committees and place them on file.

Action: **7.5 Approve the Placement of an Honorary Plaque at Evergreen Park**

*Pulled by C. Harvey*

Action: **7.6 Award of Contract for the Sidewalk Improvement Program (CIP No. SW2301) to B.C. Contracting, of Carterville, Illinois in the Amount of \$150,836.38**

*Pulled by G. Rye-Sanders*

Action (Consent): **7.7 Ordinance to Increase the FY 2023 Police Department Budget for the Purchase of Body Cameras, a Pole-Mounted Camera, and Vehicle Repairs**

Resolution: Approve an Ordinance to Increase the FY 2023 Police Department Budget for the Purchase of Body Cameras, a Pole-Mounted Camera, and Vehicle Repairs (*Ordinance 2023-07; Exhibit C-02-14-2023*)

Action (Consent): **7.8 Resolution Declaring City Vehicles as Surplus**

Resolution: Declare vehicles (2004 Cadillac CTS, VIN#1G6DM577X40110701, 2005 Jeep Grand Cherokee, VIN #1J4HR48N05C620668, and 2004 Oldsmobile Bravada, VIN#1GHDT13S042297027) as surplus property, pursuant to Section 1-13-3 of the Carbondale Revised Code. (*Resolution 2023-R-07; Exhibit C-02-14-2023*)

Action (Consent): **7.9 Resolution Approving the Submission of a U.S. Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Application**

Resolution: Approve a resolution approving the submission of a U.S. DOT RAISE grant application. (*Resolution 2023-R-08; Exhibit D-02-14-2023*)

Action (Consent): 7.10 **Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with Mayer Properties LLC for a Redevelopment Project at 304 East Walnut Street**

Resolution: Approve the resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with Mayer Properties LLC for a Redevelopment Project at 304 East Walnut Street (*Resolution 2023-R-09; Exhibit E-02-14-2023*)

Action (Consent): 7.11 **Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with Clay Thomas for a Redevelopment Project at 307 West Elm Street**

Resolution: Approve the resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with Clay Thomas for a Redevelopment Project at 307 West Elm Street (*Resolution 2023-R-10; Exhibit F-02-14-2023*)

Action (Consent): 7.12 **Approval of Consent Agenda Items**

Council inquired about Agenda Item 7.9 relating to which roads this would be used to resurface and if Home Rule would allow the City to override federal grant requirements and commented on Agenda Item 7.10 to call attention to a significant redevelopment project.

Elius Reed, regarding Agenda Item 7.9, asked if the City's DBE policy apply and asked why minutes are not read aloud.

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

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

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

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

Action: 7.5 **Approve the Placement of an Honorary Plaque at Evergreen Park**

Council asked why the Park District was not acknowledged on the Honorary Plaque, discussed whether to include the Park District, and noted preference for producing the plaque by an Illinois Company.

Jane Adams commented on the Park District's role in the grant process and encouraged collaboration between the entities.

MOTION: Approve the placement of an honorary plaque at Evergreen Park.

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Fails

Yea: Adam Loos, Lee Fronabarger

Nay: Tom Grant, Ginger Rye Sanders, Jeff Doherty, Carolin Harvey

**Action: 7.6 Award of Contract for the Sidewalk Improvement Program (CIP No. SW2301) to B.C. Contracting, of Carterville, Illinois in the Amount of \$150,836.38**

Council expressed concern about awarding the contract as recommended, commented on a company which underbid the recommended company, commented on not meeting the DBE Participation Goal, asked if the City has ever refused a company for not meeting the DBE requirements, suggested awarding the bid to another company, inquired about the local bidder preference, and whether awarding the bid to another business in the best interest of the City was allowable per City Ordinances.

MOTION: Award the Contract for the Sidewalk Improvement Program (CIP No. SW2301) to. R. B. Contract Excavation, LLC of Carbondale based on the best interest of the City.

Motion by Jeff Doherty, second by Ginger Rye Sanders.

Final Resolution: Motion Carries

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

**8. General Business of the City Council**

**Action, Discussion, Information: 8.1 Presentation to Council by Affordable Gas & Electric, and Council Discussion in Regards to Municipal Electric Aggregation**

Jordan Haarmann and Ross Calliott presented information on an opt-out municipal electric supply plan and responded to City Council questions. The Southern Illinois Aggregation Program (SIAP) will be seeking bids for December 2023 soon. The company is beginning a solar energy program that will supplement the electrical supply for the SIAP.

Council inquired about the lapse of the old contract, noted Ameren's rate hike proposals, asked if the City could participate sooner, revisiting discussion about utilizing eminent domain to seize the power lines and operate as a public utility, remarks about rate differences between Ameren and rates that might be attained through energy aggregation, asked about electrical cooperatives and city-owned and operated electrical programs, and asked if community solar would work with this program.

Sandy Litecky asked how the sale of solar energy excess back to the grid would work with the aggregation plan.

Don Monty requested details about the construction of the solar infrastructure and how the costs would be addressed.

Elius Reed asked the representatives about Union County residents' eligibility to participate in the aggregation program.

**Action: 8.2 A Resolution to Approve and a Resolution to Deny Anna Davis's Request for a Special Use Permit to Establish a Day Care Home I at 118 North Lark Lane in an R-1-8, Low Density Residential, District**

Harold Visser and John Deas spoke in favor of the Special Use Permit.

MOTION: Adopt a Resolution approving the Special Use Permit for a Day Care Home I for property zoned as an R-1-8, Low Density Residential, District located at 118 North Lark Lane

Motion by Lee Fronabarger, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Carolin Harvey  
(Resolution 2023-R-11; Exhibit G-02-14-2023)

**Action: 8.3 Award of Contract for Southern Illinois Multimodal Station Project (CIP NO. SP1002) to Fager-McGee Commercial Construction, Inc. Murphysboro, Illinois, in the Amount of \$23,072,000**

Elius Reed remarked on differences between a statement he made regarding the SIMMS DBE requirements from a previous meeting versus that which was included in an email with the City Manager and the FTA, Donald Monty asked if there had been any exploration of what might be done for cost reduction since the last meeting, and Brandon Ferron asked about coordinating any interior design work with Artspace 304.

Council asked the bidder from Fager-McGee for background on the company, demographics of the employees, projects completed by the company, and question about 10% change before rebidding is required.

MOTION: Award of Contract for Southern Illinois Multimodal Station Project (CIP NO. SP1002) to Fager-McGee Commercial Construction, Inc. Murphysboro, Illinois, in the Amount of \$23,072,000 and that any cost reduction which changes the appearance in a material way come before the Council for approval.

Motion by Adam Loos, second by Jeff Doherty.

Final Resolution: Motion Carries

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

#### 9. Adjournment of the City Council Meeting

##### **Procedural: 9.1 Adjourn meeting**

There being no further business to come before the City Council, the meeting was declared adjourned at 8:31 p.m.

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Jennifer R. Sorrell, City Clerk

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Date