

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**November 15, 2011**

The City Council of the City of Carbondale, Illinois held a regular meeting on Tuesday, November 15, 2011, in City Council Chambers, 200 South Illinois Avenue. Mayor Fritzler called the meeting to order at 7:01 p.m. with the following members of the Council present/absent:

**1. Roll Call**

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

D. Monty reminded everyone that the Planning Commission would be holding a public hearing on the proposed "Chicken Ordinance" the following evening, and that the Sustainability Commission would be discussing it on Thursday evening.

**3. Public Hearings and Special Reports**

Mark Dallas, Partner in Kerber, Eck and Braeckel, presented the FY 2011 Audited Comprehensive Annual Financial Report.

C. Wissmann moved, D. Monty seconded, that the Council accept and place on file the audited Comprehensive Annual Financial Report for the fiscal year ended April 30, 2011. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams and J. Fritzler. Nays: None. Motion declared carried.

**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 November 1, 2011. Recommendation: Approve.
2. Approval of Warrant for Period Ending: 10/17/11, FY 2012, Warrant # 1137. Recommendation: Approve in the amount of \$2,771,945.92. (Exhibit A-11-15-2011)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Planning Commission minutes for October 19, 2011, Carbondale Police Pension Fund for August 23, 2011, Human Relations Commission for September 12 and October 3, 2011, and Board of Fire and Police Commissioners for August 1 and 2, 2011.
4. Acceptance of Deeds and Easements. Recommendation: Accept the permanent easement from Gordon A. Parrish Enterprises for 1601 New Era Road for public utilities, and authorize the City Clerk to have the easement recorded in the Jackson County Clerk's Office.

5. Ordinance Establishing “No Parking” on both sides of a portion of the 2500 block of Striegel Road. Recommendation: Adopt Ordinance which establishes a “No Parking” zone along both sides of a portion of the 2500 block of Striegel Road; more specifically from the west Right-of-Way line of New Era Road to a point 765 feet west of the west Right-of-Way line of New Era Road. (Ord. 2011-60, Exhibit B-11-15-2011)
6. Ordinance Authorizing a Budget Adjustment to Increase the Planning Services Division’s Fiscal Year 2012 Budget. Recommendation: Approve an Ordinance Authorizing a Budget Adjustment to Increase the Planning Services Division’s Fiscal Year 2012 Budget in the amount of \$10,805.00. (Ord. 2011-61, Exhibit C-11-15-2011)
7. Award of Contract for Crab Orchard Water District Improvements, CIP No. WS0803, Areas 2-3. Recommendation: Award the Contract for the Crab Orchard Water District Improvements, CIP No. WS0804, Areas 2-3 to Dean Bush Construction of Carbondale, Illinois, in the amount of \$230,615.12

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

## 5. General Business

### 5.1 Resolution Commending Allen D. Gill for Service to the City of Carbondale

L. Fronabarger moved, D. Monty seconded, that the Council approve the Resolution Commending Allen D. Gill for Service to the City of Carbondale. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, D. Monty, J. Adams and J. Fritzler (C. Wissmann present). Nays: None. Motion declared carried. (Exhibit D-11-15-2011)

### 5.2 Resolution Approving a Special Use Permit to Allow a Micro-distillery in an AG, General Agriculture, District at 444 Wood Road.

C. Wissmann moved, C. McDaniel seconded, to adopt the Resolution approving the Special Use Permit to allow a micro-distillery in the AG District at 444 Wood Road, with certain conditions. DISCUSSION: The applicant, Karen Binder, and property owner, Curtis Baird, were present to answer questions. Barry Spehn, 500 Charles Rd #31 and Lane Hudgens, 1260 W. Lake Road, both expressed concern about the possibility of increased traffic on Wood Road. John Mills, 1121 W. Lake Rd., spoke in support of granting the Special Use Permit. Ann Gaylord, 408 S. Giant City Rd., posed a question regarding the operation of the distillery. **Following Council Discussion, D. Monty moved, J. Adams seconded, to amend the original motion to add two additional conditions:** 1) That Planning staff be notified regarding any ownership change in the Limited Liability Corporation, and 2) That if state and/or federal permits are revoked then the Special Use Permit becomes void. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams and J. Fritzler. Nays: None. (L. Jack abstained) Motion declared carried. (Exhibit E-11-15-2011)

### 5.3 Review of 2011 Proposed Tax Levy, Truth in Taxation Act Determination and Public Library Board’s Tax Levy Requirements.

The Council discussed the proposed Tax Levy, Truth in Taxation Act Determination and the Tax Levy for the Carbondale Public Library. Diana Brawley-Sussmann, Executive Director of the Carbondale Public Library, was present to answer questions.

J. Adams moved, L. Fronabarger seconded, that the City Council direct staff to submit a Tax Levy Ordinance for the December 6, 2011 City Council meeting containing the recommended Tax Levy and Tax Levy Abatements that will result in a net 2011 Tax Levy in the amount of \$1,706,582 for General Government and Library purposes. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams and J. Fritzler. Nays: None. Motion declared carried.

## **6. Citizens' Comments and Questions**

James Daniels, Fraternal Order of Police attorney and representative, spoke to thank the Council, Chief of Police, and City Attorney for their cooperation in the ongoing contract negotiations. He pointedly expressed thanks for the Council putting cost-of-living increases on the table in considering wage increases.

Elius Reed, Carbondale, IL, summarized actions of some surrounding municipalities and their actions to help ensure that unions hire local workers. Mr. Reed opined that he would like for the Carbondale City Council to consider taking similar action, and for the City to consider helping develop programs to educate and prepare people for union jobs.

## **7. Council Comments**

L. Jack spoke in response to Mr. Reed's comments, noting that he is in favor of hiring local workers.

J. Adams recognized the passing of Rita Moss, a founding mother of the Women's Center in Carbondale. Ms. Moss was a woman engaged in the Carbondale community in a variety of ways, not only in the women's community but also in her neighborhood, and she will be missed. Additionally, Ms. Adams noted that it is vitally important for schools to reach out to people and train them and help them become prepared for union jobs.

L. Jack announced that Saturday, December 3, 2011 the Lights Fantastic Parade would be held downtown, beginning at 6:00 p.m.

J. Fritzler also recognized the passing of Rita Moss, noting that it is a loss to the community. Also, Reverend Rick Jackson of Bethel A.M.E. Church will be leaving Carbondale to pastor a church in East St. Louis. Reverend Jackson's participation in the community, through the founding of the Feed My Sheep Program and his participation in the Boys and Girls Club of Carbondale and other programs will be missed.

## **8. Closed Meeting**

Closed Meeting to Discuss Personnel.

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

Open Session recessed at 8:55 p.m. Open session resumed at 10:58 p.m.

There was no action taken as a result of the Closed Meeting.

**9. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 10:58 p.m.

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**Rachael E. Moore, City Clerk**

**Approved by the City Council on:**

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