

City Council of the City of Carbondale, Illinois
Regular Meeting
November 1, 2011



The City Council of the City of Carbondale, Illinois held a regular meeting on Tuesday, November 1, 2011, in City Council Chambers, 200 South Illinois Avenue. Mayor Fritzler called the meeting to order at 7:00 p.m. with the following members of the Council present/absent:

1. Roll Call

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

Absent: None

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

2. General Announcements and Proclamations

J. Fritzler announced that the City has proposed a Resolution concerning the strike situation at Southern Illinois University, and that the Resolution would not be brought to vote at this meeting, but would be discussed during the Council Comments portion of the meeting. (Exhibit A-11-1-2011)

Swearing In Ceremony – Carbondale Fire Fighter:

Mayor Fritzler administered the Oath of Office to new Fire Fighter Dylan Fairfield.

J. Fritzler announced that the Mayor's Inaugural Golf Scramble hosted by the Carbondale Park District as a fundraiser for Boys and Girls Club of Carbondale, Good Samaritan Ministries and St. Francis Animal Shelter, had raised \$1,100 for each group. J. Fritzler then passed out certificates representing the donations to a representative for each group.

C. Wissmann noted the passing of Joe Liberto, a local musician, and that he would be greatly missed.

3. Public Hearings and Special Reports

4. 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 October 18, 2011. Recommendation: Approve.
2. Approval of Warrant for Period Ending: 10/03/11, FY 2012, Warrant # 1136. Recommendation: Approve in the amount of \$921,244.06. (Exhibit B-11-1-2011)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Public Library Board of Trustees minutes for September 14, 2011; Carbondale Police Pension Fund Board of Trustees minutes for July 26, 2011; Carbondale Foreign Fire Insurance Board minutes for August 11 and September 22, 2011; Carbondale Planning Commission minutes for September 7, 2011; and Carbondale Preservation Commission minutes for September 19, 2011.
4. Award of Contract for Street Patching Program on Chatauqua Street CIP No. ST1201. Recommendation: Award a Contract for Street Patching Program on Chatauqua Street, CIP No. ST1201 to E.T. Simonds, Carbondale, IL in the amount of \$134,488.10.
5. Resolution of Intent to Utilize MFT to Repay a Portion of the 2006 Series General Obligation Bonds. Recommendation: Approve the Resolution for the Intent to Utilize MFT to Repay 2006 Series Street Bonds. (Exhibit C-11-1-2011)
6. Acceptance of Deeds and Easements. Recommendation: Accept the permanent easements from Sun Valley Estates, LLC and Neuro Restorative, and authorize the City Clerk to have the easements recorded in the Jackson County Clerk's Office.
7. Ordinance Authorizing the Addition of Justice Assistance Grant to the Police Department FY 2012 Budget. Recommendation: Approve Ordinance accepting the Justice Assistance Grant, approve a budget adjustment to the Police Department's FY 2012 budget in the amount of \$16,802.00 and authorize the City Manager, or his designee, to execute such assurances, certifications and other documents as may be necessary to accept and administer the grant. (Exhibit D-11-1-2011)
8. Ordinance Authorizing a Budget Adjustment Establishing the FY 2012 Police Department Contingency Account. Recommendation: Approve Ordinance Authorizing a Budget Adjustment establishing the Police Department's Division Contingency Account for FY 2012 in the amount of \$142,866. (Exhibit E-11-1-2011)

C. Wissmann moved, C. McDaniel seconded, to approve Consent Agenda Items 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7 and 4.8. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty and J. Fritzler. Nays: None. Motion declared carried.

5. General Business

5.1 Ordinance Authorizing Budget Adjustments to Increase the Overall Fiscal Year 2012 Budget for unexpected items.

J. Adams moved, D. Monty seconded, to adopt Agenda Item 5.1. DISCUSSION: L. Fronabarger asked whether the amount of police vehicle damage was ordinary, A. Gill replied that it was not. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty and J. Fritzler. Nays: None. Motion declared carried. (Exhibit F-11-1-2011)

5.2 Ordinance Authorizing a Budget Adjustment to Increase the Overall Fiscal Year 2012 Northwest Wastewater Treatment Plant and Lift Station Budgets due to the Equipment Shed Fire.

C. Wissmann moved, J. Adams seconded, to adopt Agenda Item 5.2. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty and J. Fritzler. Nays: None. Motion declared carried. (Exhibit G-11-1-2011)

5.3 Ordinance Authorizing Budget Adjustments to Increase the Overall Fiscal Year 2012 Fire Protection, Lake Management, Southeast Wastewater Treatment Plant, Northwest Wastewater Treatment Plant, and Municipal Rental Properties Budgets due to the April 19, 2011, Storm.

C. Wissmann moved, L. Fronabarger seconded, to adopt Agenda Item 5.3. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty and J. Fritzler. Nays: None. Motion declared carried. (Exhibit H-11-1-2011)

6. Citizens' Comments and Questions

Barry Spehn, 500 Charles Road #31, noted that during the weekend of October 22, 2011, he noticed tow trucks were all using tow straps. Mr. Spehn noted his appreciation of this.

Elius Reed, Carbondale, IL, made remarks and had questions about the Eurma C. Hayes Center sale, its valuation and its 501(c)(3) status. Mr. Reed also had questions regarding the funding of Attucks School Veteran's Center. Finally, Mr. Reed had questions regarding Clearwave and their construction funding source for broadband installation in Carbondale. Mr. Reed's questions were addressed by A. Gill.

A. Kelly, 500 Saluki Blvd., requested a copy of the proposed Resolution read by the Mayor during the Announcements portion of the meeting. A copy was provided to her.

7. Council Comments

L. Jack noted that he had visited the memorial for Mother Jones in Mt. Olive, Illinois recently. Remembering her is a good reminder that all workers benefit from the rights that were brought about because of union organizers and agitators, and even the opponents to the unions benefit from the rights that unions have helped bring about.

J. Adams agreed with Mr. Jack's comments about the importance of unions and unionization, and the preservation of liberties that are considered fundamental in the United States. Ms. Adams expressed that she hopes deeply that the Faculty Association and the University are able to reach an agreement and avoid a strike, but that if there is a strike that it will be only because an agreement is unable to be reached. She further expressed that a strike could be detrimental economically and otherwise, not only to the City of Carbondale but also for surrounding communities. Additionally, Ms. Adams noted that the report released by the City of Carbondale regarding an internal review regarding how a stolen gun report was handled has assuaged her fears of a potential cover-up and convinced her that this was a clerical error. Ms. Adams further expressed her confidence in Chief O'Guinn and the police department.

D. Monty commented on Ms. Adam's comments regarding the report released by the City, and noted that the absence of declarative statements from City Officials was seen as being an effort to hide or obfuscate the facts. However, there are sometimes issues relative to investigation of crime and personnel matters where there is an obligation as a public official to not speak until the right time. This situation was unfortunately a human error mistake, and it did not cause any problems in the investigation.

C. Wissmann commented on the unions and strike situation at SIU, and noted that his impression is that both sides are playing hardball and that they want to make the kind of point that only a strike can make. Mr. Wissmann expressed that he believes that both sides have room for compromise and that both sides will be damaged if the situation goes to a strike. The negative impact on the community, economic, academic and cultural will be enormous. Mr. Wissmann hopes that both sides will compromise and work on coming to an agreement so that they can work on solving other issues that the University is facing.

L. Fronabarger noted that a strike by University employees could have both short-term and long-term effects on the community and the University. Mr. Fronabarger also expressed his satisfaction with the report on the internal review released by the City, and hopes that the media and other interested parties will take the time to review what was released in the report.

C. McDaniel thanked Councilman Jack for his comments concerning the Unions, and hopes that all those involved in negotiations will come to an agreement quickly. Unions have done many great things, which we forget because now it seems to be more about money than work safety conditions. Ms. McDaniel additionally noted that she is looking forward to reading the report that was recently provided regarding the internal review regarding how a stolen gun report was handled, and hopes that the report will calm the rumors regarding the situation. Lastly, Ms. McDaniel remarked that her very, very best friend is celebrating his 44th wedding anniversary today, and that her best friend is her husband.

J. Fritzler remarked that as an employee of SIU, as Mayor of Carbondale and as a resident of Carbondale, he has multiple concerns regarding the potential strike. The concerns are greater than just the impact on the City, but also on other communities and counties in the southern Illinois region.

8. Closed Meeting

Closed Meeting to Discuss personnel and collective negotiating matters.

L. Jack moved, C. Wissmann seconded, to enter into a Closed Meeting to Discuss the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of specific employees. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann and J. Fritzler Nays: None. Motion declared carried.

Open Session recessed at 7:55 p.m. Open session resumed at 10:31 p.m.

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 10:32 p.m.

Rachael E. Moore, City Clerk

Approved by the City Council on:
