

City Council of the City of Carbondale, Illinois
Public Hearing on Proposed Vacation of the Kenneth Road
Right-of-Way Located Within Sunny Acres East - Third Plat Subdivision
May 18, 2004

The City Council of the City of Carbondale, Illinois, held a public hearing on Tuesday, May 18, 2004, in the City Council Chambers, 200 S. Illinois Avenue, for the purpose of soliciting comments on a proposed vacation of the Kenneth Road right-of-way in Sunny Acres East - Third Plat Subdivision. Mayor Cole called the public hearing to order at 7:23 p.m. with the following-named members of the City Council present/absent:

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

Absent: None

Also present were City Clerk Janet M. Vaught, City Manager Jeff Doherty and various members of the City's administrative staff.

City Manager Jeff Doherty noted that Mickey Stewart, President of MFS Enterprises, Inc., and Richard Parrish, Trustee of M.P. Land Trust No. 73-03, have requested that the Kenneth Road right-of-way within the Sunny Acres East - Third Plat Subdivision be vacated. MFS Enterprises, Inc. is the owner of Lot 1 and M.P. Land Trust No. 73-03 is the owner of Lot 2 in the subdivision. The street extends approximately 200 feet easterly from North Giant City Road. Lot 1 is currently being developed for retail uses and has its only access off of Kenneth Drive. The potential street vacation would accommodate the development plans for a prospective buyer of Lot 2 in the subdivision. The letters from the adjoining property owners requesting the street vacation and a location map have been provided for Council review.

Mr. Doherty noted that Illinois Compiled Statutes require that a public hearing be held prior to taking any action on vacating public right-of-way. The Statutes require that notice of the Public Hearing be published at least fifteen days prior to the hearing. Illinois Compiled Statutes also require the affirmative vote of 3/4 of the members of the City Council to vacate a street or alley right-of-way. An ordinance to consider vacating the Kenneth Drive right-of-way will be considered later on the Council agenda. Mr. Doherty concluded by recommending that the City Council conduct the public hearing.

Mayor Cole invited comments or questions from the public. There was no one in the audience who indicated a desire to speak on this issue. Mayor Cole twice repeated his invitation for public comments or questions. Again, there was no one who indicated a desire to speak during this public hearing.

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There being no further comments or questions at this hear, Mayor Cole declared the public hearing closed at 7:26 p.m.

Janet M. Vaught, City Clerk

Approved by the City Council on:
