

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

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, January 6, 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: Councilman Lance D. Jack, Councilwoman Corene McDaniel, Councilwoman Margaret Flanagan, Councilman Chris Wissmann, Councilman Steven N. Haynes and Mayor Brad Cole

Absent: Councilwoman Sheila Simon

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

Interim Police Chief Steve Odum introduced new police officers Eric Ruhe and Rebecca Mooney. Both having been sworn into office at an earlier date, the City Clerk administered a ceremonial oath of office to the new officers.

3. Citizen Comments and Questions

Mr. Bill Perk, 1524 E. Gary Drive, indicated that he had asked the City Clerk to distribute some information to the Council prior to this meeting, adding that he originally intended to ask the Council to pass an ordinance placing an advisory referendum on the March 16th primary election ballot. However, he learned that the Council would have to pass the ordinance by the next day to meet the deadline. In the alternative, Mr. Perk asked that the Council consider information he provided to the Council earlier concerning the ballot initiative proposed by Dawn Brohawn of the Center for Economic and Social Justice (CESJ) to get an advisory opinion on implementation of a Community Investment Corporation. He also asked the Council to consider establishing a task force to consider the ideas presented in the book *Capital Homesteading for Every Citizen: A Just Free Market Solution for Saving Social Security* published by the CESJ.

Mr. Elius Reed, 2012 S. Illinois Avenue, reminded the Council of the closing of the Carbondale hall of Laborer's Local 227 and the efforts of the Carbondale Chapter of the NAACP to persuade the Local to open a satellite office in the Eurma C. Hayes Center. Mr. Reed said that at the December 26, 2003, NAACP meeting, President

City Council of the City of Carbondale, Illinois - January 6, 2004

Helen Porter stated that she had mailed a letter to labor union officials requesting a meeting. Mr. Reed asked that the Mayor provide assistance in having the meeting scheduled for the Eurma C. Hayes Center or at City Hall to discuss issues related to the closing of the Local 227 union hall. Mr. Reed noted that he also attended a Local 773 union meeting and the business agent, Charles Avis, said that classes were going to be taught at the old Local 227 union hall this year. So in a sense the hall is still open. Mayor Cole noted that he did discuss this issue with NAACP President Helen Porter but he has not seen a copy of the letter she sent requesting the meeting.

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 December 16, 2003.
2. Warrant. Recommendation: Approve Warrant #911 for the period ended December 19, 2003, in the amount of \$1,552,133.24. (Exhibit A-1-6-04)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Information and Telecommunications Commission of September 10, 2003 and Energy and Environmental Advisory Commission of October 16, 2003
4. Void.
5. IML Legislative Bulletin 2003-25. Recommendation: Accept and place on file.
6. Resolution authorizing the City Manager to Execute an Agreement with the Illinois Department of Transportation to plant wildflowers and other plantings along state highways entering the City. Recommendation: Approve. (Res. 2004-R-01; Exhibit B-1-6-04)
7. Ordinance annexing Foster property, 0.5 acres located at 2475 West Striegel Road. Recommendation: Approve. (Ord. 2004-01; Exhibit C-1-6-04)
8. Action on application for an encroachment permit on City right-of-way adjacent to the Interfaith Center at 913 S. Illinois Avenue. Recommendation: Approve Encroachment Permit for University Christian Ministries to allow construction of a geothermal heat pump system on public right-of-way.

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

C. McDaniel moved, M. Flanagan seconded, that the Council approve Consent Agenda Items 4.1, 2, 3, 5, 6, 7 and 8. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

5. **Public Hearings**

1. Public Hearing on Annexation Agreement with John Ham for 1.58 acres located along Heather Lynn Lane:

The minutes of this public hearing were transcribed separately.

City Council of the City of Carbondale, Illinois - January 6, 2004

6. General Business

1. Ordinance approving an Annexation Agreement between the City of Carbondale and John Ham for 1.58 acres located along Heather Lynn Lane:

C. Wissmann moved, L. Jack seconded, that the Council approve the Ordinance authorizing the execution of an Annexation Agreement between the City of Carbondale and John Ham. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-02; Exhibit D-1-6-04)

2. Resolution approving Jack Hill Subdivision and Subdivision Agreement located along Heather Lynn Lane:

M. Flanagan moved, C. McDaniel seconded, that the Council adopt the Resolution approving the subdivision plat and subdivision agreement for Jack Hill Subdivision. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-02; Exhibit E-1-6-04)

3. Resolution approving a B-PL, Planned Business, Final Development Plan for Panera Bread Bakery-Café at 1126 E. Walnut Street:

C. Wissmann moved, L. Jack seconded, that the Council adopt the Resolution approving the BPL Development Plan for the proposed Panera Bread Bakery-Café at 1126 E. Walnut Street. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-03; Exhibit F-1-6-04)

4. Ordinance approving and Resolution denying Andy Wallace's request to rezone 2220 N. Illinois Avenue from LI, Light Industrial, to SB, Secondary Business:

C. Wissmann moved, C. McDaniel seconded, that the Council adopt the Ordinance approving the request to rezone 2220 N. Illinois Avenue from LI, Light Industrial, to SB, Secondary Business. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-03; Exhibit G-1-6-04)

5. Resolution approving and Resolution denying a Special Use for a Bed and Breakfast in SIU, University District at 406 E. Stoker Street:

S. Haynes moved, M. Flanagan seconded, that the Council adopt a resolution approving Paul Lewer's request for a special use permit in the SIU, University District, for a change in use to a bed and breakfast with the following conditions: a) a residential appearance of the premises shall be maintained; b) the operator shall reside in the bed and breakfast establishment or a contiguous property; c) the bed and breakfast establishment shall have a maximum of four (4) guest rooms; and d) the facility shall be licensed as a bed and breakfast establishment by the City of

City Council of the City of Carbondale, Illinois - January 6, 2004

Carbondale under Title 5, Chapter 4 of the City Code prior to issuance of the zoning certificate approving the facility. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-04; Exhibit H-1-6-04)

6. Approval of a budget adjustment and authorizing the City Manager to purchase AutoCad software and hardware upgrade for the Public Works-Engineering Division:

M. Flanagan moved, L. Jack seconded, that the Council approve a budget adjustment transferring \$23,000 from the Community Services Administration Division (40400-100) to the Public Works Engineering Division (40300-273) and approve the purchase of the AutoCad 2004 software upgrade from DLT Solutions of Herndon, Virginia, in an amount not to exceed \$19,000 and authorize the City Manager to purchase the required hardware upgrades from a local vendor to run the AutoCad 2004 in an amount not to exceed \$4,000. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

7. Resolution approving an agreement to purchase real property at 518 S. Illinois Avenue:

C. Wissmann moved, C. McDaniel seconded, that the Council approve a Resolution authorizing the City Manager to enter into a contract for the purchase of real property at the location of 518 S. Illinois Avenue and authorizing the Mayor to accept a deed conveying said property to the City of Carbondale and approve an Ordinance increasing the FY 2004 Budget by transferring \$150,621 from the General Fund Fund Balance. DISCUSSION: Councilwoman Flanagan indicated she could not support the purchase of this property because she felt it was rewarding an errant property owner and might cause other property owners to let their properties deteriorate. She said the City can pursue physical upgrades of the property through the International Building Codes, adding that at this time the purchase of the property was not something she or her constituents could support. David More, W. Main Street, asked for the assessed valuation of the property; the Mayor and City Manager indicated they did not have that information at the meeting. Mayor Cole noted that there is no doubt that a premium is being paid to acquire the property from a property owner that would not redevelop it, but this is why it is being considered by the Council. He added that someone outside the private sector needs to step in with the resources to raze the property and offer it back to the community for redevelopment. VOTE ON MOTION: Ayes: L. Jack, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: M. Flanagan. Motion declared carried. (Res. 2004-R-05 and Ord. 2004-04 respectively; Exhibits I-1-6-04 and J-1-6-04 respectively)

8. Eurma C. Hayes Child Care Report:

The City Manager presented the Report on the Eurma C. Hayes Child Care Center. After discussion by the Council on the report, Mayor Cole noted that the report would be available for public review in the Mayor's Office, City Manager's

City Council of the City of Carbondale, Illinois - January 6, 2004

Office, City Clerk's Office and at the Carbondale Public Library. Council will be asked to act on the report at the February 17, 2004, Council meeting. Comments regarding the report may be addressed to the Council anytime between now and the February 17th meeting.

There was no Council action taken on the report at this meeting.

9. Discussion of FY 2005 Goals and Objectives:

Mayor Cole suggested that the following wording be added to the lead strategy section of Goal I, "Promote Economic Development and Community Growth":

"In fiscal year 2005, the City of Carbondale will expand its role in providing a positive atmosphere for successful business development, through both recruitment and retention efforts. Through the establishment of an in-house economic development function, city government will take the lead position in attracting new business to the community and in interfacing with other local and regional economic development entities. The City will work closely with the Jackson County Business Development Corporation (JCBDC) as a full member, and will begin to establish ties with the Regional Economic Development Corporation (REDCO) to increase Carbondale's exposure and interaction with neighboring communities. The City will continue to promote and assist minority business opportunities and will support the programs of the Carbondale Chamber of Commerce in serving active businesses."

Councilwoman Flanagan stated she liked the public-private partnership offered through the City's relationship with the Carbondale Business Development Corporation and expressed some reservation about bringing the economic development function back into City Hall. She encouraged research on other unique economic development approaches and opportunities and asked that information be collected on the offerings of other successful communities nationwide. Councilwoman Flanagan suggested that a formal presentation be invited on the idea of a community investment corporation. She said she would like to have a plan showing what is wanted, who is accountable and what are the measurables.

Mayor Cole said that when one looks at what is done in other communities, what is seen is a combination of an in-house focus, a dedicated effort within city government, coupled with a partnership with outside entities such as the Jackson County Business Development Corporation or REDCO. Although these regional groups each have members who promote their own city, they collectively promote the region. He believes it would be more effective to set measurables in-house, adding that although the private organizations (CBDC, the Chamber of Commerce, Carbondale Main Street, etc.) are involved, the heart of the work and the final approval generally comes from the City. He said that placing the economic development function within City Hall would demonstrate the City's dedication to supporting business development, not just the recruitment of new business but the retention of existing business. Mayor Cole also noted that the CBDC endorsed this plan.

City Council of the City of Carbondale, Illinois - January 6, 2004

Mr. Bill Perk noted that community investment corporation is described in the book *Capital Homesteading for Every Citizen: A Just Free Market Solution for Saving Social Security* published by the Center for Economic and Social Justice. Councilwoman Flanagan again asked for a formal presentation on community investment corporations. Mayor Cole said that could be done, but with the upcoming fiscal year only weeks away the goals are being presented tonight for consideration. He asked if Council concurred with what he was recommending for the change in strategy.

Mr. Wissmann said that the change is simply words, but the budget is numbers, adding that regardless of which wording is used the numbers in the budget could be vastly different. He noted that he does not have objection to either wording and does not see that they necessarily conflict with each other as seems to be implied. However, he would concur with the change in wording.

Ms. McDaniel concurred with the change in wording.

Ms. Flanagan said she would prefer something unique and would still like to see what different, fresher opportunities are offered in other communities.

Mr. Jack agreed with some of what Mr. Perk said, adding that he would like to become more educated on community investment corporations. He said he also agreed to some extent with Ms. Flanagan and Mr. Wissmann, adding that the change in wording really mean nothing because although it puts the goals on paper, it is not really binding in any way. However, he would concur with the change.

Mr. Haynes said he would concur with the change.

In response to Ms. McDaniel's inquiry, Mayor Cole noted that since the Council has concurred in this change, it will affect the funding of the Carbondale Business Development Corporation in the FY 2005 budget. The budget will be brought to the Council for approval in April.

Mayor Cole introduced Goal II, "Provide Quality Services with Fiscal Responsibility." There were no suggested changes to Goal II.

Mayor Cole introduced Goal III, "Encourage Citizen Participation and Community Pride." Mr. Jack asked that this section be highlighted, adding that this is the reason so many people ran for office in the last election and that many people felt they were not being included in the decision-making. He said that he has heard from citizens that their input is not wanted and that they are bullied or harassed by the employees of the City. He asked that a Section F be added to the Goal to remind the employees of the City of Carbondale that they work for the citizens and that a level of kindness and courtesy should be demanded. Mayor Cole suggested the incorporation of wording "promoting kindness and courtesy in the activities of City government."

City Council of the City of Carbondale, Illinois - January 6, 2004

Mayor Cole introduced Goal IV, "Strengthen and Promote Neighborhood Living." Mr. Wissmann noted that with the International Building Code, the City needs to step up the process of attacking errant property owners and renters who do not tend to their properties. Mayor Cole noted that in the strategies section, the recently-approved Homebuilder Program should be included.

After discussion on all the FY 2004 goals, objectives and strategies, L. Jack moved, S. Haynes seconded, that the Council accept the goals and objectives for the FY 2005 with the additions and corrections as discussed at this meeting. DISCUSSION: Evelyn Koine said that some of the goals and objectives sound counterproductive, especially with respect to the previous item of the Eurma C. Hayes Child Care Center and the residents of the northeast community. She said that some of the actions that the Council has taken recently and may be taking in the future is affecting her neighborhood. Specifically, she said the elimination of property taxes which may result in a decrease in social services, as well as the proposed discontinuation of the Child Care Center is having a negative affect on the northeast neighborhood. She asked that all of the community be treated equally. VOTE ON MOTION: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

7. Council Comments

8. Closed Meeting

C. Wissmann moved, L. Juhlin seconded, that the Council hold a closed meeting to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, the salary schedule for one or more classes of employees, 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 pursuant to 5 ILCS 120/2(c)(1), (2), (5) and (6). VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session recessed at 9:08 p.m..

S. Haynes moved, L. Jack seconded, that the Council return to open session. VOTE: Ayes: L. Jack, C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session resumed at 10:36 p.m..

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 10:37 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
