

City Council of the City of Carbondale, Illinois
Regular Meeting
October 17, 2006

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, October 17, 2006, in City Council Chambers of the Carbondale Civic Center, 200 S. Illinois Avenue. Following a meeting of the Local Liquor Control Commission, Mayor Brad Cole called the meeting to order at 7:12 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

Present: Councilwoman Corene McDaniel, Councilman Joel Fritzler, Councilman Chris Wissmann, Councilman Lance D. Jack, Councilwoman Sheila Simon and Mayor Brad Cole

Absent: Councilman Steven Haynes

Also present were City Clerk Janet M. Vaught, City Manager Jeffrey W. Doherty and various members of the City's administrative staff.

2. General Announcements and Proclamations

Mayor Cole announced that earlier that day he had the pleasure of commissioning the new "Saluki" Amtrak train. A delegation from Carbondale took the inaugural ride on the train, some getting off at different points along the route and some continuing to Chicago. He disembarked in Champaign where he, along with about twenty other Mayors, met with Senator Dick Durbin to discuss rail service.

Mayor Cole announced that the official Trick-or-Treat hours would be from 5:00 p.m. through 8:00 p.m. on Tuesday, October 31, 2006. The Pumpkin Patrol would be out in the neighborhoods that evening.

3. Citizen Comments and Questions

There was no one who indicated a desire to speak during this portion of the meeting.

4. Public Hearings

5. Consent Agenda

Presented for Council approval on the Consent Agenda were the following items and corresponding recommendations:

1. Approval of Minutes. Recommendation: Approve minutes of the Regular City Council meeting held on October 3, 2006.
2. Warrant. Recommendation: Approve Warrant #992 for the period ended September 25, 2006, in the amount of \$1,841,506.64. (Exhibit A-10-17-06)
3. Acceptance of minutes of Boards, Commissions and Committees. Recommendation: Accept Board of Fire and Police Commissioners of July 28, 2006; Human Relations Commission of September 11, 2006; Liquor Advisory Board of July 6 and September 7, 2006 and Planning Commission of September 20, 2006.

City Council of the City of Carbondale, Illinois - October 17, 2006

4. Resolution appointing Deborah McCoy as the Authorized Agent to IMRF. Recommendation: Approve. (Res. 2006-R-49; Exhibit B-10-17-06)
5. Ordinance regulating parking on City of Carbondale property called Sports Blast Drive. Recommendation: Approve. (Ord. 2006-54; Exhibit C-10-17-06)
6. Resolution approving and authorizing the City Manager to submit a Contract Renewal Request and Approving and Authorizing the Execution of the Annual Contributions Contract and Rent Schedule for the Carbondale Towers Apartments Section 9 Project No. IL50-0002-001/IL200NC0001 for the Period December 17, 2006 through December 16, 2007. Recommendation: Approve. (Res. 2006-R-50; Exhibit D-10-17-06)

Mayor Cole asked if any Council members would like any item removed from the Consent Agenda. There were no items removed.

C. Wissmann moved, C. McDaniel seconded, that Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5 and 5.6 be approved. VOTE: Ayes: C. McDaniel, J. Fritzler, C. Wissmann, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried.

6. General Business

1. Ordinance Providing Jurisdictional Transfer of West Pleasant Hill Road Between McLafferty Road and Union Hill Road

S. Simon moved, C. Wissmann seconded, that the Council approve the Ordinance which provides for jurisdictional transfer of West Pleasant Hill Road between McLafferty Road and Union Hill Road to the City's Municipal Street System. VOTE: Ayes: C. McDaniel, J. Fritzler, C. Wissmann, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried. (Ord. 2006-55; Exhibit E-10-17-06)

2. Review of Mediacom Franchise Agreement

Councilman Wissmann noted that the Carbondale Information and Telecommunications Commission will be meeting on October 18 and encouraged persons interested in offering input on the agreement attend that meeting. Councilman Wissmann also spoke in support requiring Mediacom to carry all FM signals and including in the franchise a larger capital contribution by Mediacom in support of public access. He further noted that the public will also need to help contribute financially towards public access.

Councilman Jack noted the public will be contributing toward public access because Mediacom will be passing along its contribution to the customers and asked how long it would take Mediacom to recover its costs. City Manager Doherty stated that based on 6,000 subscribers it is estimated that \$15,000 would be recovered in the first year and the \$60,000 could be recovered in four to six years depending on when collection started. Councilman Jack also noted that the revised agreement had deleted local advertising revenues and home shopping channel commissions from the definition of gross revenues due to a City ordinance, adding that he would prefer that those revenues be included.

Randy Hollis, Regional Government Relations Manager for Mediacom, stated that these revenues could be put back into the agreement if the Council desired. He also thanked the City Manager and the City Attorney for their work with Mediacom on development of the agreement.

City Council of the City of Carbondale, Illinois - October 17, 2006

Dr. Manjunath Pendakur, Dean of the College of Mass Communications and Media Arts and a member of the Carbondale Information and Telecommunications Commission (CITC), said he was speaking only for himself and not as a member of the Commission. He spoke in support of the public access channel and said it would be helpful to have additional time to review the financial numbers.

Jak Tichenor, Vice Chair of the CITC, noted that substantial progress had been made on the franchise agreement. He stated that he did not believe, however, that the planned capital investment of \$60,000 to be made by Mediacom would be adequate to get a public access channel properly equipped. He said felt \$100,000 would be more appropriate. He also asked that more time be allowed so additional work on the financial numbers could take place.

Mayor Cole reiterated that whatever financial arrangements are included in the franchise, the capital investment provided by Mediacom for implementation of a public access channel will be passed along to their customers.

Andrew O'Connor, News Director of WIDB-FM, noted that it would benefit the SIU and the community to get WIDB added to the local Mediacom lineup.

Jim Wall, a member of the CITC, noted that the proposed franchise does not address future technological changes or provide any provisions for upgrading the system. He welcomed everyone to attend the CITC meeting to be held the following evening and express their views. He added that it would be very difficult for the CITC to achieve consensus and make a recommendation by October 31st and asked that additional time be allowed for CITC and public review.

Eric Deutch identified himself as a rural wireless internet service provider. He asked if consideration had been given to having a not-for-profit operate the public access channel and, if so, could a wireless internet service also be run by the non-profit. He also asked what "local" means when only "local" programming can be produced for the access channel. City Manager Doherty responded to Mr Deutch's questions.

Anil Mehta, the SIU Student representative on the CITC, also asked that the CITC be given additional time to review the agreement. He also noted that he is receiving inquiries from students about what role students will play in the public access channel.

There was additional discussion among members of the CITC and Council members concerning the estimated costs associated with development of a public access channel and the financial contribution that Mediacom will make towards those costs. Randy Hollis at Mediacom noted that there has been no needs assessment so it is not known if there is real interest from the public on development of the public access channel.

Mayor Cole noted that the current franchise agreement expires on October 31st so a new agreement needs to be finalized. He added that there is a lot more involved in the agreement than just public access, noting that City staff and Mediacom thoroughly understand and have discussed the issues. He again announced that the Carbondale Information and Telecommunications Commission will be discussing the franchise at its meeting the next evening and that the franchise agreement would be scheduled for Council action on October 31st.

City Council of the City of Carbondale, Illinois - October 17, 2006

7. Council Comments

Mayor Cole acknowledged the presence of Carbondale Boy Scouts and thanked them for attending.

Councilwoman Simon noted that at the last meeting the Council discussed budget concerns for the future, adding that after discussions about these concerns with persons throughout the community she believes the concerns should be addressed as part of the FY2008 budget rather than postponed to a later time. Mayor Cole noted for the public that the City currently has about \$7.2 million in the General Fund Fund Balance and has a policy of maintaining at least \$5 million in the Fund Balance at all times in case it is needed. He added that it has been projected that in FY 2009 the City will have higher expenditures than revenues which will deplete that Fund Balance and cause it to drop below the \$5 million benchmark. He said at the current time the City has a healthy Fund Balance and as the City begins looking at the FY 2008 budget, although revenues and expenditures will be looked at, the City will not be looking at a deficit situation.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:27 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
