

City Council of the City of Carbondale, Illinois
Regular Meeting of May 7, 2013

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, May 7, 2013, 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 Donald Monty, Councilwoman Jane Adams, Councilman Lance Jack, Councilman Lee Fronabarger, Councilwoman Corene McDaniel, Councilman Chris Wissmann, 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

Councilman Fronabarger announced the progress of the Marketplace Fairness Act and urged citizens to contact their Representatives in support of its passage. He noted that SIU graduation would fall this weekend. Mr. Fronabarger also announced the passing of Mary Jo Hanes.

Councilman Jack added his welcome to guests attending SIU graduation and announced the Spring Downtown Art and Wine Fair scheduled to take place on May 18.

Councilwoman Adams announced the Carbondale Garden Study Club annual plant sale would take place on Saturday, May 11.

Mayor Fritzler announced Bike to Work Day would occur on Friday, May 17, with a lunch at the Town Square Pavilion.

Mayor Fritzler proclaimed the month of May 2013 as Puka School's 40th Anniversary month and encouraged citizen recognition of their accomplishment.

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 Regular City Council meeting held on April 16, 2013. Recommendation: Approve.
2. Warrant for Period Ended April 1, 2013, FY 2013, Warrant #1178 in the amount of \$1,687,050.81. Recommendation: Approve in the amount of \$1,687,050.81. (Exhibit A-05-07-2013)
3. Warrant for Period Ended April 15, 2013, FY 2013, Warrant #1179 in the amount of \$1,428,790.64. Recommendation: Approve in the amount of \$1,428,790.64. (Exhibit B-05-07-2013)
4. Acceptance of Minutes of Boards, Commissions, and Committees.

Recommendation: Accept the approved minutes of the Preservation Commission from March 18, 2013 and the Carbondale Public Library Board of Trustees from February 20 and March 13, 2013.

5. Resolution Proclaiming Results of the April 9, 2013 General Election. Recommendation: Approve the Resolution Proclaiming the Results of the Municipal Election held on April 9, 2013. (Res. 2013-R-23; Exhibit C-05-07-2013)
6. Pulled by L. Jack.
7. Pulled by L. Fronabarger.

C. McDaniel moved, C. Wissmann seconded, to approve Consent Agenda items 4.1, 4.2, 4.3, 4.4 and 4.5. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, and J. Fritzler. Nays: None. Motion declared carried.

4.6 Appointments and Reappointments to Boards and Commissions

C. Wissmann moved, C. McDaniel seconded, to concur with the Mayor's recommended appointments and reappointment to Boards and Commissions. DISCUSSION: L. Jack spoke in favor of the Mayor's recommendation of Jessica Bradshaw as the ex-officio appointment to Planning, but noted she had not yet been sworn in. C. Wissmann amended his initial motion that Ms. Bradshaw's appointment would take effect upon her taking office as City Councilmember. C. McDaniel agreed with the amended motion. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann and J. Fritzler. Nays: None. Motion declared carried.

4.7 Request from Phi Rho Eta Fraternity to Host a Carnival on the University Mall Parking Lot

L. Fronabarger moved, C. McDaniel seconded, to approve Phi Rho Eta Fraternity's request to host a carnival from May 22 to May 26, 2013 between the hours of 10:00 a.m. to 10:00 p.m. on the University Mall Parking Lot. DISCUSSION: L. Fronabarger asked the representative of Phi Rho Eta, Lewis Stafford, who would be responsible for added security. Hugh Williams, 611 E. Park, asked Mr. Stafford about responsibility for clean-up, amount of liability insurance, and responsibility for criminal occurrences. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. McDaniel, C. Wissmann, and J. Fritzler. Nays: None. Motion declared carried.

5. Recess

The City Council recessed at 7:20 p.m. and Councilman Fronabarger, Councilwoman Harvey, and Councilwoman Bradshaw took the Oath of Office.

6. Roll Call

Present: Councilman Donald Monty, Councilwoman Jane Adams, Councilman Lance Jack, Councilman Lee Fronabarger, Councilwoman Jessica Bradshaw, Councilwoman Carolin Harvey, and Mayor Joel Fritzler

Absent: None

7. General Business

7.1 Resolution Commending Donald L. Priddy for Service to the City of Carbondale

L. Jack moved, D. Monty seconded, to adopt a Resolution Commending Donald L. Priddy for Service to the City of Carbondale. DISCUSSION: None. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-24; Exhibit D-05-07-2013)

7.2 Resolution Commending Earl D. Mitchell for Service to the City of Carbondale

L. Fronabarger moved, J. Adams seconded, to approve the Resolution Commending Earl D. Mitchell for Service to the City of Carbondale. DISCUSSION: None. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. Harvey, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-25; Exhibit E-05-07-2013)

Following the passage of Items 7.1 and 7.2, there was a presentation of commemorative plaques followed by comments from Donald L. Priddy and Earl D. Mitchell.

7.3 Resolution Honorarily Naming East Jackson Street, East of Wall Street, as Corene McDaniel Court

L. Jack moved, J. Bradshaw seconded, to establish the order of Council seniority based on the number of years served on City Council, and that said order should be reflected on all future publications and documents. Council discussed current and past practice for establishing roll call, questioned if the item could be voted upon, and recommended placement of the topic on the next Council agenda. The City Attorney, P. Michael Kimmel, responded to the question of whether or not a vote could be taken on the item without it being on the official agenda. L. Jack retracted his motion.

L. Jack moved to approve a Resolution Honorarily Naming East Jackson Street, East of Wall Street, as Corene McDaniel Court, with an alteration in the Resolution to reflect the proper seniority of Councilmembers on the Resolution. Motion died for lack of a second.

L. Jack moved, C. Harvey seconded, to approve a Resolution Honorarily Naming East Jackson Street, East of Wall Street, as Corene McDaniel Court. DISCUSSION: None. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. Harvey, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-26; Exhibit F-05-07-2013)

7.4 Resolution Honorarily Naming Hospital Drive as Chris Wissmann Way

J. Bradshaw moved, C. Harvey seconded, to approve a Resolution Honorarily naming Hospital Drive as Chris Wissmann Way. DISCUSSION: L. Jack expressed dissatisfaction with the roll call order for this Resolution and J. Fritzler responded. VOTE: Ayes: D. Monty, L. Jack, L. Fronabarger, C. Harvey, J. Bradshaw, and J. Fritzler. Nays: None. Present: J. Adams. Motion declared carried. (Res. 2013-R-27; Exhibit G-05-07-2013)

7.5 Resolution Approving a Redevelopment Agreement Using Tax Increment Financing at 114 South Illinois Avenue

J. Adams moved, D. Monty seconded, to approve the Resolution Approving a Redevelopment Agreement Using Tax Increment Financing at 114 South Illinois Avenue. DISCUSSION: Hugh Williams, 611 East Park, requested clarification on the agreement and spoke in opposition to the item. J. Fritzler commented on the structure to be redeveloped. Julian Malone, 1206 W. Chautauqua, asked about the reference to the downtown being considered blighted, commented on the public perception to the TIF districts, and the availability of funds to other businesses. K. Baity further clarified the funding for TIF districts. Eric Deutsch detailed his opposition to TIF districts. Adrian Miller spoke in favor of the TIF districts. VOTE: D. Monty, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-28; Exhibit H-05-07-2013)

7.6 Resolution Authorizing the City Manager to Execute an Intergovernmental Agreement Between Taxing Districts in the Carbondale Area for the Purpose of Contesting Tax Assessment Appeals

L. Fronabarger moved, C. Harvey seconded, to approve a Resolution Authorizing the City Manager to Execute an Intergovernmental Agreement between Taxing Districts in the Carbondale Area for the Purpose of Contesting Tax Assessment Appeals. DISCUSSION: Council requested clarification regarding the Intergovernmental Agreement as a document, the determination of a successful vote of the bodies to amend the agreement, participants within the agreement, the origin of the agreement, and why the tax assessment appeals were occurring. Eric Deutsch, 104 S. Washington, commented on loss of revenues through TIF districts. VOTE: Ayes: D. Monty, J. Adams, L. Jack, L. Fronabarger, C. Harvey, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried. (Res. 2013-R-29; Exhibit I-05-07-2013)

8. Citizens' Comments and Questions

Elius Reed, Carbondale, asked the Council about the Jackson County Nursing Home addition, a possible solar plant at the former Koppers Tie Plant, and construction occurring at the former Saturn car dealership.

9. Council Comments

Councilwoman Harvey extended her thanks to the Carbondale citizens and her husband for supporting her election to Council.

Councilwoman Bradshaw also thanked the Carbondale citizens and her parents for supporting her election to Council. She further thanked former Councilwoman McDaniel and Councilman Wissmann for their service.

Councilman Fronabarger added his thanks to the citizens of Carbondale and noted an error in the Communique regarding the number of votes he received in the April 9 election. He also recommended that citizens return from their travels with photos and comments on those good ideas that they observe.

Councilman Jack asked the City Attorney regarding procedural changes, such as the order of

the agenda, and the requirements for the publication of a notice. The City Attorney responded to Councilman Jack. Mr. Jack requested that the order of seniority for City Council be placed on the next Council agenda and that past City Clerks and City Administrators be contacted in reference to this item.

City Manager Baity noted that the Carbondale High School graduation will take place May 18 and that during the academic awards banquet, an excess of \$1,000,000.00 was awarded to graduating Carbondale seniors.

Mayor Fritzler noted that the U.S. Environment Protection Agency would update the citizenry on the former Koppers Tie Plant.

10. Adjournment

There being no further business to come before the Council, the meeting was declared adjourned at 8:46 p.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
