

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**August 17, 2004**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, August 17, 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 7:55 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

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

City Manager Doherty announced that Steve Odum had been selected as the new Carbondale Chief of Police. Mayor Brad Cole administered the Oath of Office to Chief Odum.

City Manager Doherty provided an update on the improvements to the Eurma C. Hayes Child Care Center. He also reported that the downsizing of the operation and staff had been completed. Councilman Wissmann encouraged people to take a look at the facility.

Councilwoman Simon announced that as part of the John Thomas String Program, every 2nd grader in Carbondale schools will learn to play the violin.

Councilwoman McDaniel announced that the African American Museum of Southern Illinois will hold its 5th annual Eve of Elegance on Saturday, August 21, at the Civic Center. Ann Walker, Founder and Director of the African American Heritage Tourism Development Corporation in East St. Louis, will be the keynote speaker. Tickets are \$50 and can be obtained by calling 529-1518 or 549-3878. A portion of the ticket is tax deductible.

**3. Citizen Comments and Questions**

Terry Hickey, General Manager of Dar Salaam, presented petitions in favor of permanently placing picnic tables and benches in the Town Square Pavilion. She said she was representing the Historic Town Square Business Coalition, adding that the three areas that would benefit by placement of the tables and benches are: 1) city programming, by providing an inviting environment that encourages attendance at events; 2) economic development, by giving visitors a positive feeling about their visit, the result of which may give those visitors a destination for shopping and dining; and 3) community building, by conveying a message of community pride and a stable, friendly, and accessible environment.

## City Council of the City of Carbondale, Illinois - August 17, 2004

City Manager Doherty said this has been discussed and information is being compiled on the different types of tables and seating that would be fit in with the historic nature of the Town Square and still address the needs of the businesses and visitors to the area. Ms. Hickey said the Coalition believes the tables would benefit the area and would not be that costly.

John Cutts of Carbondale said it would be beneficial if the Mayor would have veto power and be able to use a line-item veto, adding that the Council could always override it. He said the Council should be expanded so that only three couldn't override it, adding that there should be two more people. He said this is something the Council should think about. Mr. Cutts also noted that the City Manager has a round table in his office and will sit down and talk with people at that table on an equal basis about issues. He commended the City Manager. Mr. Cutts also noted the action scheduled later in the meeting about Save-A-Lot, adding that he hoped we get a store downtown.

### 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 August 3, 2004.
2. Warrant. Recommendation: Approve Warrant #930 for the period ended July 19, 2004, in the amount of \$936,111.32. (Exhibit A-8-17-04)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Board of Fire and Police Commissioners of February 18 and 24, 2004; Fire Fighters Pension Fund Board of Trustees of July 13, 2004; Liquor Advisory Board of May 6, June 3 and July 1, 2004; and Planning Commission of July 21, 2004.
4. Ordinance authorizing a Budget Adjustment establishing FY 2005 Police Department Contingency Account. Recommendation: Approve Ordinance authorizing a budget adjustment establishing the Police Department Contingency Account for FY 2005 in the amount of \$40,000 and increasing the overall FY 2005 budget. (Ord. 2004-65; Exhibit B-8-17-04)
5. Ordinance authorizing a Budget Adjustment for the Increase in the Overall FY 2005 Budget for the Preservation Education Display Grant in the Planning Services Division Budget. Recommendation: Approve. (Ord. 2004-66; Exhibit C-8-17-04)
6. Ordinance authorizing the Purchase of Real Property Adjacent to the Former New Era Dairy property and authorizing the Mayor to accept a deed conveying said property to the City of Carbondale. Recommendation: Approve. (Ord. 2004-67; Exhibit D-8-17-04)
7. Approve a Budget Adjustment and Amend the Five-Year Capital Improvements Program to include a New Era Road Sanitary Sewer Project (SA0203). Recommendation: Approve a BA transferring \$30,000 from the Water and Sewer Fund Fund Balance to pay for the New Era Road Sanitary Sewer Project (CIP SA0203) and amend the FY 2005 Five-Year Capital Improvements Program to include the New Era Road Sanitary Sewer Project.
8. Resolution authorizing the City Manager to sign a Utility Agreement with Egyptian Electric Cooperative Association for relocating electric utilities along New Era Road to accommodate the New Era Road Reconstruction Project (CIP ST9502). Recommendation: Approve. (Res. 2004-R-68; Exhibit E-8-17-04)
9. Resolution authorizing the City Manager to execute a Financial Assistance Agreement with the Illinois Environmental Protection Agency and a Resolution authorizing the City

## City Council of the City of Carbondale, Illinois - August 17, 2004

Manager to execute an Engineering Agreement with Cochran & Wilken, Inc. for Phase I Diagnostic/Feasibility Study for Cedar Lake and Carbondale Reservoir. Recommendation: Approve both resolutions. (Res. 2004-R-63 and 2004-R-64 respectively; Exhibits F-8-17-04 and G-8-17-04 respectively)

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

S. Simon moved, L. Jack seconded, that the Council approve Consent Agenda Items 4.1 through 4.9. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

### 5. Public Hearings

1. Public Hearing on Proposed Vacation of an East/West Alley located South of East Walnut Street and Extending 215 feet east of South Marion Street:

The minutes of this public hearing were transcribed separately.

### 6. General Business

1. Award of Contract for the New Era Road Reconstruction Project (ST9502):

S. Simon moved, S. Haynes seconded, that the Council concur in awarding the bid of \$2,382,874.52 to E.T. Simonds Construction Company of Carbondale for the New Era Road Reconstruction Project (ST95-02) and direct the City Manager to notify IDOT of the City's concurrence. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

2. Resolution establishing Fee Schedules for Interments and Grave Space Sales at Oakland Cemetery:

M. Flanagan moved, S. Simon seconded, that the Council adopt the Resolution which establishes rates for sale of Oakland Cemetery grave spaces and interments performed by cemetery personnel as indicated in the attachment. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-65; Exhibit H-8-17-04)

3. Ordinance changing certain sections of Title Six of the City's Revised Code as it relates to Cemetery Operations:

C. Wissmann moved, S. Haynes seconded, that the Council adopt the Ordinance which amends Title 6, Chapters 1, 2 and 3 of the Carbondale Revised Code as it relates to Cemetery Operations and Regulations as provided in the exhibits. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-68; Exhibit I-8-17-04)

4. Ordinance vacating the East-West alley located south of East Walnut Street and extending 215 feet east of South Marion Street:

City Council of the City of Carbondale, Illinois - August 17, 2004

S. Simon moved, M. Flanagan seconded, that the Council adopt the Ordinance vacating the East-West alley located south of East Walnut Street and extending 215 feet east of South Marion Street. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-69; Exhibit J-8-17-04)

5. Ordinance approving and Resolution denying York Family Limited Partnership request to rezone 0.806 acres from R-3 to SB, for property located at 303, 305 and 3-7 S. Marion Street:

S. Simon moved, C. Wissmann seconded, that the Council adopt the Ordinance approving the request to rezone the 0.806 acres from R-3, High Density Residential, to SB, Secondary Business. VOTE: Ayes: M. Flanagan, C. Wissmann, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Present: S. Haynes. Motion declared carried. (Ord. 2004-70; Exhibit K-8-17-04)

6. Resolution authorizing the City Manager to enter into an Economic Development Tax Increment Financing Agreement with York Family Limited Partnership:

S. Simon moved, C. McDaniel seconded, that the Council approve a Resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with York Family Limited Partnership. VOTE: Ayes: M. Flanagan, C. Wissmann, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Present: S. Haynes. Motion declared carried. (Res. 2004-R-66; Exhibit L-8-17-04). Mr. Randy York of York Family Partnership indicated he was excited about bringing the Save-A-Lot store to Carbondale and appreciated the City's assistance with this development.

7. Ordinance regulating parking upon North Parrish Lane between Sunset Drive and Murphysboro Road and amending Ordinance No. 73-17:

S. Haynes moved, S. Simon seconded, that the Council approve the Ordinance which regulates parking upon North Parrish Lane between West Sunset Drive and West Murphysboro Road and amends Ordinance No. 73-17. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-71; Exhibit M-8-17-04)

8. Resolution approving Mead Subdivision and Subdivision Agreement located at 1525 North Reed Station Road:

S. Simon moved, L. Jack seconded, that the Council adopt the Resolution approving the subdivision plat and subdivision agreement for Mead Subdivision. VOTE: Ayes: M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-67; Exhibit N-8-17-04)

**7. Council Comments**

Councilman Wissmann extended a welcome to all the new and returning SIU students. He also thanked Mayor Cole for issuing a proclamation recognizing Jason "Farmer Jason" Ringenberg, a former SIU student who is now a successful solo musician and children's performer.

City Council of the City of Carbondale, Illinois - August 17, 2004

Councilwoman McDaniel thanked staff for cleaning up the property around the old Lincoln Middle School. She asked when the building would be removed. Mayor Cole noted that the City is working with the Illinois Historic Preservation Agency about the building, adding that the site is the proposed location for a future public safety facility.

Councilman Jack noted that this is an election year and encouraged everyone to register to vote or make sure their voting address is up to date so they can vote in the November election. The last day to register to vote is October 5th. Councilman Jack also wished a "Happy Birthday" to 7-year-old Cecilia.

City Manager Doherty announced that the City would be observing Monday, September 6, as Labor Day. Refuse collection will be pushed back one day.

**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:04 p.m..

---

Janet M. Vaught, City Clerk

Approved by the City Council on:

---