

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**September 11, 2012**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 11, 2012, 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 Lee Fronabarger, Councilwoman Corene McDaniel, Councilman Chris Wissmann, Councilman Donald D. Monty, Councilwoman Jane Adams and Mayor Joel Fritzler.

Absent: None.

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

**2. General Announcements and Proclamations**

C. Wissmann noted that the Carbondale Rock-n-Run 5k event would be held on Friday, September 14<sup>th</sup> at Evergreen Park with the race beginning at 6:00 p.m. The event is being sponsored by Carbondale Main Street and the Nightlife.

J. Fritzler congratulated Curtis Conley, event organizer, on the success of the Carbondale Rock Revival event.

J. Adams noted that today is the anniversary of 9/11 and reminded all to keep that event in our minds.

L. Jack remarked that those who did not attend the Carbondale Rock Revival event should try to next year, as it is a great event with many venues and all types of music for everyone.

J. Adams announced that the downtown's first Microbrew and Music Festival, CarbondAle, would be held on September 29<sup>th</sup> in and around Hangar 9 and encouraged all to attend.

L. Fronabarger announced that on September 21<sup>st</sup> from 6:00 p.m. until 6:00 p.m. on September 22<sup>nd</sup> the Park District would be holding a swim-a-thon fundraiser for the new aquatic center.

J. Fritzler announced that the Murphysboro Apple Festival was being held this coming weekend, that the Saluki Volleyball team was playing at home this coming Friday and Saturday, that the Saluki Softball team was having a tournament on Sunday, and that on September 23<sup>rd</sup> at 10:00 a.m. the First Christian Church would be celebrating its 150<sup>th</sup> anniversary with a celebration beginning at the Town Pavilion.

J. Fritzler proclaimed Tuesday, September 11, 2012 as National Day of Service and Remembrance in the City of Carbondale, Illinois, and encouraged all citizens and organizations to join in this observance and to engage in activities of tribute, solemn remembrance and charitable service.

**3. Public Hearings and Special Reports**

Deputy Police Chief Jeff Grubbs gave a special report on two promotions within the Police Department. The first promotion was that of Sergeant Mark Stearns, a nineteen year veteran of the Carbondale Police Department. On September 4, 2012, Sergeant Mark Stearns was promoted to the

rank of Lieutenant. Lieutenant Stearns will remain in his current assignment until a replacement for his position can be chosen, at which time he will be assigned to the Patrol Division as a Commander. The next promotion was that of Officer Amber Goddard, a fourteen year veteran of the Carbondale Police Department. On September 4, 2012, Officer Amber Goddard was promoted to the rank of Sergeant. Sergeant Goddard will also remain in her current assignment until a replacement for her position can be chosen, at which time she will then be assigned to the Patrol Division as a Supervisor.

#### 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 August 21, 2012. Recommendation: Approve.
2. Warrant for Period Ended August 6, 2012, FY 2012, Warrant #1161 in the amount of \$1,349,291.73. Recommendation: Approve in the amount of \$1,349,291.73. (Exhibit A-9-11-2012)
3. Warrant for Period Ended August 20, 2012, FY 2012, Warrant #1162 in the amount of \$884,792.54. Recommendation: Approve in the amount of \$884,792.54. (Exhibit B-9-11-2012)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Approve the minutes of the Carbondale Human Relations Commission of July 2, 2012 and the Carbondale Public Library Board of Trustees of July 11, 2012.
5. Item pulled from consent by request of D. Monty.
6. Appointment to Boards and Commissions. Recommendation: Approve the recommended appointment of Kerry Braswell, 109 Outdoorsman Drive, to the Board of Fire and Police Commissioners to a term expiring May 1, 2015.
7. Item pulled from consent by request of D. Monty.
8. Resolution approving the Carbondale Business Park East (Third Plat) subdivision and subdivision agreement. Recommendation: Adopt the Resolution approving the subdivision plat and subdivision agreement for the Carbondale Business Park East (Third Plat) subdivision. (Res. 2012-R-49, Exhibit C-9-11-2012)

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

4.5 Approval of 2013 Calendar of City Council Meetings. Approval: Approve the 2013 Calendar of City Council meetings

C. Wissmann moved, and L. Fronabarger seconded, to approve the 2013 Calendar of City Council Meetings. DISCUSSION: D. Monty expressed that he believes there are too few meetings scheduled with too much time in between meetings during the summer months. L. Jack expressed that he agrees with D. Monty. C. Wissmann suggested approving the calendar as is, then amending it later. D. Monty noted that the calendar does not have to be approved now, and that we can simply bring the item back next time once the meeting dates have been revised. **C. Wissmann WITHDREW HIS MOTION TO APPROVE. NO ACTION WAS TAKEN ON ITEM 4.5.**

4.7 Ordinance Authorizing Acceptance of a Grant Through the Illinois Emergency Management Agency (IEMA) and Approving a Budget Adjustment to the FY2013 Budget

C. Wissmann moved, and J. Adams seconded, to Approve an Ordinance authorizing the City Manager to accept a grant through the IEMA and authorizing a Budget Adjustment increasing the overall FY2013 budget for the purchase of narrowband radio equipment, thermal imaging camera and costs associated with hiring one new firefighter. DISCUSSION: D. Monty noted his concern to the City Manager that this ordinance only talks about a small portion of what the accompanying budget adjustment is for. C. Wissmann noted that the manager's report contains a full explanation of the budget adjustment, and while it may not be in the language of the ordinance there is an explanation given. L. Jack expressed his agreement with D. Monty's concerns and inquired as to why the explanation for the full budget adjustment amount was left out of the ordinance. K. Baity explained that the ordinance language was suited to what is required for the grant and emphasized that the explanation for the entire budget adjustment is in the yellow sheet. J. Adams suggested that a new section could be prepared to be added to the ordinance with language explaining the additional expenses. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, J. Adams and J. Fritzler. Nays: D. Monty. Motion declared carried. (Ord. 2012-36, Exhibit D-9-11-2012)

**5. General Business**

5.1 Ordinance Approving a Budget Adjustment to Create the Special Tax Allocation #2 Fund and to Transfer Funds from the Special Tax Allocation Fund (TIF District #1) to the New Fund

C. Wissmann moved, and C. McDaniel seconded, to approve an Ordinance and budget adjustment increasing the overall budget to establish funds for the Special Tax Allocation #2 Fund (TIF District #2) and approve a budget transfer for the Special Tax Allocation – TIF District #1 FY 2013 budget in the amount of \$35,000.00 each. DISCUSSION: J. Fritzler noted that L. Jack would be abstaining from this vote as required by law since he has property within the TIF District. VOTE: Ayes: L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams and J. Fritzler. Nays: None. Motion declared carried. (Ord. 2012-37, Exhibit E-9-11-2012)

5.2 Resolution Authorizing the City Manager to Execute a Contract With the Carbondale Park District

L. Fronabarger moved, and L. Jack seconded, to adopt a resolution authorizing the City Manager to execute a contract with the Carbondale Park District. DISCUSSION: D. Monty expressed concern that it be on the record that whatever expenses the City incurs will be reimbursed by the Park District. The Council discussed at length the various issues and concerns regarding this resolution. J. Adams expressed that she has concerns about giving his money at this time, citing that she has heard from a number of people with serious concerns as to whether the community will be able to support the center. Kathy Renfro, Executive Director of the Park Board, was present to answer questions. Dr. Mary Pohlmann, 405 S. Deer Lake Drive East and Harvey Welch, President of the Park Board, both spoke in favor of passing this resolution. Jerry Kline, 1302 Meadowbrook Lane, and Sevcan Sevim, 602 Emerald Lane, both spoke in opposition to passing this resolution.

VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty and J. Fritzler. Nays: J. Adams. Motion declared carried. (Res. 2012-R-50, Exhibit F-9-11-2012)

**5.3 Ordinance Amending Title Eighteen of the Carbondale Revised Code as it Relates to Parking Fines and Fees**

L. Jack moved, and J. Adams seconded, to pass an ordinance to adopt an ordinance to amend the City Code, incorporating the proposed changes to the City's parking fines and fees as recommended by the Finance Department. DISCUSSION: D. Monty posed questions to Finance Director Don Ursini and Revenue Officer Tiffany Schmidt regarding how much revenue these proposed changes would bring in, especially regarding the reduction in hours for parking enforcement. J. ADAMS MOVED, AND D. MONTY SECONDED, TO AMEND THE ORDINANCE IN SECTION 18-12-9-I, specifically to change the hours of parking enforcement back to 8:00 a.m. – 6:00 p.m., Monday – Saturday. VOTE ON AMENDMENT: Ayes: L. Jack, L. Fronabarger, D. Monty and J. Adams. Nays: C. McDaniel, C. Wissmann & J. Fritzler. MOTION TO AMEND DECLARED CARRIED. Following further discussion, D. MONTY MOVED, AND J. ADAMS SECONDED, TO FURTHER AMEND THE ORDINANCE IN SECTION 18-12-12-B(3), specifically to limit senior citizen parking permits from the Amtrak customer parking lots overnight, rather than at all times. VOTE ON SECOND AMENDMENT: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams and J. Fritzler. Nays: None. SECOND MOTION TO AMEND DECLARED CARRIED. Following further discussion regarding the use of senior citizen parking permits, D. MONTY MOVED FOR A THIRD AMENDMENT, AND C. WISSMANN SECONDED, TO ADD LANGUAGE TO 18-12-12-F, specifically to add the phrase "or another member of the same household who also qualifies for a senior citizen parking permit" to the first sentence of the paragraph. VOTE ON THIRD AMENDMENT: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams and J. Fritzler. Nays: None. THIRD MOTION TO AMEND DECLARED CARRIED.

VOTE ON ORIGINAL MOTION AS THRICE AMENDED: Ayes: L. Jack, L. Fronabarger, D. Monty, J. Adams and J. Fritzler. Nays: C. McDaniel and C. Wissmann. Motion declared carried. (Ord. 2012-38, Exhibit G-9-11-2012)

**6. Citizens' Comments and Questions**

Sevcan Sevim, 602 Emerald Lane, expressed concern that her water meter was not functioning properly, resulting in her being overcharged for her bill. K. Baity explained that both he and Revenue Officer Tiffany Schmidt had attempted to resolve the issue with Ms. Sevim. J. Fritzler suggested that the City replace the meter at no cost to Ms. Sevim and see if the meter is the issue.

Barry Spehn, 500 Charles Road #31, informed the council of his latest findings regarding tow trucks and the safest towing methods using straps and lights. He further requested that the City put in greater effort to enforce the tow strap requirement for tow trucks.

**7. Council Comments**

D. Monty expressed that he believes that when an ordinance is presented to the council to enact into

law that the issues and clauses within should be defined with zero ambiguity, so that it doesn't require so much time to rectify problems at the council table.

C. Wissmann noted that the process of working through amendments and changes would be more organized and efficient if the wording and changes were worked out and written down prior to the meeting and would make the process work better.

J. Adams acknowledged that she is appreciative of D. Monty's keen eye and close reading of the items brought to the council, and further remarked that when things are being inserted at the last minute it may be better to pull the item from the agenda and work through the seemingly arcane but truly important issues before the item is brought to council to be voted on.

**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 10:03 p.m.

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**Rachael E. Moore, City Clerk**

**Approved by the City Council on:**

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