

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting of August 6, 2013**

Following a meeting of the Local Liquor Control Commission, the City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, August 6, 2013, in City Council Chambers, 200 South Illinois Avenue. Mayor Joel Fritzler called the meeting to order at 7:40 p.m. with the following members of the Council present/absent:

**1. Roll Call**

Present: Councilwoman Carolin Harvey, Councilman Donald Monty, Councilwoman Jane Adams, Councilman Lance Jack, Councilman Lee Fronabarger, Councilwoman Jessica Bradshaw, 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 commented on the start of the school year, encouraging safe driving as drivers become familiarized with the one-way streets, and noting the large freshman class.

Councilwoman Bradshaw marked the anniversary of the bombing of Hiroshima and announced that Non-Violent Carbondale Coalition would be hosting Eleven Days for Peace October 18th through the 28th.

Councilwoman Adams requested Deputy Chief Stan Reno to remark on the cooperative efforts of the Carbondale Police Department and Carbondale citizens in redeveloping the Neighborhood Watch program. Deputy Chief Reno shared comments on the program's future development and public meetings. Councilman Jack encouraged the Watch program to include participation with the business neighborhoods and improving the relationship between business owners and the Police Department.

Councilman Fronabarger announced the annual Arts, Crafts, and Yard Sale would be held at the SIU Arena parking lot on August 24th. Mr. Fronabarger displayed the t-shirt developed during a "community pride" project over the summer, the proceeds from which will benefit the Carbondale outdoor family aquatic center.

Councilman Jack announced the third annual Carbondale Rocks Revival Music Festival to be held September 5th through the 7th at a variety of venues with national and local musical acts.

City Manager Baity announced that testing for new emergency sirens at SIU would occur on Saturday. Mr. Baity noted that the City would be testing storm-warning sirens on Tuesday, August 20th at a new location on Giant City Road. He then announced the start of a pilot program for which dual waste and recycling receptacles had been placed in various locations.

Mayor Fritzler announced that the parking meters would be bagged for the start of the fall semester.

**3. Citizens' Comments and Questions**

Ed Dorsey, resident on Lark Lane and President of the Carbondale N.A.A.C.P., shared that the organization does not support the use of quotas as a performance measure for police officers. Mr. Dorsey stated quotas would intensify race issues between citizens and officers and that minorities

would be harmed by their use.

Kathy Renfro, Executive Director of the Carbondale Park District, thanked the City for their assistance with the development of the outdoor aquatic center. She expressed her gratitude for Public Works Director Sean Henry's aid in completing requests for proposals and collaboration with a public presentation.

Dr. M. Stalls asked about the publicizing of the meeting for the Neighborhood Watch program. Mayor Fritzler and City Manager Baity responded. She expressed her apprehension that police officers might be held to a specified number of actions and the effects which might stem from those requirements. Dr. Stalls suggested looking at increasing foot patrols and "hot spot" patrols. She also advised looking into how officers are rewarded and encouraged for exceeding their duties. Dr. Stalls asked Council to look at the weed ordinance and modifying the height requirements.

Audrey Wagner asked Council to contact I.D.O.T. to try to find a way that a bike lane could be added during the resurfacing of Route 13 and remarked that she believed the width of the roadway was sufficient for that purpose. Ms. Wagner noted that funds were included in the budget for the striping of bicycles lanes.

Elius Reed asked leading questions about the Neighborhood Watch program, in reference to the death of Trayvon Martin in Florida, and suggested defining the limits of the program. Mr. Reed asked if the City would be participating in a town hall meeting to be held at SIU in September regarding campus safety.

Dr. M. Stalls commended the fundraiser t-shirt displayed by Councilman Fronabarger and requested that Council keep issues at Attucks Park on their radar.

#### **4. Public Hearings and Special Reports**

None

#### **5. 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 and Public Hearing held on July 16, 2013. Recommendation: Approve.
2. Warrant for Period Ended June 8, 2013, FY 2014, Warrant #1189 in the amount of \$2,370,814.24. Recommendation: Approve in the amount of \$2,370,814.24. (Exhibit A-08-06-2013)
3. Appointments and Reappointments to Boards and Commissions. Recommendation: Concur with the appointment to the Board of Fire and Police Commissioners of Janet Vaught to a term expiring May 1, 2016; the appointment and reappointment to the Community Development Loan and Grant Review Board of Chris Germann to a term expiring July 31, 2016, Joel Sambursky and Shane Carsrud to terms expiring July 31, 2016; the appointment and reappointment to the Human Relations Commission of Faith Miller to a term expiring April 15, 2016 and Blaine Tisdale to a term expiring May 30, 2014; the appointment to the Liquor Advisory Board of Michelle C. Hartke to a term expiring May 1, 2014; the appointment and reappointment to the Sustainability Commission of Melody Shimada to a term

expiring May 1, 2016 and Donald D. Monty to a term expiring May 17, 2015.

4. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept the approved minutes of the Planning Commission from June 5, 2013; the Liquor Advisory Board from May 16, 2013; the Board of Fire and Police Commissioners from December 3 and 4, 2012 and May 16 and 17, 2013; Sustainability Commission from April 18 and June 20, 2013; and the Human Relations Commission from June 3, 2013.
5. Pulled by L. Fronabarger

D. Monty moved, L. Fronabarger seconded, to approve Consent Agenda items 5.1, 5.2, 5.3, and 5.4. DISCUSSION: None. VOTE: Ayes: C. Harvey, D. Monty, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried.

#### 5.5 Resolution Authorizing the City Manager to Submit an Application for the Illinois Department of Transportation's Illinois Transportation Enhancement Program

J. Adams moved, C. Harvey seconded, to approve the Resolution Authorizing the City Manager to Submit an Application for the Illinois Department of Transportation's Illinois Transportation Enhancement Program. DISCUSSION: L. Fronabarger commented on the need for a pedestrian/bicycle bridge, encouraged including it in phase two of the project, suggested increasing the requested amount of grant funds, and shared information on such a bridge which he had obtained. J. Bradshaw requested a description of the bridge from L. Fronabarger. J. Adams remarked that the bridge was an excellent idea and suggested that funds should be available between the two grants being requested and other sources. She suggested that the bridge be included in the planning of the overall project. J. Fritzler remarked on concerns with the bridge planning and development due to timing and engineering requirements, but commented it would be a good idea for Staff to look into it. D. Monty agreed that the bridge would be essential for the planning of the bike path. He suggested the timing might be inadequate for this grant submission, but recommended planning for the future placement of the bridge as the design is finalized. L. Jack remarked it should be clear to Staff the Council's intent for inclusion of the bridge in the planning and development of the path for the future. J. Bradshaw and L. Fronabarger asked about changing the plan after submission and increasing the request for funding. City Manager Baity and Public Works Director Sean Henry each responded and added comments. Gregory Karayiannis, 624 East Campus Drive, agreed with the need for a pedestrian/bicycle bridge, particularly at Mill Street. VOTE: Ayes: C. Harvey, D. Monty, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried. (Resolution 2013-R-40; Exhibit B-08-06-2013)

## 6. General Business

1. A Resolution Approving and a Resolution Denying Jeff Cermak's Request for a Special Use Permit to Operate a Credit Services Business (other than a bank) on Property Located at 500 East Walnut Street

L. Jack moved, L. Fronabarger seconded, to approve a Resolution Denying Jeff Cermak's request for a Special Use Permit to Operate a Credit Services Business (other than a bank) on property located at 500 East Walnut Street. DISCUSSION: Council asked Staff about their recommendation to deny the Special Use Permit and about limiting the number of permits for this type of business in the future. L. Jack, L. Fronabarger, C. Harvey conveyed their intent to deny the Special Use Permit request. D. Monty requested the zoning/land-use rationale for denying the permit and remarked on other areas where the business could choose to locate.

Development Services Director Chris Wallace responded to L. Jack, D. Monty, and J. Bradshaw's questions. Ownership of the former Wendy's property was discussed. D. Monty suggested that he did not feel there was adequate evidence to deny based on zoning. The applicant, Jeff Cermak, spoke in favor of the request, commenting on the competitiveness of this particular company, and stated that the customer demand for this type of business was present. Following the vote, C. Harvey asked that Staff draft language limiting the number of similar businesses. VOTE: Ayes: C. Harvey, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: D. Monty. Motion declared carried. (Res. 2013-R-41; Exhibit C-08-06-2013)

## **7. Council Comments**

Councilwoman Adams, in response to the Mayor's comments regarding a labor issue brought up at the previous City Council meeting, disassociated herself from those comments.

Councilwoman Bradshaw expressed a desire to see more community policing and foot and bike patrols by the Carbondale officers. She recommended holding Neighborhood Watch Program meetings in the various neighborhoods.

Mayor Fritzler commented on his understanding that officers are required to be on foot for part of their patrols and City Manager Baity indicated that while that activity is encouraged, there is not a specific required period of time.

Councilman Fronabarger encouraged participation in the Neighborhood Watch Program and improving the interaction between the citizens and officers. He also encouraged increasing bike and foot patrols.

Mayor Fritzler noted that there is a Home Watch program available to the Carbondale citizens while on vacation or away from their home for extended periods.

## **8. Closed Meeting**

1. Closed Meeting to discuss the appointment, employment, or performance of specific employees of the public body, collective negotiating matters or salary schedules for one or more classes of employees, security procedures and the use of personnel and equipment in response to a reasonably potential danger, the sale, purchase or lease of real property, and pending or imminent litigation.

L. Jack moved, C. Harvey seconded, that the City Council hold a Closed Meeting to discuss the appointment, employment, or performance of specific employees of the public body, collective negotiating matters or salary schedules for one or more classes of employees, security procedures and the use of personnel and equipment in response to a reasonably potential danger, and pending or imminent litigation pursuant to 5 ILCS 120/2(c)(1), (c)(2), (c)(5), (c)(6), (c)(8), and (c)(11). VOTE: Ayes: C. Harvey, D. Monty, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried. Open session recessed at 9:15 p.m.

J. Bradshaw moved, L. Fronabarger seconded, to return to open session. VOTE: Ayes: C. Harvey, D. Monty, J. Adams, L. Jack, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried. Open session resumed at 11:46 p.m.

**9. Adjournment**

There being no further business to come before the Council, the meeting was declared adjourned at 11:47 p.m.

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**Jennifer R. Sorrell, City Clerk**

**Approved by the City Council on:**

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