

City Council of the City of Carbondale, Illinois
Regular Meeting
February 12, 2008

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, February 12, 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: Councilman Lance Jack, Councilman Joel Fritzler, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes 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

Councilman Wissmann announced that the Boys and Girls Club of Carbondale would be holding an Oscar Award Night at Mugsy's Entertainment Center on February 24th. Tickets are available through the Boys and Girls Club.

Councilman Wissmann noted the diverse and dynamic music scene offered in Carbondale and announced that Digital Dog Records will host the Midwest Music Festival at various venues from February 16-22.

Mayor Cole noted that Monday, February 18, would be observed as the President's Day holiday. City offices will be closed and refuse collection will be pushed back one day on all routes.

Mayor Cole noted the severe winter weather that had occurred during the last two days and commended the Public Works employees who were working to clear the streets. Refuse collection will be pushed back one day because of the weather.

Mayor Cole noted the shooting that had occurred the prior week at Kirkwood, Missouri, City Hall. He extended the City's well wishes to the persons injured in the attack and condolences to the families of the victims who were killed. A Moment of Silence was observed in honor of the victims of the shooting.

City Manager Jeff Doherty introduced the new City Attorney, P. Michael Kimmel.

3. Citizen Comments and Questions

Melvin Holder, 410 East James and Thelma Walker Avenue, expressed support for the renaming of a City street in honor of Dr. Martin Luther King, Jr. and suggested the Main Street be renamed. He also suggested that a committee be formed to set groundwork on how

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people could be honored through the renaming of streets, bricks, plaques, etc.. Mr. Holder also expressed concern because his car was towed from a street on which he felt the “snow route” signage was inadequate. He said that the regulations on signage need to be straightened out so the signage can be seen and cars are not towed. He also noted that his medicine is in the car that was towed. Mayor Cole said if Mr. Holder had a complaint against the Police Department about towing his car, a complaint could be filed with the City Manager’s Office the following day.

Elius Reed, 2012 South Illinois Avenue, asked about the status of the review of the City’s 1981 Affirmative Action Policy. City Manager Doherty said the Plan is undergoing review and will be brought to the City Council in the spring. Mr. Reed also asked about the status of the case against Daryl McNeil for criminal trespassing and resisting a police officer. Mayor Cole responded that he had no information regarding the status of the case.

4. **Public Hearings and Special Reports**

Police Chief Bob Ledbetter and Deputy Chief for Operations Calvin Stearns made a presentation on a grant the Police Department had received from the Illinois Department of Transportation to provide child safety seats and for three car seat technicians that conduct training on the proper installation of the safety seats.

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 January 15, 2008.
2. Warrant. Recommendation: Approve Warrant #1027 for the period ended December 31, 2007 (FY 2008) in the amount of \$1,056,147.47. (Exhibit A-2-12-08)
3. Warrant. Recommendation: Approve Warrant #1028 for the period ended January 14, 2008 (FY 2008) in the amount of \$1,250,689.02. (Exhibit B-2-12-08)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Board of Fire and Police Commissioners of October 29, 2007; Human Relations Commission of January 7, 2008; Library Board of December 12, 2007; Planning Commission of December 17, 2007 and Preservation Commission of November 19, 2007.
5. Resolution regarding Electronic Attendance at City Council and Board or Commission meetings. Recommendation: Approve. (Res. 2008-R-08; Exhibit C-2-12-08)
6. Removed from Consent.
7. Ordinance approving the City of Carbondale’s request to amend the Zoning Ordinance Text relative to the requirement of a Special Use Permit prior to the Construction of Dwelling Units as Permitted in the R-3 District in the PA, Professional Administrative Office and the SB, Secondary Business Districts. Recommendation: Approve. (Ord. 2008-03; Exhibit D-2-12-08)
8. Ordinance approving the City of Carbondale’s request for a Zoning Text Amendment requiring a “Build To” Line in the BPR, Primary Business District. Recommendation: Approve. (Ord. 2008-04; Exhibit E-2-12-08)
9. Ordinance regarding a Plan of Financing by the City of Carbondale to Issue Revenue Bonds for Southern Illinois Regional Social Services, Incorporated in an Aggregate Principal Amount Not to Exceed \$6,000,000 for the Purpose of Financing a Portion of the Cost of Certain Health Care and Social Services Facilities and Infrastructure;

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Affirming an Official Intent Resolution; Authorizing the Holding of a Public Hearing and the Publication of Notice for Said Hearing; Designating a Hearing Officer for Said Public Hearing; and Related Matters. Recommendation: Approve. (Ord. 2008-05; Exhibit F-2-12-08)

10. Resolution authorizing the Submission of the Community Development Assistance Program Public Facilities Grant Application and Committing Local Funds. Recommendation: Approve. (Res. 2008-R-09; Exhibit G-12-2-08)
11. Purchase of Flygt Pump for the Southeast Wastewater Treatment Plant. Recommendation: Award purchase of Flygt submersible pump to Vandevanter Engineering of Fenton Missouri in the amount of \$14,134.00 pursuant to Sections 1-6-13.E.1 and 1-6-13.E.7 of the City Code.
12. Removed from Consent.
13. Approval of a Budget Adjustment and Purchase of Mobile Video Systems for the Police Department from FY 2008 Contingency Funds. Recommendation: Approve BA to Police Department's FY 2008 Budget in the amount of \$60,000 from Division Contingency to Operating Equipment and approve the purchase of eleven (11) digital mobile video systems, a data storage server, wireless download hardware, mobile video system software, installation and training from Data 911 Mobile Computer Systems of Alameda, California, in the amount of \$62,482.
14. Removed from Consent.
15. Illinois Municipal League Legislative Bulletin 2008-01. Recommendation: Accept and place on file.

Mayor Cole asked if any Council members would like any items removed from the Consent Agenda. Councilman Haynes asked that Consent Agenda items 5.6, 5.12 and 5.14 be removed.

M. Pohlmann moved, C. McDaniel seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.7, 5.8, 5.9, 5.10, 5.11, 5.13 and 5.15. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

5.6. Appointments and Reappointments to Boards and Commissions.

S. Haynes moved, C. McDaniel seconded, that the Council concur in appointment of Nick Ferraro to the Liquor Advisory Board through May 1, 2008, the reappointment of Kevin Klaine to the Loan and Grant Review Board through July 31, 2010 and Patricia Shay and Jan Burns Payne to the Loan and Grant Review Board through July 31, 2011. DISCUSSION: There was discussion on the desire to get active SIU students involved in the City's boards and commissions. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

5.12 Ordinance Authorizing a Budget Adjustment for Housing Rehabilitation Projects in the Building and Neighborhood Services Division Budget

S. Haynes moved, C. Wissmann seconded, that the Council approve an Ordinance authorizing the budget adjustment for the increase in the overall fiscal year 2008 budget for housing rehabilitation projects in the Building and Neighborhood Services Division. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2008-06; Exhibit H-2-12-08)

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5.14 Resolution authorizing the City Manager to execute a contract with Resource Management Associates to conduct an Assessment Center to evaluate candidates for the rank of Police Sergeant and Police Lieutenant.

S. Haynes moved, J. Fritzler seconded, that the Council pass a resolution authorizing the City Manager to execute a contract with the Resource Management Associates to conduct an Assessment Center to evaluate candidates for the rank of Sergeant and Lieutenant in the amount not to exceed \$13,100. DISCUSSION: There was discussion on the role of the Board of Fire and Police Commissioner in the promotional process. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, S. Haynes and B. Cole. Nays: C. Wissmann. Motion declared carried. (Res. 2008-R-10; Exhibit I-2-12-08)

6. General Business

1. Approval of Recommended Consultants for Architectural/Engineering Services for the New Public Safety Center and New Fire Station

C. Wissmann moved, L. Jack seconded, that the Council approve Arcturis of St. Louis, Missouri, as the design consultant for architectural/engineering services for the proposed new Public Safety Center and FGM Architects of O'Fallon, Illinois, as the design consultant for architectural/engineering services for the proposed new Fire Station. DISCUSSION: There was discussion on environmental and conservation concepts to be included in the design of the facilities, fees for services and the use of local firms and minority employees or subcontractors. VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: J. Fritzler. Motion declared carried.

2. Consideration of Community and Economic Development Organization Funding Requests

C. Wissmann moved, L. Jack moved, seconded, that the City Council approve the FY 2009 funding for Community Organizations in the following amount, subject to approval of the FY 2009 City budget: I CAN READ of Southern Illinois, \$23,784; Family Advocacy Services (Y.E.S.), \$24,827; Boys and Girls Club of Carbondale, \$31,827; Senior Adult Services, \$35,962; Southern Illinois Regional Social Services, \$13,062; The Women's Center, \$12,111; Carbondale Community Arts, \$58,281; Abundant Health Resource Clinic, \$29,980; Good Samaritan Ministries, \$18,560; The Science Center, \$10,026; New Zion Summer Food Program, \$4,000; Carbondale Junior Sports, \$2,500; Carbondale Lions Club Fireworks, \$3,000; Southern Illinois Center for a Sustainable Future, \$2,060; NAACP for Office Space, \$0; Splash 'n Saturday, \$2,000; and RBF Dome NFP, \$1,500, for a total funding of \$273,480. DISCUSSION: Representing the various community organizations and speaking on their behalf were: I Can Read, Margaret Nesbitt; Family Advocacy Services, Dr. Dollean York-Anderson; Boys and Girls Club, Randy Osborne; Lion's Club, Paul Sorgen; and NAACP, Dr. M Stalls and Elbert Simon. Council members Wissmann, McDaniel and Fritzler supported the full requested amount of funding for the Boys and Girls Club. Councilman Haynes supported the funding request for the NAACP and asked that it be removed from the motion and considered separately. Upon agreement, the NAACP was removed from the motion.

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MOTION NOW READS: that the City Council approve the FY 2009 funding for Community Organizations in the following amount, subject to approval of the FY 2009 City budget: I CAN READ of Southern Illinois, \$23,784; Family Advocacy Services (Y.E.S.), \$24,827; Boys and Girls Club of Carbondale, \$31,827; Senior Adult Services, \$35,962; Southern Illinois Regional Social Services, \$13,062; The Women's Center, \$12,111; Carbondale Community Arts, \$58,281; Abundant Health Resource Clinic, \$29,980; Good Samaritan Ministries, \$18,560; The Science Center, \$10,026; New Zion Summer Food Program, \$4,000; Carbondale Junior Sports, \$2,500; Carbondale Lions Club Fireworks, \$3,000; Southern Illinois Center for a Sustainable Future, \$2,060; Splash 'n Saturday, \$2,000; and RBF Dome NFP, \$1,500, for a total funding of \$273,480. DISCUSSION: Councilwoman Polhmann noted that she is on the Board of the Abundant Health Resource Clinic so would be abstaining from the vote. Mayor Cole noted these requests will come back for approval by the Council in April as part of the FY 2009 budget. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Abstentions: M. Pohlmann. Motion declared carried.

S. Haynes moved that the NAACP be funded for FY 2009 in the amount of \$2,050 for rent subsidy for the Eurma C. Hayes Center. Motion died for lack of second.

C. Wissmann moved, J. Fritzler seconded, that the Council accept the staff's recommendation to fund the NAACP in the amount of \$0 for FY 2009. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: S. Haynes. Motion declared carried.

C. Wissmann moved, M. Pohlmann seconded, that the City Council approve the FY 2009 funding for the Carbondale Convention and Tourism Bureau in the amount of \$310,000 and Carbondale Main Street in the amount of \$11,660 subject to approval of the FY 2009 City budget. VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: J. Fritzler. Motion declared carried.

Speaking in support of the funding requests for Attucks Community Services Inc., were Board President Tyler Young, Executive Director Abdul Haqq, Margaret Nesbitt and Dr. M Stalls.

C. Wissmann moved, L. Jack seconded, that the Attucks Community Services, Inc., be funded in the amount of \$33,632 for FY 2008 and in the amount of \$34,641 for FY 2009. Councilman Haynes asked that the two fiscal years' funding requests be voted on separately. Motion was withdrawn.

C. McDaniel moved, M. Pohlmann seconded, that the City Council approve funding for Attucks Community Services, Inc., in the current FY 2008 budget in the amount of \$33,632 to be transferred from the General Fund to the Rental Properties Fund. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and C. Wissmann. Nays: S. Haynes and B. Cole. Motion declared carried.

C. Wissmann moved, J. Fritzler seconded, that the Council approve funding for Attucks Community Services Inc., in the FY 2009 budget in the amount of \$34,641 for rent. VOTE: Ayes: L. Jack, J. Fritzler and C. Wissmann. Nays: C. McDaniel, M. Pohlmann, S. Haynes and B. Cole. Motion declared defeated.

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C. McDaniel moved, S. Haynes seconded, that the Council approve full funding for Attucks Community Services Inc. in the FY 2009 budget in the requested amount of \$74,460. VOTE: Ayes: C. McDaniel, C. Wissmann and S. Haynes. Nays: L. Jack, J. Fritzler, M. Pohlmann and B. Cole. Motion declared defeated.

7. Council Comments

8. Closed Meeting

L. Jack moved, C. Wissmann seconded, that the Council hold a Closed Meeting to discuss the salary schedule for one or more classes of employees, the purchase or 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 to conduct the semi-annual review of closed meeting minutes pursuant to 5 ILCS 120/2(c)(2), (c)(5), (c)(6) and (c)(21). VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: J. Fritzler and S. Haynes. Motion declared carried. Open session recessed at 10:13 p.m..

J. Fritzler moved, M. Pohlmann seconded, that the Council return to open session. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session resumed at 11:06 p.m..

S. Haynes moved, C. McDaniel seconded, that the Council (1) approve the minutes of the closed meetings held on July 31 as corrected, August 31 as corrected, October 16, November 6, November 20 and December 18, 2007; (2) determine that the need for confidentiality does not exist for the minutes of July 31 and August 31, 2007, and allow those minutes to be released to the public; (3) declare that the need for confidentiality still exists in 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; and January 16, February 6, March 6, March 20, June 5, June 27, October 16, November 6, November 20 and December 18, 2007; and (4) in accordance with the Illinois Open Meetings Act, authorize the destruction of audiotapes of the closed meetings held on January 17, February 7, February 21, April 4, May 16 and June 20, 2006 (meetings which were held more than 18 months ago.) VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, S. Haynes and B. Cole. Nays: C. Wissmann. Motion declared carried.

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9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 11:09 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on
