Regular City Council Meeting November 15, 2022 (Tuesday, November 15, 2022)
Generated by Jennifer R Sorrell on Wednesday, November 16, 2022

Council Members present
Councilmember Adam Loos, Councilmember Ginger Rye Sanders, Councilmember Jeff Doherty, Councilmember Lee Fronabarger, Councilmember Tom Grant, and Mayor Pro Tempore Carolin Harvey

Council Members absent
Mayor John M. Henry

Meeting called to order at 6:01 PM

1. Preliminaries to the City Council Meeting
Procedural: 1.1 **Roll Call**

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

The following citizens addressed the City Council during Citizens' Comments and Questions: Sandy Litecky, Rodney Morris, Nathan Colombo, and James Cooper, Jr.

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

Councilmember Rye-Sanders asked Mr. Cooper to clarify his comments.

Councilmember Fronabarger thanked the Keep Carbondale Home Rule Committee and its volunteers for their work and noted the high voter turnout.

Councilmember Doherty extended his thanks to the Keep Carbondale Home Rule Committee, the volunteers, donors, and voters.

Councilmember Loos inquired about sidewalk repairs by Clearwave.

Procedural: 1.4 **Proclamation Recognizing Evergreen Garden Club of Carbondale**

Mayor Pro Tempore Harvey extended congratulations to the Evergreen Garden Club of Carbondale on their 75th anniversary.

2. Public Hearings and Special Reports
Public Hearing: 2.1 **Public Hearing for Sale of City-Owned Property at 415 East Oak Street**

Mayor Pro Tempore Harvey declared the Public Hearing open at 6:18 p.m.

With there being no comments, the Public Hearing was declared closed at 6:20 p.m.

3. **Consent Agenda of the City Council**
Action (Consent): 3.1 **City Council Meeting Minutes from October 25, 2022**

Resolution: Approve the minutes from the City Council meeting of October 25, 2022

Motion by Jeff Doherty, second by Lee Fronabarger.
Action (Consent): 3.2 **Approval of Wells Fargo Warrant for the Period Ending 09/30/2022 FY 2023 Warrant # WF 09/2022 in the amount of $141,647.68**
Resolution: Accept the following report of payments made for the period ended: 09/30/2022 totaling $141,647.68 *(Exhibit A-11-15-2022)*

Action (Consent): 3.3 **Approval of Warrant for the Period Ending: 10/28/2022 for the FY 2023 Warrant 1445 in the Total Amount of $3,008,907.57**
Resolution: Accept the following report of payments made for the period ended: 10/28/2022 totaling $3,008,907.57 *(Exhibit B-11-15-2022)*

Action (Consent): 3.4 **Resolution Naming City-Owned Property at 801 E. Main Street "Pyles Fork Park"**
Resolution: Approve a resolution naming City-owned property at 801 E. Main St. Pyles Fork Park *(Resolution 2022-R-51; Exhibit C-11-15-2022)*

Action (Consent): 3.5 **Resolution Authorizing the City Manager to Enter into an Agreement with Crawford, Murphy, and Tilly, Inc. in an Amount Not-To-Exceed $99,800 for Engineering Services for Wastewater Treatment Optimization Study (CIP WW2301)**
Resolution: Approval of an Agreement with Crawford, Murphy, and Tilly, Inc. for Engineering Services for Wastewater Treatment Optimization Study in an Amount Not-To-Exceed $99,800 *(Resolution 2022-R-52; Exhibit D-11-15-2022)*

Action (Consent): 3.6 **Approve the Purchase of One (1) Police Vehicle to Vic Koenig of Carbondale, Illinois in the amount of $23,570; Approve an Ordinance Authorizing a Budget Adjustment to the Police Department FY23 Budget in the Amount of $3,570**
Resolution: Award the purchase of one (1) 2023 police vehicle to Vic Koenig of Carbondale, IL, in the amount of $23,570 and approve an ordinance authorizing a budget adjustment increasing the Police Department FY2023 budget in the amount of $3,570 *(Ordinance 2022-39; Exhibit E-11-15-2022)*

Action (Consent): 3.7 **Resolution Authorizing the City Manager to Execute a Contract for the Sale of Land to Maria Guerrero for Property at 415 East Oak Street and to Authorize the Mayor Pro Tempore to Execute a Quit Claim Deed for Conveyance of Said Land**
Resolution: Approve a Resolution Authorizing the City Manager to Execute a Contract for the Sale of Land to Maria Guerrero for Property at 415 East Oak Street and to Authorize the Mayor Pro Tempore to Execute a Quit Claim Deed for Conveyance of Said Land *(Resolution 2022-R-53; Exhibit F-11-15-2022)*

Action (Consent): 3.8 **A Resolution Approving the Final Plat of the Minor Subdivision and Subdivision Agreement at 604 East Park Street**
Resolution: Move to Adopt A Resolution Approving the Final Plat of the Minor Subdivision and Subdivision Agreement at 604 East Park Street *(Resolution 2022-R-54; Exhibit G-11-15-2022)*

Action (Consent): 3.9 **A Resolution Approving the Final Plat of the Minor Subdivision and Subdivision Agreement at 2355 Sweets Drive**
Resolution: Move to Adopt the Resolution Approving the Subdivision Plat and Subdivision Agreement for Western Land Holdings, LLC at 2355 Sweets Drive. *(Resolution 2022-R-55; Exhibit H-11-15-2022)*

Action (Consent): 3.10 **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 Jeff Doherty, second by Lee Fronabarger.
Final Resolution: Motion Carries
Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey

4. General Business of the City Council
Action: 4.1 **Review of 2022 Proposed Tax Levy, Truth in Taxation Act Determination and Public Library Board's Tax Levy Requirements**

Council noted that there has been no increase of the City's portion of the tax levy for some years.

MOTION: Staff is directed to submit a Tax Levy Ordinance for the December 13, 2022 City Council meeting containing the recommended Tax Levy and Tax Levy Abatements that will result in a net 2022 Tax Levy in the amount of $2,189,685 for General Government and Library purposes.

Motion by Lee Fronabarger, second by Tom Grant.
Final Resolution: Motion Carries
Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey

Action, Discussion: 4.2 **Discussion and Approval of the Carbondale Community Housing, NFP's Bylaws**

Council comments and questions included: suggestions to determine a specific number as opposed to a range of members for the Board of Directors; drawing lots to determine what terms the initial members will have to ensure staggered terms; inclusion of persons with expertise in different disciplines and including those specific discipline requirements in the bylaws; using greater leniency in residency to ensure members with different backgrounds and professions can serve; a suggestion of utilizing either school district or City employee boundaries; identified various professions including architecture, construction, finance or banking, law, City staff, possibly an SIU representative, and a real estate broker or property manager; whether the City can have any kind of oversight of funds until the organization can be self-sufficient; inquired about the removal provision in Section 12; concern about the potential for contract or financial steering by the authority granted to the President position; a recommendation for seven Board members; a recommendation for an annual report to the public; expansion of the purpose and function sections; requiring the Board to collaborate with community partners; inclusion of community representation of the average citizen; and an inquiry about the compensation for the President of the Board. There followed discussion about the role, position, and compensation of the President versus an Executive Director and a lengthier discussion about the composition of the membership for the Board of Directors followed.

Sandy Litecky indicated her preference for a larger Board and ensuring the inclusion of Carbondale residents.

Don Monty noted his desire that a majority of the Board be comprised of Carbondale citizens, leaving space for citizens who do not fit in the identified professions on the Board, and making the Staff member an ex-officio Board member.

Action: 4.3 **Ordinance Establishing a Portion of the West Side of North Washington Street, and a Portion of the South Side of East Larch Street as a "No Parking" Zone**

Council inquired about the choice for designating the areas as "no parking" versus "residential parking" and whether a permit for parking would be available to the residents in the area.

Donald Monty remarked on eliminating a loophole in the City Code.

Ann Gaylord asked Council to consider how the Ordinance would affect users of the Red Hen Garden.

MOTION: Approve an Ordinance Establishing a Portion of the West Side of North Washington Street, and a Portion of the South Side of East Larch Street as a "No Parking" Zone.

Motion by Ginger Rye Sanders, second by Lee Fronabarger.
Final Resolution: Motion Carries
Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey *(Ordinance 2022-40; Exhibit I-11-15-2022)*

Action: 4.4 **Resolution Approving, and a Resolution Denying, a Special Use Permit for a Restaurant Use and a Special Use Permit for a Drinking Place with Alcoholic Beverages at 300 South Oakland Avenue**

MOTION: Adopt A Resolution Approving A Special Use Permit for a Restaurant A Special Use Permit for A Drinking Place with Alcoholic Beverages at 300 South Oakland Avenue.

Motion by Tom Grant, second by Lee Fronabarger.
Final Resolution: Motion Carries
Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey *(Resolution 2022-R-56; Exhibit J-11-15-2022)*

5. Executive Session
Action: 5.1 **Vote to Enter into Executive Session to Discuss Pending or Imminent Litigation**

MOTION: Enter into an Executive Session to discuss pending or imminent litigation as permitted per 5 ILCS 120/2(c)(11) of the Illinois Open Meetings Act

Motion by Tom Grant, second by Adam Loos.
Final Resolution: Motion Carries
Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey *Open Session recessed at 7:26 p.m.*
Action: 5.2 **Motion to Reenter Open Session**

MOTION: Return to Open Session

Motion by Jeff Doherty, second by Lee Fronabarger.
Final Resolution: Motion Carries
Yea: Adam Loos, Ginger Rye Sanders, Jeff Doherty, Lee Fronabarger, Tom Grant, Carolin Harvey *Open Session resumed at 8:02 p.m.*

6. Adjournment of the City Council Meeting
Procedural: 6.1 **Adjourn meeting**

There being no further business to come before the City Council, the meeting was adjourned at 8:03 p.m.

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Jennifer R. Sorrell, City Clerk Date