

City Council of the City of Carbondale, Illinois
Regular Meeting
June 5, 2007

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, June 5, 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 Steven Haynes, Councilman Lance Jack, Councilman Joel Fritzler, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, 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

There were no General Announcements or Proclamations.

3. Citizen Comments and Questions

Russell Martin, 1005 Emerald Lane, said he was an avid bike rider which has given him the opportunity to see Carbondale close up. He said that the asphalt resurfacing of many of the streets throughout town should make bike riding much easier, but he has seen streets in the north such as McKinley, Short and Charles Road resurfaced which made him wonder why those should be resurfaced and why now. He said there are major roads in Carbondale such as Chautauqua, Wall Street from Walnut to Grand and the intersection of Oakland/Freeman all in disrepair. He said these little-used, remote streets should not be resurfaced when there are major roads in Carbondale that are badly in need of repair. Mr. Martin also said that a second topic is that of transparency, adding that major projects such as the road resurfacing program should be discussed openly by the entire community. He questioned whether money should have been spent on the road resurfacing program if there isn't money to spend on the major roads. He said that also tax money being spent on trips and other incidentals by anyone on the Council should be followed by a written report showing how the trip benefits the City and should be made public. He said if other big projects come before the Council he hopes there will be open discussion and the vote will not be decided prior to the meeting.

Scott McClurg, 302 North Springer, said he would like to talk about the discussions the Council has had about changing the nature of the City Clerk's position, He asked that the position of clerk be kept professional and not directly responsible to the Council itself, leaving it in the hands of the City Manager. He also asked that discussion on this be transparent so they can be followed by the public. He said that although Ms. Vaught does a fantastic job as the City Clerk, it's not really about Vaught but why these kinds of positions should be professionalized and not politicized. He said that the general goal

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behind the City Manager form of government is to assure that the kinds of day-to-day decisions that are made in the management of government are made on behalf of the City and are done at the highest professional standards and not personally responsive to partisan politics. He said it is essential that the people of Carbondale have trust in their government and one way to encourage that trust and to facilitate that trust is to keep the main conduit of information for the City, the City Clerk, a professionalized position. McClurg said that he would encourage the Council and the Mayor to make sure the discussion on whether to change this position is done openly at open meetings where the public is welcome to participate, has adequate time to hear what the Council's thoughts on the matters are, and respond.

3. Public Hearings and Special Reports

Special Report on Housing Programs:

Khristina Vaughn, Housing Programs Administrator, talked about the various housing grant and rehabilitation programs that are available through the City of Carbondale. Specific programs described were the New Home Construction Grant Program, the Infrastructure Improvement Grant Program, the HOMEBuyers Program and the Housing Rehabilitation Program.

4. 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 held on May 11 and the Regular City Council meeting held on May 15, 2007. Recommendation: Approve.
2. Warrant. Recommendation: Approve Warrant #1008 for the period ended May 7, 2007, (FY 2007) in the amount of \$412,671.04. (Exhibit A-6-5-07)
3. Warrant. Recommendation: Approve Warrant #1009 for the period ended May 7, 2007, (FY 2008) in the amount of \$824,789.40. (Exhibit B-6-5-07)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Board of Fire and Police Commissioners of January 29, 2007; Human Relations Commission of April 7, 2007; Library Board of April 11, 2007 and Planning Commission of May 2, 2007.
5. Illinois Municipal League Legislative Bulletins. Recommendation: Accept IML Bulletins 2007-14, 2007-15 and 2006-16 and place them on file.
6. Appointments and reappointments to Boards and Commissions. Recommendation: Concur in Mayor's recommended appointments and reappointments, as follows: Reappointment of Dexter Wakefield, Harvey Welch Jr. and Jack Whitlock to the Board of Fire and Police Commissioners through May 1, 2010; reappointment of Sigrid Putnam to the Building Board of Appeals through May 1, 2010; reappointment of Steven Haynes to the Convention and Tourism Bureau through April 30, 2010; reappointment of Armen Asaturian, Bill West and Mike Gullett to the Electrical Commission through March 1, 2011 and the appointment of Mike Gullett as Chair concurrent to the end of his term; appointment of Dr. Paul Torre to the Information and Telecommunications Commission through June 30, 2008; reappointment of John Mills to the Liquor Advisory Board through May 1, 2010; appointment of Lance Jack as ex-

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officio, non-voting member of the Planning Commission through May 1, 2008; reappointment of Navreet Kang to the Planning Commission and Zoning Board of Appeals through January 31, 2011; reappointment of LaRue Love to the Police Pension Board of Trustees through May 1, 2009 and reappointment of Dorothy Ittner and Evelyn Koine to the Preservation Commission through October 21, 2009.

7. Purchase of Flexible Fuel Utility/Cargo Van for the Water Treatment Plant. Recommendation: Award purchase of flexible fuel utility/cargo van for the Water Treatment Plant to Vic Koenig Chevrolet of Carbondale in the amount of \$22,849.08 for a 2007 Chevrolet Express FFV.
8. Purchase of two Flygt Pumps for the Northwest Wastewater Treatment Plant. Recommendation: Award purchase of two Flygt submersible pumps to Vandevanter Engineering of Fenton, Missouri, in the amount of \$11,228.00 pursuant to Sections 1-6-13.E.1 and 1-6-13.E.7 of the Carbondale Revised Code.
9. Authorization for the City Manager to submit an application for a Department of Justice, Justice Assistance Grant 2007 for the Police Department. Recommendation: Authorize City Manager to apply for the JAG grant in the amount of \$19,023.00 and execute the grant documents.
10. Award of contract for Tennis Courts. Recommendation: Award contract for tennis courts to J & L Robinson Development and Construction Company of Carbondale in the amount not to exceed \$511,864.90.
11. Ordinance approving Campus Colonial LLC's Request to rezone 8.98 acres located at 2883 South Illinois Avenue from AG, General Agriculture, to RR, Rural Residential. Recommendation: Approve Ordinance. (Ord. 2007-17; Exhibit C-6-5-07)
12. Resolution approving a time extension to submit a Final BPL, Development Plan, by Daniel and Pamela Doolittle for 3.85 Acres located at 1580 North Reed Station Road. Recommendation: Approve. (Res. 2007-R-39; Exhibit D-6-5-07)

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

C. McDaniel moved, C. Wissmann seconded, that Consent Agenda Items 5.1 through 5.12 be approved. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

6. General Business

1. Resolution commending Police Lieutenant John Sytsma for Thirty (30) Years of Service to the City of Carbondale

After the resolution was read in full, S. Haynes moved, J. Fritzler seconded, that the Council approve the Resolution commending John Sytsma for service to the City. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Res. 2007-R-38; Exhibit E-6-5-07)

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2. Ordinance amending Title Fourteen, Chapter Four, Section Nine as it Relates to Fireworks and Pyrotechnic Displays

M. Pohlmann moved, C. Wissmann seconded, that the Council adopt the Ordinance amending Title Fourteen, Chapter Four, Section Nine as it relates to Fireworks and Pyrotechnic Displays. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Ord. 2007-18; Exhibit F-6-5-07)

3. Approval of FY 2008 Carbondale Clean Up Program Operating Policies

The proposed operating policies were as follows: (1) Only owner occupied residential properties will receive cleanup services. (2) The City Manager may grant a hardship exception to the owner occupied residential property requirement based on exceptional circumstances. Further, the City Manager may assign a limited number of workers to clean graffiti from commercial properties. (3) Priority will be given to residents 60 years of age and older and to residents who are physically unable to perform the work. (4) Priority will be given to the cleaning of residential properties; however, drainage ways and public properties will be cleaned during training and times when there may not be sufficient private property requests. (5) The Carbondale Clean Up Program is a community-wide program and all areas will be treated equally in the assignment of properties to be cleaned with the understanding that staff receives individual request from throughout the community and the areas from where the requests come is a variable beyond the control of staff.

Councilman Fritzler expressed concern about rental property still be eligible for cleanup. The City Manager responded that this would occur only in extraordinary circumstances of elderly or disabled who have been renting the property for a number of years. Councilman Jack expressed concern about the City cleaning graffiti from private businesses, adding that the City's graffiti removal ordinance needs to be enforced more strictly. Councilwoman McDaniel stated that last year's program was excellent and that the program should not begin to be micro managed because of the concerns of a few people, adding that micro managing could get in the way of what is trying to be accomplished. Councilman Jack suggested that consideration be given to expanding the program to year-round, adding that a year-round program may be more efficient than starting, stopping and restarting the program every year. Mayor Cole added that community service workers could be used to continue cleanup efforts year-round, but the summer program offers an employment opportunity for youth. Steven Haynes suggested that during the downtime for the summer workers there be more interaction with businesses and training opportunities through the Illinois Department of Employment Security. Councilman Wissmann suggested more outreach concerning the program, including through Senior Adult Services.

After Council discussion, Mayor Cole invited comments from the audience. Linz Brown, 906 S. Valley Road, made comments concerning the employment of youth, pre- and post-enforcement of City codes, promoting the program, record keeping and education for the youth.

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C. Wissmann moved, S. Haynes seconded, that the Council approve the proposed operating policies for the FY 2008 Carbondale Clean Up Program. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

4. Resolution approving and Resolution denying Bryan Addington's request for a Special Use Permit to allow the sale of motorcycles and ATVs in the BPR, Primary Business, District at 205 North Illinois Avenue

S. Haynes moved, J. Fritzler seconded, that the Council adopt the Resolution approving the request by Bryan Addington for a Special Use Permit for the sale of motorcycles and ATVs and subordinate uses related thereto in a BPR, Primary Business, District at 205 North Illinois Avenue with the condition that the Special Use be limited to the sale of motorcycles and ATVs only under the operation of Bryan Addington and that the special use may not be transferred upon the future sale or rental of the subject property. DISCUSSION: In response to Council inquiry, Bryan Addington stated that he will be doing maintenance in an off-site location but may apply for a text change sometime in the future to allow maintenance at the 205 N. Illinois Avenue location. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Res. 2007-R-40; Exhibit G-6-5-07)

7. Council Comments

Councilman Jack thanked the City Clerk and everyone who was involved with the Carbondale Memorial Day Service. He added that Carbondale is recognized as the home of Memorial Day, particularly with respect to the involvement of southern Illinoisan General John A. Logan. Mayor Cole noted that Carbondale's association with the history of Memorial Day received coverage in the Chicago Tribune. Councilman Jack added that there is also a good description of the history of the Memorial Day Services at the John A Logan Museum in Murphysboro and encouraged everyone to visit the museum.

Councilman Fritzler said that if the Council plans to discuss changing the position of City Clerk, it should not be discussed in Closed Meeting. He said he spoke with Scott Sievers of the Attorney General's Office and was informed that the change in the position does not fall under the items that can be discussed in a closed meeting under the Open Meetings Act. He said the performance of the employee could be discussed but not a change in the position.

8. Closed Meeting

L. Jack moved, C. McDaniel seconded, that the Council hold a closed meeting to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, collective negotiating matters, the purchase of 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)(2), (c)(5), (c)(6) and (c)(11). VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:12 p.m.

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C. McDaniel moved, L. Jack seconded, that the Council return to open session. VOTE:
Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole.
Nays: None. Motion declared carried. Open session resumed at 10:27 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 10:28 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on
