

City Council of the City of Carbondale, Illinois
Regular Meeting
May 3, 2011

The City Council of the City of Carbondale, Illinois held a regular meeting on Tuesday, May 3, 2011, in City Council Chambers, 200 South Illinois Avenue.

**Oath of Office and Seating of
Newly Elected Mayor and City Council Members**

City Clerk Rachael Keehn administered the Oath of Office and seated newly elected Mayor Joel Fritzler.

City Clerk Rachael Keehn administered the Oath of Office and seated newly elected City Council Member Donald D. Monty.

City Clerk Rachael Keehn administered the Oath of Office and seated newly elected City Council Member Jane Adams.

City Clerk Rachael Keehn administered the Oath of Office and seated newly elected City Council Member Lance Jack.

Following the seating and remarks of the newly-elected Mayor and City Council Members, Mayor Joel Fritzler called the City Council meeting to order at 7:13 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

Present: Councilwoman Corene McDaniel, Councilman Chris Wissmann, Councilman Donald D. Monty, Councilwoman Jane Adams, Councilman Lance Jack and Mayor Fritzler

Absent: None

Also present were City Clerk Rachael E. Keehn, City Manager Allen D. Gill and various members of the City's administrative staff.

2. General Announcements and Proclamations

Mayor Fritzler announced that he had resigned his position as City Council Member effective 6:59 p.m., May 3, 2011. He noted that his resignation resulted in a vacancy on the City Council, which according to state law is filled by the entire City Council. Mayor Fritzler requested that anyone interested in being considered to fill the vacant Council seat submit a letter of interest, along with a resume, to the City Clerk's office by 1:00 p.m. on Friday, May 13, 2011. The letters of interest and resumes will be considered by the Council on May 17, 2011 in closed session. If the Council comes to an agreement during that session, the choice will be announced following the closed session. If an agreement is not reached during closed session, the Council will request that the top three choices come to the next City Council meeting (June 7, 2011) and present why they are the best choice to fill the vacancy. Following that meeting, the Council would again go into closed session to make a final decision.

3. Citizens' Comments and Questions

Elius Reed, 2012 South Illinois Avenue, provided copies of his comments and questions to the City Clerk, who then provided them to the members of the Council and the City Manager. Mr. Reed stated that “Section 10-10 of the City Code entitled ‘Separation/Disciplinary Action’ states that disciplinary action that can be taken by the City Manager for the good of service include the following in progressive discipline order: 1) Oral Reprimand; 2) Written Reprimand; 3) Suspension; 4) Dismissal; discipline of an employee should be progressive in nature.” Mr. Reed then noted that during the January 19, 2010 City council meeting he asked if the City of Carbondale enforced a Progressive Disciplinary Policy and that City Manager Gill had responded in the affirmative, and that the reason he asked was because he had been informed at a NAACP meeting that a black female city housing inspector employee and Building and Neighborhood Service manager Tom Grant had been terminated. Mr. Reed further noted that he had been informed on May 3, 2011 that City engineer Beth Ponce was recently terminated or placed on administrative leave and that another City employee had been assigned to perform her job duties. Mr. Reed then asked whether the City of Carbondale still enforced a Progressive Discipline Policy. Mayor Fritzler referred the question to City Manager Allen Gill, who replied in the affirmative. Mr. Reed then asked whether Beth Ponce had recently been terminated from her job and/or place on administrative leave. City Manager Allen Gill responded that the issue is a personnel matter, not suitable for discussion in a public meeting. Mr. Reed then asked whether another City employee had been assigned to perform Beth Ponce’s job duties. City Manager Allen Gill responded that the issue is a personnel matter, not suitable for discussion in a public meeting. Mr. Reed asked if Beth Ponce’s job vacancy had been posted. City Manager Allen Gill responded that no jobs have been posted at this time. Mr. Reed then summarized Section 1-6-13 of City of Carbondale Revised Code (“Formal Contract Procedure”). Mr. Reed then referred to the May 16, 2010 Public Notice concerning bids for the Public Safety Center. He further noted that a June 22, 2010 Southern Illinoisan newspaper article said that the City of Carbondale had accepted the Edwardsville, Illinois Contegra Construction Company’s low bid, after reviewing the Arcturis Architecture Firm’s recommendations. Mr. Reed then asked why the Arcturis Firm was allowed to select the Safety Center low bidder Contractor instead of the City Purchasing Coordinator. Mr. Gill replied that the architect advises the City on major projects, and that the architect does not select the contractor, they merely advise the City. Mr. Gill continued that Arcturis did review the bids to be sure that they met the specifications. Mr. Reed then inquired as to the cost of repairs to the Public Safety Center roof. Mr. Gill replied that the City does not have a final cost yet. Mr. Reed asked whether the roof contractor or the insurance company would pay for the roof repair costs. Mr. Gill replied that the City does not yet know.

Charlie Howell, 47 Dart Drive, spoke to bring to everyone’s attention the crisis caused by flooding in Cairo, Illinois. He noted that several of the displaced Cairo citizens are now being sheltered at the Eurma C. Hayes Center in Carbondale.

Mayor Fritzler noted that flooding has affected all of southern Illinois, and asked Sandy Webster of the Red Cross to update the Council on the situation.

Sandy Webster, Director of the American Red Cross Little Egypt Network, said that the Church of Jesus Christ of Latter Day Saints was open as a shelter for evacuees of

Grand Tower and Murphysboro, Illinois; the Eurma C. Hayes Center is being supported by the Red Cross with food, a nurse and crisis counseling; and numerous other shelters in the southern Illinois region have been opened for evacuees. Ms. Webster also noted that there are several volunteers have been working hard in the community, and that they should be recognized for their efforts.

4. Public Hearings and Special Reports

There were no public hearings or special reports.

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 and Public Hearing Held on April 19, 2011. Recommendation: Approve.
2. Approval of Warrant for Period Ending: 04/04/11, FY 2011, Warrant # 1120. Recommendation: Approve in the amount of \$1,554,977.57. (Exhibit A-5-3-2011)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Planning Commission minutes of April 6, 2011, Preservation Commission minutes of March 21, 2011, Human Relations Commission minutes of March 7, 2011 and Sustainability Commission minutes of March 24, 2011.
4. Resolution Appointment City Clerk for the City of Carbondale. Recommendation: Adopt the resolution appointment Rachael Keehn as City Clerk for a term to run from May 3, 2011 until May 5, 2015. Recommendation: Adopt.

The Mayor asked if anyone would like any items removed from the Consent Agenda. No items were removed.

C. Wissmann moved, J. Adams seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3 and 5.4. VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Jack and J. Fritzier. Nays: None. Motion declared carried.

6. Council Comments

Councilman Wissmann commented that a few years ago, state law changed regarding elections, resulting in Carbondale's case twelve council candidates and four mayoral candidates to advance past the primary election. Mr. Wissmann also noted that the City can use its Home Rule authority to change that, either to the previous system, or some other option. Mr. Wissmann commented that he would like for the Council to explore the different options, and invited the Chamber of Commerce, League of Women Voters and others to weigh in with a recommendation. Mr. Wissmann further noted that the Council should take action on this matter before other issues take attention away from the subject.

Councilman Monty commented that he agreed with Councilman Wissmann, having recently gone through the process. Mr. Monty continued to note that when he personally was trying to figure out who to vote for City Council in the general election, having to wade through twelve people's information was extremely time consuming. Mr. Monty expressed concern that the low voter turn-out may be a result of having so many candidates on the ballot. He commented that the Council needs to go back and revisit the issue, and to use Home Rule powers to correct the problem if necessary.

7. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 7:29 p.m.

Rachael E. Keehn, City Clerk

Approved by the City Council on:
