

Regular City Council Meeting July 23, 2019 (Tuesday, July 23, 2019)

Generated by Jennifer R Sorrell on Wednesday, July 24, 2019

City Council Members present

Councilman Adam Loos (6:12 p.m.), Councilwoman Jessica Bradshaw (6:13 p.m.), Councilman Jeff Doherty, Councilman Lee Fronabarger, Councilman Tom Grant, and Mayor John M Henry

City Council Members absent

Councilwoman Carolin Harvey

A Local Liquor Control Commission meeting preceded the City Council meeting.

Meeting called to order at 6:08 PM

5. Preliminaries to the City Council Meeting

Procedural: 5.1 **Roll Call**

Procedural: 5.2 **Citizens' Comments and Questions**

Karen Knodt from Carbondale Community Solar Working Group requested support from the City for an application they will be submitting to the State seeking funding for the “solar for all” funding which includes an environmental justice component.

Robin Reed requested a response from the City Council as to why there was insufficient publicizing of City Hall being open as a cooling center during the recent heat wave.

Marcella Sevy of the Carbondale Sunrise Movement suggested redirecting some of the funding for the police department to invest in sustainable energy to lower the average citizen’s utility bill and in the communities which are historically marginalized.

Isaiah Shephard of the Carbondale Sunrise Movement spoke about the Koppers wood treatment center, compared it to Flint, Michigan, and encouraged passing laws to protect environmental rights.

Dexter (no last name) of the Carbondale Sunrise Movement commented on the pollution of Big Muddy River by a Williamson County mining operation and requested citizens for their support by writing letters to the EPA.

Clare Killman of the Carbondale Sunrise Movement asked that local politicians not enter into an agreement with any fossil fuel company in exchange for campaign funding.

Procedural: 5.3 **Council Comments, General Announcements, and Proclamations**

Councilman Fronabarger provided clarification of information provided at an earlier meeting regarding the ranking of Carbondale Community High School in the 2019 US News annual report.

Councilman Grant noted the passing of Dennis Calufetti and indicated a service will be held on Saturday.

6. Public Hearings and Special Reports

7. Consent Agenda of the City Council

Action: 7.1 **Minutes from the City Council Retreat of June 19 and Regular City Council Meeting of June 25, 2019**

Approve the minutes from the City Council Retreat held on June 19 and the regular City Council Meeting of June 25, 2019

Pulled by T. Grant

Action (Consent): 7.2 **Approval of Warrant for the Period Ending: 06/28/2019 for the FY 2020 Warrant 1358 in the Total Amount of \$378,661.95**

Resolution: Accept the following report of payments made for the period ended: 06/28/2019 totaling \$378,661.95 (*Exhibit A-07-23-2019*)

Action (Consent): 7.3 **Approval of Wells Fargo Warrant for the Period Ending 06/30/2019 FY 2020 Warrant # WF 06/2019 in the amount of \$138,628.21**

Resolution: Approval of Wells Fargo Warrant for the Period Ending 06/30/2019 FY 2020 Warrant # WF 06/2019 in the amount of \$138,628.21 (*Exhibit B-07-23-2019*)

Action (Consent): 7.4 **Approval of Warrant for the Period Ending: 07/12/2019 for the FY 2020 Warrant 1359 in the Total Amount of \$812,901.82**

Resolution: Accept the following report of payments made for the period ended: 07/12/2019 totaling \$812,901.82 (*Exhibit C-07-23-2019*)

Action (Consent): 7.5 **Acceptance of Approved Meeting Minutes from Boards, Commissions, and Committees**

Resolution: Accept the approved meeting minutes from Boards, Commissions, and Committees and place them on file.

Action (Consent): 7.6 **Appointments and Reappointments to Boards and Commissions**

Resolution: Concur with the Mayor's recommended appointments to Boards and Commissions

Action (Consent): 7.7 **Review and Acceptance of the Preservation Commission's Annual Certified Local Government (CLG) Report for FY 2019**

Resolution: Approve and place on file the City of Carbondale Preservation Commission's Annual CLG Report for the Fiscal Year ending April 30, 2019.

Action (Consent): 7.8 **Ordinance Establishing the West Side of North Wall Street From Main Street to Fisher Street as a "No Parking" Zone**

Resolution: Approve an Ordinance Establishing the West Side of North Wall Street From Main Street to Fisher Street as a "No Parking" Zone. (*Ordinance 2019-14; Exhibit D-07-23-2019*)

Action (Consent): 7.9 **Ordinance Establishing the East Side of South Oakland Avenue as a "No Parking" Zone from Whitney Street to Chautauqua Street**

Resolution: Approve an Ordinance Establishing the East Side of South Oakland Avenue as a "No Parking" Zone from Whitney Street to Chautauqua Street (*Ordinance 2019-15; Exhibit E-07-23-2019*)

Action (Consent): 7.10 **Ordinance Setting the Speed Limit on North Wall Street at 25 MPH**

Resolution: Approve an Ordinance Setting the Speed Limit on North Wall Street at 25 MPH (*Ordinance 2019-16; Exhibit F-07-23-2019*)

This item was intended to be pulled, but was included in the motion to approve all consent agenda items not separately considered

Action: 7.11 **Ordinance Creating an All-Way Stop at the Intersection of North Wall Street and East Willow Street**

Resolution: Approve an Ordinance Creating an All-Way Stop at the intersection of North Wall Street and East Willow Street

Pulled by T. Grant

Action: 7.12 **Ordinance Establishing the North Side of West Oak Street from University Avenue to Irwin Avenue to be Designated as a "No Parking" Zone**

Resolution: Approve an Ordinance Establishing the North Side of West Oak Street from University Avenue to Irwin Avenue to be Designated as a "No Parking" Zone

Pulled by A. Loos

Action (Consent): 7.13 **Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with W.P.S., Inc dba The Cellar for a Redevelopment Project at 101 W. Monroe Street**

Resolution: Approve the resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with W.P.S., Inc dba for a redevelopment project at 101 W. Monroe St. (*Resolution 2019-R-41; Exhibit I-07-23-2019*)

Action (Consent): 7.14 **Approval of Consent Agenda Items**

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

MOTION: Approve Consent Agenda items 7.2 – 7.10 and 7.13

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Action: 7.1 **Minutes from the City Council Retreat of June 19 and Regular City Council Meeting of June 25, 2019**

This item was not intended to be pulled.

MOTION: Approve the minutes from the City Council Retreat held on June 19 and the regular City Council Meeting of June 25, 2019

Motion by Adam Loos, second by Jeff Doherty.

Final Resolution: Motion Carries

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

Action: 7.11 Ordinance Creating an All-Way Stop at the Intersection of North Wall Street and East Willow Street

Council commented on this traffic-calming measure on North Wall Street.

MOTION: Approve an Ordinance Creating an All-Way Stop at the intersection of North Wall Street and East Willow Street.

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Adam Loos, Jessica Bradshaw, Jeff Doherty, Lee Fronabarger, Tom Grant, John M Henry
(*Ordinance 2019-17; Exhibit G-07-23-2019*)

Action: 7.12 Ordinance Establishing the North Side of West Oak Street from University Avenue to Irwin Avenue to be Designated as a "No Parking" Zone

Pulled by A. Loos

Council inquired why the north side was being declared no parking as opposed to the south side. Maintenance and Environmental Services Manager Robert Hardin noted that the south side of Oak Street already prohibits parking; this is to accommodate a turn lane. Councilman Loos provided an explanation for his no vote which centers around the width of the street and the impact that further widening will have on the speed of traffic.

MOTION: Approve an Ordinance Establishing the North Side of West Oak Street from University Avenue to Irwin Avenue to be Designated as a "No Parking" Zone

Motion by Jeff Doherty, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Jeff Doherty, Lee Fronabarger, Tom Grant, John M Henry

Nay: Adam Loos (*Ordinance 2019-18; Exhibit H-07-23-2019*)

8. General Business of the City Council

Action: 8.1 Resolution Accepting a US Department of Agriculture Rural Business Development Grant in the amount of \$30,500 and Ordinance Approving a Budget Adjustment for a Downtown Coworking Space Feasibility Study

Council complimented Staff on this project, remarked on the possible impact of the project, and offered suggestions that might be included in the study.

MOTION: Adopt the Resolution Accepting a US Department of Agriculture Rural Business Development Grant in the amount of \$30,500 and Ordinance Approving a Budget Adjustment for a Downtown Coworking Space Feasibility Study

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Adam Loos, Jessica Bradshaw, Jeff Doherty, Lee Fronabarger, Tom Grant, John M Henry
(*Resolution 2019-R-42; Exhibit J-07-23-2019*)

Discussion: 8.2 City Council Discussion Regarding the Appropriate Penalty for the Late Submission of Liquor License Renewal Applications and Supplemental Documents

Council Comments and Questions: There was support expressed for a two-week grace period with no penalty; establishing a tiered penalty depending on when items are turned in; how certain Council member would vote on certain measures; a complaint from social media was shared; remarks about the challenges in running a business; a comment about the State not providing grace period; support was expressed from multiple members for an online application submission; inquiries and comments about the deadline for multiple items; charging a higher fee if a special meeting would have to be called; a remark that creating a grace period would ostensibly create a new deadline; a desire to include wording in the Ordinance that applications would only be considered at the next regularly scheduled L.A.B. and Commission meetings; support for a 10% penalty, with a minimum of \$50, plus an additional per-day fee; no support for a grace period; support for closure of the business due to their failure to submit their application and documents; possibly changing the license year; providing additional reminders of the due date; not providing any reminders; the additional impacts of these businesses being closed that we could expect; favor for sending out the applications a month earlier; bypassing the L.A.B.'s review of the renewal applications to shorten the renewal period; and making an inquiry of those who timely file as to what penalty they feel would be reasonable.

There was no action taken; Staff will review these remarks and hopefully bring back an item at a later point.

Action: 8.3 Ordinance Amending Title 20 Chapter One Creating A New Section Fourteen Which Establishes A Public Comment Period

Council Comments and Questions: Council expressed appreciation for Staff's work; asked where this would be on the website, where it would be posted at City Hall, and where citizens could turn in their comments at City Hall; a suggestion to include a mobile friendly form; responded to Mr. Monty's comments; a suggestion to adopt the Ordinance now and amend it later; another suggestion to invite public comments on properties we currently have for sale; a question as to what the timing would be for triggering the public comment period during a project which might require easements for multiple properties; discussion about the timing of this process and how it would work in conjunction during an eminent domain proceeding; and a suggestion to bring it back at a later time.

Don Monty remarked that it is not clear why this is coming up now and why certain subjects are being called out specifically. He noted that public comment periods do not always result in spirited exchange, suggested a follow-up public forum, asked how the public will be informed, and suggested the item needs to be fleshed out further. At a later point, Mr. Monty commented on the subject of the sale of real estate, as well as including a mechanism for the City to trigger the comment period for subjects that it anticipates being controversial.

Following this discussion, it was decided not to act on the Ordinance at this time.

9. Executive Session

10. Adjournment of the City Council Meeting

Procedural: 10.1 **Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 7:35 p.m.

Jennifer R. Sorrell, City Clerk

Date