

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**December 20, 2011**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, December 20, 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 Corene McDaniel, Councilman Chris Wissmann, Councilman Donald D. Monty, Councilwoman Jane Adams, Councilman Lee M. Fronabarger and Mayor Joel Fritzler

Absent: Councilman Lance Jack

Also present were City Clerk Rachael E. Moore, Acting City Manager Kevin Baity, and various members of the City's administrative staff.

**2. General Announcements and Proclamations**

Mayor Fritzler reminded everyone that City offices would be closed the following two Mondays, December 26, 2011, and January 2, 2012, and that refuse collection would be delayed one day each of those weeks.

Mr. Baity announced that the Prescription Drug Discount Card administered through the National League of Cities in which the City is participating is scheduled to kick off on January 10, 2012. Mr. Baity further noted that there would be additional announcements and information regarding the program to come.

**3. Public Hearings and Special Reports**

John Wallace, Public Works Department, gave a Special Report on the Electronics Recycling Program. The Electronics Recycling Program will begin on January 1, 2012, and is being established in response to a new state law banning certain electronic items from landfills.

**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 December 6, 2011, and Minutes of the Special City Council Meetings Held on November 4, 2011 and December 8, 2011. Recommendation: Approve.
2. Warrant for Period Ended November 28, 2011, FY 2012, Warrant # 1140. Recommendation: Approve in the amount of \$4,882,142.98. (Exhibit A-12-20-2011)
3. Removed from Consent
4. Removed from Consent

Item 4.3 was pulled from the Consent Agenda at Councilman Monty's request and Item 4.4 was pulled at Councilman Fronabarger's request.

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

3. A Resolution Authorizing the City Manager to enter into a Contract with Ayres Associates to provide digital aerial photography.

C. Wissmann moved, D. Monty seconded, to approve a Resolution Authorizing the City Manager to enter into a Contract with Ayres Associates to provide digital aerial photography. DISCUSSION: L. Fronabarger inquired as to the frequency of aerial photography in the City, as well as to the placement of the boundaries of the photographs. Mr. Baity responded that the photographs are usually obtained from the County and that the City would be able to define the boundaries of the photographs. C. McDaniel inquired as to the difference between the bid amounts. Mr. Baity replied that because the plane was already going to be flying in this area the City was able to obtain a discounted rate. VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Fronabarger and J. Fritzler. Nays: None. Motion declared carried. (Exhibit B-12-20-2011, Res. 2011-R-63)

4. Ordinance Amending Non-Bargaining Unit Employees Personnel Rules and Regulations

J. Adams moved, L. Fronabarger seconded, to approve an Ordinance Amending Non-Bargaining Unit Employees Personnel Rules and Regulations. DISCUSSION: D. Monty offered some clarifications concerning the effect of the changes made by the Ordinance. Elius Reed, Carbondale, inquired as to whether the City of Carbondale has a progressive discipline policy. Mr. Baity replied that it does. VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Fronabarger and J. Fritzler. Nays: None. Motion declared carried. (Exhibit C-12-20-2011, Ord. 2011-71)

## **5. General Business**

- 5.1 Resolution Authorizing the Reallocation of Energy Efficiency Conservation Block Grant Funds and Committing Matching Funds for the Carbondale City Hall/Civic Center.

C. Wissmann moved, J. Adams seconded, to adopt a Resolution Authorizing the Reallocation of an Energy Efficiency Conservation Block Grant and Committing Matching Funds for the Carbondale City Hall/Civic Center. DISCUSSION: J. Fritzler noted that a portion of the funds for this project were from the Attucks School renovation fund, and that at the time the school is ready to accommodate a new HVAC system, funds will still be made available for that purpose. L. Fronabarger clarified the terms of the proposal, concerning the cost and timing. D. Monty noted that this is going to promote energy conservation and save tax payers' money. Elius Reed, Carbondale, inquired whether the project would be subject to the requirements of Affirmative Action. Mr. Baity replied that it would. Barry Spehn, 500 Charles Road #31, remarked that he has not noticed any discrimination by the City and thanked the Council for taking initiative to save money. VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Fronabarger and J. Fritzler. Nays: None. Motion declared carried. (Exhibit D-

12-20-2011, Res. 2011-64)

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

Elius Reed, Carbondale, asked why there was no audio available on the City's website from the December 6, 2011 City Council meeting. Mayor Fritzler informed him that due to technical problems, there is no audio recording of that meeting.

Anne Gaylord, 418 S. Giant City Road, Carbondale, asked whether the employees on the upcoming HVAC project would be drawn specifically from Carbondale. Mr. Baity replied that the St. Louis company which is contracting with the City may be able to utilize some local workers.

## **7. Council Comments**

L. Fronabarger suggested that when the City updates its Audio/Video equipment, he would like the City to partner with the University and utilize the expertise and knowledge available, which would promote the outreach to the University.

J. Adams further suggested that along with the Audio/Video equipment upgrades, the City consider adding the capability to stream the meetings on the internet to make it possible for people who do not have Mediacom to watch the Council meetings.

C. Wissmann commented that he had been working with staff on some of the audio issues and noted that they are in contact with individuals at the University who provide assistance to the City with its different technical requirements and difficulties.

## **8. Closed Meeting**

Closed Meeting to Conduct the Semi-Annual Review of Closed Meeting Minutes.

D. Monty moved, L. Fronabarger seconded, that the Council hold a closed meeting to conduct the semi-annual review of closed meeting minutes pursuant to 5 ILCS 120/2(c)(21). VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Fronabarger and J. Fritzler. Nays: None. Motion declared carried. Open session recessed at 7:52 p.m.

Open session resumed at 8:45 p.m.

C. Wissmann moved, J. Adams seconded, that the Council approve the minutes of the closed meetings held on February 8, 2011, March 8, 2011, March 29, 2011, May 17, 2011, July 19, 2011, August 16, 2011, September 20, 2011, October 4, 2011, October 18, 2011, November 1, 2011, November 4, 2011, November 15, 2011, December 6, 2011 and December 8, 2011. VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Fronabarger and J. Fritzler. Nays: None. Motion declared carried.

C. Wissmann moved, D. Monty seconded, to declare that the need for confidentiality still exists for the minutes of closed meetings held on January 3, March 21 and December 19, 1995; April 16, June 18, July 30, August 20, October 29 and December 17, 1996; and January 21, March 4, April 25, May 20 and October 7, 1997; January 20, February 3, March 3, March 17, July 7, August 18,

September 1, September 15, October 20, November 3, November 17 and December 15, 1998; January 19, February 16, March 2, May 4, July 27, September 7, September 21, and November 2, 1999; January 4, January 18, February 1, May 2, June 27, November 7 and November 21, 2000; January 2, January 16, May 1, May 22, July 24, September 18, October 2, November 6, and November 27, 2001; January 8, February 5, March 5, April 10, April 16, May 21, June 25, July 9, July 15, July 23, August 13, September 3, October 15, October 29, and November 19, 2002; January 7, February 18, March 4, March 18, April 30, May 13, June 17, July 8, July 22, August 12, 2003 and the unreleased portions of the minutes of September 16, October 21, November 4 and December 16, 2003; the closed meeting minutes of January 6, February 9, April 6, June 1 and November 9, 2004; January 11, March 1, March 29, April 13, April 19, May 3, June 7, June 21, July 5 and December 6, 2005; January 17, February 7, February 21, April 4, May 16, June 20, July 18, August 15, September 19 and December 19, 2006; January 16, February 6, March 6, March 20, June 5, June 27, October 16, November 6, November 20 and December 18, 2007; and February 12, March 31, April 21, May 6, May 12, July 8 and August 5, 2008; and January 13, March 3, April 9, July 21, August 18, September 1, October 6, November 3, 2009; and January 19, February 9, March 2, March 23, May 18, June 22, July 20, August 3, September 7, November 9 and November 23, 2010; and February 8, March 8, March 29, May 17, July 19, August 16, September 20, October 4, October 18, November 1, November 4, November 15, December 6 and December 8, 2011. DISCUSSION: The Council members all agreed that before voting to authorize the destruction of audio recordings of all closed meetings that were conducted more than 18 months ago in accordance with the Open Meetings Act, the Council would take time to further review the minutes of those meetings and revisit the issue at an upcoming meeting. VOTE: Ayes: C. McDaniel, C. Wissmann, D. Monty, J. Adams, L. Fronabarger and J. Fritzler. Nays: None. Motion declared carried.

**9. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 8:47 p.m.

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**Rachael E. Moore, City Clerk**

**Approved by the City Council on:**

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