

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**November 9, 2004**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, November 9, 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, City Manager Jeffrey W. Doherty and various members of the City's administrative staff.

**2. General Announcements and Proclamations**

Councilman Wissmann noted that Council members had received an invitation to attend a meeting regarding the cleanup of the former Koppers plant and impact on the residents of the northeast area. He said he was unable to attend the meeting and would like to have gotten some follow-up information; however, contact information was not included on the invitation. He asked that information be provided so he can get in touch with somebody.

Councilman Wissmann announced "Make a Splash for Carbondale" would be holding meetings tonight, November 10 and November 17 to investigate the possibilities of creating an aquatic complex. He encouraged interested persons to attend one or all of the meetings.

**3. Citizen Comments and Questions**

Ms. Dawn Warner shared her experience of being forced to leave the Life Community Center on October 19th when severe thunderstorms were taking place and tornado warnings had been issued for the area. She stated that the City Council and Park District should establish policies for handling people who are in public buildings during severe weather. Mayor Cole noted that the Life Community Center is owned and operated by the Carbondale Park District which is a separate governmental unit and not under the jurisdiction or control of the City of Carbondale. He noted that the Park District Board holds its meetings in the Civic Center and, in fact, had held a meeting in the Council Chambers the prior evening. City Manager Doherty noted that the City of Carbondale does have policies for persons in public buildings during severe weather and agreed that persons should not be asked to leave public buildings when severe weather is in the area. He added that the City Hall/Civic Center is opened to the public during severe weather so people may take shelter in the basement. Mayor Cole said he would convey Ms. Warner's concerns to the Park District.

Nancy Stemper, Executive Director of Carbondale Community Arts, presented a Certificate

## City Council of the City of Carbondale, Illinois - November 9, 2004

to the Mayor and Council from the Illinois Arts Alliance awarding the City of Carbondale an Honorable Mention for its support of Carbondale Community Arts and its programs of Artworks in Schools and the All Southern High School Music-Theater Project.

Elbert Simon, a resident of Northeast Carbondale, asked that the City of Carbondale get more involved in monitoring the clean-up of the former Koppers Facility and serve as a better conduit to get information to the community on what is happening with the cleanup process. He said it should be incumbent upon the various agencies to keep the City updated on the progress of the cleanup. He also asked that some research be done on former employees of the Koppers facility and the health impacts of that employment. Mayor Cole noted that the Illinois Department of Public Health is monitoring that issue and the City will remain in contact with that agency as well as other state and federal agencies who are involved with the cleanup. He added that anyone who has information concerning this issue forward the information to his office and he will pass it along to the appropriate authorities. Councilwoman Flanagan noted that she had attended the informational sessions, adding that biomolecular remediation has advanced significantly since it first originated and may perhaps now be the way to address the problems. She suggested that the City follow up with the USEPA.

### 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 and Public Hearing on Proposed Application for a Housing Rehabilitation Grant from the Community Development Assistance Program, both held on October 19, 2004.
2. Warrant. Recommendation: Approve Warrant #936 for the period ended October 11, 2004, in the amount of \$2,517,167.37. (Exhibit A-11-9-04)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Electrical Commission of September 7, 2004; Energy and Environmental Advisory Commission of June 17, 2004; Fire Fighters Pension Board of Trustees of September 14, 2004; Human Relations Commission of September 13, 2004; Planning Commission of September 15, 2004 and Preservation Commission of September 20, 2004.
4. Resolution approving R.B.'s Place Subdivision and Subdivision Agreement for Property Located at 2420 South Illinois Avenue. Recommendation: Approve. (Res. 2004-R-89; Exhibit B-11-9-04)
5. Resolution approving Esther's Acres Subdivision and Subdivision Agreement located at the 1100 block of East Pleasant Hill Road. Recommendation: Approve. (Res. 2004-R-90; Exhibit C-11-9-04)

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

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

### 5. Public Hearings

**City Council of the City of Carbondale, Illinois - November 9, 2004**

**6. General Business**

1. Ordinance regulating parking in the north/south alley east of South Poplar Street and West of South Beveridge Street between West Elm and West Cherry Streets:

L. Jack moved, S. Haynes seconded, that the Council approve an Ordinance establishing “No Parking Anytime” along both sides of the north/south alley east of South Poplar and west of South Beveridge Streets between West Elm and West Cherry Streets. DISCUSSION: Beth Gill and Stacia Creek of 406½ S Beveridge, Amanda Cortez of 409 S. Poplar, Thomas Wholdridge, former resident and “frequent visitor” of 406½ South Poplar, and Malcolm Roberts of 408 S. Beveridge, all spoke in opposition to prohibiting parking along the alleyway. Council members expressed concern about the hardship to the residents of the area who would be affected if parking is removed. It was suggested that other alternatives be explored, such as parking only on one side, residential parking permits, or establishing specific parking zones in the alley. VOTE ON MOTION: Ayes: C. McDaniel, S. Haynes and B. Cole. Nays: M. Flanagan, C. Wissmann, L. Jack and S. Simon. Motion declared defeated. Mayor Cole said that staff will be asked to bring back options at a future meeting.

2. Ordinance approving the Preservation Commission’s request to Adopt Amendments to the Preservation District Portion of the Carbondale Zoning Ordinance:

M. Flanagan moved, S. Simon seconded, that the Council adopt an ordinance amending Section 15-2-1 of the Revised Code of the City of Carbondale, Illinois, as it relates to the Preservation District. DISCUSSION: Councilman Jack expressed concern that it takes on 25% of residents of an area to initiate a nomination, but 50% of residents to file a petition in opposition to a nomination. VOTE: Ayes: C. McDaniel, Mr. Flanagan, C. Wissmann, S. Haynes, S. Simon and B. Cole. Nays: L. Jack. Motion declared carried. (Ord. 2004-81; Exhibit D-11-9-04)

3. Ordinance approving and Resolution denying the City of Carbondale City Council’s proposed Zoning Ordinance Text Change relative to the Amortization of Non-Conforming Mobile Homes in Zoning Districts other than R-1:

C. Wissmann moved, S. Haynes seconded, that the Council adopt the Ordinance approving text amendments as recommended by staff to Sections 15-2A-3 and 15-2C-3.B of the Revised Code of the City of Carbondale relative to amortizing nonconforming mobile homes in zoning districts other than R-1, Low Density Residential over a period of two years. DISCUSSION: George Everingham, Jeff Woodruff and Greg Szubartowski, Elbert Simon and Donna Warner all spoke in opposition to the proposed ordinance. Everingham, Woodruff and Szubartowski also opined that if property owners are no longer going to be allowed to use their trailers, they should be fairly compensated. Discussion by the Council included suggestions to compensate the owners who are affected, to place in the annual budget an amount which would allow the purchase of a couple of trailers each year, to extend the life of the amortization period for more than the two years as proposed, and institute stricter enforcement of the housing codes including aesthetic considerations. It was also noted that it would have been nice to have heard from the tenants of the properties. VOTE ON MOTION: Ayes: Wissmann and Cole. Nays: McDaniel, Flanagan, Haynes, Jack and Simon. Motion declared defeated. Mayor Cole noted that since the ordinance was defeated there was no need to take action on the proposed resolution.

**City Council of the City of Carbondale, Illinois - November 9, 2004**

**7. Council Comments**

Related to the previous agenda item, Councilwoman Flanagan stated that something needs to be done with the trailers, either to upgrade or buy them. With respect to the earlier discussion the cleanup of the Koppers facility, she noted that there are other types of remediation available and suggested that authorities be asked to make a presentation to the Council at its next meeting followed by regular updates at Council meetings thereafter.

Councilwoman Flanagan announced that she was not going to run for re-election to the City Council in 2005. Although she has enjoyed her time on the Council, she wishes to devote more time to her job on the Southern Illinois Community Foundation. She commended the other members of the City Council for their work and dedication and thanked City staff for its assistance and support.

Councilwoman Simon thanked Councilwoman Flanagan for her service to the community. She noted that in addition to the upcoming Council election, if people would like to get involved in service to the community there are also two vacancies on the Planning Commission. With respect to an earlier complaint about the Park District, Councilwoman Simon suggested that more thought be given to the benefits of combining the Park District with City government. She also noted that there were some outstanding issues related to closed meeting minutes. The Mayor noted that closed meeting minutes are reviewed on a regular schedule and should be discussed again in January or February.

**8. Closed Meeting**

S. Simon moved, S. Haynes 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 pursuant to 5 ILCS 120/2(c)(1). VOTE: Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:57 p.m..

L. Jack moved, C. McDaniel seconded, that the Council return to open session. VOTE: Ayes: C. McDaniel, M. Flanagan, C. Wissmann, S. Haynes, L. Jack, S. Simon and B. Cole. Nays: None. Motion declared carried. Open session resumed at 10:28 p.m..

**9. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 10:28 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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