

City Council of the City of Carbondale, Illinois
Regular Meeting
July 18, 2006

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, July 18, 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 Joel Fritzler, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Lance D. Jack, Councilwoman Sheila Simon, Councilwoman Corene McDaniel 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 Doherty introduced Sean Henry, the new Maintenance and Environmental Services Manager.

Mayor Cole announced that due to the hot weather the Civic Center would be made available as a cooling center for persons who are distressed by the heat and have nowhere else to go.

3. Citizen Comments and Questions

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

4. Public Hearings

1. Public Hearing on the Proposed Expansion and Extension of the Downtown Special Service Area Number One

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 Special City Council Meeting, the Regular City Council meeting and the Public Hearing on the Proposed Annexation Agreement with T & T Farms, all held on June 20, 2006.

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2. Warrant. Recommendation: Approve Warrant #984 for the period ended June 5, 2006, (FY 2007) in the amount of \$1,180,857.80. (Exhibit A-7-18-06)
3. Warrant. Recommendation: Approve Warrant #985 for the period ended June 19, 2006, (FY 2007) in the amount of \$1,113,789.84. (Exhibit B-7-18-06)
4. Acceptance of minutes of boards, commissions and committees. Recommendation: Accept Carbondale Information and Telecommunications Commission of May 8, 2006; Energy and Environmental Advisory Commission of April 20, 2006; Fire Fighters Pension Board of Trustees of June 13, 2006; Library Board of May 10, 2006; Liquor Advisory Board of June 1, 2006; and Planning Commission of June 7, 2006.
5. Appointments and Reappointments to Boards and Commissions. Recommendation: Concur with Mayor's recommendations as follows: Reappoint Elbert Simon to the Board of Fire and Police Commissioners through May 1, 2009; appoint Joe Moore to the Energy and Environmental Advisory Commission through May 1, 2007 and reappoint Sheila Simon as Ex-Officio to the Energy and Environmental Advisory Commission through May 1, 2007; appoint Lukeman Shofu to the Human Relations Commission through May 31, 2007 and appoint Carmen Suarez as Chair of the Human Relations Commission through April 15, 2008; appoint Anil Mehta to the Information and Telecommunications Commission through June 30, 2007; appoint John Michalesko to the Jackson County Emergency Telephone Services Board for an indefinite term; appoint Beth Arthur to the Library Board through June 30, 2008 and reappoint Joyce Hayes and Julian Pei to the Library Board through June 30, 2009; reappoint Kevin Winstead to the Liquor Advisory Board through May 1, 2007 and Lawrence Juhlin, John Benschoff and Mark Robinson to the Liquor Advisory Board through May 1, 2009; appoint Lee Fronabarger to the Planning Commission through January 31 2009; and reappoint Ernest Tessone to the Police Pension Board through May 1, 2008.
6. Award of contract for Sidewalk Improvements (CIP SW0701). Recommendation: award contract to C & M Enterprises of Carbondale in the amount of \$75,658.80 and authorize the City Manager to execute a change order with the contractor for additional sidewalk improvements with the total contract amount not to exceed \$90,000.
7. Resolution approving T & T Farms Subdivision and Subdivision Agreement located on Ponce Trail. Recommendation: Approve. (Res. 2006-R-38; Exhibit C-7-18-06)
8. Ordinance authorizing the City Manager to enter into an Agreement to Transfer Maintenance and Jurisdiction of Pump Station Road to Makanda Township. Recommendation: Approve. (Ord. 2006-43; Exhibit D-7-18-06)
9. Ordinance annexing Deer Trail Subdivision. Recommendation: Approve. (Ord. 2006-44; Exhibit E-7-18-06)
10. Removed from Consent.
11. Resolution authorizing the City Manager to Execute the Testing Service Agreement with the Illinois Department of Transportation for the City's Street Improvement Program (MFT Section No. 07-00000-02-GM). Recommendation: Approve. (Res. 2006-R-40; Exhibit F-7-18-06)
12. Award of purchase of Non-potable Water Pump System for the Northwest Wastewater Treatment Plant. Recommendation: Reject the bid from Industrial Process Equipment Group of St. Louis in the amount of \$23,286.00 for the triplex package for failure to meet the minimum acceptable bid specifications and award of the purchase to Municipal Equipment Company of St. Louis in the amount of \$25,365.00.
13. Resolution authorizing the City Manager to Execute an Infrastructure Maintenance Fee Settlement Agreement. Recommendation: Approve Resolution authorizing the City Manager to execute the Settlement Agreement with Plaintiff's Class Counsel to facilitate final settlement of the pending IMF class action litigation against the City. (Res. 2006-R-41; Exhibit G-7-18-06)

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14. Encroachment Permit for Southern Illinois University Entrance Signs, Northwest and Southwest Corners of East Grand Avenue and South Wall Street. Recommendation: Approve.

Mayor Cole asked if anyone would like any items removed from the Consent Agenda. Councilman Jack asked that Item 5.10 be removed.

S. Simon moved, S. Haynes seconded, that Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, and 5.14 be approved. VOTE: Ayes: J. Fritzler, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

5.10. Resolution approving the Deer Trail Subdivision and Subdivision Agreement, located West of Alveria Drive

L. Jack moved, S. Haynes seconded, that the Council adopt the Resolution approving the Plat and Subdivision Agreement for Deer Trail Subdivision. DISCUSSION: In response to Councilman Jack's inquiry about the development causing additional drainage problems in Deer Lake and Pinewood subdivisions, Planning Manager Rob Keehn said that the drainage for the new subdivision has been planned in compliance with City Code requirements. Councilman Jack suggested that current Code provisions regarding drainage in new developments be tightened to assure that future developments do not impact drainage in adjacent areas. Mayor Cole said that staff would be asked to put something together for the Council to review. VOTE: Ayes: J. Fritzler, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Res. 2006-R-39; Exhibit H-7-18-06)

6. General Business

1. Request to Initiate Possible Zoning Text Amendments Relative to Development Density and Parking in Residential Areas

S. Haynes moved, S. Simon seconded, that the Council direct staff to study the issues related to density and parking in the residential zoning districts and initiate a public hearing before the Planning Commission to consider possible amendments to the Zoning Ordinance text.

DISCUSSION: Councilman Wissmann advocated community outreach to find out how citizens in the most affected areas think these problems could be addressed. He also noted that an increase in car ownership exacerbates the problems. Councilman Haynes asked about the time-line; Mayor Cole responded that it should come back in 60 to 90 days. Councilwoman Simon said this is a good opportunity to get the City Code in line with the Comprehensive Plan related to land use intensity and encouraged working with and educating neighborhood groups on the issues such as these that shape the look of the City. Jane Adams, 702 W. Cherry Street, suggested that issues other than density and parking be considered, such as setbacks, landscaping, utility meters being placed out of sight and other amenities that raise the attractiveness level of new construction. She also suggested that design standards be considered to improve durability. D. Gorton, 702 W. Cherry, concurred with comments made by Councilman Wissmann related to automobiles and added that he hoped that the review of density issues will

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assist in development of areas that will allow persons to walk to shopping areas, schools, jobs, etc.. He said Carbondale has lived with the old concept of single-use zoning for a long time and this is an opportunity to move forward.

VOTE ON MOTION to direct staff to study the issues related to density and parking in the residential zoning districts and initiate a public hearing before the Planning Commission to consider possible amendments to the Zoning Ordinance text. VOTE: Ayes: J. Fritzler, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

2. Report on the McLafferty/Chautauqua Intersection Design Study

C. Wissmann moved, S. Haynes seconded, that the Council accept the McLafferty/Chautauqua Intersection Design Study prepared by Crawford, Murphy & Tilly and place it on file and direct the City Manager to include the McLafferty/Chautauqua Intersection Improvements, ST0601, in the Community Investment Program's Unfunded Category. DISCUSSION: Mayor Cole asked that the study be sent to the Planning Commission for review. VOTE: Ayes: J. Fritzler, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

3. Consideration of an Ordinance for the Proposed Extension and Expansion of the Downtown Special Service Area Number One

J. Fritzler moved, S. Simon seconded, that the Council approve the Ordinance authorizing the extension and expansion of the Downtown Special Service Area Number One. DISCUSSION: Councilman Wissmann noted that he had received comments from persons whose property falls within the SSA expressing some dissent with the extension of the SSA, adding that persons were under the impression that the SSA would last for only five years and would then become self-sufficient. In addition, he said, more than one person in the SSA has questioned whether they are "getting their money's worth" from the Main Street organization. He said that the persons making these comments do not feel comfortable dissenting publicly at this time, however, he cannot support this request based on the comments he has heard from some persons within the SSA. VOTE ON MOTION: Ayes: J. Fritzler, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: C. Wissmann. Motion declared carried. (Ord. 2006-45; Exhibit I-7-18-06)

7. **Council Comments**

Referencing the announcement that Mayor Cole made earlier which opened the Civic Center as a cooling center, Councilman Haynes asked that the Eurma C. Hayes Center also be opened as a cooling center. Mayor Cole said that persons in need could go to the Eurma Hayes Center and arrangements would be made to transport them to the Civic Center.

8. **Closed Meeting**

S. Simon moved, C. Wissmann seconded, that the City Council hold a closed meeting to discuss 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)(11) and (c)(21). VOTE: Ayes: J. Fritzler, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:06 p.m..

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L. Jack moved, C. McDaniel seconded, that the Council return to open session. VOTE: Ayes: J. Fritzler, C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: None. Motion declared carried. Open session resumed at 8:17 p.m.

S. Simon moved, L. Jack seconded, that the Council approve the minutes of the closed meetings held on January 17, February 7, February 21, April 4, May 16 and June 20, 2006, 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, July 5 and December 6, 2005 and January 17, February 7, February 21, April 4, May 16 and June 20, 2006 and that in accordance with the Illinois Open Meetings Act, authorize the destruction of audiotapes of the closed meeting held on November 9, 2004. VOTE: Ayes: J. Fritzler, S. Haynes, L. Jack, S. Simon, C. McDaniel and B. Cole. Nays: C. Wissmann. Motion declared carried.

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:18 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
