

City Council of the City of Carbondale, Illinois
Regular Meeting
November 27, 2012

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, November 27, 2012, 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 Lee Fronabarger, Councilwoman Corene McDaniel, Councilman Chris Wissmann, Councilman Donald D. Monty, and Mayor Joel Fritzler.

Absent: None.

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

2. General Announcements and Proclamations

Councilman Wissmann announced that the 8th annual Alternative Gift Fair would be held Sunday, December 2nd at the Carbondale Unitarian Fellowship.

Councilman Monty announced that on Saturday, December 1st, the first Winter Farmers' Market would be held at Attucks Park and the Lights Fantastic Parade would be held in downtown Carbondale.

Councilwoman McDaniel announced that the African American Museum of Southern Illinois, partnering with the Carbondale Park District, Boskydell Missionary Baptist Church, and the City of Carbondale, would be hosting Santa in the Park the first week in December at various parks in Carbondale.

City Manager Kevin Baity announced the live streaming of the Carbondale City Council meetings, accessible to all members of the public through the City's website.

Councilwoman Jane Adams announced multiple opportunities to purchase works of art and crafts from several departments within the SIU Art Department, as well as the Holiday Craft Sale on November 29 and 30.

Mayor Fritzler announced that the Southern Illinois Mayor's Association would meet in Springfield regarding the proposed closures of state facilities in southern Illinois. He then announced that the State of the City Address would take place in the Carbondale Civic Center on December 11 at 12:00 p.m. Mr. Fritzler announced the return of the "Save It or Shave It" fundraiser for the Carbondale Scholarship Fund. Additionally, he encouraged the attendance at City Council meeting of those candidates running for City Council Member.

Mayor Fritzler proclaimed the month of December as Drunk and Drugged Driving Prevention Month and encouraged all citizens to promote safer and healthier behavior in regard to the use of alcohol and other drugs in December and throughout the year.

Mayor Fritzler proclaimed December 10, 2012 as Jane Addams Day and urged all citizens to observe the occasion. Representatives from the American Association of University Women accepted the

proclamation and Lelia Marvin elaborated on the role of the AAUW in the legislation establishing the annual commemoration of Jane Addams.

Mayor Fritzler proclaimed Thursday, November 29, 2012 as Southern Illinois AIDS Walk Day and encouraged citizens to participate in the event. Father Brown and Councilman Wissmann offered remarks about the importance of the fundraising event and the significance of this cause.

3. Public Hearings and Special Reports

None.

4. Consent Agenda

Presented for Council approval on the Consent Agenda were the following items and corresponding recommendations:

1. Approval of Minutes of the Public Hearing and Regular City Council Meeting held on November 13, 2012. Recommendation: Approve.
2. Warrant for Period Ended October 29, 2012, FY 2013, Warrant #1167 in the amount of \$1,077,382.56. Recommendation: Approve in the amount of \$1,077,382.56. (Exhibit A-11-27-2012)
3. Appointments to Boards and Commissions. Approve the appointment of Joel Sambursky, 3000 West Kent Drive, to the Community Development Loan and Grant Review Board for a term ending July 31, 2013.
4. Ordinance Annexing Certain Property Within and Adjacent to the Lakeland Hills Subdivision. Recommendation: Approve the Adoption of the Ordinance Annexing Certain Property Within and Adjacent to the Lakeland Hills Subdivision. (Ord. 2012-56; Exhibit B-11-27-2012)
5. Pulled from the Consent Agenda at D. Monty's request.

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

4.5 Resolution Adopting Amendments to the Jackson County Disaster Mitigation Plan

D. Monty moved, and L. Fronabarger seconded, to approve a Resolution Adopting Amendments to the Jackson County Disaster Mitigation Plan. DISCUSSION: D. Monty clarified some terminology and outlined the purpose of the plan for the benefit of the public. He questioned if the plan intended the use of the term floodplain or floodway. J. Adams noted that the plan was viewable online through a Google search. Charlie Howe, 47 Dart Drive, expressed concern regarding the insurance available and coverage offered in the event of 100 year floods. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2012-R-64; Exhibit C-11-27-2012)

5. General Business

- 5.1 Review of 2012 Proposed Tax Levy, Truth in Taxation Act Determination and Public Library Board's Tax Levy Requirements

C. Wissmann moved, L. Jack seconded, to direct Staff to submit a Tax Levy Ordinance for the December 27, 2012 City Council meeting containing the recommended Tax Levy and Tax Levy Abatements that will result in a net 2012 Tax Levy in the amount of \$1,791,692 for General Government and Library purposes. DISCUSSION: J. Fritzler, C. Wissmann, D. Monty, and J. Adams shared their viewpoints and concerns. J. Adams asked for clarification as to the increase being just under five percent and the appearance of trying to avoid a Public Hearing. City Manager Baity and Finance Director Ursini responded to her concerns. Charlie Howe, 47 Dart Drive, complimented D. Monty on his explanation of the deepening pension impact. J. Adams raised a point of personal privilege in response to C. Wissmann's comments. Staff was directed to submit a Tax Levy Ordinance that will result in a net 2012 Tax Levy in the amount of \$1,791,692 for General Government and Library purposes.

6. Citizens' Comments and Questions

Elius Reed, Carbondale, asked if the Citizen's Comments and Questions were recorded at every meeting. The Acting City Clerk responded.

Pepper Holder, 410 James and Thelma Walker Avenue, questioned the City's acquisition of property he expressed interest in obtaining and City Manager Kevin Baity responded. Mr. Holder then asked to discuss responses to calls to the police.

7. Council Comments

Councilman Monty asked that it be on the record that the City Manager is directed to require Staff to submit the Tax Levy Ordinance discussed in Agenda item 5.1.

City Manager Kevin Baity offered a point of information that due to filing requirements, the Special City Council meeting which was to be held on December 27, 2012, would likely be held at an earlier date.

Councilman Wissmann noted that a key part of the pension issues stems from the pension funds being defrauded on a massive scale.

Councilman Monty offered that the City is required to invest very conservatively in relation to pension funds and Councilman Wissmann noted the fraud occurred in the rating of the investments.

Councilwoman Adams commented that taxes were far more acceptable when commensurate services are received. She urged Staff to keep this matter in mind during the upcoming budget process.

Councilman Fronabarger requested explanation for the Library's requested tax levy increase and Diana Brawley Sussmann detailed how the figure was obtained.

Councilman Fronabarger commented on the City of Bloomington's creation of new types of liquor licenses and the percentage of revenue unrelated to gambling required. Mayor Fritzler noted that from the IML conference he recently attended, it was clear that issues raised by video gaming were not yet resolved.

Councilman Jack extended a welcome to the internet viewers of the Council meeting.

8. Closed Meeting

8.1 Closed Meeting to Discuss Personnel, the Sale, Purchase or Lease of Real Property, and Pending or Imminent Litigation.

C. Wissmann moved, and L. Jack seconded, that the City Council hold a closed meeting to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, the purchase or lease of real property for use by the public body, the setting of a price for sale or lease of property owned by the public body, and litigation, when an action against, affecting or on behalf of the public body is probable or imminent or has been filed and is pending before the court pursuant to 5 ILCS 120/2(c)(1), (c)(5), (c)(6) and (c)(11). VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, and J. Fritzler. Nays: None. Motion declared carried. Open Session recessed at 8:42 p.m.

C. Wissmann moved, and L. Jack seconded, that the City Council return to Open Session at 10:26 p.m. VOTE: Ayes: J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, and J. Fritzler. Nays: None. Motion declared carried.

The City Manager distributed a December 2012 calendar and the Council discussed on which dates the Special City Council meetings should occur. By consensus, it was determined that the Council would meet on the 11th, 18th, and 28th of December, 2012. Councilman Monty requested that a towing presentation be moved to the month of January so the student population would be able to benefit from the demonstration.

There being no further business to come before the City Council, the meeting was declared adjourned at 10:41 p.m.

Jennifer R. Sorrell, Acting City Clerk

Approved by the City Council on:
