

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**June 21, 2005**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, June 21, 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 7:12 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

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

City Manager Jeff Doherty recognized Development Services Director Tom Redmond who was attending his last City Council meeting prior to retirement. The City Manager also introduced Beth Ponce who had been appointed the new Development Services Director.

Mayor Cole announced that the City Hall offices would be closed on Monday, July 4th, in observance of the Independence Day holiday. Refuse collection will be pushed back one day.

Mayor Cole announced that he had visited Washington, DC, and met with Illinois congressmen and senators seeking continued funding for Amtrak rail service and the Corporation for Public Broadcasting. All congressional delegates indicated they were committed to continued funding for both. He encouraged community members to contact their representatives on these issues. Mayor Cole noted that he also spoke to the Illinois delegation in support of the coal industry in Southern Illinois, relaying the importance of clean coal technology and the desire to put people back to work in the coal mines of Southern Illinois.

**3. Citizen Comments and Questions**

On behalf of the Community Outreach Partnership Center, Kevin Clark invited the City Council, City staff and the community to the groundbreaking ceremony for the Carbondale Home Ownership Project on Wednesday, June 29, 2005, at 1:30 p.m. at 1108 North Robert A. Stalls Avenue.

**4. Public Hearings**

1. Public Hearing on Proposed Annexation Agreement with Roger Dale Karsten for 2.07 Acres on New Era Road:

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The minutes of this public hearing were transcribed separately.

### 5. 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 Hearings on Proposed Annexation Agreements with Dean Bush, Kenneth Marquard and Alan and Jenny Crowell, all held on June 7, 2005.
2. Warrant. Recommendation: Approve Warrant #953 for the period ended April 30, 2005, in the amount of \$601,622.68. (Exhibit A-6-21-05)
3. Warrant. Recommendation: Approve Warrant #954 for the period ended May 23, 2005, in the amount of \$1,355,191.44. (Exhibit B-6-7-05)
4. Acceptance of minutes of boards, commissions and committees. Recommendation: Accept Human Relations Commission of May 2, 2005; Library Board of April 13, 2005; Planning Commission of May 4 and June 1, 2005 and Zoning Board of Appeals of January 17 and June 1, 2005.
5. Ordinance adopting the Prevailing Rate of Wages of Laborers, Mechanics and Other Workers Employed in Public Works as Certified by the Illinois Department of Labor. Recommendation: Approve. (Ord. 2005-40; Exhibit C-6-21-05)
6. Ordinance annexing surrounded property on Striegel Road. Recommendation: Approve. (Ord. 2005-41; Exhibit D-6-21-05)
7. Ordinance approving an Annexation Agreement between the City of Carbondale and Roger Dale Karsten for 2.07 acres on New Era Road. Recommendation: Approve. (Ord. 2005-42; Exhibit E-6-21-05)
8. Illinois Municipal League Legislative Bulletins 2005-16. Recommendation: Accept and place on file.
9. Appointments to boards and commissions. Recommendation: Concur in reappointment of Kevin Winstead to the Liquor Advisory Board through May 1, 2006.
10. Ordinance approving Doolittle request to rezone 3.85 acres of land located at 1580 N. Reed Station Road from AG, General Agriculture, to BPL, Planned Business. Recommendation: Approve. (Ord. 2005-43; Exhibit F-6-21-05)
11. Resolution authorizing the City Manager to Execute the Head Start Agreement with Southern Illinois University. Recommendation: Approve. (Res. 2005-R-46; Exhibit G-6-21-05)
12. Ordinance approving Loretta Cooley request to rezone 1001 E. Park Street from PUD, Planned Unit Development, and RMH, Planned Mobile Home, to PUD, Planned Unit Development with a maximum Land Use Intensity number of 4.5 and a revised development plan. Recommendation: Approve. (Ord. 2005-44; Exhibit H-6-21-05)

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

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

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**6. General Business**

1. Resolution authorizing the City Manager to enter into an Amended Economic Development Tax Increment Financing Agreement with York Family Limited Partnership

S. Simon moved, L. Jack seconded, that the Council approve the Resolution authorizing the City Manager to enter into an amended economic development tax increment financing agreement with York Family Limited Partnership. DISCUSSION: Councilman Haynes indicated he would not be discussing or voting on this issue because the development provides a benefit to a direct competitor of his business. VOTE: Ayes: C. Wissmann, L. Jack, S. Simon, C. McDaniel. J. Fritzler and B. Cole. Nays: None. Present: S. Haynes. Motion declared carried. (Res. 2005-R-47; Exhibit J-6-27-05)

2. Resolution authorizing the City Manager to enter into a contract for the purchase of real property at the location of 410 E. Main Street and authorizing the Mayor to accept a deed conveying said property to the City of Carbondale

C. McDaniel moved, S. Simon seconded, that the Council approve the Resolution authorizing the City Manager to enter into a contract for the purchase of real property at the location of 410 E. Main Street and authorizing the Mayor to accept a deed conveying said property to the City of Carbondale.

DISCUSSION: Councilman Haynes said he had concerns with perception because of his mother's interest as President of the Board (Southern Illinois Achievers) and had not yet decided whether he was going to vote on this issue or abstain. Councilwoman McDaniel spoke in strong support of the acquisition of the building for use by the African American Museum of Southern Illinois. Councilwoman Simon said she agreed with the historical significance of the building but had concerns about the organization's ability to pay for repairs and renovation of the building. Councilman Fritzler expressed serious concerns about the condition of the building, noting that the appraisal of the property was apparently for the land only and no value for the building. He questioned whether adequate funds could be raised to repair and maintain the facility. President of the Southern Illinois Achievers (SIA), Donna Haynes, noted that the SIA operates the African American Museum of Southern Illinois. She expressed her optimism that the organization would be able to raise the necessary funds to renovate and maintain the building. Dr. Michael Brazley, a registered architect and professor at SIUC, noted that he performed an interior and exterior inspection of the building and although it will take a lot of effort to renovate the building, he believes it can be done through fund raising, grants and sweat equity. He offered his assistance in obtaining grants. He indicated that although the building needs a new roof, he believes the building is structurally sound and could be rehabilitated. He also noted that he believed any asbestos problems had been abated. Debbie Moore, Executive Director of the Carbondale Convention and Tourism Bureau, noted that the Museum would be eligible for a tourism attraction grant and, in fact, the State Director of Tourism had held a press conference in the Museum the prior week and at that time encouraged the Museum Board to apply for the grant. She added that the acquisition of the building and land would be grant-eligible unless acquisition occurs prior to the submission of the grant application. Additional persons speaking in support of the acquisition of the property for use by the African American Museum were Najjir Abdul-Musawwir, a member of the Board of Directors of the African American Museum, Richard Hayes and Charles Howe. Milton McDaniel,

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President of the Spirit of Attucks, made note of the improvements to the CCHS old gym which was transformed into the Boys and Girls Club primarily through fund raising and volunteer work. He noted that the 25th annual Spirit of Attucks will be coming up on July 1-3 and will bring in many people who will be excited about the renovation and want to contribute to the project. Councilman Fritzler expressed additional reservations about the structural condition of the building, noting that he would like to see some estimates on what is going to be required to renovate the building. Councilwoman Simon said that if Councilman Haynes is not receiving any financial interest from this project, there should be no conflict of interest in voting. Councilwoman Simon said that although she has concerns with the condition of the building, she supports the project, adding that even if the rehabilitation project is not successful the City will still have the land which can be resold to recoup its investment. Councilman Jack noted that with the Attucks School reunion the timing of the project is perfect. He also suggested that perhaps the grant referenced by Ms. Moore could be used for the Museum to purchase the building from the City. Councilman Haynes said he and his family have always supported the African American Museum and Southern Illinois Achievers but he wants the public to know that he has no personal gain from either. He expressed appreciation to the speakers for their comments. Councilman Wissmann noted that the City has an option to purchase only through June 30th and if the option is not exercised negotiations would have to resume, adding that the price is unlikely to go down. He also noted the similarities to the Boys and Girls Club and how that property was restored through donations and volunteer work. He agreed with Councilwoman Simon's comment about the marketability of the property if the renovation is not successful. Councilman Fritzler questioned the marketability of the property, noting that it had been vacant and unable to be sold for many years. Councilwoman McDaniel expressed confidence that with the community support that has been received by the African American Museum that the fund raising and renovation project will be successful. Mayor Cole said that the discussion has shown that there is Council support for the project, but the Council wants to make sure it is successful. He said that he believes it is important for the City to move on this opportunity, adding that as long as he is Mayor, the Museum will always have the Office of the Mayor on its side. Mayor Cole announced that he would be presenting a contribution in the amount of \$1,000 at the Spirit of Attucks breakfast on July 2nd.

VOTE ON MOTION to approve the Resolution authorizing the City Manager to enter into a contract for the purchase of real property at the location of 410 E. Main Street and authorizing the Mayor to accept a deed conveying said property to the City of Carbondale. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: J. Fritzler. Motion declared carried. (Res. 2005-R-48; Exhibit J-6-21-05)

### 3. Award of Contract for the Reed Station Road Reconstruction Project (ST0107)

S. Haynes moved, J. Fritzler seconded, that the Council concur in awarding the bid for the Reed Station Road Reconstruction Project (ST0107) to E.T. Simonds Construction Company of Carbondale in the amount of \$914,227.95 and direct the City Manager to notify the Illinois Department of Transportation of the City's concurrence. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

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4. Ordinance authorizing the City Manager to execute a contract with Gary Martin and Bob Rolando for sale of Real Property in the Bicentennial Industrial Park and authorizing the Mayor to execute a Quitclaim Deed for the conveyance of such property

S. Haynes moved, C. McDaniel seconded, that the Council approve an Ordinance authorizing the City Manager to execute a contract for Sale of Land with Gary martin and Bob Rolando for Lot 6A-2 in the Bicentennial Industrial Park, 5th Plat and authorizing the Mayor to execute a Quit Claim Deed for conveyance of said land. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: None. Motion declared carried. (Ord. 2005-45; Exhibit K-6-21-05)

5. Ordinance amending the Carbondale Revised Code Sections Relating to Votes Needed for City Council Action

S. Simon moved, C. Wissmann seconded, that the Council approve an Ordinance amending the Carbondale Revised Code sections relating to votes needed for City Council action. DISCUSSION: Councilwoman Simon noted that this measure will help expedite the business of the City even if all seven Council members are unable to vote on an issue, adding that no Council member should be required to vote if they feel they might have a conflict and no Council member should be faulted for having to miss a meeting. Councilman Fritzler expressed concern that reducing the number of votes required for Council action circumvents the desires of the citizens who voted in favor of the referendum to increase the number of City Council members because they wanted more input on issues. Councilman Wissmann concurred with Councilwoman Simon's comments. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: J. Fritzler. Motion declared carried. (Ord. 2005-46; Exhibit L-6-21-05)

**7. Council Comments**

Councilwoman McDaniel announced the Spirit of Attucks Celebration to be held on July 1 - 3, 2005 and detailed the events to take place over the weekend.

Mayor Cole recognized Officer Pete Emmett for his 30 years of service with the City of Carbondale. Officer Emmett was serving as security for this Council meeting.

**8. Closed Meeting**

S. Haynes moved, S. Simon 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 pursuant to 5 ILCS 120/2(c)(5) and (c)(6). VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel. J. Fritzler and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:52 p.m..

L. Jack moved, S. Haynes seconded, that the Council return to open session. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel. J. Fritzler and B. Cole. Nays: None. Motion declared carried. Open session resumed at 9:37 p.m..

There was no formal action taken as a result of the closed meeting.

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**9. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:38 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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