

City Council of the City of Carbondale, Illinois  
Regular Meeting  
April 6, 2004

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, April 6, 2004, in City Council Chambers of the Carbondale Civic Center, 200 S. Illinois Avenue. Following a meeting of the Local Liquor Control Commission, Mayor Brad Cole called the meeting to order at 7:11 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

Present: Councilman Lance D. Jack, Councilwoman Sheila Simon, Councilwoman Corene McDaniel, Councilwoman Margaret Flanagan, Councilman Chris Wissmann, Councilman Steven N. Haynes and Mayor Brad Cole

Absent: None

Also present were City Clerk Janet M. Vaught, City Manager Jeffrey W. Doherty and various members of the City's administrative staff.

2. General Announcements and Proclamations

Mayor Cole announced that a Closed Meeting had been added to the agenda.

City Manager Doherty announced that Firefighter Dennis Palmer, who had been injured the previous week in a fire, had been released from the hospital and is recuperating at home. Palmer thanks everyone for their cards and prayers.

Mayor Cole announced that the Carbondale Middle School girls volleyball team had placed third in the State Tournament.

Mayor Cole proclaimed April 18-25, 2004, as "Days of Remembrance" and presented the proclamation to Dr. Samuel Goldman. Mayor Cole also proclaimed the month of April as "Child Abuse Prevention Month" and presented the proclamation to Jesslyn Jobe of the Adolescent Health Center. The Mayor also proclaimed the month of April as "Cancer Awareness Month".

3. Citizen Comments and Questions

Timothy Donohue noted that he had recently purchased a battery operated scooter, adding that the State does not require licensing or vehicle tags for such scooters. He displayed pamphlets describing the scooters. He said that no one has been able to determine whether they should be categorized like a wheelchair and operated on the sidewalks or whether they are more like a bicycle or motorcycle and should be operated only on the streets. Noting that he has already received tickets for driving the scooter, he asked the Council to make a determination on whether the scooters should be operated on the streets or sidewalk. Mayor Cole asked him to bring information on the scooters to the Mayor's Office and that staff will look at the situation.

4. Consent Agenda

Presented for Council approval on the Consent Agenda were the following items and corresponding recommendations:

1. Approval of Minutes. Recommendation: Approve minutes of the Regular City Council meeting held on March 23, 2004.
2. Warrant. Recommendation: Approve Warrant #918 for the period ended March 26, 2004, in the amount of \$1,442,063.17. (Exhibit A-4-6-04)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Information and Telecommunications Commission of December 10, 2003 and the Mayoral Review Panel on the Eurma C. Hayes Child Care Center of March 4, 2004.
4. Resolution Approving Bond Volume Cap Allocation for 2004 Qualified Mortgage Bond Program. Recommendation: Approve. (Res. 2004-R-26; Exhibit B-4-6-04)
5. Authorization for the City Manager to execute Engagement Letters with Kerber, Eck & Braeckel for the City's Fiscal Year 2004 Audit. Recommendation: Authorize City Manager to sign.
6. Illinois Municipal League Legislative Bulletin 2004-07. Recommendation: Accept and place on file.
7. Ordinance authorizing the Granting of Two (2) Quit Claim Easements to South Highway Water District to Install a Booster Pump Station and Appurtenances at the Carbondale Water Treatment Plant located on McLafferty Road. Recommendation: Approve. (Ord. 2004-20; Exhibit C-4-6-04)

Mayor Cole asked if anyone would like any items removed from the Consent Agenda. No items were removed.

S. Simon moved, S. Haynes seconded, that the Council approve Consent Agenda Items 4.1 through 4.7. VOTE: Ayes: L. Jack, S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

5. Public Hearings

1. Public Hearing on proposed FY 2005 City Budget:

The minutes of this public hearing were transcribed separately.

6. General Business

1. Resolution Establishing User Fees for Cedar Lake Poplar Camp Beach:

C. Wissmann moved, S. Simon seconded, that the Council approve a Resolution establishing User Fees for Poplar Camp Beach as follows: Persons four (4) years old and under - free; Persons over four (4) years - \$2.00 per day; a 10-visit pass - \$15.00; and a 20-visit pass - \$25.00. VOTE: Ayes: L. Jack, S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-27; Exhibit D-4-6-04)

2. Ordinance amending Section 14-4-1 of the Carbondale Revised Code as it Relates to Curfew:

S. Simon moved, C. McDaniel seconded, that the Council approve an Ordinance amending Section 14-4-1 of the Carbondale Revised Code as it relates to curfew. VOTE: Ayes: L. Jack, S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-21; Exhibit E-4-6-04)

3. Ordinance annexing a 6.242 acre parcel owned by Alligator Self-Serve Storage located south of Sweets Drive and east of Harmony Lane and Harmony Lane right-of-way, and an Ordinance accepting Dedication of Harmony Lane:

M. Flanagan moved, C. McDaniel seconded, that the Council approve the Ordinance annexing a 6.242 acre parcel located south of Sweets Drive and east of Harmony Lane and Harmony Lane right-of-way, and approve the Ordinance accepting the dedication of Harmony Lane. VOTE: Ayes: L. Jack, S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-22 and Ord. 2004-23 respectively; Exhibits F-4-6-04 and G-4-6-04 respectively)

4. Discussion of FY 2005 Budget and Five-Year Capital Improvement Program Budget:

The Council discussed the FY 2005 Budget. There were no changes made to the Budget as presented. The Mayor noted that the Budget and Five-Year Capital Improvements Program would be brought back for Council action on April 20th.

## 7. Council Comments

Councilwoman Flanagan said she made a mistake in voting for an Ordinance at the last Council meeting regarding local preference in the bidding process. Noting that she would not vote in favor of the ordinance if it was brought before the Council again, she asked if the Council would be willing to revisit this issue. Council did not indicate support for bringing the issue back again. Councilwoman Flanagan asked that Council members keep an open mind on this matter.

Councilwoman Flanagan thanked Councilman Wissmann for the e-mails he sent to the City Manager and the Manager's prompt, informative responses to those e-mails regarding the proposed FY 2005 budget.

Councilwoman McDaniel noted that wildflowers were being planted in various areas of town as part of State grant that was received.

Councilwoman Simon extended her thanks to the high school students who were in attendance at this meeting. Also, referring to the comments made by Councilwoman Flanagan regarding the e-mails on the budget, Councilwoman Simon explained that the e-mails were solely between Councilman Wissmann and the City Manager and that

copies were provided to Council members. She emphasized that the e-mails were not between members of the City Council and were not a violation of the Open Meetings Act.

Councilman Haynes noted that the newest members of the City Council had been in office for almost a year.

Councilman Jack noted that the R. Buckminster Fuller Dome Home had been placed on the list of most endangered historic places by the Illinois Historic Preservation Agency. He also noted the opening of the Global Gourmet, located between Longbranch and the Co-Op.

8. Closed Meeting

C. Wissmann moved, S. Haynes seconded, that the Council hold a closed meeting to discuss the purchase or lease of real property for use by the public body and/or the setting of a price for sale or lease of property owned by the public body and litigation, when an action against, affecting or on behalf of the public body has been filed and is pending before the court pursuant to 5 ILCS 120/2(c)(5), (6) and (11). VOTE: Ayes: L. Jack, S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session recessed at 9:35 p.m..

S. Haynes moved, L. Jack seconded, that the Council return to open session. VOTE: Ayes: L. Jack, S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session resumed at 10:52 p.m..

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

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 10:53 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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