



## MINUTES

**Carbondale Planning Commission**  
**Wednesday, April 26th 2023**  
**Room 108, 6:00 p.m.**  
**City Hall/Civic Center**

Ms. Litecky called the meeting to order at 6:05 p.m.

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**Members Present:** Litecky, Sheffer, Carrier, Weiss, Hamilton, Doherty (ex-officio)

**Members Absent:** Allee, Lilly, Burnside, Love

**Staff Present:** Lenzini, Gibson, Maxwell

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### **1. Approval of Minutes:**

There were none to approve.

### **2. Citizen Comments or Questions**

There were none.

### **3. Report of Officers, Committees, Communications**

Ms. Litecky introduced Mr. Brad Weiss, the Planning Commission's newest member.

### **4. Public Hearings**

**PC 23-09** Kaw River Management, LLC is requesting a Special Use Permit for a Social Service Facility for Post-Incarceration Rehabilitation, in an R-3, High Density Residential District for property located at 805 West Freeman Street

Ms. Litecky declared Public Hearing PC 23-09 open and for Ms. Gibson to review PC 23-09.

Ms. Litecky asked Ms. Gibson to read the staff report. Ms. Gibson read Part A and B of the staff report.

Ms. Litecky asked if the Commissioners had questions for staff.

Commissioners had no questions of staff.

Ms. Litecky asked if the applicant was present and wished to speak.

Mr. James Gregg of Kaw River Management stepped forward to speak. Mr. Gregg spoke about the mission of Kaw River Management and the intent of the proposed facility.

Ms. Litecky asked if there were any questions for the applicant.

Mr. Sheffer asked how many sites Kaw River Management currently managed. Mr. Gregg stated that he and his business partner, Mr. Huebner, have one post-incarceration facility in Missouri. Ms. Julie Salmi from the Bureau of Prisons, who is partnering with Kaw River, stepped forward to speak about her involvement with various post-incarceration and residential reentry facilities across the country.

Mr. Doherty asked when the property was last used as the House of Glass, the post-incarceration facility that was formerly located at 805 West Freeman Street. Mr. Gregg stated he did not know the exact date but that he believed it ended being the House of Glass 5 years ago.

Mr. Doherty asked if the Bureau of Prisons was aware of the process Kaw River is going through at this point to create a new facility. Mr. Gregg confirmed the Bureau of Prisons was aware. Mr. Gregg explained that the Bureau of Prisons prefers for organizations such as Kaw River to obtain city approval before the Bureau of Prisons will move forward in their process.

Mr. Doherty asked if Kaw River obtaining a special use permit would be perceived as city approval for the Bureau of Prisons to move forward. Mr. Gregg confirmed.

Dr. Hamilton asked what percentage of residents would be male and female. Ms. Salmi stated the contract was for 40 residents total, with 30 residents being male and 10 residents being female.

Dr. Hamilton asked if Ms. Salmi had any history she could share about coed post-incarceration facilities. Ms. Salmi stated most post-incarceration facilities are coed.

Dr. Hamilton asked if any problems have arisen from facilities being coed. Ms. Salmi stated there is a gender separation plan that will be in place to limit contact between the two genders and the genders are not allowed to intermingle.

Mr. Carrier asked how long Kaw River has operated their other facility. Mr. Gregg stated that Kaw River took over management of the facility in Missouri in January of 2022.

Mr. Carrier asked to clarify that Kaw River has only been operating their facility for just over 1 year. Mr. Gregg confirmed that he and Mr. Huebner had only owned the facility for a little over 1 year.

Mr. Carrier sought to clarify whether Ms. Salmi's involvement would end when the approval process through the Bureau of Prisons was done. Ms. Salmi stated that her involvement would not be ending but that her role would continue with the facility, as the Vice President of Compliance. Ms. Salmi stated that she would have daily contact with the facility and be visiting the facility no less than 4 times per year.

Mr. Sheffer asked what type of offenses the residents at the facility would be charged with. Ms. Salmi stated there would be a wide variety among the residents' charges. Ms. Salmi explained that there is a 5 factor review process for inmates being considered for the residential release program, so the likelihood of a resident being a violent offender is very low. Ms. Salmi stated that the majority of residents would be nonviolent offenders coming from low or medium level security facilities.

Mr. Sheffer asked if there was a particular reason why they were looking to place their facility in a city like Carbondale and not a lower population area out in the country. Ms. Salmi stated that the Bureau of Prisons gave 4 counties in which they would want a facility, and that they sought to find a suitable property in a suitable area to provide services. Mr. Gregg stated that the reason for wanting the facility in town is to help residents transition back into society more easily with the use of public transport and availability of jobs.

Mr. Sheffer referenced statistics provided by Kaw River that only .13% of residents at residential reentry facilities recommit a crime and asked for elaboration from Mr. Gregg. Mr. Gregg stated that the statistic is from a study done by the Bureau of Prisons in 2020.

Mr. Sheffer clarified that he wanted to hear Mr. Gregg's expertise on the individuals included in the aforementioned study and the individuals that will be residents at Kaw River's facility. Mr. Gregg stated that the individuals included in the study are individuals that were in residential reentry facilities just like the facility Kaw River has proposed.

Mr. Carrier asked what the process the company has if a resident commits a crime and what changes the company would pursue to ensure it does not happen again. Ms. Salmi stated that while they could not predict a resident committing a crime, they are able to put procedures in place that would strongly discourage for a resident to commit a crime. Ms. Salmi explained the internal discipline structure that would be implemented at the facility and that the facility has the capacity to send residents back to prison or jail if a resident were a repeat offender or an offense grievous enough. Ms. Salmi also spoke about the use of GPS tracking on all facility residents.

Mr. Carrier asked what the ratio of staff to residents was for the facility. Ms. Salmi stated that the facility would have 8-10 residential monitors. Ms. Salmi detailed the staffing that the facility hopes to have.

Ms. Litecky asked how many people owned Kaw River Management LLC. Mr. Greg stated there are 2 owners currently but that they wished to expand with more minority partners.

Ms. Litecky asked where the company was based out of. Mr. Greg stated the Kansas City

area.

Ms. Litecky asked if there would be a manager overseeing the facility aside from the 8-10 staff. Mr. Gregg confirmed that there would.

Ms. Litecky asked what the qualifications of the residential staff would be. Ms. Salmi explained that key staff, such as case managers and employment specialists, require specialized experience and education. Ms. Salmi explained that the minimum requirement for security staff is a High School Diploma or GED, but that it is preferred security or residential staff to have at least one year of experience in a similar field.

Ms. Litecky asked if Kaw River plans to stay with the Federal Bureau of Prisons or if they plan to negotiate with the state prison system. Ms. Salmi stated that the facility would only be federal.

Ms. Litecky asked how many registered sex offenders would be housed at the facility on average. Ms. Salmi said on average it would be a low percentage but is not able to give a specific number.

Mr. Carrier asked what determines which post incarceration facility an person is sent to, whether or not the person having ties to the area was considered or not. Ms. Salmi stated that residents are referred to specific post incarceration facilities typically because they were sentenced in the area of the facility or because they have family ties in the area.

Mr. Carrier asked what the next step is after a person leaves the facility. Ms. Salmi stated that the next step is home confinement and from home confinement, most residents go on supervised release or probation.

Ms. Litecky asked if anyone wished to speak in favor.

Ms. Gibson read a letter of support sent by Marty McMichael, the senior pastor at Murphysboro United Methodist Church.

Ms. Sarah Buila stepped forward to speak in favor of PC 23-09. Ms. Buila stated she is a professor at SIU and a resident of the Arbor District. Ms. Buila stated she sees this facility as a positive for Carbondale. Mr. Carrier asked if she had any concerns for her neighborhood with this facility being nearby. Ms. Buila stated she did not have any concerns.

Ms. Litecky asked if anyone wished to speak in opposition.

Ms. Heather Reeder stepped forward to speak in opposition. Ms. Reeder is the regional property manager for Odin Properties. Ms. Reeder stated she wants the neighborhood to remain safe for tenants at the properties she manages. Ms. Litecky asked Ms. Reeder how long her company had owned properties in Carbondale. Ms. Reeder stated the company had owned their properties for 2 years.

Ms. Litecky asked Ms. Gibson to read Part C.

Ms. Gibson read Part C of the staff report for PC 23-09, with a recommendation of approval.

Ms. Litecky asked if the Commissioners had questions for staff.

Mr. Doherty asked if the special use permit can have conditions placed on it. Ms. Gibson confirmed it can.

Mr. Doherty asked if approval of the Bureau of Prisons could be a condition placed on the special use permit. Ms. Gibson confirmed it could.

Mr. Doherty asked if a condition could be added limiting the facility to housing residents from the Federal Bureau of Prisons only. Ms. Gibson confirmed.

Ms. Litecky asked if there were questions from anyone to anyone.

Ms. Vankevia Garner stepped forward and asked the applicants if there would be psychological services provided at the facility. Ms. Salmi stated there would not be psychologists on staff but there would be case managers and counselors. Ms. Salmi stated that they would refer residents to local services if a resident were to need specialized counseling.

Ms. Jennifer Russo, a neighboring property manager, stepped forward and asked how much freedom the residents would have and shared her concerns due to the past issues when the building was the House of Glass. Ms. Salmi stated that with the facility's accountability program, she does not foresee that any of the issues seen previously at the House of Glass would occur at Kaw River's facility.

Mr. Anthony Lamcheck asked about the requirement of a High School Diploma or GED of residential monitors and what the procedure would be if a residential monitor does something they aren't supposed to do in regards to the residents. Ms. Salmi stated that there would be annual training with the Bureau of Prisons, preservice training, and other specified trainings.

Ms. Litecky asked if there would always be a member of professional, key staff present when nonprofessional staff is working. Ms. Salmi stated that key staff would not be working overnight but would be working late or odd hours.

Mr. Lenzini asked for elaboration on the curfew that would be in effect for residents. Ms. Salmi stated the residents would be required to be within the facility from 9 p.m. to 6 a.m. unless the resident is out for an approved activity such as work, school, counseling.

Mr. Ryan Nation stepped forward and asked for clarification that the residents at the facility

would eventually be released to the community anyway and that residents coming to the facility is just additional oversight before they are released. Mr. Gregg stated that residents are typically released early from prison to come to the program and that yes, they would likely be released to the area once their sentence was up regardless of if they were in the program or not.

Mr. David Cronin stepped forward and asked if the commission thought it was counterintuitive to the City's rental conversion grant program to have the facility near rental properties. Mr. Lenzini stated that he did not believe it was counterintuitive.

Mr. Cronin asked if Kaw River Management was a non-profit or for-profit company, and if the company is for-profit, who receives the profit. Mr. Gregg confirmed that the company is for-profit and that the owners and investors of the company receive any profits earned.

Ms. Reeder stepped forward and asked the applicant if the GPS tracking device residents would be using are removable. Ms. Reeder also asked for specifics on how the geo-fencing would protect adjacent properties from residents. Mr. Gregg stated that GPS device is removable but if a resident were to remove their device, staff would immediately be notified and address the issue. Mr. Gregg stated that the geo-fencing has very precise tracking that allows them to even control what side of the street a resident is allowed to walk on and would alert staff if a resident were to go somewhere they aren't permitted.

Ms. Pam Brown stepped forward and asked the applicant what other sites have been considered for their proposed facility. Mr. Gregg stated that a few other sites were considered but were ruled out for various reasons. Mr. Gregg stated that the interest in the proposed property is partially because of its past use as a post-incarceration facility.

Ms. Marcia Jackson stepped forward and asked the commissioners if they would want a facility such as this in their neighborhood. Ms. Litecky stated that she is a resident of the Arbor District and does live near a similar facility that houses several registered sex offenders.

Ms. Reeder stepped forward again and asked what type of assurance the city was able to provide in regards to neighborhood appearance and stability. Mr. Carrier stated he is a property owner in the Arbor District and he sees Kaw River as a company looking to invest in Carbondale and any investment in the neighborhood is a step forward.

Ms. Reeder asked the applicant if they could provide more of a guarantee for safety for residents at her company's properties. Mr. Gregg stated he would be willing to give his personal phone number to neighboring properties to ensure that any issues they had could be dealt with appropriately.

Ms. Buila stepped forward and asked Kaw River to provide success stories of residents at similar facilities. Ms. Salmi stepped forward and provided secondhand information about success stories she has been told from colleagues of hers. Mr. Huebner stepped forward and gave success stories from the facility Kaw River Management runs in Missouri.

Mr. Carrier asked the applicant if they could guarantee that lines of communication would remain open with the neighborhood. Mr. Gregg confirmed that they would.

Ms. Litecky declared PC 23-09 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that the Commission accept as findings of fact Part A & B of the staff report for PC 23-09, the applicant was present, one person spoke in favor, one letter of support was read, five spoke in opposition, and seconded by Dr. Hamilton.

The motion was passed with a unanimous voice vote.

Ms. Litecky asked for a motion for the Commission to vote on the 7 criteria together or separately.

Mr. Sheffer moved that all the Commission vote on all 7 criteria together, seconded by Mr. Carrier.

Roll Call Vote:

Yes – 5 (Weiss, Carrier, Hamilton, Sheffer, Litecky)

No- 0

Ms. Litecky asked for a motion on whether all criteria has been met.

Mr. Sheffer moved that the applicant has met all 7 criteria, seconded by Dr. Hamilton.

Roll Call Vote:

Yes – 5 (Weiss, Carrier, Hamilton, Sheffer, Litecky)

No- 0

Ms. Litecky asked for a motion on granting the Special Use Permit

Mr. Sheffer moved that the Commission recommend approval of the Special Use Permit of PC 23-09, with the conditions that residents must be from the Federal Bureau of Prisons and that the City must have a phone contact available 24/7 at Kaw River Management's facility, seconded by Mr. Weiss.

Roll Call Vote:

Yes – 5 (Weiss, Carrier, Hamilton, Sheffer, Litecky)

No- 0

Mr. Lenzini stated that the item will move forward with recommendation for approval of PC 23-09 for the May 23rd City Council meeting.

**5. Old Business**

There was none.

**6. New Business**

Mr. Doherty reviewed the City Council meetings as they related to Planning.

**7. Adjournment**

Mr. Carrier moved to adjourn the meeting, seconded by Dr. Hamilton.