

City Council of the City of Carbondale, Illinois
Regular Meeting of August 5, 2014

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, August 5, 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 Jane Adams, Councilman Lee Fronabarger, Councilwoman Corene McDaniel, Councilwoman Jessica Bradshaw, Councilwoman Carolin Harvey, Councilman Lance Jack, and Acting Mayor Donald Monty

Absent: None

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

Acting Mayor Monty proclaimed the week of August 3 - 9, 2014 as National Farmers' Market Week and encouraged citizens to celebrate the benefits of farmers' markets and the bounty from our nation's farmers. Lisa Schmidt of Makanda accepted the proclamation and expressed thanks for the communities' support and the City's recognition.

Acting Mayor Monty proclaimed Thursday, August 28, as Saluki Pride Day in Carbondale and encouraged citizens to show their pride by wearing maroon and white and attending the first football game of the 2014 season. Athletic Director Mario Moccia accepted the proclamation and remarked on the public's input in developing programs to assist in improving game attendance and growing community support. Acting Mayor Monty commented on a promotion for football games having discounted tickets at \$6.18 when purchased in advance.

Acting Mayor Monty announced that the Iota Phi Theta fraternity will hold an annual community service award musical honoring James Harvey at Hopewell Baptist Church on Sunday, August 17, and that the Hispanic Heritage Organization is hosting a statewide Hispanic heritage essay contest with a variety of cash prizes.

Acting Mayor Monty read a statement in response to anti-Semitic graffiti found on a sidewalk in Carbondale. The prepared statement has been made a part of the record.

Councilman Fronabarger announced that the Park District's "Chill Out In The Park" would be held at Turley Park on August 6 from 1:00 – 2:00 p.m.

Councilwoman McDaniel noted the start of school in August and encouraged safe driving and awareness. Acting Mayor Monty noted the improvement of sidewalks to schools.

Councilwoman Bradshaw announced that the Peace Coalition of Southern Illinois will host the annual Hiroshima and Nagasaki Remembrance Potluck on August 10 at 5:30 p.m. at the Church of the Good Shepherd.

Councilwoman Adams commented on the diversity of her neighborhood where the anti-Semitic graffiti occurred and noted the need to create an environment where opinions can be voiced respectfully and with tolerance.

3. Citizens' Comments and Questions

Craig Hansen, 901 Emerald Lane, expressed thanks for road improvements and indicated he hoped for improvements of Chautauqua. Mr. Hansen read a statement where he described his family's history in Carbondale, referenced historic and recent examples of intolerance and violence, and voiced his support and willingness to stand in opposition to hatred and racism and in celebration of tolerance and diversity.

Richard Sullivan, 213 South Emerald Lane, described his encounters with City Staff in relation to his yard being posted. Mr. Sullivan remarked on the discourteous behavior exhibited by employees and relayed his attempts to find a resolution to the citation and underlying matter. The Human Relations Commission directed Mr. Sullivan to the Council and noted that the usual goal of Code enforcement is to obtain compliance. Acting Mayor Monty indicated that he would address this matter with the City Manager and that Mr. Sullivan would hear back from the City.

Jerrold Hennrich, 610 West Sycamore Street, detailed his encounter with a police officer parked in front of his home in such a manner as to block his driveway on July 21. Mr. Hennrich asserted that the officer's actions reflected poorly on the department. He remarked that while people fear the formal complaint process, all citizens should feel secure in availing themselves of the process in instances of harassment.

4. Public Hearings and Special Reports

None

5. Consent Agenda

1. Approval of Minutes for the Regular City Council Meeting Held on July 15, 2014.
Recommendation: Approve.
2. Approval of Warrant for Period Ending 07/07/2014 FY 2015 Warrant # 1219 in the Amount of \$1,098,338.49. Recommendation: Approve Warrant #1219 for the Period Ending 07/07/2014 FY 2015 in the amount of \$1,098,338.49. (Exhibit A-08-05-2014)
3. Approval of Warrant for Period Ending 06/30/2014 FY 2015 Warrant # WF06/2014 in the Amount of \$131,433.50. Recommendation: Approve Warrant #WF06/2014 for the Period Ending 06/30/2014 in the amount of \$131,433.50. (Exhibit B-08-05-2014)
4. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept and place on file the approved meeting minutes from the Fire Fighter's Pension Board of January 28 and April 22, 2014, Human Relations Commission of May 5 and June 2, 2014, Zoning Board of Appeals of May 21, 2014, Board of Fire and Police Commissioners of May 6, 2014, and Liquor Advisory Board of May 22, 2014.
5. Acceptance of a Deed from Mathew Mount for a Vacant Parcel Located at 310 East Chestnut Street. Recommendation: Accept the Deed and authorize the City Clerk to have said deed recorded.
6. Award of a Contract for the Northwest Wastewater Treatment Plant Storage Building Replacement to J & L Robinson Construction Co. in the Amount of \$194,000.00.
Recommendation: Award the construction contract to J & L Robinson Construction Company of Carbondale in the amount of \$194,000.00.

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

6. General Business

1. Ordinance Approving a Franchise Agreement with Egyptian Electric Cooperative Association

Acting Mayor Monty indicated that this item was pulled from the Agenda and would be brought back at a later meeting.

2. An Ordinance Amending Title Five as it Pertains to Pawnbroker Licensing Fees and an Ordinance Amending Title Ten Establishing Late Fees for Licensed Private Waste Haulers Failing to Timely Submit Required Reports

DISCUSSION: Greg Burris, General Manager of Ed Burris Disposal Service, noted the business' service for over fifty years, stated that they had provided monthly lists of new and discontinued customers to the City for years, noted that when the initial ordinance was passed, private haulers had not been consulted, and stated that the reports being requested were too broad and would not provide the information that the City wanted. He asked that Council not institute fines and asked that the Council revisit the entire licensing and reporting guidelines so that they can be set up in a more meaningful manner.

In response to Mr. Burris' statements, J. Adams suggested tabling the item until the reporting and licensing process can be streamlined and the reporting requirements not be too onerous for the business owner or the City Staff. City Clerk Sorrell and City Manager Baity commented on the purpose and receipt of the reports.

Council asked which utilities received annexation notifications, whether the City had a file which could be provided to haulers as a starting point for which addresses are within the City limits, how the City's haulers know from which customers they should collect, and if the City had access to coded property tax records or GIS maps with address tags for properties within the city limits.

Mr. Burris stated that his office manager indicated difficulty in faxing reports to the City and that the City's fax was frequently out of operation. He suggested that the sanitation department management should be ensuring that their drivers know from which houses to collect refuse and that the reports would not help that issue.

MOTION: J. Adams moved, L. Fronabarger seconded, to table the Waste Hauler item until changes are made in consultation with the private waste haulers. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, L. Jack and D. Monty. Nays: None. Motion declared carried.

MOTION: L. Jack moved, C. McDaniel seconded, to adopt an Ordinance Amending Title Five Chapter Seven of the Carbondale Revised Code as it pertains to Pawnbroker licensing fees. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, L. Jack and D. Monty. Nays: None. Motion declared carried. (Ordinance 2014-29; Exhibit C-08-05-2014)

7. Council Comments

Councilman Jack asked if the Pawnbroker fee increase would cover the City's administrative costs or if the fee should be higher to cover those costs. Acting Mayor Monty suggested that if the review of the log book is a statutory requirement, it may or may not be appropriate to include the cost of the daily review in the fee base. Councilwoman Bradshaw noted that while some cities charge more for this license, they may have a higher number of pawnbrokers.

Acting Mayor Monty noted the receipt of and distribution to the Council of a communication transmitting

a petition asking that the government take action on the violence occurring in the Gaza Strip and requesting that the City of Carbondale take a position. He noted that while he agreed on the inappropriate and harmful nature of the violence, this issue is beyond local control and is delegated to the Congress and the President.

8. Closed Meeting to Discuss Collective Negotiating Matters Between the Public Body and Its Employees or Their Representatives, the Purchase or Lease of Real Property, the Setting of Price for the Sale or Lease of Real Property and to Conduct the Semi Annual Review of Closed Meeting Minutes

J. Bradshaw moved, L. Fronabarger seconded, to hold a Closed Meeting to discuss the above-referenced matters in accordance with 5 ILCS 120/2 (c)(2), (c)(5), (c)(6), and (c)(21) of the Illinois Open Meetings Act. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, L. Jack and D. Monty. Nays: None. Motion declared carried. Open session recessed at 8:17 p.m.

J. Adams moved, L. Jack seconded, to return to open session. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, L. Jack and D. Monty. Nays: None. Motion declared carried. Open Session resumed at 9:25 p.m.

L. Jack moved, L. Fronabarger seconded, to approve the Closed Meeting minutes from March 4, April 22, June 10, and June 24, 2014; to declare the need for confidentiality exists, in whole or in part, for the minutes of March 17 and September 15, 1998, January 6, 2004, December 6, 2005, April 4, August 15, and September 19, 2006, October 16 and December 18, 2007, May 6, 2008, September 1 and October 6, 2009, January 19, September 7, November 9, and November 23, 2010, September 20, October 4, October 18, November 1, November 15, December 8, and December 29, 2011, January 17, March 6, July 31, and December 27, 2012, January 29, February 12, March 5, April 2, April 16, May 21, June 25, August 6, August 27, September 17, October 22, November 5 and November 19, 2013, January 7, January 21, January 28, February 11, February 19, February 25, March 4, April 22, June 10, and June 24, 2014; and to authorize the destruction of the audio recordings of all Closed Meetings that were conducted more than 18 months ago for which the minutes have been approved. DISCUSSION: None. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, L. Jack and D. Monty. Nays: None. Motion declared carried.

8. Adjournment

There being no further business to come before the Council, the meeting was declared adjourned at 9:26 p.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
