

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**May 16, 2006**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, May 16, 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 Lance D. Jack, Councilwoman Sheila Simon, Councilman Joel Fritzler, Councilman Chris Wissmann, Councilman Steven Haynes and Mayor Brad Cole

Absent: Councilwoman Corene McDaniel

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 Carbondale Conversations for Community Action would be hosting a Recognition Event for Carbondale and Southern Illinois University Police Officers on Monday, May 22, at 6:00 p.m. in the Civic Center. For more information, contact City Hall.

Mayor Cole announced that the Church Women United had raised over \$11,000 from the World Hunger Sale and had donated \$500 to the City of Carbondale to be used for food needs at the Eurma C. Hayes Child Care Center.

Mayor Cole announced that City offices would be closed on Monday, May 29, for the Memorial Day holiday. Refuse collection will be delayed one day on all routes. In addition, the annual Carbondale Memorial Day Services will be held on Monday, May 29, at 10:00 a.m. at Woodlawn Cemetery on East Main Street. The keynote speaker will be Staff Sergeant Jeffrey Rose, a combat veteran of the war in Iraq.

Mayor Cole noted that the City is continuing to identify ways to implement wireless internet technology, with plans to first serve the downtown area. Wireless internet will be available on a limited basis and is not intended to replace pay internet service. The Mayor noted that he has directed the City Manager to have wireless internet in place by the start of the SIU fall semester.

**3. Citizen Comments and Questions**

There was no one present who wished to address the Council during this portion of the agenda.

**4. Public Hearings**

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### 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 May 2, 2006.
2. Warrant. Recommendation: Approve Warrant #978 for the period ended April 24, 2006, (FY2006) in the amount of \$3,027,404.44. (Exhibit A-5-167-06)
3. Warrant. Recommendation: Approve Warrant #979 for the period ended April 24, 2006 (FY 2007) in the amount of \$5,722.35. (Exhibit B-5-16-06)
4. Acceptance of minutes of boards, commissions and committees. Recommendation: Accept Carbondale Information and Telecommunications Commission of February 13, 2006; Child Care Advisory Board of March 30, 2006; Fire Fighters Pension Board of April 17, 2006; Human Relations Commission of April 10, 2006; Library Board of March 8, 2006; and Planning Commission of March 15, 2006.
5. Acceptance of deeds and easements. Recommendation: Accept easement from Srinivas V. Gundala for water and sewer lines to serve property at 1390 Hope Drive and authorize recording.
6. Appointments to boards and commissions. Recommendation: Appoint Sarah Nabors to the Energy and Environmental Advisory Commission through May 1, 2007; appoint Carolyn Snyder to the Information and Telecommunications Commission through June 30, 2008; reappoint Don Prosser to the Library Board through June 30, 2009.
7. Illinois Municipal League Legislative Bulletins 2006-16 and 2006-17. Recommendation: Accept and place on file.
8. Removed from consent.
9. Award of purchase of water line materials for four Community Investment Program Projects. Recommendation: Award purchase of water line materials from Schedule #1 to Midwest Meter, Inc. of Cape Girardeau, MO, in the amount of \$31,058.14 and award purchase of water line materials from Schedule #2 to National Waterworks of Granite City, IL, in the amount of \$20,203.22.
10. Award of contract for Pleasant Hill Road Railroad Overpass Bridge Maintenance MFT Section No. 07-00000-01-GM. Recommendation: Conditionally award pending IDOT concurrence to E.T. Simonds Construction Company in the amount of \$57,609.88.
11. Award of purchase of MFT Maintenance Materials for FY 2007, MFT Section 07-00000-00-GM. Recommendation: Conditionally award pending IDOT concurrence to: Illini Asphalt of Benton for Group A in amount of \$41,657.97; Dwain Forby Trucking of Makanda for Groups B, D and G in the amount of \$23,886.00; and Beelman Truck Company of East St. Louis for Group F in the amount of \$5,250.00 and award the purchase of non-MFT maintenance materials to Dwain Forby Trucking of Makanda for Groups C and E in the amount of \$26,882.00.
12. Approval of Budget Adjustment for funds from Illinois Criminal Justice Information Authority for Station Adjustment Program. Recommendation: Approve budget adjustment to Agencies and Organizations FY 2007 budget in the amount of \$48,016 for Juvenile Accountability Incentive Block Grant funds from the Illinois Criminal Justice Authority for the Station Adjustment Program.
13. Removed from consent.

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14. Resolution authorizing the purchase of Real Estate from the Illinois Central Railroad Company and authorizing the Mayor to accept a deed conveying said property to the City of Carbondale. Recommendation: Approve. (Res. 2006-R-31; Exhibit C-5-16-06)

Mayor Cole removed Item 5.13 and 5.8 from the Consent Agenda. There were no other 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, 5.6, 5.7, 5.9, 5.10, 5.11, 5.12 and 5.14. VOTE: Ayes: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

5.13 Ordinances annexing properties

S. Simon moved, S. Haynes seconded, that the Council approve the ordinances annexing surrounded property on West Chautauqua and South Tower Roads, on West Chautauqua, on Union Hill Road and on West Pleasant Hill Road and the ordinances annexing the following properties in order: (1) property located on Illinois Route 13 (Leigeber); property located on North Reed Station Road (First Corner LLC); property located on North County Line Road (O'Fallon) and property located on North County Line Road (O'Daniel). DISCUSSION: Marion Mitchell, 2400 W. Chautauqua, indicated he was the owner of one of the properties to be annexed and asked what benefit it would be to the City to annex his property and what services would be provided to his property. He noted that he has been shooting guns on his property since 1962 and the annexation of his property will prohibit hunting and/or the shooting of guns on his property. Council members supported a delay on passage of the ordinance affecting Mr. Mitchell's property until some research could be done on a possible compromise. S. Simon withdrew from her motion the approval of the ordinance annexing surrounded property on West Chautauqua. Seconder S. Haynes agreed.

REVISED MOTION: that the Council approve the ordinances annexing surrounded property on West Chautauqua and South Tower Roads, on West Chautauqua, on Union Hill Road and on West Pleasant Hill Road and the ordinances annexing the following properties in order: (1) property located on Illinois Route 13 (Leigeber); property located on North Reed Station Road (First Corner LLC); property located on North County Line Road (O'Fallon) and property located on North County Line Road (O'Daniel). VOTE: Ayes: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ordinance Nos. 2006-24 through 2006-30 respectively; Exhibits D-5-16-06 through J-5-16-06 respectively).

5.8 Award of purchase of a Full Size 4x4 Utility Vehicle for the Fire Department and Surplus of City-Owned Personal Property

S. Haynes moved, S. Simon seconded, that the Council declare the trade-in vehicle (1997 Ford Taurus, City ID#8947, VIN #1FALP5226VG219960) as surplus property. DISCUSSION: Mayor Cole expressed concern about the gas mileage of the vehicle being recommended for purchase and suggested that hybrid vehicles be considered for use in the City's fleet, especially for vehicles being used around town. Councilman Jack noted there might be other vehicles that would perform better and be more fuel efficient than the

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suggested vehicle but not necessarily be a hybrid. Councilman Simon said that as long as a hybrid meets the needs of the department she would agree with the idea of a hybrid. Councilman Wissmann noted that hybrid vehicles are particular good if vehicles are required to idle for long periods of time, adding that for City purposes a hybrid might be a good choice. Mayor Cole suggested that a policy be established that the City always solicit bids for hybrid or alternative fuel vehicles for all vehicle purposes and see what those types of vehicles would cost. Councilman Wissmann suggested that fuel efficiency also be used as a criteria. VOTE: Ayes: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

With respect to the award of purchase and in response to Mayor Cole's inquiry, City Manager Doherty said that if the bid is not awarded, it would expire. Mayor Cole asked if the Council concurred with not taking action at this time and getting additional information. In response to Councilwoman Simon's inquiry, City Manager Doherty noted that there is a need for the vehicle and the bidder has placed a hold on this specific vehicle for the City. He noted that the next State bid list would not be available until later in the year and that the price on the next State bid list might be different, adding that hybrid vehicles might cost more. He noted that staff recommendation is to proceed with the purchase of this vehicle with the understanding of the Council's policy to consider hybrid or alternative fuel vehicles for the purchase of future vehicles. He acknowledged that the delay in purchase of this vehicle will not affect public safety.

S. Simon moved that the Council award the purchase of a full size 4x4 utility vehicle to Landmark Ford, Springfield, Illinois, in the amount of \$24,210.00 for a 2006 Ford Expedition for the Fire Department. Motion died for lack of second. Mayor Cole noted that staff should have a good indication of the Council's direction regarding this matter.

### 6. General Business

1. Award of contract for MFT Bituminous Concrete Resurfacing Program for FY 2007  
MFT Section No. 07-00000-02-GM

S. Haynes moved, C. Wissmann seconded, that the contract for the MFT Bituminous Concrete Resurfacing Program be conditionally awarded pending IDOT's concurrence to E.T. Simonds Construction Company of Carbondale in the amount of \$2,438,363.86. DISCUSSION: Councilwoman Simon said she would prefer that priorities be set based on need rather than based solely on the current street surface. Councilman Fritzler expressed concern about the resurfacing of brick streets, adding that he would like to see the preservation of brick streets. VOTE: Ayes: L. Jack, C. Wissmann, S. Haynes and B. Cole. Nays: S. Simon and J. Fritzler. Motion declared carried.

2. Ordinance accepting an Interest Arbitration Award and Adopting a Labor Agreement between the City and F.O.P. Lodge #192 for FY 2005, FY 2006 and FY 2007 and authorizing the City Manager to execute same

S. Haynes moved, S. Simon seconded, that the Council accept the interest arbitration award and approve an ordinance adopting a Labor Agreement between the City of Carbondale, Illinois, and the Fraternal Order of Police Lodge #192 and the Illinois State Fraternal Order of Police Labor Council for Fiscal Years 2005,

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2006 and 2007 and authorizing the City Manager to execute this agreement which is attached to the ordinance as Exhibit A. VOTE: Ayes: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2006-31; Exhibit K-5-16-06)

3. Ordinance approving and Resolution denying Jackson County Ambulance's request to rezone 0.17 Acres from R-1-5 to BWA for property located at 302 West Sycamore Street

J. Fritzler moved, S. Haynes seconded, that the Council adopt the Ordinance approving the request to rezone the 0.17 acres for the Jackson County Ambulance Service from R-1-5, Low Density Residential, to BWA, Wholesale and Automotive. DISCUSSION: States Attorney Michael Wepsiec spoke in support of the rezoning. Councilman Jack expressed the hope that the large tree on the property could be saved in the design of the parking lot. VOTE: Ayes: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2006-32; Exhibit L-5-16-06)

4. Presentation on the Carbondale Cleanup Program

Carbondale Cleanup Program Coordinator Yolande Ajamu presented a Power Point presentation describing how the program will be carried out and the benefits to be received from the program both by the young participants in the program and the community at large. There was no formal Council action taken on this item.

7. **Council Comments**

Councilman Haynes offered the assistance and participation of City Council members in the Community Cleanup Program.

8. **Closed Meeting**

S. Simon 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 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: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Open session recessed at 8:29 p.m.)

L. Jack moved, S. Simon seconded, that the Council return to open session. VOTE: Ayes: L. Jack, S. Simon, J. Fritzler, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Open session resumed at 9:20 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 9:20 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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