

City Council of the City of Carbondale, Illinois
Regular Meeting
March 2, 2004

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, March 2, 2004, in City Council Chambers of the Carbondale Civic Center, 200 S. Illinois Avenue. Mayor Brad Cole called the meeting to order at 7:01 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

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

Absent: Councilman Lance D. Jack (entered at 7:20 p.m.)

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

Councilman Haynes commended and thanked the Thompson Point Executive Council for the Soul Food Dinner it hosted to raise awareness and funds to benefit the Eurma C. Hayes Child Care Center.

Councilman Haynes congratulated the Carbondale Community High School Terrier Basketball team for its #10 state ranking. He also commended the fans of Carbondale and Murphysboro for their sportsmanlike behavior at the prior weekend's game.

Mayor Cole proclaimed March 2004 as "National Athletic Training Month" and presented the proclamation to Dr. Ron Wagner. Approximately 25 SIU students majoring in athletic training were present to participate in the presentation.

Mayor Cole proclaimed March 20 - May 1, 2004 as "The Time of Carbondale Conversations for Community Action" and presented the proclamation to John Corker, a member of the Carbondale Human Relations Commission.

3. Citizen Comments and Questions

Lee Hartman, 1442 Gary Drive, reminded everyone of the March 16th primary election and encouraged everyone to vote. He also noted that a sample ballot was printed in the *Southern Illinoisan*.

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 February 17, 2004.

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2. Warrant. Recommendation: Approve Warrant #916 for period ended February 27, 2004 in amount of \$945,471.32. (Exhibit A-3-2-04)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Board of Fire and Police Commissioners of August 11 and November 18, 2003, Energy and Environmental Advisory Commission of December 11, 2003, and Preservation Commission of January 12, 2004.
4. Acceptance of deeds and easements. Recommendation: Accept permanent easement from Nutrition Headquarters Inc. for sanitary sewer at Vitamin World.
5. Planning Commission Annual Report for Calendar Year 2003. Recommendation: Accept.
6. Illinois Municipal League Legislative Bulletins 2004-03 and 2004-04. Recommendation: Accept and place on file.
7. Approval of Victims Rights Week Grant and Budget Adjustment to the Police Department for FY 2004 Budget. Recommendation: Accept \$5,000 grant from U.S. Department of Justice, Office of Victims of Crime for Victims' Rights Week and approve the budget adjustment
8. Approval of Change Order No. 2 (Final) and Budget Adjustment for Contract for New Era Road Sanitary Sewer Extension Project (CIP No. SA0203). Recommendation: Approve Change Order in amount of \$32,330.36 and approve budget adjustment in the amount of \$30,460.
9. Ordinance annexing a 6.37 acre parcel owned by Brehm Preparatory School at 1245 East Grand Avenue. Recommendation: Approve. (Ord. 2004-12; Exhibit B-3-2-04)
10. Removed from Consent
11. Resolution approving extension of the deadline to submit the final Planned Unit Development Plan for property located at 1209 East Walnut Street (PUD 02-01). Recommendation: Approve to grant extension through November 19, 2005. (Res. 2004-R-15; Exhibit C-3-2-04)
12. Approval of Budget Adjustment for Foreign Fire Insurance Fund. Recommendation: Approve budget adjustment in the amount of \$18,000.
13. Action on Amending Five-Year Capital Improvements Program to Include Western Heights Christian Church Sanitary Sewer Project. Recommendation: Amend CIP to include Western Heights Christian Church Sanitary Sewer Extension Project (CIP SA0401) and approve budget adjustment in the amount of \$4,525 from CIP SA0309 to CIP SA0401.

Mayor Cole noted that an amendment had been proposed on Consent Item 10 and removed it from the Consent Agenda. He asked if anyone would like any other items removed from the Consent Agenda. There were no additional items removed from the Consent Agenda.

M. Flanagan moved, C. McDaniel seconded, that the Council approve Consent Agenda Items 4.1 through 4.13 except for 4.10. VOTE: Ayes: C. Wissmann, S. Haynes, S. Simon, C. McDaniel, M. Flanagan and B. Cole. Nays: None. Motion declared carried.

10. Resolution approving a variance from the Site Plan Requirements for Brehm Preparatory School at 1245 East Grand Avenue.

City Manager Doherty noted that a revised Resolution was being presented which would add a condition for the variance. S. Simon moved, S. Haynes seconded, that the Council approve Resolution to allow the proposed parking lot lighting to be mounted at a height of twenty-one feet as revised and presented at this meeting. VOTE: Ayes: C. Wissmann, S. Haynes, S. Simon, C. McDaniel, M. Flanagan and B. Cole. Nays: None. Motion declared carried. (Res. 2004-R-16; Exhibit D-3-2-04)

5. Public Hearings

6. General Business

1. Ordinance approving and Resolution denying Alligator Self-Serve Storage's request to rezone 6.242 acres from AG to R-1-8 for property located south of Sweets Drive and east of Harmony Lane.

Councilman Jack entered during discussion on this item.

M. Flanagan moved, S. Simon seconded, that the Council adopt the Ordinance approving the request from Alligator Self-Serve Storage to rezone the 6.242 acres from AG, General Agriculture, to R-1-8, Low Density Residential. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, M. Flanagan and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-13; Exhibit E-3-2-04)

2. Ordinance approving and Resolution denying Bruce Chrisman's request to rezone 1100 and 1101 South Morningside Drive from R-1-8, Low Density Residential, to R-1-8D, Low Density Residential, Two-Unit Dwellings:

C. Wissmann moved, S. Simon seconded, that the Council adopt the Ordinance approving Bruce Chrisman's request to rezone 1100 and 1101 South Morningside Drive from R-1-8, Low Density Residential, to R-1-8D, Low Density Residential, Two-Unit Dwellings. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, M. Flanagan and B. Cole. Nays: None. Motion declared carried. (Ord. 2004-14; Exhibit F-3-2-04)

3. Preservation Commission's request for the City Council to initiate a public hearing to consider revisions to the Preservation District, Section 15-2D-1 of the Zoning Ordinance:

M. Flanagan moved, S. Simon seconded, that the Council direct the Planning Commission to conduct a public hearing on revisions to the Preservation District, Section 15-2D-1 of the Zoning Ordinance, as proposed by the Preservation Commission. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, M. Flanagan and B. Cole. Nays: None. Motion declared carried.

4. Ordinance amending Title Fourteen (14) of the Carbondale Revised Code to Regulate the Use of Cannabis and Drug Paraphernalia and Resolution allowing an Administrative Remedy for Violations of Chapter Seven (7), Title Fourteen (14) of the Carbondale Revised Code:

C. Wissmann moved, S. Simon seconded, that the Council approve an Ordinance amending Title Fourteen (14) of the Carbondale Revised Code to Regulate the Use of Cannabis and Drug

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Paraphernalia and approve a Resolution allowing an Administrative Remedy for Violations of Chapter Seven (7), Title Fourteen (14) of the Carbondale Revised Code. DISCUSSION: In addition to Council comments, Adam Loos, Carolin Harvey and Rich Chaukis spoke on this issue. VOTE: Ayes: C. Wissmann, L. Jack, S. Simon, C. McDaniel, M. Flanagan and B. Cole. Nays: S. Haynes. Motion declared carried. (Ord. 2004-15 and Resolution 2004-R-17 respectively; Exhibits G-3-2-04 and H-3-2-04 respectively)

5. Review of Bikeway Network Plan Report, CIP Project OS8301:

This report represents the first phase of CIP Project OS8301. It describes existing bicycle routes in the City and proposed short-term and long-term improvements to the system. The report was presented for Council review and discussion. President of the Carbondale Bicycle Club, Anne Johnson, spoke in support of the Plan. Council will consider acceptance of the Report at its meeting of March 23, 2004.

7. Council Comments

There were no Council comments.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:18 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
