

City Council of the City of Carbondale, Illinois
Regular Meeting of September 9, 2014

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 9, 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 Corene McDaniel, Councilwoman Jessica Bradshaw, Councilwoman Carolin Harvey, Councilwoman Jane Adams, Councilman Lee Fronabarger, and Acting Mayor Donald Monty (Councilman Jack entered at 7:04p.m.)

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

Councilman Fronabarger announced that the Ivas John Band will be the headlining entertainer at the "Splash of Blues" fundraiser at Hangar 9 on Thursday, September 18.

Councilwoman Bradshaw announced that the 6th annual LBGTQ Pride Picnic will be held on Sunday, September 14, at the Church of the Good Shepherd.

Councilwoman Harvey announced that the Women's Center's annual Little Black Dress fundraiser on Friday, September 12, at the Miner's ballpark in Marion.

Councilwoman Adams announced multiple events including an open house at the Willow Street Studios, home of the Susan Barnes Dance Company on Saturday, September 13; a memorial service for Barry Malik, SIU physics professor and civil libertarian, on Saturday, September 13; Carbondale Chamber of Commerce will hold its "Hidden Carbondale" tour on Tuesday, September 23; the 4th annual For Kids' Sake 5K run/walk on September 26; and the Boys and Girls Club will hold its 10th anniversary dinner and celebration at the Civic Center on October 3, 2014.

Acting Mayor Monty asked that Councilmembers inform the City Manager if they would like to attend the Boys and Girls Club banquet and noted that the "Hidden Carbondale" tour involves a lot of walking and stairs,

Acting Mayor Monty proclaimed the week of September 8 – 14 as Vietnam Veterans Recognition Week in the City of Carbondale and encouraged citizens to join in this worthy observance. He noted that the formal presentation of the proclamation will be at the opening ceremony for the traveling Vietnam Wall on Thursday, September 11.

City Manager Baity provided details about a fire at Intertape Polymer and commended the efforts of Captain Hine, Firefighter Miller, Firefighter Mayer, Firefighter Presley, Firefighter Hall, and Firefighter Wozniak. He then recognized the work of Police Sergeant Guy Draper in providing special assistance on-site to Amtrak passengers when the train experienced problems.

3. Citizens' Comments and Questions

Elius Reed, 2012 South Illinois Avenue, requested clarification of the answers provided in response

to a Freedom of Information Act submitted to the City. City Manager Baity responded to Mr. Reed.

M. Stalls, 407 Robert A. Stalls, noted the deteriorated condition and asked about plans for the repair of Gum Street between James and Thelma Walker Avenue and Jackson Street. City Manager Baity responded. She indicated that she was not satisfied with the response or the condition of Gum Street.

4. Public Hearings and Special Reports

None.

5. Consent Agenda

1. Approval of Minutes for the Regular City Council Meeting Held on August 26, 2014. Recommendation: Approve.
2. Approval of Warrant for Period Ending 08/18/2014 FY 2015 Warrant # 1222 in the Amount of \$1,787,677.41. Recommendation: Approve Warrant #1222. (Exhibit A-09-09-2014)
3. Approval of Warrant for Period Ending 07/31/2014 FY 2015 Warrant # WF07/2014 in the Amount of \$145,149.75. Recommendation: Approve Warrant #WF07/2014. (Exhibit B-09-09-2014)
4. Resolution Approving the Final Plat of Elijah's Subdivision and the Subdivision Agreement. Recommendation: Adopt the Resolution approving the subdivision plat and subdivision agreement for Elijah's Subdivision. (Resolution 2014-R-36; C-09-09-2014)
5. Approval of the 2015 Calendar of City Council Meetings. Recommendation: Approve the attached 2015 Calendar of City Council meetings.

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

6. General Business

1. Resolution Authorizing the Filing of a Request for Intervention Before the Illinois Property Tax Appeal Board

J. Adams moved, J. Bradshaw seconded, to pass a Resolution authorizing the filing of a request for intervention before the Illinois Property Tax Appeal Board. DISCUSSION: D. Monty provided an explanation as to why the City Council was considering this matter. Pepper Holder, 410 E. James and Thelma Walker Avenue, indicated that there is an issue throughout the community with businesses not sharing the load or helping the general population. He then commented on the history of Attucks school not being incorporated into the community school. Joe Hudgens, 1260 West Lake Road, Murphysboro, noted he is a member of the Board of Education for the high school and indicated his appreciation for explaining the impact on all residents in relation to the distribution of property taxes.

Council questions included the total amount being appealed, the asking price for the old Bleyer field when it had been up for sale, whether Walgreens had been successful in the appeal in the previous year, if the other participating bodies had voted on this matter, and requested clarification on the motion. City Manager Baity responded to queries. VOTE: Ayes: C. McDaniel, J. Bradshaw, C. Harvey, L. Jack, J. Adams, L. Fronabarger, and D. Monty. Nays:

None. Motion declared carried. (Resolution 2014-R-37; Exhibit D-09-09-2014)

2. Resolution Authorizing the City Manager to Execute a Contract with Information Technologies, Incorporated for Police Records Management System Software

C. Harvey moved, C. McDaniel seconded, to approve a Resolution authorizing the City Manager to execute a contract with Information Technologies, Incorporated, in order to provide a record management software systems solution for the City of Carbondale Police Department.

DISCUSSION: L. Jack noted his concern for continued funding for the annual software hosting fee. D. Monty remarked that there were other software options that were more expensive and that funding this might result in other hoped-for expenditures being cut. J. Adams noted her agreement with Mr. Jack's comments, her surprise at this unbudgeted expense, and indicated she hoped there would be no further unanticipated surprises for other major big ticket items projects. Further, she commented on some aspects of the software. L. Fronabarger asked several questions including whether the City's IT staff had observed other cities real-world use of the software, whether there were nightly backups and storage of data off-site, whether the City had overtime had budgeted for the conversion, if there will be a parallel run of the two systems, how frequently upgrades occur, and the availability of online help manuals. J. Bradshaw noted that the HRC had provided a list of requested data and asked if all fields would be included. D. Monty noted that a difficulty which had been experienced with the current software had to do with extracting data from the narrative and questioned if that issue would be addressed. C. Harvey asked about the anticipated implementation date. City Manager Baity, Drew Stewart of ITI, and Interim Chief Grubbs responded to queries.

M. Stalls asked if grant funds are being sought to provide assistance for future payments as well as other police functions. Interim Chief Grubbs responded to Ms. Stalls.

VOTE: Ayes: C. McDaniel, J. Bradshaw, C. Harvey, L. Jack, J. Adams, L. Fronabarger, and D. Monty. Nays: None. Motion declared carried. (Resolution 2014-R-38; Exhibit E-09-09-2014)

3. Discussion of Allowing and Maintaining Alternative Grasses and Ground Cover on Properties

Several Councilmembers expressed their objections to the placarding and citation of a homeowner's stand of sweet clover. Other opinions also expressed included the appropriateness for citing properties not meeting the current 8" standards, creating more ecologically proactive language for the Code, and the propriety of City Council members providing assistance for court fees for a cited property owner. A summary of the Council's suggestions regarding Title Eleven Chapter Four follows:

- The current language in the Carbondale Revised Code may be outdated and in need of modification to address yards that are not planted with grass. Such language should be cautiously worded, should provide guidance to City staff, should include regulatory language involving the least amount of red tape, needs to be flexible enough to allow common sense judgment calls, and be generally less restrictive.
- There were suggestions to consider how other cities have dealt with this matter, particularly in municipalities within our geographic region. Additionally, it was suggested that the City take a more educational approach in communicating with residents regarding yard maintenance.
- Council's overall sense of the purpose of this section of the Code is to address unsightly properties and neglected properties which do not have maintained and tended

plantings, but rather noxious plant overgrowth.

- Relating to growth on the City-owned right-of-way, there were differing opinions as to the safety issues that plantings exceeding 2 ½ feet present, if any.
- In discussion as to whether definitions for weeds or lists of acceptable plantings should be created as a guide for citizens City staff, there were differing opinions on the City Council.
- Councilmembers noted that what constitutes a desirable planting will vary from person to person and the regulation pertains to an aesthetic intent.

J. Adams gave a presentation of plantings on or near the right-of-way exceeding 2 ½ feet in various areas of the city and commented on the beautification they add.

Carbondale citizens speaking on this matter included Sandy Litecky, Pale, Liz Gersbacher, and M. Stalls.

Sandy Litecky, 603 West Walnut, indicated corners in the City do exist where planting height obstructs roadway views. She remarked on lawns which have been posted that are well over 12” high and wants those properties addressed.

Pale, 106 South Glenview Drive, encouraged City Council to consider varied options and noted the embarrassment and insult he felt by the posting of his yard. Further, he provided details on the efforts he had made to recover his lawn following remodeling his home, his encounters with City staff, and detailed his experience in court addressing the ticket.

Liz Gersbacher, 1507 West Taylor Drive, advocated for changing the code and spoke on Pale’s behalf and on the benefits of clover. Ms. Gersbacher commented on how other communities are addressing plantings and storm water.

M. Stalls, 407 North Robert A. Stalls, encouraged looking carefully at this issue and commented on the existence of vacant or abandoned properties which have litter and overgrowth.

Acting Mayor Monty summarized the consensus of the City Council. The City needs to look at updating/modernizing our City Code in regard to this subject matter, to consider how other cities deal with this issue, and find a more appropriate way to deal with it.

7. Council Comments

Councilman Jack commented on the 4th annual Carbondale Rocks Revival and Music Festival which was held the weekend prior and expressed thanks to organizers, volunteers, venues, and musicians. He noted the draw of visitors to the downtown due to the festival and the varied music genres included in the line-up.

Councilman Fronabarger commented on his attendance of the Downtown Advisory Committee meetings and noted that he felt encouraged by the public’s attendance of and interest in the meetings.

Acting Mayor Monty commented that the next Downtown Advisory Committee meeting will be on Wednesday, September 17, at the Dunn-Richmond Center and the subject is business and economic development in the downtown area.

Councilwoman Bradshaw commented that for future first home buyer grants, it would be beneficial to take a proactive approach in helping people in recovering their lawns. She suggested using SIU as a

resource or City staff who has expertise relating to horticulture.

8. 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

L. Jack moved, L. Fronabarger seconded, to hold a Closed Meeting to discuss the sale, purchase, or lease of real property and the setting of price for sale or lease of real property as permitted under 5ILCS 120/2(c)(5) and (c)(6) of the Illinois Open Meetings Act. VOTE: Ayes: C. McDaniel, J. Bradshaw, C. Harvey, L. Jack, J. Adams, L. Fronabarger, and D. Monty. Nays: None. Motion declared carried. Open session recessed at 9:56 p.m.

J. Adams moved, J. Bradshaw seconded, to return to open session. VOTE: Ayes: C. McDaniel, J. Bradshaw, C. Harvey, L. Jack, J. Adams, L. Fronabarger, and D. Monty. Nays: None. Motion declared carried. Open session resumed at 11:20 p.m.

9. Adjournment

There being no further business to come before the Council, the meeting was declared adjourned at 11:22 p.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
