

Regular City Council Meeting and Public Hearing March 22, 2022 (Tuesday, March 22, 2022)

Generated by Jennifer R Sorrell on Wednesday, March 23, 2022

Council Members present

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

Meeting called to order at 6:00 PM

1. Preliminaries to the City Council Meeting

Procedural: 1.1 Roll Call

Procedural: 1.2 Citizens' Comments and Questions

Sandy Litecky announced Keep Carbondale Beautiful's semiannual native tree and shrub sale on April 2; she announced that the Evergreen Garden Club would simultaneously be holding a plant sale.

Dr. Paul Shawler introduced himself as a new member of the community and thanked the Council for placing his rezoning request on the agenda.

Eileen Troutt-Ervin inquired about when she should submit her comments regarding ARPA funds and funding for SIU to address violence.

Nick Smaligo expressed his gratitude for the proposed gun violence expenditure, noted that the chat function was disabled for the meeting and that he felt it was beneficial to have. He later agreed with remarks made by Councilmember Loos under the agenda heading of Council Comments.

Moss Shepherd expressed his agreement with Nick Smaligo regarding the chat function and also noted that this could assist those who are unable to speak.

Walter Green raised some issues that residents are experiencing on North Washington Avenue relating to businesses operating and parking occurring along the road and excessive speed. He stated residents are requesting speed limit signs, crosswalks, and removal of parked vehicles, as well as fencing of the businesses to shield the visuals.

Luke Herron-Titus concurred with Mr. Shepherd's comments relating to accessibility options for the meeting. He later responded to remarks made by Councilmember Loos under the agenda heading of Council Comments.

Emily Caminiti inquired if citizen comments would be accepted for later agenda items.

Procedural: 1.3 Council Comments, General Announcements, and Proclamations

Councilmember Rye Sanders announced that Melvin Green Macklin is working on a pictorial biographical publication of the life and legacy of Margaret Jean Simon Nesbitt, with the publication expected between December and January, but orders can be placed now. Councilmembers Doherty and Grant expressed their interest in obtaining a copy of the book.

Councilmember Doherty inquired about the absence of the chat function.

Councilmember Loos concurred with Mr. Green's comments about North Washington and responded to Mr. Herron-Titus' suggestion that Council was seeking to duck conversation. He noted that he found the chat comments useful.

Councilmember Harvey called a point of order due to citizen comments occurring under the Council comments section of the agenda.

Councilmember Doherty noted that Les Winkler has written articles about turning the Shawnee National Forest into a National Park; he suggested the City should initiate this effort by passing a Resolution in support of such a proposal and sharing it with other counties and municipalities in southern Illinois, western Kentucky, and southeast Missouri.

Councilmember Grant agreed with Councilmember Doherty's suggestion relating to the national park designation.

2. Public Hearings and Special Reports

Information: 2.1 SIMMS Design Team Presentation of 60% Construction Documents

Thad Heckman, Jarus Jones, and Mark Bollman presented an update on the SIMMS 60% complete construction plans review; approvals and easements from Canadian National and IDOT had been obtained.

Council inquired about the elimination of the second floor and if the design could accommodate an eventual expansion to a second floor; asked about a zoning requirement for a second floor and if a variance request would be required; expressed concern about the drop-off lane/exit on Walnut and the potential for backup; requested a schedule for the plan completion and bidding; whether the façade gave an appearance of a second floor; inclusion of lighter sections on the clock tower to reflect multi-color spotlights lights; the proximity of the dog walk to the platform; concern about the sufficiency of handicap parking spaces; and inquired about the naming of the multimodal center after a civil rights leader.

Discussion, Information: 2.2 Founder's Park Presentation

Founders' Park subcommittee members Tom Grant and Ed VanAwken presented detailed information about the history of the park location, the schematics drawn for the proposed layout for the park, and the interest expressed by community organizations in the development and fundraising.

Council commented on the existing available parking directly across the street from the park, replacing basketball hoops at the park, discussion about whether there was a need or support for parking on the site, requested additional detail about the proposed kiosks, and urged caution to be mindful of the feelings of the citizens with relation to the use of the Union flag.

Nancy Maxwell commented about her issues with the SIMMS presentation, specifically that it was not to be named after a civil rights leader, the location of a dog walk on the property, and that all white businesses would be located in it. She later gave a strongly voiced response to Mr. VanAwken's suggestions relating to the inclusion of the Union flag in one of the displays.

Luke Herron-Titus responded with his understanding of Ms. Maxwell's comments.

3. Consent Agenda of the City Council

Action (Consent): 3.1 **Minutes from the Regular City Council Meeting of March 8, 2022**

Resolution: Approve the minutes from the regular City Council meeting of March 8, 2022

Action (Consent): 3.2 **Approval of Warrant for the Period Ending: 03/04/2022 for the FY 2022 Warrant 1428 in the Total Amount of \$799,088.72**

Resolution: Accept the following report of payments made for the period ended: 03/04/2022 totaling \$799,088.72 (*Exhibit A-03-22-2022*)

Action (Consent): 3.3 **Acceptance of Approved Meeting Minutes from Boards,**

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

Action (Consent): 3.4 **Appointment to Boards and Commissions**

Resolution: Council is requested to approve the Mayor's recommended appointment to Boards and Commissions

Action (Consent): 3.5 **Resolution Naming a Future City Facility the Southern Illinois Multimodal Station** Resolution: Approve a resolution naming a future City facility the Southern Illinois Multimodal Station. (*Resolution 2022-R-13; Exhibit B-03-22-2022*)

Action: 3.6 **Approve the Purchase of Three (3) F-150 Lightning Electric Vehicles from Vogler Ford of Carbondale, Illinois in the Amount of \$158,769**

Pulled by A Loos

Action: 3.7 **Ordinance Approving a Text Amendment to Title 15 of the Carbondale Revised Code Regarding Ground Mount Solar Energy Systems**

Pulled by J Doherty

Action (Consent): 3.8 **Ordinance Authorizing a Budget Adjustment to Increase the FY 2022 Budgeted Expenditures for the use of American Rescue Plan Act of 2021 (ARPA) funds**

Resolution: Approve an Ordinance Authorizing a Budget Adjustment to Increase the FY 2022 Budgeted Expenditures for the use of American Rescue Plan Act of 2021 (ARPA) funds in the amount of \$1,095,146 (*Ordinance 2022-08; Exhibit D-03-22-2022*)

Action (Consent): **3.9 Ordinance Authorizing a Budget Adjustment to Increase FY 2022 General Fund and Debt Service Fund in the total Amount of \$40,585,000 for the issuance of the 2022 General Obligation Bonds for the funding of Public Safety Pensions.**

Resolution: Approve an Ordinance Authorizing a Budget Adjustment to Increase the FY 2022 Budget in the Amount of \$40,585,000 for the issuance of the 2022 General Obligation Bonds on March 1, 2022. (*Ordinance 2022-09; Exhibit E-03-22-2022*)

Action (Consent): **3.10 Approval of Consent Agenda Items**

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

Council confirmed that the bonds had already been issued and that this action was strictly ministerial.

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

Motion by Lee Fronabarger, second by Carolin Harvey.

Final Resolution: Motion Carries

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

Action: **3.6 Approve the Purchase of Three (3) F-150 Lightning Electric Vehicles from Vogler Ford of Carbondale, Illinois in the Amount of \$158,769**

Council noted the reason for pulling the item, the history behind the item, concern about the appearance of impropriety, preference to change the Ordinance rather than use this ad hoc workaround, and noted that the background requires a vote of 5 of the 7 Council members present.

MOTION: Approve the purchase of (3) F150 Lightning electric vehicles from Vogler Ford of Carbondale, Illinois in the amount of \$158,769.

Motion by Lee Fronabarger, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Tom Grant, Carolin Harvey, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, John M Henry

Nay: Adam Loos

Action: **3.7 Ordinance Approving a Text Amendment to Title 15 of the Carbondale Revised Code Regarding Ground Mount Solar Energy Systems**

Concern about the aesthetics for possibly 1600 square feet of ground-mounted panels with no screening requirements, whether the Council should require screening or leave it to the neighbors to complain, question about allowing up to 12 months to remove an abandoned or damaged

system, to which zoning districts would this actually apply and questions about how this would apply in a hypothetical situation,

Matthew Benson, representing AES Solar, commented that he believes the proposed code to be reasonably accommodating.

Sandy Litecky noted that the Planning Commission retained the 10 foot set-backs required for accessory uses to which Mr. Benson responded.

MOTION: Approve an Ordinance Amending Title 15 of the Carbondale Revised Code to Define and Regulate Ground Mount Solar Energy Systems

Motion by Tom Grant, second by Carolin Harvey.

Final Resolution: Motion Carries

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

4. General Business of the City Council

Action: 4.1 **Approve a Proposal from SIU in the Amount of \$64,391 to Complete a Needs Assessment of Violence**

Note from Clerk: Discussion during this item extended to approximately one hour ten minutes. Minutes are not intended to provide a verbatim transcript of the discussion, but rather to reflect the action taken by the public body and to provide a brief summary of the subject matter and discussion. To review the audio/video for the verbatim record, please review the streaming/video archive on the City's website or contact the City Clerk for assistance in locating the same.

Questions and Comments from Council:

Council inquired if City had reached out to SIU to see if they would want to participate in this proposal, question about the personnel listed in the diagram, concern about the timing of the community survey in the proposed timeline, shared their individual preferences for the timeline, concern about the lack of financial commitment from local organizations, a need for detailed responses and plans as a result of the needs assessment, an inquiry about the administrative cost percentage for administering the grant, how they envisioned the funds being held by the City and not by SIU, funding going directly to the organizations instead of SIU, whether the ARPA consultant was needed if the City was considering the ARPA fund earmarks for this plan, how they envisioned the role of the ARPA consultant would be in this process and the funds being held by the City, not SIU, the consultant being utilized for reporting for the full amount of funds, inquiry about the survey being available to those without internet access, concern about only utilizing the water bills to advertise the availability of the survey, a preference to include utilization of SIU's resources to provide outreach to students, noting concern about those without technology access being left out, a suggestion to take a standardized survey out into the neighborhoods.

Following citizen comments, Council suggested slowing down the timeline, asked the SIU representatives what the expected response rate would be and where prior efforts had occurred, a desire to see that the outreach starts from the very beginning and whether that should be included in the motion, that the current timeline be extended to September, a request from the team about how they can include the feedback from the community into the plan, ensuring that the community be involved in the development of the needs assessment, concern that SIU may not be able to develop a good needs assessment, and discussed what amendments to include in the motion to ensure thorough community involvement.

Citizen Comments and Questions:

Chastity Mays noted her disapproval of this proposal, noting that it is disconnected from the community, agreed with Councilmembers Harvey and Rye Sanders, that she was not in favor of a digital survey, expressed a preference for personal one-on-one approach, and the City's intent to use Black work to achieve the stated goal.

Nick Smaligo requested clarification about an earlier comment regarding the percentage going to community organizations, the need for collaboration with community organizations in designing the assessment, and his preference to work with SIU Social Work rather than the ARPA Consultant to develop and disseminate the survey.

Jason Grenman noted he has concern about the process thus far, specifically the pressure of time and cost, concern about specific sections of the proposal, and the need to improve communication with community and community groups.

Nancy Maxwell concurred with Chastity Mays and Jason Grenman, her issues with SIU seeking to be involved at this point, noted that a survey wasn't necessary because people have already been living and working this, commented on her knowledge and experience, and that community organizations should be paid for their involvement.

Eileen Troutt-Ervin noted that SIU has high administrative costs, her objection to SIU's involvement, noted that the Sparrow Coalition has several groups that report to them who have been doing the work, and concern about the amount of funds which will be left after the costs for administration are spent.

Micki Weaver indicated she would feel more comfortable if the nature of the research group were to change to include perspectives from other departments from the campus.

Nick Smaligo noted that there had been advocacy to look at a non-police approach to addressing gun violence and that their proposal was inclusion of groups such as Cure Violence, and concern about this approach utilizing SIU instead of the approaches advocated for previously.

Abdul Haqq commented that Illinois asked for volunteers to review juvenile justice program grant applications, that the City could employ someone on staff to administer the grants, inclusion of people and organizations impacted by violence in the surveys, that the surveys should be targeted and incorporate the organizations which have already been involved in the

community, and the funds for SIU to administer the program could be used for a community board to do that work.

Sarah Buila spoke to the inclusion of community, the history of how the plan began, her sense of a foundation of distrust which needs to be addressed, and asked folks to reach out to her to try to work through how to address the sense of distrust.

MOTION: Approve a proposal from SIU to complete a needs assessment in the amount of \$64,391, amending the timeline through the end of September to ensure inclusion of students, and another amendment to ensure that there be a strong emphasis of community inclusion in the entire process in the development of the needs assessment.

Motion by Jeff Doherty, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Discussion: 4.2 City Council Discussion of Community Agency Funding Requests for the FY2023 Fiscal Year Budget

A ten-minute break was observed at 8:50 p.m. and Agenda Item 4.3 was heard out of order.

Councilmember Fronabarger concurred with Staff, indicated he would like to give \$10,000 to St. Francis CARE, and inquired if new requesters would have to meet the same requirements such as fundraising training and grant fund searching at the Carbondale Public Library for grant opportunities.

Councilmember Doherty indicated he agreed in principal with the recommendation from the City Manager, expressed a desire to see a more comprehensive community strategy, including some of these proposals with ARPA funding, proposed funding current organizations at same level for FY 2022 in delivering services, and increases and new programs consider under ARPA funds.

Councilmember Loos asked about the cost for the NFP courses, commented on the history of some of the organization have with Carbondale, and asked what is in place to see how funds would be spent and goals achieved.

Councilmember Harvey asked if funds were distributed on a quarterly basis depending on if they turn in their quarterly reports.

City Manager Williams requested direction from Council on what to budget. There was discussion about the spreadsheet provided, whether the recommendation is to fund with ARPA funds or City funds, funding at higher listed levels due to inflation, prior funding reductions, and because they continued to provide services during COVID, noting that the higher funding will not be sustainable forever, whether funding from ARPA for this request would eliminate their opportunity to apply for different programming requests utilizing ARPA funds, suggestions to fund the status quo and fund any remaining with ARPA funds; there was some confusion about

what the recommendation was.

Dan Poulos asked about the process the city utilizes in drafting the recommendations for city funding.

Jason Grenman offered the Human Relations Commission to assist in coordination in order to prevent duplication.

Jessica Lynn spoke on behalf of Carbondale Spring's food autonomy initiative and gave a breakdown of how the funds were utilized.

Leah Maciell spoke on behalf of the Southern Illinois food Collaborative Kitchen and requested clarification of what the funding plan was.

Abdul Haqq commented on the increased costs for food and fuel and the static level of funding.

Action: 4.3 Ordinance to Approve, or a Resolution to Deny, the Rezoning of 3436 South Illinois Avenue From R-1-8D, Low Density Two Unit Dwellings, District to PAR, Professional Administrative Residential, District

Paul Shawler thanked the Council for their consideration of this item.

MOTION: Approve an Ordinance Rezoning 3436 South Illinois Avenue From R-1-8D, Low Density Two Unit Dwellings, District to PAR, Professional Administrative Residential, District

Motion by Adam Loos, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Tom Grant, Carolin Harvey, Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, John M Henry (*Ordinance 2022-10; Exhibit F-03-22-2022*)

Discussion: 4.4 City Council Discussion and Public Comment in Regards to Carbondale Police Department Surveillance Systems

There was discussion about whether to proceed with this item or defer to another meeting.

Nick Smaligo expressed his concern about the effects of living under near-total surveillance on society, noting that cameras did not deter crime, that cameras and removing violent offenders has yielded an increase in crime, and his concern about preserving political freedom for possible revolution.

Chastity Mays indicated that the cameras are another example of a disconnect between the City and the solution to problems.

5. Adjournment of the City Council Meeting

Procedural: 5.1 Adjourn meeting

There being no further business to come before the public body, the meeting was declared adjourned at 10:10 p.m.

Jennifer R. Sorrell, City Clerk

Date