

City Council of the City of Carbondale, Illinois
Regular Meeting
January 20, 2004

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, January 20, 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 City Council meeting to order at 7:56 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

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

3. Citizen Comments and Questions

Lee Hartman of the Shawnee Green Party asked the Council to consider placing a resolution on the February 3rd City Council agenda opposing the Patriot Act or at least asking for the repeal of the "most abusive sections". Accompanying Hartman were Mark Schneider of the Southern Illinois Chapter of the American Civil Liberties Union, Jim Syler of the Libertarian Party of Southern Illinois and Scott Schuette of the Peace Coalition of Southern Illinois. Mayor Cole said that he would get back with Mr. Hartman regarding the placement of the item on an upcoming agenda.

Mr. Elius Reed, 2012 S. Illinois Avenue, presented background information and asked for clarification on the reason(s) why Carbondale police officers were called to a house party in the 200 block of East College Street on April 22, 2001. Mr. Reed presented the questions to the Mayor in the form of a letter and indicated that a copy would also be sent to the Board of Fire and Police Commissioners.

Mr. John Karayanis, 51 Hillcrest Drive, asked the Mayor a series of questions concerning the City's purchase of a building located at 518 S. Illinois Avenue. After responding to some of the questions, Mayor Cole asked Mr. Karayanis to put his questions in writing so he could respond to them. Mr. Karayanis opined that there were alternatives to purchasing the property that could have been considered.

Ms. Diana Exner, Lavender Lane, Makanda, agreed with some of the comments made by Mr. Karayanis, adding that the property should have been condemned and that the purchase of the building at 518 S. Illinois Avenue could encourage business owners in the downtown area to let their properties deteriorate so the City will purchase them. She added that the City should have purchased the Varsity Theater building.

City Council of the City of Carbondale, Illinois - January 20, 2004

Mr. Bill Perk, 1524 E. Gary Drive, announced that on February 12th at 7:00 p.m. at the Civic Center, Mr. Norman Kurland will be presenting information on Capital Homesteading. He encouraged Council members and citizens to attend the presentation.

4. Consent Agenda

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

1. Removed from Consent.
2. Warrant. Recommendation: Approve Warrant #912 for the period ended January 2, 2004, in the amount of \$780,066.97. (Exhibit A-1-20-04)
3. Appointments to Boards and Commissions. Recommendation: Concur in appointment of Tony Franklin to the Planning Commission through January 31, 2006, and reappointment of Katherine Hall and John Michael Henry to the Planning Commission through January 31, 2008.
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Building Board of Appeals of October 6, 2003, Planning Commission of December 17, 2003, and Preservation Commission of November 17, 2003.
5. Resolution authorizing the City Manager to execute a Federal Aid Agreement with the Illinois Department of Transportation and Resolution appropriating Motor Fuel Tax Funds for the City's share of construction costs for the New Era Road Project (CIP ST9502). Recommendation: Approve both resolutions. (Res. 2004-R-06 and 2004-R-07 respectively; Exhibits B-1-20-04 and C-1-20-04 respectively)
6. Acceptance of Federal Emergency Management Agency Assistance to Firefighters Grant. Recommendation: Accept the FEMA Assistance to Firefighters Grant and adopt an Ordinance authorizing a budget adjustment for the increase in the overall FY 2004 Budget for the installation of exhaust systems for Fire Stations No. 1 and No. 2 in the amount of \$57,240 with the matching funds, \$6,360, coming from the Foreign Fire Insurance Fund. (Ord. 2004-05; Exhibit D-1-20-04)
7. Ordinance approving a Budget Adjustment for the upgrade of certain traffic signals to LED Lighted Traffic Signals. Recommendation: Adopt the Ordinance approving a Budget Adjustment increasing the General Fund budgeted expenditures in the amount of \$120,023 for the Illinois Clean Energy Community Foundation LED traffic signal project. (Ord. 2004-06; Exhibit E-1-20-04)
8. Warrant. Recommendation: Approve Warrant #913 for the period ended January 16, 2004, in the amount of \$305,531.70. (Exhibit F-1-20-04)

Mayor Cole asked if anyone would like any items removed from the Consent Agenda. Item 4.1 was removed.

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

4.1 Approval of Minutes of Regular City Council Meeting and Public Hearing on Annexation Agreement with John Ham, both held on January 6, 2004. The minutes were amended on page seven to correct the name of the Council member who seconded the motion to go into closed

session (correct name to be verified by the City Clerk). C. Wissmann moved, L. Jack seconded, that the Council approve the minutes of the Regular Meeting of January 6th as corrected and to approve the minutes of the January 6th public hearing. VOTE: Ayes: S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, and B. Cole. Nays: None. Motion declared carried.

5. Public Hearings

6. General Business

1. Resolution approving and Resolution denying a Special Use for a Home Museum in an R-1-5, Low Density Residential District, at 407 S. Forest Avenue:

The recommended action was that the Council adopt a resolution approving the special use permit for a home museum in an R-1-5, Low Density Residential District, at 407 S. Forest Avenue, with the following conditions: (1) the viewing of the historic structures, exhibits and grounds by the general public shall be limited to the hours of operation, which shall be 10:00 a.m. to 6:00 p.m. daily; (2) the number of parking spaces required will be based on one space or each four (4) persons based on the maximum capacity. Based on the four available parking spaces located on the subject property, the museum shall be restricted to a maximum of 16 visitors, including staff, unless off-site parking is provided; (3) in the even that a tour, or other type of public assembly, involving 17 or more visitors to the museum occurs, documentation shall be provided to City staff indicating that additional parking spaces within 300 feet are available or shuttle service is being provided; (4) all parking shall be provided on-site, within 300 feet of the property or at off-site locations served by a shuttle service; (5) the home museum shall not be open to public visit until an occupancy permit has been obtained from the Building and Neighborhood Services Division in accordance with Section 15-2J-2.C of the Zoning Ordinance; and (6) the operation of a special use for a home museum at 407 S. Forest Avenue shall be limited to the RBF Dome NFP.

S. Simon moved, C. Wissmann seconded, that the Council adopt the Resolution with the six conditions as listed. DISCUSSION: Council members discussed Condition #3 and agreed that the concern being addressed in this condition could be addressed by Condition #2. A friendly amendment was suggested to eliminate Condition #3. Both Ms. Simon and Mr. Wissmann agreed to the friendly amendment. AMENDED MOTION: That the Council adopt the Resolution with the five conditions as listed, excepting Condition #3. VOTE ON AMENDED MOTION: Ayes: S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-08; Exhibit G-1-20-04)

2. Ordinance approving the Carbondale Planning Commission's request to amend the minimum lot size requirements in the R-1-D, Low Density Residential, Two-Unit Dwellings, District:

S. Simon moved, L. Jack seconded, that the Council adopt an Ordinance approving amendments to Section 15-2D-8:G. of the Carbondale Revised Code relative to the minimum lot size requirements of the R-1-D, Low Density Residential, Two-Unit Dwellings District. Ayes: S. Simon, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, and B. Cole.

City Council of the City of Carbondale, Illinois - January 20, 2004

Nays: None. Motion declared carried. (Ord. 2004-07; Exhibit H-1-20-04)

7. Council Comments

Councilwoman Simon apologized for her absence at the last Council meeting. She stated that she was in Bangladesh, and noted that by observing the level of corruption and lack of faith in the governing system it makes her value even more how open our process is. She added that when the process is open, better results can be achieved. She came back from Bangladesh enthused about how the city, state and country are governed.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 9:10 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
