

City Council of the City of Carbondale, Illinois
Regular Meeting
December 11, 2012

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, December 11, 2012, in City Council Chambers, 200 South Illinois Avenue. Mayor Joel Fritzler called the meeting to order at 7:00 p.m. with the following members of the Council present/absent:

1. Roll Call

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

Absent: None.

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

2. General Announcements and Proclamations

City Manager Kevin Baity announced that a special meeting of the City Council would take place on Tuesday, December 18, 2012.

Mayor Fritzler announced a special meeting would occur on Friday, December 28, 2012.

Mayor Fritzler administered the oath of office to three new Carbondale Police officers, Lourenke Kidson, Raul Contreras, and Lee Stewart.

3. Public Hearings and Special Reports

The minutes for the two Public Hearings are transcribed separately.

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 27, 2012. Recommendation: Approve.
2. Warrant for Period Ended November 12, 2012, FY 2013, Warrant #1168 in the amount of \$2,486,569.47. Recommendation: Approve in the amount of \$2,486,569.47. (Exhibit A-12-11-2012)
3. Acceptance of Minutes of Boards, Commissions, and Committees. Approve the minutes from the Fire Fighter's Pension Board of August 8, 2012, Police Pension Board of September 25, 2012, Board of Fire and Police Commissioners of October 29, 2012, and Human Relations Commission of November 5, 2012 and place them on file.
4. Resolution Proclaiming the Results of the November 6, 2012 Referendum. (Res. 2012-R-65; Exhibit B-12-11-2012)
5. Acceptance of the FY 2012 Planning Commission Annual Report.

C. Wissmann moved, and Lee Fronabarger seconded, to approve Consent Agenda items

4.1, 4.2, 4.3, 4.4 and 4.5. 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 Ordinance Amending Title One (1) of the Carbondale Revised Code as it Relates to the Employment of the City Clerk

D. Monty moved, C. McDaniel seconded, to approve an Ordinance Amending Title One (1) of the Carbondale Revised Code as it Relates to the Employment of the City Clerk. DISCUSSION: D. Monty, J. Fritzler, C. Wissmann, L. Fronabarger, and C. McDaniel offered their reasons for approving of this change, or if not outright approval, acceptance of this compromise. J. Adams noted her discomfort with this amendment under a City Manager form of government. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, and J. Fritzler. Nays: J. Adams. Motion declared carried. (Ord. 2012-57; Exhibit C-12-11-2012.)

At 9:14 p.m., the Council recessed until 9:22 p.m.

5.2 Resolution Authorizing the City Manager to Execute a Contract with the Carbondale Convention and Tourism Bureau

C. Wissmann moved, D. Monty seconded, to approve a Resolution Authorizing the City Manager to Execute a Contract with the Carbondale Convention and Tourism Bureau. DISCUSSION: D. Monty noted the different format of the exhibits attached and L. Fronabarger asked for expenditure details. Roxanne Conley, President of the Carbondale Convention and Tourism Bureau, introduced Cinnamon Wheelles-Smith and Leah Stover, and they addressed Mr. Fronabarger's questions. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2012-R-66; Exhibit D-12-11-2012.)

5.3 Ordinance Amending Title Fourteen (14) of the Carbondale Revised Code as it Relates to Panhandling

C. Wissmann moved, L. Fronabarger seconded, to approve an Ordinance Amending Title Fourteen (14) of the Carbondale Revised Code as it Relates to Panhandling. DISCUSSION: C. Wissmann, D. Monty, J. Fritzler, J. Adams, and L. Fronabarger offered opinions related to the problems created by panhandling, protection of civil liberties, and careful consideration of the actual language of the proposed amendment. L. Jack requested the City Attorney to address his concerns about this amendment being a blanket ban on the activity and asked the Deputy Police Chief's thoughts on the proposed changes. J. Adams offered suggestions to Staff. Meghan Cole, 1528 Edith Street, Murphysboro, spoke in favor of the proposed amendment. Jim Hoke, 1014 Marlinda Avenue, Murphysboro, expressed concern for the homeless affected by the proposed amendment. Joe Lerner of the Blue Martin, and Jay Jansen as representative of Tres Hombres, offered their experiences with panhandling and the effects on businesses. Roxanne Conley of the Carbondale Convention and Tourism Bureau encouraged citizens not to enable panhandlers. Pepper Holder, 410 James and Thelma Walker Avenue, voiced concern as to how the homeless would be treated. Jessica Bustos of Makanda communicated her disapproval of this proposed amendment as did Ray Martinez, 503 North Allyn. Michelle

Watkins expressed concern over her safety at close of business. Julia McQueen, employee of the Good Samaritan House commended the work of the police. Curtis Conley of P.K.'s addressed his dealings with panhandlers at his place of employment. Sherry Taylor, of the Chamber of Commerce, expressed her favor of the proposed amendment. VOTE: Ayes: L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: L. Jack. Motion declared carried. (Ord. 2012-58; Exhibit E-12-11-2012.)

5.4 Resolution Authorizing the Adoption of an Electricity Aggregation Plan of Operation and Governance and for the Mayor to Execute an Intergovernmental Agreement Between Units of Local Government to Purchase Electricity

L. Jack moved, C. McDaniel seconded, to approve a Resolution Authorizing the Adoption of an Electricity Aggregation Plan of Operation and Governance and for the Mayor to Execute an Intergovernmental Agreement Between Units of Local Government to Purchase Electricity. DISCUSSION: City Manager Kevin Baity and Nick Hill of Select Energy Partners fielded questions from the City Council regarding the percentage of green energy, smart meter programs, budget billing, how Select Energy's fees would be paid, the distribution of votes between the participating communities, and the Council's involvement in approving the specifications of bids prior to being sent out. Pepper Holder, of James and Thelma Walker Avenue, asked about Western Egyptian vouchers and City Manager Kevin Baity and Councilman Wissmann responded. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2012-R-67; Exhibit F-12-11-2012)

5.5 Resolution Authorizing the Signing of an Intergovernmental Cooperative Agreement Empowering the Southern Illinois Metropolitan Planning Organization

L. Jack moved, D. Monty seconded, to approve a Resolution Authorizing the Signing of an Intergovernmental Cooperative Agreement Empowering the Southern Illinois Metropolitan Planning Organization. DISCUSSION: Councilman Wissmann spoke in favor of the agreement to capture federal funding, but noted concern over the STAR bond area in Marion. Councilman Fronabarger and Councilwoman Adams encouraged consideration of pedestrian, bicycle, and non-traditional traffic in development. Councilman Monty and City Manager Baity responded. Councilman Fronabarger and asked about the exclusion of Murphysboro and Councilwoman Adams about the expertise of the MPO Planner. City Manager Kevin Baity responded. VOTE: Ayes: L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2012-R-68; Exhibit G-12-11-2012)

6. Citizens' Comments and Questions

Pepper Holder, 410 James and Thelma Walker Avenue, asked about the progress on property he wished to purchase. City Manager Kevin Baity responded.

Barry Spehn, 500 Charles Road, asked that the towing issue be added to the agenda soon.

Donna Smith Throgmorton, Makanda, noted that her towing vehicles utilize strapless wheel lifts.

7. Council Comments

Councilwoman Adams referred to a memo received from Sally Carter and strongly encouraged Staff to look into differential parking rates for lesser used parking lots.

Councilman Wissmann agreed with Councilwoman Adams' comments and the need to consider long-term parking issues.

Councilman Monty recounted the events he witnessed during a police ride-along, noted the volume of work handled by the police department, and encouraged other Councilmembers to take part in the ride-along program.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 11:51 p.m.

Jennifer R. Sorrell, Acting City Clerk

Approved by the City Council on:
