

City Council of the City of Carbondale, Illinois
Regular Meeting
November 18, 2008

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, November 18, 2008, in City Council Chambers of the Carbondale Civic Center, 200 S. Illinois Avenue. Following a meeting of the Local Liquor Control Commission, Mayor Brad Cole called the meeting to order at 7:06 p.m. with the following-named members of the City Council present/absent:

1. Roll Call

Present: Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Lance Jack, Councilman Joel Fritzier 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 announced that the Thanksgiving Holiday would be observed by the City of Carbondale on Thursday and Friday, November 27 and 28. City Hall offices will be closed both days but only Thursday's refuse collection route will be affected. Thursday's refuse collection route will be collected on Friday.

Mayor Cole proclaimed November 2008 as "Prematurity Awareness Month" and presented the proclamation to Monet Williams of Zeta Phi Beta Sorority.

1. Notice of Intent to Apply for Waiver of CDAP Housing Rehabilitation Program

It was announced that City staff would be authorized to apply to the Department of Commerce and Economic Opportunity for a waiver to allow the City to consider and, if appropriate, to approve a Community Development Assistance Program housing rehabilitation grant for City employee Faith Johnson and her sister, Kimberly McBride. There was no action required.

3. Citizen Comments and Questions

Elius Reed, 2012 South Illinois Avenue, asked questions about the Comprehensive Plan review. Mr. Reed was asked to hold his question until Agenda Item 6.4.

Don Call, son of Margie Call who was murdered by Timothy Krajcir in Cape Girardeau, expressed his thanks to the Mayor and City Council, City Manager Gill and Police Chief Ledbetter for providing the support and resources to Police Lieutenant Paul Echols which allowed Echols to solve the Deborah Sheppard "cold case" and, in turn, his mother's murder case.

4. Public Hearings and Special Reports

1. Special Report of the Carbondale Information and Telecommunications Commission

James Wall, Vice Chair of the Carbondale Information and Telecommunications Commission, discussed the transition to over-the-air digital television which will start on February 17, 2009. He noted that at that time all analog broadcasting channels will be turned off and those without digital televisions will not be able to receive broadcasts unless they have a digital television converter box. He said that research has shown that less than half the people who will be affected have gotten the converter boxes so although there has been publicity, people seem to not be receiving the message. He encouraged the City of Carbondale through the Carbondale Information and Telecommunications Commission to help spread the word about the transition through whatever means possible, including a public meeting which people can attend to ask questions and get further information.

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 two Public Hearings held on October 21, 2008. Recommendation: Approve.
2. Warrant. Recommendation: Approve Warrant #1049 for the period ended October 6, 2008, (FY 2009) in the amount of \$1,943,608.58. (Exhibit A-11-18-08)
3. Warrant. Recommendation: Approve Warrant #1050 for the period ended October 20, 2008 (FY 2009) in the amount of \$2,002,080.57. (Exhibit B-11-18-08)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Information and Telecommunications Commission of July 21, 2008; Energy and Environmental Advisory Commission of August 21 and September 18, 2008; Housing Study Committee of October 21 and 30, 2008; Human Relations Commission of September 8 and October 6, 2008; Liquor Advisory Board of October 2, 2008, and Preservation Commission of July 21, 2008.
5. Removed from Consent.
6. Removed from Consent.
7. Acceptance of Award of U.S. Department of Justice "Secure Our Schools" Grant, Authorizing the City Manager to Execute an Agreement with Carbondale Elementary School District #95 and Approve an Ordinance approving a Budget Adjustment to the Police Department's FY 2009 Budget. Recommendation: Approve. (Ord. 2008-44 Exhibit C-11-18-08)
8. Resolution Authorizing the City Manager to Execute an Agreement with American Campus Communities Operating Partnership LP for the improvements of the bike trail and building elevation at University Club Townhomes and an Ordinance Granting American Campus Communities Operating Partnership LP a Land Use Permit for the Construction and Maintenance of their Drainage Outfalls. Recommendation: Approve Resolution and Ordinance. (Res. 2008-R-78, Exhibit D-11-18-08; Ord. 2008-45, Exhibit E-11-18-08)
9. Resolution Supporting the Submission of an Application for Funding to Facilitate the Implementation of the 2008 Safe Routes to School Program projects. Recommendation: Approve. (Res. 2008-R-79; Exhibit F-11-18-08)

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- 10 Resolution Authorizing Submission of a CDAP Mobility and Accessibility Rehabilitation Services Grant Application. Recommendation: Approve. (Res. 2008-R-80; Exhibit G-11-18-08)
11. Award of Contract for One Year Exclusive Contractual Vehicle Towing Services with a Contractor's Option for One Additional Year. Recommendation: Award Contract to Tweedy Express Towing, Inc. of Carbondale for the amount of \$12,900 to be paid in quarterly installments of \$3,225.00.
12. Ordinances Adding Territory to the Jackson County - Murphysboro - Carbondale Enterprise Zone. Recommendation: Approve two ordinances adding territory to the Enterprise Zone for the City of Carbondale and the City of Murphysboro. (Ord. Nos. 2008-46 and 2008-47 respectively; Exhibits H-11-18-08 and I-11-18-08 respectively.)

Mayor Cole noted that Items 5.5. and 5.6 would be removed from the Consent Agenda. He asked if anyone wished to removed any additional items from the Consent Agenda. There were no additional items removed.

S. Haynes moved, C. Wissmann seconded, that the Council approve items 5.1, 5.2, 5.3, 5.4, 5.7, 5.8, 5.9, 5.10, 5.11 and 5.12 on the Consent Agenda. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: J. Fritzler. Motion declared carried.

- 5.5. Resolution Authorizing the Issuance of Capital Improvement Revenue Bonds, Series 2008A, for Shawnee Health Service and Development Corporation (1335 Cedar Court).
- 5.6. Resolution Authorizing the Issuance of Capital Improvement Revenue Bonds, Series 2008A, for Shawnee Health Service and Development Corporation (400 S. Lewis Lane).

S. Haynes moved, C. McDaniel seconded, that the Council approve Items 5.5 and 5.6 on the Consent Agenda. DISCUSSION: Mayor Cole noted these resolutions were removed from the Consent Agenda because Councilman Wissmann's wife is employed by the applicant. VOTE: Ayes: C. McDaniel, M. Pohlmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Abstentions: C. Wissmann. Motion declared carried. Resolution Nos. 2008-R-81 and 2008-R-82 respectively; Exhibits J-11-18-08 and K-11-18-08 respectively)

6. General Business

1. Review and Action on the FY 2008 Audited Comprehensive Annual Financial Report and Other Supplemental Financial Report

Mark Dallas of Kerber, Eck and Braeckel presented the FY 2008 Audited Comprehensive Financial Reports

C. McDaniel moved, C. Wissmann seconded, that the Council accept and place on file the audited Comprehensive Annual Financial Report for the fiscal year ended April 30, 2008. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

2. Review of 2008 Proposed Tax Levy, Truth in Taxation Act Determination and Public Library Board's Tax Levy Requirements

S. Haynes moved, C. Wissmann seconded, that the Council direct staff to submit a Tax Levy Ordinance for the December 16, 2008, City Council meeting containing the recommended Tax Levy and Tax Levy Abatements that will result in a net 2008 Tax

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Levy in the amount of \$774,094. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

3. Approval of Contract with PAR Group for Police Chief Recruitment Services

C. Wissmann moved, S. Haynes seconded, that the Council approve the contract with the PAR Group and authorize the City Manager to sign on behalf of the City. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

4. Authorization to Enter into a Professional Services Agreement with Kendig Keast Collaborative to Serve as Consultant for the Comprehensive Plan

Bret Keast of Kendig Keast presented an overview of the process of reviewing the Comprehensive Plan. Asking questions or making comments about the process were: Elius Reed, 2012 South Illinois Avenue; Don White, Crab Orchard Lake Mobile Home Park; Ed Van Awken, 1009 W. Sycamore; James Wall of the Carbondale Information and Telecommunications Commission; and Donald Monty, 418 South Giant City Road. Mayor Cole noted that public involvement in the process is critical, adding that staff will make sure that the public is advised and kept informed.

C. Wissmann moved, J. Fritzler seconded, that the Council approve the Professional Services Agreement with Kendig Keast Collaborative with the total fee for services as outlined not to exceed \$120,504.00. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

5. Consideration of Funding Pre-applications from Community Organizations

L. Jack moved, C. Wissmann seconded, that the Council invite Heterodyne Broadcasting Corporation d/b/a WDBX to submit a full application in the amount of \$4,000.00. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, L. Jack and J. Fritzler. Nays: S. Haynes and B. Cole. Motion declared carried.

J. Fritzler moved, C. Wissmann seconded, that the Council invite the American Red Cross - Little Egypt Network to submit a full application in the amount of \$20,000.00. VOTE: Ayes: C. Wissmann and J. Fritzler. Nays: C. McDaniel, M. Pohlmann, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

C. Wissmann moved, L. Jack seconded, that the Council invite The Boys and Girls Club of Carbondale to submit a full application in the amount of \$5,000.00. VOTE: Ayes: C. Wissmann and J. Fritzler. Nays: C. McDaniel, M. Pohlmann, S. Haynes, L. Jack and B. Cole. Motion declared defeated.

6. Ordinance Adopting the Affirmative Action Plan

Presenting comments or asking questions regarding the Affirmative Action Plan were: Donald Monty, 418 South Giant City Road; Pastor Rick Jackson, 314 East Jackson; Margaret Nesbitt, 216 East James and Thelma Walker Avenue; Elius Reed, 2012 South Illinois Avenue; Sidney Logwood, 1704 West Colonial Drive; Pawel Sawicki, 907 South Taylor Drive; and John Cutts of Carbondale.

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S. Haynes moved, C. Wissmann seconded, that the Council approve the Ordinance adopting the Affirmative Action Plan. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried. (Ord. 2008-48; Exhibit L-11-18-08)

7. Council Comments

Mayor Cole said that all should recognize the many blessings that have been afforded, including the opportunity to have discussions such as were just held, to meet in a public forum in a public place and have candid conversations. He said there are many things to be thankful for and wished everyone the best of Thanksgivings.

8. Closed Meeting

The Closed Meeting was cancelled.

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 9:35 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on
