



BOARD OF FIRE AND POLICE COMMISSIONERS
Thursday, August 1, 2019, at 10:00 am
Carbondale Civic Center Room 103
200 South Illinois Avenue
Meeting Minutes

1. Call to Order / Roll Call

The City of Carbondale Board of Fire and Police Commissioners held a meeting on Thursday, August 1, 2019, in Carbondale Civic Center Room 103, 200 South Illinois Avenue. Chairman Kerry Braswell called the meeting to order at 10:00 a.m.

Roll Call

Present: Kerry Braswell, Gerald Edwards, Ted Lomax, and Herman Williams

Absent: Randy Burnside

Acknowledgement of Guests

Also present were Deputy City Clerk Clinette Hayes, Fire Chief Mike Hertz, Human Resources Manager Tara Brown, Diversity and Compliance Officer Alicia Jackson, Firefighter Union Representative Bobby Alexander, and Police Chief Jeff Grubbs,

2. Approval of meeting minutes from May 23, 2019

MOTION: G. Edwards moved, H. Williams seconded, to approve the meeting minutes from May 23, 2019. VOTE: All voted Aye. No Nays. Motion declared carried.

3. Approval to Authorize the Deputy City Clerk to Certify the 2019 Preliminary and Final Promotional Eligibility Lists for Fire Captain on Behalf of the Board of Fire and Police Commissioners

Upon completion of the promotional written exam, Fire Captain candidates will be placed on a preliminary promotional eligibility list. If a candidate wishes to add military preference points to their overall score they have 10 days to submit documentation. Once the 10 days expires a final promotional eligibility list will be posted. Each list is to be certified by the Board, however to avoid calling a meeting just for the purpose of certifying each list the Board can authorize the Deputy City Clerk to certify the lists on their behalf.

It was asked if a firefighter can use his or her military points more than once during the course of their career. This includes both original appointment and promotional appointment. It was stated that some fire departments only allows a firefighter to use military points one time during their career while others allow its use several times. It was unclear how the Carbondale Fire Department utilizes a firefighter's military points. Human Resources Manager Tara Brown will contact the City Attorney for clarification.

MOTION: T. Lomax moved, H. Williams seconded, to authorize the Deputy City Clerk to certify the 2019 Preliminary and Final Promotional Eligibility Lists for Fire Captain on behalf of the Board of Fire and Police Commissioners. VOTE: All voted Aye. No Nays. Motion declared carried.

4. Approval of Changes in the Board of Fire and Police Commissioners Governing Rules as it Pertains to the Fire Captain Promotional Process

The process for promotion to Fire Captain was changed and is reflected in the current labor agreement with the Firefighter’s Union and the City of Carbondale. The Board has administered a Fire Captain promotional examination process two times since it has been in effect, one in 2017 and one in 2018. However, upon its passage the Board of Fire and Police Commissioner’s Governing Rules were not updated to reflect those changes.

This topic was discussed in a previous meeting when the Board was first apprised of the change. The Board recalled that there was something in the labor agreement that seemed to overstep what the Board is authorized to do. It was unclear what that could be and further research was suggested.

MOTION: G. Edwards moved, H. Williams seconded, to approve the changes in the Board of Fire and Police Commissioners Governing Rules as it pertains to the Fire Captain Promotional Process. VOTE: All voted Aye. No Nays. Motion declared carried.

5. Closed Meeting to Conduct Promotional Oral Interviews for Fire Captain

MOTION: G. Edwards moved, T. Lomax seconded, that the Board hold a closed meeting for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees pursuant to 5 ILCS 120/2(c)(1), specifically to conduct promotional oral interviews for Fire Captain. VOTE: All voted Aye. No Nays. Motion declared carried. Open session recessed at 10:10 a.m.

6. Return to Open Session

There was no formal action taken as a result of the closed meeting. There being no further business to come before the Board, T. Lomax moved, H. Williams seconded, that the Board return to open session. VOTE: All voted Aye. No nays. Motion declared carried. Open session resumed at 11:33 a.m.

Firefighter Union Representative Bobby Alexander exited the meeting at 11:33 a.m.

Police Chief Jeff Grubbs entered the meeting at 11:33 a.m.

7. Discussion of Changes in the Oral Interview Questions, Oral Interview Scoring, and the Physical Fitness Assessment for Entry-level Firefighter and Entry-Level Police Officer

During previous oral interviews the Board noticed that some of the questions for Entry-Level Police Officer and Firefighter either irrelevant or asked the same question in a different way. It was suggested that a revision of both sets of questions take place. In addition to revising the questions it was also suggested that a scoring scale be implemented. Currently each Commissioner choses a random number from 0 to 100 as a candidate’s score for fire candidates and a simple “pass or fail” for police candidates with no scoring scale, guidelines, or justification. The scoring scale could prevent any potential conflict should a candidate request to see their evaluation or ask why they passed or failed. Both the Fire and Police Departments submitted a draft of updated oral interview questions with a scoring scale. The scales were combined together to create one scale that can be used by both departments.

The Fire Department presented updated oral interview questions, some of which were changed or removed altogether. Each question is scored from 0 to 10 based on the criteria provided in the scoring scale. All questions are totaled together to give a candidate's score. Commissioner's score are then averaged together to give each candidate their final oral interview score. The Board agreed that they would like the updated questions with the scoring scale for the Fire Department to be implemented for Entry-Level Firefighter oral interviews.

The Police Department did not change any of the oral interview questions, however the same scoring scale that was presented for the Fire Department was added to the Police Department questions. It was a concern of Police Chief Jeff Grubbs that implementing a scoring scale would cause them to have to switch to an eligibility ranking system much like the Fire Department. The Fire Department's eligibility list is in ranking order by the total score of the exam and oral interview. The Police Department's eligibility list is simply listed alphabetically regardless of the achieved passing score. It was explained that although scores are given that would not change how candidates are listed on the police eligibility list. Chief Grubbs' concerns remained firm and he said he will have to check with the City Attorney to make sure that implementing a scoring scale for oral interviews would not conflict with an alphabetical eligibility list. After discussion the Board agreed that since the pass/fail system for Entry-Level Police Officer oral interviews already works well, that it can remain the same without the scoring scale. When asked what justification the Board has for determining whether a candidate passes or fails it was stated that it is the job of the Board to determine a candidates fit for the job. If they feel that a person is not the best fit for the Police Department then they will not move on to the next phase of the process.

It should be noted that during this discussion it was asked if the oral interview questions can be requested through FOIA. At the time it was unknown if interview questions were exempt from FOIA, but was later found to be exempt from disclosure.

The Fire Department also presented to the Board some changes to their Physical Fitness Assessment for the Entry-Level Firefighter examination. At the previous meeting Fire Chief Mike Hertz asked if it could be modified to meet the needs of their department. He submitted to the Board a modified version of the current Physical Fitness Assessment that mirrors the Candidate Physical Agility Test (CPAT) which is what the academy bases their physical assessment. Some of the weight and rep requirements changed for most portions of the assessment while new portions were added and others removed. It was a great concern that the Fire Department may reverse their efforts for recruiting women by making the physical fitness assessment more difficult as some women may not be physically able to complete the assessment as it currently stands. It was noted that although it is somewhat more difficult for the candidates to complete, they will have to complete the same requirements if they should make it all the way through to the academy. Plus candidates are provided the physical assessment requirements with plenty of time to prepare for it. The academy has been known to reject candidates simply because they are pushed through without being physically prepared. A small increase in the physical assessment will be in the best interest of entry-level candidates so they are ready to perform at a high level at the academy. After much discussion about this topic, the concerns regarding the level of difficulty for female candidates remained firm and it was the consensus of the Board to keep the Entry-Level Firefighter Physical Fitness Assessment the way it is.

8. Discussion about the Police Department's Referral/Incentive Program

In a previous meeting, the Board requested information regarding the Police Department's incentive program where a current employee refers a viable candidate for Police Officer and receives a monetary reward if said candidate completes his or her probationary period.

The reward is \$500.00 for an Entry-Level Police Officer candidate and \$750.00 for a Lateral-Entry Police Officer candidate. It was requested that a copy of the policy be provided to the Board at the last meeting held on May 23, however it was not. It was again requested that it be provided to the Board at this current meeting and that Chief Grubbs be present for any questions or discussion. Chief Grubbs was in attendance and distributed to the Board Personnel Policy 307 titled “Recruitment, Selection, Promotion, Retirement” where it outlines the Employee Recruitment Incentive in Section IV. This can be found in the Police Policy Manual and is accessible online only through the Police Department. It was stated that this incentive program was discussed with the City Manager sometime around 2015 and was made effective sometime around 2017. According to Chief Grubbs there has already been three payouts awarded through this program. Referrals included one officer from South Carolina, another officer who was also employed by the Illinois Department of Corrections, and an officer from a neighboring town.

It was asked if this policy was reviewed or approved by a committee, board, or City Council and if it has been or needed to be codified. Chief Grubbs replied no to both inquiries.

9. Board Comments

Deputy City Clerk, Clair Hayes, apprised the Board of the current status of the upcoming Entry-Level Police Officer examination on Thursday, September 12, 2019. The deadline is scheduled for Friday, August 2, 2019 at 5:00 p.m. and at the total number of applicants for participation at the time of this meeting was eleven, however two of those applicants had to be rejected because they didn’t meet the education requirements. It was asked if the Board would like to move forward with the examination regardless of the number of applicants currently on file. A breakdown of participants, cost, and eligible candidates from the past few exams were presented to the Board for reference. It was noted that based on past history we will more than likely test only half of the applicants on file and receive a lesser number of eligible candidates from that pool of applicants who participate in the exam. Over the past two years (four testing cycles) there has been 47 exam participants and of those only 13 to become eligible candidates. The Board consulted with Chief Grubbs and determined that we should move forward with the examination as planned.

10. Citizens’ Comments

None

11. Adjournment

Meeting adjourned at 12:47 p.m.

Clinette C. Hayes, Deputy City Clerk

Approved by the Board on _____

Foreign Fire Minutes

8/8/19

Call to Order 9:02 AM

Attendees

Chief Hertz, Schultz, Brown, Mallady

Guests: None

Prior meeting minutes

Approved- Hertz, Schultz (4-0)

Last Meeting Follow-up

1. Banking Options to be discussed. – Switched to Banterra.

New Business

1. Treasurer's report:
 - Current avail balance- \$7491.32
 - Motion to approve Mallady, Hertz (4-0)
2. Purchase of Mityvac Fluid Evacuator \$145 Brown, Schultz (4-0)
3. Purchase of Stihl Stick Edger \$405. Schultz, Mallady (4-0)
4. Purchase of Dewalt Recip. Saw (2) and Dewalt Chainsaw with Chain. \$550. Schultz, Brown (4-0)
5. Purchase of Bunn Coffee Decanter, Orange. \$15. Hertz, Schultz (4-0)
6. Purchase of Nutribullet Blender (2) \$130. Brown, Schultz (4-0)

Motion to Adjourn 9:15 AM Hertz, Mallady



**CITY OF CARBONDALE, ILLINOIS
LIQUOR ADVISORY BOARD
Minutes of the Regular Meeting
Thursday, September 5, 2019**

The City of Carbondale’s Liquor Advisory Board held a meeting on Thursday, September 5, 2019, in Room 103 of Carbondale City Hall, 200 South Illinois Avenue. Chair Donald Monty called the meeting to order at 5:34 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: John Mills, Tasis Karayiannis, David Cisco, and Don Monty

Absent: Mark Robinson, Steve Payne, Colton Newlin

A quorum was available to take action on the agenda items. City Staff present for the meeting included City Clerk Jennifer Sorrell, City Attorney Jamie Snyder, and Building & Neighborhood Services Supervisor John Lenzini.

2. Approval of Minutes from the L.A.B. Meeting of August 1, 2019

D. Cisco moved, T. Karayiannis seconded, to approve the minutes of the L.A.B. meeting of August 1, 2019.
VOTE: All voted aye; motion declared carried.

3. Consensus on Bylaws Amendments

The Board reviewed each section which had been discussed at the prior meeting and offered their opinions as to whether changes were needed or if the text should remain the same.

There was a consensus to amend Article II, Section 2 in a manner consistent with the Carbondale Revised Code; Article III, Section 2; Article V, Sections 1 and 3; to delete Article VI “Subcommittees”; and to renumber Article VII.

4. Continued Discussion for the Proposed Liquor Code Rewrite Sections 2-4-11 through 2-4-14 (Catering, Special Use Licenses, Duration, and Transfers)

Catering:

In keeping with the recommended reclassification plan, it is recommended to make catering a special condition for a license holder, as opposed to requiring a separate application. The requirement for dramshop insurance will remain in place.

References to SIU catering options will be removed as the university holds a State liquor license, without a license from the City, and are not under our licensing authority. Additionally, they have their own internal review process.

Sales by the glass at privately catered event – there was Board consensus to recommend allowing sales by the glass at private events but requiring 10 days notification by the license holder to the City and police per event. Catering where the alcohol is paid as part of the catering package and there are not sales by the glass will remain the same.

Outside Caterer Permit – there was discussion regarding whether to allow non-Carbondale caterers to cater with alcohol in city limits with a “per event” license. There was unanimous agreement to allow those individuals to cater with alcohol so long as they hold a liquor license with the State. There was not a clear decision with relation to the appropriate fee for such permit. Suggestions raised included \$50.00 to \$75.00, a “modest fee”; and a substantial enough of a fee, not to exceed \$100.00, so as to not undercut a Carbondale licensee’s payment of liquor license fees. It was also noted that if we want to bring people to Carbondale, it would be important not to overprice the license. Further discussion suggested in lieu of a higher permit fee, requiring the caterer to remit food and beverage tax based on the event receipts, assuming the F&B tax for caterers isn’t rescinded.

2-4-12: Special Use:

The recommendation from Staff was to modify the City’s Special Use requirements so that it operates in the same way as the State’s Special Use license. Additionally, as the licensee would already hold a Carbondale liquor license, it was suggested that the approval of this individual special use event be handled at the Staff and Local Liquor Control Chair level, similar to that of a Class L “Extended Premises” permit, or the event approval for Carbondale Main Street’s individual Class F1/F2 licenses.

It was noted that this would take away pressure on not-for-profits who are approached about applying for a Class F1 or F2 license for special events so that alcohol could be sold to attendees; if the language were modified where for-profit businesses could apply for the Special Use permit, they could also perhaps sponsor some of the events. Further, if a for-profit liquor license holder were to receive a Special Use permit for sales of alcohol at an event, all of their servers are required to be trained.

There was Board consensus to modify the City’s current Special Use language to mirror that of the State’ Special Use language.

2-4-14: Transfer of License:

The City Attorney referred to inconsistencies in the language regarding transfers, which are prohibited at the State level. The transfer language, in effect, suggests a legal right to it which is not permitted. The Board indicated that it would be beneficial to retain the ability to transfer locations, however. It was also suggested that language be added to the effect of “new applicants applying for a currently issued liquor license must provide a notarized letter from the current license holder which indicates their agreement with the applicant’s request.”

There was Board consensus to retain the ability to transfer location, but otherwise recommend elimination of the transfer of licenses. Following the consensus, there followed a brief discussion regarding upcoming agenda items.

5. Citizens’ Comments

Clerk: Next meeting is scheduled for October 3.

None

6. Adjournment

Meeting adjourned at 6:37 p.m.

Jennifer R. Sorrell, City Clerk

Date Approved

Local Liquor Control Commission Meeting - September 24, 2019

Generated by Clinette C Hayes on Wednesday, September 25, 2019

Commissioners Present:

Commissioner Carolin Harvey, Commissioner Adam Loos, Commissioner Jessica Bradshaw, Commissioner Jeff Doherty, Commissioner Lee Fronabarger, Commissioner Tom Grant, and Chairman John M. Henry

Meeting called to order at 6:03 PM

1. Preliminaries to the Local Liquor Control Commission Meeting

1.1 Roll Call

2. General Business of the Local Liquor Control Commission

2.1 Approval of Minutes from the Local Liquor Control Commission Meeting of September 10, 2019

MOTION: Approve the minutes from the Local Liquor Control Commission meeting of September 10, 2019.

Motion by Tom Grant, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty, Lee Fronabarger, John M Henry

2.2 Transfer of a Class C1 Liquor License from Karco, Inc., d/b/a Rollnup, to Ahuja Brothers, Inc., d/b/a Main Street Liquors & Tobacco at 600 East Main Street

MOTION: Approve the transfer of a C1 liquor license from Karco, Inc., d/b/a Rollnup, to Ahuja Brothers, Inc., d/b/a Main Street Liquors & Tobacco contingent upon receipt of outstanding items.

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty, Lee Fronabarger, John M Henry

3. Citizens' Comments for the Local Liquor Control Commission

Nathan Colombo, representing the Varsity Center for the Arts, asked the Commission to consider drafting an ordinance that would allow non-profit organizations, such as the Varsity Center, to obtain a liquor license where alcohol can be served to and consumed by their patrons on their outside sidewalk area. This would be similar to the outdoor eating and/or drinking areas that some restaurants and bars currently have at their establishments. It was asked if this would be on an event-by-event basis or throughout the year. Mr. Colombo stated that their initial intent was to be permitted per event, but ultimately it is whatever direction the Commission and City Staff is comfortable with.

4. Adjournment of the Local Liquor Control Commission

4.1 Time of Adjournment for Local Liquor Control Commission

The Local Liquor Control Commission adjourned at 6:10 p.m.

Clinette C. Hayes, Deputy City Clerk

Date