

City Council of the City of Carbondale, Illinois
Regular Meeting of April 14, 2015

Following a meeting of the Local Liquor Control Commission, the City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, April 14, 2015, in City Council Chambers, 200 South Illinois Avenue. Acting Mayor Donald Monty called the meeting to order at 7:11 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 Corene McDaniel, Councilwoman Jessica Bradshaw, Councilwoman Carolin Harvey, 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 24th of April as Arbor Day in the City of Carbondale and encouraged all citizens to observe the day by appreciating trees. The City Arborist Mark McDaniel accepted the proclamation.

Councilwoman Harvey reminded the community that the SIU Civil Service Council will hold their annual yard sale and flea market on Saturday, April 18, at the SIU Arena parking lot.

Councilwoman Bradshaw announced that Saturday, April 18, is the annual Keep Carbondale Beautiful cleanup day.

Acting Mayor Monty announced that Dome Days will be at the Buckminster Fuller Dome on Saturday, April 18. This will be the kick-off for a fundraiser to refurbish the interior of the Buckminster Fuller Dome.

Acting Mayor Monty announced that this week is National Telecommunicators' Week and acknowledged the valuable service provided to the community by the City's telecommunicators.

3. Citizens' Comments and Questions

Barry Spehn, 500 Charles Road #31, commented on the towing practices of Edwardsville, Illinois, and asked that the Council consider eliminating predatory towing and requiring tow truck operators to return funds if signage is insufficient.

Donna Throgmorton, co-owner of Larry's Towing, commented on refunding towing fees due to errors and the right of the property owner to tow vehicles from private property.

Elius Reed, 2012 South Illinois Avenue, asked Councilwoman Harvey about a quote attributed to her in a newspaper article and asked when the Brightfields project construction would begin. Acting Mayor Monty and Mr. Reed disagreed upon the Great Recession's impact upon Carbondale and what requirements the City can place on privately-funded construction contracts.

4. Public Hearings and Special Reports

1. Update from the Downtown Advisory Committee

Downtown Advisory Committee Vice-Chair Meghan Cole provided an update on the Committee's planned calendar of events.

2. Public Hearing on the Proposed FY 2016 City Budget

The minutes of this Public Hearing are transcribed separately.

5. Consent Agenda

1. Approval of Minutes from the Regular City Council Meeting Held on March 24, 2015. Recommendation: Approve.
2. Warrant for the Period Ending 03/16/15 FY 2015 Warrant # 1237 in the Amount of \$1,354,038.40. Recommendation: Approve Warrant #1237. (Exhibit A-04-14-2015)
3. Warrant for the Period Ending 02/28/15 FY 2015 Warrant #WF02/2015 in the amount of \$177,563.82. Recommendation: Approve Warrant #WF02/2015. (Exhibit B-04-14-2015)
4. Acceptance of Minutes of Boards, Commissions, and Committees. Recommendation: Accept the approved meeting minutes from the Planning Commission meetings of February 18 and March 11, 2015; Preservation Commission meeting of February 9, 2015; Liquor Advisory Board meeting of March 5, 2015; Foreign Fire Insurance Board meetings of December 11, 2014 and January 29, 2015; and the Police Pension Board of Trustees meeting of March 24, 2015.
5. Ordinance establishing a Foreign Fire Insurance Fund and approving a Budget Adjustment providing funds for purchases for the maintenance, use, and benefit of the City of Carbondale Fire Department. Recommendation: Approve the Ordinances establishing the Foreign Fire Insurance Fund and approving a budget adjustment increasing the FY 2015 budget for the fund's establishment. (Ordinance 2015-11; Exhibit C-04-14-2015)
6. Award of Contract for the Layout, Composition, and Printing of the Carbondale Communique to Thomas Publishing of Carbondale in the amount of \$35,700. Recommendation: Award the contract for the Carbondale Communique to Thomas Publishing in the amount of \$35,700.
7. Award of Contract for Boiler Replacement at City Hall to Southern Illinois Piping Contractors, Inc. of Carbondale in the amount of \$207,800. Recommendation: Award the contract for Boiler Replacements at City Hall to Southern Illinois Piping Contractors, Inc. of Carbondale in the amount of \$207,800.
8. Award of Purchase of a Heavy Duty Industrial Tractor Loader-Backhoe to McKeel Equipment Co., Inc. of Paducah, KY in the amount of \$89,664.42. Recommendation: Disqualify the bid from Sievers Equipment for failure to meet the required minimum specifications, award the purchase of a Heavy Duty Industrial Tractor Loader-Backhoe to McKeel Equipment Co., Inc., and declare the existing 2001 Komatsu WB-150-2 Tractor Loader-Backhoe as surplus property for trade-in.
9. Award of a Two-Year Mowing Contract for FY 2016 and 2017 to J&S Services of DeSoto, Illinois in the amount of \$84,378.58. Recommendation: Award the two-year mowing contract for FY 2016 and 2017 to J&S Services of DeSoto.
10. Resolution approving the final BPL development plan for Verizon Wireless located at 1230 East Main Street. Recommendation: Adopt the Resolution approving the final BPL development plan for Verizon Wireless located at 1230 East Main Street. (Resolution 2015-R-11; Exhibit D-04-14-2015)
11. Resolution for the City of Carbondale to adopt a "Complete Streets" policy. Recommendation: Approve a Resolution adopting a complete streets policy for the City of Carbondale. (Resolution 2015-R-12; Exhibit E-04-14-2015)
12. Pulled by D. Monty.
13. Appointments to Boards and Commissions. Recommendation: Concur with the Mayor's recommended appointment of Jack Wissmann, 506 Hancock Court, to the Carbondale Convention & Tourism Bureau for a term expiring April 30, 2018.

L. Fronabarger moved, C. Harvey 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, and 5.13. VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, and D. Monty. Nays: None. Motion declared carried.

5.12 Ordinance Approving a Text Amendment Relative to Bicycle Parking Requirements.

DISCUSSION: Adam Loos and Thomas Grant, members of the Planning Commission remarked on their interpretation of the Planning Commission's intent in approving a waiver clause in the language being considered by the City Council and offered suggestions for addressing the bicycle waiver provision.

Council

The City Council requested clarification as to the maximum number of parking spaces that could be eliminated, the appropriate placement in the recommended Code amendment of a waiver clause for the placement of bicycle racks upon those areas where inadequate pedestrian passage space may not be available, and whether to strictly require bicycle parking upon each new development or to allow waivers or alternative locations. Ultimately, the Council determined that Staff should rework the language and bring this back at another meeting.

NO ACTION TAKEN

6. General Business

1. Ordinance Amending Section 5-2.29 of the Revised Code of the City of Carbondale, Illinois, Relative to allowing micro-breweries, micro-distilleries, and wineries in the LI, Light Industrial, and GI, General Industrial, zoning districts

J. Adams moved, L. Fronabarger seconded, to adopt the Ordinance approving amendments to Section 15-2.29 relative to allowing micro-breweries, micro-distilleries, and wineries in the LI, Light Industrial, and GI, General Industrial, zoning districts. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, and D. Monty. Nays: None. L. Jack abstained. Motion declared carried. (Ordinance 2015-12; Exhibit F-04-14-2015)

2. Resolution authorizing an "Alcohol Free Night" on May 24, 2015 at Hangar 9

J. Bradshaw moved, C. Harvey seconded, to adopt a Resolution approving Toomey Enterprises, Inc.'s request for an "Alcohol Free Night" on Sunday, May 24, 2015, from 6:00 p.m. to 11:00 p.m.

DISCUSSION: Sally Carter of Hangar 9 and Dave Armstrong of WDBX explained their reasons for requesting the alcohol-free night and responded to Council questions. VOTE: Ayes: J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey and D. Monty. Nays: None. L. Jack abstained. Motion declared carried. (Resolution 2015-R-13; Exhibit G-04-14-2015)

3. Ordinance Amending Title Sixteen of the Carbondale Revised Code to add Chapter Eleven "Protection of Future Control and New Large Capacity Uses of the Water and Sewer System

DISCUSSION:

Judy Cunningham, 509 North Oakland, noted her opposition to any type of privatization and expressed concern about usage of large quantities of water by the fracking industry.

Chuck Paprocki, 812 North Springer Street, thanked the League of Women Voters and the City Council for understanding the importance of this issue and their work to address this matter.

Liz Gersbacher, member of the League of Women Voters of Jackson County, remarked on the experiences in municipalities where privatization was considered and commented on the findings and interests of the League of Women Voters in relation to municipal water systems.

Barbara McKasson, 2 Hillcrest, spoke on behalf the Shawnee Sierra Club, noting the support by the group of the Ordinance and advocating for more stringent voting requirements for bulk water sales.

Tom Grant, 5370 Springer Ridge Road, encouraged passing the Ordinance and increasing the voting requirement to a supermajority for large capacity users.

J. Bradshaw moved, C. Harvey seconded, to approve an Ordinance amending Title Sixteen of the Carbondale Revised Code to add Chapter Eleven “Protection of Future Control and New Large Capacity Uses of the Water and Sewer System utilizing the alternate Ordinance language as it relates to voting requirements for large capacity users. VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, and D. Monty. Nays: None. Motion declared carried. (Ordinance 2015-14; Exhibit H-04-14-2015)

4. Ordinance Authorizing the City Manager to Execute a Revised Contract for the Sale of Land to Srinivas Gundala, d/b/a SSST, LLC, for Property at 518 South Illinois Avenue

C. Harvey moved, C. McDaniel seconded, to approve an Ordinance authorizing the City Manager to execute a revised Contract for the sale of land to Srinivas Gundala, d/b/a SSST, LLC, for property at 518 South Illinois Avenue. VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, and D. Monty. Nays: None. Motion declared carried. (Ordinance 2015-15; Exhibit I-04-14-2015)

5. Review and Discussion of the Proposed FY 2016 Budget and Five Year Community Investment Program

Proposed FY 2016 Budget Discussion Topics:

- Discussion about utilizing comp time in place of overtime
- Whether Safe Routes To School Grant funds were federal pass-through funds or State funds
- Reducing the number of recycling trucks with the acquisition of a new truck and whether large residential complexes are encouraged to recycle
- Discussion about the inclusion in the Budget and importance of having a back-up water supply
- Questions regarding payments to the Park District
- Accounting/tracking for income and expenditures for the Municipal Rental Properties fund and the impact on the balance of City assets of selling U-City buildings
- The absence of vehicle purchases in the proposed budget when it is unlikely that such purchases will not occur
- Whether the construction of a storage building for Municipal Rental Properties was appropriate for the location and if it was necessary

Elius Reed, 2012 South Illinois Avenue, asked if the City makes annual payments to the high school.

Proposed 5-Year Community Investment Program Discussion Topics:

- The placement of street patching and street resurfacing programs in the 5-year CIP versus in standard operation costs and plans for constructing or resurfacing public parking lots

- The likelihood of buying, designing, and constructing the Lewis Lane sidewalk in one year
- Whether the backup water supply project should be a higher priority than other projects

7. Council Comments

Councilman Jack asked about the progress on revisiting the issue of alternative grass covers by the City Council.

City Manager Baity provided updates to queries from earlier in the evening.

Acting Mayor Monty commented that the Sustainability Commission requested input from the City Council about any interest in developing a task force on studying reducing or banning Styrofoam containers. Council provided input and agreed with having a task force/group look into the costs and benefits of such a ban.

8. Closed Meeting to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees

J Bradshaw moved, L. Fronabarger seconded, to hold a Closed Meeting to Discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees in accordance with 5 ILCS 120/2 (c)(1) of the Illinois Open Meetings Act. VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, and D. Monty. Nays: None. Motion declared carried. Open session recessed at 10:32 p.m.

L. Jack moved, J. Adams seconded, to return to open session. VOTE: Ayes: L. Jack, J. Adams, L. Fronabarger, C. McDaniel, J. Bradshaw, C. Harvey, and D. Monty. Nays: None. Motion declared carried. Open Session resumed at 12:03 a.m.

There being no further business to come before the City Council, the meeting was declared adjourned at 12:04 a.m.

Jennifer R. Sorrell, City Clerk

Approved by the City Council on:
