

City Council of the City of Carbondale, Illinois
Regular Meeting
July 5, 2005

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, July 5, 2005, 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: Councilman Steven Haynes, Councilman Lance D. Jack, Councilwoman Sheila Simon, Councilwoman Corene McDaniel, Councilman Joel Fritzler, Councilman Chris Wissmann 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 he had distributed to Council information that had been received from Beazer East regarding the cleanup of the Koppers site, adding that the letter was a continuation of updates being provided to the City by Beazer. He said the letter would be available in the City Clerk's Office, Mayor's Office and City Manager's Office and also had been sent to the Carbondale Public Library and the Energy and Environmental Advisory Commission.

3. Citizen Comments and Questions

Priscilla Pimentel, a member of the Energy and Environment Advisory Commission, noted that at two meetings the EEAC had asked the City to seek independent advice regarding the Koppers cleanup. She added that many citizens are not confident that the EPA is adequately addressing the situation. However, she said, the EEAC has not seen the issue placed on a City Council agenda nor has it received a response from the City Council. Mayor Cole said that the United States Environmental Protection Agency, the Illinois Environmental Protection Agency and the Illinois Department of Public Health together provide adequate expertise to assess the site. Councilwoman Simon noted that the Council had not yet been provided with the most recent EEAC minutes and suggested that when they are received the Council could discuss the issue.

4. Public Hearings

1. Public Hearing on Proposed vacation of the alley located south of East Fisher Street, between North Connor Street and North Robert A. Stalls Avenue:

The minutes of this public hearing were transcribed separately.

5. Consent Agenda

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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 Annexation Agreement with Roger Dale Karsten, both held on June 21, 2005.
2. Warrant. Recommendation: Approve Warrant #955 for the period ended June 6, 2005, in the amount of \$634,483.59. (Exhibit A-7-5-05)
3. Acceptance of minutes of boards, commissions and committees. Recommendation: Accept Library Board of May 11, 2005 and Preservation Commission of May 16, 2005.
4. Illinois Municipal League Legislative Bulletin 2005-17. Recommendation: Accept and place on file.
5. Resolution approving Advance Auto Parts Subdivision and Subdivision Agreement located at 304 E. Walnut Street. Recommendation: Approve. (Res. 2005-R-50; Exhibit B-7-5-05)
6. Removed from Consent.
7. Authorization for the City Manager to execute an Amendment to the Cost Reimbursement Agreement between the City of Carbondale and Southern Illinois University Board of Trustees for the Center for Rural Health and Social Service Development for the SafePlace Grant.

Mayor Cole removed Item 6 from the Consent Agenda. He asked if anyone would like any additional items removed from the Consent Agenda. There were no additional items removed.

S. Simon moved, C. Wissmann seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5 and 5.7. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

5.6 Ordinance vacating the alley located south of E. Fisher Street between North Conner Street and North Robert A. Stalls Avenue

S. Haynes moved, C. Wissmann seconded, that the Council adopt the Ordinance vacating that portion of the alley located south of East Fisher Street between North Conner Street and North Robert A. Stalls Avenue that is immediately adjacent to the applicant's property.

DISCUSSION: Mayor Cole reiterated that the portion of the alley being vacated is only that portion that is adjacent to the Gillespie's property. City staff will continue to work on this issue and will come back with a recommendation on the vacation of the remainder of the alley. Councilwoman McDaniel said that due to personal reasons she would not be entering into the discussion or voting on this matter. Kevin Clark, representing the Community Outreach Partnership Center which is developing housing on the property, answered questions about the development. He said the privacy concerns outlined by Ms. Jackson during the public hearing will be addressed in the development.

VOTE ON MOTION that the Council adopt the Ordinance vacating that portion of the alley located south of East Fisher Street between North Conner Street and North Robert A. Stalls Avenue that is immediately adjacent to the applicant's property. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Present: C. McDaniel. Motion declared carried. (Ord. 2005-47; Exhibit C-7-5-05)

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6. General Business

1. Resolution commending Joyce Nichols 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 Joyce Nichols for service to the City of Carbondale. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Res. 2005-R-49; Exhibit D-7-5-05)

2. Discussion on Proposed Projects for the Transportation Enhancement Program Application

City Manager Doherty said that the projects being proposed for application for a Transportation Enhancement Program grant are the Illinois Avenue Streetscape Enhancements and the Oakland Avenue to Illinois Route 13 Bicycle Trail. Since a portion of the Oakland Avenue to Illinois Route 13 Bicycle Trail falls outside the city limits, support would have to be obtained from the Jackson County Board. In the alternative, the application could be submitted for a portion of the bicycle trail between Oakland Avenue and New Era Road.

Councilwoman Simon and Councilman Fritzler spoke in support of the bike trail. Genevieve Houghton, 710 N. Oakland, noted that there needs to be provisions in the budget for keeping the bike trail clean. Anne Johnson, Vice President of the Carbondale Bicycle Club and a member of the League of Illinois Bicyclists (LIB), also spoke in strong support of the bike trail. She offered to provide written support of the Carbondale Club and LIB to include with the application. Mayor Cole suggested that the Illinois Avenue Streetscape Enhancements should be the primary proposal because the project falls entirely within the City limits. He added that the bicycle trail should be the secondary proposal. He noted that Council action on the resolutions will be requested on July 19th, adding that the County Board will also need to take action on the proposal for the Oakland Avenue/Route 13 Bicycle Trail.

There was no action taken on this item at this meeting.

3. Resolution approving Aspen Court LLC Final PUD Plan for 1101 East Grand Avenue:

S. Haynes moved, S. Simon seconded, that the Council adopt the Resolution approving the final PUD plan for Aspen Court LLC at 1101 East Grand Avenue.

DISCUSSION: Developer Jon Sauser answered Council questions concerning buffers and greenspace. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Res. 2005-R-51; Exhibit E-7-5-05)

7. Council Comments

Mayor Cole noted that due to the inclement weather the prior evening, the Lion's Club fireworks were rescheduled for this evening at 9:00 p.m.. The Mayor also reminded residents that due to the July 4th holiday, refuse collection would be backed up one day this week.

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8. Closed Meeting

S. Simon moved, S. Haynes seconded, that the Council hold a closed meeting to discuss the purchase or lease of real property for use by the public body or the setting of a price for sale or lease of property owned by the public body, litigation, when an action against, affecting or on behalf of the public body is probable or imminent or has been filed and is pending before the court and to conduct the semi-annual review of closed meeting minutes pursuant to 5 ILCS 120/2(c)(5), (c)(6), (c)(11) and (c)(21). VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:06 p.m..

C. Wissmann moved, C. McDaniel seconded, that the Council return to open session. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried. Open session resumed at 9:15 p.m..

S. Haynes moved, C. Wissmann seconded, that the Council approve the minutes of the closed meetings held on January 11, March 1, March 29, April 13, April 19, May 3, June 7 and June 21, 2005, and declare that the need for confidentiality still exists in the minutes of closed meetings held on January 3, March 21 and December 19, 1995; April 16, June 18, July 30, August 20, October 29 and December 17, 1996; and January 21, March 4, April 25, May 20 and October 7, 1997; and January 20, February 3, March 3, March 17, June 9, July 7, August 18, September 1, September 15, October 20, November 3, November 17 and December 15, 1998; January 19, February 16, March 2, and May 4, July 27, September 7, September 21, and November 2, 1999; January 4, January 18, February 1, May 2, June 27, November 7 and November 21, 2000; January 2, January 16, May 1, May 22, July 24, September 18, October 2, November 6, and November 27, 2001; January 8, February 5, March 5, April 10, April 16, May 21, June 25, July 9, July 15, July 23, August 13, September 3, October 15, October 29, and November 19, 2002; January 7, February 18, March 4, March 18, April 30, May 13, June 17, July 8, July 22, August 12, September 16, October 21, November 4 and December 16, 2003; January 6, February 9, April 6, June 1 and November 9, 2004; and January 11, March 1, March 29, April 13, April 19, May 3, June 7 and June 21, 2005. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

There was no additional action to be taken as a result of the closed meeting.

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 9:17 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
