

City Council of the City of Carbondale, Illinois
Regular Meeting
February 3, 2009

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, February 3, 2009, 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 Lance Jack, Councilman Joel Fritzler, Councilwoman Corene McDaniel, Councilman Chris Wissmann, Councilman Steven Haynes and Mayor Brad Cole

Absent: Councilwoman Mary Pohlmann

Also present were Deputy City Clerk Jean Garrett, City Manager Allen D. Gill and various members of the City's administrative staff.

2. General Announcements and Proclamations

Mayor Cole announced that City offices would be closed on Monday, February 16, in observance of Presidents Day. All refuse collection routes will be delayed one day.

3. Citizen Comments and Questions

Elius Reed, 2012 South Illinois Avenue, distributed for Council review a document entitled "C'Dale City Council Members and C'Dale NAACP Members Work to Vote to Adopt a Changed Affirmative Action Plan that Does Not Require Construction Contractors to Employ Local C'Dale Minority Residents on C'Dale Area Construction Jobs at a Time When 500-600 Construction Jobs are Coming to the C'Dale Area". In addition, regarding the robbery of First Southern Bank for which a Carbondale Police Officer has been charged, Mr. Reed asked that meeting be held at the Civic Center to address concerns of citizens regarding possible police corruption. Mayor Cole said that if Mr. Reed has concern or has heard any discussion or rumors about corruption by any City of Carbondale employee, that information should be shared with the Mayor, the City Manager or the Chief of Police so it can be fully investigated. Lastly, Mr. Reed said the Grand Opening for Aldi's food store had been held on Sunday but in response to a Request for Records he was told that City staff does not have information on any black construction workers that were employed on that project. He said this was another job on which no black construction workers were involved. He asked if the City has training programs to meet affirmative action goals and does the City have an employment system in place to refer available minority workers to contractors. Mayor Cole suggested that Mr. Reed meet with Community Relations Officer Marilyn James who can provide the answers.

4. Public Hearings and Special Reports

1. Public Hearing on the Proposed Vacation of a Certain Alley Running North/South Between West Baird Street and West Rigdon Street and Bounded by 500 and 504 West Baird Street

The minutes of this public hearing were transcribed separately.

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2. Public Hearing on Annexation Agreement Between the City of Carbondale and Michael and Janet Althoff for Froesch Acres

The minutes of this Public Hearing were transcribed separately.

5. Consent Agenda

Presented for Council approval on the Consent Agenda were the following items and corresponding recommendations:

1. Approval of Minutes of the Regular City Council meeting held on January 13, 2009, 2008. Recommendation: Approve.
2. Approval of Warrant #1055 for Period Ended December 29, 2008, in the amount of \$1,186,641.50. Recommendation: Approve. (Exhibit A-2-3-09)
3. Approval of Warrant #1056 for Period Ended December 29, 2008, in the amount of \$1,054,383.85. Recommendation: Approve. (Exhibit B-2-3-09)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Public Library Board of Trustees of December 10, 2008, and Preservation Commission of October 20, 2008.
5. Mayor's Appointments to Boards, Commissions and Committees. Recommendation: Concur in appointment of Kristin Gregory Ward to the Human Relations Commission to complete an unexpired term through April 15, 2010, and appointment of Jeffrey W. Doherty to the Southern Illinois Airport Authority to complete an unexpired term through November 1, 2011.
6. Acceptance of Deeds and Easements. Recommendation: Accept temporary construction easement from Carbondale Business Development Corporation for the Reed Station Road Construction Project and four permanent easements from University Mall Associates LLC for the Crab Orchard Water District Improvements and record permanent easements in the County Clerk's Office.
7. Award of Contract for City Reservoir Spillway Outlet Channel Erosion Control, CIP No. WS0907. Recommendation: Award to Mott Excavating, Inc. of Vienna, Illinois, in the amount of \$48,849.56.
8. Ordinance Approving an Annexation Agreement between the City of Carbondale and Michael and Janet Althoff for Froesch Acres. Recommendation: Approve. (Ord. 2009-08; Exhibit C-2-3-09)
9. Resolution Approving the Froesch Acres Subdivision and Subdivision Agreement Located on North County Line Road. Recommendation: Approve. (Res. 2009-R-06; Exhibit D-2-3-09)
10. Ordinance Amending Title Six of the Carbondale Revised Code to Include Burials Within Snider Hill Cemetery. Recommendation: Approve. (Ord. 2009-09; Exhibit E-2-3-09)
11. Ordinance Vacating an Alley Running North/South Between West Baird Street and Bounded by 500 and 504 West Baird Street. Recommendation: Approve. (Ord. 2009-10; Exhibit F-2-3-09)
12. Resolution Authorizing the City Manager to Execute Amendment No. 1 to an Engineering Service Agreement with Crawford, Murphy & Tilly, Inc. for Water Storage Improvements (WS0201), Approval of an Amendment to the Five-Year Community Investment Program and Budget Adjustment. Recommendation: Approve Resolution, Amend FY 2009 Community Investment Program to include the design of the Water Storage Facility (Phase II) (WS0202) I FY 2009 at an estimated cost of \$191,896, and approve the Budget Adjustment. (Res. 2009-R-07; Exhibit G-2-3-09)

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

C. Wissmann moved, S. Haynes seconded, that the Council approve all items listed on the Consent Agenda. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

6. General Business

1. Award of Contract for Demolition of 201 North Washington Street (Tuscan Lodge) and 204 East Jackson Street (Old Fish Market)

J. Fritzler moved, L. Jack seconded, that the Council award the contract for the demolition of 201 North Washington Street and 204 East Jackson Street, to Gary Maier, Vienna, Illinois, in the amount of \$19,838.00. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

2. Ordinance Authorizing the Filing of Condemnation Actions to Obtain Real Estate for the Reed Station Road Corridor Widening Project

C. Wissmann moved, C. McDaniel seconded, that the Council approve an Ordinance authorizing the filing of condemnation actions to obtain real estate for the Reed Station Road corridor widening project. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2009-11; Exhibit H-2-3-09)

7. Council Comments

Mayor Cole introduced new City Planner Meagan Jones.

Councilman Wissmann expressed appreciation to City staff for the excellent job of snow and ice removal the prior week. Councilman Fritzler echoed Councilman Wissmann's comments. Mayor Cole noted that staff was out cleaning streets around the clock. He also noted that City Hall remained open during Tuesday and Wednesday when the school, county offices and most businesses were closed and thanked City staff for accommodating the people of the community.

8. Closed Meeting

S. Haynes moved, C. McDaniel seconded, that the Council hold a Closed Meeting to conduct the semi-annual review of closed meeting minutes pursuant to 5 ILCS 120/2(c)(21). VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session recessed at 7:26 p.m..

S. Haynes moved, J. Fritzler seconded, that the Council return to open session. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session resumed at 7:38 p.m..

S. Haynes moved, C. McDaniel seconded, that the Council approve the minutes of the closed meetings held on August 5 and December 16, 2008 and January 13, 2009. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

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C. Wissmann moved, L. Jack seconded, that the Council declare that the need for confidentiality no longer exists for the minutes of December 16, 2008, and authorize the public release of those minutes. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

S. Haynes moved, J. Fritzler seconded, that the Council 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, July 8 and August 5, 2008; and January 13, 2009. VOTE: Ayes: L. Jack, J. Fritzler, C. McDaniel, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

L. Jack moved, C. McDaniel seconded, that in accordance with the Illinois Open Meetings Act, the Council authorize the destruction of audiotapes of the closed meetings held on January 16, February 6, March 6, March 20, June 5 and June 27, 2007 (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.

9. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 7:44 p.m..

Janet M. Vaught, City Clerk

By Jean Garrett, Deputy City Clerk

Approved by the City Council on
