

City Council of the City of Carbondale, Illinois
Regular Meeting
August 16, 2005

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, August 16, 2005, 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 meeting to order at 7:25 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

Present: Councilwoman Sheila Simon, Councilwoman Corene McDaniel, Councilman Joel Fritzler, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Lance 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

Mayor Cole announced that the next City Council meeting would be on September 6, 2005. Labor Day, September 5, is a City holiday so the refuse collection schedule will be postponed one day. City offices will be closed.

Mayor Cole noted that thousands of students will be arriving in Carbondale in the next week and asked everyone to assist our new residents in their transition. He also noted that the parking meters had been bagged so parking would be free through the end of the following week.

1. Presentation of the Government Finance Officers Association (GFOA) of the United States and Canada Certificate of Achievement for Excellence in Financial Reporting

Finance Director Ernie Tessone presented the Mayor and City Council with the Government Finance Officers Association (GFOA) of the United States and Canada Certificate of Achievement for Excellence in Financial Reporting which was awarded for the 2004 Comprehensive Annual Financial Report (CAFR). He noted that this is the 13th consecutive year the CAFR has received the GFOA award.

2. Citizen Comments and Questions

There was no one who indicated a desire to address the Council during this portion of the meeting.

3. Public Hearings

City Council of the City of Carbondale, Illinois - August 16, 2005

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 July 19, 2005.
2. Warrant. Recommendation: Approve Warrant #957 for the period ended July 5, 2005, in the amount of \$1,061,115.86. (Exhibit A-8-16-05)
3. Warrant. Recommendation: Approve Warrant #958 for the period ended July 18, 2005, in the amount of \$1,306,193.01. (Exhibit B-8-16-05)
4. Acceptance of minutes of boards, commissions and committees. Recommendation: Accept Board of Fire and Police Commissioners of April 22, 2005; Library Board of June 15, 2005; Liquor Advisory Board of May 5 and June 13, 2005; Planning Commission of June 20, 2005; Preservation Commission of June 20, 2005; and Zoning Board of Appeals of July 6, 2005.
5. Acceptance of deeds and easements. Recommendation: Accept easement from Jonathon and Emily Greenstreet for construction of a sidewalk at the southeast corner of Carter and Johnson Streets.
6. Approval of a Supplemental Motor Fuel Tax Resolution for East Walnut Street/ Giant City Road Improvements (CIP ST0205) and Acceptance of Motor Fuel Tax Audit No. 68. Recommendation: Approve Resolution and Accept MFT Audit No. 68. (Res. 2005-R-64; Exhibit C-8-16-2005)
7. Review and Action on the Preservation Commission's Annual Certified Local Government Report for FY 2005. Recommendation: Accept and place on file.
8. Resolution approving and Authorizing the City Manager to submit a Contract Renewal Request and Approving and Authorizing the Execution of the Annual Contributions Contract and Rent Schedule for the Carbondale Towers Section 8 Project No. IL200NC0001/IL50-0002-001 for the period December 17, 2005 through December 16, 2006. Recommendation: Approve. (Res. 2005-R-65; Exhibit D-8-16-2005)
9. Resolution authorizing the Execution of the Illinois Affordable Housing Trust Fund Grant from the Illinois Housing Development Authority. (Res. 2005-R-66; Exhibit E-8-16-2005)
10. Resolution approving Quail Ridge Subdivision and Subdivision Agreement located on San-Pat Lane, South of Sweets Drive. Recommendation: Approve. (Res. 2005-R-67; Exhibit F-8-16-2005)
11. Resolution approving the Final BPL, Planned Business, Development Plan for Qualls Plaza on North Giant City Road. Recommendation: Approve. (Res. 2005-R-68; Exhibit G-8-16-2005)
12. Removed from Consent.
13. Award of purchase of Ice Control Equipment. Recommendation: Approve purchase from Woody's Municipal Supply of Edwardsville in the amount of \$17,144.00 pursuant to CRC 1-6-13.E.1 and 1-6-13.E-7.
14. Surplus of City-owned Personal Property. Recommendation: Declare 1991 Chevrolet Cavalier, VIN #1G1JC54G2M7204756 and 2005 Ford Crown Victoria, VIN #2FAFP71W05X158774 as surplus.

City Council of the City of Carbondale, Illinois - August 16, 2005

Mayor Cole asked if anyone would like any items removed from the Consent Agenda. Councilman Fritzler asked that Item 12 be removed.

S. Simon moved, J. Fritzler seconded, that the Council approve Consent Agenda items 5.1 through 5.14 excluding 5.12. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

5.12. Ordinance annexing property into Jackson County Enterprise Zone (proposed A.G. Edwards facility)

J. Fritzler moved, C. McDaniel seconded, that the Council adopt an Ordinance amending the Enterprise Zone Ordinance by adding a 1.05-acre property on the east side of Giant City Road, approximately 300 feet north of East Walnut Street, to the Carbondale-Murphysboro-Jackson County Enterprise Zone. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2005-49; Exhibit H-8-16-05)

6. General Business

1. Resolution commending Glenda J. Davis for Service to the City of Carbondale

After the resolution was read in full, S. Haynes moved, C. McDaniel seconded, that the Council approve the Resolution commending Glenda Davis for service to the City of Carbondale. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Res. 2005-R-63; Exhibit I-8-16-05)

2. Market Feasibility Study Update for a Proposed Water Park in Carbondale, Illinois, August 2005

City Manager Jeff Doherty presented the Market Feasibility Study Update for a Proposed Water Park.

Councilwoman Simon encouraged further study with the aquatic group and other governmental bodies to see if a water park can be developed. Council members Jack and McDaniel agreed. Mayor Cole noted that the operation of the aquatic center might be feasible but construction may not be without significant financial investment. He questioned whether the City of Carbondale should be involved in this project.

Representing the Carbondale Aquatic Complex Committee, Sally Wright spoke in support of the project. Michael Heck, President and current Acting Director of the Carbondale Park District, said the Park District was considering a referendum next March to see if the community would support financing construction of the pool. He asked to have access to the City's information so they could run different scenarios. Genevieve Houghton said that the community needs to look at smaller options other than a full-scale water park.

City Council of the City of Carbondale, Illinois - August 16, 2005

In response to Michael Heck's request on behalf of the Park District, Mayor Cole said that the City Manager would provide President Heck with the information that was used to update the feasibility study. He added that the City will be deferring its entire role in this matter to the Park District except that the City will work with the Park District's committee that will be taking the lead in the process.

There was no formal action taken on this report.

3. Ordinance amending Title One (1) of the Carbondale Revised Code to Establish an Administrative Services Department and Ordinance revising Title One (1) of the Carbondale Revised Code as it Relates to Residency Requirements for Executive Personnel

S. Haynes moved, C. McDaniel seconded, that the Council approve the Ordinance amending Title One of the Carbondale Revised Code to establish an Administrative Services Department and approve the Ordinance revising Title One of the Carbondale Revised Code as it relates to residency requirements for executive personnel. VOTE: Ayes: S. Simon, C. McDaniel, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: J. Fritzler. Motion declared carried. (Ord. 2005-50 and 2005-51 respectively; Exhibits J-8-16-2005 and K-8-16-2005 respectively.)

4. Ordinance approving the Carbondale Planning Commission's request to amend the RR District text to allow mobile homes as a permitted use

J. Fritzler moved, S. Haynes seconded, that the Council adopt an Ordinance approving an amendment to Section 15-2D-6.C of the Carbondale Revised Code relative to permitting mobile homes in the RR, Rural Residential, District. DISCUSSION: Councilman Wissmann stated that he would prefer to not allow mobile homes in RR districts. In response to Councilwoman Simon's inquiry, Mayor Cole confirmed that if the ordinance was not adopted the City Code would remain as-is. VOTE: Ayes: C. McDaniel, J. Fritzler, S. Haynes and B. Cole. Nays: S. Simon, C. Wissmann and L. Jack. Motion declared carried. (Ord. 2005-52; Exhibit L-8-16-2005)

5. Ordinance amending Title Five, Chapter Thirteen, of the Carbondale Revised Code as it Relates to Non consensual Towing Services

S. Simon moved, S. Haynes seconded, that the Council approve an Ordinance amending Title Five, Chapter Thirteen of the Carbondale Revised Code as it relates to non consensual towing services. DISCUSSION: Councilman Jack noted that when the ordinance was passed in 1997, it was the result of negotiations between the City, towing operators and students. He asked that this matter be delayed until the students return to school in a few weeks. Councilman Wissmann spoke in strong opposition to the ordinance and encouraged Council members to vote no. Councilman Haynes noted there has not been an increase in the rates since 1997, adding that this business, like any other business, should be supported. Councilwoman McDaniel noted that the City also has a responsibility to the property owners who need parking for their apartments or businesses.

City Council of the City of Carbondale, Illinois - August 16, 2005

Councilman Jack said he would be more comfortable approving the increase from \$55 to \$65 for the basic tow, but not the implementation of a \$10 fee for the use of a dolly or winch or the increase for interrupted tows from \$20 to \$25. He suggested a friendly amendment to the motion which would approve just the increase in the basic towing fee from \$55 to \$65 but no change in the dolly/winich fee or the interrupted tow. Councilwoman Simon, who made the motion, and Councilman Haynes, who seconded the motion, accepted the friendly amendment.

MOTION NOW READS: that the Council approve an ordinance amending Title Five, Chapter Thirteen, of the Carbondale Revised Code as it relates to non consensual towing services increasing only the fee for towing from tow truck from \$55 to \$65. VOTE ON MOTION: Ayes: S. Simon, C. McDaniel, J. Fritzler, S. Haynes, L. Jack and B. Cole. Nays: C. Wissmann. Motion declared carried. (Ord. 2005-53; Exhibit M-8-16-05)

7. Council Comments

Mayor Cole again noted that City Hall would be closed on Monday, September 5, for Labor Day and that the refuse collection schedule would be delayed one day.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:57 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
