

City Council of the City of Carbondale, Illinois
Regular Meeting
April 24, 2007

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, April 24, 2007, in City Council Chambers, 200 S. Illinois Avenue. Following a meeting of the Local Liquor Control Commission, Mayor Brad Cole called the meeting to order at 7:06 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

Present: Councilwoman Sheila Simon, Councilwoman Corene McDaniel, Councilman Joel Fritzler, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Lance Jack 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 announced that the Northwest Wastewater Treatment Plant had been named "Best Operated Wastewater Treatment Works" of the year in the State of Illinois. The award was presented by the Illinois Association of Water Pollution Control Operators in April. Present at the Council meeting to accept the award were Plant Superintendent Danny Piquard and Plant Operators Zack Hill, Scott Priddy, Dave Hart, Dave Morgan, Ray Toliver and Danny Coomer. Plant Operator Dale Collins was working at the plant and unable to attend. Also present were retired Public Works Director Edward Reeder and current Public Works Director Beth Ponce.

3. Citizen Comments and Questions

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

4. Public Hearings and Special Reports

1. Public Hearing on Annexation Agreement with Egon Kamarasy for 27.5 Acres Located South of Starvation Acres Road

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 Hearing on the Proposed FY 2008 Budget, both held on April 3, 2007.

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2. Removed from Consent.
3. Acceptance of minutes of Boards, Commissions and Committees. Recommendation: Accept Human Relations Commission of March 5, Liquor Advisory Board of March 8 and Planning Commission of March 21, 2007.
4. Illinois Municipal League Legislative Bulletins 2007-09 and 2007-10. Recommendation: Accept and place on file.
5. Resolution declaring Fair Days for the 11th Annual Carbondale Main Street Pig Out. Recommendation: Approve. (Res. 2007-R-23; Exhibit A-4-24-07)
6. Approval of Purchase of Rock Salt through the State of Illinois Joint Purchasing Program. Recommendation: Reaffirm that the purchase of rock salt through the State of Illinois Joint Purchasing Program is in the best interests of the City of Carbondale, approve the purchase of rock salt for highway snow and ice control, and authorize the City Manager to submit a requisition to the State of Illinois Department of Central Management Services for 560 tons of rock salt through the Joint Purchasing Program.
7. Resolution authorizing the City Manager to Execute an Agreement with Humane Society of Southern Illinois, Inc. Recommendation: Approve. (Res. 2007-R-24; Exhibit B-4-24-07)
8. Resolution authorizing the City Manager to Execute a Contract with the Southern Illinois Regional Landfill for Disposal of Solid Waste. Recommendation: Approve. (Res. 2007-R-25; Exhibit C-4-24-07)
9. Ordinance increasing the overall FY 2007 Budget to provide for payment of final close out invoice for Mill Street underpass construction. Recommendation: Approve Ordinance and approve Budget Adjustment. (Ord. 2007-10; Exhibit D-4-24-07)
10. Ordinance approving an Annexation Agreement between the City of Carbondale and Egon Kamarasy for 27.5 Acres Located South of Starvation Acres Road. Recommendation: Approve. (Ord. 2007-11; Exhibit E-4-24-07)
11. Resolution approving Bittersweet Subdivision, Subdivision Agreement and Variance Request. Recommendation: Approve Resolution approving the Plat, Subdivision Agreement and variance request for Bittersweet Subdivision. (Res. 2007-R-26; Exhibit F-4-24-07)
12. Resolution appropriating Motor Fuel Tax Funds for the FY 2008 Program for Maintenance of Streets and Alleys. Recommendation: Approve. (Res. 2007-R-27; Exhibit G-4-24-07)

Mayor Cole asked if anyone would like any items removed from the Consent Agenda. Councilman Fritzler asked that Item 4.2 be removed.

C. Wissmann moved, J. Fritzler seconded, that Consent Agenda Items 4.1, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11 and 4.12 be approved. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

4.2 Approval of Warrant

C. Wissmann moved, J. Fritzler seconded, that the Council approve Warrant No. 1005 payable for the period ended March 26, 2007, in the amount of \$1,115,066.97. DISCUSSION: Councilman Fritzler asked questions concerning individual warrant items. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Exhibit H-4-24-07)

6. **General Business**

1. Resolution Approving and Authorizing the Mayor to execute an Agreement with Livingston Group, LLC for Government Affairs Representation and Lobbying Services Before the Federal Government

S. Haynes moved, C. McDaniel seconded, that the Council approve the Resolution approving and authorizing the Mayor to execute an agreement with Livingston Group, LLC for government affairs representation and lobbying services before the Federal Government. DISCUSSION: Councilwoman Simon and Councilman Fritzler spoke in opposition to renewal of the agreement . Councilman Wissmann stated that he would support one additional year for the agreement. VOTE: Ayes: C. McDaniel, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: S. Simon and J. Fritzler. Motion declared carried. (Res. 2007-R-28; Exhibit I-4-24-07)

2. Ordinance approving the FY 2008 Budget and Action Approving the Five-Year Community Investment Program

S. Simon moved, J. Fritzler seconded, that the Council approve the Five-Year Community Investment Program with the exception of SP0801, Amtrak Screening. VOTE: Ayes: S. Simon, J. Fritzler, C. Wissmann, L. Jack and B. Cole. Nays: C. McDaniel and S. Haynes. Motion declared carried.

C. Wissmann moved, C. McDaniel seconded, that the Council approve SB0801, Amtrak Screening, for inclusion in the Five-Year Community Investment Program. DISCUSSION: Councilwoman Simon noted this project had not followed the usual process for CIP projects and had not been previously discussed by the Planning Commission or City Council. She also questioned whether the proposed screen had been discussed with Amtrak or adjoining property owners. Nancy Stemper, Director of Carbondale Community Arts, spoke in support of the Amtrak Screen as a venue for public art adding, however, that she could not address the need for the screen. Genevieve Houghton suggested the project be tabled until a plan could be developed for the mural. VOTE: Ayes: C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: S. Simon, J. Fritzler and L. Jack. Motion declared carried.

S. Simon moved, S. Haynes seconded, that the Council approve the Carbondale Public Library Budget in the amount of \$848,825 for Fiscal Year 2008. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

Mayor Cole invited comments, questions or motions concerning individual concerns in the proposed FY 2008 operating budget.

S. Simon moved, J. Fritzler seconded, that \$8,374 be excluded from 40000-240, Mayor and Council Travel, Conference and Training. DISCUSSION: Councilwoman Simon noted that other budgets have more specificity concerning who is traveling, for what location the travel is planned and the purpose of the travel and asked that this amount be removed until more specificity is provided. VOTE: Ayes: S. Simon and J. Fritzler. Nays: C. McDaniel, C. Wissmann, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

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S. Simon moved, L. Jack seconded, that \$7,500 be excluded from 40010-240, Support Services Travel, Conference and Training. DISCUSSION: Councilwoman Simon expressed concern about the \$7,500 being listed as Sister Cities, City Officials. VOTE: Ayes: S. Simon, J. Fritzler and C. Wissmann. Nays: C. McDaniel, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

S. Simon moved, J. Fritzler seconded, that \$3,932 be excluded from 40006-240, Economic Development Travel, Conference and Training. DISCUSSION: It was explained that \$445 of this amount was mileage expense for the Assistant City Manager for Economic Development. S. Simon amended her motion that only \$2,487 be excluded from 40006-240. Secunder Fritzler accepted this amended. AMENDED MOTION that \$2,487 be excluded from 40006-240, Economic Development Travel, Conference and Training. DISCUSSION: Councilwoman Simon asked that there be more specificity on who is to travel, to what location and for what purpose. VOTE: Ayes: S. Simon. Nays: C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

S. Simon moved, L. Jack seconded, that \$126,913 be excluded from 40101, Police Department, for the hiring of additional police officers. DISCUSSION: Councilwoman Simon noted that differing information had been provided on the total cost of adding police officers, stating that costs have ranged from \$262,000 to \$500,000. In response to Councilwoman McDaniel's inquiry, City Manager Doherty noted that the Council will act on the second phase of staffing during next year's budget review. If funds are not available, then the expansion of the program would not have to be approved. Robert Bauman spoke in support of adding additional police officers. VOTE: Ayes: S. Simon. Nays: C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

S. Simon moved, J. Fritzler seconded, that \$118,000 be excluded from 40350, Street Maintenance, for the Community Clean-Up Program. DISCUSSION: Councilwoman Simon noted that the 2006 program had some useful elements but poor planning, such as cleaning up rental units for landlords. Mayor Cole noted that prior to implementation in 2007 there will be policies developed to exclude certain properties. City Manager Doherty said he will be bringing policies back to the Council for approval at a future meeting. VOTE: Ayes: S. Simon and J. Fritzler. Nays: C. McDaniel, C. Wissmann, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

C. McDaniel moved, C. Wissmann seconded, that the Council adopt the Ordinance for the City of Carbondale's Annual Operating Budget in the amount of \$42,893,348 and the Carbondale Public Library Budget in the amount of \$848,825 for Fiscal Year 2008. VOTE: Ayes: C. McDaniel, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: S. Simon and J. Fritzler. Motion declared carried. (Ord. 2007-12; Exhibit J-4-24-07)

3. Ordinance Adopting Pay Plan for Non-Bargaining Unit Employees for FY 2008

S. Simon moved, C. McDaniel seconded, that the Council approve the Ordinance adopting a Pay Plan for Non-Bargaining Unit Employees for Fiscal Year ending April 30, 2008. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2007-13; Exhibit K-4-24-07)

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4. Resolution Declaring “Fair Days” for the Carbondale Park District Sunset Concert Series

S. Haynes moved, L. Jack seconded, that the Council approve the Resolution declaring Fair Days for the Carbondale Park District for the 2007 Sunset Concert Series at Lenus Turley Park. DISCUSSION: Brian Ramsey, Executive Director of the Carbondale Park District, was present to answer questions. Councilwoman McDaniel noted that the Fair Days designation would allow public consumption in the park, which she opposes. VOTE: Ayes: S. Simon, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: C. McDaniel. Motion declared carried. (Res. 2007-R-29; Exhibit L-4-24-07)

5. Ordinance approving Bryan Addington’s Request to Amend the BPR, Primary Business, District Text to Allow the Sale of Motorcycles and ATV’s as a Special Use

S. Haynes moved, J. Fritzler seconded, that the Council adopt the Ordinance approving an amendment to Section 15-2D-22 of the Carbondale Revised Code relative to permitting the sale of motorcycles and ATV’s as a Special Use in the BPR, Primary Business, District. DISCUSSION: Applicant Bryan Addington was present to answer questions. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2007-14; Exhibit M-4-24-07)

6. Ordinance amending Title Five of the Carbondale Revised Code by adding Chapter Sixteen, Hotel and Motel Establishments

L. Jack moved, S. Haynes seconded, that the Council approve an Ordinance amending Title Five of the Carbondale Revised Code by Establishing a System for the Licensing of Hotel and Motel Establishments. VOTE: Ayes: S. Simon, C. McDaniel, J. Fritzler, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2007-15; Exhibit N-4-24-07)

8. Council Comments

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:43 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
