

Request for City Council Action

Date: August 6, 2013

Agenda Section: Consent Agenda No. 5	Originating Department: City Clerk's Office
Item: Acceptance of Minutes of Boards, Commissions and Committees No. 5.4	Approved:

Background:

Attached for Council review and acceptance are minutes from the meetings of City boards, commissions and committees which have recently been sent to the City Clerk's Office.

Recommended Action:

The Council is requested to accept the following sets of minutes and place them on file:

Planning Commission – June 5, 2013

Liquor Advisory Board – May 16, 2013

Board of Fire and Police Commissioners – December 3 & 4, 2012 and May 16 & 17, 2013

Sustainability Commission – April 18 and June 20, 2013

Human Relations Commission – June 3, 2013

Engineering Approval Obtained	Finance Approval Obtained	Legal Approval Obtained	Approval Obtained	Manager's Approval Obtained
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Council Action: Motion by _____ 2nd by _____ to _____



MINUTES

Carbondale Planning Commission
Wednesday, June 5, 2013
Room 108
City Hall/Civic Center
7:00 p.m.

Mr. Grant called the meeting to order at 7:00 p.m.

Members Present: Anz, Barke, Grant, Hunsaker, Kang, Lilly, Love, McClurg, Bradshaw (ex-officio)

Members Absent: None

Staff Present: Wallace, Price

Approval of Minutes:

Mr. Barke moved, seconded by Mr. Love, to approve the minutes of May 15, 2013. The motion to approve the minutes passed on a unanimous voice vote.

Report of Officers, Committees, Communications:

Mr. Grant announced that PC 14-04 has been postponed due to a procedural error, and that PC 14-03 will be opened only so it can be continued, pending the Zoning Board of Appeals rendering a decision on the case.

Public Hearings:

- A. PC 14-02, 7:00 p.m.** Peter and Rebecca Pirmann are requesting a Special Use Permit to allow three duplexes in the PA, Professional Administrative Office, District at 407, 411, and 415 North Beadle Drive.

Mr. Grant declared Public Hearing PC 14-02 open and asked Mr. Wallace to read the legal notice.

Mr. Wallace read the legal notice.

Mr. Grant asked Mr. Price to present the staff report.

Mr. Price, Planner for the City of Carbondale, was sworn in and read parts A and B of the staff report.

Mr. Grant asked if there were any questions of the staff.

There were none.

Mr. Grant asked if the applicant was present and wished to speak.

Mr. Pirmann came forward, stated he is the owner of the property, and that he had received an email in support of the application from Armen Asaturian who owns the property across the street from the subject property.

Mr. Wallace stated that he has a copy of the email, and read it into the record.

Mr. Grant asked if anyone would like to speak in favor of the application.

There was no one.

Mr. Grant asked if anyone would like to speak in opposition of the application.

Ms. Pamela Smoot came forward, stated that she lives at 406 North Beadle Drive, and that she is adamantly opposed. She said that the attractive environment, quiet street and peacefulness will be disrupted by the addition of the buildings, especially since there would be added businesses. She stated that many faculty and staff of the university live in the area, which is a walkable, safe neighborhood. She said the architectural inconsistency on the street could affect the overall feel of the community, and that the green space would be lost to the buildings.

Mr. Barke asked Ms. Smoot about her comment regarding the addition of businesses on the street.

Ms. Smoot responded that her understanding is that there will be office space in addition to the duplexes.

Mr. Barke stated that he believed there would only be duplexes, and asked Ms. Smoot if she would still be opposed if there were no offices there.

Ms. Smoot responded yes, because of the loss of the open, green space.

Mr. Grant asked if anyone else wished to speak in opposition.

There was no one.

Mr. Grant asked Mr. Price to continue with the report.

Mr. Price read parts C and D of the staff report with a recommendation to approve PC 14-02, with one condition placed on the approval.

Mr. Grant asked if there were any questions of staff from Commissioners.

There were none.

Mr. Grant asked if there were questions from anyone to anyone. He then asked Mr. Pirmann if the buildings would be one story, and whether they would house one or two bedrooms.

Mr. Pirmann responded that he owns the dental office just to the east of the property and had a dental practice there for thirty years. He bought the subject property and had it rezoned from R-2 to PA to accommodate plans to expand the dental practice, but then retired last year without ever doing so. He stated that the sale of the property is now contingent upon the Special Use Permit being issued, and that the buildings will be very similar to the existing duplexes in the area.

Mr. Barke stated that because commercial interests are allowed by right in the PA district, the construction of residential duplexes should make Ms. Smoot feel better.

Ms. Smoot asked if the structures were going to be made of brick.

Dr. William Hamilton, prospective purchaser of the subject property, came forward and stated that the duplexes will be of adequate size with attached garages, with no office space included. He stated that he is not sure if they will be brick, but the landscaping will be a nice addition to the neighborhood.

Mr. Grant asked if there were any further questions from anyone to anyone.

There were none.

Mr. Grant closed the public hearing on PC 14-02 and asked for a motion on the findings of fact.

Mr. Kang moved, seconded by Mr. McClurg, that the Commission accept as findings of fact Parts A and B of the staff report for PC 14-02, that the applicant was present and spoke, that one person spoke in opposition, and that one email was read in support.

The motion passed on a unanimous voice vote.

Mr. Hunsaker moved, seconded by Mr. Kang, that the seven criteria be taken as one.

The motion was carried by a unanimous voice vote.

Mr. Barke moved, seconded by Mr. Kang, that the seven criteria identified by staff have been met for the issuance of the Special Use.

The motion passed on a unanimous voice vote.

Mr. Grant asked for a vote on the recommendation to the City Council.

Mr. Kang moved, seconded by Ms. Lilly, that the Commission recommend approval of PC 14-02 as presented by staff.

Roll Call Vote:

Yes - 8 (Barke, Anz, Grant, Hunsaker, Kang, Lilly, McClurg, Love)

No – 0

Mr. Grant stated that the motion passed and that this matter will be on the City Council agenda at their meeting on June 11, 2013.

B. PC 14-03, Lindsey Fisher is requesting a rezoning from the R-1-5, Low Density Residential District, to the NB, Neighborhood Business District, and a Special Use Permit to allow an automotive repair and service facility in the NB, Neighborhood Business District, at 413 North Oakland Avenue.

Mr. Grant declared Public Hearing PC 14-03 open and asked for a motion to continue until such time when a decision is reached by the Zoning Board of Appeals.

Mr. McClurg moved, seconded by Mr. Hunsaker, that the case be continued.

Roll Call Vote:

Yes - 8 (Barke, Anz, Grant, Hunsaker, Kang, Lilly, McClurg, Love)

No – 0

Mr. Wallace stated that the case is hereby continued until a to be determined date.

C. PC 14-04 Randy Throgmorton is requesting a Special Use Permit to allow a contract construction service in the AG, General Agriculture, district.

Mr. Grant stated that it had been announced earlier that this case has been postponed.

Mr. Wallace noted that the case is expected to be heard on July 17th, 2013.

5. Old Business

A. Neighborhood Business Committee

Mr. Wallace stated that he wanted to see if there are any other volunteers for this committee. Mr. Love stated he would sit on the committee with Mr. Grant and Mr. Kang. Mr. Adam Loos, who was in the audience, stated he would serve as well.

6. New Business

A. Discussion regarding amending meeting time to 6:00 p.m.

Mr. Grant stated that it had been proposed that the meeting time be changed to 6:00 p.m. from 7:00 p.m. and that he would entertain comments or discussion regarding this.

Mr. Kang stated that he thought meeting at 6:00 was much preferred.

Mr. Kang moved, seconded by Ms. Lilly, that the regular meeting time be changed to 6:00 p.m.

The motion passed on a unanimous voice vote.

B. City Council Agendas of May 21, 2013

Ms. Bradshaw reviewed the agenda as related to Planning.

7. Adjournment

Mr. Grant adjourned the meeting at 8:57 p.m.



Liquor Advisory Board May 16, 2013

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, May 16, 2013, in Room 116 of the Carbondale Civic Center, 200 South Illinois Avenue. Chairman Robinson called the meeting to order at 5:30 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: John Mills, Steve Payne, Joyce Webb, Tasis Karayiannis, Lorie Allen, Sarah O'Dell, and Mark Robinson

Absent: Erin Fogarty

A quorum was available to take action on the agenda items. City Staff present for the meeting included City Clerk Jennifer Sorrell, Police Chief Jody O'Guinn, Deputy Police Chief Jeff Grubbs, and Assistant City Attorney Lenoard "Jamie" Snyder.

2. Approval of Minutes

J. Webb moved, J. Mills seconded, to approve the minutes from April 4, 2013. VOTE: All voted aye, motion declared carried.

At the request of Chairman Robinson, and with no objection from either the Board or the audience, the Agenda Item for a Public Hearing and Recommendations Regarding Halloween Restrictions was moved up to Item 3 on the Agenda.

3. Public Hearing and Recommendations Regarding Halloween Restrictions

Maudie Hamilton, retired SIU police officer, asked if any part of the Halloween Ordinances had already been rescinded. John Mills noted that there are other options to be considered before rescinding the Ordinance, but that the issue in question for the downtown bar owners is whether or not they can be open, not reviving the entire Halloween celebration. John Mills and Mark Robinson indicated that no part of the Halloween Ordinance has been rescinded and enumerated some of those limitations. Ms. Hamilton remarked that Halloween was a negative event and that liquor was largely the cause of the problems. She also shared recollections of when Halloween was a festive and family atmosphere. Ms. Hamilton and John Mills disagreed on the role that SIU students played in the metamorphosis of Halloween from family-friendly to destructive. Ms. Hamilton noted that she was injured during Halloween, that other officers suffered injuries, and that the wearing of costumes made it difficult to identify offenders. Mark Robinson asked Ms. Hamilton if there would be a middle ground with which she might be comfortable and she indicated there might be.

Retired City Clerk Janet Vaught stated that she was still "on the fence" in regard to this matter. She shared her Halloween experiences as the previous City Clerk, noting that early evenings were fine, but come late evening, things became "ugly and scary." She recalled a tree being torn down, a car turned over and set on fire, and bonfires in the street. Ms. Vaught remarked that while glass containers had been prohibited, that ban resulted in full beer cans being thrown. She stated that the City has tried just about every possible way to control and manage the event, including trying to relocate the event to Grand Avenue. Ms. Vaught stated that she was not totally opposed to allowing the bars to open and hoped that things have changed. She recommended keeping the keg ban,

enforcing the ban on public consumption, and if the operating hour requirements are changed for the downtown bars, to limit the exception for just one year so that it would automatically sunset. That way the Ordinance which limits those hours would automatically go back in effect, there would not be a need to pass a new Ordinance, and the temporary repeal could be passed the following year if everything goes well. M. Robinson suggested that perhaps the onus should be on the bar owners to curb public consumption by preventing their patrons from exiting the bar with alcohol. Ms. Vaught and Mr. Robinson debated the issue of public consumption on Halloween versus any other weekend. Ms. Vaught remarked that there is the perception during Halloween that they can get away with public consumption. Mark Robinson stated that the issue is about whether to allow four bars to be open on Halloween and not about bringing back Halloween as an event. John Mills noted that the current situation where some bars are required to be closed while others are not cannot continue indefinitely and will have to change at some point. Ms. Vaught stated that in the year 2000, the Ordinance was lifted and noted that then-Councilman Brad Cole stated “maybe I overestimated the maturity of some people” in response to the behavior exhibited during that particular Halloween.

John Mills stated that while the Council had requested concrete ideas, the problems would not all be solved in one night. Mark Robinson agreed, but indicated he would like to see it solved sooner than 30 days out to allow time for the business owners to start preparations and orders for that time. They both agreed that it would be important for Council to take action soon and Mr. Mills, noting that there is a new Council seated, indicated it would have been nice to have a straw poll as to what direction the new Council wanted to head towards. Both Mr. Robinson and Mr. Mills agreed that it might be necessary to call extra meetings to consider this subject.

Meghan Cole, Executive Director of Carbondale Main Street, noted that the Board members each had a copy of the letter from the Main Street Board which unanimously recommended treating Halloween like any other active weekend such as Polar Bear or unofficial Halloween. She noted that the Board felt the closures hurt other businesses in the district. Ms. Cole remarked on a personal level, she felt it was a free market issue when some businesses are allowed to be open while others are not. She suggested looking at Normal, Illinois or Fort Collins, Colorado as models on how to manage and develop policies. She then suggested that these problems should be considered as “being in the past.” Ms. Cole recommended taking the small step of allowing the businesses to be open and then noted that the organization was not advocating a return to a large event.

John Mills noted that the Board had not heard from Carbondale Convention and Tourism Bureau or the Chamber of Commerce.

Sally Carter, owner of Hangar 9, remarked that in the past the event has shaped the response and that there is now an opportunity to shape the event. She noted that people are no longer allowed in the streets and that drinking outside of the bars is not tolerated. John Mills asked Ms. Carter how she would feel if, for that particular weekend, the bar entry age was raised to 21. She responded that she thought it might be confusing, but that it could be done. Mr. Mills noted the positive effect realized by Pinch Penny who, during Polar Bear, raised the entry-age. Tasis Karayiannis indicated that there were one or two more bars who were asked by either the State or the police to follow suit. Mr. Mills asked Ms. Carter if she would find it problematic for that weekend to not serve anything in bottles. Ms. Carter stated that they do not let people out with either glass or plastic and that those bars who do allow it should be talked to by the Board. She indicated that she did not want to serve a beer costing \$6.50 in a plastic cup. There was a bit of confusion between Mr. Karayiannis and Ms. Carter regarding \$0.50 beer versus \$6.50 beer. Mr. Robinson remarked that if he were to purchase a beer costing \$6.50, he would not be throwing it. Ms. Carter noted that in the past when they were required to serve in either cans or plastic, there would still be a mess in the street. Mr. Mills stated that he was contemplating the glass ban for that weekend to be enforced City-wide. Sally Carter indicated that the history of the event was passed down from year-to-year and that today’s students do not know how to take the Strip. John Mills offered a suggestion to consider prohibiting drink specials, contests, and special promotions – generally not allowing anything outside of the norm. He noted that he was in

favor of reviving the downtown, but also indicated that the films of Halloweens from the past are still accessible on YouTube. Ms. Carter remarked that the local television stations would also be running the same negative film clips. Mr. Robinson commented that these restrictions would not be directed at Ms. Carter alone, but that those restrictions might help appease those concerned about a return to the negative aspects of Halloween. Ms. Carter indicated she liked Ms. Vaught's idea of the automatic sunset of the release of Halloween restrictions.

Mr. Mills suggested, as one of the means of avoiding crowds in the streets, a temporary modification to the closing hour for bars of 5:00 a.m. The thought was that it might allow the gradual dissipation of bar patrons from the Strip. Mr. Robinson remarked that bars wouldn't be required to stay open to five, but that the option of extending the closing hour would be available. Ms. Carter expressed concern about the intoxication of patrons who stayed out until five o'clock.

Kenneth Lyon suggested using the parking areas behind the bars, not for parking, but to contain the participants. He remarked that containment would reduce any foot traffic on the streets. Mark Robinson replied that the intent was to allow the re-opening of particular bars and not to create a festival atmosphere. Mr. Robinson also expressed concern about containing intoxicated patrons near railroad tracks. Mr. Lyon noted that there is a continuous eight-foot high fence and officers could be stationed along that area. Mr. Robinson remarked that at some point the idea could be considered, but it might be too ambitious right now. Maudie Hamilton observed that a similar idea had been tried on Grand Avenue with little success.

Mr. Robinson requested Councilman Don Monty's input on the subject. Mr. Monty stated that any time there was a large number of people together who have had too much to drink, things seem to get out of control, not just during Halloween. He indicated that doing something that allows bars to be open without it turning into a public spectacle would be one way of seeing how things would go. Additionally, Mr. Monty suggested that the University might take a roll in this with disciplinary action against those students who cause problems. He also noted that Carbondale Main Street has been able to successfully manage events on Hangar 9's parking lot. Mr. Mills questioned why it was this one particular weekend which causes problems compared to the former Carbondale Main Street Pig Out, Murphysboro, or Herrifest. Mr. Karayiannis suggested that the Pig Out's success was due to all ages being involved. Mr. Monty noted that for the University, in terms of recruiting, Halloween cuts both ways. He shared his perception of the University choosing to emphasize academics and de-emphasize certain other activities. Mr. Robinson again re-stated that at this juncture, the intent was to stay away from festivals and focus on allowing those businesses to be open. He asked Mr. Monty if that might be acceptable and Mr. Monty agreed, but noted that those businesses need to realize the consequences if they are not able to maintain control over their patrons.

Janet Vaught, in response to some of the suggestions covered during the meeting, stated that the regulations need to be City-wide and noted that the activities associated with Halloween start about the time that Pig Out events were winding down.

Mark Robinson indicated that if he were going to make a recommendation that it would be to have 5:00 a.m. closing, ban glass and kegs, require extra security at each bar to prevent any patrons from leaving with any kind of liquor, and preventing promoting any special events.

Chief O'Guinn remarked on social media's effect on the one-upmanship of the legacy of the past. The Chief noted that there are students and people who reside outside of Carbondale who will want to participate in that one-upmanship. He also commented that while the police are charged with protecting the safety of the public, he, as Chief of Police, is responsible for the safety of the officers. Chief O'Guinn indicated that he will have to prepare for a worst-case scenario, noting that the usual calls for service do not stop during events such as this, and that it will likely cost upwards of \$30,000.00 for full staffing.

John Mills commented on the need to regenerate the downtown and the perception of the downtown area on parents who visit the school with potential students. He noted that something different must be done. Mark Robinson suggested that allowing the bars to be open likely wouldn't be sufficient to effect that change and indicated his desire to make the changes quietly. Ms. Carter noted the lack of control over the internet advertisement, remarking it would be naïve to think that businesses choosing not to advertise would prevent the subject from showing up on the web. Mr. Robinson agreed, but re-asserted that minimizing the discussion should help somewhat. Sarah O'Dell asked about the difference between being open on Halloween weekend versus Polar Bear and unofficial Halloween. She noted that people come from out of town on those weekends as well. Mr. Robinson indicated that there was an inexplicable mentality of one-upmanship during that particular weekend.

Mark Robinson and John Mills disagreed on the timing for forwarding recommendations to the City Council. Mr. Mills again stated he would like to hear from the Chamber of Commerce and the Carbondale Convention and Tourism Bureau. Mr. Robinson indicated that he did not believe waiting would change anything.

There followed discussion about the Chair making a recommendation. Ms. Vaught noted that there is not currently a ban on glass bottles and that the ban is actually on public consumption. Lorie Allen asked about the need for a 21 year old entry age and asked what individuals aged 19 and 20 would do for entertainment. Ms. Allen commented on the smaller number of enrolled students, noting it would have a great impact. Maudie Hamilton asked Mr. Robinson to specify the meaning of not allowing advertisements of special events. Mr. Robinson and Ms. Hamilton disagreed on the impact of prohibiting costumes. Mr. Mills reminded Mr. Robinson about the one-year sunset. Lorie Allen commented that worrying about problems during Halloween would in effect cause problems.

MOTION: Lorie Allen moved, Joyce Webb seconded, to send to the City Council the recommendations of allowing all the bars in Carbondale to be open on Halloween weekend with a 5:00 a.m. closing hour, that there be no glass containers or kegs allowed, that extra security be provided by the bars to prevent patrons from exiting with alcohol and that said security be at the bars' expenses, that there be no special events or drink specials during that weekend, that there be no extra notoriety, that the bar entry age for that weekend be 21 and above, and that the temporary lifting and imposition of regulations sunset after one year. VOTE: All voted "Aye" with the exception of J. Mills voting "Present."

4. Consideration of a Class B2 Liquor License for Kenneth Lyon d/b/a University Lounge, 520 South Illinois Avenue

Applicant Kenneth Lyon was present to answer the Board's questions. He noted some improvement with his current business, Evelyn's, Inc. d/b/a La Fogata. Mr. Lyon explained his desire to start a new business in another vacant downtown building and to separate from his current enterprise. He also indicated one reason for applying for the Class B license was to be free of the restrictions of alcohol sale percentages with a Class A license. Mr. Lyon remarked that he hoped that he would help to improve the downtown foot-traffic and provide another alternative for the public. He noted the benefit of his current establishment to the downtown. M. Robinson asked about the occupancy and noted Mr. Lyon's familiarity with the City Code. Mr. Lyon indicated that he anticipated opening at the end of this summer. M. Robinson asked the applicant about his plans for entertainment and Mr. Lyon remarked that he wanted to try events and entertainment he observed in other cities. J. Mills asked about the applicant's beer garden plans and parking. T. Karayiannis asked how the applicant intended to enclose the beer garden and Mr. Lyon indicated a six-foot privacy fence would be erected. T. Karayiannis suggested that the total funding indicated on the application would be insufficient for that particular building. S. Payne noted that the infrastructure in the building would not be set up for its anticipated use unlike the building rehabbed by the applicant for his current business. The applicant stated that he would be doing much of the work himself. M. Robinson noted that the Board's concern about financing was only to ascertain that the business would be viable.

Assistant City Attorney Jamie Snyder indicated that there is concern about Mr. Lynon's eligibility to hold the license. The City Code and State law prohibit a "law enforcing public official" from holding a liquor license. Mr. Snyder noted that it was his opinion that Mr. Lynon, in his capacity as a Code Enforcement Officer, was ineligible for a Class B license. Assistant City Attorney Snyder noted that Mr. Lynon could not own more than 5% of shares in a corporation holding a Class B license. M. Robinson asked if the applicant would have to give up his Code Enforcement job to hold the B2 liquor license and the attorney indicated that could be the end result.

MOTION: J. Webb moved to postpone the decision until the issue regarding the applicant's ability to hold B2 license was resolved. There was no second.

MOTION: J. Mills moved, T. Karayiannis seconded, to approve the B2 license for Kenneth Lynon d/b/a University Lounge contingent upon receipt of outstanding items and proof of his eligibility to hold a B2 license. VOTE: All voted aye; motion declared carried.

5 Consideration of an Application for the Transfer of an Existing Class A2 Liquor License from Evelyn's, Inc. d/b/a La Fogata to La Fogata Taqueria, Inc. d/b/a La Fogata Taqueria at 519 South Illinois Avenue

Kenneth Lynon and Daniel Ramirez, the representatives of the current holder of the liquor license, Evelyn's, Inc., and the representative for the applicant, La Fogata Taqueria, Inc., Daniel Ramirez, were present to answer. Following confusion as to whether the transfer was a name change or the change of ownership from one corporation to another, and if the need existed to take action on the item, M. Robinson noted a few outstanding items.

MOTION: J. Webb moved, L. Allen seconded, to approve the transfer of Evelyn's Inc.'s A2 liquor license to La Fogata Taqueria, Inc. VOTE: All voted aye; motion declared carried.

6. Consideration of Liquor License Renewal Applications for License Year 2013-2014

The Chair asked the Board if any license needed to be pulled for discussion and there were no requests made.

MOTION: J. Mills moved, J. Webb seconded, to approve all applications for renewal of liquor licenses. VOTE: All voted aye; motion declared carried.

7. Adjournment

Meeting adjourned at 7:18 p.m.

Jennifer R. Sorrell, City Clerk

Date Approved



**BOARD OF FIRE AND POLICE COMMISSIONERS
December 3, 2012**

The City of Carbondale's Board of Fire and Police Commissioners held a meeting on Monday, December 3, 2012, in Room 103 of the Civic Center, 200 South Illinois Avenue. Chairman Welch called the meeting to order at 8:30 a.m.

1. Roll Call

Present: Commissioners Jack Whitlock and Kerry Braswell; Chairman Harvey Welch.

Absent: Commissioners Pat Justice and Luanne Brown

Also present were Administrative Services Director Deborah McCoy, Acting City Clerk Jennifer Sorrell, and Fire Chief John Michalesko.

2. Approval of October 29, 2012 Minutes

Commissioner Braswell moved, and Commissioner Whitlock seconded, to approve the minutes of October 29, 2012 with one amendment, a correction to the roll call. VOTE: All voted aye; Motion declared carried.

3. Closed Meeting to Conduct Oral Interview Examinations of Entry-Level Fire Fighter Candidates

Commissioner Whitlock moved, and Commissioner Braswell seconded, that the Board hold a Closed meeting for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees pursuant to 5 ILCS 120/2(c)(1), specifically to conduct oral interviews of candidates for Entry-Level Fire Fighter Candidates. VOTE: All voted aye; Motion declared carried. Open session recessed at 8:32 a.m. and Secretary Sorrell exited the room.

A thirty-minute break was taken at 10:15 a.m., a one hour lunch at 12:00 p.m., and a fifteen- minute break at 2:00 p.m.

Commissioner Whitlock moved, and Commissioner Braswell seconded, that the Board return to open session. VOTE: All voted aye; Motion declared carried. Open session resumed at 3:20 p.m.

There was no formal action taken as a result of the closed meeting.

4. Adjournment

Commissioner Whitlock moved, and Commissioner Braswell seconded, to adjourn until the following day, December 4, 2012 at 8:30 a.m. VOTE: All voted aye. Motion declared carried. Meeting adjourned at 3:22 p.m.

Jennifer Sorrell, Acting City Clerk

Approved by the Board on: _____



**BOARD OF FIRE AND POLICE COMMISSIONERS
December 4, 2012**

The City of Carbondale's Board of Fire and Police Commissioners held a meeting on Tuesday, December 4, 2012, in Room 103 of the Civic Center, 200 South Illinois Avenue. Chairman Welch called the meeting to order at 8:28 a.m.

1. Roll Call

Present: Commissioners Jack Whitlock and Kerry Braswell; Chairman Harvey Welch

Absent: Commissioners Pat Justice and Luanne Brown

Also present were Administrative Services Director Deborah McCoy, Secretary to the Board Acting City Clerk Jennifer Sorrell, and Fire Chief John Michalesko.

2. Closed Meeting to Conduct Promotional Oral Examinations of Fire Captain and Assistant Fire Chief Candidates

Commissioner Braswell moved, and Commissioner Whitlock seconded, that the Board hold a Closed meeting for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees pursuant to 5 ILCS 120/2(c)(1), specifically to conduct promotional oral interviews of candidates for Fire Captain and Assistant Fire Chief. VOTE: All voted aye; Motion declared carried. Open session recessed at 8:30 a.m. and Secretary Sorrell exited the room.

A two ten-minute breaks were taken at 9:50 a.m. and 11:00 a.m.

Commissioner Braswell moved, and Commissioner Whitlock seconded, that the Board return to open session. VOTE: All voted aye; Motion declared carried. Open session resumed at 11:52 a.m.

There was no formal action taken as a result of the closed meeting.

3. Old Business

City Attorney P. Michael Kimmel addressed the Board on Public Act 097-0898. He first covered the differences between the City continuing to administer its own test versus using the state's hiring list. Commissioner Whitlock asked where the fire candidates take the state's exam and the Fire Chief indicated that has not been determined. Chairman Welch noted his reluctance to use the state's hiring list. The City Attorney indicated that using the state's list gives the City flexibility in choosing whom to interview, but using the City's test and eligibility list removes that flexibility. Commissioner Braswell agreed with Chairman Welch's reluctance to use the state list, but also noted he did not wish to lose the flexibility of being able to interview from

anywhere on the list. Dr. McCoy noted that the State's testing and eligibility list is not yet in use and commented on differences between using the State's versus City's list. Commissioner Braswell asked if there would be a regional test or a regional list. Fire Chief Michalesko indicated the Board responsible for developing the State test is seeking proposals. Chairman Welch remarked from his perspective the City is better off retaining its own testing and City Attorney Kimmel stated that this act would limit the oral interview process. Dr. McCoy questioned how there could be two different criteria for the eligibility lists and City Attorney Kimmel suggested the purpose was to limit poor hiring practices such as nepotism.

Fire Chief Michalesko indicated that Board had already agreed to retain its own testing, but that the Governing Rules need to be amended to reflect the Board's decision. Commissioner Whitlock stated that the City Attorney could make those changes and Chairman Welch agreed.

4. Adjournment

Commissioner Whitlock moved, and Commissioner Braswell seconded, to adjourn. VOTE: All voted aye. Motion declared carried. Meeting adjourned at 12:22 p.m.

Jennifer Sorrell, Acting City Clerk

Approved by the Board on: _____



BOARD OF FIRE AND POLICE COMMISSIONERS MAY 16, 2013

The City of Carbondale's Board of Fire and Police Commissioners held a meeting on May 16, 2013 in Conference Room A of the Civic Center, 200 S. Illinois Avenue. Chairman Harvey Welch called the meeting to order at 8:11 a.m., with the following-named members of the Board present/absent:

1. Roll Call

Present: Commissioners Luanne Brown, Kerry Braswell and Jack Whitlock
Chairman Harvey Welch

Absent: Commissioner Pat Justice

Also present was Deputy City Clerk Alicia Burtley, Administrative Services Director Deborah McCoy, and Fire Chief John Michalesko

2. Approval of Minutes

Commissioner Whitlock moved, Commissioner Braswell seconded, to approve minutes from the December 3 and 4, 2012 meetings. There was no discussion. VOTE: All Ayes. Motion declared carried.

3. Acceptance of 2012 Board of Fire and Police Commissioners Annual Report

Commissioner Whitlock moved, Commissioner Braswell seconded, to approve the Annual Report of the Board of Fire and Police Commissioners. Chairman Welch stated the Annual Report is a summary of what was done in the last year. Commissioner Brown made the Board aware that she had not been notified of her appointment until after the June 19 and 20, 2012 meetings, thereby her attendance record. The report was reviewed and accepted by the Board, which will be forwarded to the Mayor and City Council.

4. Approval of Amended Governing Rules

Commissioner Whitlock moved to approve the Amended Governing Rules. Commissioner Braswell seconded the motion. Commissioner Brown recommended that the word "Fireman" be replaced with "Firefighter," due to gender diversity in the Carbondale Fire Department. Fire Chief Michalesko shared his approval. VOTE: All voted Aye. Motion declared carried.

5. Election of Chairperson and Vice-Chairperson

Commissioner Brown nominated, Commissioner Braswell seconded, the nomination of Harvey Welch as Chairman of the Board of Fire and Police Commissioners. Chairman Welch

requested a nominee for the Vice-Chair position. Commissioner Brown nominated and Commissioner Braswell seconded the nomination of Jack Whitlock as Vice-Chair of the Board of Fire and Police. VOTE: All voted Aye. Motion declared carried.

6. Approval of Promotional List of Candidates for the Positions of Sergeant and Lieutenant for the Carbondale Police Department

Commissioner Braswell moved, Commissioner Whitlock seconded, to approve the Promotional Eligibility List for Police Lieutenant and Police Sergeant valid from May 16, 2013 through May 15, 2016. Commissioner Brown expressed interest in how long the Eligibility Lists are valid. Police Chief O’Guinn relayed that the lists are valid until they are exhausted. Administrative Director McCoy excused herself from the meeting at 8:20 a.m. and returned at 8:25 a.m. VOTE: All voted Aye. Motion declared carried.

7. Closed Meeting to Conduct Oral Interview Examinations of Entry-Level Police Officer Candidates

Commissioner Braswell moved, Commissioner Whitlock seconded, to enter into a Closed Session for the purpose of conducting Oral Interviews of Entry-Level Police Officer Candidates in accordance with the Illinois Open Meetings Act, which states to “hold a closed meeting for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees” 5 ILCS 120/2(c)(1). VOTE: All voted Aye. Motion declared carried. Open Session recessed at 8:20 a.m. Police Chief O’Guinn joined Closed Session at 8:25 a.m.

Twenty-one (21) candidates were scheduled for oral interviews of which two (2) did not appear. A fifteen-minute break was taken, as well as a one-hour lunch break from 12:30 p.m. until 1:30 p.m.

No formal action was taken during the Closed Session.

The Board returned to Open Session at 2:55 p.m.

The Board had a general discussion in regards to amending the Police and Firefighter interview questions.

8. Adjournment

Commissioner Whitlock moved, Commissioner Brown seconded, to adjourn. Vote: All voted Aye. Motion declared carried.

Alicia Burtley
Deputy City Clerk

Approved by the Board on: _____



**BOARD OF FIRE AND POLICE COMMISSIONERS
MAY 17, 2013**

The City of Carbondale's Board of Fire and Police Commissioners held a meeting on May 17, 2013 in Conference Room A of the Civic Center, 200 S. Illinois Avenue. Chairman Harvey Welch called the meeting to order at 8:25 a.m., with the following-named members of the Board present/absent:

1. Roll Call

Present: Commissioners Luanne Brown, Kerry Braswell and Jack Whitlock
Chairman Harvey Welch

Absent: Commissioner Pat Justice

Also present was Deputy City Clerk Alicia Burtley, Administrative Services Director Deborah McCoy, Police Chief O'Guinn (entered at 8:28 a.m.)

2. Closed Meeting to Conduct Oral Interview Examinations of Entry-Level Police Officer Candidates

Commissioner Brown moved, Commissioner Braswell seconded, to enter into a Closed Session for the purpose of conducting Oral Interviews of Entry-Level Police Officer Candidates in accordance with the Illinois Open Meetings Act, which states to "hold a closed meeting for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees" 5 ILCS 120/2(c)(1). VOTE: All voted Aye. Motion declared carried.

Six (6) candidates were scheduled for Oral Interviews of which all did appear.

No formal action was taken during the Closed Session.

Commissioner Brown moved and Commissioner Braswell seconded to return to Open Session. Vote: All voted Aye. Motion declared carried.

The Board discussed scheduling another meeting with regard to the Firefighter and Policeman Interview questions, as well as, their interview schedules.

3. Adjournment

No further business was discussed. Meeting adjourned at 9:43 a.m.

Approved by the Board on: _____

Alicia Burtley
Deputy City Clerk

MINUTES
City of Carbondale Sustainability Commission
Thursday, April 18, 2013
City Hall / Civic Center – 6:00 p.m.

1. **Roll Call:** Mr. Wodika called the meeting to order at 6:06 p.m.
- Members Present:** Mr. Wodika, Ms. Wagner, Mr. Beck, Mr. Kunath, Mr. Monty, Ms. Trotter, Mr. Thorne
- Members Absent:** Mr. Stewardson, Mr. Beck, Mr. Bobell
- Staff Present:** Loren Polley
- Others Present:** Twelve CCHS students from a government class

Minutes: Motion by Mr. Thorne, Second by Ms. Wagner, all in favor, or approval of March 21, 2013, minutes

2. **Communications:**

Review of the February, 2013 Status Report of the Former Koppers Wood-Treating Site. U. S. EPA will host a public meeting on May, 22, 2013, at 7:00p.m. This meeting will take place at the Carbondale Civic Center and discuss the Koppers site.

Old Business:

Energy Committee – Energy Aggregation has been the focus of the committee. 100 + renewable energy credits passed. Possibly send city a “Thank You” for energy aggregation.

Bike Path /Green Space Committee This year the first phase begins. Need more grants for bike paths. Need more promotions for the more bike paths. Need safe paths around town. Need a good and solid comprehensive plan. There was mention of a possible conjunction between SIU and the City for bike paths. Need more input on where to properly place bike lanes or paths. It was also discussed of how to possibly make vacant lots within the city as potential “green” spaces. We need to define the actual definition of what is considered “potential green space”. Mr. Kunuth suggested that members send definitions to his email and the subcommittee will decide which definitions best fit for a “green” space. It was mentioned to split Bike Path/ Green Space Committee. Need to know what the commission would like the split committee to become. Tree Committee may be merged as a part of this subcommittee.

Recycling Committee – Discussions continue on options for apartments to recycle. The committee would like to see stricter volume limits on trash as a way to encourage more recycling. Discussions continue on community based and commercial composting possibilities. The Governor vetoed the bill on plastic bags. Send emails to the Chamber of Commerce as well as Carbondale Main Street for any thoughts on how Styrofoam can be used less and hopefully banned all together. Styrofoam ban needs to be a top priority. A Styrofoam representative would like to come and explain how Styrofoam is a “good thing”. Need to figure out where in the City Code to input a possible Styrofoam clause. Keep the Styrofoam argument as narrow as possible.

3. **New Business:** Subcommittee meetings are moved to the first Thursday of the month. Possibly send notices to members that do not regularly attend meetings. Ms. Wagner was voted as chair for the Sustainability Commission. Motion by Mr. Thorne, second by Ms. Trotter, all in favor. Mr. Baity informed the commission that he is working on getting a link established on the City's website for the Sustainability Commission.
4. **Adjournment:** With no further business to be conducted Mr. Wodika adjourned the meeting at 6:52 PM.
5. Respectively submitted by Loren K. Polley, City of Carbondale Staff Liaison

MINUTES
City of Carbondale Sustainability Commission
Thursday, June 20, 2013
City Hall / Civic Center – 6:00 p.m.

1. **Roll Call:** Mr. Wagner called the meeting to order at 6:10 p.m.
- Members Present:** Mr. Wodika, Ms. Wagner, Mr. Beck, Mr. Kunath, Mr. Monty, Ms. Bonney, Mr. Thorne
- Members Absent:** Mr. Stewardson, Mr. Beck, Mr. Bobell
- Staff Present:** Loren Polley
- Others Present:** Carbondale resident Melody Shimada
- Minutes:** Motion by Mr. Wodika, Second by Mr. Thorne, all in favor, or approval of April 18, 2013, minutes

2. **Communications:**

Review of the February, 2013 Status Report of the Former Koppers Wood-Treating Site.
Discussed the tour of the site.

Old Business:

Energy Committee – Mr. Thorne brought up that Ameren will actively going to businesses to re-evaluate and tell the businesses how to become more energy efficient.

Bike Path /Green Space Committee – Jackson County board is collecting information on infrastructure of bike paths in the surrounding area.

Recycling Committee – Styrofoam ban

New Business: Get website links established. Make website appealing and easily navigated.
Need new members to fill Commission slots.

Adjournment: With no further business to be conducted Ms. Wagner adjourned the meeting at 7:12 PM.

3. Respectively submitted by Loren K. Polley, City of Carbondale Staff Liaison



Commissioners Present: Lauren Bonner, Joseph Brown, Peg Falcone, Jovan Gathings, Jerrold Hennrich, Sidney Logwood, Dora Weaver

Commissioners Excused: Jeraldine Brown, Les O'Dell

Commissioners Absent: Adrian Miller

Study Circle Staff Present: Sarah Heyer

Guests Present: Carolin Harvey, Eric McMillan, SIU Public Safety Director Todd Sigler

Staff Present: Deborah McCoy, Lieutenant Paul Edwards

Call to Order

The meeting was called to order by Chair Logwood at 6:30 p.m.

Minutes

Motion was made by Commissioner Joseph Brown and seconded by Commissioner Hennrich approve the minutes from the May 6, 2013 meeting. Motion carried.

Announcements

None

Public Comments

None

Study Circles Report

Coordinator Sarah Heyer reported the Neighborhood Action Group will hold its next meeting on June 5, 2013, at the Civic Center. The group would like to hear more information on subpoena power.

Non-Violent Carbondale Progress Report

The group is working on a Conference of Peace that will be held in October.

June 3, 2013

Old Business

Law Enforcement Reports: Public Safety Director Todd Sigler presented a report on crimes associated with the University. There are two ways to look at crimes: quantitative and qualitative. With quantitative, the research behind the numbers is often flawed and the media is quick to latch on to those numbers. Qualitative crime reports are based on anecdotal or experiential information which can shape perceptions that might not be accurate or true. The Clery Act, also known as the Campus Security Act, required colleges and universities to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education, both public and private. Colleges/universities are required to publish an annual security report (ASR), have a public crime log, disclose crime statistics that happen on campus or in unobstructed public areas adjacent to or running through campus and at certain non-campus facilities (Greek housing, remote classrooms), issue timely warnings about crimes which pose a serious or ongoing threat to students and employees, devise an emergency response notification and testing policy, report fire data for on-campus housing, and enact policies and procedures to handle reports of missing students.

In April 2012, the Chancellor commissioned a task force to study how the crime issues at the university would be addressed. Some of the areas identified that needed attention included: communication, student mentoring and life skill development, faculty and staff training, and university and community collaboration. Policies and mandates were updated (e.g. conduct code), research components were added that included surveying students, faculty, and staff, and conducting focus groups housing. The report has been issued by the Chancellor and is on her website. The task force is in the process of implementing some of the changes.

Sigler commented that college campuses are generally safer than the communities in which they are located. Offenses are mostly property crimes and 80% is student-on-student crime. Men experience more violent crimes than women and roughly 10% of the student population contributes 30% of the situations. It should also be remembered that statistics can be lower on campuses where students usually go home for weekends.

Sigler suggested that the following might be helpful in addressing some of the student crime in Carbondale: 1) education, 2) work with neighborhoods so they are not overly student dominated, 3) eliminate bars that are far too accessible to freshmen students, and 4) invite everyone to be a part of the process so that adjustments improve the quality of life for all..

HRC Responsibilities, Role, Charges – Mr. McMillan presented the proposed Purpose and Mission Statement . Following much discussion, a Bylaws Committee, consisting of Commissioners Hennrich, Gathings, Bonner, Weaver, and Mr. McMillan, was established. The Committee will bring recommendations to the next meeting for consideration. Once the changes have been presented and discussed, a letter will be drafted to the Mayor and Council advising of the intent to amend the Bylaws with the recommended changes. A presentation will be made to the Council reviewing the charge and Declaration Policy of the HRC.

Continuing the Dialogue – Commissioners Bonner and Gathings presented the following ideas as a follow-up to discussion at the May meeting. (1) Orientation Sessions: To acquaint incoming freshmen students with various services that are available on campus, to educate young individuals on how to properly document situations, and to provide an opportunity to meet with diversity leaders. The City/HRC would sponsor the sessions for several groups who cannot provide the services on campus during new student orientation, e.g. Black Resource Center, Hispanic Resource Center, LGBTQ Resource Center, Wellness Center, etc. In addition, the Carbondale Police Department would be invited to send a few delegates who could introduce themselves, share something positive about the community and students, and speak briefly on what is involved in protecting and serving the community. Commissioner Joseph Brown will contact the directors/coordinators of the Resource Centers.

June 3, 2013

(2) Monthly Themes: Human relations themed events scheduled September through April (except January). A representative from the HRC would briefly introduce the theme to the City Council at a Council Meeting. Discussions with representatives of the themed party would be conducted with a summary report of findings being presented to the City Council at their next meeting. Suggested themes include sexual assault prevention, bicycle and motorcycle awareness, racially related, LBGTQ related, elderly/underprivileged/physical disability, law enforcement relations, communities of faith. It was also suggested that articles be written for the editorial page of the Southern Illinoisan.

Unfinished Discussion

- 1) Letter to the City Council regarding law enforcement reports from agencies other than the Carbondale Police
- 2) Letter to Chief O'Guinn requesting annual report

New Business

None

Next Meeting: July 1, 2013

Adjournment - There being no further business, the meeting was adjourned.

Recorded by Deborah McCoy _____