

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**August 5, 2008**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, August 5, 2008, in City Council Chambers of the Carbondale Civic Center, 200 S. Illinois Avenue. Mayor Brad Cole called the City Council meeting to order at 7:00 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

Present: Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Lance Jack, Councilman Joel Fritzler, Councilwoman Corene McDaniel and Mayor Brad Cole

Absent: None

Also present were City Clerk Janet M. Vaught, City Manager Allen D. Gill and various members of the City's administrative staff.

**2. General Announcements and Proclamations**

Mayor Cole noted that without objection Consent Agenda Item 5.16 would be removed from consideration. There was no objection.

Mayor Cole reminded everyone that the City Council is on its summer meeting schedule and the next meeting would be held on September 2, 2008.

Mayor Cole announced that City offices would be closed on Monday, September 1, for the Labor Day holiday. All City refuse collection routes will be pushed back one day.

Mayor Cole announced that the Civic Center has been opened as a cooling center during regular business hours, 8:00 a.m. to 5:00 p.m. Monday through Friday. All are welcome.

**3. Citizen Comments and Questions**

Anton Kvernes, 605 Skyline, suggested that instead of the City providing \$20 million to Southern Illinois University Carbondale for Saluki Way, that the money instead be provided for improvements to Morris Library.

Dr. Dollean York-Anderson, Director of Family Advocacy Services, introduced as a group the youth who are participating in the Summer Youth Works Employment Incentive Program. She noted that the City accepted placement for fourteen youth, adding that the program extends through August 29th.

**4. Public Hearings and Special Reports**

There were no public hearings or special reports.

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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 and Public Hearing on the Proposed Issuance of Capital Improvement Revenue Bonds to Assist The Women's Center, both held on July 8, 2008.
2. Removed from Consent.
3. Removed from Consent.
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Information and Telecommunications Commission of June 9, 2008; Energy and Environmental Advisory Commission of April 17 and June 24, 2008; Human Relations Commission of April 7 and May 5, 2008; Library Board of Trustees of May 14 and June 11, 2008, and Preservation Commission of June 16, 2008.
5. Appointment and Reappointment to Boards and Commissions. Recommendation: Concur in appointment of Madelyn Campbell to the Library Board through June 30, 2011, and reappointment of Virginia Edwards to the Personnel Board through June 30, 2011.
6. Resolution authorizing the City Manager to Execute a Financial Assistance Agreement with the Illinois Environmental Protection Agency for Erosion Control at Cedar Lake. Recommendation: Approve. (Res. 2008-R-53; Exhibit A-8-5-08)
7. Review and Action on the Preservation Commission Annual Certified Local Government Report for FY 2008. Recommendation: Accept and place on file.
8. Award of Purchase of MFT Maintenance Materials for FY 2009. Recommendation: Conditionally award the purchase of MFT Maintenance Materials pending IDOT's concurrence to Illinois Asphalt of Benton for Group A, Bituminous Materials Applied and CA-16 Rock Spread for \$32,521.50; J.D. Trux Inc. of Jonesboro for Group B, CA-10 Rock for \$12,558.00, Group D, CA-11 Rock for \$7,416.00 and Group F, CA-16 Rock for \$3,628.00; D. Forby Trucking of Makanda for Group G, RR-1 Rock for \$3,572.00 and Marathon Petroleum of Benton for Group H, Emulsified Asphalt for \$28,988.40; and that the purchase of non-MFT Maintenance Materials be awarded to J.D. Trux, Inc. of Jonesboro for Groups C and E, CA-10 and CA-11 Rock for \$27,210.00.
9. Acceptance of deeds and easements. Recommendation: Accept three temporary construction easements from F.P. Land Trust, Ella Sweet and Eric and Nicole Rossi and three deeds from Ella Sweet, Eric and Nicole Rossi and Schimpf Construction for the Reed Station Road Reconstruction Project (CIP0101) and authorizing the recording of the deeds.
10. Approval of Web Site Design Proposal and Authorization for the City Manager to Execute an Agreement. Recommendation: Authorizing execution of agreement with Arthur Agency for web site design in the amount of \$15,895.00.
11. Ordinance Authorizing the Transfer of Real Estate to Intertape Polymer Corporation. Recommendation: Approve. (Ord. 2008-29; Exhibit B-8-5-08)
12. Resolution Approving a Time Extension for Submission of a Final BPL Development Plan by Stoltz Management for Ten Acres Located on North Giant City Road. Recommendation: Approve. (Res. 2008-R-54; Exhibit C-8-5-08)
13. Request to Initiate Text Amendments Relative to Parking Regulations for Both Residential and Commercial Uses. Recommendation: Approve.
14. Resolution Supporting the City of Chicago's Bid for the 2016 Olympic and Paralympic Games. Recommendation: Approve. (Res. 2008-R-55; Exhibit D-8-5-08)

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15. Resolution Approving a Final BPL, Planned Business, Development Plan for Zellmer Plaza Located at 1445 E. Main Street. Recommendation: Approve. (Res. 2008-R-56; Exhibit E-8-5-08)
16. Removed from consideration.

Mayor Cole asked if any Council members would like any items removed from the Consent Agenda. Councilman Fritzler asked that Items 5.2 and 5.3 be removed.

J. Fritzler moved, C. Wissmann seconded, that the Council approve Consent Agenda Items 5.1, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14 and 5.15. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

### 5.2. Approval of Warrant for Period Ending June 30, 2008, FY 2009, Warrant #1042

J. Fritzler moved, C. McDaniel seconded, that the Council approve Warrant #1042 for the period ended June 30, 2008 (FY 2009) in the amount of \$1,079,838.62. DISCUSSION: With respect to both Warrants #1042 and #1043 (Consent Item 5.3), Councilman Fritzler referred to purchases from Silkworm and suggested that money could be saved by making these purchases locally at businesses in downtown Carbondale. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Exhibit F-8-5-08)

### 5.3. Approval of Warrant for Period Ending July 14, 2008, FY 2009, Warrant #1043

J. Fritzler moved, L. Jack seconded, that the Council approve Warrant #1043 for the period ended July 14, 2008 (FY 2009) in the amount of \$1,562,640.43. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Exhibit G-8-5-08)

## 6. General Business

1. Ordinance Amending Title Nine of the Carbondale Revised Code as it Relates to Taxicabs and Resolution Adopting a New Taxicab Zone Map and Rate Structure

Mayor Cole suggested that the Resolution be amended to add a new Section 2 to read, "That a fuel surcharge in an amount not to exceed one dollar (\$1.00) per trip may be collected until December 31, 2008."

Charlie Howe, 47 Dart Street, Carbondale, suggested that the City require that the surcharge be made company-specific rather than driver-specific and that the City encourage cab companies to begin using more fuel-efficient vehicles.

C. McDaniel moved, C. Wissmann seconded, that the Council approve an Ordinance Amending Title Nine of the Carbondale Revised Code as it Relates to Taxicabs and the Resolution Adopting a New Taxicab Zone Map and Rate Structure with the amendment suggested by Mayor Cole. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2008-30 and Resolution 2008-R-57 respectively; Exhibits H-8-5-08 and I-8-5-08 respectively)

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2. Resolution approving the Final BPL, Planned Business Development Plan for ALDI Food Store Located at 1232 E. Main Street

There was a motion and second that the Council adopt the Resolution approving the BPL Development Plan for ALDI, Inc., located at 1232 East Main Street.

DISCUSSION: Kelly Stedman and Joe Hemphill were present on behalf of Aldi's to answer questions about the development. In response to Council inquiry, Ms. Stedman said she was the engineer for the project and could not speak on behalf of Aldi's but that it was her understanding that the Aldi's store on the west side of Carbondale would be closed once the new store is opened. Council members expressed concern about the closing of the west-side store. Mayor Cole asked if a representative of the Aldi's corporate offices was present to answer questions; there was no one present.

Since questions could not be answered, the motion and second were withdrawn. Mayor Cole noted that the agenda item would be returned for Council consideration at its next meeting on September 2nd. There was no action taken.

3. Ordinance Amending Title Three of the Carbondale Revised Code as it Relates to Animals

Councilman Wissmann presented a list of suggestions for additional provisions to be included in the ordinance. Mayor Cole asked that Council members review the suggestions presented by Councilman Wissmann and contact City Manager Gill within the next week or so with their ideas. Genevieve Houghton, 710 North Oakland, suggested that the Council be proactive rather than reactive and come up with more positive solutions. Mayor Cole asked that anyone from the public who has suggestions contact the City Manager's Office.

Mayor Cole noted that this ordinance would be returned for Council consideration at the September 2nd meeting. There was no action taken.

### 7. Council Comments

Councilwoman Pohlmann asked about the brochures for the Map Your Neighborhood Program. Mayor Cole noted that a source of funding had been identified for production of the brochures.

Councilman Wissmann announced the Taste of Jackson County to be held on August 8th at the Civic Center to benefit the Abundant Health Clinic.

Councilman Wissmann announced the "Rock Out for Rosie" benefit concert to be held at Hangar 9 on August 9th.

Mayor Cole noted that National Night Out had been held this evening at Turley Park. The Mayor encouraged people to attend, adding that it continues until 9:00 p.m..

### 8. Closed Meeting

C. Wissmann moved, S. Haynes seconded, that the City Council hold a Closed Meeting to discuss the appointment, employment, compensation, performance or dismissal of specific employee(s) of the public body; the salary schedule for one or more classes of employees; the purchase or lease of real property for use by the public body or the setting of a price for

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sale or lease of property owned by the public body, 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; and to conduct the semi-annual review of closed meeting minutes pursuant to 5 ILCS 120/2(c)(1), (c)(2), (c)(5), (c)(6), (c)(11) and (c)(21). VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:08 p.m..

C. Wissmann moved, C. McDaniel seconded, that the Council return to open session. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. Open session resumed at 9:42 p.m..

S. Haynes moved, L. Jack seconded, that the Council (1) approve the minutes of the closed meetings held on February 12, March 31, April 21, May 6, May 7, May 8, May 12 and July 8, 2008; (2) declare that the need for confidentiality no longer exists for the minutes of May 7 and May 8, 2008, and authorize the public release of those minutes; (4) declare that the need for confidentiality still exists for the minutes of closed meetings held on January 3, March 21 and December 19, 1995; April 16, June 18, July 30, August 20, October 29 and December 17, 1996; and January 21, March 4, April 25, May 20 and October 7, 1997; January 20, February 3, March 3, March 17, July 7, August 18, September 1, September 15, October 20, November 3, November 17 and December 15, 1998; January 19, February 16, March 2, May 4, July 27, September 7, September 21, and November 2, 1999; January 4, January 18, February 1, May 2, June 27, November 7 and November 21, 2000; January 2, January 16, May 1, May 22, July 24, September 18, October 2, November 6, and November 27, 2001; January 8, February 5, March 5, April 10, April 16, May 21, June 25, July 9, July 15, July 23, August 13, September 3, October 15, October 29, and November 19, 2002; January 7, February 18, March 4, March 18, April 30, May 13, June 17, July 8, July 22, August 12, September 16, October 21, November 4 and December 16, 2003; January 6, February 9, April 6, June 1 and November 9, 2004; January 11, March 1, March 29, April 13, April 19, May 3, June 7, June 21, July 5 and December 6, 2005; January 17, February 7, February 21, April 4, May 16, June 20, July 18, August 15, September 19 and December 19, 2006; January 16, February 6, March 6, March 20, June 5, June 27, October 16, November 6, November 20 and December 18, 2007; and February 12, March 31, April 21, May 6, May 12 and July 8, 2008; and (5) in accordance with the Illinois Open Meetings Act, authorize the destruction of audiotapes of the closed meetings held on July 18, August 15, September 19 and December 19, 2006 (meetings which were held more than 18 months ago). VOTE: Ayes: M. Pohlmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: C. Wissmann. Motion declared carried.

There was no additional action taken as a result of the Closed Meeting.

### 8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 9:44 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on

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