

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**September 18, 2007**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 18, 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 Chris Wissmann, Councilman Steven Haynes, Councilman Lance Jack, Councilman Joel Fritzler, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann 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 Cole announced that SIU Chancellor Fernando Treviño and he met with Dr. Seymour Bryson, City Manager Doherty and Police Chief Ledbetter to discuss a formal way to continue the dialog between the campus and the community in reference to a request that has come from members of the campus community, particularly students, on issues relative to both entities. All agreed that certain issues should continue to be discussed, particularly the available of venues or entertainment programming for minority students and the interaction between the University and the City in providing for a safe atmosphere for all residents. The Mayor said he appreciates the Chancellor's invitation to the City to participate in such a dialog, adding that if anyone wishes to bring anything forward on this or other topics to do so through the Mayor's Office, the City Manager's Office or through the Chancellor's Office at SIUC.

**3. Citizen Comments and Questions**

Ventura Williams, 400B South Marion, expressed concern is relative to the area of South Marion and East Elm Street, particularly the lack of stop signs and speed limit signs and no indication of children at play or handicapped citizens. She is afraid that someone is going to get hurt and would like to see something done in that area. She confirmed that the area is within the area of the Jackson County Housing Authority. Mayor Cole said the Housing Authority would be contacted and the concerns shared. City Manager Doherty added that signage would be reviewed and directed patrols could be assigned to monitor speeding.

Linz Brown, 906 South Valley Road, followed up on an issue he brought forward previously, specifically, the lack of disclosure of the intergovernmental agreement with SIUC concerning the payment of \$20 million in sales tax. He read a letter he had previously sent to Mayor Cole asking that the Mayor and/or City Manager not sign the agreement until the agreement has been made available for public comment and is returned to the City Council for review and approval. He asked five questions: (1) why was the

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intergovernmental agreement not disclosed at the City Council meeting or the public hearing as would have been consistent with previous practice of attaching documents that are up for approval; (2) why do other municipalities disclose their intergovernmental agreements before approval, but the City of Carbondale did not disclose the agreement with SIUC; (3) why did the Mayor and Council members feel that the public did not need or should not see the proposed agreement; (4) did the majority of Council persons who voted for the tax increase package realize they denied other Council members their right to exercise their responsibility to review a final document before acting; (5) why did four Council members negate their responsibilities to act in the best interest of the public on this commitment by deferring to one person to execute the intergovernmental agreement without review or oversight by the total Council. Dr. Brown also asked why the Mayor is being authorized to execute agreements in a few instances and the City Manager in most cases. Dr. Brown asked again that the Intergovernmental Agreement with SIUC be made available for public review and comment and that it be returned to the City Council before signing.

#### 4. **Public Hearings and Special Reports**

#### 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 held on August 31, 2007, and the Regular City Council meeting held on September 4, 2007.
2. Warrant. Recommendation: Approve Warrant #1018 for the period ended August 27, 2007, (FY 2008) in the amount of \$1,118,515.05. (Exhibit A-9-18-07)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Board of Fire and Police Commissioners of June 4, 2007; Fire Fighters Pension Board of Trustees of June 12, 2007 and Human Relations Commission of August 6, 2007.
4. Approval of 2008 Calendar of City Council meetings. Recommendation: Approve.
5. Acceptance of deeds and easements. Recommendation: Accept permanent easement from Fox Creek LLC for a water line to serve Sun Valley Estates Subdivision and authorize City Clerk to have the easement recorded.
6. Appointments and reappointments to boards and commissions. Recommendation: Concur in appointment of Erinn Murphy and Shelby Seegers-Schafer to the Energy and Environmental Advisory Commission through May 1, 2001, and appointment of Joel Fritzler as ex-officio, non-voting member of the Energy and Environmental Advisory Commission through May 1, 2008; appointment of Alice Winters to the Human Relations Commission through April 15, 2009, and reappointment of Hugh Muldoon to the Human Relations Commission through April 15, 2010; reappointment of Jak Tichenor to the Information and Telecommunications Commission through June 30, 2010; reappointment of Harvey Welch, Jr. to the Personnel Board through June 30, 2010; and appointment of Mary McGuire to the Preservation Commission for a term to begin on October 31, 2007, and to extend through October 31, 2010, and reappointment of Michael Kimmel to the Preservation Commission through October 31, 2010.

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

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C. Wissmann moved, C. McDaniel seconded, that the Council approve Consent Agenda Items 5.1, through 5.6. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried.

### 6. General Business

1. Authorization for the City Manager to Submit an Illinois Boat Access Area Development Grant for Cedar Lake

S. Haynes moved, C. Wissmann seconded, that the Council adopt the Resolution authorizing the City Manager to submit an Illinois Department of Natural Resources Boat Access Area Development Grant for Cedar Lake. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried. (Res. 2007-R-60; Exhibit B-9-18-07)

2. Authorization for the City Manager to Provide Public Notice of the Proposed Intergovernmental Agreement for Jurisdictional Boundaries between the Cities of Carbondale and Murphysboro in accordance with State Statutes

S. Haynes moved, C. Wissmann seconded, that the Council approve the authorization for the City Manager to provide public notice of the proposed intergovernmental agreement for jurisdictional boundaries between the cities of Carbondale and Murphysboro in accordance with state statutes. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried.

3. Resolution authorizing the City Manager to execute an Agreement with EDR Carbondale LLC for the extension of a water main from Pleasant Hill Road and an Ordinance granting a Temporary Easement to EDR Carbondale LLC for the construction of a water main extension from Pleasant Hill Road

S. Haynes moved, M. Pohlmann seconded, that the Council approve a Resolution authorizing the City Manager to execute the Agreement with EDR Carbondale LLC for the extension of a water main to serve The Reserve at Saluki Pointe and approve the Ordinance granting EDR Carbondale LLC a temporary easement for construction of a water main extension. DISCUSSION: Elius Reed, 2012 South Illinois Avenue, asked about the cost of development, whether the project was inside the City limits and if local workers were going to be hired to work on the job. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried. (Res. 2007-R-61 and Ord. 2007-34 respectively; Exhibits C-9-18-07 and D-9-18-07 respectively)

### 7. Council Comments

Mayor Cole noted the recent death of his former teacher at Macon High School, Ralph Coate. Mr. Coate, a science and math teacher as well as coach, was a demanding teacher with high expectations of his students and the teacher who most students feared and respected and from whom the students probably learned the most.

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**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 7:40 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on

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