

# Request for City Council Action

**Date:** April 28, 2015

<b>Agenda Section:</b> Consent Agenda  <b>No.</b> 5	<b>Originating Department:</b>  City Clerk's Office
<b>Item:</b> Acceptance of Minutes of Boards, Commissions, and Committees  <b>No.</b> 5.4	<b>Approved:</b>

**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:

Board of Fire and Police Commissioners – February 23, 24, and April 13, 2015

Fire Fighter's Pension Board – October 28, 2014

Preservation Commission – March 16, 2015

Human Relations Commission – March 2, 2015

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 \_\_\_\_\_



**BOARD OF FIRE AND POLICE  
COMMISSIONERS  
February 23, 2015**

The City of Carbondale Board of Fire and Police Commissioners held a meeting on Monday, February 23, 2015, in Room 103 of the Civic Center, 200 S. Illinois Avenue. Chairman Harvey Welch called the meeting to order at 8:15 a.m. with the following-named members of the Board present/absent:

**1. Roll Call**

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

Absent: Commissioner Janet Vaught

Also present were Deputy City Clerk Alicia Burtley, Fire Chief John Michalesko, and Administrative Services Director Deborah McCoy

**2. Approval of Minutes**

Commissioner L. Brown moved, Commissioner K. Braswell seconded, to approve the January 6, 2015 Minutes. DISCUSSION: L. Brown made mention that Interim Chief Grubbs was not in attendance at the last meeting. Vote: All voted Aye. Motion declared carried.

**3. Closed Meeting to Conduct Oral Interview Examinations of Entry-Level Firefighter Candidates**

Commissioner K. Braswell moved, Commissioner L. Brown 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 Firefighter candidates. VOTE: All voted Aye; motion declared carried. Open session recessed at 8:20 a.m.

Of the twenty-one (21) candidates scheduled, all except for three were in attendance for the oral examinations. During the meeting, two 15 minute breaks and an hour lunch was taken.

There was no formal action taken as a result of the closed meeting.

**4. Citizens' Comments**

None

**5. Adjournment**

There being no further business to be conducted, Commissioner L. Brown motioned to recess, and Commissioner K. Braswell seconded the motion. VOTE: All voted Aye. Motion declared carried. At 2:30 p.m. the meeting was recessed.

\_\_\_\_\_  
Alicia Burtley, Deputy City Clerk

Approved by the Board on \_\_\_\_\_



**BOARD OF FIRE AND POLICE  
COMMISSIONERS  
February 24, 2015**

The City of Carbondale Board of Fire and Police Commissioners held a meeting on Tuesday, February 24, 2015, 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 Luanne Brown, Commissioner Jack Whitlock, Commissioner Kerry Braswell, and Chairman Harvey Welch

Absent: Commissioner Janet Vaught

Also present were Deputy City Clerk Alicia Burtley, Fire Chief John Michalesko, and Administrative Services Director Deborah McCoy

**2. Closed Meeting to Conduct Oral Interview Examinations of Entry-Level Firefighter 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 Firefighter candidates. VOTE: All voted Aye; motion declared carried. Open session recessed at 8:25 a.m.

Of the seventeen (17) candidates scheduled, all were in attendance for the oral examinations. During the meeting, two 15 minute breaks and an hour lunch was taken.

There was no formal action taken as a result of the closed meeting.

There being no further business to come before the Board, Commissioner L. Brown moved, Commissioner K. Braswell seconded, that the Board return to open session. VOTE: All voted Aye; Motion declared carried. Open session resumed at 2:30 p.m.

**3. Citizens' Comments**

Commissioner L. Brown stated she would like to discuss with the Board how the veterans points are applied to the overall score, develop different interview questions, diversity in the fire department and the utilization of the eligibility list. Chairman Welch directed the next agenda to reflect the suggested topics.

**4. Adjournment**

There being no further business to be conducted, Commissioner K. Braswell motioned to adjourn, and Commissioner J. Whitlock seconded the motion. VOTE: All voted Aye. Motion declared carried. At 2:55 p.m. the meeting was adjourned.

\_\_\_\_\_  
Alicia Burtley, Deputy City Clerk

Approved by the Board on \_\_\_\_\_



**BOARD OF FIRE AND POLICE  
COMMISSIONERS  
April 13, 2015**

The City of Carbondale Board of Fire and Police Commissioners held a meeting on Monday, April 13, 2015, in Room 103 of the Civic Center, 200 S. Illinois Avenue. Chairman Harvey Welch called the meeting to order at 8:15 a.m. with the following-named members of the Board present/absent:

**1. Roll Call**

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

Absent: None

Also present were Deputy City Clerk Alicia Burtley, Fire Chief John Michalesko, Interim Police Chief Jeff Grubbs and Administrative Services Director Deborah McCoy

**2. Approval of Minutes from February 23 and 24, 2015**

Commissioner J. Whitlock moved, Commissioner K. Braswell seconded to approve the February 23, 2015 and February 24, 2015. DISCUSSION: Commissioner J. Vaught pointed out typographical errors. Vote: All voted Aye. Motion declared carried.

**3. Review and Approval of 2014 Annual Report**

Commissioner J. Vaught moved, Commissioner L. Brown seconded to approve the 2014 Annual Report. DISCUSSION: None. Vote: All voted Aye. Motion declared carried.

**4. Election of Chairperson and Vice-Chairperson**

Commissioner J. Vaught moved, Commissioner L. Brown seconded for Harvey Welch to serve as Chairman of the Board of Fire & Police Commission by acclamation. DISCUSSION: None. Vote: All voted Aye. Motion declared carried.

Commissioner K. Braswell moved, Commissioner J. Vaught seconded for Jack Whitlock to serve as Vice Chair of the Board of Fire & Police Commission by acclamation. DISCUSSION: None. Vote: All voted Aye. Motion declared carried.

**5. Discussion on Police Promotional Procedure**

Interim Police Chief Jeff Grubbs informed the Board that Officer Matthew Acray submitted a letter which requested his removal from the Sergeant Promotional Eligibility List due to personal circumstances. Interim Chief Jeff Grubbs explained the situation around the removal and the officer's request for reinstatement to the Board and inquired on how to proceed. It is the duty of the Board to certify the removal and approval of individuals on the list, and proper protocol was not administered as such. Therefore, it was the unanimous consensus of the Board for Officer Matthew Acray to remain on the Sergeant Promotional Eligibility List. The Board also suggested giving individuals on the Sergeant Promotional Eligibility List the option to be passed over, rather than removed from the list, if a situation arises hindering their ability to move forward.

**6. Closed Meeting to Conduct Oral Interview Examinations of Promotional Firefighter Candidates**

Commissioner K. Braswell moved, Commissioner J. Whitlock 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 Promotional Firefighter candidates. VOTE: All voted Aye; motion declared carried. Open session recessed at 8:35 a.m.

Of the four (4) candidates scheduled, all were in attendance for the oral examinations. There was no formal action taken as a result of the closed meeting.

There being no further business to come before the Board, Commissioner K. Braswell moved, Commissioner J. Vaught seconded, that the Board return to open session. VOTE: All voted Aye; Motion declared carried. Open session resumed at 10:11 a.m.

**6. Discussion regarding Firefighter interviews, evaluation process, and eligibility list**

Commissioner J. Vaught move, Commissioner L. Brown seconded, that the application or application packet be amended to include whatever is required to receive their veteran points. DISCUSSION: The Board discussed the issuance of veteran points offered to the firefighter candidates with military experience. State rules indicate that the candidate must request in writing that veteran points be added to their composite score and submit their DD2-14 to administration. VOTE: All voted Aye. Motion declared carried.

- The Board requested information pertaining to the types of points allowed by the state to assist the candidates with their composite scores.
- Discussion occurred regarding the list of oral interview questions for the promotional and entry-level candidates. Commissioners requested a list of questions more suitable for the firefighters be submitted for review.
- Discussion took place on the frequency of testing and ways to find, identify, diversify and recruit individuals for the department.

**7. Citizens' Comments**

None.

**8. Adjournment**

There being no further business to be conducted, Commissioner J. Whitlock motioned to adjourn, and

Commissioner L. Brown seconded the motion. VOTE: All voted Aye. Motion declared carried. At 10:53 a.m. the meeting was adjourned.

\_\_\_\_\_  
Alicia Burtley, Deputy City Clerk

Approved by the Board on \_\_\_\_\_

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

**MEETING MINUTES  
9:00 A.M., OCTOBER 28, 2014  
FIRE STATION 2**

**CALL TO ORDER AND ROLL CALL**

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

PRESENT: Ted Lomax, President; Mike Hertz, Secretary, Harry Threlkeld, Fire Fighter Retiree Representative

ABSENT: Don Ursini, City Treasurer; Deborah McCoy

GUESTS: Thomas McShane, Graystone Consulting

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

Thomas McShane of Graystone Consulting presented the Investment Review for the Period Ending September 30, 2014 as well as the Asset Allocation Analysis for discussion. Motion made by Mike Hertz to increase the Equities allocation maximum from fifty-five percent (55%) to sixty percent (60%). Motion seconded by Ted Lomax. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE. AYES: Three; NAYS: None. Motion declared carried. Motion made by Mike Hertz to put \$200,000 of the first property tax installment into Equities, with \$100,000 each month thereafter until the sixty-percent (60%) maximum is reached. Motion seconded by Harry Threlkeld. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE. AYES: Three; NAYS: None. Motion declared carried. Motion made by Mike Hertz to increase the monthly cash transfer amount that is used to cover payroll to \$120,000 per month beginning in January, 2015. Motion seconded by Harry Threlkeld. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE. AYES: Three; NAYS: None. Motion declared carried.

Mr. McShane exited the meeting.

**MINUTES OF PREVIOUS MEETING**

Motion made by Mike Hertz to approve minutes of the July 22, 2014 meeting. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried.

**TREASURER'S REPORT**

Becky Applegate presented the Treasurer's Report and Market Value Comparison for period ending September 30, 2014. Investments showed a decrease of \$243,103 since June's statement. Motion made by Mike Hertz to accept the Treasurer's Report as presented and approve expenses totaling \$381,243.91, of which \$358,843.89 was payroll. Motion seconded by Ted Lomax. VOICE

VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried. See attached Expense Report for details.

#### **UNFINISHED BUSINESS**

Motion made by Harry Threlkeld to approve the Investment Policy to include the sixty percent (60%) equities increase text amendment. Motion seconded by Ted Lomax. VOICE VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried.

Kathy Haldeman presented the rules for electronic meeting attendance from the Illinois Attorney General's Office. The Board decided that it would not incorporate an electronic meeting attendance policy at this time.

#### **NEW BUSINESS**

Kathy Haldeman presented the 2015 Meeting Calendar. Motion made by Mike Hertz to approve the 2015 Meeting Schedule. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried.

The Board discussed two firefighters that would like to purchase service time from other fire departments. Firefighters Ron Stolz and Carl Sisk are obtaining needed information from the other departments and Becky Applegate is consulting Scott Brandt of the Illinois Department of Insurance for calculation review.

Mike Hertz presented the Actuarial Valuation prepared by Tepfer Consulting Group, Ltd. Motion made by Mike Hertz to approve the Actuarial Valuation as of May 1, 2014 for the Fiscal Year ending April 30, 2015. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried.

Motion made by Harry Threlkeld to approve the Pension Benefit Payment/Cost of Living Adjustment (COLA) for Calendar Year 2015. Motion seconded by Mike Hertz. VOICE VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried.

The Board discussed the National Conference on Public Employee Retirement Systems (NCPERS) that was presented at the AFFI Pension Conference. Motion made by Mike Hertz to become a member of the NCPERS at an annual cost of \$250. Motion seconded by Harry Threlkeld. ROLL CALL VOTE: Ted Lomax – AYE, Mike Hertz – AYE, Harry Threlkeld – AYE. AYES: Three; NAYS: None. Motion declared carried.

Kathy Haldeman stated that a FOIA request was received on July 21, 2014 from S&P Capital IQ Editor Sean Aeran for the most recent Investment Report. This report was submitted to Mr. Aeran within the required time.

#### **ANNOUNCEMENTS AND ADJOURNMENT**

Motion made by Mike Hertz to adjourn at 10:25 a.m. Motion seconded by Harry Threlkeld. VOICE VOTE: AYES: Ted Lomax, Mike Hertz and Harry Threlkeld. NAYS: None. Motion declared carried.

The next meeting is scheduled for January 27, 2015 at 9:00 a.m.



## MINUTES

**Preservation Commission  
Monday, March 16, 2015  
City Hall/Civic Center – 7:00 p.m.**

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1. **Roll Call:** Mr. Parkinson called the meeting to order at 7:00p.m.  
**Members Present:** Jackson, Clark, Doherty, Ittner, Parkinson, Sigler, and Benedict  
**Members Absent:** Comparato, Van Awken  
**Staff Present:** Sergeev  
**Guests:** Lee Fronabarger, Kehos, Parish, Vohe, Thornburg

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2. **Approval of Minutes:** Mr. Sigler moved, seconded by Ms. Ittner, to approve the minutes of February 09, 2015.  
The motion to approve the minutes passed with a unanimous voice vote.
3. **Communication and Reports:**
  - a) Educational and Technical Assistance Committee  
Ms. Ittner updated the Commission about the “Old Core” Campus tour she is preparing for the 2015 Main Street and Historic Preservation Conference.
  - b) Nomination and Hardship Committee  
Nothing to Review
  - c) Work Plan Committee  
Nothing to Review
  - d) Certificate of Appropriateness Committee  
Nothing to Review
  - e) Downtown Advisory Committee Report  
Mr. Sigler updated the Commission in regards to where the Downtown Advisory

Committee is on hiring a firm.

4. **Old Business:**

a) Carbondale Main Street and Historic Preservation Conference 2015

There was a discussion about registration pertaining to scheduled registration times and that volunteers are needed to work the table.

Ms. Sergeev asked Commissioners to volunteer for the registration table.

Ms. Sergeev stated that currently they are offering professional credits and they are working on getting continuing education credits and planning certification credits.

b) Discussion of Founder's Day Celebration 2016

There was a discussion about how the commission should go about forming a permanent committee that consists of people from: City Council, City Staff, Carbondale Tourism, Main Street, Chamber of Commerce and SIUC.

Mr. Parkinson proposed that the commission present City Council with the idea of Preservation forming a sub-committee to oversee a Founders Day beginning April 2016 consisting of volunteers from the groups listed above.

Mr. Clark was appointed the task of writing the proposal for City Council.

5. **New Business:**

a.) 2015 Historic Preservation Award Nominations

Mr. Parkinson stated that a nomination has been received for 407 Forest (Bucky Dome), 700 W. Walnut St. and 108 S. Springer.

Ms. Ittner moved, seconded by Mr. Sigler, to approve the nomination for the 2015 Preservation Award to 407 Forest, Bucky Dome.

The motion passed on a unanimous voice vote.

There was a discussion about 700 W Walnut St and 108 S Springer and if any of the commissioners had any more information about the property.

The Commission decided the applications for 700 W Walnut and 108 S. Springer would require additional information about the properties in order to receive the 2015 Preservation Award. However, the applicants should reapply for the 2016 Preservation Award with additional information.

Mr. Sigler moved, seconded by Ms. Ittner, to deny the nomination for the 2015 Preservation Award to 700 W Walnut St., with a request for the owners to resubmit their application containing additional information for the 2016 Preservation Award.

The motion passed on a unanimous voice vote.

Mr. Sigler moved, seconded by Ms. Benedict, to deny the nomination for the 2015 Preservation Award to 108 S. Springer, with a request for the owners to resubmit their application containing additional information for the 2016 Preservation Award

The motion passed on a unanimous voice vote.

b.) Establishment of Nominating Committee for the election of officers

Mr. Parkinson opened a discussion about establishing a nomination committee; he also stated that Ms. Ittner has volunteered and that he also will volunteer for the nomination committee.

Mr. Sigler volunteered to also be on the nomination committee.

6. **Comments by the Public, Commission Members or Staff:**

Mrs. Sergeev informed the Commission of various upcoming conferences and classes that commission members could benefit from incase anyone is interested.

7. **Adjournment:**

Mr. Parkinson adjourned the meeting at 7:52 p.m.



## Carbondale Human Relations Commission

Minutes – March 2, 2015  
Carbondale Civic Center ~ 5:00 p.m.

**Commissioners Present:** Lauren Bonner, Joseph Brown, Jerrold Hennrich, Eric McMillan, Faith Miller, Joshua Phillips, Kareem Shariati, Dora Weaver

**Commissioners Excused:** Peg Falcone

**Commissioners Absent:**

**Study Circle Staff Present:** Sarah Heyer

**Guests Present:** Scout Brobst, Alexandra Desrosiers, Frederique Desrosiers, Cathy Field, Atley Green, Pepper Holder, Sarah Hollinsworth, Rev. Sonja Ingebritsen, Orlan Mays, Margaret Nesbitt, Erik Novak, Patricia Preston, Elius Reed, Carlton Smith

**Staff Present:** City Attorney Mike Kimmel, Deborah McCoy

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### CALL TO ORDER

The meeting was called to order at 5:07 p.m. by the Chair, Commissioner Hennrich. Carbondale Community High School students, Frederique Desrosiers, Alexandra Desrosiers, Scout Brobst, and Atley Green, were asked to introduce themselves.

### MINUTES

Motion was made by Commissioner McMillan and seconded by Commissioner Bonner to approve the minutes of the February 2, 2015 meeting. Motion carried.

### ANNOUNCEMENTS

March 3, 2015      Panel Discussion: Beyond Ferguson, John A. Logan College, 11:00 a.m.

March 5, 2015      Racial Justice Coalition Meeting, Church of the Good Shepherd, 7:45 p.m.

March 7, 2015      PBS documentary, *American Denial*, will be shown at the Carbondale Public Library, 1:30 p.m., followed by a discussion.

March 9, 2015      Workshop – Educational Opportunities for African American Children, SIUC Student Center Auditorium, 10:00 a.m. – 4:00 p.m. (Commissioner Brown is a panelist)

## ISSUES

### *City Attorney Mike Kimmel – Open Meetings Act*

Mr. Kimmel spoke about the Open Meetings Act. He indicated that it is a violation of the Open Meetings Act when four (4) or more members are communicating outside of a scheduled meeting, as that constitutes a majority and establishes a quorum. According to the Open Meetings Act, no business should be discussed regarding City policy, or anything under the purview of the Human Relations Commission, unless it is done in an open meeting. This includes electronic communication such as e-mail. Mr. Kimmel commented that e-mails can be sent to Ms. McCoy and she can forward those to Commissioners. A response from a Commissioner should be sent directly to Ms. McCoy, and she can then forward a response to Commissioners. Text messages received during the Human Relations Commission meeting can be requested through the Freedom of Information Act (FOIA). Violations of the Open Meetings Act are subject to the following sanctions: 1) the ultimate action taken can be voided or 2) the States Attorney can charge a misdemeanor, a state criminal charge. Meetings are open and business can be discussed, and items requiring a vote must be listed on the agenda. Meetings are to be held at a convenient location and published with at least 48-hours' notice.

Mr. Reed asked whether a citizen could record and/or take notes of meetings. Mr. Kimmel stated that as long as there is not an objection by the individual, he/she can be recorded. There is a statutory right to record public meetings except for religious or personal reasons. If a citizen asserts their concern, then he/she cannot be recorded or videotaped.

Chair Hennrich asked about committee/subcommittee meetings. Mr. Kimmel indicated that committees/subcommittees are subject to the Open Meetings Act as well. Individuals can meet, however, no business regarding the City or Human Relations Commission should be discussed. There is a way for an absent member to vote that is outlined in the Open Meetings Act. Mr. Kimmel stated that if a committee/subcommittee is established, that committee/subcommittee has a quorum as well, which would require compliance with the Open Meetings Act. Mr. Kimmel encouraged Commissioners to call him with questions at 549-5302 or 457-3215.

### *Superintendent Mike Shimshak – Carbondale District No. 95*

Mr. Shimshak was not present.

### *Public Education/HRC Website*

Commissioner Weaver commented that information to be added to the web page should be sent to her or Commissioner Falcone, and they will forward to the City's Network Specialist.

Commissioner Shariati commented that he spoke with Commissioner Falcone regarding the brochure she was instrumental in developing. She is willing to edit and update the brochure. Motion was made by Commissioner McMillan and seconded by Commissioner Brown to authorize Commissioner Falcone to edit and update the brochure. Motion carried.

Commissioner Weaver announced that a group photo will be taken at the April 6, 2015 meeting.

### *Public Forums/Events – Community Policing*

Commissioner Miller reported that the group met February 3, 2015, and one other time following that date. Those who have been present for the meetings include Commissioner Miller (HRC), Ms. Field (Racial Justice Coalition), Dr. M. Stalls (NAACP), and Nick Smaligo (volunteer). A tentative agenda for the forum has been developed which includes: introduction with the purpose and welcome, panel discussion with five minute presentations by panel members, citizen comments, discussion groups for about 45 minutes, and wrap up. The date being considered is March 17, 2015, 6:00 or 7:00 p.m. at the Eurma Hayes Center or Civic Center. The date was selected as it is prior to local elections and close to the candidate forum sponsored by the League of Women Voters. Concern was raised about the date of the event being two weeks out without any publicity, and it was suggested that the date be moved back to allow for sufficient notice. The Committee is in the process of confirming panel members and a facilitator, and is working on ways to solicit citizen input. This particular forum will not include the attendance of police officers in their official capacity. Commissioner McMillan stated that there should be an official conveying of the information gathered from the forum to the City Council. It was suggested that the Committee submit a summary to the HRC following the forum from which the HRC would prepare a report for the Mayor and City Council. Ms. McCoy will send Commissioners a packet of information on the forum once a date has been identified.

### *HRC Annual Retreat*

Commissioner Hennrich commented that the Retreat held last year was very productive. Commissioner McMillan coordinated the Retreat, and will do so again this year. Suggestions and recommendations for the Retreat will be presented at the April meeting by Commissioner McMillan.

### *Subpoena Power*

Commissioners received information on municipalities with subpoena power prior to the meeting. Commissioner McMillan reminded the body that the communities presented for review are much larger than Carbondale, and have staffs charged with conducting initial investigations. Their police reports appear to be handled internally or by another group/board. Chairman Hennrich commented that there has to be a better way to work with police in the matter of community policing, where there is more transparency for the adjudication process. Police use their internal rules and regulations to prevent or get in the way of accountability. Commissioner McMillan stated that he considers there to be two issues, one of which is policing that is separate from subpoena power.

Commissioner Shariati indicated that subpoena power should be a topic to be included on the community policing forum agenda. Chairman Hennrich reminded Commissioners that the HRC is an advisory body to the City Council. When the HRC receives only complaint numbers, the only thing the HRC can advise on is the numbers, rather than patterns or issues. Rev. Ingebritsen commented that the subpoena is a tool, but the overarching issue is citizen oversight of the police.

Commissioner McMillan commented that other communities deal with housing, employment, financing, discrimination, and disability. He noted that subpoena power should not be limited to the City and its employees, as the HRC is here to protect the rights of all citizens – those who live in Carbondale and all of those who come into this community for work, worship, commerce and so forth. Commissioner Miller stated that it cannot be just about the police.

Commissioner Shariati commented that this is the first true dialogue of operations the Commission has had about the subpoena issue, and he was pleased with the open dialogue and consideration.

Mr. Holder stated that he has been passionate about subpoena power since HRC's inception. The ACLU Cincinnati Collaborative Agreement is one of the better models, as well as what is currently taking place in Baltimore, Maryland. The HRC will need an attorney who is well versed in community matters. Rev. Ingebriksen mentioned Richmond, California and its efforts to address some of the same kinds of issues.

Commissioner Shariati commented on his concerns regarding the way HRC is structured, conducts business, and meets. He indicated that having a better definition of who the HRC is and how it functions, will be helpful in establishing structure and parameters. Commissioners decided to include this topic as part of the Retreat agenda with Commissioner McMillan presenting suggestions on how it should be presented, such as tools needed to efficiently and effectively operate the HRC. Commissioner Shariati indicated that he would put his thoughts together following the dialogue of this meeting. Commissioner Weaver suggested that other terms be explored for the replacing the word subpoena as it is considered negative by some. Commissioners agreed that the suggestion presented by Commissioner Weaver will be included as part of the discussion for the Retreat, along with the issue of transparency suggested by Commissioner McMillan.

## **PUBLIC COMMENTS**

Rev. Ingebriksen spoke on the consistency of a lack of response from the City to direct requests from the Racial Justice Coalition. Regarding the town hall meeting that was requested by citizens, all of the stakeholders had input except the citizens. Sufficient notice was not received. Citizens were, however, allowed to speak at the town hall meeting. The consistency of not responding is not only disrespectful, but also shows disregard. Ms. Hollinsworth stated that she attended the meeting, but it did not seem like a town hall meeting. She expected a different room set-up. From a communications standpoint, it did not seem to be conducive to conversation. Rev. Ingebriksen commented that she appreciated citizens being able to speak, however she does not have confidence that the citizens were heard. What was heard was that "we know better than you do". She expects that the Council will vote in favor of Brightfields. She commented that there are a lot of things at stake, and she hopes that those things do not get lost regardless of what happens with Brightfields.

Mr. Smith spoke about the reasons HRC was established, with the one of the main reasons being because of an incident with the police. He commented on the importance of the HRC being able to investigate incidents. Mr. Smith indicated that the HRC was watered down to an advisory group without the authority to charge or sanction. He reminded the HRC that it is charged with and given the power to investigate which cannot be done without subpoena power. The HRC must have the authority to request that an individual address the body in order to get to the bottom of an issue. Since the inception of the HRC, the body is still trying to get investigative power. Mr. Smith stated that any attempt to alter the investigative power is inappropriate, and there should not be a change in using the word subpoena.

Mr. Smith commented that he, and others, came to the meeting because Mr. Shimshak was listed on the agenda, and there are some very critical issues that are taking place surrounding schools and police. He spoke about District 95's restorative justice program that has been discontinued, and indicated that the HRC could have looked into the program to get to the bottom of some of the issues surrounding it. Mr. Smith commented that he was hearing that groups and people come to HRC to get an endorsement, because for some reason, citizens think HRC endorsement means something. Mr. Smith called attention to some of the issues with the program including accreditation and unqualified staff. He spoke about the program with the police in the schools and

asked the HRC to take a critical look at what is actually taking place. He referenced the article featured in the Southern Illinoisan with Officer Mathis and Ms. Toliver, and commented that the students were probably instructed by the teacher to sit and listen. Mr. Smith suggested that the program be pulled until there is community involvement and support. Commissioner Weaver expressed concern about the books that are selected to be read.

Ms. Preston indicated that she agreed with Mr. Smith's comments. She attended District 95's Board meeting last Thursday, and concerns were raised about the program with the police in the school. The response was that the program was working and it was going to be continued. She indicated that she does not have a problem with the police in a general way, as they are there to serve and protect. Ms. Preston commented that she wanted to know who is going to be conducting training for the teachers and the police who are participating in the program. She commented on her concerns regarding officers' experience and credibility in working with young children that are different ages, from different cultures, races, etc. Ms. Preston indicated that it is important to know the purpose of the program, its goals, expected results, and what is being used to measure program outcomes. She indicated that it appears that school safety was mentioned only after concerns were raised about the program, and she sees those as two totally different issues. She felt the two-page article carried by the Southern Illinoisan was orchestrated. Ms. Preston asked whether the HRC is a body where a citizen can come forward and bring a complaint, and if so, what is it the HRC can or will do.

Chairman Hennrich commented that the HRC has limited power and is an advisory to the City Council. The best the HRC can do is hear concerns, summarize them, and make a recommendation to the City Council.

Mrs. Nesbitt commented that things seem to be just another gathering with no action. She spoke about how brutal people were treated by the City Council and the other representatives. She asked whether the HRC could make a statement to the City Council about the disrespect and the very bad treatment of citizens who are taxpayers. She spoke about the set-up of the room and how the parties involved were seated and treated special, without those same conveniences being afforded citizens. Mr. Holder asked whether a list of concerns brought before the HRC were recorded and forwarded to the City Council. Chairman Hennrich commented that not all concerns are kept or forwarded.

Mr. Mays indicated that after being in Carbondale for 10 years, he is now reaching out for partnership. He commented that it appears that so many groups are discussing the same issues, especially about discrimination and policing. He suggests that groups come together to discover what is being worked with, and be educated on policies and laws, and what those policies and laws allow. Mr. Mays asked the HRC to support the "Know Your Rights" program. Commissioners were in agreement that it was a good program, and one that the HRC should support, and should discuss further at the April meeting.

Mr. Reed presented an update on the Vaugherese case from an article presented in the Southern Illinoisan newspaper. Commissioner Miller reported that Jackson County States Attorney Mike Carr has recused himself from the Vaugherese criminal investigation.

Commissioner Brown referenced comments made by Mrs. Nesbitt and Rev. Ingebritsen regarding disrespect, and the manner in which the *Southern Illinoisan* newspaper referred to Dr. Ella Lacey as "and other community activists" in the article on police officers and children in the schools. These are examples of how people are reduced to clichés and stereotypes. Community activist is a loaded term that says to some, "they are just out there to be emotional with their own private agendas". People are able to say anything they wish to define an individual of serious consideration. In our community, the only thing an individual has is his/her authority of experiences and when that is taken – there is nothing. If someone does not take a person at his/her word, then he/she is being told that they do not exist. When quality of life issues in this town are being discussed – from

arguments over contaminating earth to contaminating school districts – and the word of individuals are not taken seriously, then there's nothing left to do but escalate into violence. The request should be taken up subsequently, starting at the top, to ask people for behavior that is not only fair, but also just. There must be cultural competency training for university and city leaders. Commissioner Brown suggested that perhaps such discussion - cultural competency in an interracial, multicultural, inclusive community - could be had at the next HRC meeting, and it should be part of the debate for Mayor and Council candidates. He commented that people are using crisis, budget, overworked, temporary, or whatever, as excuses not to pay attention to basic human rights, reasons that allow them to be excused.

Commissioner McMillan called attention to the Bylaws, and commented that HRC needs to follow up on how city officials and representatives relate to citizens. He indicated that follow-up should not only include the issues presented at the meeting, but also responses to emails and other correspondence. The HRC needs to present these concerns to the City Council.

## **PROCESS ASSESSMENTS**

### *Neighborhood Action Group*

The Group met February 4, 2015, and will meet on March 4, 2015. The meeting consisted of discussion regarding the Open Meetings Act and review of the Neighborhood Alliance Meeting. The Arbor District is working on an ordinance to address noise. MAPP Your Neighborhood is working on incorporating the hospital and the surrounding area. The group is putting together a website. The Illinois Department of Transportation (IDOT) is discussing changing some roads and two meetings have been held for public input. IDOT has scheduled an April meeting where some of the discussion will include the location of potential roads and those locations will make a difference.

### *Racial Justice Coalition*

Ms. Field reported representatives attended the Koppers and District 95 School Board meetings, and is working with HRC on the upcoming forum. The next Coalition meeting will be held Thursday, March 5, 2015. The Coalition is on Facebook.

### *Law Enforcement Report*

Chairman Hennrich indicated that he spoke with Interim Chief Grubbs regarding a report that was leaked to the press. It was an internal memorandum regarding the reduction in traffic citations. Chairman Hennrich will get a copy of the report.

### *Items for City Council*

Commissioner Bonner suggested that concerns be organized and summarized and presented at City Council meeting. Commissioner Weaver suggested putting together a list of citizen concerns that can be reviewed by HRC to decide what to send to City Council. Commissioner Miller indicated that she favors the bulleted concept because points could be listed, e.g. Brightfields, school board, police programs in the school, lack of accountability. Chairman Hennrich suggested a unilateral action statement. Commissioner Bonner suggested that the statement referenced by Commissioner McMillan from the Bylaws be included as an introduction.

## **ADJOURNMENT**

Next meeting – April 6, 2015. Motion was made by Commissioner McMillan and seconded by Commissioner Bonner to adjourn. There being no further business, the meeting was adjourned at 8:10 p.m.

Recorded by Deborah McCoy \_\_\_\_\_