

City Council of The City of Carbondale, Illinois
Public Hearing on the Proposed Intergovernmental Agreement Between
the City of Carbondale and Southern Illinois University

The City Council of the City of Carbondale, Illinois, held a public hearing on Tuesday, December 20, 2005, in the Civic Center, 200 South Illinois Avenue, for the purpose of soliciting comments on a proposed intergovernmental agreement between the City and Southern Illinois University. Mayor Cole called the public hearing to order at 7:08 p.m. with the following-named members of the City Council present/absent:

Present: Councilman Joel Fritzler, 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 Doherty noted that the City of Carbondale and Southern Illinois University proposed to enter into an Intergovernmental Agreement for the annexation of current and future SIU properties into the City of Carbondale. A public hearing is required by State law to be held prior to entering into an annexation agreement. A public notice for the annexation of the properties was published in the Southern Illinoisan newspaper on December 4, 2005.

Mr. Doherty said the proposed Intergovernmental Agreement between the City and Southern Illinois University contains the following provisions:

1. The new agreement will be for five years beginning on January 1, 2006 with two five-year options;
2. The City will provide fire protection services to SIU properties;
3. SIU will pay \$310,000 annually for fire protection services for the first five years of the agreement with increases annually for the remaining years of the contract;
4. SIU will annex all current and future University property contiguous to the City or which becomes contiguous or adjacent in the future;
5. The City will not impose any entertainment tax or athletic event tax upon the annexed University property during the first five years of the agreement;
6. The City will not impose any building or zoning codes or ordinances on University owned property; and
7. SIU will be allowed to meter all feed water and discharge water at each cooling tower to reflect the evaporation effect and accurately measure the amount of sewage discharged into the City's sewerage system.

City Manager Doherty concluded by recommending that the City Council conduct the public hearing on the proposed Intergovernmental Agreement between the City of Carbondale and Southern Illinois University.

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Mayor Brad Cole invited comments from the public during this public hearing.

Patrick Harris, 143 Harris Glen Road, stated he lives within Murphysboro township. He has no problems with the annexation, but the 1.5 mile zoning is a problem for him. He said that Carbondale keeps expanding into areas but never provides any services, adding that they get nothing for this expansion except another layer of things they have to do if they want to do anything. Mr. Harris said his area is as developed as it is ever going to be, adding that he doesn't see there being a problem with zoning. He said he has been told there could be junkyards, but he does not think there will be junkyards at \$5,000 an acre. Mr. Harris said that as far as liquor, that is handled by the County anyway. He said he doesn't see any reason for Carbondale to want to have the option for zoning. He said the few people he has spoken with have all said that they will not have representation on the City Council and although they do not object to zoning, they object to zoning by the City of Carbondale. They feel the zoning should be by the county. Mr. Harris said that he does not see that the area will ever be annexed by the City of Carbondale, adding that it makes no difference in the City's taxes. He said he doesn't see how Carbondale gains from this, adding that he only sees that it is their (the residents') loss. Mr. Harris also said that there has been no talk about the annexation in the press, adding that although it was said this has been going on for two-and-a-half years, he first saw something about it during the first part of December because of a report about the Board of Trustees. He said the Board of Trustees did ask that there be a public hearing, but there wasn't anything published. He said he only knows about the public hearing because he is the one that requested it. He added that he has not had time to contact the people in his area. He also noted that the law says the City may do zoning in this area but does not have to zone this area as part of home rule. He would like to see Carbondale stay out of this area, adding that Carbondale has already gotten into the areas of Makanda, Williamson County and at the rate they are going they will soon be on the other side of Murphysboro and into Union County. He said he doesn't think this is right and believes the City Council should think about what they're doing in the mile-and-a-half limit. Mr. Harris asked if the Council would like to address his comments; Mayor Cole noted that a public hearing is not a question-and-answer period but is the time for public comments. Mayor Cole stated in clarification, however, that notice of the public hearing was published in the Southern Illinoisan on December 4, 2005, and the Certificate of Publication is available. Mr. Harris noted that this was only a two-week notice, adding that this would not be enough time to do anything about it.

Mayor Cole invited additional comments or questions from the public. There were none. After a third invitation for public comments with no one indicating a desire to speak, Mayor Cole declared the public hearing closed at 7:13 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
