

City Council of the City of Carbondale, Illinois
Regular Meeting
August 3, 2004

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, August 3, 2004, in City Council Chambers of the Carbondale Civic Center, 200 S. Illinois Avenue. Mayor Brad Cole called the meeting to order at 7:00 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

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

Absent: None

Also present were City Clerk Janet M. Vaught, Acting City Manager Donald D. Monty and various members of the City's administrative staff.

2. General Announcements and Proclamations

Councilwoman McDaniel announced that the African American Museum of Southern Illinois would be hosting a Garden Party celebrating its new exhibit entitled "African American Gardens and Yards". The Garden Party will be held on Sunday, August 8, from 3:30 to 5:30 at the University Mall.

Mayor Cole announced that National Night Out was currently underway at Lenus Turley Park. Participants include the Police Department, Fire Department and community organizations.

Mayor Cole noted that Carbondale would soon be welcoming back the SIU students. Parking meters will be bagged the week before school starts and the first week of school.

3. Citizen Comments and Questions

Nancy Stemper, Executive Director of Carbondale Community Arts, introduced CCA Summer Youth Intern Kit Ryan. Ms. Ryan thanked the City of Carbondale for its support of Carbondale Community Arts and announced the All Southern High School production of "Footloose", to be held on Friday, Saturday and Monday evenings and Sunday afternoon, August 6-9, 2004, at McLeod Theater. Tickets are \$8 in advance and can be ordered through Carbondale Community Arts.

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 July 20, 2004.

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2. Warrant. Recommendation: Approve Warrant #929 for the period ended July 16, 2004, in the amount of \$1,412,163.28. (Exhibit A-8-3-04)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Public Library of June 9, 2004; Human Relations Commission of April 5, May 3 and June 7, 2004; Planning Commission of July 7, 2004 and Preservation Commission of June 21, 2004.
4. Ordinance annexing a 0.24 acre parcel owned by Jamie Neil Andrew at 2385 North New Era Road. Recommendation: Approve. (Ord. 2004-61; Exhibit B-8-3-04)
5. Authorization for City Manager to execute a Head Start Contract with Southern Illinois University. Recommendation: Approve Resolution authorizing the City Manager to enter into a Full-Day Head Start Service Co-location Agreement with the Board of Trustees of Southern Illinois University. (Res. 2004-R-60; Exhibit C-8-3-04)
6. Selection of Voting Delegate to Illinois Municipal League conference. Recommendation: Select Mayor Cole as voting delegate and certify selection to IML.
7. Removed from consent.
8. Illinois Municipal League Legislative Bulletin 2004-18. Recommendation: Accept and place on file.

Mayor Cole asked if anyone would like any items removed from the Consent Agenda. Councilwoman Simon asked that Item 4.7 be removed.

S. Haynes moved, C. McDaniel seconded, that the Council approve Items 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.8 on the Consent Agenda. VOTE: Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried.

4.7 Resolution authorizing the Release of Cardinal Trail Subdivision Agreement.

S. Simon moved, C. Wissmann seconded, that the Council approve the Resolution which releases the Cardinal Trail Subdivision Agreement. VOTE: Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-61; Exhibit D-8-3-04)

5. Public Hearings

6. General Business

1. Action on Eurma C. Hayes Child Care Facility Improvements:

M. Flanagan moved, S. Simon seconded, that the Council approve an Ordinance authorizing a Budget Adjustment for the Increase in the Overall Fiscal Year 2005 Budget for Improvements to the Eurma C. Hayes Center and approve a Resolution authorizing the City Manager to Execute a Contract with J&L Robinson Development and Construction Company for repairs and improvements at the Eurma C. Hayes Center for an amount not to exceed \$153,107.

DISCUSSION ON MOTION: Mayor Cole noted it appeared by the initial internal discussions that the costs for the work could be absorbed with the funds that had been previously set aside to resurface the parking lot, adding that if the lot was resealed there should be about \$40,000 left. Mr. Monty agreed that it was determined that if the parking lot was simply resealed there would be about \$40,000 remaining that could be

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applied toward the cost of the improvements. In response to Mayor Cole's inquiry, Mr. Reeder said he took two contractors and Mr. Wheelles to the Eurma C. Hayes Center to look at the parking lot and it was agreed that the cracks could be resealed and parking lot restriped which would extend the life of the lot three to four years. Mr. Reeder added that no one felt that the lot needed to be resurfaced at this time. Mayor Cole noted that the budgeted figure for resurfacing the lot was \$51,250; the estimated cost of resealing was \$9,997, leaving a balance of \$41,253 to be applied toward the improvements. The total cost of the improvements was \$153,107 plus \$9,000 for the security system. Mayor Cole noted that these improvements are what has been recommended by the Mayoral Review Panel, adding that the City is not necessarily obligated to do all of the work. He said that some improvements need to be done, however, a significant amount of money is required to do the improvements without any formal bidding procedure. Mayor Cole said the City has an obligation to make sure the money that is spent is done so in the best way possible. He said that although staff has done a good job identifying the needs to be addressed and J&L Robinson has come up with their best estimate as a maximum, the City needs to be aware of the amount that is proposed to be spent and whether the project should be put out to bid. The Mayor suggested that in the interim the plumbing work be done in the bathrooms. This work can be accomplished with the money saved by the resealing of the parking lot. He suggested that the project then be reviewed to determine what repairs and renovations to the rest of the facility can be phased in within the budget. He said that although the money required for the improvements is available in the Rental Properties Fund, there are other properties that also need to be maintained.

Councilwoman Flanagan said she understand the Mayor's concerns. However, due to the delayed maintenance and the desirability of having the facility ready to open the doors at the beginning of the SIU semester, she would prefer that the project be done right away.

Councilman Wissmann said that some of the work could be done at night when the children aren't present, but that could lead to overtime and some other costs that might be over and above the proposal. Discussion followed on what parts of the improvements could be done without closing the facility. Mr. Reeder said the key components of the improvements are the bathrooms at the west end, Rooms 1, 2 and 3 and the middle bathrooms, as well as work in the hallway. Mr. Monty noted that the improvement to the floors is not just stripping and buffing but removing and replacing some of the floor surfaces. The ceiling tiles also need to be replaced. In Rooms 1, 2 and 3 these two improvements could not be accomplished with the children present. After those three rooms are completed, plastic sheeting could be hung to keep the dust down. However, at this time there is no work proposed to be done in Rooms 4, 5 and 6 or at the bathrooms at the far east end.

Councilman Wissmann noted that if the project were to be bid, the J&L Robinson bid would already be known. He asked if this could cause distortion or corruption in the bid process. Mr. Reeder said Mr. Robinson would probably refine his numbers. He added that the City appreciates the urgency that Mr. Robinson took to work with the painters and plumbers and submit the numbers so quickly.

Mayor Cole said his question relates more to what can be done now and what can be done later, i.e. the replacement of the ceiling tiles, the replacement of the flooring versus

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stripping and waxing, etc.. He asked if there might be a significant difference in the cost of what is essential to be done now versus what could be placed in a more comprehensive package to be bid later. Mr. Reeder said this could be done if this is what the Council desires. He added that after looking at the facility with the contractor he believes the interior work needs to be done. Mr. Reeder recommended that the Council approve the total package and allow them to work with the contractor to try to reduce some of the numbers, adding that he thought most of the repairs could be completed to the three classrooms and the two bathrooms in one week.

Councilwoman Simon complimented everyone who has worked on this project to get it to this stage so quickly. She noted that she is usually in the position of not wanting to spend money but in this case she is enthusiastic about being able to accomplish this much in such a short period of time. She added that thinking in terms of a day care facility, any type of painting or glueing of carpeting should not be done with children present and if a closure is possible to accomplish the work, she believes it is important to do so. She also noted that the next opportunity to close the day care facility would be during Christmas break. If necessary, she could support doing exterior work at a later time.

Councilman Jack asked how much of the suggested improvements could be completed during the one-week closure. Mr. Reeder said the west and center bathrooms, the three classrooms and the hallway down to the middle bathrooms should be able to be completed. The other areas can be accomplished at a later time when the children are present.

Councilman Haynes said all the improvements are necessary and said he understood the idea of prioritizing which areas need to be completed first. He questioned the necessity for a wood cedar fence. Mr. Monty said comments have been received for some time regarding the unattractiveness of the chain link fencing with the slats. The review panel recommended making visual improvements to the facility to make it more attractive. The cedar fence will match the painted wood fencing the is to the east of the entrance to the child care center. Mr. Monty noted that the improvement is not so much functional as aesthetic. He noted that the same idea pertains to the collection of pipes that run up and across the face of the building. Some of the concrete work proposed is a safety issue but is also aesthetic. Councilman Haynes said that if the Council chooses to do this, down the road the improvements might make the facility more attractive to another entity that might want to come in and begin operation of the child care center.

Councilwoman McDaniel said she supported doing all the work at this time, adding that school is going to be opening very soon and she would not want any reason for anyone to not take their child to the center. She said that the Council has to look at numbers and they need 48 children. If the improvements are done now, the center will be ready for the parents to bring their children.

Mayor Cole said the Review Panel and staff has done a good job over the last six months paying close attention to the work in the child care program and at the Hayes Center. He said there is a lot that has gone undone for various reasons and it is now necessary to pick up where that was left off. He said he hopes that the Council doesn't see this as a recurring theme, adding that there has to be a point where the Council stops patching holes 30 years too late. He said that if this is what staff is saying needs to be done, this means that next year there should not be another \$100,000 "wish list" of

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replacing ceiling tiles, floor tiles and other things. Mr. Reeder noted, however, that if the day care center thrives, the Council will have to look at repairing rooms 4, 5 and 6, adding that the hallways and bathrooms will already be done. Mayor Cole said the staff is sinking a significant amount of the communities resources into this Center at the direction of the Council. He said the Council wants this program and the Center to sustain itself and be a positive part of the neighborhood and the community. Mayor Cole said his point is that at some point the City can't afford to keep putting money in so they need to fix what is broken and then be able to run the program.

Councilman Jack said that although the Council doesn't want to keep coming back to this, the money has to be paid to fix the problem and the Council can't move forward with this program in the manner the Council intends by going about it half-way. He added that the Council needs to show a commitment on the part of the City to make the program work, adding if the improvements are strung out, symbolically it will weaken the Council's commitment to it.

Mayor Cole agreed, but also agreed with Councilwoman McDaniel's comment that there shouldn't be any excuses why people do not bring their children to the Center. He added that he also doesn't want any excuses about why something wasn't done now, asking Mr. Monty if this is what staff is requesting and if this is the full picture. Mr. Monty said it was. Councilman Wissmann noted that a significant amount of the work that is being done is being paid through a one-time savings in not resurfacing the parking lot. Mr. Monty noted that each year as part of the Capital Improvements Program, staff identifies projects that need to be done and try to place the funds that project in the program. He added that if staff finds that it has been successful in increasing enrollment and there is a need to refurbish one or more classrooms, that can be worked into the normal budget process.

Mayor Cole said that he feels this is too significant a dollar amount to sidestep the bidding procedure.

ORIGINAL MOTION: to approve an Ordinance authorizing a Budget Adjustment for the Increase in the Overall Fiscal Year 2005 Budget for Improvements to the Eurma C. Hayes Center and approve a Resolution authorizing the City Manager to Execute a Contract with J&L Robinson Development and Construction Company for repairs and improvements at the Eurma C. Hayes Center for an amount not to exceed \$153,107. VOTE ON MOTION: Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack and S. Simon. Nays: B. Cole. Motion declared carried. (Ord. 2004-62; Resolution 2004-R-62; Exhibits E-8-3-04 and F-8-3-04 respectively)

Councilwoman McDaniel requested from staff that the Council receive a quarterly report on attendance, staffing, income generated from the parents, income from other sources and anything else that would be pertinent to the Child Care Center. She asked that the first report be given to the Council by the end of December and then quarterly. Mayor Cole said he has discussed with the City Manager having a report ready by the end of the calendar year to review what has taken place this fall and where the Center is on meeting the objectives of the plan.

2. Ordinance approving and Resolution denying Daniel Ramirez' request to rezone 7.69 acres from AG and R-1-12 to BWA for property located at 1890 North Illinois Avenue:

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C. Wissmann moved, C. McDaniel seconded, that the Council adopt the Ordinance approving the request to rezone the 7.69 acres from AG, General Agriculture, and R-1-12, Low Density Residential, to BWA, Wholesale and Automotive, at 1890 North Illinois Avenue. Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-63; Exhibit G-8-3-04)

3. Ordinance amending Title Sixteen (16), Chapter One (1) of the Carbondale Revised Code as it relates to Water and Sewerage Enterprise Operations and Regulations:

S. Simon moved, L. Jack seconded, that the Council adopt the ordinance which amends Title 16, Chapter 1, of the Carbondale Revised Code as it relates to Water and Sewerage Enterprises Operations and Regulations. Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-64; Exhibit H-8-3-04)

7. Council Comments

Councilwoman McDaniel announced that the African American Museum of Southern Illinois would be hosting its annual dinner/dance fundraiser to be held at the Civic Center on August 21 at 7:00 p.m.. Tickets are \$50/each and a portion of the ticket is tax deductible. The guest speaker will be Ann Walker from East St. Louis.

Councilwoman McDaniel announced the arrival of her first grandson, Milton Leon McDaniel III, who was born on July 25 and weighed in at 9 lbs, 2 ozs..

Acting City Manager Don Monty announced that the City Manager received a newsletter from the Beazer Company, owner of the former Koppers site announcing that they have started the clean-up process of the Koppers site. The intent is to have the remediation work completed by the end of 2005.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:00 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
