

City Council of the City of Carbondale, Illinois
Regular Meeting
February 7, 2006

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, February 7, 2006, 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

A moment of silence was observed in recognition and respect of the death of Coretta Scott King.

City Manager Jeff Doherty introduced Rob Keehn who was just promoted to Planning Manager and Terril Kaufmann who was just promoted to Fire Captain and will serve as Emergency Management Services Coordinator.

Councilwoman McDaniel announced that the African American Museum of Southern Illinois would be holding its annual Soul Food dinner on Saturday, February 11, from 4 to 7 p.m. at the Eurma C. Hayes Center.

Councilman Wissmann announced the Women's Center Taste of Chocolate event to be held at the Civic Center on Friday, February 10, and the WDBX Birthday Ball to be held at the Civic Center on Saturday, February 11.

Mayor Cole announced that City offices would be closed on Monday, February 20, for the Presidents Day holiday. All refuse collection routes will be pushed back one day.

3. Citizen Comments and Questions

Dick Risse, 401 N. Allyn, announced the formation of a the "Northwest Neighborhood Committee to Preserve Hickory Lodge Park" which will be presenting petitions to the Carbondale Park District urging that Hickory Lodge and grounds be retained for public use. He said he was informing the Council just for its information and provided the Council with a blank copy of the petition.

City Council of the City of Carbondale, Illinois - February 7, 2006

4. Public Hearings

1. Public Hearing on Annexation Agreement with William and Debra Gray for 30-21 Acres located north of Parkwood Road

The minutes of the 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 held on January 17, 2006.
2. Warrant. Recommendation: Approve Warrant #970 for the period ended January 3, 2006, in the amount of \$1,567,894.00. (Exhibit A-2-7-2006)
3. Warrant. Recommendation: Approve Warrant #971 for the period ended January 16, 2006, in the amount of \$888,135.43. (Exhibit B-2-7-2006)
4. Acceptance of minutes of boards, commissions and committees. Recommendation: Accept Library Board of December 14, 2005 and Liquor Advisory Board of January 5, 2006.
5. Illinois Municipal League Legislative Bulletins 2006-01, 2006-02 and 2006-03. Recommendation: Accept and place on file.
6. Ordinance annexing Quail Ridge Subdivision located on Sanpat Lane. Recommendation: Approve. (Ord. 2006-03; Exhibit C-2-7-2006)
7. Removed from Consent.
8. Removed from Consent.
9. Resolution authorizing the City Manager to submit an Application for a Justice Assistance Grant and to Enter into an Intergovernmental Agreement with the County of Jackson. Recommendation: Approve. (Res. 2006-R-04; Exhibit D-2-7-2006)
10. Appointments to Boards and Commissions. Recommendation: Approve reappointment of Carolin Harvey and Dr. John Baker to the Planning Commission and Zoning Board of Appeals through January 31, 2010.

Mayor Cole removed Items 5.7 and 5.8 from the Consent Agenda. There were no other items removed from the Consent Agenda.

S. Haynes moved, C. Wissmann seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.9 and 5.10. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

5.7. Ordinance approving an Annexation Agreement between the City of Carbondale and William and Debra Gray for 30.21 acres located north of Parkwood Road

C. Wissmann moved, S. Haynes seconded, that the Council approve the Ordinance authorizing the execution of an Annexation Agreement between the City of Carbondale and William and Debra Gray for 30-21 acres located north of Parkwood Road.

City Council of the City of Carbondale, Illinois - February 7, 2006

DISCUSSION: Applicant William Gray, 241 New Campfire Road, was present to answer questions. Mayor Cole asked whether Mr. Gray would be willing to annex the parcel he owns which lies north of the subdivision and is contiguous to the City limits in order to make the subdivision contiguous. Mr. Gray said this was something he might consider adding, however, that he could not answer that question at this meeting.

VOTE ON MOTION that the Council approve the Ordinance authorizing the execution of an Annexation Agreement between the City of Carbondale and William and Debra Gray for 30-21 acres located north of Parkwood Road. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, J. Fritzler and C. Wissmann. Nays: C. McDaniel and B. Cole. Motion declared carried. (Ord. 2006-04; Exhibit E-2-7-2006)

5.8. Resolution approving Hidden Creek Estates Subdivision and Subdivision Agreement

C. Wissmann moved, S. Simon seconded, that the Council approve the Resolution approving the Plat and Subdivision Agreement for the Hidden Creek Estates Subdivision.

DISCUSSION: Councilman Wissmann expressed concern about the variance for the street surface. Applicant William Gray indicated that to upgrade the street surface to bituminous would be much more expensive, adding that the A3 oil-and-chip surface is the same surface as the neighboring subdivision. Councilman Wissmann offered a friendly amendment to the motion to include the four variances, including an amendment to the last paragraph on Exhibit B of the Agreement entitled "Required Improvements" to read: "The City shall not be responsible for providing or installing any items for which a variance is herewith requested and approved in said Subdivision at any time and shall remain the responsibility of the Developer and/or the property owners of the Subdivision." Seconder Simon agreed to the friendly amendment.

Councilman Jack agreed with Councilman Wissmann's concerns about the street surfaces. L. Jack moved that the motion on the floor be amended to approve the Subdivision Agreement but delete the variance on the street surface. Motion died for lack of second.

VOTE ON MOTION: that the Council approve the Resolution approving the Plat and Subdivision Agreement for the Hidden Creek Estates Subdivision with the four variances, including an amendment to the last paragraph on Exhibit B of the Agreement entitled "Required Improvements" to read: "The City shall not be responsible for providing or installing any items for which a variance is herewith requested and approved in said Subdivision at any time and shall remain the responsibility of the Developer and/or the property owners of the Subdivision." VOTE: Ayes: S. Haynes, S. Simon, J. Fritzler and C. Wissmann. Nays: L. Jack, C. McDaniel and B. Cole. Motion declared carried. (Res. 2006-R-05; Exhibit F-2-7-06)

6. General Business

1. Award of contract for water and sewer line replacement projects:

C. Wissmann moved, J. Fritzler seconded, that the Council award the contract for Carico Street Sanitary Sewer Replacement (Sycamore to Willow) SA0104, Carico Street Water Line Replacement (Sycamore to Rigdon) WS 0110, Kennicott Street Water Line

City Council of the City of Carbondale, Illinois - February 7, 2006

Replacement (Oakland to Michaels) WS0111, Monroe Street Water Line Replacement WS0113, and Almond Street Water Line Replacement (Willow to Owens) WS0604 to Dean Bush Construction Company of Carbondale in the amount of One Million Eighty-two Thousand Five Hundred Twenty Dollars and Twenty Cents (\$1,082,520.20). VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

2. Ordinance authorizing the City Manager to Enter into a Lease Agreement with the African American Museum of Southern Illinois for the purpose of leasing the Attucks School property

C. McDaniel moved, S. Haynes seconded, that the Council approve an Ordinance authorizing the City Manager to enter into a Lease Agreement with the African American Museum of Southern Illinois for the purpose of leasing the Attucks School property. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Ord. 2006-05; Exhibit G-2-7-2006)

3. Ordinance approving Deer Trail of Southern Illinois' request to Rezone 11.4 Acres East of Deer Lake III Subdivision from AG, General Agriculture, to R-1-12, Low Density Residential

S. Haynes moved, J. Fritzler seconded, that the Council adopt the Ordinance approving the request to rezone 11.4 acres located east of Deer Lake III Subdivision from AG, General Agriculture, to R-1-12, Low Density Residential. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Ord. 2006-06; Exhibit H-2-7-2006)

4. City Staff's request for the City Council to initiate a Public Hearing to Consider Revisions to the Rural Residential District, Section 15-2D-6 of the Zoning Ordinance

S. Simon moved, C. McDaniel seconded, that the Council direct the Planning Commission to conduct a public hearing on revisions to the Rural Residential District, Section 15-2D-6 of the Carbondale Revised Code, relative to permitting mobile homes as a Special Use in the RR, Rural Residential, District. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

5. Consideration of Community and Economic Development Organization Funding Requests

C. Wissmann moved, S. Simon seconded, that the Council establish tentative funding levels for economic development organizations for FY 2006 at the following amounts: Carbondale Convention and Tourism Bureau, \$292,000, and Carbondale Main Street, \$11,000 from the Downtown Development Division budget, \$17,500 from City operating divisions for contractual maintenance of plantings, and \$40,000 from the Special Service Area tax. DISCUSSION: Councilwoman Simon noted that Carbondale Main Street funds some musical performances but she receives no pay from the

City Council of the City of Carbondale, Illinois - February 7, 2006

performances of her musical group. Therefore, there is no conflict with her vote on this issue. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

C. Wissmann moved, J Fritzler seconded, that the Council establish tentative funding levels for community organizations for FY 2007 at the amounts recommended by City staff except that the Women's Center be funded in the requested amount of \$11,888.

DISCUSSION: Councilman Haynes suggested that if the Women's Center was to be funded at the requested level, the Attucks Community Services Board also be funded at the requested level. S. Haynes moved, C. McDaniel seconded, that both requests for funding be approved -- The Women's Center for \$11,888 and Attucks Community Services Board for \$70,710. VOTE: Ayes: S. Haynes and C. McDaniel. Nays: L. Jack, S. Simon, J. Fritzler, C. Wissmann and B. Cole. Motion declared defeated.

S. Simon moved, L. Jack seconded, that the motion on the floor be amended to establish tentative funding levels at the amounts recommended by staff. VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: C. Wissmann. Motion declared carried.

VOTE ON AMENDED MOTION that the Council establish tentative funding levels for community organizations for FY 2007 at the amounts recommended by City staff. [The amounts recommended by staff were as follows: Attucks Community Services Board, \$69,214; Senior Adult Services, \$33,898; Southern Illinois Regional Social Services (Youth Services Program), \$12,300; The Women's Center, \$11,816; Carbondale Community Arts, \$69,075 (which includes \$15,000 to be passed through to the Southern Illinois Symphony Orchestra); Abundant Health Resource Clinic, \$28,259; Good Samaritan Ministries, \$18,560; The Science Center, \$9,450; New Zion Missionary Baptist Church (Summer Food Program), \$4,000; Carbondale Junior Sports, \$1,500; Carbondale Lions Club Fireworks, \$2,000; the Southern Illinois Center for a Sustainable Future, \$2,000; the Boys and Girls Club of Carbondale, \$30,000; Carbondale Branch NAACP, \$5,589 (for office space rental; and Splash 'N Saturday \$2,000 for FY 2007. Staff also recommended approval of FY 2006 funding of \$2,000 for Splash 'N Saturday conditioned upon resolution of questions concerning with which not-for-profit entity the City would be contracting and that the City Council approve a Budget Adjustment to transfer \$2,000 from the Support Services Division (40010) budget to the Agencies and Organizations division (40425) budget for FY 2006.] VOTE: Ayes: S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

7. Council Comments

Mayor Cole noted the death of Southern Illinois University President James Walker. He expressed condolences to the family and friends of Dr. Walker.

8. Closed Meeting

C. McDaniel moved, C. Wissmann seconded, that the City Council hold a closed meeting to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, the purchase or lease of real property for use by

City Council of the City of Carbondale, Illinois - February 7, 2006

the public body, the setting of a price for sale or lease of property owned by the public body, and 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 pursuant to 5 ILCS 120/2(c)(1), (c)(5), (c)(6) and (c)(11). 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 8:42 p.m.)

S. Haynes moved, L. Jack 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 10:02 p.m.)

There was no formal action 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 10:03 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
