

Request for City Council Action

Date: August 5, 2014

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| 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 minutes and place them on file:

Fire Fighter's Pension Board – January 28 and April 22, 2014

Human Relations Commission – May 5 and June 2, 2014

Zoning Board of Appeals – May 21, 2014

Board of Fire and Police Commissioners – May 6, 2014

Liquor Advisory Board – May 22, 2014

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| 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 _____

**CITY OF CARBONDALE
FIRE FIGHTER'S PENSION BOARD**

**MEETING MINUTES
9:00 A.M., JANUARY 28, 2014
CIVIC CENTER, ROOM #103**

CALL TO ORDER

Ted Lomax called the meeting to order at 9:00 a.m. with the following members of the Board present/absent:

ROLL CALL

PRESENT: Ted Lomax, President; Mike Hertz, Secretary; Harry Threlkeld, Fire Fighter Retiree Representative; Don Ursini, City Treasurer; Deborah McCoy.

ABSENT: None

GUESTS: Art Tepfer, Tepfer Consulting Group, Ltd.; Mike Kimmel, City Attorney

Also present were City Senior Accountant Becky Applegate and Fire Department Administrative Secretary/Recorder Kathy Haldeman.

Art Tepfer of Tepfer Consulting Group, Ltd. spoke about the actuary process as well as the Actuarial Valuation as of May 1, 2013 for the Fiscal Year Ending April 30, 2014. Board members asked questions of Mr. Tepfer regarding the process and report.

Mike Kimmel exited the meeting.

TREASURER'S REPORT

Don Ursini presented the Treasurer's Report and Market Value Comparison for period ending December 31, 2013. Investments showed an increase of \$735,242 since October's statement.

Don Ursini and Art Tepfer exited the meeting.

Becky Applegate stated that there is \$120,000 in the Bank of Carbondale account from tax levy monies that she will transfer to Graystone Consulting for reallocation into pension fund investments per the Investment Policy Statement and the motion passed at the November 13, 2013 meeting. Motion made by Harry Threlkeld to accept the Treasurer's Report as presented and approve expenses totaling \$227,632.72, of which \$225,083.02 was payroll. Motion seconded by Mike Hertz. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Deborah McCoy. NAYS: None. Motion declared carried. See attached Expense Report for details.

MINUTES OF PREVIOUS MEETING

Motion made by Mike Hertz to approve minutes of the November 13, 2013 meeting. Motion seconded by Deborah McCoy. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Deborah McCoy. NAYS: None. Motion declared carried.

NEW BUSINESS

Ted Lomax stated that Don Ursini plans to speak with Acting Mayor Monty regarding his appointment onto the Firefighter's Pension Board.

Ted Lomax stated that elections will be held in April for the position of Fire Fighter Retiree Representative. Harry Threlkeld currently holds this position and would like to serve another term. Nomination letters will be mailed with the February payroll checks to retirees and election ballots will be included with the March payroll checks.

Becky Applegate stated that the annual Affidavits have been mailed to all pension fund recipients and are due by February 28, 2014.

Mike Hertz stated that Kathy Haldeman has completed the required annual Open Meetings Act and Freedom of Information Act online training.

The Board discussed and decided to move the next meeting to the newly relocated Fire Station 2. Notice will be given to all media of the venue change.

ANNOUNCEMENTS AND ADJOURNMENT

Motion made by Mike Hertz to adjourn at 10:15 a.m. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Deborah McCoy. NAYS: None. Motion declared carried.

The next meeting is scheduled for April 22, 2014 at 9:00 a.m. at Fire Station 2.

Mike Hertz, Secretary

**CITY OF CARBONDALE
FIRE FIGHTER'S PENSION BOARD**

**MEETING MINUTES
9:00 A.M., APRIL 22, 2014
CIVIC CENTER, ROOM #103**

CALL TO ORDER

Ted Lomax called the meeting to order at 9:00 a.m. with the following members of the Board present/absent:

ROLL CALL

PRESENT: Ted Lomax, President; Mike Hertz, Secretary; Harry Threlkeld, Fire Fighter Retiree Representative; Don Ursini, City Treasurer; Deborah McCoy.

ABSENT: None

GUESTS: Patrick Donnelly, Graystone Consulting

Also present was Fire Department Administrative Secretary/Recorder Kathy Haldeman. City Senior Accountant Becky Applegate was not present for the meeting.

MINUTES OF PREVIOUS MEETING

Motion made by Mike Hertz to approve minutes of the January 28, 2014 meeting. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, Don Ursini, and Deborah McCoy. NAYS: None. Motion declared carried.

TREASURER'S REPORT

Don Ursini presented the Treasurer's Report and Market Value Comparison for period ending March 31, 2014. Investments showed a decrease of \$79,669 since December's statement. Motion made by Mike Hertz to accept the Treasurer's Report as presented and approve expenses totaling \$362,685.55, of which \$345,986.07 was payroll. Motion seconded by Deborah McCoy. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, Don Ursini and Deborah McCoy. NAYS: None. Motion declared carried. See attached Expense Report for details.

Patrick Donnelly of Graystone Consulting presented the Investment Review for the Period Ending March 31, 2014 for discussion. Mr. Donnelly and the Board discussed options for cash management. Mr. Donnelly will bring back more information and options to the Board at the next meeting.

Patrick Donnelly discussed the fund's allocation status. Motion made by Mike Hertz to move \$70,000 from International Equity into Emerging Market and \$400,000 from Large Cap Equity back to the Bond Manager. Motion seconded by Harry Threlkeld. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE, Don Ursini – AYE, Deborah McCoy – AYE. AYES: Five; NAYS: None. Motion declared carried.

Patrick Donnelly and the board discussed the in-house cash account. Motion made by Mike Hertz to include the in-house cash account balance in the Investment Review Performance Reports as presented by Graystone Consulting. Motion seconded by Don Ursini. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, Don Ursini and Deborah McCoy. NAYS: None. Motion declared carried.

Patrick Donnelly and the board discussed the procedures for taking action by Graystone Consulting in between quarterly meetings. Motion made by Harry Threlkeld for Patrick Donnelly to contact Ted Lomax to get permission to sell off the asset class to raise cash if the need arises in between quarterly meetings. Motion seconded by Don Ursini. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, Don Ursini and Deborah McCoy. NAYS: None. Motion declared carried.

Patrick Donnelly presented the Emerging Markets Manager Search Report for discussion.

Deborah McCoy exited the meeting at 10:15 a.m.

Motion made by Mike Hertz to move Emerging Market Funds to Harding Loevner and Virtus, splitting equally. Motion seconded by Harry Threlkeld. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE, Don Ursini – AYE. AYES: Four; NAYS: None. Motion declared carried.

Meeting recessed at 10:35 a.m.

Meeting reconvened at 10:40 a.m.

Patrick Donnelly exited the meeting.

UNFINISHED BUSINESS

The Board discussed the annual training requirements for all board members. Don Ursini will meet with Mike Hertz to make sure all training certifications are on file. Mr. Ursini will also obtain any training needed to complete his annual training requirements.

All annual affidavits were received by pension fund recipients. The board discussed sending out a letter to any individuals not living within the United States requiring them to go to a US Embassy annually to submit along with the affidavit beginning in 2015.

NEW BUSINESS

Elections were held for one Retiree Representative seat the first week of April. Nomination sheets were mailed with the February, 2014 retiree pension checks. Harry Threlkeld was nominated. Election ballots were mailed with the March, 2014 retiree pension checks. Election results were twenty-four votes for Harry Threlkeld, no write-ins. Motion made by Mike Hertz to canvas the election and destroy the ballots. Motion seconded by Don Ursini. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Don Ursini. NAYS: None. Motion declared carried.

Board positions were voted upon. Motion made by Ted Lomax to appoint Mike Hertz as Secretary. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Don Ursini. NAYS: None. Motion declared carried. Motion made by Harry Threlkeld to appoint Ted Lomax as President. Motion seconded by Mike Hertz. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Don Ursini. NAYS: None. Motion declared carried.

Mike Hertz presented an Application for Membership for Probationary Firefighter Aaron Alcaraz who became employed on February 18, 2014. Motion made by Mike Hertz to accept an Application for Pension Membership for Probationary Firefighter Aaron Alcaraz. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Don Ursini. NAYS: None. Motion declared carried.

Mike Hertz presented an Application for Benefits for Assistant Fire Chief Gary Heern effective June 1, 2014. Mr. Heern will receive a monthly paycheck amount of \$4,285.94. Motion made by Mike Hertz to accept an Application for Benefits for Assistant Fire Chief Gary Heern. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Don Ursini. NAYS: None. Motion declared carried.

Mike Hertz presented a thank you letter from Pension Plus Software for the board's business for twenty years.

Don Ursini submitted an invoice for an eight hour online training course hosted by IPPFA that he completed. Motion made by Mike Hertz to pay \$100 to IPPFA for the Fire Fighter's Pension Fund half of the online training course for Don Ursini. Motion seconded by Harry Threlkeld. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE, Don Ursini – AYE. AYES: Four; NAYS: None. Motion declared carried.

Kathy Haldeman stated that a FOIA request was received on February 16, 2014 from Attorney John Huffman for the most recent report from the pension division of the Illinois Department Insurance concerning the funding status of the fire department pension fund. This report was submitted to Mr. Huffman within the required time.

ANNOUNCEMENTS AND ADJOURNMENT

Motion made by Mike Hertz to adjourn at 11:15 a.m. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz, Harry Threlkeld, and Don Ursini. NAYS: None. Motion declared carried.

The next meeting is scheduled for July 22, 2014 at 9:00 a.m.

Mike Hertz, Secretary



Commissioners Present: Lauren Bonner, Joseph Brown, Jerrold Hennrich, Faith Miller, Karriem Shariati, Dora Weaver

Commissioners Excused: Peg Falcone, Les O'Dell

Commissioners Absent:

Study Circle Staff Present: Sarah Heyer

Guests Present: Jackson County State's Attorney Mike Carr, Shelley Faulkner, Kim France, Eric McMillan, Margaret Nesbitt

Staff Present: Deborah McCoy

Call to Order

The meeting was called to order by Vice Chair Hennrich at 6:32 p.m.

The Chair recognized newly appointed Commissioner Karriem Shariati and Jackson County State's Attorney Mike Carr.

Minutes

Motion was made by Commissioner Brown and seconded by Commissioner Weaver to approve the minutes from the April 7, 2014, meeting. Motion carried.

Announcements

May 24: Coming out parade for US Congressman Enyart at 11:00 am in Murphysboro. Representative Mike Bost will be participating and labor unions have been invited. Rep. Mike Bost will be participating. Parade at 11:00 am.

Public Comments:

Mr. Reed presented an update on the Pravin Varughese investigation he reported on at the April HRC meeting. He noted the memorial service held at the Town Square Pavilion where Acting Mayor Don Monty accepted a petition containing about 40,000 signatures seeking further investigation. Mr. Reed stated that it was reported in the media that the petition would be sent to Governor Quinn's office. Larry Young (father of Molly Young) spoke at the memorial service. Commissioners and guests asked Jackson County State's Attorney Mike Carr about the investigation. Chair Hennrich asked Mr. Reed to summarize statements for future meetings in the interest of time. Mr. McMillan asked Mr. Reed what was expected from his reports. Mr. Reed commented that he was providing an update because the information reported was not available at the last meeting. Questions were asked about the body's metabolizing of alcohol. Mr. Carr provided a general explanation of the process and presented examples of factors that might impact the process. He stated that sometimes, someone shows up

with a report that is not accurate. He commented that he did not know whether the Carbondale Police Department (CPD) could add anything to the individual cases because, in general, police should not be discussing individual cases as comments could affect the case. Mr. Carr commented that there is a profound disconnect if it is felt that the most important thing on the HRC agenda is trying to solve a case with facts that are not known to be true. A student just lost his life and that is an extreme devastating experience for the community and university. The focus should be on whether there is something the community could have or can be done. He stated that as State's Attorney, the question is how many of these do we have, how many unresolved cases are there, and how many missing persons? Law enforcement and the community must come together. The disconnect is that law enforcement agencies need to play well with other law enforcement agencies, law enforcement needs to play well with the community, and the community needs to come together and the information be shared. Mr. Carr stated that the CPD did not know about Varuguese until a full day after his death. Mr. McMillan commented that he thought one of the most important things said by Mr. Carr was that law enforcement agencies need to play nice with the community and the community must play nice too. The community must be willing to share information with law enforcement and law enforcement must be engaged enough with the community that there is trust. There is a real strong feeling that if one cooperates with the States Attorney's Office that one is a being a "snitch" or disrespecting oneself. It is a disconnect and distrust of the Police Department. The leadership of the CPD needs to be evaluated by the City Council. The City Council can hold the leadership accountable for how well they are dealing with the community and how well they are dealing with other law enforcement agencies. He stated that he is appreciative of the efforts he has personally experienced with the Police Department. The community has trust issues with the CPD leadership. The City Council is relying on the Police Chief to give advice about things that are going on. The Council needs to have a relationship with the Chief and part of that is the evaluation process. He stated that he has not been contacted about an evaluation. Law enforcement cannot be successful if they cannot develop relationships with people who trust them enough to become witnesses.

Ms. Faulkner asked questions regarding cooperation and the refusal to cooperate. Mr. Carr stated that he does not want to make everyone in Carbondale felons, but he wants to focus on people involved in violent and serious crimes and to get anybody else that was involved. He stated that while he cannot control the sentences judges impose, he does have some say as to whether there is a mandatory sentence involved. It is a requirement that anyone wanting to get a recommendation for a reduced sentence, come in and give a statement so an assessment can be made as to whether they are being truthful and whether it is of any use.

Study Circles Report

Neighborhood Action Group

Coordinator Heyer reported the Neighborhood Action Group was present at the April 16, 2014, sharing stories event at the Eurma Hayes Center. The Neighborhood Action Group's next meeting is Wednesday, May 7, 2014, 5:00 p.m. at the Civic Center. The topics include neighborhood update, neighborhood district updates, and alliance meeting.

Non-Violent Carbondale Project

No report.

Old Business

Law Enforcement Reports: Ms. France stated that she was attending on behalf of the Racial Justice Coalition to request that a representative of the HRC attend their next meeting to provide an overview or summary of the law enforcement reports presented by the CPD. The meeting will be held on Thursday, June 5, 2014, 7:00 p.m. at the Church of the Good Shepherd. Chair Hennrich will attend.

Chair Hennrich stated that he had spoken to Acting Mayor Monty, who is requesting information as to whether or not the victims, in the particular instances indicated in the law enforcement report, were identified as African Americans by the assailants. That data indicates a high number of African American arrests, and a comparison of the data could provide information as to whether or not racial profiling is occurring.

HRC Responsibilities, Role, Charges:

Educational Campaign: Vice Chair Hennrich called attention to the white paper titled, “Restorative Justice: A Primer and Exploration of Practice Across Two North American Cities,” distributed at the last meeting. Jackson County has a pilot program on restorative justice. Mr. Carr indicated that the program is almost non-existent. A \$250,000 grant was given to the First Judicial Circuit, which includes counties in southern Illinois. Most of the grant was used for administrative costs, with the remainder left for counseling. The resources available will serve only about six juveniles in each of the counties. The offenses for which the program could apply would be for crimes where the judge would not be sending kids to jail. The program cannot be successful without some kind of statewide support and funding where there are monies available for services. The program is clearly progressive and would be good if something like that could be put into place. Chair Hennrich inquired about traffic violations going to court. In 2011, CPD issued 5,399 citations, and 2013 issued 10,471. Mr. Carr commented that part of the increase in stops can be attributed to changes in the law about the use of cell phones when driving. According to the insurance industry, the same level of distraction is present when an individual is talking with the phone to his/her ear as there is when an earpiece is used. He has tried to give people an opportunity to purchase the proper device and have the charge dropped if they could provide documentation of the purchase. Domestic violence was also a topic discussed where restorative justice may work in some instances. Also mentioned were the regular occurrences of reports for resisting arrests.

Ms. Nesbitt spoke on Carbondale Elementary District #95’s growth plan that is similar to a wrap around program to address issues of the students and their families. The District is requesting letters of support for the program. Their next meeting is May 22, 2014. Ms. Nesbitt commented that some of the teachers are against the program, and every child has the right to learn. The program growth plan is a good step and includes alternative ways to address the code of conduct. Ms. Nesbitt said about the Police Department that it is unbalanced and there needs to be training and equal employment of African Americans. The problem is with administrators and not the community. It is racism and that must be admitted. Resisting arrest is the easiest charge to get someone in the system. The problem can be resolved, but it must be admitted that it is racism. Questions were asked about the hiring process and residency boundary requirement for police officers.

Retreat: To be discussed at the June meeting.

Community Discussions:

Environmental Racism. Chair Hennrich stated that he and a few Commissioners attended the meeting held at the Eurma Hayes Center. He commented that the extent of the clean up addressed by the EPA

representative sounded good, and the current plan is not inherently environmentally racist. Mr. Reed said that consideration should be given to locating the solar panels on the other side of town and see what the response will be. Ms. Nesbitt commented that no one is against the solar panels, but the land is still contaminated and that research shows that brown fields in the United States are located in poor and African American communities. There is no consideration for the health and safety of residents. Commissioner Weaver inquired as to whether there has been any mention of compensation to the people of the northeast community. Mr. McMillan stated that there was an initial report that said the project would not proceed unless legislation was passed requiring Ameren to pay 20% for the power generator for 20 years. That legislation also applies to the project in East St. Louis, but the status of the legislation is unknown. Commissioner Miller stated that there were questions asked of the Brightfields and EPA representatives that were not answered. The two meetings that are to be scheduled by the City Council have not yet been held and the HRC should be present when they are. Ms. Nesbitt commented that when someone is concerned about an issue, he or she should do their own research. Ms. French commented that there are two issues – Brightfields and the solar panels, and the contamination which is an administrative agency issue. The Brightfields plan will probably move forward. The EPA reports indicate the site has been remediated to a point where it is contained. The EPA issues should be addressed separately and go to the agency the EPA reports to on a higher level. She stated that another of her concerns is the statute of limitations, and the discussion must start with the data.

Partnering for Social Justice: Ms. France reported that a meeting was held on May 1, 2014, and District #95 Superintendent Shimshak was present and spoke about the community growth plan that will be voted on at the May 22 meeting. Several district faculty and staff were present. While the district was commended for reaching out to the community and trying to get feedback and participation, the biggest issues discussed were that 1) the plan was not transparent -- not posted on the website or accessible for review; and 2) in the outline, everything that mentions the student is subjective in that students are not given due process where their voices and concerns can be heard - be careful when the code of conduct is replaced and there is still a focus on the consequences rather than the cause of the behavior. The suggestion is to involve the family in assessing the child and on what precedes the behavior. The way to customize the needs of the child is to know the child's environment and circumstances. What is being asked is to involve the family in assessing the circumstances and environment, rather than judging the parents, so that plans can be made on how to address the needs in the school setting. She commented that in this society, people are conditioned to react rather than to get ahead of something and be able to respond and focus on prevention. Regarding the justice system, there are two sides – one that is focusing on fixing the system that exists and making it more transparent and accountable, and one that is preventive to stop things before they are reached. She indicated that if people can be reached before they get to the justice system, there are more options. She believes that the bulk of the problems start at the police department. Police officers ought to be trained to de-escalate situations rather than escalate them. The numbers of cases that are thrown out are an indication of the lack of training. Something has to be done to intervene at that level. Ms. France indicated that she personally has contacted the police department and other agencies. For example, she submitted a proposal to the NAACP to invite the CPD and SIUC to the table following the Treyvon Martin incident, and there was no response. She stated that she is disappointed that the CPD and the SIU administrations seem to not share the same level of concern. Instead, there is too much lip service and not enough action and support behind the issues that have been raised. The concerns that have been raised have been met with silence and dismissal. Mr. Carr stated that agencies cannot respond about individual cases, but it would be nice to have a police department that the community trusts when they do say something. Ms. French stated that while she understands, there are some that believe it is better to be judged by 12 than by six, the victim advocate program, the justice system, and others. Mr. McMillan commented that law enforcement and all city administrators need to be held accountable by the people.

Illinois Municipal Human Relations Conference: Reports will be made at the next meeting.

New Business

Ms. Faulkner commented that she attended the Social Justice meeting where she expressed that care should be taken so that one form of imprisonment is not be traded for another.

Next Meeting: June 2, 2014, 6:30 p.m.

Adjournment - There being no further business, motion was made by Commissioner Brown and seconded by Commissioner Miller to adjourn. The meeting was adjourned at 8:45 p.m.

Recorded by Deborah McCoy _____



Commissioners Present: Lauren Bonner, Joseph Brown, Peg Falcone, Jerrold Hennrich, Faith Miller, Karriem Shariati, Dora Weaver

Commissioners Excused: Les O'Dell

Commissioners Absent:

Study Circle Staff Present: Sarah Heyer

Guests Present: Rose Berkman, Chris Capps, Roseanna Dorsey, Melvin Holder, Charles Lamont, Mandy Lamont, Michael Levy, Joe Lyell, Eric McMillan, Elius Reed, Geoff Ritter, Tama Weil, Larry Young

Staff Present: Deborah McCoy

Call to Order

The meeting was called to order by Vice Chair Hennrich at 6:37 p.m.

Minutes

Motion was made by Commissioner Weaver and seconded by Commissioner Falcone to approve the minutes from the May 5, 2014, meeting with the corrections that Mr. Reed was present and where indicated, Ms. France should be Ms. French. Motion carried.

Announcements

Chair Hennrich announced that he would be away on National Guard Duty June 5 through June 21, 2014.

June 5: The Racial Justice Coalition will meet at the Church of the Good Shepherd at 7:00 p.m.

Public Comments:

Chair Hennrich read a letter from Lovely Varughese, mother of SIUC student Pravin Varughese who was found dead on February 18, 2014. Mrs. Varughese expressed the family's frustration resulting from the conflicting reports and responses received from the Carbondale Police Department, Coroner's Office, and Jackson County State's Attorney's Office. Mrs. Varughese indicated that the family wants to find answers, and justice for one is justice for all.

Larry Young, father of Molly Young, commented on the inconsistencies of information and reports regarding Ms. Young's death. Mr. Young stated that it has been 26 months since his daughter's death and he is speaking on behalf of 25,000 Facebook supporters from all over the world. Mr. Young stated that the Coroner was not allowed on the scene until 10 hours after the crime, and was told that because it was a crime scene, he could not enter. The Coroner's Report said that there was no blood present and the death was from an accidental gun

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June 2, 2014

shot. Mr. Young stated that he questioned the motive of other telecommunicator staff who deleted Ms. Young's text messages where she was trying to reach Ritchie Minton. He stated that parents were not notified by the Police Department until noon, and did not notify Chaplain Bob Gray. Mr. Young questioned why the Carbondale Police Department was involved in character assassination of Ms. Young, and why the Sergeant on the scene let Mr. Minton wash his hands and change his clothes. The 911 call came at 9:00 a.m. and three witnesses were sitting on the front porch and were not interviewed. Three police officers were outside the apartment and would not let witnesses give statements. Carbondale Police were in the parking lot at 7:00 a.m., but the 911 call came at 9:00 a.m. Mr. Young commented that he questioned why dispatch would call 911 and not the other line. He stated that all actions point to a disconnect, and if an oath of office cannot be honored, then resignation needs to happen. There is an issue of how witnesses are treated, and victims are not treated with respect. Officers need annual sensitivity training on how to deal with victims. Last July a letter was received indicating the case was being closed because of insufficient evidence. There are no consequences for giving false information. The special prosecutor does not respond. Mr. Young questioned whether Carbondale has solicited information from the public. He stated that witnesses are afraid to come forward because they fear retaliation. The Police Department is not present to talk. The Public Access Council (PAC) with the Attorney General's Office uses technicalities to decline FOIA request. There is no dialogue. Mr. Young stated that it took seven hours to get a search warrant signed. Commissioner Shariati asked whether a Counselor/Chaplain accompanied the officers to the victim's home to inform the relatives, and thought that was standard practice. Mr. McMillan commented that Pastor Gray was informed his services were no longer needed. He added that the International Conference of Police Chaplains (ICPC) trains Chaplains on how to do death notifications, and that is something that is not taught at the Police Academy. Commissioner Brown commented that Pastor Gray was also released from the Chaplain's position at SIU-C. Mr. Young stated that there is a Special Training of Police Officers and Prosecutors (STOPP) and that the VAWA contains the Chrystal Brown Judgment Act for officers involved in domestic violence. Mr. Young indicated that Molly's death was called in to the TV station as a suicide. He stated the Varughese story would be on during Good Morning America on June 3, 2014, and Molly's case would be on Dateline when the court decision is rendered. He stated that forensic science is very clear, but it is being ignored.

Commissioner Falcone stated that she appreciates the recommendations training, and that the HRC can make recommendations to the City Council once it reviews the information. Commissioner Bonner asked whether an open letter to the City Council or Carbondale Police Department, indicating that certain sources are resistant to some of the issues, would be appropriate. She commented that there should be justice for everybody and people should not have to fight for it this hard. She wondered how many people are not standing up because they do not have the resources. Chair Hennrich commented that people will not come forward because they fear repercussions.

Mr. Holder stated that the HRC needs subpoena power. There are issues that need to be addressed, including the Gant situation. Groups can work together to come up with a plan to make Carbondale a better place to live.

Mr. Reed commented on statements, made by State's Attorney Mike Carr at the May HRC meeting, that he considered inaccurate (the 43 shots were fired on Jackson Street in front of 50 people and no one provided information about what was observed). Mr. Reed stated that he questioned several residents of Jackson Street and surrounding streets, between May 8 and May 14, 2014, and no one indicated that they had heard anything about the shots being fired or heard shots. Mr. Reed stated that he had submitted a FOIA Request to the Carbondale Police Department (CPD) on May 14, 2014, for the Incident Report on the situation where the 43 shots were fired. He received a response on May 21, 2014, stating that his request was denied because the matter was still under investigation. Mr. Reed commented on newspaper and other reports regarding Pravin Varughese's injuries and toxicology report. Mr. Reed stated that the confidential witnesses for the Varughese and Molly Young cases are white males and females, and not black males and females.

June 2, 2014

Commissioner Shariati commented that the trend for the Carbondale Times seems to be a case of discrimination. He stated that he is concerned with low level criminals' pictures being posted all over the paper, while those involved in high profiled cases are not pictured.

Study Circles Report

Neighborhood Action Group

Coordinator Heyer reported the group would be attending a public meeting on Tuesday, June 3, 2014, at the Civic Center, to discuss a permanent Farmers' Market.

Non-Violent Carbondale Project

The Non-Violent Carbondale group will meet on Thursday, June 5, 2014, at the Carbondale Public Library at 4:30 p.m.

Old Business

Law Enforcement Reports: No discussion.

HRC Responsibilities, Role, Charges:

Annual Report: The first draft of the report was disseminated. Commissioner Falcone suggested that an annual report be prepared for 2013 with intentions for 2014. Commissioner Miller suggested that a semi-annual report be considered for 2014. Commissioners agreed to review the report and be prepared for discussion at the July meeting.

Educational Campaign: Discussion regarding a Restorative Justice will be continued and a committee established.

Retreat: To be discussed at the July meeting.

Community Discussions:

Environmental Racism. No updates.

Partnering for Social Justice: No updates.

IMHRA Report: Commissioners Brown and Shariati presented reports on the background of the fair housing act and its implications, how municipalities are dealing with NIMBY (Not in My Back Yard), and the homeless population. Representatives from the Illinois Department of Human Rights were present and panelist represented the U.S. Department of Justice, HUD, Chicago Area Fair Housing Alliance, Tri-County Regional Planning Commission, Governor Quinn's Office for Long term Care Reform, Illinois Collaboration on Youth, Helping Hands of Springfield, and Supportive Housing Providers Association. The keynote speaker was Jay Ready, Executive Director of the Chicago Lawyers' Committee for Civil Rights Under Law. Mr. Ready spoke on "Integrated Communities and the Wealth of Nations: Getting Ahead of the Wave of Demographic Change."

New Business

None.

Next Meeting: July 7, 2014, 6:30 p.m.

Adjournment - There being no further business, motion was made by Commissioner Brown and seconded by Commissioner Weaver to adjourn. The meeting was adjourned.

Recorded by Deborah McCoy _____

MINUTES

Carbondale Zoning Board of Appeals

May 21, 2014
City Hall / Civic Center, Room 108
200 South Illinois Avenue
6:00 p.m.

MEMBERS PRESENT: Anz, Field, Grant, Kang, Love, Lilly

MEMBERS ABSENT: Loos, Schachel, Barke (leave of absence)

STAFF PRESENT: Wallace, Sergeev

Approval of Minutes: Mr. Kang moved, seconded by Ms. Lilly, to approve the minutes of January 29, 2014, with a correction on page 3.

The motion was approved by a unanimous voice vote.

HEARING:

- A. **ZBA 15-02**, 6:00 p.m. – The Marion Calnon Trust, Variance from the minimum lot area, in an AG, General Agriculture, district located at 10 Minnesota Rd.

Roll call was completed and the determination of a quorum was made.

Mr. Grant opened the Public Hearing at 6:00 p.m. and asked Mr. Wallace to read the Legal Notice.

Mr. Wallace read the Legal Notice.

Ms. Sergeev, Planner for the City of Carbondale, was sworn in and presented the staff report for ZBA 15-02 Part A.

Mr. Grant asked if the applicant was there and would like to speak.

Mr. Allen Arnold, who is the applicant's agent, informed the commission of the details between the cell tower company and Marion Calnon. He also spoke about Marion's wishes for the future of the property.

Mr. Kang asked if there were any questions from the Board.

Mr. Grant asked about what part of the property and any specifics that the cell tower company was requesting.

Mr. Kang asked what the hardship would be if the commission did not pass the vote.

Mr. Grant clarified that the lease could be written in such a way that would not jeopardize the rest of the property.

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

None

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

None

Ms. Sergeev read ZBA 15-02 Part B.

Mr. Grant asked if the Board had any questions for the staff?

None

Mr. Grant asked if anyone else had any more questions.

Mr. Arnold came forward to state that there is only one property that is near the tower that is not owned by the applicant.

Mr. Grant asked for a motion that the City has jurisdiction over this matter.

Mr. Kang moved, seconded by Ms. Lilly, that the City has jurisdiction.

The motion passed by a unanimous voice vote.

Mr. Grant asked for a motion as to the fact that the applicant has the standing to bring the case to the Board.

Mr. Kang moved, seconded by Mr. Love, that the applicant does have the standing.

The motion passed by a unanimous voice vote.

Mr. Grant asked for a motion as to the finding of the facts.

Mr. Kang moved, seconded by Ms. Lilly, as to the finding of facts.

The motion passed on a unanimous voice vote.

Mr. Grant asked for a motion as to the approval or denial of the appeal.

Ms. Kang moved, seconded by Mr. Anz, to approve all items separately.

The motion passed on a unanimous voice vote.

Mr. Grant asked for a vote on A(1)

Mr. Kang moved, seconded by Mr. Anz, to vote A(1)

Roll Call Vote

Yes – 0

No – 6 (Grant, Anz, Field, Kang, Lilly, Love)

Mr. Grant asked for a vote on A(2)

Mr. Kang moved, seconded by Mr. Love, to vote A(2)

Roll Call Vote

Yes – 0

No – 6 (Grant, Anz, Field, Kang, Lilly, Love)

Mr. Grant asked for a vote on A(3)

Mr. Kang moved, seconded by Ms. Lilly, to vote A(3)

Roll Call Vote

Yes – 0

No – 6 (Grant, Anz, Field, Kang, Lilly, Love)

Mr. Grant asked for a vote on A(4)

Mr. Kang moved, seconded by Mr. Love, to vote A(4)

Roll Call Vote

Yes – 0

No – 6 (Grant, Anz, Field, Kang, Lilly, Love)

Mr. Grant asked for a vote on B

Mr. Kang moved, seconded by Mr. Love, to vote B

Roll Call Vote

Yes – 0

No – 6 (Grant, Anz, Field, Kang, Lilly, Love)

Mr. Kang moved, seconded Ms. Lilly, to vote to deny appeal as made by the applicant.

Roll Call Vote:

Yes – 6 (Grant, Anz, Field, Kang, Lilly, Love)

No - 0

Mr. Grant Thanked Mr. Arnold for his applicant and that he would receive written notification of the denial of his appeal within a few weeks.

Old Business:

None

New Business:

None

Citizen Comments or Questions:

None

Adjournment:

Mr. Grant adjourned the meeting 6:38 p.m.



**BOARD OF FIRE AND POLICE COMMISSIONERS
May 6, 2014**

The City of Carbondale's Board of Fire and Police Commissioners held a meeting on Tuesday, May 6, 2014, in Room 103 of the Civic Center, 200 S. Illinois Avenue. Chairman Harvey Welch called the meeting to order at 8:00 a.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: Commissioner Jack Whitlock, Commissioner Luanne Brown, Commissioner Janet Vaught, Commissioner Kerry Braswell and Chairman Harvey Welch

Absent: None

Also present were Deputy City Clerk Alicia Burtley, Administrative Services Director Deborah McCoy and Deputy Chief of Police Jeff Grubbs entered at 8:05 a.m.

2. Approval of Minutes

Commissioner J. Whitlock moved, Commissioner L. Brown seconded, to approve Minutes from the October 1, 2013 meeting. DISCUSSION: None. VOTE: All voted Aye. Motion declared carried.

3. Approval of 2013 Board of Fire and Police Commissioners Annual Report

Commissioner J. Vaught moved, Commissioner L. Brown seconded, to approve the 2013 Annual Report of the Board of Fire and Police Commissioners. DISCUSSION: Chairman Welch stated there was a change made in the Annual Report regarding the number of candidates participated in the October 1, 2013 Closed Session oral interviews. The report was reviewed and accepted by the Board, which will be forwarded to the City Council. VOTE: All voted Aye. Motion declared carried.

4. Election of Chair and Vice-Chair

Commissioner J. Whitlock nominated, Commissioner L. Brown seconded, the nomination of Harvey Welch as Chairman of the Board of Fire and Police Commissioners. Commissioner K. Braswell nominated and Chairman H. Welch seconded the nomination of Jack Whitlock as Vice-Chair of the Board of Fire and Police. Commissioner J. Vaught moved that nominations be closed. VOTE: All voted Aye. Motion declared carried.

Chairman H. Welch would like to invite all former Board of Fire & Police Commission members to the New Fire Station grand opening.

Discussion occurred with regard to concerns with employee turnover and the reputation of the Carbondale Police Department. Deputy Chief Jeff Grubbs responded by requesting more time to collect accurate information. Commissioner L. Brown asked for a meeting to be scheduled to discuss this topic further. Chairman H. Welch mentioned the decline in entry-level police candidates in the thirty years he has been on the Board and asked Deputy Chief Jeff Grubbs to conduct a review and share the results relative to the points discussed. Commissioner K. Braswell mentioned possible morale issues within the department with regard to management policies. Commissioner J. Vaught

shared the charge of the Commissioners is to be an advocate for the police department and any information given would be helpful. Administrative Services Director Deborah McCoy stated the issue of accountability at the police department was discussed at the Human Relations Committee meeting held May 5, 2014. Chairman H. Welch asked for a copy of the minutes from the Human Relations Committee and stated he would speak with the City Manager in reference to the concerns. No formal action was taken.

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

Commissioner J. Whitlock moved, Commissioner K. 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 Entry-Level Police Officer candidates. VOTE: All voted Aye; motion declared carried. Open session recessed at 8:20 a.m.

Commissioner J. Whitlock moved, Commissioner L. Brown seconded, that the Board return to open session. VOTE: All voted Aye; Motion declared carried. Open session resumed at 12:20 p.m.

6. Citizens' Comments

None

7. Adjournment

There being no further business to be conducted, Commissioner J. Vaught motioned to adjourn, and Commissioner J. Whitlock seconded the motion. VOTE: All voted Aye. Motion declared carried. At 12:23 p.m. the meeting was adjourned.

Alicia Burtley, Deputy City Clerk

Approved by the Board on _____



Liquor Advisory Board May 22, 2014

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, May 22, 2014, in Room 103 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: Tasis Karayiannis, Steve Payne, Joyce Webb, and Mark Robinson

Absent: John Mills (Exc.), Sarah O'Dell, and Emily Loehmer (Exc.)

A quorum was available to take action on the agenda items. City Staff present for the meeting included City Clerk Jennifer Sorrell and Fire Chief John Michalesko.

2. Approval of Minutes

J. Webb moved, T. Karayiannis seconded, to approve the minutes from April 3, 2014. VOTE: All voted aye, motion declared carried.

3. Consideration of an application for a Class A2 BG Liquor License (Restaurant with Beer Garden/Outdoor Café) from Nytefire Ventures, LLC d/b/a Underground Barrel Room and Grill at 717 South University Avenue

Representatives Bailey Thompson, Susan Davis, Marty Davis, and Steven Farmer were present to address questions from the Board.

Mr. Davis explained their plans for the restaurant located in the lower level of the building at 717 South University Avenue. He noted their targeted age range would be 21 years of age and older. The restaurant's lunch menu would include items which could be served within 10 to 12 minutes, but an expanded menu would be served in the evening for a sit-down dinner. Mr. Davis noted that Ms. Thompson will manage day-to-day operations and has experience with working in alcohol establishments and Mr. Farmer has experience with restaurant management. Board questions included the location of the restaurant (717 South University Avenue), whether they would utilize both the upper and lower floor (lower only), the approximate number of employees (approximately 14 employees), awareness of training requirements for employees (training underway at present), the owner of the building (Tim Parsons) and about the agent appointed for residency purposes (Lawrence Anderson). Further, a question was raised as to the potential for noise issues with having an outdoor beer garden/café. The applicants handed out a mock-up of their anticipated menu.

T Karayiannis moved, J. Webb seconded, to approve the A2 liquor license with the beer garden/outdoor café, contingent upon receipt of outstanding items. VOTE: All voted aye, motion declared carried.

4. Consideration of Third Quarter Reports from the Police Department, Fire Department, and Building and Neighborhood Services for License Year 2013-2014

The Board reviewed the reports and offered comments regarding the layout of the reports, the language for the citations within the arrest reports, questions pertaining to some of the notations within the safety reports, and asked about the cost of underage consumption tickets as well as about community service.

J. Webb moved, T. Karayiannis seconded, that the Third Quarter Reports from the Police Department,

Fire Department, and Building and Neighborhood Services for License Year 2013-2014 be approved and forwarded to the Local Liquor Control Commission for acceptance. All voted aye, motion declared carried.

5. Consideration of Liquor License Renewal applications for License Year 2014-2015

J. Webb moved, T. Karayiannis seconded, to approve the renewal of the liquor licenses as listed in the agenda item, contingent upon receipt of all outstanding items. VOTE: All voted aye, motion declared carried.

6. Liquor Advisory Board Comments

The Clerk noted that the anticipated date of the next Liquor Advisory Board meeting will be June 26.

7. Citizens' Comments

None

8. Adjournment

Meeting adjourned at 6:00 p.m.

Jennifer R. Sorrell, City Clerk

Date Approved