

Local Liquor Control Commission and Regular City Council Meeting April 25, 2023 (Tuesday, April 25, 2023)

Generated by Jennifer R Sorrell on Monday, May 1, 2023

Councilmembers present

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

Councilmembers absent

Councilmember Ginger Rye-Sanders and Mayor John M. Henry

Meeting called to order at 6:07 PM

5. Preliminaries to the City Council Meeting

Procedural: 5.1 Roll Call

Procedural: 5.2 Citizens' Comments and Questions

Citizens addressing the Council during Citizens Comments included David Rednour, James Stanton, James Cooper, Jr., and Elius Reed.

Procedural: 5.3 Council Comments, General Announcements, and Proclamations

Councilmember Loos responded to citizen commenter, James Stanton.

Councilmember Grant announced the Southern Illinois Irish Festival on Saturday at Turley Park.

Councilmember Doherty commended City Staff in their ability to obtain grant funds for public improvements.

Councilmember Fronabarger inquired about the dispersion of funds to the City from the State as a result of a settlement in an opioid class action; he then itemized the accomplishments realized in the ten years that he has served on the Council.

Procedural: 5.4 Proclamation for Arbor Day

Mayor Pro Tempore Harvey proclaimed Friday, April 28, as Arbor Day in the City of Carbondale, and encouraged citizens to show appreciation for trees and promoting the planting of trees that will improve and beautify our environment.

Procedural: 5.5 Proclamation for a Day of Prayer

Mayor Pro Tempore Harvey proclaimed May 4, 2023, as a Day of Prayer in the City of Carbondale and encouraged citizens to appropriately recognize the occasion. Kendra Speech accepted the Proclamation on behalf of Rock Hill Church.

6. Public Hearings and Special Reports

Information: 6.1 Presentation of the Cedar Lake Master Recreation Plan

Representatives from Hutchison Solutions presented the Cedar Lake Master Recreation Plan, developed to determine and define enhanced recreational opportunities, and which plan was developed during a series of meetings.

Councilmembers noted support for the relocation of a dock, inquired if the plan included a cost benefit analysis, remarked that this seems to be a wish list, asked whether adoption of this plan would be an endorsement of various improvements, whether there had been any consideration to charging a camping

fee, asked how we would address competing requests in first-come first-serve campsites, and expressed concern about the safety of swimmers if allowed to swim anywhere on the lake.

Kendra Speech noted the importance of increased accessibility for individuals at all access points and spoke in favor of the inclusion of RVs.

Donald Monty commented on alternatives to the planned path at Rocky Point Peninsula and remarked on liability issues associated with open swimming at all areas of the lake.

7. Consent Agenda of the City Council

Action (Consent): **7.1 Minutes from the Regular City Council Meeting of April 11, 2023**

Resolution: Approve the minutes from the Regular City Council meeting of April 11, 2023

Action (Consent): **7.2 Approval of Warrant for the Period Ending: 04/14/2023 for the FY 2023 Warrant 1457 in the Total Amount of \$1,493,520.10**

Resolution: Accept the following report of payments made for the period ended: 04/14/2023 totaling \$1,493,520.10 (*Exhibit A-04-25-2023*)

Action (Consent): **7.3 Approval of Wells Fargo Warrant for the Period Ending 02/28/2023 FY 2023 Warrant # WF 02/2023 in the amount of \$148,364.08**

Resolution: Accept the following report of payments made for the period ended: 02/28/2023 totaling \$148,364.08 (*Exhibit B-04-25-2023*)

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 (Consent): **7.5 Reappointments to Boards and Commissions** Resolution: Council is requested to concur with Mayor Pro Tempore Harvey's recommended reappointments to Boards and Commissions

Action: **7.6 Approve the Placement of an Honorary Plaque at Evergreen Park**

Agenda Item 7.6 - pulled by C. Harvey

Action (Consent): **7.7 Resolution Proclaiming the Results of the Consolidated General Election Held Within the City of Carbondale on the 4th Day of April, 2023**

Resolution: Adopt the Resolution Proclaiming the Results of the Consolidated General Election held on April 4, 2023 (*Resolution 2023-R-31; Exhibit C-04-25-2023*)

Action (Consent): **7.8 Resolution Approving a Tax Increment Financing (TIF)-Funded Downtown Property Code Compliance Incentive Program**

Resolution: Approve Resolution approving TIF-Funded Downtown Property Code Compliance incentive Program (*Resolution 2023-R-32; Exhibit D-04-25-2023*)

Action: **7.9 Resolution Adopting the Cedar Lake Master Recreation Plan**

Pulled by J. Doherty

Action (Consent): **7.10 Approval of the Purchase of a Police Canine**

Resolution: Authorize the retirement of Canine Nala by declaring Nala surplus property and transferring ownership of Nala to Officer Stewart and approve the purchase of a replacement canine as well as the expenses associated with selection and training of the canine to Vohne Liche Kennels, Incorporated of Denver, IN in the amount of \$19,760. Increase the Police Department budget in the amount of \$19,760.

Action (Consent): 7.11 **Ordinance Authorizing a Budget Adjustment to the FY 2023 Water and Sewer Fund Budget in the Amount of \$32,098 for Pump Rental and Gear Drive Repairs**

Resolution: Ordinance Authorizing a Budget Adjustment to the FY 2023 Water and Sewer Fund Budget in the Amount of \$32,098 for Pump Rental and Gear Drive Repairs. (*Ordinance 2023-12; Exhibit E-04-25-2023*)

Action: 7.12 **Award of Purchase of a 72" Cut Scag Zero-Turn Lawnmower to Ben's Powered by Little Tractor & Equipment of Harrisburg, Illinois in the Amount of \$13,239.00**

Pulled by L. Fronabarger

Action (Consent): 7.13 **Approve the Purchase of a 2018 Toro 3040 Bunker Rake in the Amount of \$14,000.00**

Resolution: Approve the Purchase of a 2018 Toro 3040 Bunker Rake in the Amount of \$14,000.

Action (Consent): 7.14 **Award the Purchase of a GMC Sierra 2024 3/4 Ton Crew-Cab 4WD Pickup Truck from Auffenberg of Carbondale in the Amount of \$53,880 with a trade in allowance of \$1,000 for a total of \$52,880; and a Resolution Declaring a 1999 Chevrolet Tahoe as Surplus**

Resolution: Award the Purchase of a GMC Sierra 2024 3/4 Ton Crew-Cab 4WD Pickup Truck from Auffenberg of Carbondale in the Amount of \$53,880 with a trade-in allowance of \$1,000 for a total of \$52,880; and, Adopt a Resolution Declaring a 1999 Chevrolet Tahoe as Surplus (*Resolution 2023-R-33; Exhibit F-04-25-2023*)

Action (Consent): 7.15 **Resolution Authorizing the City Manager to Execute an Engineering Agreement with Thouvenot, Wade & Moerchen, Inc. (TWM) of Swansea, IL in the Amount of \$159,606 for the Design of the South Wall Street HSIP Project (ST2405)**

Resolution: Resolution Authorizing the City Manager to Execute an Engineering Agreement with Thouvenot, Wade & Moerchen, Inc. (TWM) of Swansea, IL in the Amount of \$159,606 for the Design of the South Wall Street HSIP Project (ST2405) (*Resolution 2023-R-34; Exhibit G-04-25-2023*)

Action (Consent): 7.16 **Approval of Consent Agenda Items**

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

Agenda Item 7.9 - Elius Reed had a question about the function of Resolutions. Kendra Speech inquired about the effect of the Resolution relating to the Cedar Lake Master Recreation Plan.

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

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Action: 7.6 **Approve the Placement of an Honorary Plaque at Evergreen Park**

Carl Flowers noted that the upgrade funding was a joint effort by the Council and Park District and urged the Council to not approve the language as presented.

Council discussed the division of work between the City and Park District in obtaining funding for and the implementation of improvements.

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

Motion by Adam Loos, second by Lee Fronabarger.
Final Resolution: Motion Carries
Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger
Nay: Carolin Harvey

Action: 7.9 **Resolution Adopting the Cedar Lake Master Recreation Plan**

Council comments and questions included concerns about the conceptual plan, particularly the development of the beach, the revenue generated at Cedar Lake versus the funds it would take to initiate these improvements, noting that many of the users are not Carbondale residents, concern about open swimming, sharing history and personal knowledge of the lake, and safety and liability concerns of people jumping into the lake from cliffs. Councilmembers concurred on waiting to act upon this item.

There was no action on this item which will be brought back at a later time.

Action: 7.12 **Award of Purchase of a 72" Cut Scag Zero-Turn Lawnmower to Ben's Powered by Little Tractor & Equipment of Harrisburg, Illinois in the Amount of \$13,239.00**

The City Council inquired about the recommended award of purchase instead of awarding the bid to a Carbondale business. City Arborist Mark McDaniel explained that the mower in question was easier to work on maintenance-wise, tolerates the heavy and continuous usage better, noted that Staff has not been able to demo the X-Mark, that Staff's familiarity with the machinery relating to repairs and the number of hours that they utilize the machines weekly plays a role, and the availability of the Scag mower at this time versus 15 to 30 days for other machine.

MOTION: Award of Purchase of a 72" Cut Scag Zero-Turn Lawnmower to Ben's Powered by Little Tractor & Equipment of Harrisburg, Illinois in the Amount of \$13,239.00

Motion by Jeff Doherty, second by Tom Grant.
Final Resolution: Motion Carries
Yea: Tom Grant, Adam Loos, Jeff Doherty, Carolin Harvey
Nay: Lee Fronabarger

8. General Business of the City Council

Action: 8.1 **Ordinance Adopting the Operating Budget for the City of Carbondale and the Carbondale Public Library for FY 2024 and an Ordinance Adopting a Pay Plan for Non-Bargaining Unit Employees for FY 2024**

Council inquired about any efforts to increase the rainy day fund and asked if the policy regarding reserves was still being followed.

Elius Reed asked about the total for the City Budget, about budgeted raises, and the main source of funding for the budget.

MOTION: 1. Approve an Ordinance for the City of Carbondale and Carbondale Public Library Annual Operating Budget in the amount of \$89,545,038 for the Fiscal Year 2024, which includes the period from May 1, 2023, through April 30, 2024.
2. Approve an Ordinance adopting the pay plan for non-bargaining unit employees with a pay increase for FY 2024, which includes the period from May 1, 2023, and ends April 30, 2024.

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey (*Ordinances 2023-13 & 2023-14; Exhibits H- and I-04-25-2023*)

Action: 8.2 Resolution Approving the Five-Year Community Investment Program for Fiscal Years 2024 through 2028

There was discussion about maps depicting CIP improvements, as well the map depicting sidewalks in Carbondale.

James Stanton asked for additional information about Pyles Creek improvements. Deborah Woods inquired about improvements or repairs of Marion and Washington Streets. She also asked if there was a solution to address open ditches.

MOTION: Adopt a Resolution approving the Five-Year Community Investment Program for Fiscal Years 2024 through 2028 in the amount of \$67,762,004.

Motion by Tom Grant, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey (*Resolution 2023-R-35; Exhibit J-04-25-2023*)

Action: 8.3 Ordinance Establishing a 4-way Stop at the Intersection of Glenview Drive and Old West Main Street

There was a suggestion from Council to add solar powered signage flashing lights with a new four-way intersection, including messaging before the signs at least temporarily, concern about a back-up of traffic and whether there was any information in the report which would address these concerns about the back-up of traffic.

Councilmember Grant exited the meeting at 7:54 p.m. and returned to the meeting at 7:58 p.m.

MOTION: Staff recommends that the City Council adopt an Ordinance establishing a 4-way stop at the intersection of Glenview Drive and Old West Main Street

Motion by Adam Loos, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey

Not Present at Vote: Tom Grant (*Ordinance 2023-15; Exhibit K-04-25-2023*)

Action: 8.4 Ordinance Establishing "No Parking" on Cedar Court

MOTION: Approve an Ordinance Establishing "No Parking" on Cedar Court.

Motion by Lee Fronabarger, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey (*Resolution 2023-R-16; Exhibit L-04-25-2023*)

Action: 8.5 Ordinance Establishing "No Parking" Zones at the Carbondale Superblock

Council noted that these new rules will need to be communicated to the swim team.

MOTION: Approve an ordinance establishing "no parking" zones at the Carbondale Superblock

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey (*Ordinance 2023-17; Exhibit M-04-25-2023*)

Action: 8.6 Ordinance Amending Title 15 of the Carbondale Revised Code to Support and Encourage Community Gardens (PC 23-07)

Adrian Koonce voiced concerns about the need for input from other community gardens and the vague language being misinterpreted, concern about the application process as an unnecessary administrative requirement, and asked the Council to hold off on acting on this item.

MOTION: Approve an Ordinance Amending Title 15 of the Carbondale Revised Code to Support and Encourage Community Gardens

Motion by Tom Grant, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey (*Ordinance 2023-18; Exhibit N-04-25-2023*)

Action: 8.7 Ordinance Amending Titles 11 and 15 of the Carbondale Revised Code to Support and Encourage Pollinator-supportive Landscaping (PC 23-08)

Lauren Becker read a citizen comment from Margaret Howard in favor of the amended language and encouraged allowing front yards, as well, and encouraged the active destruction of invasive plants.

It was noted that Ms. Howard's neighbor has prairie planting in their front yard.

MOTION: Approve an Ordinance Amending Titles 11 and 15 of the Carbondale Revised Code to Support & Encourage Pollinator-supportive Landscaping (PC 23-08)

Motion by Tom Grant, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey (*Ordinance 2023-19; Exhibit O-04-25-2023*)

9. Executive Session

Action: 9.1 Executive Session to Discuss the the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the Public Body, the Setting of a Price for the Sale or Lease of Property Owned by the Public Body, and to Conduct the Semi-Annual Closed Meeting Minute Review

MOTION: Enter into Executive Session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, the setting of price for the sale or lease of property, and to conduct the semi-annual Executive Session Meeting Minute review pursuant to ILCS 120/2(c)(1), (c)(6) and (c)(21) of the Illinois Open Meetings Act

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Tom Grant, Adam Loos, Jeff Doherty, Lee Fronabarger, Carolin Harvey
Open Session Recessed at 8:14 p.m.

Action: 9.2 **Return to Open Session**

MOTION: Return to Open Session

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Open Session Resumed at 8:47 p.m.

Action: 9.3 **Approve Executive Session Meeting Minutes, Declare the Need for Confidentiality Still Exists in Whole or in Part for Executive Session Meeting Minutes, Authorize the Destruction of Audio Recordings for Meetings Conducted More Than 18 Months Ago**

MOTION: Approve the Executive Session Meeting Minutes from October 11, 2022, through March 28, 2023; Declare that need for confidentiality exists, in whole or in part, for Closed Meeting Minutes from March 17, 1998, through March 28, 2023, except for the minutes of August 5, September 30, October 28, 2014, and February 25, 2020, and authorizing the destruction of audio recordings of all Closed Meetings that were conducted more than 18 months ago for which minutes have been approved and no appeals have been filed with the Public Access Counselor or Circuit Court.

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

10. Adjournment of the City Council Meeting

Procedural: 10.1 **Adjourn meeting**

There being no further business to come before the City Council, the meeting was declared adjourned at 8:49 p.m.

Jennifer R. Sorrell, City Clerk

Date