

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting of July 15, 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, July 15, 2014, in City Council Chambers, 200 South Illinois Avenue. Acting Mayor Donald Monty called the meeting to order at 8:34 p.m. with the following members of the Council present/absent:

**1. Roll Call**

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

Absent: Councilwoman Corene McDaniel (excused)

Also present were City Manager Kevin Baity, City Clerk Jennifer Sorrell, and various members of the City's administrative staff.

**2. General Announcements and Proclamations**

Councilman Fronabarger announced that Carbondale Main Street is sponsoring their first progressive patio tour on Thursday, July 31 from 6:00 p.m. to 10:00 p.m. Councilman Jack indicated there are nine seats still available.

Councilwoman Adams announced that the first official meeting of Brightfields Development's proposed solar project will be held on Wednesday, July 30, at the Eurma C. Hayes Center at 7:00 p.m.

Acting Mayor Monty announced that a Senior Health and Information Fair will be held on Wednesday, July 16 at the Carbondale Civic Center from 9:00 a.m. until noon.

**3. Citizens' Comments and Questions**

Sheila Pryor, 2420 New Era Road, Murphysboro, noted that her address had been annexed into Carbondale and her home was inspected. She asked to whom she should speak to discuss how she had been treated. Acting Mayor Monty indicated she should speak with the City Manager.

**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 04/30/2014 FY 2014 Warrant # 1216 in the Amount of \$92,414.13. Recommendation: Approve Warrant #1216 for the Period Ending 04/30/2014 FY 2014 in the amount of \$92,414.13. (Exhibit A-07-15-2014)
3. Approval of Warrant for Period Ending 06/09/2014 FY 2015 Warrant # 1217 in the Amount of \$831,734.52. Recommendation: Approve Warrant #1217 for the Period Ending 06/09/2014 in the amount of \$831,734.52. (Exhibit B-07-15-2014)
4. Approval of Warrant for Period Ending 06/23/2014 FY 2015 Warrant # 1218 in the Amount of \$1,368,605.22. Recommendation: Approve Warrant #1218 for the Period Ending 06/23/2014 in the amount of \$1,368,605.22. (Exhibit C-07-15-2014)

5. Approval of Warrant for Period Ending 04/30/2014 FY 2014 Warrant #FY2014 WF 05/2014 in the Amount of \$105,996.05. Recommendation: Approve Warrant # FY2014 WF 05/2014 for the Period Ending 04/30/2014 in the amount of \$105,996.05. (Exhibit D-07-15-2014)
6. Approval of Warrant for Period Ending 05/31/2014 FY 2015 Warrant #FY2015 WF 05/2014 in the Amount of \$117,167.92. Recommendation: Approve Warrant # FY2015 WF 05/2014 for the Period Ending 05/31/2014 in the amount of \$117,167.92. (Exhibit E-07-15-2014)
7. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept and place on file the approved meeting minutes from the Carbondale Public Library Board of Trustees from April 9 and May 14, 2014 and from the Police Pension Board of Trustees from May 27, 2014.
8. Award of Contract for the SEWWTP Sludge Lagoon Modifications (CIP WW1201) to Haier Plumbing and Heating Inc. in the amount of \$215,980. Recommendation: Award the Contract for the SEWWTP Sludge Lagoon Modifications to Haier Plumbing and Heating Inc. in the amount of \$215,980.
9. Authorization Granting Select Energy Partners a Municipal Power of Attorney for the Purpose of Signing a Three (3) Month Extension to the Current Electrical Aggregation Program Contract. Recommendation: Grant Select Energy Partners a Municipal Power of Attorney for the Purpose of Signing a Three-month Extension to the current Electrical Aggregation Program Contract.
10. Action on an Application from the Varsity Center for the Arts for an Encroachment Permit to Allow the Construction of a New Façade That Will Project up to Eight (8) Inches from the Existing Wall into the Right-of-Way Located Adjacent to 418 South Illinois Avenue. Recommendation: Approve the Varsity Center for the Arts' request for an encroachment permit to allow the construction of a new façade contingent on the submission of the Certificate of Insurance.
11. Resolution Authorizing the Purchase of Real Estate Located at 713 South Illinois Avenue from Dr. Pradeep Reddy in the Amount of \$30,000. Recommendation: Approve the Resolution Authorizing the Purchase of Real Estate located at 713 South Illinois Avenue. (Resolution 2014-R-33; Exhibit F-07-15-2014)
12. Ordinance Authorizing a Budget Adjustment to Transfer \$162,500 into the Municipal Rental Properties Division's Fiscal Year 2015 Budget and Authorizing the City Manager to Enter Into A Contract to Purchase Real Estate Located at 207-211 West Willow Street. Recommendation: Approve an Ordinance Authorizing the Purchase of Real Estate located at 207-211 West Willow Street and Increasing the FY 2015 Municipal Rental Properties Budget by \$162,500. (Ordinance 2014-26; Exhibit G-07-15-2014)
13. Award of Contract for Renovations and Painting of the Helen Street Elevated Water Storage Tank to Pittsburg Tank & Tower for \$218,000; and Award of Contract for the Installation of a Mixing System to Maxcor, Inc. for \$45,000. Recommendation: Award the Contract for the Renovation and Painting of the Helen Street Elevated Water Storage Tank to Pittsburg Tank & Tower of Henderson, KY in the amount of \$218,000 and Award a Contract for the Installation of an Active Mixing System to Maxcor, Inc. in the amount of \$45,000.00.
14. Ordinance Accepting an ILEAS Personnel Transportation Vehicle and Approving a Budget Adjustment to Increase the Police Department's FY 2015 Budget in the Amount of \$44,979. Recommendation: Approve an Ordinance accepting the vehicle from ILEAS, approve a Budget Adjustment for the Police Department's FY 2015 Budget in the amount of \$44,979, and Authorize the City Manager to execute such assurances, certifications, and other documents as may be necessary to accept the vehicle. (Ordinance 2014-27; Exhibit H-07-15-2014)
15. Resolution Authorizing the City Manager to Submit a Clean Lakes 319(h) Grant

Application in an Amount up to \$750,000 to the Illinois EPA for Funding of Erosion and Sediment Control Work on Cedar Lake Purposes. Recommendation: Pass a Resolution Authorizing the City Manager to submit a Clean Lakes 319(h) Grant Application in an amount up to \$750,000 to the IEPA for funding of Erosion and Sediment Control Work on Cedar Lake. (Resolution 2014-R-34; Exhibit I-07-15-2014)

C. Harvey moved, L. Fronabarger seconded, to approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, and 5.15. VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, J. Bradshaw, C. Harvey and D. Monty. Nays: None. Motion declared carried.

## **6. General Business**

### **1. Ordinance Amending Title Sixteen (16) of the Carbondale Revised Code as it Relates to Shooting, Hunting and Trapping to Allow Archery Hunting of Deer on City Owned Cedar Lake Property**

L. Jack moved, C. Harvey seconded, to approve an Ordinance Amending Title Sixteen of the Carbondale Revised Code to Allow Archery Hunting of Deer on City-owned Cedar Lake Property. DISCUSSION: Council requested that clear notification and signage be made to inform nearby residents, students, and visitors as to when the hunting season will occur so that they may be properly attired and alert, that notification also be made through the University's website and the Daily Egyptian informing students that hunting will occur in the area, that Staff monitor the perimeter of the lake and provide signage designating where docking is and is not allowed to ensure that docking does not contribute to erosion, and that a Staff person be designated to quickly respond to the questions and concerns from the residents about hunting on the property. John Wallace, Cedar Lake Supervisor, Sean Henry, Public Works Director, and City Manager Baity responded to questions and comments from Council regarding the hours when hunting is permitted, patrolling for and monitoring of erosion, the provision of detailed, GPS-coordinated maps, and the Staff person appointed to respond to queries relating to archery hunting on City owned property at Cedar Lake.

Ruth Heitkamp, 614 May Apple Lane, identified an area which receives heavier recreational usage and requested that such area be designated as "no hunting" and further expressed her concern for the safety of the residents and users of area she previously noted on the map.

Council then asked about the flexibility of the language within the Ordinance and if it would allow proscribing hunting within the described residential areas and the City Manager indicated that it would. It was then further requested that the City carefully examine and note the location of residences and adjust the lines on the map accordingly to prohibit hunting within 100 yards of such residences.

VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, C. Harvey and D. Monty. Nays: J. Bradshaw. Motion declared carried. (Ordinance 2014-28; Exhibit J-07-15-2014)

### **2. Discussion on the Adoption of a Procedural Ordinance as Presented by the League of Women Voters of Jackson County Relating to Any Future Proposed Changes in Ownership of the City of Carbondale's Water and Sewer System**

Tedda Becker, 714 S. Taylor Drive, League of Women Voters member and member of the League's Water Study Committee, read from the League's Ordinance Request, those items recommended for inclusion in a procedural ordinance which would outline the appropriate steps prior to any significant changes to the City's water and sewer system.

Liz Gersbacher, League of Women Voters member and member of the Water Study Committee, read a prepared statement in which she emphasized the City should retain control of its water system, noting that the water quality is a valuable commodity which is a lure that may attract potential residents and businesses. It was recommended that the City develop a process for making decisions about actions which may impact the availability and quality of its water supply and sewer capacity and which will ensure citizen notification and input when such decisions are being considered.

Barbara McKasson, 2 Hillcrest Drive, Chair of Shawnee Group Sierra Club, read a prepared statement on behalf of the Shawnee Group Sierra Club which urges Council and Staff to develop a procedural ordinance to insure transparency and public participation, such as is recommended by the League of Women Voters. Ms. McKasson provided copies of the statement for the record.

L. Fronabarger noted the timeliness of an article in the July issue of *Governing* magazine and read a few lines from the magazine regarding the growing value of water and encouraged others to read it as well.

J. Adams indicated she would like to see an Ordinance containing those elements proposed by the League of Women Voters. She noted that such Ordinance would provide guidelines of what issues need to be considered. Ms. Adams asserted that a Public Works Commission which functions in a similar manner as the Liquor Advisory Board or Planning Commission would be beneficial and provide an additional layer of accountability.

J. Bradshaw noted her agreement with the suggestions from the League of Women Voters and recommended that they share the information with the Sustainability Commission. She commented on an article which she read regarding the “right to water” and suggested looking into watershed planning. Further she suggested looking into any legal precedence for City control of its watershed and asked if the City tracks total water usage in the City. D. Monty noted that the City does track water usage and the figures are within the Water Plant’s section of the budget.

City Manager Baity noted the section of the City Code which provides for City control of its watershed. He commented that the Greater Egypt Planning Commission has voted to begin watershed planning for the five counties served by the Commission, which planning is to be funded by a Lake Management grant.

D. Monty stated it would be beneficial for Council to hear City Staff’s thoughts on the League’s proposal. He noted his agreement with having in place procedural mechanisms, but recommended giving careful thought to the development of a Public Works Commission due to the technical expertise needed to develop a five-year CIP. He asked that Staff provide their feedback to the League about a month in advance of such feedback coming before the Council as an Agenda item.

### 3. Discussion of Project Goals and Scope of Work for the Downtown Master Plan

Following Council discussion on the process thus far, the Councilmembers’ reviews of the proposals submitted, reaffirming the role of the Downtown Advisory Committee from the beginning of the process, and suggestions for directing City Staff, the consensus of the Council is as follows:

- The consensus of the Council indicated that it was premature to select a consulting firm and based on their review of those proposals submitted, that there was a need for greater public input on the front end of the process, as well as meaningful public participation throughout. They noted their desire to avoid a “cookie-cutter” planning process or a charrette planning

process which would not provide sufficient and broad public input.

- The prospective consultants do not, at this time, have enough information to know what it is that the community wants. The architectural design work alone is not what the community is seeking.
- Prior to the selection of consultant, the Downtown Advisory Committee needs to convene, and with expansive public input, start to develop a vision for the development of the targeted area. The prioritization of the goals of the vision should be clearly delineated. Ultimately, it is up to the public and the Advisory Committee to inform the consultants of what Carbondale wants for their downtown, although a consultant or other third party may be able to facilitate the development of the vision.
- The Advisory Committee approved by the City Council should receive materials including the Comprehensive Plan, the 1990-2000 Downtown Plan, and the One Main Study so that they will be better prepared when they start the process of outlining the public's vision for the downtown.
- The City Staff may need to determine if it currently has sufficient resources to provide to the Downtown Master Plan process or if additional administrative help must be hired and/or technical expertise enlisted.

City Manager Baity indicated that he would review the notes from this discussion and bring back a plan incorporating those ideas to the Council for their approval.

D. Gorton, 606 West Elm Street, noted that inclusion of public input would generate buy-in. He reviewed notes regarding the selection of the Advisory Committee and the timeline for the process of developing the Downtown Master Plan. Mr. Gorton expressed his concern that the Advisory Committee members were not present for the interviews of the consultants. Councilman Jack remarked on Mr. Gorton's comments. Mr. Gorton continued his remarks regarding issues that should have been included in the Request for Qualifications.

#### **7. Council Comments**

None.

#### **8. Adjournment**

There being no further business to come before the Council, the meeting was declared adjourned at 10:35 p.m.

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**Jennifer R. Sorrell, City Clerk**

**Approved by the City Council on:**

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