

City Council of the City of Carbondale, Illinois
Regular Meeting
July 17, 2007

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, July 17, 2007, 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, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, 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

Mayor Brad Cole introduced Dr. John Foster and Dr. John Jackson of Southern Illinois University who were conducting the SIUC Summer Institute for Student Leaders. Drs. Foster and Jackson were accompanied by 15 students from Pakistan. Also accompanying the group was Noel Bower from the United States Department of State.

Mayor Brad Cole announced a Proposal to Invest in the Future of Carbondale. The proposal recommends the implementation of an additional one-half of one-percent home rule sales tax in order to fund a new police station, fire station, open space development and "Saluki Way" at Southern Illinois University. Mayor Cole said the proposal would be brought back for City Council discussion at a future meeting.

Mayor Cole administered the Oath of Office to new Carbondale Police Officer Brett Garden.

3. Citizen Comments and Questions

Dr. M Stalls, 407 N. Robert A. Stalls Avenue, suggested the erection of signs between James and Thelma Walker Avenue and Sycamore Street on North Wall Street reminding persons of the leash law, adding that dogs in Attucks Park are often not on leashes. Mayor Cole asked the City Manager to contact the Park District about the issue and also review whether the City should post signs.

4. Public Hearings and Special Reports

1. Public Hearing on Annexation Agreement with Gerald Dunn and Hoe Young Dunn for 19.25 Acres Located on the North Side of Boskeydell Road

The minutes of this public hearing were transcribed separately.

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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 June 19 and Special City Council meetings held on June 27 and July 10, 2007. Recommendation: Approve.
2. Warrant. Recommendation: Approve Warrant #1012 for the period ended June 4, 2007, (FY 2008) in the amount of \$1,494,317.93. (Exhibit A-7-17-07)
3. Warrant. Recommendation: Approve Warrant #1013 for the period ended June 18, 2007, (FY 2008) in the amount of \$1,254,420.07. (Exhibit B-7-17-07)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Energy and Environmental Advisory Commission of February 15, April 19 and May 17, 2007; Planning Commission of June 6, 2007 and Preservation Commission of March 19, April 16 and May 21, 2007.
5. Acceptance of deeds and easements. Recommendation: Accept permanent easement from Gateway Foundation Inc. for a water tank.
6. Illinois Municipal League Legislative Bulletins. Recommendation: Accept IML Bulletins 2007-18, 2007-19 and 2007-20 and place them on file.
7. Ordinance approving Barry Ancell's request to rezone 10.024 acres located at 186 and 296 Sheila Ray Lane from AG, General Agriculture, to RR, Rural Residential. Recommendation: Approve. (Ord. 2007-23; Exhibit C-7-17-07)
8. Resolution approving a Request by Kevin Berrong for a Special Use Permit to place a Mobile Home in an R-1-5, Low Density Residential District, at 352 Los Angeles Road. Recommendation: Approve. (Res. 2007-R-47; Exhibit D-7-17-07)
9. Resolution approving the Lone Oak Estates Subdivision 2nd Plat and Subdivision Agreement. Recommendation: Approve. (Res. 2007-R-48; Exhibit E-7-17-07)
10. Award of contract for sidewalk improvements, CIP No. SW0801. Recommendation: Award contract to R.B. Bush Contracting of Carbondale in the amount of \$77,382.00 and authorize the City Manager to execute the change order with the contractor for additional sidewalk improvements with the total contract amount not to exceed \$90,000.00.
11. Resolution authorizing the City Manager to execute a contract with Gary Martin and Bob Rolando for the purchase of real estate in the Bicentennial Industrial Park and authorizing the Mayor to accept a Warranty Deed for the property. Recommendation: Approve. (Res. 2007-R-49; Exhibit F-7-17-07)

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

C. McDaniel moved, M. Pohlmann seconded, that the Council approve Consent Agenda Items 5.1 through 5.11. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

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6. General Business

1. Resolution commending Neighborhood Inspector Charles E. Cremeens for Service to the City of Carbondale

After the resolution was read in full, S. Haynes moved, M Pohlmann seconded, that the Council approve the Resolution commending Neighborhood Inspector Charles E. Cremeens for service to the City. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Res. 2007-R-46; Exhibit G-7-17-07)

2. Ordinance approving and Resolution denying Gerald Dunn's Request to Rezone 19.25 acres located at 4175 and 4211 Boskeydell Road from AG, General Agriculture, to RR, Rural Residential

J. Fritzler moved, M. Pohlmann seconded, that the Council adopt the Ordinance approving the request to rezone 19.25 acres located at 4175 and 4211 Boskeydell Road from AG, General Agriculture, to RR, Rural Residential.

DISCUSSION: Speaking in support of the rezoning request was the applicant, Gerald Dunn. Speaking in opposition to the rezoning request were John Coles, 4133 Boskeydell Road; Doug Enyart, 4285 Boskeydell Road; Herb Meyer, 3693 South Illinois Avenue; and Ray Clover, 4251 Boskeydell Road.

VOTE ON MOTION that the Council adopt the Ordinance approving the request to rezone 19.25 acres located at 4175 and 4211 Boskeydell Road from AG, General Agriculture, to RR, Rural Residential. VOTE: Ayes: J. Fritzler and B. Cole. Nays: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and L. Jack. Motion declared defeated.

L. Jack moved, C. McDaniel seconded, that the Council adopt the Resolution denying the request to rezone 19.25 acres located at 4175 and 4211 Boskeydell Road from AG, General Agriculture, to RR, Rural Residential. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and L. Jack. Nays: J. Fritzler and B. Cole. Motion declared carried. (Res. 2007-R-50; Exhibit H-7-17-07)

3. Ordinance approving an Annexation Agreement between the City of Carbondale and Gerald and Hoe Young Dunn for 19.25 acres located on the North Side of Boskeydell Road

There was no action taken on this item.

4. Resolution approving Woodbrook Subdivision and Subdivision Agreement located at 4211 Boskeydell Road

There was no action taken on this item.

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5. Ordinance approving and Resolution denying Don Fike's request to rezone 23.26 Acres from AG, General Agriculture and R-1-15, Low Density Residential, to PUD, Planned Unit Development with a Maximum Land Use Intensity Number of 3.4

Mr. Ken Phillips, representative of the applicant, Edwin Enterprises, was present to answer questions. Mayor Cole said that this item was being removed from consideration on this agenda. He asked that the applicant address the issues raised by the residents and then the request for rezoning could be returned to the City Council for action. Mr. Phillips agreed. There was no action taken on this item.

6. Ordinance annexing property located west of Westridge Place

There was no action taken on this item.

7. Ordinance adopting a Labor Agreement between the City of Carbondale and Local Union No. 1961 of the International Association of Fire Fighters for FY 2008, 2009, 2010 and 2011 and authorizing the City Manager to execute the agreement

S. Haynes moved, J. Fritzler seconded, that the Council approve the ordinance adopting a Labor Agreement between the City of Carbondale and Local Union No. 1961 of the International Association of Fire Fighters for FY 2008, 2009, 2010 and 2011 and authorizing the City Manager to execute the agreement. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2007-24; Exhibit I-7-17-07)

8. Ordinance adopting a Labor Agreement between the City of Carbondale and the Fraternal Order of Police Lodge #192 and the Illinois State Fraternal Order of Police Labor Council for FY 2008, 2009, 2010 and 2011 and authorizing the City Manager to execute the agreement

L. Jack moved, S. Haynes seconded, that the Council approve an Ordinance adopting a Labor Agreement between the City of Carbondale, Illinois, and Fraternal Order of Police Lodge #192 and the Illinois State Fraternal Order of Police Labor Council for FY 2008, 2009, 2010 and 2011 and authorizing the City Manager to execute the agreement. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2007-25; Exhibit J-7-17-07)

9. Ordinance amending Title Two of the Carbondale Revised Code as it relates to Alcoholic Liquor

L. Jack moved, C. McDaniel seconded, that the Council approve an Ordinance amending Title Two of the Carbondale Revised Code as it relates to alcoholic liquor.

DISCUSSION: Speaking in support of the proposed revision to the Liquor Code were Robert Baumann, 2621 South Illinois Avenue and Anthony Hamlin, 402 E. Snyder. Speaking in opposition were Will Stevens, 1913 Division in Murphysboro; Donald Monty, 418 S. Giant City Road; Charlie Howe, 848 East Pleasant Hill Road and Dr. M Stalls, 407 North Robert A. Stalls Avenue.

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The City Council was divided in support of or in opposition to the proposed ordinance. Following Council comments concerning the proposal, Jack moved, J. Fritzler seconded, that this item be tabled. VOTE: Ayes: J. Fritzler, C. McDaniel, S. Haynes, L. Jack and B. Cole. Nays: M. Pohlmann and C. Wissmann. Motion declared carried.

10. Ordinance amending Title Sixteen of the Carbondale Revised Code as it relates to Water and Sewer Fees

S. Haynes moved, C. McDaniel seconded, that the Council approve an Ordinance amending Title Sixteen of the Carbondale Revised Code as it relates to water and sewer fees.

DISCUSSION: Speaking in support of the revised fee was Robert Baumann. Speaking in support of a smaller fee or in opposition to the proposal were Dr. M Stalls, Anthony Hamlin and Genevieve Houghton, 710 North Oakland. Council members were divided on this issue.

VOTE ON MOTION that the Council approve an Ordinance amending Title Sixteen of the Carbondale Revised Code as it relates to water and sewer fees. VOTE: Ayes: J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: M. Pohlmann and L. Jack. Motion declared carried. (Ord. 2007-26; Exhibit K-7-17-07)

11. Ordinances amending the Carbondale-Murphysboro-Jackson County Enterprise Zone

C. Wissmann moved, L. Jack seconded, that the Council adopt: (1) an Ordinance amending the original Enterprise Zone Ordinance boundaries by adding five tracts located in Carbondale and legally described and shown in Exhibits A-35 and B-35; (2) an Ordinance amending the original Enterprise Zone Ordinance boundaries by adding one tract located in Murphysboro and legally described and shown in Exhibits A-36 and B-36; (3) an Ordinance amending the original Enterprise Zone Ordinance by extending the original termination date from February 28, 2010 to February 28, 2020; and (4) a Resolution amending the Intergovernmental Agreement by extending the original termination date from February 28, 2010 to February 28, 2020. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. Nos. 2007-27, 2007-28 and 2007-29 and Res. No. 2007-R-51 respectively; Exhibits L-7-17-07 through O-7-17-07 respectively)

12. Resolution authorizing the City Manager to execute a contract with Roosevelt Thomas Consulting and Training to Provide Cultural Diversity Racial Sensitivity Training to include Diversity Management Education for City of Carbondale Employees

L. Jack moved, S. Haynes seconded, that the Council approve a Resolution authorizing the City Manager to execute a contract with Roosevelt Thomas Consulting & Training to provide Cultural Diversity/Racial Sensitivity to include Diversity Management Education for City of Carbondale Employees in the amount not to exceed \$31,319.00 and approve a Budget Adjustment transferring \$11,319.00 from the Agencies and Organizations budget to the Support Services Budget. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Res. 2007-R-52; Exhibit P-7-17-07)

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7. Council Comments

Mayor Cole announced that the next City Council meeting would be held on August 21, 2007.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 10:17 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on
