

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**September 22, 2009**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 22, 2009, in City Council Chambers of the Carbondale Civic Center, 200 South Illinois Avenue. Following a meeting of the Local Liquor Control Commission, Mayor Brad Cole called the City Council meeting to order at 7:08 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

Present: Councilman Lance Jack, Councilman Joel Fritzler, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes and Mayor Brad Cole

Absent: None

Also present were City Clerk Janet M. Vaught, City Manager Allen D. Gill and various members of the City's administrative staff.

**2. General Announcements and Proclamations**

Mayor Cole announced that he had attended a College Town Summit of university communities in Illinois sponsored by the Illinois Liquor Control Commission at which the various university communities discussed issues related to college towns, particularly the purveyance of alcohol. Also attending the Springfield meeting were City Attorney Mike Kimmel, Assistant City Attorney Jamie Snyder and Police Lieutenant Heather Reno. Mayor Cole noted that he served on a panel at the Summit.

Mayor Cole announced that the City of Carbondale was selected as a recipient of a 2009 Governor's Home Town Award for the efforts undertaken in the revitalization of the Varsity Theater and the creation of the Varsity Center for the Arts. Over seventy eight community members contributed 4,410 hours to the remodeling project and over forty businesses provided support and donated services, materials and supplies. Dr. Jack Langowski, President of the Board of Directors for Varsity Center for the Arts, outlined the upcoming events planned for the Center, including the induction of Dick Gregory into the Varsity Center for the Arts Hall of Fame and the upcoming season of The Stage Company. Dr. Langowski invited everyone to attend the events and enjoy the venue. Mayor Cole thanked Dr. Langowski for his oversight of the project and his continuing contributions.

**1. Carbondale Futures Program Ceremony**

Recognized as participating businesses or students in the Futures Program were: Adolescent Health Center - Melissa Case and student Rosalyn Jones; Advanced Energy Solutions - Aur Beck and student Diamond Woodson; Attucks Community Services - Abdul Haqq and student Navon Sutton; The Boys and Girls Club of Carbondale - Randy Osborn and student Dominique McCroy; Carbondale Chamber of Commerce - Kristin Gregory and student Kyntrena Williams; Helia Healthcare - Gina Thompson and student Shaquille Beard; Murdale True Value - George Sheffer and students Greg Bell and Ed Pickett; The Science Center, Pamela Madden and Gerard Smith and student Sarah Castle; Sound Core Music - Joe Castrejon and student DiJon Nesbitt; Southern Que Barbeque Restaurant - Sidney and Hope Logwood and student Ben Burks.

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### 3. Citizen Comments and Questions

Mr. Elbert Simon asked at what point in the meeting citizens may address the City Council concerning an item on the consent agenda. Mayor Cole suggested he ask his question at this time and Mr. Simon asked a question about Item 5.10. Mr. Simon also asked about the regulations for parking in the right-of-way when there are no curbs and the right-of-way is paved and whether that would authorize a business to use that area for parking. Mayor Cole asked that Mr. Simon contact Development Services Director Michael Pierceall so that Pierceall can provide Mr. Simon with the information and clarification he is seeking.

Mr. Elius Reed, 2012 South Illinois Avenue, announced that the Illinois NAACP Convention would be held on October 10-17 in Kankakee. The national President will be the guest speaker. Mr. Reed asked whether an outside contractor is going to be hired by the City to plant trees. Mayor Cole said no Requests for Proposals have been developed but the hiring of a contractor may be a consideration, adding that the City Council has not taken any action on this matter.

### 4. Public Hearings and Special Reports

Police Chief Jody O'Guinn presented a Letter of Commendation and Problem-Solving Award to Carbondale resident Anthony Kirby who assisted the Police Department in the identification and apprehension of an individual in possession of a firearm at The Fields Apartments in January 2008.

### 5. Consent Agenda

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

1. Approval of Minutes of the Regular City Council meeting held on September 1, 2009. Recommendation: Approve.
2. Removed from Consent.
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Public Library Board of Trustees of July 8, 2009; Fire Fighters Pension Fund Board of Trustees of March 10 and May 5, 2009; Human Relations Commission of August 3, 2009; Liquor Advisory Board of August 13, 2009; Planning Commission of July 1, 2009.
4. Appointment to Boards and Commissions. Recommendation: Concur in appointment of Erin Dickson to the Human Relations Commission through May 31, 2011.
5. Resolution Accepting COPS Hiring Recovery Program Grant and Authorizing the Execution of Grant Documents. Recommendation: Approve. (Res. 2009-R-56; Exhibit A-9-22-09)
6. Acceptance of the Planning Commission's Annual Report for Calendar Year 2008 and Fiscal Year 2009. Recommendation: Accept
7. Authorization to Submit HOME Program Single Family Owner-Occupied Rehabilitation Grant Application. Recommendation: Authorize City Manager to Submit Application to Illinois Housing Development Authority.
8. Authorization to Submit Homebuyer Grant Application. Recommendation: Authorize City Manager to Submit Application to Illinois Housing Development Authority.

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9. Resolution Accepting a Grant from the Illinois Housing Development Authority for the Low Income Energy Efficient Residential Retrofit Program and Authorizing the Execution of Grant Documents. Recommendation: Approve. (Res. 2009-R-57; Exhibit B-9-22-09)
10. Ordinance Amending Title Five, Chapter Thirteen of the Carbondale Revised Code "Removal of Vehicle From Private Property". Recommendation: Approve. (Ord. 2009-44; Exhibit C-9-22-09)
11. Ordinance Amending Title Eleven, Chapter Five of the Carbondale Revised Code "Smoke Free Carbondale". Recommendation: Approve. (Ord. 2009-45; Exhibit D-9-22-09)

Mayor Cole asked if any member of the City Council would like any items removed from the Consent Agenda. Councilman Fritzler asked that item 5.2 be removed.

M. Pohlmann moved, C. McDaniel seconded, that the Council approve Items 5.1, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10 and 5.11 on the Consent Agenda. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

### 5.2 Approval of Warrant.

L. Jack moved, C. Wissmann seconded, that the Council approve Warrant #1075 for the period ended August 24, 2009 in the amount of \$1,015,979.68. DISCUSSION: Councilman Fritzler indicated he had questions about some items on the warrant; Mayor Cole asked that Council members visit City Hall during regular business hours to review the supporting documents on each of the warrant items. VOTE: Ayes: L. Jack, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: J. Fritzler and M. Pohlmann. Motion declared carried. (Exhibit E-9-22-09)

## 6. General Business

1. Resolution Declaring Fair Days for Green Earth Inc. Fund Raising Event on October 17, 2009

L. Jack moved, C. Wissmann seconded, that the Council approve the Resolution declaring Fair Days for the Green Earth, Inc., fund raising event to be held at the Carbondale Park District's instructional soccer fields adjacent to Green Earth Flaglands property on West Sunset Drive from 3:00 p.m. through 6:00 p.m. on Saturday, October 17, 2009. VOTE: Ayes: L. Jack, J. Fritzler, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: C. McDaniel. Motion declared carried. (Res. 2009-R-58; Exhibit F-9-22-09)

2. Ordinance Approving a Text Amendment Relative to Off-Street Parking Regulations

C. Wissmann moved, S. Haynes seconded, that the Council adopt the Ordinance approving a text amendment relative to off-street parking regulations. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2009-46; Exhibit G-9-22-09)

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### 3. Discussion of Budget Planning for FY 2011 and FY 2012

City Manager Allen Gill noted that budget projections for FY 2011 and 2012 show that the City could incur over \$5 million in deficits during those fiscal years if current budgetary policies and practices remain unchanged. The City Manager recommended that changes be made now to anticipate and reduce the operating deficits, specifically in combination of revenue enhancements and expenditure reductions. The City Manager presented the following recommendations: (1) reinstitute the property tax levy; (2) restrict employee raises to 0% for the next two fiscal years except for those required by existing labor contracts; (3) switch Police accreditation agencies and reorganize the command structure, including the elimination of one Deputy chief position; (4) reduce subsidies for community organizations; (5) eliminate the position of Community Relations Officer and redistribute those duties; (6) reduce expenditure for diversity training; (7) reduce expenditure for home conversion program; (8) reduce expenditures associated with transfers to Child Care Center; (9) reduce debt service expenditures for police station bonds; (10) postpone Green Space Development program; (11) increase expenditures for general liability and worker's compensation insurance; and (12) defer some capital expenditures. The City Manager noted that the recommendations are for Council consideration and discussion only; no action is requested at this meeting.

Councilman Wissmann questioned whether an addition to the sales tax should be considered rather than the reinstatement of the property tax. He also spoke about the financial losses of the pension funds and how those losses have impacted the City's finances. He suggested that the property tax be levied only for the specific purpose of paying pension fund obligations. Councilman Wissmann also noted the significant negative impact of the inland hurricane on the City's General Fund fund balance.

Councilwoman McDaniel asked questions regarding the employee furlough days.

Councilman Fritzler said he could not support a property tax increase and that a sales tax would be a little more equal. Councilman Fritzler added that he believes there are other areas in the Mayor and Council budget that could be cut, for example, travel and subscriptions such as Sister Cities, Mississippi Delta and U.S. Conference of Mayors. He said he believes the City needs a new police station and that remains a high priority for him.

Mayor Cole invited citizen comments.

Reverend Sidney Logwood, President of the Carbondale Branch of the NAACP, asked questions concerning investments of the various pension funds and the pension obligations of the City. He also spoke in opposition to the elimination of the Community Relations Officer position, adding that Human Resources is not the appropriate place for Affirmative Action monitoring and that an outside firm should not take on those duties.. He suggested that other City positions also be looked at for elimination. Reverend Logwood criticized the Council for committing \$1 Million per year to Saluki Way when the African American community is being asked to conduct fund raising for the Spirit of Attucks and the African American Museum and when other funding cutbacks are being recommended for community organizations. He also spoke against changing the method of accreditation for the Police Department.

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Sandy Litecky said she knew, unfortunately, that inevitably the property tax would have to be reinstated. She suggested that the City investigate and work with the County to change how properties are assessed, especially rental properties.

Elius Reed noted that Page 4 of the 2008 Affirmative Action Plan says that the City will have a full-time Community Relations Officer who is responsible for implementation of the City's Affirmative Action/Equal Employment efforts. He asked if the City Council had approved retaining an outside contractor to do Affirmative Action duties and, if so, how much is the outside contractor being paid. City Manager Gill said the current contract with Peopleclick calls for about \$2,4500 per year for data processing assistance, with other services being optional under the contract. Mr. Reed also questioned the hiring of an outside contractor to plant trees, adding that there are other employees who could plant trees. City Manager Gill noted that the Forester position, which is responsible for more than just planting trees, currently remains vacant and is being evaluated.

Liz Gersbacher stated she thought there could be additional reductions made in the Mayor and Council budget in order to save some of the community funding options, adding that she would still like a generator for WDBX radio. She asked for an explanation of how the property tax balances against the sales tax and telecommunications tax. Mayor Cole said seven years ago the City's property tax levy was about 6.5% of the total tax bill and if it is reinstated it would be about 5%. There was discussion on the simplified telecommunications tax implemented statewide by the State of Illinois and the sales tax increase implemented in 2007. Ms. Gersbacher expressed the hope that the citizens would be given ample opportunity for input on these issues.

Elbert Simon said he agreed with the comments made by Reverend Logwood, adding that he had many of the same thoughts so he would not reiterate them. He asked if the current Community Relations Officer negotiated the contract with the outside contractor who will be assuming a portion of the duties of the Community Relations Officer. City Manager Gill said the problem has been obtaining the data the City needs in order to compare the City's workforce with the larger labor market from which the City draws, especially with respect to individual positions. He said the company, Peopleclick, specializes in collecting this data and making the necessary comparisons, adding that the current Community Relations Officer did negotiate the contract with Peopleclick for the assistance that she needed in collecting the data. Mr. Simon said the same information being gathered by the outside agency is available through the National Labor Board and the Department of Human Rights.

Jane Adams expressed concern about the number of fees that have been put into place over the last few years including the telecommunication tax, the fee on rental inspections and the half-percent increase in sales tax, a portion of which was to go toward increasing the amenities like green space and the new police station. However, she said, it is her understanding that the portion of the sales tax that is to go to the University for Saluki Way is not being brought into the discussion. She suggested that the contract with SIU be renegotiated or readjusted so that the City's social services, green spaces etc., are preserved, adding that things like that are even more vital to the survival of the University.

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Margaret Nesbitt reminded the City Council that a committee met with the City Manager and some Council members to review the draft Affirmative Action Plan and the Manager indicated at that time he might retain an outside firm to assist in data collection. The committee committed at that time to monitor the plan and were excited to see that people of color would be recognized in City employment, promotion, hiring and fair treatment. She said it was never mentioned that the position of Community Relations Officer was going to be eliminated. She expressed disappointment that the City Manager was now making this recommendation despite their discussions, adding that the City Council needs to consider its commitment to the community. Ms. Nesbitt also said that she believes SIU President Glenn Poshard would not agree with cutting community organizations and eliminating positions in order to fund Saluki Way.

Mayor Cole invited additional City Council comments.

Councilman Wissmann asked if the change in police accreditation from the National Commission on Accreditation of Law Enforcement Agencies to the Illinois Law Enforcement Accreditation Program would affect any affirmative action or equal employment opportunity goals of the police department; City Manager Gill said it would not, adding that there is an Affirmative Action plan specific to the Police Department. Councilman Wissmann also explained the background of the Simplified Telecommunications Tax and how the City did not realize the revenue that had been projected. Councilman Wissmann also said looking at renegotiation of the Saluki Way contract might be possible but it is unlikely that SIU would be willing to renegotiate, adding that if the City backs out of the contract then SIU would likely sue the City and win. With respect to providing more public input on the budget, Councilman Wissmann noted that a public hearing will be held when the City Council considers the property tax levy and also as the Council considers various aspects of the Fiscal Year 2011 budget including funding for community organizations.

Mayor Cole noted that the City Manager's report is available on line and through the City Clerk's Office. He said he welcomed additional input, adding that the reason the agenda item was being brought forward now was to allow public input before the City Council began its discussions on the Fiscal Year 2011 budget.

**7. Council Comments**

There were no Council Comments.

**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:22 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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