

City Council of the City of Carbondale, Illinois
Regular Meeting of June 24, 2014

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, June 24, 2014, in City Council Chambers, 200 South Illinois Avenue. Acting Mayor Donald Monty called the meeting to order at 7:00 p.m. with the following members of the Council present/absent:

1. Roll Call

Present: Councilwoman Carolin Harvey, Councilman Lance Jack, Councilwoman Jane Adams, Councilman Lee Fronabarger, Councilwoman Corene McDaniel, Councilwoman Jessica Bradshaw and Acting Mayor Monty

Absent: None

Also present were City Manager Kevin Baity, Deputy City Clerk Alicia Burtley, and various members of the City's administrative staff.

2. General Announcements and Proclamations

John Foster introduced the Summer Institute of Student Leaders participants who included students from the countries Georgia, Azerbaijan, Armenia and Turkey.

Don Ursini presented the Government Finance Officers Association Award for Fiscal Year 2013 Audit to Mayor Monty. It is the twenty-second consecutive year the City has received this award for excellence and achievement.

L. Fronabarger shared National League of Cities declared the month of June Small Cities Month and relayed ninety-five percent of all municipalities in the United States are categorized as a small city.

D. Monty announced the Annual Free Senior Health and Information Fair will be held at the Carbondale Civic Center on July 16.

J. Adams announced meet the artist reception for Landscapes of Southern Illinois exhibit will be held on Thursday, June 26. Also, the last Friday night fair of the summer will be June 27.

K. Baity announced the Fourth of July fireworks on July 4 will be held at the Superblock at 9:00 p.m. In the event of rain, it will be rescheduled for July 5th.

Mayor Monty proclaimed the month of July, Cigarette Liter Prevention Month, and encouraged citizens to help reduce cigar tip and cigarette butt liter and eventually eliminate it.

Sarah Heyer, 1442 E. Gary Drive, Executive Director of Keep Carbondale Beautiful expressed her appreciation for the proclamation declaring the month of July Cigarette Liter Prevention Month and encouraged the disposal of cigarette liter appropriately.

3. Citizens' Comments and Questions

Tina Carpenter, 195 Cedar Crest Lane, Makanda, announced the Boys & Girls Club will host Popsicles and Politics on June 26 and Vendetta Against Violence forum on June 30, 2014 at the facility.

4. Public Hearings and Special Reports

None

5. Consent Agenda

1. Approval of Minutes for the Regular City Council Meeting Held on June 24, 2014. Recommendation: Approve.
2. Approval of Warrant for Period Ending: 05/26/2014 FY 2014 Warrant #1214 in the Amount of \$31,876.76. Recommendation: Approve Warrant #1214 for the Period Ending 05/26/2014 FY 2014 in the amount of \$31,876.76 (Exhibit A-06-24-2014)
3. Approval of Warrant for Period Ending: 05/26/14 FY 2014 Warrant # 1215 in the Amount of \$2,580,359.37. Recommendation: Approve Warrant #1215 in the amount of \$2,580,359.37. (Exhibit B-06-24-2014)
4. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept and place on file the approved meeting minutes from Preservation Commission from May 19, 2014 and Foreign Fire Insurance Board from April 10, 2014 and May 21, 2014.
5. Appointment and Reappointment to Boards and Commissions: Recommendation: Concur with the Mayor's appointment of Eric McMillan to Human Relations Commission to term ending April 15, 2017 and the reappointment of Charles Vaught to Personnel Board to term ending June 30, 2017.
6. Ordinance Adopting the Prevailing Rate of Wages of Laborers, Mechanics, and Other Workers Employed in Public Works as Certified by the Illinois Department of Labor for Public Works Projects. (Ordinance 2014 - 24; Exhibit C-06-24-2014)
7. Award of Contract for Motor Fuel Tax (MFT) Microsurfacing for FY2015 to Microsurfacing Contractor, LLC in the amount of \$106,598.90.
8. Pulled by Mayor Monty
9. Review and Action on the Preservation Commission's Annual Certified Local Government (CLG) Report for FY 2014
10. Resolution Authorizing the City Manager to Execute an Agreement with the United States Forest Service for Funding of Erosion and Sediment Control Work on the South End of Cedar Lake. (Resolution 2014-R-32; Exhibits E-06-24-2014)

C. McDaniel moved, C. Harvey seconded, to approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.9 and 5.10. DISCUSSION: None. VOTE: Ayes: C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw and D. Monty. Nays: None. Motion declared carried.

5.8 Award of Contract for Schwartz Street Improvements (Oakland to Eason)(CIP ST8705) to E.T. Simonds Construction in the amount of \$479,438.53 and an Ordinance Increasing the FY 2015 Budget by \$125,000. (Ordinance 2014 - 25; Exhibit D-06-24-2014)

J. Adams moved, L. Fronabarger seconded, to award the contract for the Schwartz Street Improvements (Oakland to Eason) (CIP ST8705) to E.T. Simonds Construction Company of Carbondale in the amount of \$479,438.53 and to approve an Ordinance increasing the FY 2015 Budget of \$125,000 and that the \$125,000 taken from the fund balance will be reimbursed to the fund balance and Council will be apprised of those reimbursements as they occur. DISCUSSION: This item was pulled due to the concern of the fund balance and the serious reduction of revenue in which case a sizeable balance should be maintained in case of emergencies. Councils discussion consisted of utilizing funds from another source of funding, fund balance replenishment, updates of restoration to the fund, and the postponement of projects and purchases of equipment/vehicles to compensate for this project. City Manager K. Baity and Public Works Director S. Henry responded accordingly. VOTE: Ayes: C. Harvey, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw and D. Monty. Nays: L. Jack. Motion declared carried.

6. General Business

1. Discussion of Proposed Changes to the City's Tree Care Ordinance

Council discussions, questions and comments included concern with property owner responsibility for tree maintenance, code enforcement, State requirements, licensed tree trimmers and cutters performing work on substantially sized trees, the disapproval of the City mandating homeowners, citizen awareness to be more informational than legislative, creating a list of trees that are not allowed to be planted, and a property owner incentive program.

City Manager K. Baity and Public Works Director S. Henry responded to Council comments and questions and expressed their concerns of citizen protection from unlicensed tree cutters, types of shady trees allowed, maintaining the canopy of the City and code enforcement.

2. Discussion of Allowing Archery Hunting of Deer on City Owned Cedar Lake Property

Council discussions, questions and comments included the implementation of a plan to allow archery hunting in the proposed hunting areas in order to control the deer population at Cedar Lake, understanding the density of deer issue, the rotation of opening an area within the proposed hunting areas each year with an approved ordinance stating the rules and regulations for archery deer hunting, property owner approval as top priority, the ability for boats to have access to the specified hunting areas, enforcement of the rules and regulations once a plan has been approved, and liability concerns if incidents do occur.

Council requested a calculation of the number of deer in the area, a detailed map of all the private properties, trails and driveways in order to get a better understanding of the area and to develop options and examples to incorporate boat access and ways to track the improvement as we go along for the next Council meeting.

City Manager K. Baity, Lake Management Supervisor J. Wallace and Public Works Director S. Henry responded to Councils' questions and comments. Also, they expressed their knowledge of the area and agreement of implementing a solution to the problem.

Additional Public Comments:

Richard Whitton, 9053 Rt. 148, Ste. B, Marion, Illinois Department of Natural Resources Wildlife Biologist shared this is the highest deer population cedar lake land owners have seen and have experienced a lot of crop deprivation. Cedar Lake has become a refuge area for the deer. He recommended allowing archery deer hunting and a regulated strict hunt program can be designed with limited funding.

Christopher Mohrman, 394 Lake Drive, Murphysboro, Illinois Department of Natural Resources Conservation Police Officer shared the South end of the lake has already opened the area for archery deer hunting with boat access and has not had any issues with wounded deer. The complaint that often occurs is someone falling out of their tree stand.

Kevin Sloan, 103 N. Makanda, commented that white tail deer have the potential to change the ecosystem and they must be controlled. Allowing archery deer hunting is a start, but to really have an impact on the deer population, a gun hunt should be added.

Daniel Williams, 877 S. Poplar Camp Rd, experienced a lot of damage to crops and encourages hunting in all areas. He explained the deer leave one area and go to next when he invites hunters on his property and

would prefer all the areas opened at the same time. He expressed his appreciation for anything that can be done.

Joas Troyer, 144 Peach Rd, owns an orchard on area five and would like to have archery hunters on his property with permission. He shared with the Council his experience with the same issue in another city and the outcome consisted of insurance companies demanding action or they would no longer provide insurance coverage. He relayed they do suffer a lot of damages and would greatly appreciate opening the area for archery deer hunting.

3. Approval of the Acting Mayor's Recommendations for Membership on the Downtown Master Plan Advisory Committee

J. Adams moved, L. Jack seconded, to approve Acting Mayor Monty's recommendations for membership on the Downtown Master Plan Advisory Committee. DISCUSSION: None. VOTE: Ayes: C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw and D. Monty. Nays: None. Motion declared carried.

7. Council Comments

C. McDaniel announced the Eurma Hayes Center will serve free lunch from Monday through Saturday and children 18 and under can come for both breakfast and lunch.

D. Monty commented and complimented the architectural designs of the historical buildings in England.

8. Closed Meeting

1. Closed Meeting to discuss the collective negotiating matters and the sale, purchase, or lease of real property and the setting price for sale or lease of real property. Discussion of these matters in a closed meeting is permitted under the provisions of the Illinois Open Meetings Act 5 ILCS 120/2 (c)(1), (c)(5), (c)(8) and (c)(11).

C. Harvey moved, L. Jack 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)(1), (c)(5), (c)(8) and (c)(11). VOTE: Ayes: C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw and D. Monty. Nays: None. Motion declared carried. Open session recessed at 10:00 p.m.

C. McDaniel moved, C. Harvey seconded, to return to open session. VOTE: Ayes: C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw and D. Monty. Nays: None. Motion declared carried. Open session resumed at 11:35 p.m.

9. Adjournment

There being no further business to come before the Council, the meeting was declared adjourned at 11:36 p.m.

Alicia Burtley, Deputy City Clerk

Approved by the City Council on:
