

**Local Liquor Control Commission and Regular City Council Meeting November 12, 2024
(Tuesday, November 12, 2024)**

Generated by Jennifer R Sorrell on Wednesday, November 13, 2024

Council Members present

Councilmember Nancy Maxwell, Councilmember Ginger Rye Sanders, Councilmember Jeff Doherty, Councilmember LaCaje Hill, Councilmember Clare Killman, Councilmember Adam Loos, and Mayor Carolin Harvey

Meeting called to order at 6:13 PM

5. Preliminaries to the City Council Meeting

Procedural: 5.1 Roll Call

Procedural: 5.2 Citizens' Comments and Questions

Members of the public addressing the City Council included Megan Beatteau, Ebonee Crymes, George Wallace, James Cooper, Jr., Ernest Newton, Jarius Harvey, and Tara Bell.

Procedural: 5.3 Council Comments, General Announcements, and Proclamations

Councilmember Loos noted concern and asked fellow Councilmembers to give consideration to what local authority can be shored up to preserve those protections adopted. Further, he asked local media to please try to contact him for his comments if they are going to publish allegations that relate to him.

Councilmember Hill shared details about a near accident to which he was a witness and noted his disgust with the vehicle speeding up to threaten the pedestrian. He further noted that hate has no home in Carbondale.

Councilmember Killman expressed the Council's commitment to protect its citizens and safeguarding our way of life.

Councilmember Rye-Sanders thanked those in attendance for being at the meeting and announced a community forum at the Eurma C. Hayes Center on November 18.

Councilmember Maxwell responded to a citizen comment relating to Cairo and thanked attendees for coming out.

6. Public Hearings and Special Reports

7. Consent Agenda of the City Council

Action (Consent): 7.1 **Minutes from the Special and Regular City Council Meetings of October 22, 2024**

Resolution: Approve the minutes from the Special and Regular City Council Meetings of October 22, 2024

Action (Consent): **7.2 Approval of Warrant for the Period Ending: 10/25/2024 for the FY 2025 Warrant 1497 in the Total Amount of \$1,663,995.08**

Resolution: Accept the following report of payments made for the period ended: 10/25/2024 totaling \$1,663,995.08 (*Exhibit A-11-12-2024*)

Action (Consent): **7.3 Approval of Wells Fargo Warrant for the Period Ending 09/30/2024 FY 2025 Warrant # WF 09/2024 in the amount of \$148,845.74**

Resolution: Accept the following report of payments made for the period ended: 09/30/2024 totaling \$148,845.74 (*Exhibit B-11-12-2024*)

Action (Consent): **7.4 Resolution Authorizing the City of Carbondale to Enter Into an Intergovernmental Agreement with Jackson County for the maintenance of Traffic Signals Constructed at Giant City Road and Pleasant Hill Road**

Resolution: Adopt a Resolution Authorizing the City of Carbondale to Enter Into an Intergovernmental Agreement with Jackson County, IL for the maintenance of Traffic Signals Constructed at Giant City Road and Pleasant Hill Road (*Resolution 2024-R-65; Exhibit C-11-12-2024*)

Action (Consent): **7.5 Ordinance Approving a Budget Adjustment to Increase the General Fund's FY2025 Budget in the Amount of \$1,295,000 for the Demolition of the High School and Women's Gymnasium on Springer Street.**

Resolution: Approve an Ordinance to Increase the General Fund's FY2025 Budget in the Amount of \$1,295,000 for the Demolition of the High School and Women's Gymnasium on Springer Street. (*Ordinance 2024-40; Exhibit D-11-12-2024*)

Action (Consent): **7.6 Ordinance Approving a Budget Adjustment to Increase the Fire Department's FY2025 Budget in the Amount of \$330,000 for the Purchase of a 2010 Pierce Pumper Utilizing ARPA Funds and Award the Purchase to Brindlee Mountain Fire Apparatus LLC in the Amount of \$330,000**

Resolution: Adopt an Ordinance Authorizing a Budget Adjustment to Increase the Fire Department's FY2025 Budget in the Amount of \$330,000 for the Purchase of a 2010 Pierce Pumper utilizing ARPA monies and Award the Purchase to Brindlee Mountain Fire Apparatus LLC in the Amount of \$330,000 (*Ordinance 2024-41; Exhibit E-11-12-2024*)

Action (Consent): **7.7 Contract in the Amount of \$59,190 to McVicker Excavating, Inc., Herrin, IL, for the demolition of five (5) abandoned, blighted residential structures, bid as Various Residential Demolitions 2024, Round 2.**

Resolution: Award the contract in the amount of \$59,190 to McVicker Excavating, Inc., Herrin IL, for the demolition of five (5) abandoned, blighted residential structures, bid as Various Residential Demolitions 2024 Round 2.

Action (Consent): **7.8 Contract in the Amount of \$19,500 to May Excavating, Inc., Carterville, IL, for the demolition of an abandoned, blighted residential structure, bid as Various Residential Demolitions 2024, Round 3.**

Resolution: Award the contract in the amount of \$19,500 to May Excavating, Inc., Carterville IL, for the demolition of an abandoned, blighted residential structure, bid as Various Residential Demolitions 2024 Round 3.

Action (Consent): **7.9 Appointments to Boards and Commissions**

Resolution: Council is requested to concur with Mayor Harvey's recommended appointments to Boards and Commissions.

Action (Consent): **7.10 Approval of Consent Agenda Items**

Resolution: Approve all Consent Agenda items not pulled for separate consideration

Agenda Items 7.7. and 7.8 – Council identified the parcels being demolished with grant funds; inquired about the ownership of the properties following the demolition; noted that some of those structures are owned by landlords; remarked that the Ordinance to license landlords will be forthcoming; noted that these demolitions are matters of concerns being addressed on behalf of the citizens; requested details about ownership of the parcels being demolished; conveyed concerns from citizens about city taking their property; and asked if there would be an additional round of demolitions.

MOTION: Approve all Consent Agenda items not pulled for separate consideration

Motion by Jeff Doherty, second by LaCaje Hill.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey

8. General Business of the City Council

Action: **8.1 Review of 2024 Proposed Tax Levy, Truth in Taxation Act Determination and Public Library Board's Tax Levy Requirements**

Council noted that the City Government's portion is not being increased, due to sales taxes revenues, and has remained flat for some time. There was a question about funding for street lighting.

MOTION: Direct staff to submit a Tax Levy Ordinance for the December 10 City Council meeting containing the recommended Tax Levy and Tax Levy Abatements that will result in a net 2024 Tax Levy in the amount of \$2,271,850 for General Government and Library purposes

Motion by Adam Loos, second by Jeff Doherty.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey

Discussion: **8.2 Discussion on Challenges and Observations of City of Carbondale Projects**
Jarius Harvey commented on an historical skills training program through SIU.

Chris Wood from Fager McGee was present to respond to questions.

Elius Reed commented on the City's past adoption of an Affirmative Action Plan, a Minority Business Enterprise policy, a Disadvantaged Business Enterprise policy, and workforce participations goals for contracts. He noted that there were few Carbondale residents in the trade unions. Further, he noted that most of his work has been outside of the city and remarked on training programs from the past and one that has not been implemented.

Council asked if there are ongoing conversations with trade unions; noting that the goal here is to get an understanding of what the unions' membership is like and whether they and the City can collaborate towards meeting our requirements. There was an inquiry about those in attendance here during the meeting, and with so few present, noting that this poses a challenge to gathering necessary information. Council encouraged subcontractors to reach out to City staff to provide assistance with their paperwork; requested a presentation on ongoing programs already in existence, such as CCHS and JALC; reiterated that collaboration was needed and unions should be at the table; the City needs to be willing to put some financial support in this; noted that there are some small businesses who do not participate in the programs for various reasons; remarked that there are two different issues here, namely disadvantaged business enterprises and workforce participation; that if contractors that want to bid, but aren't bidding, the Council needs to know why; remarked that project labor agreements may be the lever to compel greater cooperation; suggested that the Council needs to look at how the information gets out to the contractors in order to have them show up and that there are many barriers to overcome; remarked that we may need try again to get people here; commented that IDOT has not come down to certify two contractors; identified specific individual tradespeople; remarked that those who have received training and education should not have to go outside of Carbondale to work; noted that several of the people listed came through the JALC program; and asked about the current Project Labor Agreement.

Action: 8.3 An Ordinance Amending Title Four, Chapter Sixteen, Section Six of the Carbondale Revised Code as it Relates to Insurance Requirements for Vacant Buildings

Jane Adams inquired about the penalties for non-compliance and how staff determines if insurance is actually held on the buildings.

Ron Deedrick commented on the prior agenda item and noted approval for the change in insurance requirements.

Corene McDaniel thanked the Council for this Ordinance and shared her experience in trying to insure her former beauty salon. She suggested giving consideration to boarding up buildings.

Brooke Campbell asked if there is any work being done to prevent this cycle.

Council inquired about what happens when someone isn't able to obtain or afford insurance.

MOTION: Adopt an Ordinance amending Title Four, Chapter Sixteen, Section Six of the Carbondale Revised Code as it relates to insurance requirements for vacant buildings

Motion by Jeff Doherty, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey (*Ordinance 2024-42; Exhibit F-11-12-2024*)

Action: 8.4 Ordinance Adopting Rate Increases for Services Provided by the Water and Sewer Fund and a Resolution Approving Rate Increases for Services Provided by the Refuse and Recycling Fund

Discussion RE First Motion - explanation for the amendment to eliminate the reconnection fee if done during business hours; suggestion to establishing a cap per year; friendly amendment to cap that at two per year; noted support for or lack of support for the Ordinance to increase fees; suggested that there is some disparity in improvements; there is a duty to maintain the quality of water; not able to support the increase when there are those who cannot afford the increase; suggestion to change the language so that those living under poverty level would not have to pay the increased fees; remarked on the fiduciary responsibilities of the Council; remarked on the skewed poverty percentage because of the students included in the figure; [] suggestions to establish assistance program; question about only increasing commercial rates;

Don Monty noted that these are separate from the General fund; noted stories of communities in dire straits because they have let their water and sewer system go; remarked it is the local community's burden to bear; and stated Marion's billing has an annual increase to keep up with costs for repairs.

Ebonee Crymes asked if the increases could be rolled out gradually.

Lee Fronabarger shared prepared remarks about the necessity for communities to increase water and sewer fee increases and shared tips to reduce water and sewer bills.

Jane Adams recalled that the last Ordinance to increase fees had annual increases in place; noted water breaks; and expressed support for this long-term planning.

MOTION: Adopt an Ordinance Authorizing Rate Increases for Services Provided by the Water and Sewer Fund and Approve a Resolution Authorizing Rate Increases for Services Provided by the Refuse and Recycling Fund - eliminate \$40 reconnection fee when reconnections are done during business hours; amended to cap the number of no cost reconnections during working hours at two per calendar year, but fee reinstates for third reconnection.

Motion by Adam Loos, second by Nancy Maxwell.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Jeff Doherty, Clare Killman, Adam Loos, Carolin Harvey

Not Present at Vote: Ginger Rye Sanders, LaCaje Hill (*Ordinance 2024-43; Resolution 2024-R-66; Exhibit G- & H-11-12-2024*)

Action: 8.5 A Resolution Approving and a Resolution Denying ECA Solar's Request for a Special Use Permit to Develop Production-Grade Solar within the General Agriculture Zoning District (AG) South of Arnold Lane

Council asked why this matter came to the Council based on the Planning Commission's vote, responded to citizen remarks regarding ionizing electromagnetic frequencies, and expressed support for the Special Use Permit.

David Kelley read details from reports and studies on the health effects of electromagnetic frequencies/radiation and asked the Council to consider these factors before allowing the placement of the solar panels in a populated area.

Joe Lomuscio of ECA shared that there were delivery issues with the notices mailed to the residents in the area and described the attempts to ameliorate this issue and in response to the feedback that they had received.

Kenneth Taylor noted that he was initially opposed to the project, remarked on the studies referenced earlier, and shared his experience with the representatives from this company.

Allen Arnold noted the zoning of the property in question and that he feels that the project will fit in with the current uses there.

MOTION: Adopt Resolution Approving ECA Solar's Request for a Special Use Permit to Develop Production-Grade Solar within the General Agriculture Zoning District (AG) South of Arnold Lane

Motion by Adam Loos, second by Clare Killman.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey (*Resolution 2024-R-67; Exhibit I-11-12-2024*)

Action: 8.6 A Resolution to Approve and a Resolution to Deny a Request for a Special Use Permit for Motorcycle Sales in the BPR, Primary Business District for Property Located at 215 South Illinois Avenue

Council shared their support for seeing the building restored.

MOTION: Adopt a Resolution Approving the Special Use Permit for Motorcycle sales in the BPR, Primary Business District for Property Located at 215 South Illinois Avenue

Motion by Clare Killman, second by LaCaje Hill.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Carolin Harvey (*Resolution 2024-R-68; Exhibit J-11-12-2024*)

Action: 8.7 Resolution Authorizing the City of Carbondale to Enter Into a Partnership Agreement with the Carbondale Community Housing NFP for the Community Change Grant

Councilmembers expressed hope that the grant is used for marginalized communities; shared concerns relating to sections in the agreement itself, named article 2.2, the City's responsibilities and the Housing NFPs responsibilities and article 2.23 about who is ultimately liable; asked about the solar and storage in question; whether matching funds are required; asked if the "resident owned homes" would be owned beforehand or after the NFP's action; expressed concern that this seems like commandeering the Housing NFP by the energy sovereignty project; noted support for the second part; asked if we are required to take action to authorize this agreement; and expressed appreciation for the work done by Ms. Becker.

Georgia De La Garza commented on a matter not germane to the agenda item.

MOTION: Adopt Resolution Authorizing the City of Carbondale to Enter Into a Partnership Agreement with the Carbondale Community Housing NFP for the Community Change Grant

Motion by Ginger Rye Sanders, second by Clare Killman.

Final Resolution: Motion Carries

Yea: Nancy Maxwell, Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Carolin Harvey

Nay: Adam Loos (*Resolution 2024-R-69; Exhibit K-11-12-2024*)

9. Adjournment of the City Council Meeting

Procedural: 9.1 Adjourn meeting

There being no further business to come before the Local Liquor Control Commission, the meeting adjourned at 9:25 p.m.

Jennifer R. Sorrell, City Clerk

Date