

**FY 2017 Local Liquor Control Commission and Regular City Council Meeting June 14, 2016
(Tuesday, June 14, 2016)**

Generated by Jennifer R Sorrell on Monday, June 20, 2016

1. Roll Call

Members present

Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry

2. General Announcements and Proclamations

Councilman Fronabarger commended Deanna Price on winning the national hammer throw championship for the second year in a row and beating her own hammer throw record. He noted that he attended the two-day eclipse conference the previous weekend and shared historical facts about previous eclipses and plans already in place for the coverage of the upcoming 2017 eclipse.

Councilman Kang announced the first Sunset Concert on June 16, Carbondale Tourism's Live On concert on June 17, and a teen dance fundraiser benefiting WDBX and the Carterville High School band at the Carterville Community Center on June 30.

Councilwoman Bradshaw announced the Sparrow Coalition will host a forum at the Carbondale Public Library on Tuesday discussing the budget's effects on seniors and the Dawg Daze of Summer Super Shelter Spectacular fundraiser at Alto Pass on June 26.

Councilman Harvey invited the public to attend two Juneteenth events on Friday at the African American Museum of Southern Illinois and on Saturday at Attucks Park.

3. Citizens' Comments and Questions

Barry Spehn, 500 Charles Road, asked about the Council's interest in passing amendments to the Towing Code. City Manager Williams responded to Mr. Spehn.

Lance Jack, 1026 North Bridge Street, commented on the upcoming 2017 Eclipse event and asked the City Council to pursue discussions with the University about moving the date of the students' move-in weekend. Mayor Henry responded to Mr. Jack's comments.

Elius Reed asked about the Council's decision to not seek resumes or conduct a search prior to appointing the City Manager. Mayor Henry responded to Mr. Reed.

Rodney Cavitt, 702 North Marion Street, noted that he has been experiencing sewer backup into his home, remarked on his inquiries regarding this issue with City Staff, and asked when he would receive assistance in correcting the issue. City Manager Williams and Mayor Henry responded to Mr. Cavitt and asked that Public Works Director Sean Henry speak with the gentleman.

4. Public Hearings and Special Reports

4.1 A Public Hearing on the Proposed Vacation of a Portion of South Washington Street Located South of Grand Avenue

The Public Hearing was declared open at 7:58 p.m.

Lance Jack, 1026 North Bridge Street, asked about the planned bicycle path location and whether it would

pass the property to be exchanged with the University.

At 8:01 p.m., the Public Hearing was declared closed.

4.2 A Public Hearing on the Proposed Land Exchange Between the City of Carbondale and Southern Illinois University

The Public Hearing was declared open at 8:02 p.m.

There were no comments from the public on this matter.

The Public Hearing was declared closed at 8:02 p.m.

5. Consent Agenda of the City Council

Action (Consent): 5.1 Approval of City Council minutes

Action (Consent): 5.2 Approval of Warrant for the Period Ending 05/09/2016 FY2016 Warrant # 1272 in the amount of \$201,992.68

Action (Consent): 5.3 Approval of Warrant for the Period Ending 05/09/2016 FY2017 Warrant # 1273 in the amount of \$1,530,045.35

Action (Consent): 5.4 Approval of Warrant for the Period Ending 05/23/2016 FY2016 Warrant # 1274 in the amount of \$220,466.85

Action (Consent): 5.5 Approval of Warrant for the Period Ending 05/23/2016 FY2017 Warrant # 1275 in the amount of \$2,639,553.27

Action (Consent): 5.6 Approval of Wells Fargo Warrant for the Period Ending 04/30/2016 FY 2016 Warrant # WF 04/2016 in the amount of \$231,366.94

Action (Consent): 5.7 Acceptance of Minutes from Boards, Commissions, and Committees

Action (Consent): 5.8 A Resolution Authorizing the City Manager to Submit an Application for the Illinois Department of Transportation's Illinois Transportation Enhancement Program **Pulled**

Action (Consent): 5.9 Acceptance of Temporary and Permanent Easements from the Board of Trustees of Southern Illinois University for the Second Phase of the Downtown Pedestrian and Bike Path

Action (Consent): 5.10 Review and Action on the Preservation Commission's Annual Certified Local Government (CLG) Report for FY 2016

Action (Consent): 5.11 Resolution authorizing the City Manager to execute a consultant contract with RayGun, LLC, to coordinate the City's 2017 eclipse planning **Pulled**

Action (Consent): 5.12 A Request to Initiate Changes Recommended in the Downtown Master Plan **Pulled**

Action (Consent): 5.13 Authorization for the City Manager to execute an Engagement Letter with Kerber, Eck, & Braeckel for the City's FY 2016 Audit

Action (Consent): 5.14 Resolution Authorizing the City Manager to Submit an Application for a DOJ, Justice Assistance Grant for the Police Department & an Ordinance Increasing the Police Department's FY2017 Budget

Action (Consent): 5.15 An Ordinance Approving the Proposed Vacation of a Portion of South Washington Street located South of Grand Avenue

Action (Consent): 5.16 An Ordinance Authorizing the City Manager to Execute a Land Exchange with Southern Illinois University

Action (Consent): 5.17 Award of Contract for the Cedar Lake Shoreline Stabilization Project (WS1503) to Mott Excavating of Vienna, IL in the amount of \$1,256,795.20

Approval of Consent Agenda Items 1-7, 9, 10, 13-18.

Motion by Navreet Kang, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Item 5.8

Resolution Authorizing the City Manager to Submit an Application for the Illinois Department of Transportation's ITEP Grant

The item was pulled to draw attention to the City's attempt to enhance the overall quality of life in Carbondale. City Manager Williams responded to Council inquiries on the location of the pathway.

Motion by Lee Fronabarger, second by Jessica Bradshaw.

Final Resolution: Motion Carries

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

Item 5.11

Resolution Authorizing the City Manager to Execute a Consultant Contract with RayGun, LLC, to coordinate the City's 2017 Eclipse Planning

Diane Regan introduced herself to the Council and provided details about her qualifications and experience. Council noted the headway other communities had made in planning for the event and requested a monthly progress report. A minor correction in the contract was noted.

Motion by Navreet Kang, second by Jessica Bradshaw.

Motion Carries

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

Item 5.12

A Request to Initiate Changes Recommended in the Downtown Master Plan

City Manager Williams responded to City Council inquiries.

Donald Monty, 418 South Giant City Road, stated that the consultant's recommendations were not consistent with the zoning request from Staff outlined in the second map and suggested that the recommendations for initiating changes consistent with the Downtown Master Plan should instead come from the Planning Commission.

Rodney Cavitt suggested that improvements should be made throughout the City and indicated his agreement with Mr. Monty's comments.

Elius Reed suggested the inclusion of improvements to the Eurma C. Hayes Community Center.

Council comments on Item 5.12 included the suggestion of referring this item to the Planning Commission, discussion on the possible uses and variations between the recommendations from Staff and the consultant of specific properties, creating an overlay of areas for design/use purposes, remarks on utilizing a buffer between certain zoning districts, and increasing density in the downtown.

Motion to Initiate Changes Recommended in the Downtown Master Plan as included in the agenda item, with the addition that the Planning Commission consider in addition to the offer to rezone to PA in the north what other options may be available, and consider the wisdom of an overlay district controlling build form in the downtown area.

Motion by Adam Loos, second by Tom Grant.

Motion Carries

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

A brief recess was observed prior to starting the General Business of the City Council

6. General Business of the City Council

6.1 Ordinance Amending Title 7 of the Carbondale Revised Code as it relates to Motor Fuel Tax Extending the One Cent Per Gallon Tax Expiring June 30, 2016

Council commented on the current and upcoming expenditures and unfunded mandates which necessitate additional funds. It was noted that this tax will continue in perpetuity until a future Council determines it appropriate to end.

Adoption of an Ordinance amending Title 7 of the Carbondale Revised Code to extend the one cent per gallon MFT that is set to expire on June 30, 2016.

Motion by Tom Grant, second by Carolin Harvey.

Final Resolution: Motion Carries

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

6.2 Ordinance Amending Title 7 of the Carbondale Revised Code as it Relates to Motor Fuel Tax

Councilmembers shared their opinions on the appropriate figure for the MFT increase.

Donald Monty remarked on the seeming arbitrary cost of gas from one location to another and commented on the long lasting need for street repairs.

Chandrakant Patel suggested fixing those items that are and have been on the books before adding new projects.

Lance Jack indicated support for dedicating funds for specific projects as opposed to amassing all proceeds to the General Fund.

Adoption of an Ordinance to amend Title 7 of the Carbondale Revised Code as it relates to motor fuel tax by increasing the Motor Fuel Tax by four cents.

Motion by Adam Loos, second by Jessica Bradshaw.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Tom Grant, Carolin Harvey, Adam Loos, John M Henry

Nay: Lee Fronabarger, Navreet Kang

6.3 Ordinance Amending Title 7 of the Carbondale Revised Code as it Relates to Food and Beverage Tax

Council discussed various options including the benefits and drawbacks of combining the food and beverage tax with the package liquor tax, delaying the implementation date, the appropriate percentage of tax, the community awareness of this proposed tax, support for this particular tax, discussion as to which businesses would be subject to this tax, for what purposes the proceeds of this tax would be applied, and suggestions for addressing and concerns for the impact on various business owners.

Motion by Adam Loos to call the question. No second was received. Public discussion then followed the failed motion.

Lance Jack, 1026 North Bridge, indicated that few restaurant owners were aware of the discussion and action tonight and expressed his frustration that the pain was not spread equally over all prepared food providers.

Randy Osbourne, 4538 Giant City Road, remarked on the atmosphere of action, the findings of a community forum on violence, and encouraged investment in the youth of Carbondale.

Donald Monty, 418 South Giant City Road, stated that prepared food should apply to all locations.

Adoption of an Ordinance to amend Title 7 of the Carbondale Revised Code as it relates to food and beverage tax at the rate of four percent with an implementation date of August 1, 2016.

Motion by Navreet Kang, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Navreet Kang, Adam Loos, John M Henry

Nay: Jessica Bradshaw, Carolin Harvey

6.4 Ordinance amending Title 7 of the Carbondale Revised Code as it relates to package liquor tax

Chandrakant Patel, 1075 Park Street, commented on the overall impact of the tax increases put in effect and the unfairness of selectivity of the taxes.

Lance Jack, 1026 North Bridge, asked if the package liquor increase would apply to all liquor licensees who sell package liquors, including Class A holders with a package option.

Greg Karayiannis, 624 East Campus Drive, asked how the two different rates will be tracked.

Council deliberated the appropriate rate of taxation, whether this tax will more heavily burden local residents, whether to institute this tax at this time or after the consideration of expanding package liquor sales, and whether to consider devoting some of the cost to defray the cost of implementation.

Adoption of an Ordinance to amend Title 7 of the Carbondale Revised Code as it relates to package liquor tax at two percent to be implemented October 1.

Motion by Jessica Bradshaw, second by Lee Fronabarger.

Adam Loos offered an amendment to the original motion changing the percentage to four percent. Jessica Bradshaw and Lee Fronabarger agreed to accept the "friendly amendment."

Adoption of an Ordinance to amend Title 7 of the Carbondale Revised Code as it relates to package liquor tax at four percent to be implemented October 1.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos

Nay: Navreet Kang, John M Henry

6.5 Ordinance Amending Title Two (2) of the Carbondale Revised Code Establishing a Temporary Extended Premises License (Class L) for Licensees Holding a Class A, B, E, H, or J Liquor License

Approval of an Ordinance Amending Title Two (2) of the Carbondale Revised Code Establishing a Temporary Extended Premises License.

Motion by Navreet Kang, second by Carolin Harvey.

Final Resolution: Motion Carries

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

7. Council Comments for the City Council

Councilman Loos had general comments regarding the taxes considered during the meeting including specific needed improvements and the various options for funding.

Councilman Grant commented on the Food and Beverage tax and to which locations it should apply.

Councilman Fronabarger agreed with Councilman Loos' and Grant's comments, remarked on the State mandate requiring 90% funding of the pension funds by 2040, and noted that the taxes are an investment into Carbondale. He then asked why the City will be collecting the taxes on a quarterly rather than monthly basis. City Manager Williams and Finance Director Davis responded to Mr. Fronabarger.

Councilwoman Harvey agreed with the earlier Council comments and stated her reason for voting in opposition to the Food and Beverage Tax.

Councilman Kang quipped that the Council meetings should be kept shorter.

8. Executive Session

8.1 Vote to enter into Executive Session

The City Council is asked to hold an Executive Session as permitted under the Illinois Open Meetings Act to discuss the purchase or lease of real property per ILCS 120/2(c)(5).

Motion by Adam Loos, second by Navreet Kang.

Final Resolution: Motion Carries

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

Open Session recessed at 10:42 p.m.

8.2 Motion to reenter into Open Session

The City Council is asked to return to Open Session at 11:12 p.m.

Motion by Jessica Bradshaw, second by Carolin Harvey.

Final Resolution: Motion Carries

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

9. Adjournment of the City Council Meeting

Adjourn meeting at 11:12 p.m.