

City Council of the City of Carbondale, Illinois
Regular Meeting of April 16, 2013

Immediately following a meeting of the Local Liquor Control Commission, the City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, April 16, 2013, in City Council Chambers, 200 South Illinois Avenue. Mayor Joel Fritzler called the meeting to order at 7:14 p.m. with the following members of the Council present/absent:

1. Roll Call

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

Absent: None

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

2. General Announcements and Proclamations

Mayor Fritzler announced the Technology Expo to be held at the Carbondale Civic Center and the Civic Center Manager, Laura Chamness, indicated that it would run from noon until 6:00 p.m. on April 24.

Councilman Wissmann announced that Record Store Day would fall on Saturday, April 20 and shared his recollections about the number of record stores which used to do business in Carbondale of which there is now only one.

Mayor Fritzler announced that the Irish Fest Pub Night fundraiser would be held at the Elk's Lodge on April 27 beginning at 5:00 p.m.

Mayor Fritzler and Councilman Wissmann commented on the Buckminster Fuller Dome Events occurring in Carbondale from April 18 through April 20.

Councilwoman Adams noted the press release issued by the City regarding solicitors conducting business in Carbondale and asked citizens to contact City Hall if they found solicitors conducting sales without a permit.

Councilwoman Adams announced that a special waste recycling event would be held from 8:00 a.m. until 3:00 p.m. at the SIU Arena parking lot on Saturday, April 20.

Councilwoman Adams announced that the annual Downtown Planting Day and the annual Spring Clean-Up and Recycling event sponsored by Keep Carbondale Beautiful would both take place on Saturday, April 20.

Councilman Monty announced the City's annual Residential Spring Clean-up program would begin on Friday, April 26.

Councilman Fronabarger announced the Black Tie and Flip-Flops Splash Park fundraiser set for April 27 from 6:00 p.m. to 10:00 p.m. at Rustle Hill Winery.

Mayor Fritzler announced the Campus Clean-up would take place on Sunday, April 21 from 10:00 a.m. until 3:00 p.m.

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 April 2, 2013. Recommendation: Approve.
2. Warrant for Period Ended March 18, 2013, FY 2013, Warrant #1177 in the amount of \$1,202,441.00. Recommendation: Approve in the amount of \$1,202,441.00. (Exhibit A-04-16-2013)
3. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept the approved minutes of the Police Pension Board from February 19, 2013; the Liquor Advisory Board from March 7, 2013; and place them on file.
4. Pulled by Elius Reed.
5. Award of Purchase of One (1) 2010 Ford F-250SD for Municipal Rental Properties. Recommendation: Declare the 2000 Dodge Ram Van as surplus property and award the purchase of the 2010 Ford F-250SD to Family Auto Sales, Murphysboro, IL.
6. Pulled by Elius Reed.
7. Resolution Authorizing the City to accept an AFG Grant from Homeland Security and Authorizing the City Manager to Sign Necessary Documents. Recommendation: Approve the Resolution Authorizing the City to accept an AFG Grant from Homeland Security and Authorizing the City Manager to Sign Necessary Documents. (Res. 2013-R-19; Exhibit C-04-16-2013)
8. Award of Purchase of Radio Equipment for the Police Department. Recommendation: Approve the purchase of twenty-four portable radios and fifteen mobile radios and accessories from Roy Walker Communications for \$39,147.00.
9. Pulled by J. Fritzler.

C. Wissmann moved, D. Monty seconded, to approve Consent Agenda items 4.1, 4.2, 4.3, 4.5, 4.7, and 4.8. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried.

4.4 Appointments and Reappointments to Boards and Commissions

C. Wissmann moved, C. McDaniel seconded, to concur with the Mayor's reappointments to the Board of Fire and Police Commissioners of Harvey Welch, Jr., John Whitlock, and Kerry Braswell, to terms expiring May 1, 2016; to the Liquor Advisory Board of Sarah O'Dell as the SIU USG representative, to a term expiring May 1, 2014; to the reappointment to the Personnel Board of Harvey Welch, Jr. to a term expiring June 30, 2016; to the appointment to the Police Pension Board of Trustees of Paul Echols to a term expiring May 1, 2015; and the appointment of Makayla Bonney to the Sustainability Commission to a term expiring August 31, 2014. DISCUSSION: After clarification from the Council, Mr. Reed had no comments on this item, but would speak on Item 5.4. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried.

4.6 An Ordinance Annexing Surrounded Property Within the Lakeland Hills Subdivision

D. Monty moved, J. Adams seconded, to approve the Ordinance annexing surrounded properties within the Lakeland Hills Subdivision. DISCUSSION: Chris Drone spoke in opposition to the annexation, asked what benefits the City will receive due to the annexation, and requested that the Council delay the annexation until the next property tax year. City Manager Baity enumerated the benefits to the annexed properties and to the City. Following Council discussion of the request to postpone the annexation, D. Monty withdrew his original motion and then D. Monty moved, J. Adams seconded, to approve the Ordinance annexing surrounded property within the Lakeland Hills Subdivision to take effect on the day after the Jackson County deadline for tax year 2012 payable in 2013. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Ord. 2013-15; Exhibit B-04-16-2013)

4.9 Award of Two-Year Mowing Contract for FY 2014 and FY 2015

The City Manager, in presenting the item, noted that one of the two successful low bidders withdrew their bid and the City Manager noted Staff's recommendation to award that Contract to the next lowest bidder, J&S Services of DeSoto, Illinois. C. Wissmann moved, D. Monty seconded, to Award the Two-Year Mowing Contract to J&S Services for Public-Rights-of-Way, Public Works Parcels/City Property, Drainways, Privately-Owned Small Parcels, Privately-Owned Large Parcels, and Privately-Owned Acreage. DISCUSSION: D. Monty acknowledged his understanding of the bidder's reasons for withdrawing his bid. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried.

5. General Business

5.1 Resolution Commending Councilwoman Corene McDaniel for Service to the City of Carbondale

C. Wissmann moved, D. Monty seconded, to adopt a Resolution Commending Councilwoman Corene McDaniel for Service to the City of Carbondale. MOTION TO AMEND: C. Wissmann moved, L. Jack seconded, to urge the next City Council to rename Jackson Street East of Wall Street After Corene and Milton McDaniel. VOTE ON AMENDMENT: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, and J. Fritzler. Nays: None. C. McDaniel abstained. Motion declared carried. VOTE ON MOTION AS AMENDED: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, and J. Fritzler. Nays: None. C. McDaniel abstained. Motion declared carried. (Res. 2013-R-17; Exhibit D-04-16-2013)

5.2 Resolution Commending Councilman Chris Wissmann for Service to the City of Carbondale

C. McDaniel moved, L. Jack seconded, to approve the Resolution Commending Councilwoman Corene McDaniel for Service to the City of Carbondale. DISCUSSION: None. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. C. Wissmann abstained. Motion declared carried. (Res. 2013-R-18; Exhibit E-04-16-2013)

Following the passage of Items 5.1 and 5.2, there was a presentation of commemorative

plaques, honorary street signs, and proclamations honoring the outgoing Councilmembers, followed by comments from Councilwoman McDaniel and Councilman Wissmann.

5.3 Resolution Declaring “Fair Days” for the Carbondale Park District Sunset Concert Series

C. Wissmann moved, L. Fronabarger seconded, to approve a Resolution Declaring “Fair Days” for the Carbondale Park District Sunset Concert Series. DISCUSSION: C. McDaniel noted her reason for opposing the Resolution. J. Fritzler questioned the City Attorney about why SIU was not required to request Fair Days. City Attorney Kimmel responded. D. Monty offered his thoughts on why they were exempted. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Fronabarger, and J. Fritzler. Nays: C. McDaniel. L. Jack abstained. Motion declared carried. (Res. 2013-R-20; Exhibit F-04-16-2013)

5.4 An Ordinance Approving the FY 2014 City of Carbondale Budget, a Resolution Approving the Five-Year Community Investment Program, and an Ordinance Approving the Carbondale Public Library Budget

Carbondale Library FY 2014 Budget

C. McDaniel moved, L. Fronabarger seconded, to adopt an Ordinance for the Carbondale Public Library for Fiscal Year 2014, which includes the period from May 1, 2013 through April 30, 2014. DISCUSSION: None. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Ord. 2013-16; Exhibit G-04-16-2013)

City of Carbondale FY 2014 Budget

D. Monty moved, C. Wissmann seconded, to adopt an Ordinance for the City of Carbondale Annual Operating Budget for Fiscal Year 2014 which includes the period from May 1, 2013 through April 30, 2014. DISCUSSION: D. Monty requested the City Manager to recount the more substantial changes to the current budget from that budget presented at the time of the Public Hearing. J. Adams requested an explanation about the effect the passage of a proposed bond issue would have upon the budget. City Manager Baity responded. Elius Reed, Carbondale, questioned if the Council would consider amending the Saluki Way sales tax agreement between the City and SIUC to require the hiring of local construction workers. The Council discussed the agreement, the bonds issued for construction of Saluki Way, the projects included within the agreement, and the current status of those projects. Tom Esposito requested clarification regarding the public’s payment on the debt service for a State-owned facility. C. Wissmann commented on an economic development seminar which he attended at the IML conference and the development of community spending surveys. City Manager Baity indicated that the City has access to similar data at very little cost. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Ord. 2013-17; Exhibit H-04-16-2013)

Community Investment Program

C. Wissmann moved, L. Jack seconded, to adopt a Resolution approving the Five-Year Community Investment Program for Fiscal Years 2014 through 2018. DISCUSSION: J. Adams requested clarification for the delay in the Schwartz Street improvement project in the CIP and D. Monty asked about amending the CIP if alternate funding sources became

available. Public Works Director Sean Henry responded to their questions. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-21; Exhibit I-04-16-2013)

5.5 An Ordinance Adopting the Pay Plan for Non-Bargaining Unit Employees for FY 2014

C. Wissmann moved, D. Monty seconded, to approve the Ordinance adopting the pay plan for Non-Bargaining Unit Employees for FY 2014 beginning May 1, 2013 and ending April 30, 2014. DISCUSSION: None. VOTE: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Ord. 2013-18; Exhibit J-04-16-2013)

5.6 Resolution Authorizing the City Manager to Execute Contracts with Community Organizations

C. Wissmann moved, C. McDaniel seconded, to approve the Resolution authorizing the City Manager to execute contracts with the following Community Organizations for the amount noted: Boys and Girls Club, \$31,000; Carbondale Community Arts, \$48,000; Carbondale Main Street, \$42,000; Senior Adult Services, \$33,750; and Carbondale Convention and Tourism Bureau, \$318,500. DISCUSSION: C. Wissmann and D. Monty commented on the effect that changes in the State budget, particularly the payments to the Local Government Distributive Fund, could have upon funding community organizations. Council further discussed the importance other cities supporting community organizations. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-22; Exhibit K-04-16-2013)

5.7 An Ordinance Authorizing the Issuance of the 2013 G.O. Refunding Bonds to Refinance the 2003 G.O. Bonds, the IEPA Loan for the SEWWTP, and to provide funding for CIP ST8705 – Schwartz Street Improvements

C. Wissmann moved, D. Monty seconded, to approve the Ordinance Authorizing the Issuance of the 2013 G.O. Refunding Bonds to refinance the 2003 G.O. Bonds, the IEPA Loan for the SEWWTP and provide funding for CIP ST8705 – Schwartz Street Improvements. DISCUSSION: C. Wissmann remarked that the Schwartz Street project had initially been scheduled for 2006 and listed some issues the street currently has. D. Monty noted his initial reticence to this proposal, but explained the cost effectiveness of providing funding now rather than later for the Schwartz Street project. J. Adams commented on the payoff of the 2003 bonds in 2019, the payment source for the IEPA loan, and then requested clarification regarding the receipt of monies from this proposed bond issuance and the start date for the Schwartz Street Improvement project. City Manager Baity and D. Monty responded. C. Wissmann asked about the threat to the tax-exempt status for municipal bonds and Steve Adams of Bernardi Securities responded. D. Monty asked Mr. Adams about government subsidies for particular bonds. J. Fritzler spoke about the need for the Schwartz Street improvement as being the right thing to do and commented on the street's reflection upon the City. Mr. Fritzler remarked he may recommend renaming that section of street after Rita Moss. VOTE: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. (Ordinance 2013-19; Exhibit L-04-16-2013)

5.8 An Ordinance Approving Corrections to Technical Errors in Title 15 of the Carbondale Revised Code

C. Wissmann moved, C. McDaniel seconded, to adopt an Ordinance approving corrections to Technical Errors in Title 15 of the Carbondale Revised Code. DISCUSSION: D. Monty noted his opposition to the content of the initial Ordinance, but support for the technical correction to improve formatting and usability. VOTE: Ayes: C. Wissmann, D. Monty, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: J. Adams. Motion declared carried. (Ordinance 2013-20; Exhibit M-04-16-2013)

6. Citizens' Comments and Questions

Tom Esposito, 1205 West Hill Street, shared his views regarding charging people equally for refuse collection regardless of volume, and the need to increase recycling and composting. J. Fritzler, L. Jack, K. Baity all offered comments in response to Mr. Esposito's concerns.

7. Council Comments

Councilman Wissmann noted his favor towards moving to a sticker-based refuse collection system, but also remarked that in the past there had been a push to not allow the use of plastic bags without a container.

Councilman Monty commented on other complications and means of avoiding payment which could arise with charging a "per unit" refuse fee.

Councilwoman Adams noted incidents of people misusing dumpsters which they are not authorized to use. She remarked that the City needs to find a way to address this problem.

Councilman Jack extended his thanks to Councilwoman McDaniel and Councilman Wissmann for their years of service on the Council and remarked on their history of working and campaigning together.

Councilman Fronabarger reminded the residents of Schwartz Street that the resurfacing of their street will cause some inconveniences.

Mayor Fritzler thanked the Council for passing the Schwartz Street improvements.

Councilwoman McDaniel extended her thanks to the City staff and a special thanks to the Carbondale Police Department.

Mayor Fritzler thanked Councilwoman McDaniel and Councilman Wissmann for their service, noted that the H Group was opening group homes in West Frankfort, and that he had made a request for Ameren to paint their rusty power poles.

8. Closed Meeting

8.1 Closed Meeting to Discuss the Sale, Purchase or Lease of Real Property, and the Setting of a Price for Sale or Lease of Real Property

C. Wissmann moved, C. McDaniel seconded, that the City Council hold a closed meeting to discuss the sale, purchase or lease of real property, and the setting of a price for sale or lease of

real property pursuant to 5 ILCS 120/2(c)(5) and (c)(6). VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. Open session recessed at 9:56 p.m.

C. Wissmann moved, C. McDaniel seconded, to return to open session. VOTE: Ayes: C. Wissmann, D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, and J. Fritzler. Nays: None. Motion declared carried. Open session resumed at 11:10 p.m.

There being no further business to come before the Council, the meeting was declared adjourned at 11:12 p.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
