

City Council of the City of Carbondale, Illinois
Regular Meeting
September 16, 2008

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 16, 2008, 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 Allen D. Gill and various members of the City's administrative staff.

2. General Announcements and Proclamations

Mayor Cole announced that the City was recovering from the storm damage which occurred when the remnants of Hurricane Ike came through on Sunday. The City will pick up, free of charge, any tree limbs or branches that are placed at curbside. Limbs do not have to be cut or tagged. Regular landscape waste will not be collected as part of this special project.

Mayor Cole announced that he had sent a letter to Attorney General Lisa Madigan asking that she investigate possible price gouging by local gas stations in recent weeks.

3. Citizen Comments and Questions

There was no one who indicated a desire to address the Council during this portion of the meeting.

4. Public Hearings and Special Reports

1. Special Report on the Summer Clean-Up Program and Governor's Summer Youth Works Program

Public Works Director Beth Ponce made a presentation on the Summer Clean-Up Program that had taken place during the summer of 2008.

Community Relations Officer Marilyn James made a presentation on the Governor's Summer Youth Works Program that had taken place during July and August.

There was no Council action taken as a result of the presentations.

City Council of the City of Carbondale, Illinois - September 16, 2008

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 September 2, 2008. Recommendation: Approve.
2. Warrant. Recommendation: Approve Warrant #1046 for the period ended August 25, 2008, (FY 2009) in the amount of \$1,108,059.33. (Exhibit A-9-16-08)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Fire Fighters Pension Board of Trustees of June 10, 2008; Human Relations Commission of August 4, 2008; Planning Commission of August 20, 2008.
4. Removed from Consent.
5. Removed from Consent.
6. Removed from Consent.
7. Ordinance Authorizing a Budget Adjustment in amount of \$57,000 to Establish the FY 2009 Police Department Contingency Account. Recommendation: Approve. (Ord. 2008-37; Exhibit B-9-16-08)
8. Approval of a Non-Interest Operating Cash Loan to the Carbondale Public Library. Recommendation: Approve in amount of \$25,000 for September 2008 and \$75,000 for each of the following months until property taxes are disbursed by Jackson County and received.
9. Illinois Municipal League Legislative Bulletin 2008-14. Recommendation: Accept and place on file.
10. Removed from Consent.
11. Approval of Installation of Street Lights on Tower Road, the Intersection of East Walnut Street and South Lake Heights, and at West Main Street at Orchard Drive. Recommendation: Approve.
12. Resolution Authorizing the City Manager to Execute an Agreement with the Illinois Department of Transportation for the Resurfacing of Walnut Street from Oakland Avenue to Lewis Lane (ST0902). Recommendation: Approve. (Res. 2008-R-65; Exhibit C-9-16-08)

Mayor Cole asked if any Council Member would like any items removed from the Consent Agenda. Councilman Fritzler asked that Item 5.4 be removed. Councilman Haynes asked that Items 5.5 and 5.6 be removed. Councilman Jack asked that Item 5.10 be removed.

L. Jack moved, C. McDaniel seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.11 and 5.12. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

5.4 Resolution Declaring Fair Days for a Barbeque at the Town Square Pavilion

S. Haynes moved, L. Jack seconded, that the Council approve the Resolution Declaring Fair Days for a Barbeque to be Hosted by the City of Carbondale for German Military Officers at the Town Square Pavilion. DISCUSSION: In response to Councilman Fritzler's inquiry, Mayor Cole said the event would be open to the public. VOTE: Ayes: S. Haynes, L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: J. Fritzler. Motion declared carried. (Res. 2008-R-63; Exhibit D-9-16-08)

City Council of the City of Carbondale, Illinois - September 16, 2008

5.5 Creation of Housing Study Committee

S. Haynes moved, C. Wissmann seconded, that the Council concur in Mayor's appointment of John H. Baker as Chair, Loretta Cooley, D. Gorton, Julian Pei, George Sheffer, Carlton Smith and Greg Veach to the Housing Study Committee. DISCUSSION: Councilman Haynes thanked Mayor Cole for appointing the Committee. Donald Monty, 418 S. Giant City Road, suggested that due to the importance and scope of the Committee that it should have been placed under General Business to allow citizen input. He further suggested that the Committee include SIU students and provide a broader perspective, adding that many Committee members are connected to rental property. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

5.6 Creation of a Comprehensive Plan Review Committee.

S. Haynes moved, C. Wissmann seconded, that the Council concur in Mayor's appointments to the Comprehensive Plan Review Committee, as follows: Robert Harper as Chair, Jane Adams (Arbor District Neighborhood Association), Lana Bardo (Human Relations Commission), Robert Bauman, Larry "Skip" Briggs (Former City Councilman), John C. Davis (Southern Illinois University), John Dosier (Carbondale Chamber of Commerce), Nick Ferraro (SIU Student), Elizabeth Gersbacher (Carbondale Community High School), Allen D. Gill (Carbondale City Manager), Bob Greene (Carbondale Park District), Richard Hayes (Carbondale Branch NAACP), Doug McEwen, William Schroeder, Roger Pfister (Carbondale Elementary School District) and Mayor Brad Cole as Ex-Officio. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried.

5.10 Resolution Declaring Fair Days for the Downtown Saluki Tailgate and Chili Cook-Off.

L. Jack moved, J. Fritzler seconded, that the Council approve the Resolution granting Fair Days for the Carbondale Chamber of Commerce and Carbondale Main Street Downtown Saluki Tailgate and Chili Cook-Off on October 25, 2008, from 12:00 noon through 6:00 p.m. in the area commonly referred to as the Northeast Parking Lot of the Town Square. DISCUSSION: Councilman Jack noted that he had asked that this item be removed from Consent just so it could receive a little more publicity as another good event in downtown Carbondale. VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: None. Motion declared carried. (Res. 2008-R-64; Exhibit E-9-16-08)

6. General Business

1. Resolution Approving and Resolution Denying a Request by Julie Lynch for a Special Use Permit to Allow Living Quarters for a Person Employed on the Premises in an AG, General Agriculture District, Located at 350 Bay Road

L. Jack moved, J. Fritzler seconded, that the Council adopt the Resolution approving the request by Julie Lynch for a Special Use Permit to allow living quarters for a person employed on the premises in an AG, General Agriculture, District at 350 Bay Road with the following conditions: (1) Occupancy of the existing structure is limited to a person employed on the premises and his/her family in accordance with Section 15-2D-5N of the Carbondale Revised Code; and (2) The new structure must meet all regulations as set forth in Section 15-2D-5 including, but not limited to, minimum building setbacks.

City Council of the City of Carbondale, Illinois - September 16, 2008

DISCUSSION: Speaking in opposition to the Special Use was Attorney Gene Turk, representing SRT Land Trust which owns property south of the subject property. Also speaking in opposition was Rich Hall of 396 Bay Road. Donald Monty, 418 South Giant City Road and former Planning Director, shared his understanding of the City Code provisions related to persons employed on the premises. Mayor Cole suggested that there is currently no need for the Special Use because a second residential structure has not been constructed on the premises.

Following the discussion, Councilman Jack withdrew his motion.

C. Wissmann moved, M. Pohlmann seconded, that the Council adopt the Resolution denying the request by Julie Lynch for a Special Use Permit to allow living quarters for a person employed on the premises in an AG, General Agriculture, District at 350 Bay Road. VOTE: Ayes: S. Haynes, J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann and B. Cole. Nays: L. Jack. Motion declared carried. (Res. 2008-R-66; Exhibit F-9-16-08)

Councilman Wissmann suggested that the property owner and the neighbors get together in an attempt to come to an agreement on the property.

7. Council Comments

Councilman Jack reminded everyone about the Carbondale Main Street Pig Out to be held the upcoming weekend and encouraged all to attend.

Councilwoman Pohlmann urged everyone to be cautious in their storm clean up of trees and limbs, especially around downed wires or getting on roofs.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 8:22 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on
