

**Regular City Council Meeting and Public Hearing on Downstate Small Business Stabilization Grant Funds September 14, 2021 (Tuesday, September 14, 2021)**

*Generated by Jennifer R Sorrell on Wednesday, September 15, 2021*

**Councilmembers present**

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

**Meeting called to order at 6:06 PM**

1. Preliminaries to the City Council Meeting

Procedural: 1.1 **Roll Call**

Procedural: 1.2 **Citizens' Comments and Questions**

An unidentified speaker thanked the City Council for the enacting the mask mandate.

Sandy Litecky announced that Keep Carbondale Beautiful's annual tree sale and provided pre-order details.

Carlton Smith inquired about the City Ordinance regarding citizen comments during Council meetings.

Harold Visser asked about census results, the impact on home rule status, and when such changes take effect.

Nancy Maxwell asked the City Council to consider funding a Cure Violence program to help address gun violence in the city and announced the Dentmon's Center "Sneaking Out" event for parents.

Procedural: 1.3 **Council Comments, General Announcements, and Proclamations**

Councilmember Loos asked the City Attorney to provide details about Home Rule authority.

Councilmember Fronabarger announced that October 24 is the deadline for people in the 618 area code to start utilizing an expanded telephone number.

Councilmember Rye Sanders extended an invitation to the public to attend Women For Change's Big Event on Saturday, September 18; she further explained the itinerary and COVID precautions.

Procedural: 1.4 **Proclamation for National Rail Safety Week**

Mayor Henry proclaimed the week of September 20 through 26 as National Rail Safety Week in the City and encouraged all citizens to recognize the importance of rail safety.

## 2. Public Hearings and Special Reports

### Public Hearing: 2.1 **Public Hearing to Provide Interested Parties an Opportunity to Express their Views on the Program Activities and Performance of Community Development Block Grant (CDBG) Funds in Support of Local Businesses Impacted by the COVID-19 Emergency**

The purpose of this public hearing is to provide interested parties an opportunity to express their views on the program activities and performance of the Community Development Block Grant (CDBG) Downstate Small Business Stabilization (DSBS) grants funded through the Illinois Department of Commerce and Economic Opportunity. This program is funded by Title 1 of the federal Housing and Community Development Act of 1974, as amended.

A notice of a hearing that informs the public of these close out reports and provides an opportunity to review them must be published at least 7 days prior to a public hearing before the City Council. The reports were published on the City's website on September 3, 2021, and the notice was published in the Southern Illinoisan on September 3, 2021.

The Public Hearing was declared open at 6:28 p.m.

Councilmember Doherty noted this was a very important and beneficial program for the local businesses and the community.

Councilmember Fronabarger asked how many businesses were approved through the grant program, if these particular businesses were the first five to close out, and if the funds are received up front or reimbursed.

Councilmember Rye Sanders asked about why the funds were deposited in a Marion bank branch versus a Carbondale branch; Councilmember Grant responded to Councilmember Rye Sanders.

Carlton Smith asked if these were the same funds that are being distributed through the American Recovery Plan.

Nancy Maxwell asked if there was a sign up for this program and if there were any Black-owned businesses who benefitted from it. Economic Development Director Steven Mitchell responded to Ms. Maxwell.

The Public Hearing was declared closed at 6:35 p.m.

## 3. Consent Agenda of the City Council

Action (Consent): 3.1 **Minutes from the Regular City Council Meeting of August 24 and the Special City Council Meeting of August 30, 2021**

Resolution: Approve the minutes from the City Council meetings of August 24 and August 30, 2021

Action (Consent): **3.2 Approval of Warrant for the Period Ending: 08/20/2021 for the FY 2022 Warrant 1414 in the Total Amount of \$667,452.28**

Resolution: Accept the following report of payments made for the period ended: 08/20/2021 totaling \$667,452.28 (*Exhibit A-09-14-2021*)

Action (Consent): **3.3 Approval of Warrant for the Period Ending: 09/03/2021 for the FY 2022 Warrant 1415 in the Total Amount of \$985,955.79**

Resolution: Accept the following report of payments made for the period ended: 09/03/2021 totaling \$985,955.79 (*Exhibit B-09-14-2021*)

Action (Consent): **3.4 Approval of Wells Fargo Warrant for the Period Ending 07/31/2021 FY 2022 Warrant # WF 07/2021 in the amount of \$116,212.94**

Resolution: Accept the following report of payments made for the period ended: 07/31/2021 totaling \$116,212.94 (*Exhibit C-09-14-2021*)

Action (Consent): **3.5 Resolution Declaring Fair Days for WDBX's Block Party at the Downtown Pavilion on Saturday, October 9**

Resolution: Adopt a Resolution declaring Fair Days for WDBX's Block Party on Saturday, October 9, between the hours of 3:00 p.m. and 9:00 p.m. (*Resolution 2021-R-29; Exhibit D-09-14-2021*)

Action (Consent): **3.6 Resolution Authorizing the City Manager to Submit a Grant Application to the Southern Illinois Metropolitan Planning Organization (SIMPO) for FY2026 Funding to Improve Pleasant Hill Road from McLafferty Road to Union Hill Road**

Resolution: Approve a resolution authorizing the City Manager to submit a grant application to SIMPO to improve Pleasant Hill Road from McLafferty Road to Union Hill Road (*Resolution 2021-R-30; Exhibit E-09-14-2021*)

Action (Consent): **3.7 Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with UGA LLC for a Redevelopment Project at 220 West Chestnut Street**

Resolution: Approve the resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with UGA LLC for a Redevelopment Project at 220 West Chestnut Street (*Resolution 2021-R-31; Exhibit F-09-14-2021*)

Action (Consent): **3.8 Award of Contract with TWM, Inc. in the Amount of \$24,023.00 to Complete an Electric Vehicle Charging Station Study**

Resolution: Approve an Agreement with TWM, Inc. in the Amount of \$24,023.00 to Complete an Electric Vehicle Charging Station Study

Action (Consent): **3.9 Award of Contract with TWM, Inc. in the Amount of \$300,000 for Engineering Design Services for the ITEP Bike Path Project - Old Highway 13 to Wood Road**

Resolution: Award a contract with TWM for engineering design services related to the ITEP multiuse path project from Old Highway 13 to Wood Road

Action (Consent): 3.10 **Resolution Authorizing the City Manager to Execute a Project Labor Agreement with the Egyptian Building Trades Council**

Resolution: Approve a resolution authorizing the City Manager to execute a project labor agreement with the Egyptian Building Trades Council (*Resolution 2021-R-32; Exhibit G-09-14-2021*)

Action (Consent): 3.11 **Approval of Consent Agenda Items**

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

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

Motion by Tom Grant, second by Carolin Harvey.

Final Resolution: Motion Carries

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

4. General Business of the City Council

Discussion: 4.1 **City Council Discussion Regarding Priorities for Investing Funds from the American Rescue Plan**

*Note from Clerk: The discussion for this item exceeded on hour. Very brief summaries of remarks follow; to review the video/verbatim record of the meeting, please contact the City Clerk for information on how to locate it on the City's website.*

Council Discussion:

City Council inquired about the funds which would actually be received versus the amount for which the City is eligible; inquired about the inclusion of Southern Illinois Coalition for the Homeless; support for community housing and affordable housing programs; identified programs included in the agenda background which they were in favor of funding; concerns about the potential for abuse in contracts-for-deed; questions about the process to be utilized to identify and approve proposals; whether to utilize these funds or other earmarked funds for stormwater improvements; requesting applications from the public for projects; inquiries about when the funds would be received; discussed when and how to consider funding Eurma C. Hayes Center improvements; identifying drainage and stormwater sewer projects on the northeast side of Carbondale; ensuring fairness to other agencies which are funded; noted favor for recouping costs for those funds expended during COVID restrictions; requested that the proposals be categorized and funds allocated to each category; and responded to questions and comments from the citizens attending the meeting. Councilmember Rye Sanders noted she will not be able to comment on funding the Eurma C. Hayes Center as she is on the board.

Citizens Comments:

Nancy Maxwell asked about which agencies receive funding from the city, the programming planned for the Eurma C. Hayes Center, responded to inquiries about the Dentmon Center, and detailed the types of programs they are seeking to provide.

Karen Knodt advocated for funds to be allocated for ongoing homeless services and outlined current efforts to support such services and detailed the volume of requests for service.

Jane Adams spoke on behalf of the Park District and identifying joint projects to participate in.

Carlton Smith noted he was speaking on behalf of Mr. Wills of the Eurma C. Hayes Center, the historical relationship with the City, and asked the Council to give consideration to the Center with that history in mind.

Diana Sussman concurred with support for homeless services and support for a cure violence program.

Chastity Mays expressed support for funding a Cure Violence program and the Eurma C. Hayes Center, but does not agree with the placement of a substation.

Nathan Colombo shared his support for a comprehensive housing effort, the result of which could help with self-funding through a tax base increase.

Dawn Roberts concurred with Nathan Colombo's comments and noted benefits which could be realized with bringing in environmentally displaced persons.

**Action, Discussion: 4.2 Continued Review of the Liquor Code Rewrite and/or Adoption of an Ordinance Amending Titles Two, Thirteen, and Fourteen of the Carbondale Revised Code Relating to Alcoholic Liquor**

Council Discussion:

Council commented on and responded to Mr. Monty's email and comments about the proposed liquor ordinance; noted that they were not in favor of the suggestion to add a requirement for a detailed business plan or financial plan; asked for clarification regarding the Liquor Advisory Board's financial plan recommendation; agreed with including definitions of primary and secondary use; and asked about the inclusion of service of intoxicated persons under the section relating to underage individuals.

Citizens Comments:

Don Monty noted the history associated with requirements which applied only to grocery stores, specifically display locations and requirements which applied to hours when alcohol sales were not permitted.

**MOTION: Adopt an Ordinance amending Titles Two, Thirteen, and Fourteen of the Carbondale Revised Code**

Motion by Adam Loos, second by Carolin Harvey. (*Ordinance 2021-22; Exhibit H-09-14-2021*)

**Action: 4.3 Ordinance Approving a Text Amendment to Title 5 and Title 15 of the Carbondale Revised Code Relative to the Standards, Regulation, and Permitted Zoning of the Vacation Rental Unit Land Use**

*Note from Clerk: The discussion for this item extended over the course of approximately an hour. Very brief summaries of remarks follow; to review the video/verbatim record of the meeting, please contact the City Clerk for information on how to locate it on the City's website.*

**Council Discussion:**

Councilmembers provided their individual reasons for not supporting the proposed Ordinance, discussed establishing a landlord licensing program, asked if VRU licenses are contingent upon a thorough inspection, gradual expansion of VRU licenses, requiring multiple contact formats, notification to tenants in large complexes, whether VRU users would receive a towing decal and dedicated parking spaces, concern about poorly maintained units ruining the reputation of Carbondale, concern about allowing VRU units in multi-housing family units, requiring two local representatives/contacts, recommendations to place action of this Ordinance on hold, request for additional information from Staff, inquiries about the penalties for violating the VRU guidelines for those who are not licensed, and responded to citizen comments.

**Citizens Comments:**

Phillip Carrier concurred with some of the Council's comments, offered ideas to the City Council, and encouraged Council to expand zoning for VRUS into R-1.

Steve Quinn, speaking on behalf of the Chamber of Commerce, encouraged opening up Carbondale to this use and removing the owner-occupancy requirement.

Justin Zurlinden agreed with the changes recommended by Planning Commission, encouraged removing restrictions on VRUs in Carbondale, and remarked on the lack of restrictions on standard rentals versus temporary rentals.

Ron Deedrick, speaking on behalf of Illinois Realtors, concurred with opening up VRUs to all zoning districts, commented on who the restrictions impacts, and remarked on the higher level of restrictions in Carbondale versus other cities

Dawn Roberts shared concerns about the enforcement of regulations, commented on safety concerns and comfort levels for tenants in large units and home owners, and suggested tabling the item.

Phillip Carrier responded to comments from Council and further commented about review system.

Justin Zurlinden agreed with the suggestion to improve the conduct/behavior of landlords in Carbondale.

John Lenzini responded to comments from City Council and citizen remarks.

Council decided to defer action on this item to allow staff to work on this further.

5. Executive Session

Action: 5.1 **Enter Executive Session to Discuss the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the Public Body or Legal Counsel for the Public Body, Collective Negotiating Matters Between the Public Body and Its Employees or Their Representatives, or Deliberations Concerning Salary Schedules for One or More Classes of Employees**

MOTION: Enter into Executive Session to discuss collective negotiating matters between the public body and its employees or their representatives or deliberations concerning salary schedules for one or more classes of employees pursuant to ILCS 120/2(c)(2) of the Illinois Open Meetings Act

Motion by Tom Grant, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jeff Doherty, John M Henry  
Not Present at Vote: Ginger Rye Sanders *Open session recessed at 9:05 p.m.*

Action: 5.2 **Motion to Reenter into Open Session**

MOTION: Return to Open Session.

Motion by Ginger Rye Sanders, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Ginger Rye Sanders, Jeff Doherty, John M Henry *Open Session resumed at 10:33 p.m.*

6. Adjournment of the City Council Meeting

Procedural: 6.1 **Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 10:34 p.m.

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Jennifer R. Sorrell, City Clerk

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Date