

City Council of the City of Carbondale, Illinois
Regular Meeting of March 3, 2015

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, March 3, 2015, in City Council Chambers, 200 South Illinois Avenue. Acting Mayor Donald Monty called the meeting to order at 8:23 p.m. with the following members of the Council present/absent:

1. Roll Call

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

Councilman Jack announced a fundraiser to be held on March 4 at the Longbranch Café and Bakery to support CCHS marching band instructor Kristine Pye for her summer tour with the Colts Drum & Bugle Corps.

Councilman Fronabarger announced the upcoming election date of April 7, noted that early voting has started at the Jackson County Clerk and Recorder's Office and will also be available at the Carbondale Civic Center on March 24, 26, 31 and April 2.

Councilwoman Harvey thanked the public for their attendance of the Selma 50 March and encouraged citizens to register for and vote in the local election.

Councilwoman Adams announced that several City Council candidate forums would be held in the near future including the NAACP forum on March 16 at 6:00 p.m. at the Eurma Hayes Center, the League of Women Voters Council candidate forum on March 18 and Mayoral candidate forum on March 25, the Southern Illinoisan forum, and Arbor District forum on March 22nd at the First Christian Church on Monroe Street. She noted that the Northwest Neighborhood Association and Chamber of Commerce have circulated questionnaires.

Acting Mayor Monty recalled that the last mayor was elected with less than 1,000 votes and implored the citizens to vote. He noted that the City Council, school boards, and park district have the greatest day-to-day effect on services provided and regulations imposed on citizens.

Councilwoman Bradshaw announced that Ginny Donney of Carbondale was chosen as Big Sister of the year for Illinois. She also announced the Girls Rock fundraiser and instrument drive will be held at Hangar 9 on March 14.

Councilwoman Adams announced Carbondale Main Street's Carbondale Classic putt-putt golf fundraiser on Saturday, March 21.

Acting Mayor Monty reminded citizens that unless the weather forecast changes, there is a chance of 4-6 inches of snow, and that within 48 hours after the snowfall ends, sidewalks must be cleared. He remarked on the impact that snow-covered sidewalks have on the disabled and students walking to classes.

3. Citizens' Comments and Questions

Sandy Litecky, 603 West Walnut, noted that she lives on a snow route and has yet to see a citation issued to cars parked on that street when there is a snowfall in excess of two inches.

Mary Kate Varnau, 112 South Springer, told the City Council about a major plumbing leak she experienced, noting that the water department left a voicemail courtesy call informing her of such problem, but only after the bill had reached a total of \$1,900. She suggested that the City consider using a digital water-tracking system and asked that her water bill be reduced down to the normal range of usage.

Rebel Pinkston, 1230 West Schwartz Street, asked if it would break confidentiality to say what property the closed session would be considering and noted that he would like to see an agenda item for the discussion of expenditure reduction.

Berry Spehn, 500 Charles Road #31, in response to recent discussion of a request for towing rate increases asked if college students or tow truck companies serve the community more. He suggested instituting a requirement that a vehicle could not be towed unless called in by a property owner or tenant of the property.

Donna Smith Throgmorton, co-owner of Larry's Towing, noted that the reason for addressing tow rates is that they are mandated and controlled by the City and have not been raised in ten years. She commented on the service that is provided to property owners, residents, and businesses by the towing companies.

Elius Reed, 2012 South Illinois Avenue, asked if the City of Carbondale was required to submit reports to the Governor as to the number of minorities and veterans employed for City contracts. Acting Mayor Monty responded to Mr. Reed's query and commented on the Governor's Executive Order. Mayor Monty and Mr. Reed discussed an apprenticeship program in which the City had participated some years back.

4. Public Hearings and Special Reports

Jack Langowski, Chair of the Downtown Advisory Committee, gave an update on the activities of the Committee and progress made towards the goal of creating a Downtown Master Plan.

5. Consent Agenda

1. Approval of Minutes of the Regular City Council Meeting Held on February 10, 2015. Recommendation: Approve.
2. Warrant for the Period Ending 02/02/15 FY 2015 Warrant # 1234 in the Amount of \$1,515,313.91. Recommendation: Approve Warrant #1234. (Exhibit A-03-03-2015)
3. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept and place on file the approved meeting minutes for the Planning Commission meeting of January 28, 2015, Sustainability Commission meetings of September 18 and December 18, 2014, Preservation Commission meeting of January 12, 2015, and Board of Fire and Police Commission meeting of January 6, 2015.
4. Award of Contract for Crab Orchard Water District Improvements (WS0803) Area 4 – Phase 2 to Dean Bush Construction Company of Carbondale in the amount of \$397,431.45. Recommendation: Award the Crab Orchard Water District Improvement Phase 2 Contract to Dean Bush Construction of Carbondale.
5. Award of a Five-Year Contract for Sanitary Sewer Rehabilitation (SA0901) to Spectra Tech, LLC of Noblesville, IN in the amount of \$1,121,129. Recommendation: Award the Five-Year Contract for Sanitary Sewer Rehabilitation (SA0901) to Spectra Tech, LLC of Noblesville, IN in the amount of \$1,121,129.

6. Resolution Approving a Redevelopment Agreement Using Tax Increment Financing at 211/213 West Main Street. Recommendation: Approve a Resolution authorizing the City Manager to enter into an Economic Development Tax Increment Financing Agreement with Aaron and Lindsay Hanks for the property located at 211/213 West Main Street. (Resolution 2015-R-4; Exhibit B-3-3-2015)
7. Appointments and Reappointments to Boards and Commissions. Recommendation: The Council is requested to concur with the Mayor's recommended appointments and reappointments to Boards and Commissions.
8. Ordinance adjusting the FY2015 Budget for the 2015 G.O. Refunding Bonds and amending the FY2015 Budget for the 2010 General Obligation Public Safety Bonds Interest Rebate. Recommendation: (Ordinance 2015-6; Exhibit C-03-03-2015)
9. Pulled by Elius Reed.
10. Resolution Authorizing the City Manager to Execute a Professional Services Contract with Blue Cross Blue Shield to Provide Health Insurance Coverage for City Employees, Retirees, and Their Dependents. Recommendation: Approve a Resolution authorizing the City Manager to execute a Professional Services Contract with Blue Cross Blue Shield to provide health insurance coverage for City employees, retirees, and their dependants effective April 1, 2015 through April 30, 2016. (Resolution 2015-R-7; Exhibit F-03-03-2015)

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

5.9 Resolution Authorizing the City Manager to Execute an Agreement with Illinois Department of Transportation for the construction of the West Side Multi-use Bicycle/Pedestrian Trail and a Resolution Dedicating \$101,000 in Motor Fuel Tax (MFT) Revenues to pay the City's Share of the Project

Elius Reed asked if the construction contracts are to be monitored by the City's Affirmative Action policy. D. Monty responded to Mr. Reed's query, as well as to L. Fronabarger's question regarding the placement of the trail on the south side of the highway.

J. Adams moved, J. Bradshaw seconded, to authorize the City Manager to execute an agreement with IDOT for the construction of a Multi-use Bicycle/Pedestrian Trail and approve a Resolution dedicating \$101,000 in MFT revenues to pay the City's share of the project. VOTE: Ayes: J. Bradshaw, C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, and D. Monty. Nays: None. Motion declared carried. (Resolutions 2015-R-5 and 2015-R-6; Exhibits D- and E-03-03-2015)

6. General Business

1. Discussion of Full Applications Received from Community Agencies and Organizations

Representatives for community agencies and organizations were afforded the opportunity to provide brief input regarding their funding requests and to respond to City Council queries and suggestions.

After discussion and comments by the individuals representing the organizations, the City Council deliberated whether to retain funding at FY 2015 levels or to decrease funding. Additionally, the Council discussed the collaboration of organizations which provide similar services, beginning the process for determining agencies and organizations funding earlier in the next fiscal year, and bringing together the community stakeholders to discuss developing a Restorative Justice program.

It was suggested that the funding be cut to ten percent less of the FY 2015 funding levels, but eventually the City Council determined to bring the total funding for the social services agencies to

\$170,000. Once consensus was reached to fund social service agencies at no more than \$170,000, the City Council eventually arrived at the following funding level recommendations for the respective agencies in the FY 2016 draft budget: Boys and Girls Club, \$27,000; Carbondale Community Arts, \$45,400; Good Samaritan Ministries, \$18,500; Science Center, \$9,000; Senior Adult Services, \$30,000; Big Brothers, Big Sisters \$6,200; The Women’s Center, \$11,000; I Can Read, \$9,900; Attucks Community Services, \$4,000; and Family Advocacy Services, \$9,000.

2. Ordinance Amending Sections 5-16-1 and 15-11-4 Relative to the Definition of Extended Stay Hotel/Unit and Amending Section 7-9-1 Relative to the Definition of Permanent Resident

DISCUSSION: The Council questions and comments included request for clarification of terminology, how notification had been provided to the public and hotel/motel owners, comparisons to other municipalities for taxing periods, whether a graduated tax rate had been considered, how many days of stay that the State taxes, concern about the impact that this amendment will have on people using hotels as living quarters, determining what date to make this change effective to minimize the impact on students, a desire to see agencies providing transitional housing using vacant properties, a request to contact local hotels to ask about their course of action to implement these changes, and whether this proposed amendment would cause construction workers or consultants to migrate to Marion or Murphysboro.

J. Adams moved, C. McDaniel seconded, to adopt the Ordinance approving amendments to Section 5-16-1 and Section 15-11-4 relative to the definition of Extended Stay Hotel/Unit and an amendment to Section 7-9-1 relative to the definition of permanent resident, with a compliance date of September 1, 2015. VOTE: Ayes: C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, and D. Monty. Nays: J. Bradshaw. Motion declared carried. (Ordinance 2015-8; Exhibit G-03-03-2015)

3. Approval of the Selection of a Consultant for the Downtown Master Plan and Authorization for the City Manager to Enter into Contract Negotiations.

Council discussion and questions included the suggestion of utilizing local talent to provide assistance in areas where the firm might be lacking, identifying which contractor chose not to resubmit their proposal, if one of the four who did submit was the finalist from interviews conducted in June 2014, and that the first and second finalists were quite close in ranking.

J. Bradshaw moved, J. Adams seconded, to approve Houseal Lavigne as the consulting firm to assist with the Downtown Master Plan and direct staff to negotiate a contract for future Council approval. In the event the contract cannot be negotiated with Houseal Lavigne, staff is authorized to enter into contract negotiations with Stantec. VOTE: Ayes: J. Bradshaw, C. Harvey, L. Jack, J. Adams, L. Fronabarger, C. McDaniel, and D. Monty. Nays: None. Motion declared carried.

4. Discussion of New Revenue Sources for FY 2016

The City Manager reviewed the estimated actual change in fund balance for FY 2015 and projected change in fund balance for FY 2016. He also noted the impact of the potential LGDF cuts which the Governor has indicated may be forthcoming. The City Council asked the City Manager and City Staff about the following: the cumulative impacts of postponing capital outlay and operating equipment purchases; if fees are paid by companies placing utilities in the City-owned rights-of-way and if those fees defray the cost of JULIE locations; an itemization of other operating equipment of which the purchase is being deferred; and whether the updated financial software would lessen the City’s labor demand.

Council Comments:

L. Fronabarger remarked that he sees the Governor's budget cut proposals as maneuvering with which he does not believe that the State legislature will go along. He suggested diversifying the City's revenue sources, remarking on various communities utilizing alternate taxes and having lower sales tax rates. Mr. Fronabarger noted that a sales tax increase would result in 10 months' collections for this fiscal year and a two-month delay in receiving those funds. He stated he did not believe that instituting a food and beverage tax and a package liquor tax would necessarily require adding a full-time position. He also noted that adding both the package liquor tax and food and beverage tax would produce more revenue than the sales tax. Mr. Fronabarger commented on the impact this sales tax would have on businesses building on the City's eastern border and reminded Council about the sales tax for the high school expiring in FY 2017.

L. Jack indicated that while he agreed with doing better at diversifying the City's revenues, unlike many cities, the largest two employers with vast amounts of property in Carbondale don't pay property tax, and Carbondale doesn't have a diversified industry base. He remarked that the lesser of two evils would be a ¼% sales tax.

Accounting Manager Davis responded to the Councilmembers' comments regarding diversification of revenues and collection of sales tax.

Public Comments:

Trace Brown, 3125 Striegel Road, remarked on the impact of State budgetary cuts on business owners. If a tax must be raised, he indicated his preference for a sales tax, for fairness.

Don Johnson, 195 Oakview Road, thanked the Council for taking the need for cutbacks to heart, asked why we should single out package liquor and food and beverage, and indicated that the tax should be across the board.

Anna Durrett, West Main Street, in response to why certain industries should be taxed more, stated that alcohol costs the city more for services such as policing, indicated that a 1 or 2 % increase wouldn't affect her purchasing of packaged liquor, and asked if statistics were available on the impact of those increases.

Council Comments continued:

J. Adams noted that the City has raised taxes each year she has been on Council and commented that the number of taxing bodies in Illinois impacts the overall cost of government. She suggested collaboration with other entities to share services and equipment to save costs. Ms. Adams indicated that agencies must work hard to keep costs flat and work with other agencies to find savings. She commented that the matter of tax increases occurs every year and that it isn't known if the impending crisis will be a crisis, but may be used as leverage. She remarked that she did not feel it was wise to take the easy way out by raising taxes, but we must find creative ways to find savings which may entail deferring maintenance.

J. Bradshaw noted that while she agreed with Ms. Adams, it is too late at this point. She remarked on the impact on the City's budget for the number of years where property taxes were held at zero. She suggested that a sales tax would spread out the pain and that she is not opposed to a package liquor tax. Ms. Bradshaw suggested instituting some kind of fee for Styrofoam and plastic bags and bottles which could further diversify our revenues.

L. Jack asked Councilwoman Adams for her suggestions regarding other means for savings, to

which Ms. Adams responded with sharing services with local agencies, and due to downsizing, particularly at the university, there may be less demand for services which could cause decreased needs for staffing. She noted that if the Governor's cuts come through and should the collaborative agreements not yield sufficient savings, there is still the option to introduce the package liquor and food and beverage taxes. Mr. Jack noted his agreement with her suggestions, but that even without the potential cuts, additional monies are needed now.

D. Monty asked about the allocation of funds in the next budget for the top to bottom management analysis.

MOTION: J. Bradshaw moved, L. Jack seconded, to direct the City Manager to bring back a Sales tax increase of ¼% with a one-year sunset, with funds to go into the local improvement fund, unless the LGDF cuts goes through.

D. Monty asked the City Manager about the ramifications of requiring the funds to go into the local improvement fund.

MOTION WITHDRAWN BY MOVER.

MOTION: J. Bradshaw moved, L. Jack seconded, to direct the City Manager to bring back an Ordinance Sales tax increase of ¼% with a one-year sunset, with half of the funds to go into the general fund and half of the funds to go into the local improvement fund. **DISCUSSION:** D. Monty indicated his concern about the possible effects if certain projects would not qualify for payment out of the local improvement fund. C. Harvey expressed concern about the one-year sunset and noted that a sunset can be imposed later once it is in place. L. Jack noted that even with a sunset, the Council could extend it.

MOTION TO AMEND: C. Harvey moved, L. Jack seconded, to amend the main motion to remove the one-year sunset. **VOTE ON AMENDMENT:** Ayes: J. Bradshaw, C. Harvey, L. Jack, C. McDaniel, and D. Monty. Nays: J. Adams and L. Fronabarger. **MOTION TO AMEND DECLARED CARRIED.**

VOTE ON ORIGINAL MOTION AS AMENDED: VOTE: Ayes: J. Bradshaw, C. Harvey, L. Jack, C. McDaniel, and D. Monty. Nays: J. Adams and L. Fronabarger. **MOTION AS AMENDED DECLARED CARRIED.**

C. Harvey noted that the other ideas raised during this discussion could still be explored.

7. Council Comments

None.

8. Closed Meeting to discuss the sale, purchase or lease of real property, and the setting of price for the sale or lease of property

Due to the late hour, there was Council consensus to forego the Closed City Council meeting until a later date. There being no further business to come before the Council, the meeting was declared adjourned at 12:25 a.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
