

Request for City Council Action

Date: March 19, 2013

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| Agenda Section: Consent Agenda No. 4 | Originating Department: City Clerk's Office |
| Item: Acceptance of Minutes of Boards, Commissions and Committees No. 4.3 | Approved: |

Background:

Attached for Council review and acceptance are minutes of meetings from City boards, commissions and committees which have recently been sent to the City Clerk's Office.

Recommended Action:

The Council is requested to accept the following sets of minutes and place them on file:

Liquor Advisory Board – February 14, 2013

Foreign Fire Insurance Board – February 14, 2013

Human Relations Commission – February 4, 2013

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| Engineering Approval Obtained | Finance Approval Obtained | Legal Approval Obtained | Approval Obtained | Manager's Approval Obtained |
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Council Action: Motion by _____ 2nd by _____ to _____



Liquor Advisory Board February 14, 2013

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, February 14, 2013, in Room 103 of the Carbondale Civic Center, 200 South Illinois Avenue. Vice-Chair Mills called the meeting to order at 5:30 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: John Mills, Dave Loftus, Steve Payne, Erin Fogarty, Joyce Webb

Absent: Mark Robinson

A quorum was available to take action on the agenda items. City Staff present for the meeting included Acting City Clerk Jennifer Sorrell, Fire Chief John Michalesko, and Economic Development Coordinator Gary Williams

2. Approval of Minutes

E. Fogarty moved, J. Webb seconded, to approve the minutes from July 7, August 4, and August 10, 2011, as well as January 10, 2013. VOTE: All voted aye, motion declared carried.

3. Consideration of an application for two Class F1 liquor licenses for Carbondale Main Street's Art and Wine Fairs

Meghan Cole, Director of Carbondale Main Street, was present to answer questions from the Board. J. Mills noted that there had been no past problems stemming from these annual events and asked the applicant if there were any changes planned. Ms. Cole indicated that there were no planned changes. D. Loftus moved, E. Fogarty seconded, to approve the application for two Class F1 liquor licenses for Carbondale Main Street's Art and Wine Fairs, pending receipt of any outstanding items. VOTE: All voted aye, motion declared carried.

4. Consideration of revisions to Title Two of the Carbondale Revised Code as it relates to modification and expansion of current Class H licenses and the creation of a Class I license

Economic Development Coordinator Gary Williams addressed the Board to give background information about Class H license expansion and the interest expressed to create a Class I license. Mr. Williams indicated that incorporating craft businesses, including microbreweries and micro distilleries, with wineries under the Class H license would enhance tourism and economic development. The license would encourage regionally-produced products with on-site sampling, sales of products by the package, and allow moderate sales of products produced off-site. Mr. Williams noted that allowing tastings at farmers' markets has become popular around the country as it encourages buying regionally-produced and locally-sourced products. Mr. Williams introduced Mr. Brad Genung of Owl Creek Vineyard who explained that the business had been invited to participate at the Carbondale Farmers' Market. J. Mills asked for clarification on the invitation from the Carbondale Farmers' Market and Mr. Genung explained that the group decides on who to invite based on space, demand and which vendor would best suit their needs. J. Mills commented that while he personally does not have an issue with this idea, he suspects that there is a perception of the

Farmers' Market being a family-friendly affair. J. Webb remarked that most attendees of the Carbondale Farmer's Market do not have children with them. Mr. Genung stated that Owl Creek's invitation likely stems from the business not focusing on a younger crowd and having locally-grown and locally-produced products. J. Webb asked about the other vendors' feelings and Mr. Genung indicated that the other vendors are who extended the invitation. J. Mills asked if other wineries, microbreweries or micro distilleries would also be invited and Mr. Genung responded that the Farmers' Market tries to avoid duplication and would likely not invite another winery. He suggested that if they would invite a microbrewery or micro distillery, it would likely be down the road. J. Mills questioned how they intended to monitor the age of tasters and Mr. Genung remarked that he would be present at the market and the business currently monitors age and overconsumption at the winery. J. Mills suggested that if this venture were to be successful, at some point there might be multiple vendors allowing sampling. He suggested that in this scenario there might be some concern about managing responsible consumption. E. Fogarty noted that with the participation in the Farmers' Market being by invitation only, there might be control over the number of vendors and Mr. Genung indicated that any expansion would be very cautious. J. Mills suggested that in the future, if Owl Creek were the only authorized vendor, the City might hear complaints from other producers wanting to participate.

J. Webb moved, E. Fogarty seconded, to approve the revisions to the Carbondale Liquor Code as proposed. VOTE: All voted aye, motion declared carried.

5. Consideration of Second Quarter Reports from the Fire Department, Building and Neighborhood Services, and Police Department

J. Mills asked if Ice Box Bar and Grill had closed and the Acting City Clerk indicated it had. D. Loftus asked if the closure was permanent and the Clerk was unable to confirm or deny permanent closure. E. Fogarty remarked it was disappointing to hear of multiple business closures. The Board reviewed the reports noting few problems. E. Fogarty moved, D. Loftus seconded, to accept the second quarter reports and place them on file. VOTE: All voted aye, motion declared carried.

6. Discussion with Representatives of Sidetracks and Pinch Penny Pub

Brian Woodruff, general manager of Sidetracks, was present to answer questions from the Board. J. Mills explained why he had been requested to attend. J. Webb asked if there were employees covering the door and what type of IDs were requested. Mr. Woodruff responded that staff at the door check for state-issued identification. J. Mills asked how they intended to reduce their numbers. Mr. Woodruff stated that the staff needed to be more vigilant. J. Mills asked about staffing levels and Mr. Woodruff replied that it varies depending on the time of the night and season. E. Fogarty asked how the staff approached potential underage drinkers. J. Mills asked if the bar used dual stamps and if they were transferrable. Mr. Woodruff indicated they had multiple sets of dual stamps and that although they may be transferrable, the image would be reversed. J. Webb asked the manager why he thought the numbers had increased and he indicated that it was due to the increase in customers compared to their normal business. Mr. Woodruff commented that they are very careful not to serve underage patrons.

James Karayiannis was present to answer questions from the Board. J. Mills explained why he had been requested to attend and asked about the difference in arrest numbers between Copper Dragon and Pinch Penny Pub. Mr. Karayiannis remarked that there was not a difference, but that the police go to Pinch Penny Pub first to write tickets and then stop. J. Mills suggested that Pinch Penny Pub may be first on the list, but that is because they are finding violators. Mr. Karayiannis noted that Sidetracks' and Pinch Penny Pubs' closest competitors were closed during those months. Mr. Karayiannis asked how he could stop patrons from producing false IDs and buying drinks for

underage friends. He noted that there was zero delivery to minors in the reports. J. Mills stated that he generally attributed the problems to the employees rather than the liquor license holder. Mr. Karayiannis remarked he believed the employees' supervision and performance to be excellent and the staffing levels to be exorbitant. J. Mills asked if IDs were confiscated and Mr. Karayiannis indicated yes and that he has taken multiple IDs from the same patrons. He emphatically stated that the burden needs to be placed on the violators. Mr. Karayiannis remarked that his house had been robbed twice, but he wouldn't be calling the police department in to reduce robberies in Carbondale. He continued to carry the analogy to speeding violators and the disregard for the risk they assumed. J. Mills stated that the Board does not have answers, but rather is seeking answers from him. J. Webb asked about the legal age for bar entry and commented that since they could not drink, it was a dumb rule. Mr. Karayiannis asked if it would be better to have them supervised at his bar or attending an illegal house party. He also commented that with underground bars, there were zero taxes being paid and drunk driving resulting from zero supervision. J. Mills again asked about Mr. Karayiannis' ideas, to which Mr. Karayiannis stated he could hire more people and spend valuable dollars on manpower to supervise those incapable of supervising themselves. He noted that at some point the business would not be viable in trying to staff at levels needed to achieve zero arrests. D. Loftus, noting the thousands of customers passing through the bar, asked if during those peak times, such as the first two weeks of school, if there was anything that could be done to decrease arrests and Mr. Karayiannis commented the only thing he could think of was "more." D. Loftus suggested increasing staff during that particular spike and Mr. Karayiannis asked if it were conceivable that the police were attempting to set the tone during that particular time as well. S. Payne asked if he had considered the 21 and over option, noting that if they were unable to drink then their value was diminished. Mr. Karayiannis stated he had considered it, but that at some point those patrons do turn of age and their value increases. He then shared a story regarding an employee had been ticketed multiple times for underage drinking. Mr. Karayiannis stated that this issue has to be looked at from both sides, that the more popular a location is, the higher the stakes for underage patrons to obtain a drink. He noted that people were willing to break the law multiple times because there is no penalty high enough for them to cease their behavior and stressed that the burden needed to be shared with stronger penalties such as removing them from school or fines of a thousand dollars. He repeated that the penalty needed to be dire enough to stop the activity. D. Loftus stated that the Board was not against him and J. Mills suggested sharing his oration with the Council. Mr. Karayiannis stated that he had. J. Mills and J. Webb asked about the setting of fines and the Acting City Clerk indicated that they were set by ordinance. J. Mills and Mr. Karayiannis discussed the perception of delivery to underage versus underage possession. E. Fogarty asked about targeting advertisement towards younger patrons, such as video cameras for Polar Bear and Mr. Karayiannis stated that she was confusing his establishment with another. Mr. Karayiannis discussed his bar's experience during Polar Bear. Mr. Karayiannis commented that while there was an argument for allowing 21 and older, there was a large population of underage students who wanted to be included in the nightlife of Carbondale. Mr. Karayiannis indicated that his business would do their best, but that the numbers would likely continue to flux with the volume of customers.

Following the exit of Mr. Karayiannis, the Board discussed the issue of underage drinking and the difficulty in finding effective ways to address it. E. Fogarty commented on the impact of advertising to younger people. S. Payne elaborated on the problems of allowing underage patrons and not allowing them. He noted that Mr. Karayiannis raised a good point and that the assaults, battery, rapes, and molestation charges would greatly increase with illegal house parties and underground bars. He added that there was a responsibility shared for being a social incubator for young people. J. Mills agreed with S. Payne's assessment, but noted that there are some who cannot understand that and would hold the City responsible for the arrest numbers. J. Mills stated that he was surprised that the Council did not ask the Liquor Advisory Board about reducing the number of bar licenses, even by one. D. Loftus suggested that perhaps they may be a way of looking at where the violations are being found within the bar and addressing the matter from that perspective. S. Payne commented on the

problems with over-restrictiveness. There was discussion about the history of alcohol and students, the loss of businesses downtown, and different drinking mentalities in different college towns.

7. Adjournment

Meeting adjourned at 6:35 p.m.

Jennifer R. Sorrell, Acting City Clerk

Date Approved

**CITY OF CARBONDALE, ILLINOIS
FOREIGN FIRE INSURANCE BOARD**

**MEETING MINUTES
5:00 PM, FEBRUARY 14, 2013
FIRE STATION #2, 300 S. OAKLAND AVENUE**

PRESENT: Chief John Michalesko, Assistant Chief Ted Lomax, Captain Mike Hertz, Mike Rishel, Ron Stolz, Rob Miller, Dylan Fairfield **ABSENT:** NONE **GUESTS:** NONE

CALL TO ORDER

Ted Lomax called the meeting to order at 5:00 PM.

MINUTES OF PREVIOUS MEETING

Motion was made by Mike Hertz to approve the minutes of the previous meeting, Mike Rishel seconds and all in favor.

TREASURER'S REPORT

THE CURRENT BALANCE WAS \$41,353.23. OUTSTANDING EXPENDITURES TOTALED \$2,050 INCLUDING A FAN FOR STATION 1 (\$50.00) AND REPAIRS FOR STATION 1 BAY DOORS (\$2,000.00), MAKING THE TOTAL AVAILABLE BALANCE \$39,303.23. A MOTION WAS MADE BY MIKE RISHEL TO ACCEPT THE TREASURER'S REPORT, SECOND BY JOHN MICHALESKO AND ALL IN FAVOR.

UNFINISHED BUSINESS

Overhead Door was scheduled to look at station 1 bay doors. Work boots had been returned for those whose didn't fit.

NEW BUSINESS

A motion was made by Mike Hertz to purchase two adapters for the air supply on 42-7 to fit MSA SCBA masks at \$400.00 each totaling \$800.00. A second was made by Mike Rishel and all in favor. A motion was made by Mike Hertz to purchase a battery charger for station 1 to replace a malfunctioning charger totaling \$700.00. A second was made by Mike Rishel and all in favor. A motion was made by Mike Hertz to purchase two 2 ½" to 5" siamese adapters for future mutual aid calls at \$300.00 each totaling \$600.00. A second was made by John Michalesko and all in favor.

ANNOUNCEMENTS AND ADJOURNMENT

The next meeting is to be scheduled for April 11, 2013. Mike Hertz made a motion to adjourn, Mike Rishel seconds and all in favor at 5:10 PM.

Dylan Fairfield, Secretary



Commissioners Present: Jessica Bradshaw, Jeraldine Brown, Joseph Brown, Jerrold Hennrich, Sidney Logwood, Les O'Dell, Blaine Tisdale, Dora Weaver

Commissioners Excused: Jerrold Hennrich

Commissioners Absent:

Study Circle Staff Present: Sarah Heyer

Guests Present: Carolin Harvey, Maria Iwan, Faith Miller, Elius Reed, Zakee Tanksley,)

Staff Present: Deborah McCoy

Call to Order

The meeting was called to order by Chair Bradshaw at 6:35 p.m

Minutes

Motion was made by Commissioner Logwood and seconded by Commissioner Joseph Brown to approve the minutes from the December 3, 2012 meeting, with the correction that Sarah Heyer was not present. Motion carried. A meeting was not held in January 2013.

Announcements

None

Public Comments

Comments were made by Mr. Tanksley and Ms. Iwan regarding threats and disturbances directed at them by the tenants who occupy the two apartments beneath them. Mr. Tanksley and Ms. Iwan expressed their frustration and described their attempts to resolve the issue. Complaints have been made with Carbondale Police Department and SIU Students' Legal Assistance has been contacted where the Covenant of Peace & Quiet Enjoyment were discussed. Motion was made by Commissioner Logwood and seconded by Commissioner Weaver that a letter be written to the City Council requesting the City Manager to review and follow-up on the situation. Motion carried. Commissioners encouraged Mr. Tanksley and Ms. Iwan to check with the Land of Lincoln to find out what could be done to resolve the issue to allow them to move out. Commissioner O'Dell asked that Mr. Tanksley and Ms. Iwan accept an apology on behalf of the City as their experiences with the situation are not representative of the Carbondale community.

Study Circles Report

Coordinator Heyer reviewed Carbondale's study circle history and the action groups that developed from

those meetings. The Neighborhood Action Group, which grew out of Study Circles, has continued to be active and is about 10 years old. The group focuses on helping neighborhoods organize. They are currently involved in reviewing current and proposed zoning changes.

Non-Violent Carbondale Project Progress Report

Chair Bradshaw reported that efforts to move the City closer to signing the Charter for Compassion continue. City Council Members continue to be contacted and encouraged to support the Charter for Compassion.

The 11 Days of Food Justice is scheduled to run from February 21 through March 2. Thirty (30) events have been scheduled to take place around town. The schedule and publicity will be available on February 11, 2013. The next meeting will be held on February 8, 2013, at Longbranch.

Old Business

Illinois Municipal Human Relations Association (IMHRA) Annual Conference will be held on May 2, 2013, in Springfield, IL. A reception will be held on the evening of May 1, 2013. Commissioners planning to attend include Jeri Brown, Joseph Brown, and Sidney Logwood.

Law Enforcement Reports – No response, to the letter requesting information, has been received. Motion was made by Commissioner Tisdale and seconded by Commissioner O’Dell that a follow-up letter be written with a copy to the City Manager. Motion carried.

HRC Responsibilities, Role, Charges – Commissioner Tisdale distributed the handout summarizing his research on subpoena power. Commissioners agreed to speak with other HRC members during the IMHRA Conference and bring back information to determine the best way to move forward.

Continuing the Dialogue – African American Students. Commissioners agreed that the dialogue needs to continue, that there are serious problems in Carbondale that need to be addressed, that the University continues to talk about diversity and is proud of the numbers on paper yet the campus continues to be segregated, and comments made by Council Members are insensitive and unsettling. The discussion of how to move forward will be continued at the next meeting.

New Business

A copy of a letter written to Murphysboro School District’s Superintendent, regarding a school bus incident that may have been fueled by inappropriate racial responses, was received in December. The letter was received as information only with a copy also sent to the Carbondale Branch NAACP.

Next Meeting: March 4, 2013

Adjournment - There being no further business, the meeting was adjourned.