

**Local Liquor Control Commission, Regular City Council Meeting, and Public Hearing on the Construction of Phase III of the Illinois Avenue Streetscape Project (Tuesday, June 23, 2020)**

*Generated by Clinette C Hayes on Wednesday, June 24, 2020*

*A meeting of the Local Liquor Control Commission immediately preceded this meeting.*

**Councilmembers present**

Councilmember Tom Grant, Councilmember Carolin Harvey, Councilmember Adam Loos, Councilmember Jessica Bradshaw, Councilmember Jeff Doherty, Councilmember Lee Fronabarger and Mayor John M Henry

**Meeting called to order at 6:12 PM**

5. Preliminaries to the City Council Meeting

**5.1 Roll Call**

5.2 Citizens' Comments and Questions

Deputy City Clerk read the announcement from Women for Change about serving supper meals to 50 children including weekend snacks through July 31, 2020, at Bethel A.M.E. Church on East Jackson Street. Pick up time is 5:00 p.m. Monday through Friday.

5.3 Council Comments, General Announcements, and Proclamations

Councilman Fronabarger reminded everyone that this Friday, June 26 bars and restaurants can have indoor seating. He also stated that the Illinois Department of Commerce and Economic Opportunity has announced the Business Interruption Grants (BIG) program. Applications can be submitted beginning Friday, June 26. Applicants may include bars, restaurants, hair salons, barbershops, gyms, and fitness centers.

Councilman Doherty inquired about the time frame of resuming in-person City Council meetings now that the State is moving into Phase 4 of COVID recovery. Mayor Henry stated that the meeting cannot have more than 50 people in attendance, social distancing will still be in effect, and attendees will be required to wear a mask. Although it is rare that City Council meetings have that many people in attendance it was suggested that an overflow room be made available possibly with audio and video. Councilwoman Harvey asked how the seating for Council will be set up to ensure safe distancing. Suggestions were given for the potential layout.

Councilwoman Bradshaw announced the grand opening of Consume Carbondale this Friday, June 26 at 10 a.m. Mayor Henry will be present to cut the ribbon at 9:45 a.m.

Councilwoman Harvey thanked City Staff for preparing the Juneteenth proclamation.

#### 5.4 Proclamation for International Widows Day

Mayor Henry proclaimed June 23, 2020, as International Widows Day in Carbondale and encouraged all citizens to support widows in our local community.

#### 6. Public Hearings and Special Reports

##### **6.1 Public Hearing to Hear Testimony in Favor of or in Opposition to the Use of Community Development Block Grant (CDBG) Funds from the Closeout of the City's Revolving Loan Fund (RLF) for the Construction of Phase III of the Illinois Avenue Streetscape Project**

Mayor Henry declared the public hearing open at 6:27 p.m.

Mayor Henry read the background regarding the program.

It was asked if Phase III was the last phase until the multi-modal transportation center was complete. After which, the final phase will be completed from Walnut to Elm Street. It was stated that this is still the plan moving forward.

It was also asked if this is a competitive grant application process or is this reallocating the use of our existing balance from the RLF for this purpose. This is not a competitive application process and the City is entitled to the money as long as it is used for a qualified project per CDBG requirements.

There being no further comments or questions, Mayor Henry declared the Public Hearing closed at 6:34 p.m.

*It should be noted that there were no citizen comments or questions regarding the topic of this public hearing.*

##### **6.2 Group Solar Buy Presentation by Solarize Southern Illinois**

Beau Henson and Jane Cogie, members of Solarize Southern Illinois Working Group, gave a brief presentation of a Group Solar Buy.

Council questioned how this relates to what the City is currently a part of. The presenters stated that the Group Solar Buy is separate from what the City is involved in.

#### 7. Consent Agenda of the City Council

##### **7.1 Minutes of the Regular City Council Meeting and Public Hearing of June 9, 2020**

Resolution: Accept the minutes from the regular City Council meeting and Public Hearing of June 9, 2020 (*Exhibit A-06-23-2020*)

**7.2 Approval of Warrant for the Period Ending: 06/12/2020 for the FY 2021 Warrant 1383 in the Total Amount of \$582,472.19**

Resolution: Accept the following report of payments made for the period ended: 06/12/2020 totaling \$582,472.19

**7.3 Reappointments to Boards and Commissions**

Resolution: Council is requested to concur with Mayor's recommended reappointments to Boards and Commissions

**7.4 Award of Contract for FY2021 Street Cut Repair Program to Samron Midwest Contracting of Murphysboro, Illinois in the Estimated Amount of \$184,999**

*Pulled by J. Doherty*

**7.5 Purchase of a Solar Powered Emergency Warning Siren from Walker Communications, Inc. in the Amount of \$26,123.00**

Resolution: Approve the Purchase of a Solar Powered Emergency Warning Siren from Walker Communications, Inc. in the Amount of \$26,123.00

**7.6 Acceptance of Permanent Easements from Southern Illinois University for the McLafferty Road & Chautauqua Intersection Improvements Project**

*Pulled by J. Doherty*

**7.7 Purchase of an Ion Chromatography (IC) Instrument for the Central Laboratory from Thermo Fisher Scientific in the Amount of \$25,803.50**

Resolution: Approve the Purchase of an Ion Chromatography (IC) Instrument for the Central Laboratory from Thermo Fisher Scientific in the Amount of \$25,803.50

It was noted that this is a good investment in the equipment for the Central Lab and is also a revenue source in the City's water treatment plant.

**7.8 Award of Contract for Bridge Maintenance and Rehabilitation Program - Sunset Drive Bridge (ST1302) to E.T. Simonds Construction Company of Carbondale, Illinois in the Amount of \$857,894.82**

*Pulled by J. Doherty*

**7.9 A Resolution Authorizing the City Manager to Execute a Contract for the Purchase of Vacant Land Located at 813 East Main Street in the Amount of \$60,000 Utilizing Funds Obtained Through an Illinois Department of Natural Resources Grant and an Ordinance authorizing a Budget Adjustment Increasing the Planning and Development Management Budget (40200) to Cover the Cost of the Purchase**

Resolution: Approve A Resolution Authorizing the City Manager to Execute a Contract for the Purchase of Vacant Land Located at 813 East Main Street in the Amount of \$60,000 Utilizing Funds Obtained Through an Illinois Department of Natural Resources Grant and Approve an Ordinance authorizing a Budget Adjustment Increasing the Planning and Development Management Budget (40200) to Cover the Cost of the Purchase

Since the property cannot be used commercially it was asked if the property could be developed as some type of park for public use with minimal structures that you may typically see, specifically a bathroom facility, or alternatively use it for facilities to temporarily store flood water, but double as a recreational facility. It is understood that the property could be used as a green space. The IDNR would need to be given the specifics to see if something like this would qualify. Definite answers cannot be given at this time until IDNR is consulted.

*(Resolution 2020-R-48; Exhibit B-06-23-2020) (Ordinance 2020-21; Exhibit C-06-23-2020)*

**7.10 Conditional Award for the Purchase of Motor Fuel Tax (MFT) Maintenance Materials Pending Illinois Department of Transportation (IDOT) Concurrence with Section 20-00000-01-GM, Groups A,C,E and G to Beelman Logistic LLC of East St Louis, Illinois in the amount of \$21,562; and for Section 20-00000-02-GM, Group A, to Illini Asphalt of Benton, Illinois in the Amount of \$34,631.71; and Award the Purchase of Non-MFT Maintenance Materials to Beelman Logistics LLC, East St Louis, IL, for Groups B and D in the amount of \$22,740; and to Illini Asphalt, of Benton, Illinois, for Group A, in the Amount of \$6,498.85**

Resolution: Conditionally Award the Purchase of MFT Maintenance Materials Pending the Illinois Department of Transportations (IDOT's) Concurrence of Section 20-00000-01-GM, Groups A,C,E and G to Beelman Logistic LLC of East St Louis, Illinois in the amount of \$21,562; and for Section 20-00000-02-GM, Group A, to Illini Asphalt of Benton, Illinois in the amount of \$34,631.71; and Award the Purchase of Non-MFT Maintenance Materials to Beelman Logistics LLC, East St Louis, IL, for Groups B and D in the amount of \$22,740; and to and Illinoi Asphalt, of Benton, Illinois, for Group A, in the Amount of \$6,498.85

**7.11 Ordinance Annexing Property located at 194 Brush Hill Road**

Resolution: Adopt an Ordinance annexing property located at 194 Brush Hill Road  
*(Ordinance 2020-20; Exhibit D-06-23-2020)*

**7.12 Resolution Approving the Final Amended Planned Unit Development (PUD) Plan for Neuro Restorative- Adolescent Integration Facility Located at 2500 East Walnut Street**

Resolution: Adopt a Resolution approving the final amended PUD plan for the Neuro Restorative- Adolescent Integration Facility located at 2500 East Walnut Street  
*(Resolution 2020-R-49; Exhibit E-06-23-2020)*

**7.13 Approval of Consent Agenda Items**

Resolution: Approve all Consent Agenda items not pulled for separate consideration  
*Items pulled for separate consideration - 7.4, 7.6, and 7.8.*

MOTION: Approve Consent Agenda items 7.1 – 7.3, 7.5, 7.7, and 7.9 – 7.12.

Motion by Lee Fronabarger, second by Carolin Harvey.

Final Resolution: Motion Carries

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

**\*7.4 Award of Contract for FY2021 Street Cut Repair Program to Samron Midwest Contracting of Murphysboro, Illinois in the Estimated Amount of \$184,999**

Resolution: Approve the Award of Contract for FY2021 Street Cut Repair Program to R.B. Bush Contracting of Carbondale, Illinois in the Estimated Amount of \$179,994.50.

*Pulled by J. Doherty*

The main requirement of the City's Minority Business Enterprise (MBE) program is for contractors to employ at least 16% of minority workers on City funded contracts. Many contractors have expressed difficulty with complying with this standard. With this particular contract, R.B. Bush Contracting was the lowest bid, however did not meet the requirements outlined in the MBE. The higher bids for the project were in compliance. The Diversity and Compliance Officer reached out to R.B. Bush Contracting to offer assistance to help them find minority workers, but did not get a response. It was then decided to award the contract to Samron Midwest Contracting, the second lowest bid. Since then, R.B. Bush Contracting reached out to City Staff and assured everyone that they will comply with the City's MBE requirement. City Staff then discussed and decided that they will be fine with awarding R.B. Bush the contract since he is the lowest bidder and because of his commitment to complying with MBE.

Council expressed opposition to this award of contract based on R.B. Bush's opinion that 16% is very difficult to obtain with them having such a small crew.

***\*It should be noted that this contract will be awarded to R.B. Bush Contracting instead of Samron Midwest Contracting, which is shown in the title of agenda item.***

MOTION: Award the Contract for the FY2021 Street Cut Repair Program to R.B. Bush Contracting in the Estimated Amount of \$179,994.50.

Motion by Jeff Doherty, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Nay: Carolin Harvey

**7.6 Acceptance of Permanent Easements from Southern Illinois University for the McLafferty Road & Chautauqua Intersection Improvements Project**

Resolution: Approve the Acceptance of Permanent Easements from Southern Illinois University for the McLafferty Road & Chautauqua Intersection Improvements Project.

*Pulled by J. Doherty*

Members of Council expressed their disappointment with having to pay SIU for the easements considering the support and commitment that it has been given from the City.

MOTION: Acceptance of Permanent Easements from Southern Illinois University for the McLafferty Road & Chautauqua Intersection Improvements Project

Motion by Tom Grant, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

Nay: Jeff Doherty

**7.8 Award of Contract for Bridge Maintenance and Rehabilitation Program - Sunset Drive Bridge (ST1302) to E.T. Simonds Construction Company of Carbondale, Illinois in the Amount of \$857,894.82**

Resolution: Approve the Award of Contract for Bridge Maintenance and Rehabilitation Program - Sunset Drive Bridge (ST1302) to E.T. Simonds Construction Company of Carbondale, Illinois in the Amount of \$857,894.82

*Pulled by J. Doherty*

Questions regarding this items included the construction schedule and staging of this project. What is the anticipated schedule, how long will the construction last, and will Sunset Drive be closed or will it be staged to keep it open to traffic. The Public Works Director addressed the inquiries of the Council.

A suggestion of an under the street pedestrian bikeway from a previous meeting, which has been successful in many other college towns and cities, was reiterated.

MOTION: Award the Contract for Bridge Maintenance and Rehabilitation Program - Sunset Drive Bridge (ST1302) to E.T. Simonds Construction Company of Carbondale, Illinois in the Amount of \$857,894.82

Motion by, Jeff Doherty, second by Lee Fronabarger.

Final Resolution: Motion Carries

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

8. General Business of the City Council

**8.1 Resolution of Support and Commitment of \$156,891.54 Local Funds for the Community Development Block Grant (CDBG) for the Construction of Phase III of the South Illinois Avenue Streetscape Project**

Questions from Council item include the anticipated timeline for this project, is the design of the project complete, will the section on the east side of Illinois Avenue be put on hold until the multi-model center design has been completed, and will this project include anything with the downtown pavilion.

Construction of Phase III is not due to begin until next summer of 2021. It does not include anything with the downtown pavilion, however it will go past there down to Oak Street. The design of Phase III is about 80-85% complete at this time. The section of Illinois Avenue was intentionally left out of this phase with the hopes that we receive the multi-model grant.

MOTION: Approve a Resolution of Support and Commitment of \$156,891.54 Local Funds for the Community Development Block Grant (CDBG) for the Construction of Phase III of the South Illinois Avenue Streetscape Project

Motion by Lee Fronabarger, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty, Lee Fronabarger, John M Henry (*Resolution 2020-R-50; Exhibit F-06-23-2020*)

**8.2 Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with 201 E Main, LLC for a Redevelopment Project at 103 and 109 South Washington Street**

*Item was pulled from the agenda. No consideration or action at this time.*

**8.3 City Council Discussion of the 2020 Affirmative Action Plan and the Carbondale Policy for Disadvantaged Business Enterprise and/or Workforce Participation Goals in Contracts**

Council questions and comments regarding this topic included the following:

- Who has City Staff reached out to for input on the MBE and the Affirmative Action policies?
- What will the process of approval or adoption of these policies look like? Will this be something that is done by City Staff or is it something that will be voted on at a future meeting?
- Will there be an opportunity for the public to view and give their input on the policies before final action is made? Will it get revamped and come back to Council for another review?
- What is the definition of local when referring to “local minority residents”? Is it Carbondale, Jackson County, the area covered by the Greater Egyptian Planning Commission?

City Staff has reached out to the Carbondale branch of the NAACP who has created a group among themselves to review these policies. A list of questions and comments was submitted and City Staff has since responded to their inquiries. City Staff also reached out to Ron Brown, the statewide Compliance Director and Debra Lee, the IDOT District 9 Region Compliance Officer.

If changes are needed they will be made and brought back to Council for additional review if necessary. The intent is for the MBE plan to be codified so that it is officially on record. The MBE plan is included in the bid documents for potential contractors. The Affirmative Action plan would be adopted by the City, but not codified.

It was strongly suggested that before bringing this back for final action that both plans be made available to the public for review and develop a process of public input. It was also suggested to include contractors who does business with the City to seek their input as well.

“Local minority residents” refers to any person who resides within the official residency boundary of the City of Carbondale (9-mile radius).

The Deputy City Clerk read an email from Elius Reed for citizen comments regarding this topic.

**8.4 Council Discussion to Review, Amend, and Direct Staff to Submit a Proposed Lease to the Carbondale Park District for the Turley Park Old Post Office Building to be Utilized for Kid's Korner**

Questions and comments from the Council included the length of the lease, the automatic renewal option, who will be responsible for the maintenance and replacements of the building, and frequency of walkthroughs to ensure proper maintenance.

It was the consensus of Council that they are at least willing to go with a lease for at least the first year because it provides child care services. However, the automatic renewal option should be removed from the lease and the number of walkthroughs should be increased from annually to quarterly, semi-annually, or as the seasons change.

9. Adjournment of the City Council Meeting

**9.1 Adjourn meeting**

There being no further business to come before the public body, the meeting was declared adjourned at 8:12 p.m.

---

Clinette C. Hayes, Deputy City Clerk

---

Date