

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

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, November 3, 2009, in City Council Chambers of the Carbondale Civic Center, 200 South 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: 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 announced that City Hall offices would be closed on Wednesday, November 11, for Veterans Day. Wednesday and Thursday refuse collection routes will be collected on Thursday and Friday respectively.

Mayor Cole administered the Oath of Office to new Carbondale Patrol Officers Justin Taylor and Jacob Lustig.

3. Citizen Comments and Questions

Margaret Nesbitt, 216 East James and Thelma Walker Avenue, described a situation which occurred on October 30, 2009, when she was pulled over by a police officer in an unmarked squad car. She expressed concern about how the situation unfolded and explained that she wanted the City Council to know about what had happened. She asked questions about police procedure for stopping vehicles; Mayor Cole noted that the City Council cannot answer questions about police procedures and that those questions should be addressed to Police Chief Jody O'Guinn.

Elbert Simon, a Carbondale resident, followed up on Ms. Nesbitt's statement and added comments about the proposed elimination of the City position of Community Relations Officer. He expressed concern that the City may be moving backward instead of forward in terms of Affirmative Action.

4. Public Hearings and 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 of the Regular City Council meeting held on October 20, 2009. Recommendation: Approve.
2. Warrant for Period Ended October 5, 2009, Warrant #1078. Recommendation: Approve in amount of \$1,243,245.59. (Exhibit A-11-3-09)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Public Library Board of Trustees of September 9, 2009; Police Pension Fund Board of Trustees of August 25, September 22 and September 25, 2009; and Preservation Commission of September 21, 2009.
4. Resolution Approving Hess-Burruss Subdivision and Subdivision Agreement at 1245 East Walnut Street. Recommendation: Approve. (Res. 2009-R-69; Exhibit B-11-3-09)
5. Award of Contract for Anaerobic Digester Improvements at the Northwest Wastewater Treatment Plant, CIP No. WW0001. Recommendation: Award contract to Haier Plumbing and Heating, Inc. of Okawville, Illinois, in the amount of \$335,737.00.
6. Ordinance Authorizing the City Manager to Execute a Contract for the Sale of the West Fifteen (15) Feet of Lot 821 in McGuire and Lauder's Addition (800 Block of West Pecan) to John and Rebecca Parkinson. Recommendation: Approve. (Ord. 2009-51; Exhibit C-11-3-09)

The Mayor asked if anyone would like any items removed from the Consent Agenda. There were no items removed.

C. Wissmann moved, S. Haynes seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5 and 5.6. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried.

6. General Business

1. Ordinance Approving the Stage Company Inc.'s Request to Designate the Varsity Center for the Arts, 418 South Illinois Avenue, as a Landmark District on the Carbondale Register of Historic Places

J. Fritzler moved, C. McDaniel seconded, that the Council approve the Ordinance Designating the Varsity Center for the Arts, 518 South Illinois Avenue, as a Landmark District on the Carbondale Register of Historic Places with the Proposed Design Standards and District Boundary. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2009-52; Exhibit D-11-3-09)

Mayor Cole noted that the City of Carbondale had received a 2009 Governor's Home Town Award for communities of 25,000 to 50,000 population in the category of "Community Beautification and Cleanup" for the Varsity Center for the Arts project.

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2. Ordinance Approving a Zoning Text Amendment Amortizing Certain Non-Conforming Mobile Homes

Persons speaking on this issue were: Amanda Rothe, 848 East Pleasant Hill Road; Genevieve Houghton, 710 North Oakland; Ed Van Awken, 1009 West Sycamore, Elbert Simon, a Carbondale resident; and Radine Paper, 36 Paper Lane.

M. Pohlmann moved, C. Wissmann seconded, that the Council adopt the Ordinance approving a text amendment amortizing certain non-conforming mobile homes. VOTE: Ayes: M. Pohlmann, C. Wissmann, L. Jack, C. McDaniel and B. Cole. Nays: S. Haynes and J. Fritzler. Motion declared carried. (Ord. 2009-53; Exhibit E-11-3-09)

Following the vote, Councilman Haynes asked how the ordinance would affect mobile homes annexed into the City in the future. Mayor Cole noted that newly-annexed mobile homes would have to comply with the ordinance.

7. **Council Comments**

Councilwoman McDaniel wished her husband, Milton McDaniel, a happy 42nd wedding anniversary and assured him he would be granted at least another five years. Mayor Cole wished Councilwoman McDaniel a very happy anniversary as well.

8. **Closed Meeting**

M. Pohlmann moved, C. Wissmann seconded, that the Council hold a Closed Meeting to discuss the purchase or lease of real property for use by the public body or the setting of a price for sale or lease of property owned by the public body pursuant to 5 ILCS 120/2(c)(5) and (c)(6). 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 8:05 p.m..

C. McDaniel moved, C. Wissmann seconded, that the Council return to open session. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. Open session resumed at 8:21 p.m.. Councilman Jack returned to the meeting following the roll call vote on returning to open session.

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

9. **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:
