

Request for City Council Action

Date: October 28, 2014

Agenda Section: Consent Agenda No. 5	Originating Department: City Clerk's Office
Item: Acceptance of Minutes of Boards, Commissions, and Committees No. 5.3	Approved:

Background:

Attached for Council review and acceptance are minutes from the meetings of 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 minutes and place them on file:

Police Pension Board of Trustees – September 23, 2014

Zoning Board of Appeals – July 23, 2014

Planning Commission – October 1, 2014

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 _____

CITY OF CARBONDALE
POLICE PENSION BOARD OF TRUSTEES
MINUTES OF AUGUST 28, 2014
PRESENTED SEPTEMBER 23, 2014

Call to Order: Meeting called to order by Goddard at 1:45 p.m.

Members Present: Mark Goddard, Tony Williams, Paul Echols, Don Ursini, Don Priddy

Guests: Becky Applegate, Christal O'Guinn, Scott Hendricks, Terry Reno

Absent:

Minutes of Previous Meeting:

Motion made to accept the Minutes of August 28, 2014. (Echols)(2nd Williams) Motion carried.

Treasurer's Report:

Treasurer's Report was reviewed. Motion made to accept the Treasurer's Report (Williams) (2nd Echols). Motion carried.

Unfinished/Old Business:

Letters went out for verification of disability.

New Business:

Motion to extend K.P. medical exam out 60 days. (Ursini)(2nd Echols) All aye. Motion passed.

Mandated training time for IPPFA

Motion that the Board direct members to seek required trustee training and will reimburse expenses incurred from the training. (Ursini) (2nd Williams) Role call: Williams, aye; Echols, aye; Ursini, aye; Priddy, aye; Goddard, aye. Motion carried.

Motion to accept request and payout contributions to J.O. (Goddard)(2nd Ursini) Williams, aye; Echols, aye; Ursini, aye; Priddy, aye; Goddard, aye. Motion carried.

Motion to accept application for disability for D.R. (Goddard)(2nd Ursini) All aye. Motion passed.

Hearing will be set for the determination of disability at the next meeting. Additionally, need to find 3 physicians selected by the Board. Mark Goddard will notify Mrs. R. of a hearing date and request medical file.

Motion to appoint officers to the Board. (Goddard) (Echols) All aye. Motion passed.

Officers are as follows:

Trustee President: Mark Goddard

Trustee Vice President: Paul Echols

Trustee Secretary: Tony Williams

Trustee Asst. Secretary: Don Priddy

Trustee Treasurer: Don Ursini

Open Floor Comments: None

Motion to adjourn. (Echols) (2nd Priddy) Motion carried.

Respectfully Submitted,

Mark Goddard

Carbondale Police Pension Board Secretary

MG/clo

MINUTES

Carbondale Zoning Board of Appeals

July 23, 2014
City Hall / Civic Center, Room 108
200 South Illinois Avenue
6:00 p.m.

MEMBERS PRESENT: Anz, Field, Grant, Love, Loos

MEMBERS ABSENT: Lilly, Kang, Schachel, Barke (leave of absence)

STAFF PRESENT: Wallace, Sergeev, Taylor

Approval of Minutes: Mr. Loos moved, seconded by Ms. Field, to approve the minutes of May 21, 2014.

The motion was approved by a unanimous voice vote.

HEARING:

- A. ZBA 15-03, 6:00 p.m.** – The Varsity Center for the Arts is requesting a variance from the maximum allowed area for architectural signage in the BPR, Primary Business, District. They are also requesting a variance from the maximum allowed area for electronic message boards in the BPR, Primary Business, District for the following described property: 418 S. Illinois Ave., Parcel Number: 15-21-254-022.

Roll call was completed and the determination of a quorum was made.

Mr. Grant opened the Public Hearing at 6:00 p.m. and asked Mr. Wallace to read the Legal Notice.

Mr. Wallace read the Legal Notice.

Ms. Sergeev, Planner for the City of Carbondale, was sworn in and presented the staff report for ZBA 15-03.

Mr. Grant asked if the applicant was present and would like to set forward and present their case.

Mr. Pirmann, President of The Varsity Center for the Arts (VCA), came forward to speak. He spoke about what the VCA is hoping to do with their signage and why. He

mentioned that the sign area would be a total of 319 square feet opposed to the allowed 250 square feet. He also spoke about the VCA being a first site for people coming to Carbondale on the Amtrak and that it is important for the VCA to be a statement.

Mr. Langowski, Past-President of The Varsity Center for the Arts, spoke about the future vision of VCA and how the new signage would help with carrying out this vision.

Mr. Grant asked if there were any questions the commissioners would like to ask.

Mr. Loos asked staff a question regarding the 4 criteria of the variance and if they all needed to pass the vote for the variance to be passed.

Mr. Wallace answered that all the criteria could be denied and the variance still could be approved.

Mr. Grant asked if there were any questions for the applicant.

Mr. Grant asked detailed questions about the LED sign in concerns that it could be a distraction to passing traffic.

Mr. Langowski said that the sign would be a standard marquee that is not flashy.

Mr. Grant also asked about details to the façade being changed.

Mr. Pirmann and Mr. Langowski explained how the change to the façade is to try to mimic the store fronts that used to be there.

Mr. Loos discussed the 4 guidelines and if the VCA met all the criteria.

There was a general discussion about the 4 guidelines/criteria.

Ms. Field former original VCA board member and current ZBA commissioner expressed how she is very impressed with the design for the new Varsity. She also talked about how the current sign is a hardship for the current volunteers and it does not speak to what the current VCA is. Ms. Field also made a point that the banner sign ties together the choppiness of the building and makes it more cohesive.

Mr. Grant asked if anyone in the audience would like to present evidence in opposition to the VCA proposal.

None

Mr. Grant asked Ms. Sergeev to read the conclusion of the staff report.

Mr. Grant asked if there were any questions the board had for staff.

Mr. Grant asked how the staff calculates the square feet.

Ms. Sergeev answered that it was the length by the width that they proposed.

Mr. Wallace explained that the square footage is determined by the square footage of the sign and not by the actual square footage of the letters.

Mr. Grant asked if Ms. Field was legally allowed to participate in the ZBA meeting and voting due to her history with the Varsity.

Mr. Wallace stated that he did speak with the City Attorney and that it was fine for Ms. Field to participate during this meeting.

Mr. Grant invited any questions.

Mr. Pirmann asked how many votes would be needed to pass the variance.

Mr. Wallace answered with five yes votes.

Mr. Grant asked Mr. Pirmann what they expect to be displaying on the moving sign and how often it would be changing.

Mr. Pirmann replied that the sign would be in black and white and would only be for the VCA with minimal screen changes. He stated that they do not intend on filling the board with "static."

Mr. Grant then asked if there were any more questions.

None

Mr. Grant declared Public Hearing 15-03 closed.

Discussion by board members.

Mr. Loos moved, seconded by Mr. Anz, that the applicant has standing to bring the case to the board.

The motion was approved by a unanimous voice vote.

Mr. Loos moved, seconded by Ms. Field, that the City has jurisdiction over this case.

The motion was approved by a unanimous voice vote.

Mr. Loos moved, seconded by Mr. Anz, of finding of facts.

The motion was approved by a unanimous voice vote.

Mr. Love moved, seconded by Mr. Loos, to vote on criteria separate.

The motion was approved by a unanimous voice vote.

Mr. Grant asked for a vote on A(1)

Mr. Loos moved, seconded by Ms. Field, to vote A(1)

Roll Call Vote
Yes – 4 (Grant, Loos, Anz, Field)
No – 1 (Love)

Mr. Grant asked for a vote on A(2)

Mr. Loos moved, seconded by Mr. Field, to vote A(2)

Roll Call Vote
Yes – 2 (Loos, Field)
No – 3 (Grant, Anz, Love)

Mr. Grant asked for a vote on A(3)

Mr. Loos moved, seconded by Ms. Field, to vote A(3)

Roll Call Vote
Yes – 4 (Grant, Loos, Field, Love)
No – 1 (Anz)

Mr. Grant asked for a vote on A(4)

Mr. Loos moved, seconded by Ms. Field, to vote A(4)

Roll Call Vote
Yes – 3 (Loos, Field, Love)
No – 2 (Grant, Anz)

Mr. Grant asked for a vote on B

Mr. Loos moved, seconded by Ms. Field, to vote B

Roll Call Vote
Yes – 3 (Loos, Anz, Field)
No – 2 (Grant, Love)

Mr. Loos moved, seconded Ms. Fields, to vote to approve both variances as approved by the Preservation Commission certificate of appropriateness.

Roll Call Vote:

Yes – 5 (Grant, Loos, Anz, Field, Love)

No - 0

Mr. Grant thanked the VCA for their application and stated that they would receive written notification of the variance approval within 15 days.

Mr. Grant opened Public Hearing ZBA 15-04

- B. ZBA 15-04** – Constance and Oscar Burtley, residing at 1343 Vercliff Drive, are requesting a 16’ variance from Section 15.2.11.9 of the Carbondale Revised Code, which requires a 30’ front yard setback for primary structures in the R-1-15, Low-Density Residential, District for the following described property: 1343 Vercliff Drive, Parcel Number: 15-26-305-002.

Mr. Grant asked Mr. Wallace to read the Legal Notice.

Mr. Wallace read the Legal Notice.

Mr. Taylor, Planner for the City of Carbondale, was sworn in and presented the staff report for ZBA 15-04.

Mr. Grant asked if the supplicant would like to come forward to present their case.

Ms. Burtley came forward and asked the board if they had any questions.

Ms. Field asked if the VA was going to fund the money for the renovation.

Ms. Burtley stated that she has funded the money for all renovations done to the house and that the VA is on standby to fund, but she is tired of waiting.

Mr. Grant asked if there were any other questions for the applicant.

None

Mr. Grant asked if there was any other evidence to support the application.

None

Mr. Grant asked if there was any opposition to the application.

None

Mr. Grant asked Mr. Taylor to read the conclusion of the staff report.

Mr. Grant asked if there were any questions for City Staff.

Mr. Loos asked what is the purpose of the setback, what problem is that designed to remedy.

Mr. Taylor said it is to set back is typically made to reduce density and to preserve the character of the neighborhood.

Mr. Loos asked why a porch that was not covered would be permitted.

Mr. Taylor responded that the City does not issue permits for uncovered porches.

Mr. Loos asked why covering a porch makes it more problematic than an uncovered one.

Mr. Taylor said it would trigger a building permit which then would involve the building inspector.

Mr. Grant added that once the roof is there it is easy to enclose the porch with walls and then you would have expanded a non-conforming building even farther.

Mr. Wallace added that an uncovered porch does not interfere with your line of sight.

Ms. Field asked if a ramp or a porch in the back of the house would be as accessible as the front of the house.

Mr. Taylor replied that it would be in his opinion.

Mr. Grant asked if there were any more questions for City Staff.

None

Mr. Grant then asked if there were any questions to from anyone for anyone.

Mr. Grant asked Ms. Burtley if the driveway does approach the back of the house.

Ms. Burtley said that there is a steep incline that makes it difficult to walk down, there is also a City Right of Way that would interfere and that it would also be much more costly.

Mr. Kampworth, Ms. Burtley's contractor, came forward to support Ms. Burtley's claim.

Mr. Grant asked how often Mr. Burtley needs ambulance assistance.

Ms. Burtley said that it is very often.

Mr. Wallace wanted to make a statement, that when the Staff looks at variances, that involve a personal hardship, it is very difficult for Staff because the Staff is bound by a literal interpretation of the code regardless of their personal feelings. Mr. Wallace then stated that fortunately the board has the flexibility to consider the personal hardships, which the Staff is not allowed to do.

Mr. Grant asked how many signatures were on the petition.

Mr. Taylor answered 26.

Mr. Grant then made a statement that he believed there were probably about that many houses in the neighborhood.

Mr. Grant declared Public Hearing 15-04 closed.

Mr. Anz moved, seconded by Ms. Love, that the City has jurisdiction over this case.

The motion was approved by a unanimous voice vote.

Mr. Anz moved, seconded by Mr. Love, that the applicant has standing to bring the case to the board.

The motion was approved by a unanimous voice vote.

Mr. Loos moved, seconded by Mr. Love, of finding of facts.

The motion was approved by a unanimous voice vote.

Mr. Love moved, seconded by Mr. Loos, to vote on criteria separate.

The motion was approved by a unanimous voice vote.

Mr. Loos moved, seconded by Ms. Field, to vote A(1)

Roll Call Vote

Yes – 5 (Grant, Loos, Anz, Field, Love)

No – 0

Mr. Grant asked for a vote on A(2)

Mr. Loos moved, seconded by Mr. Anz, to vote A(2)

Roll Call Vote

Yes – 1 (Loos)

No – 4 (Grant, Anz, Field, Love)

Mr. Grant asked for a vote on A(3)

Mr. Loos moved, seconded by Ms. Field, to vote A(3)

Roll Call Vote

Yes – 5 (Grant, Loos, Anz, Field, Love)

No – 0

Mr. Grant asked for a vote on A(4)

Mr. Loos moved, seconded by Mr. Love, to vote A(4)

Roll Call Vote

Yes – 3 (Loos, Anz, Field)

No – 2 (Grant, Love)

Mr. Grant asked for a vote on B

Mr. Loos moved, seconded by Ms. Field, to vote B

Roll Call Vote

Yes – 3 (Loos, Anz, Field)

No – 2 (Grant, Love)

Mr. Loos moved, seconded Mr. Anz, to approve the variance with conditions that the structure remains open to the North, West and East should never be enclosed.

Roll Call Vote:

Yes – 5 (Grant, Loos, Anz, Field, Love)

No - 0

Mr. Grant thanked Ms. Burtley for her application and stated that she would receive written notification of the variance approval within 15 days.

Old Business: None

New Business: None

Citizen Comments or Questions: None

Adjournment:

Mr. Grant adjourned the meeting 7:38 p.m.



MINUTES
Carbondale Planning Commission
Wednesday, October 01, 2014
Room 108, 6:00 p.m.
City Hall/Civic Center

Mr. Grant called the meeting to order at 6:00 p.m.

Members Present: Barke, Grant, Loos, Anz, Field, Lilly, Love and Bradshaw (ex-officio)

Members Absent: Schachel, Kang

Staff Present: Wallace, Sergeev

Approval of Minutes:

Mr. Barke moved, seconded by Ms. Lilly, to approve the minutes for September 3, 2014. The motion to approve the minutes passed on a unanimous voice vote.

Report of Officers, Committees, Communications:

None

Public Hearings:

- A. **PC 15-02**, Text Amendment Relative to the Sale of Vehicles on Commercial Premises.

Mr. Grant declared Public Hearing PC 15-02 open and asked Mr. Wallace to read the legal notice.

Mr. Wallace read the legal notice.

Mr. Grant asked Ms. Sergeev to present the staff report.

Ms. Sergeev, Planner for the City of Carbondale, was sworn in and read part A of the staff report.

Mr. Grant asked if there were any questions of staff.

There were none.

Mr. Grant asked if the applicant was present and wished to speak.

Mr. Grant stated that Mr. Kang was not present, but he did submit a letter in favor that he would like to have noted in the record.

Mr. Grant asked if there were any thoughts or suggestions about the amendment.

Mr. Loos stated that he believed the amendment is a bad idea. He stated that the way the code is now still allows you to drive your vehicle with a For Sale sign posted to and from work and leave it in the parking lot during the day. Mr. Loos also mentioned that there are other outlets, such as craigslist, to advertise your vehicle.

Mr. Grant asked if anyone would like to speak in favor of the application.

No one spoke in favor.

Mr. Grant asked if anyone would like to speak in opposition of the application.

No one spoke in opposition.

Mr. Grant asked Ms. Sergeev to complete the staff report.

Ms. Sergeev read parts B and C of the staff report, with a recommendation to deny PC 15-02.

Mr. Barke moved, seconded by Ms. Lilly, that the Commission accept as findings of fact Parts A and B of the staff report for PC 15-02, that no person spoke in opposition and no person spoke in favor other than Commissioner Members, and that Mr. Kang's email, in support, was submitted to the record.

The motion passed on a unanimous voice vote.

Mr. Barke moved, seconded by Mr. Anz, that PC 15-02 is not advanced to City Council.

Roll Call Vote:

Yes - 6 (Barke, Grant, Loos, Anz, Field, Lilly)

No - 1 (Love)

Old Business

None

New Business

Ms. Bradshaw reviewed the City Council meeting, related to Planning.

7. Citizen Comments or Questions

None

8. Adjournment

Mr. Grant adjourned the meeting at 6:21 p.m.